



APPLICATION FOR ASSISTANCE

Each applicant seeking assistance must complete this application and provide required supplemental forms/documentation.

Please answer all questions. Use "None" or "Not Applicable" where necessary. Information in this application may be subject to public review under New York State Law, except for information that is considered deniable by the Freedom of Information Law. This form is available at www.monroecountybusiness.org/application.

Please send completed application via email to EconomicDevelopment@monroecounty.gov. A **non-refundable** application fee of \$350.00 is required. Please see page 12 for additional information on costs and fees.

I. APPLICANT

A. Applicant Information

Name: CPP & Conifer Realty (to be formed single purpose entity controlled by CPP & Conifer Realty)
 Address: 11921 Freedom Drive, Suite 860
 City/State/Zip: Reston, VA 20190
 Tax Id No.: TBD
 Contact Name: John Fraser (w/ CPP Co-Dev)
 Title: Director
 Telephone: 781-475-2457
 E-Mail: jfraser@cpp-housing.com

Contact Name: Michael Birkby (w/ Conifer Co-Developer)
 Title: Sr. Project Manager
 Telephone: 585-455-7106
 E-Mail: mbirkby@coniferllc.com

B. Applicant's Legal Counsel

Name: Eleor Cohen
 Firm: Levitt & Boccio, LLP
 Address: 423 W 55th St, 8th Floor
 City/State/Zip: New York, NY 10019
 Telephone: 212-801-3763
 Email: ecohen@levittboccio.com

Name: Matthew Carrigg (co-counsel)
 Firm: Nixon Peabody LLP
 Address: 1300 Clinton Square
 City/State/Zip: Rochester, NY 14604-1792
 Telephone: 585-263-1214
 Email: mcarrigg@nixonpeabody.com

C. Owners of Applicant Company (must total 100%). If an LLC, LP or similar, all members/partners must be listed

<u>Name</u>	<u>Ownership %</u>	<u>Corporate Title</u>
To be formed single purpose entity GP controlled by CPP & Conifer Realty	0.01 %	General Partner
TBD Holding Entity	99.99 %	SLP / Holding Entity

II. PROJECT

A. Address of proposed project facility

Address: 125 St. Paul Street

Tax Map Parcel Number: 106.79-1-64

City/Town/Village: Rochester

School District: Monroe

Zip: 14604

Current Legal Owner of Property:

Andrews Terrace, LLC

B. Benefits Requested (Check all that apply)

- Sales Tax Exemption
- Mortgage Recording Tax Exemption
- Real Property Tax Abatement
- Industrial Revenue Bond Financing

C. Description of project (check all that apply)

- New Construction
- Existing Facility
 - Acquisition
 - Expansion
- Renovation/Modernization
- Acquisition of machinery/equipment
- Other (specify) _____

D. Proposed User(s)/Tenant(s) of the Facility

If there are multiple Users/Tenants, please attach additional pages.

Are the user and owner related entities? Yes No

Company Name: _____

Address: _____

City/State/Zip: _____

Tax ID No: _____

Contact Name: _____

Title: _____

Telephone: _____

Email: _____

% of facility to be occupied by user/tenant _____

E. Owners of User/Tenant Company (must total 100%)

If an LLC, LP or similar, all members/partners must be listed

Name	%	Corporate Title
_____	%	_____
_____	%	_____
_____	%	_____
_____	%	_____

F. Project Timeline

Proposed Date of Acquisition: May 2023

Proposed Commencement Date of Construction: July 2023

Anticipated Completion Date: December 2025

G. Contractor(s)

GC: Conifer-LeChase Construction, LLC

II. PROJECT (cont'd)

- H. Would the project be undertaken without financial assistance from the Agency? Yes No

Please explain why financial assistance is necessary.

Without an issuance of tax-exempt bond from COMIDA, the property would not be able to get as-of-right 4% Low Income Housing Tax Credits from NYSHFA and would therefore be financially infeasible. Furthermore, without a sales tax exemption on construction materials as well as the mortgage recording tax exemption, there would be substantially more development expenses which would likewise make the project infeasible. The real property tax abatement is also critical as the amount of supportable debt proceeds would be greatly diminished if the project were not able to secure an abatement which would also make it financially infeasible. Furthermore, the property suffers from deferred maintenance, outdated building systems and water infiltration which is putting the structural integrity of the balconies, cross-bridges and parking structure at risk. Without the rehab which the financial assistance from COMIDA will allow, the property is at risk of losing its certificate of occupancy.

- I. Are other facilities or related companies located within New York State?

Yes No

Location:

Will the Project result in the removal of an industrial or manufacturing plant of the Project occupant from one area of the state to another area of the state? Yes No

Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the state?

Yes No

If Yes to either question, explain how the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Applicant or User's competitive position in its respective industry:

- J. State Environmental Quality Review (SEQR) Act Compliance

COMIDA, in granting assistance to the Applicant, is required to comply with the New York State Environmental Quality Review Act (SEQR).

Does the proposed project require discretionary permit, license or other type of approval by the state or local municipality?

YES - Include a copy of any SEQR documents related to this Project including Environmental Assessment Form, Final Determination, Local Municipality Negative Declaration, etc.

NO

II. PROJECT (cont'd)

K. DESCRIPTION OF THE PROJECT AND BACKGROUND ON USER(S) OF THE FACILITY

NAICS Code: 531311

Andrews Terrace is a 526-unit multifamily community in Rochester, NY with a 496-unit project-based Section 8 HAP contract. Originally built in 1975, the property underwent a LIHTC-financed rehab in 2007. This downtown Rochester property, located on the Genesee River, consists of a 22-story elevated building, a connected 19-story elevated building, and a connected 2-story parking structure.

Co-developers Conifer Realty and Community Preservation Partners, propose to undertake a LIHTC-financed acquisition and rehabilitation of Andrews Terrace. The planned execution is for the property to be purchased in May 2023. Concurrently, the development team would request a rent adjustment and 20-year renewal to the Project-based Section 8 HAP contract from HUD; an issuance of Tax-Exempt Private Activity Bonds, sales tax exemption, mortgage recording fees exemption and a Payment-in-Lieu of Taxes Agreement (PILOT – 10% of shelter rents) from the County of Monroe Industrial Development Authority (COMIDA); and 4% Low Income Housing Tax Credits (LIHTC) from New York State Division of Housing and Community Renewal (NYSHCR). The to-be-formed Limited Partnership would acquire the property from the bridge-holding entity in July 2023 and at closing we would then undertake a meaningful rehabilitation of the property.

Rehabilitation of the property will be tenant-in-place (occupied) renovation and is expected to take 24-30 months to complete. Scope of work for the rehabilitation includes addressing masonry, waterproofing, and structural issues at the balconies, bridges, and parking structure, renovation of dwelling units (new kitchens, bathrooms, flooring, lighting, etc.), common areas (paint and lighting), building systems (waste line repairs/replacement; HVAC upgrades, elevator upgrades, etc.), exterior work (brick masonry repairs, painting, balcony upgrades, roof replacement, etc.) and site work (parking garage repairs (mill, repave, re-stripe), exterior amenities, etc.). There will also be substantial upgrades to the accessibility of the property with ADA unit conversions and path of travel improvements.

The anticipated relocation plan during the rehabilitation of Andrews Terrace will be similar to the approach being undertaken at Keeler Park (also a CPP and Conifer Partnership). Residents will temporarily vacate their units for approximately 3 weeks into vacant units (on-site hospitality suites) then return to their original unit upon that unit's completion. Several units will be held vacant for use as hospitality suites during the anticipated 30-month rehab period.

III. PROPERTY TAX ABATEMENT/PAYMENT IN LIEU OF TAX AGREEMENT (PILOT)

Check One:

JOBSPLUS

Requirements:

- Applicant must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is _____.

LEASEPLUS

Requirements:

- University and/or medical related facilities in which a 501(c)3 entity leases from a for-profit entity.
- Company must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is _____.

ENHANCED JOBSPLUS

Requirements:

- A minimum \$15 million investment **AND**
- A minimum of 100 new jobs

GREEN JOBSPLUS

Requirements:

- LEED® Certification – Project must be rated as Certified, Gold, Silver or Platinum by the United States Green Building Council's Leadership in Energy and Environmental Design (LEED®) Green Building Rating System.
- Company must commit to a 10% increase in full-time equivalent employment, measured on the existing impacted employee base, over a 3 year period. The required number of jobs is _____.

SHELTER RENT

For student housing or affordable housing projects.

Local Tax Jurisdiction Sponsored PILOT

NO PROPERTY TAX ABATEMENT IS SOUGHT FOR THIS PROJECT

IV. APPLICANT PROJECT COSTS

A. Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement and/or equipment of the project by the APPLICANT.

Building Construction or Renovation

- a. Materials a. \$ 67,291,180
- b. Labor b. \$ 55,178,768

Site Work

- c. Materials c. \$ 6,729,118
- d. Labor d. \$ 5,393,294
- e. Non-Manufacturing Equipment e. \$ 0
- f. Manufacturing Equipment f. \$ 0
- g. Equipment Furniture and Fixtures g. \$ 0
- h. Land and/or Building Purchase h. \$ 105,587,707
- i. Soft Costs (Legal, Architect, Engineering) i. \$ 23,932,764
- Other (specify) j. Financing Costs j. \$ 60,586,772
- k. Reserves k. \$ 2,643,000
- l. Developer Fee l. \$ 30,483,203
- m. _____ m. \$ _____

Total Project Costs \$ 357,825,806
(must equal Total Sources)

B. Sources of Funds for Project Costs:

- a. Tax-Exempt Industrial Revenue Bond a. \$ 192,561,711
- b. Taxable Industrial Revenue Bond b. \$ 0
- c. Bank Financing c. \$ 0
- d. Public Sources d. \$ 0

Identify each state and federal grant/credit

Equity from Sale LIHTC \$ 165,264,095

_____ \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

e. Equity \$ _____

TOTAL SOURCES \$ 357,825,806
(must equal Total Project Costs)

C. Has the applicant made any arrangements for the financing of this project

Yes No

If yes, please specify bank, underwriter, etc.

KeyBank - Robbie Lynn, VP
202-452-4922 -
robbie_lynn@keybank.com

V. COMPLETE FOR EACH USER/TENANT THAT IS SEEKING SALES TAX EXEMPTIONS USER(S)/TENANT(S) PROJECT COSTS

Use additional sheets as necessary

Company Name _____

A. Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement, and/or equipping of the project by the user(s)/tenant(s) for which a sales tax exemption is requested.

Estimated Costs Eligible for Sales Tax Exemption Benefit

- a. Materials a. \$ _____
- b. Labor b. \$ _____
- c. Non-Manufacturing Equipment c. \$ _____
- d. Manufacturing Equipment d. \$ _____
- e. Furniture and Fixtures e. \$ _____

Other (specify): f. _____ f. \$ _____

g. _____ g. \$ _____

h. _____ h. \$ _____

i. _____ i. \$ _____

Total Project Costs \$ _____

VI. Value of Incentives

Project name:

A. IDA PILOT Benefits:	Andrews Terrace
Current Assessment	15,048,000
Dollar Value of New Construction & Renovation C	6,729,118
Estimated New Assessed Value of Project Subject	21,777,118

County Tax rate/\$1,000	9.98
Local Tax Rate* Tax Rate/\$1,000	
School Tax Rate /\$1,000	35.83
Total Tax Rate	45.81

PILOT Year	Gross Rent	Utilities	Net rent before vac	PILOT %	Total Before Benefit	Total PILOT Payment After
1	9,415,524	574,828	8,840,696	10%	997,609.78	884,069.60
2	9,603,834	592,073	9,011,762	10%	1,017,561.97	901,176.16
3	9,795,911	609,835	9,186,076	10%	1,037,913.21	918,607.61
4	9,991,829	628,130	9,363,699	10%	1,058,671.47	936,369.93
5	10,191,666	646,974	9,544,692	10%	1,079,844.90	954,469.20
6	10,395,499	666,383	9,729,116	10%	1,101,441.80	972,911.61
7	10,603,409	686,375	9,917,035	10%	1,123,470.64	991,703.46
8	10,815,477	706,966	10,108,512	10%	1,145,940.05	1,010,851.15
9	11,031,787	728,175	10,303,612	10%	1,168,858.85	1,030,361.21
10	11,252,423	750,020	10,502,403	10%	1,192,236.03	1,050,240.26
11	11,477,471	772,521	10,704,950	10%	1,216,080.75	1,070,495.05
12	11,707,021	795,696	10,911,324	10%	1,240,402.36	1,091,132.43
13	11,941,161	819,567	11,121,594	10%	1,265,210.41	1,112,159.38
14	12,179,984	844,154	11,335,830	10%	1,290,514.62	1,133,583.00
15	12,423,584	869,479	11,554,105	10%	1,316,324.91	1,155,410.50
16	12,672,056	895,563	11,776,492	10%	1,342,651.41	1,177,649.23
17	12,925,497	922,430	12,003,067	10%	1,369,504.44	1,200,306.66
18	13,184,007	950,103	12,233,904	10%	1,396,894.53	1,223,390.36
19	13,447,687	978,606	12,469,081	10%	1,424,832.42	1,246,908.06
20	13,716,641	1,007,964	12,708,676	10%	1,453,329.07	1,270,867.62
21	13,990,973	1,038,203	12,952,770	10%	1,482,395.65	1,295,277.01
22	14,270,793	1,069,349	13,201,443	10%	1,512,043.56	1,320,144.34
23	14,556,209	1,101,430	13,454,779	10%	1,542,284.43	1,345,477.88
24	14,847,333	1,134,473	13,712,860	10%	1,573,130.12	1,371,286.01
25	15,144,280	1,168,507	13,975,773	10%	1,604,592.72	1,397,577.26
26	15,447,165	1,203,562	14,243,603	10%	1,636,684.58	1,424,360.29
27	15,756,108	1,239,669	14,516,439	10%	1,669,418.27	1,451,643.94
28	16,071,231	1,276,859	14,794,371	10%	1,702,806.63	1,479,437.15
29	16,392,655	1,315,165	15,077,490	10%	1,736,862.77	1,507,749.03
30	16,720,508	1,354,620	15,365,888	10%	1,771,600.02	1,536,588.85
					40,471,112.39	35,462,204.23

B. Sales Tax Exemption Benefit:		
Estimated value of Sales Tax exemption for faculty construc		\$5,921,623
Estimated duration of Sales Tax exemption:		12/31/2025
C. Mortgage Recording Tax Exemption Benefit:		
Estimated Value of Mortgage Recording Tax exemption:		\$1,444,500
D. Industrial Revenue Bond Benefit		
IRB inducement amount, if required:	\$	193,000,000
E. Percentage of Project Costs financed form Public Sector sources:		
Total Value of Incentives:	12,375,031	3.46%
Sources of Funds (Section IV.B.)	357,825,806	

** All estimates are based on current tax rates.

VII. PROJECTED EMPLOYMENT

Complete for each Applicant or User/Tenant

Company Name: TBD c/o Community Preservation Partners

Applicant: or User/Tenant:

Applicant/Tenant creating jobs must submit most recent NYS-45 or equivalent.

	Current # of jobs at proposed project location or to be relocated to project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be RETAINED	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be CREATED upon THREE Years after Project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PTE jobs to be created upon THREE Years after Project Completion **
Full time (FTE)	9	9	1	1
Part Time (PTE)	1	1	0	0
Total	9.5	9.5	1	1

** For purposes of this question, please estimate the number of FTE and PTE jobs that will be filled, as indicated in the third column, by residents of the Labor Marker Area, in the fourth column. The Labor Marker Area includes: Monroe County, Orleans County, Genesee County, Wyoming County, Livingston County, Ontario County, Wayne County, Yates County, and Seneca County chosen at the Agency's discretion.

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VIII. LOCAL LABOR

To be completed by all Applicants and Users/Tenants of Projects which include the construction of new, expanded or renovated facilities:

Company Name TBD c/o Community Preservation Partners

Applicant: and/or User/Tenant:

The County of Monroe Industrial Development Agency (IDA) was established for the purpose of creating employment opportunities for, and to promote the general prosperity and economic welfare of the residents of Monroe County. The IDA offers economic incentives and benefits to qualified applicants who wish to locate or expand their businesses or facilities in Monroe County. When the IDA approves a project, it enters into agreements to extend these incentives and benefits to the applicant.

Construction jobs are vital to the overall employment opportunities and economic growth in Monroe County. The IDA believes that companies benefiting from its incentive programs should employ local laborers, mechanics, craft persons, journey workers, equipment operators, truck drivers and apprentices ("construction workers"), during the construction phase of projects.

SG

100% Local Labor

Initial Applicants receiving IDA benefits **must** ensure that the it and/or its contractor/developer hire **100% of its construction workers from the local labor market.**

SG

Local Labor Market

Initial For the purpose of this policy, the local labor market is defined as construction workers residing in the following counties in New York State: Monroe, Genesee, Livingston, Orleans, Ontario, Seneca, Steuben, Wayne, Wyoming and Yates.

SG

Bid Processing

Initial Local participation in qualified projects receiving IDA economic incentives and benefits is vital to the economic growth of Monroe County. As such, all applicants/contractors/developers of a qualified project with a minimum \$5,000,000 investment must place any and all invitations to bid in the Builders Exchange of Rochester Plan Room (<https://robex.com/planroom/>) two weeks before the bids are due.

SG

Monitoring

Initial A third-party auditing firm ("Project Monitor") will be engaged to monitor construction work commencing on the date benefits are granted by resolution of the IDA Board.

Once approved for IDA benefits, all applicants will be required to provide to the Project Monitor and the Exemption Processor (as hereinafter defined) the following information:

1. Contact information for the applicant's representative who will be responsible and accountable for providing information about the bidding and awarding of construction contracts relative to the applicant's project; and
2. Description of the nature of construction jobs created by the project, including in as much detail as possible, the number, type and duration of construction positions.

All Monroe County IDA projects are subject to local monitoring by the IDA and the Project Monitor. Proof of residency or copy of drivers' license shall be checked by the Project Monitor during the Project Monitor's periodic inspection of the project.

The Project Monitor shall issue a report to the IDA staff immediately when an applicant or applicant's contractor is not in compliance with this labor policy. IDA staff shall advise the IDA Board of non-compliance by email or at the next scheduled meeting. If a violation of policy has occurred, the Project Monitor shall notify the applicant and contractor of such non-compliance and give applicant a warning of violation and 72 hours in which to correct such violation. Upon evidence of continued non-compliance or additional violations, the IDA and/or the Project Monitor shall notify the applicant that the project is in violation of the Monroe County IDA Labor Policy and is subject to IDA Board action which may result in the revocation, termination and/or recapture of any or all benefits conferred by the IDA.

SG

Signage

Initial The applicant/contractor/developer of an IDA approved project shall be required to maintain a sign, provided by the Project Monitor, on the project site at all times during construction. This sign shall be located in an area that is accessible to onsite workers and visitors, which should be clear and legible.

SG

Exemption Process

Initial In some instances, use of 100% local labor may not be possible for any of the following reasons:

- o Warranty issues related to installation of specialized equipment whereby the manufacturer requires installation by only approved installers (a copy of the equipment warranty confirming the use of specific installers must be provided). The granting of an exemption for the use of non-local labor on warranty related grounds is expressly conditioned on either (i) said non-local sub-contractors being enrolled in a New York State certified apprenticeship program (proof of such enrollment shall be provided to the IDA upon request) or (ii) the hiring of an apprentice/apprentices or local construction laborer(s) to assist in the installation.
- o Specialized construction is required and no local contractors or local construction workers have the required skills, certifications or training to perform the work (proof of communication with local contractors, or details of the specialized construction must be provided);
- o Significant cost differentials in bids whereby use of local labor significantly increases the cost of the project. Three (3) bids are required and a cost differential of 25% is deemed significant. Where there is a significant cost differential, that if the local labor contractor agrees to reduce the bid to the average of the two bids, no waiver will be granted. However, if the average is still 25% or more, a waiver will be granted (copies of all bids/proposals received, including pricing, must be provided to confirm cost differential).
- o No local labor available for the project (if local bids were solicited with no response, please provide a copy of the bid, explain how it was advertised, and list who the bids were requested from).

The request to secure an exemption for the use of non-local labor must be received from the applicant on the exemption form provided by the IDA or the 3rd party exemption monitor (the "Exemption Processor") and received by the Exemption Process forty-five (45) days in advance of work commencing. The request will be reviewed by the Exemption Processor and forwarded to the IDA, at which time the IDA's Executive Director shall have the authority to approve or disapprove the exemption. The Exemption Processor shall report each authorized exemption to the Board of Directors at its monthly meeting.

The applicant has read the Labor Policy and agrees to adhere to it without changes and shall require its construction manager, general contractor and sub-contractors who are not exempt to acknowledge the same.

The foregoing terms have been read, reviewed and understood by the Applicant or User/Tenant and all appropriate personnel. Furthermore, the undersigned agrees and understands that the information contained herein must be transmitted and conveyed in a timely fashion to all applicable subcontractors, suppliers and materialman. Furthermore, the undersigned agrees to post and maintain a sign, provided by COMIDA, in a prominent, easily accessible location, identifying the project as a recipient of COMIDA assistance and the local labor requirements associated with this assistance.

Furthermore, the undersigned realizes that failure to abide by the terms herein could result in COMIDA revoking all or any portion of benefits it deems reasonable in its sole discretion for any violation hereof.

c/o Community Preservation Partners

(APPLICANT COMPANY)

(TENANT COMPANY)

Senior VP Jan 27, 2023

boxSIGN 1530246-10090001

Signature, Title, Date

Signature, Title, Date

IX. FEES

Transaction Type	Fees
Lease/Leaseback including any/all of the following: 1. PILOT Agreement 2. Sales and Tax Exemption* 3. Mortgage Tax Exemption	Application Fee: Non-refundable \$350.00 IDA Fee: 0.75% of the total project cost Legal Fee: 0.33% of the IDA fee. Minimum fee of \$4,000.
Sales Tax Exemption* and/or Mortgage Recording Tax Exemption	Application Fee: Non-refundable \$350.00 IDA Fee: 0.50% of the total project cost Legal Fee: 0.33% of the IDA fee. Minimum fee of \$4,000 if transaction includes mortgage recording tax exemption. Minimum fee of \$750 if transaction is sales tax exemption only.
Bond: Taxable or Tax-Exempt with Lease/Leaseback Including any/all of the following: 1. PILOT Agreement 2. Sales Tax Exemption* 3. Mortgage Tax Exemption	Application fee: Non-refundable \$350 IDA Fee: 1.25% of the total project cost Legal Fee: 0.33% of IDA fee Designated Bond Counsel fee is based on the complexity and amount of the transaction
Bond: Taxable or Tax-Exempt	Application fee: Non-refundable \$350 IDA Fee: 1.00% of the total project cost Legal fee: 0.33% of the IDA fee Designated Bond Counsel fee is based on the complexity and amount of the transaction.

*If the sales tax benefits are required prior to closing, a non-refundable twenty-five percent (25%) of the IDA fee and Legal fees are payable at that time. This amount will be applied towards the IDA fee and Legal fee.

c/o Community Preservation Partners

(APPLICANT COMPANY)

Senior VP Jan 27, 2023

Signature, Title, Date

(TENANT COMPANY)

Signature, Title, Date

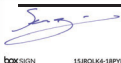
X. CERTIFICATION

The undersigned company officer and/or user/tenant officer each hereby certifies, on behalf of the company and/or user/tenant, respectively (each singularly and together, the "Applicant"), as follows:

- A. The information contained in this Application, including employment information, is true and correct. The Applicant is aware that any material misrepresentation made in this Application constitutes an act of fraud, resulting in revocation of COMIDA benefits.
- B. The undersigned, on behalf of the Applicant, hereby certifies that the Applicant, and all parties which have ownership of the Applicant are current and will remain current on all real property, federal, state, sales, income and withholding taxes throughout the term of any agreements made in connection with this Application.
- C. Compliance with N.Y. GML Sec. 862(1): Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:
 § 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.
- D. Compliance with Applicable Laws: The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
- E. False and Misleading Information: The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.
- F. Recapture: Should the Applicant not expend as projected or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.
- G. Pay Equity: The Applicant and/or user/tenant officer certifies on behalf of the company and/or user/tenant (the Applicant) has not been the subject of an adverse finding under the equal pay laws within the previous five years, has disclosed any pending equal pay claims against the company at time of application, and shall disclose to COMIDA any pending claims or adverse findings under the equal pay laws during the term of COMIDA financial assistance agreement.
- H. Applicant hereby releases the COMIDA ("Agency") from, agrees that the Agency shall not be liable for, and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, this Application, regardless of whether or not this Application or the Project described herein or the tax exemptions and other assistance requested herein are favorably acted upon by the Agency; (B) the Agency's acquisition, construction, renovation and/or equipping of the Project described herein; and (C) any further action taken by the Agency with respect to the Project; including, without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law, that any New York State and local sales and use tax exemption claimed by the Applicant and approved by the Agency in connection with the Project may be subject to recapture by the Agency under such terms and conditions as will be set forth in the Agent Agreement to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this Application, including without limitation, information regarding the amount of New York State and local sales and use tax exemption benefits, is true, accurate and complete.

APPLICANT COMPANY

c/o Community Preservation Partners



Senior VP Jan 27, 2023

Signature

, Title

Date

TENANT COMPANY

Signature

, Title

Date

Monroe County Industrial Development Agency

MRB Cost Benefit Calculator

Date: February 28, 2023
 Project Title: Andrews Terrace
 Project Location: 125 St. Paul Street

Economic Impacts

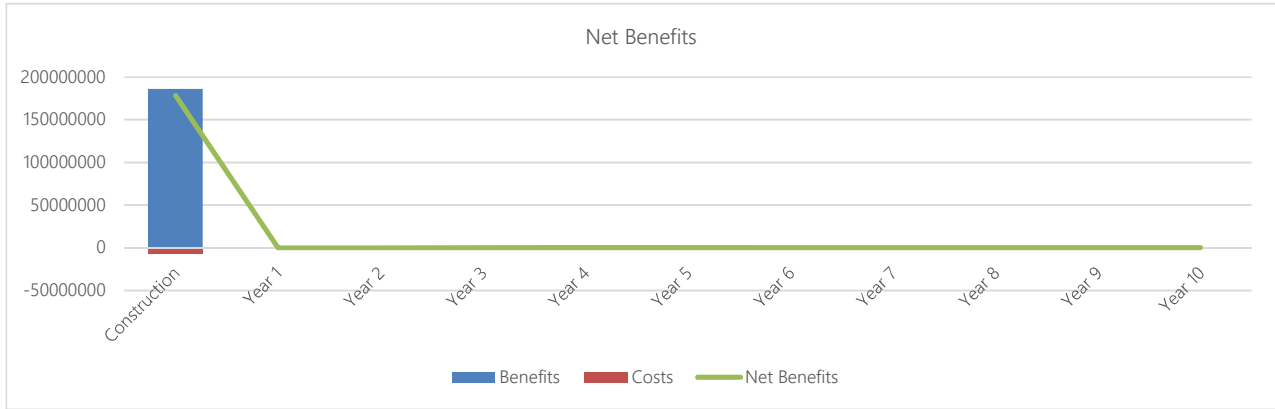
Summary of Economic Impacts over the Life of the PILOT

Project Total Investment
 \$357,825,806

Temporary (Construction)			
	Direct	Indirect	Total
Jobs	1374	983	2358
Earnings	\$118,379,304	\$57,274,399	\$175,653,703
Local Spend	\$286,260,645	\$170,534,238	\$456,794,883

Ongoing (Operations)			
Aggregate over life of the PILOT			
	Direct	Indirect	Total
Jobs	1	1	2
Earnings	\$482,878	\$542,171	\$1,025,049

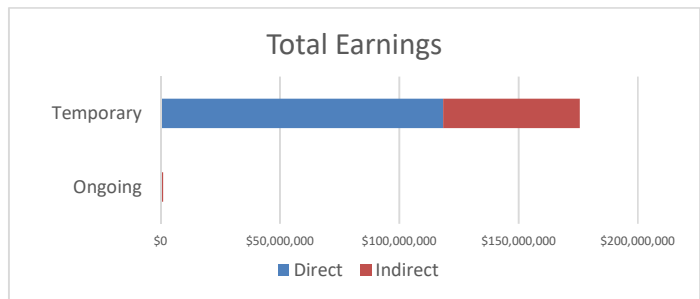
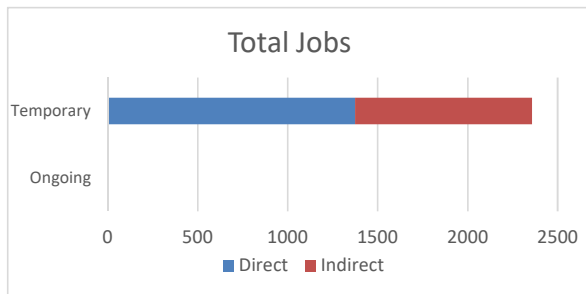
Figure 1



Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2

Figure 3



Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$5,533,934	\$5,533,934
Sales Tax Exemption	\$5,921,623	\$5,921,623
Local Sales Tax Exemption	\$2,960,812	\$2,960,812
State Sales Tax Exemption	\$2,960,812	\$2,960,812
Mortgage Recording Tax Exemption	\$1,447,500	\$1,447,500
Local Mortgage Recording Tax Exemption	\$481,404	\$481,404
State Mortgage Recording Tax Exemption	\$962,808	\$962,808
Total Costs	\$12,903,057	\$12,903,057

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$177,915,503	\$177,789,901
To Private Individuals	\$176,678,752	\$176,554,022
Temporary Payroll	\$175,653,703	\$175,653,703
Ongoing Payroll	\$1,025,049	\$900,320
Other Payments to Private Individuals	\$0	\$0
To the Public	\$1,236,751	\$1,235,878
Increase in Property Tax Revenue	\$0	\$0
Temporary Jobs - Sales Tax Revenue	\$1,229,576	\$1,229,576
Ongoing Jobs - Sales Tax Revenue	\$7,175	\$6,302
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$9,187,295	\$9,180,809
To the Public	\$9,187,295	\$9,180,809
Temporary Income Tax Revenue	\$7,904,417	\$7,904,417
Ongoing Income Tax Revenue	\$46,127	\$40,514
Temporary Jobs - Sales Tax Revenue	\$1,229,576	\$1,229,576
Ongoing Jobs - Sales Tax Revenue	\$7,175	\$6,302
Total Benefits to State & Region	\$187,102,799	\$186,970,710

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$177,789,901	\$8,976,150	20:1
State	\$9,180,809	\$3,923,620	2:1
Grand Total	\$186,970,710	\$12,899,769	14:1

*Discounted at 2%

Additional Comments from IDA

Does the IDA believe that the project can be accomplished in a timely fashion? Yes