



COUNTY OF MONROE  
**COMIDA**  
INDUSTRIAL DEVELOPMENT AGENCY

## 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](http://www.monroecountybusiness.org/application).

Please send completed application via email to [EconomicDevelopment@monroecounty.gov](mailto: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: Diamond Packaging Inc.  
Address: 111 Commerce Drive  
City/State/Zip: Rochester, NY 14623  
Tax Id No.: 263200  
Contact Name: Dan Brady  
Title: CFO  
Telephone: 585-334-8038 ext 237  
E-Mail: dbrady@diamondpackaging.com

#### B. Applicant's Legal Counsel

Name: Anthony Cotroneo  
Firm: Woods Oviatt  
Address: 1900 Bausch and Lomb Place  
City/State/Zip: Rochester, NY 14618  
Telephone: 585-987-2802  
Email: acotroneo@woodsoviatt.com

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

Name	%	Corporate Title
Karla Fichter Reveocable Trust	60 %	CEO/Chairman
KALC Holdings	40 %	NA
	%	
	%	
	%	
	%	
	%	
	%	
	%	
	%	
	%	
	%	

## II. PROJECT

### A. Address of proposed project facility

Address: 111, 145,155 Commerce Drive

Tax Map Parcel Number: 161.14-1-5; 161.15-1-1

City/Town/Village: Henrietta

School District: Rush Henreitta

Zip: 15623

Current Legal Owner of Property:

111 Commerce Drive LLC; Commerce Droiv

### 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: Aquaired May 2022

Proposed Commencement Date of Construction: 3/1/24

Anticipated Completion Date: May 31, 2024

### G. Contractor(s)

Various: BW Paper Systems; Heidelberg

## 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.

Applicant has searched for locations outside Monroe County and without the financial incentives sought herein the project is not financially viable. Applicant has been approached by locations in South Carolina to move its operations there as many other speciality packaging companies have been lured there. The state and local economic development agencies have offered free land, utility infrastructure at no cost to the Applicant, training at zero cost to the Applicant for its new employees, a 15 year tax abatement, a 5 year corporate income tax abatement on products sold in South Carolina and a 10 year refund of payroll taxes.

Applicant seeks to remain in Monroe County where the company has been for over 100 years and avoid the disruption of moving to an entirely new location, despite the very attractive incentives being offered Applicant. Applicant is developing new technologies that will enable it to expand operations at its current facilities and any disruption caused by a move will impact those changes and innovations.

- 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: 323111

Applicant is a 110 year old Rochester, NY based company that is proudly woman owned business that primarily services Fortune 500 customers. At the very high end niche of printing and packaging industry, Applicant's manufacturing equipment is capital intensive and Applicant actively strives to stay at the forefront of technology and manufacturing evolutions. Applicant is currently experiencing exciting new growth in sales and it is necessary to invest in additional square footage and new cutting edge technology to match the growth and increase capacity.

As a result of its growth, Applicant is investing at its 111 Commerce Drive location a new state of the art printing machine, two new indexing cold foil units and other attendant machinery. Additional work will include an entire new roof for the building located at 111 Commerce Drive.

At 145 Commerce Drive, Applicant is investing in a total renovation of this building which will include new state of the art Rheem HVAC for the entire building, a new Condair humidity control system to assist with the sheeting process, installation of new gas lines for heating, flooring and three new dock doors for shipping. Additionally, Applicant is investing in a sheeteer that will be housed in an existing building located at 155 Commerce Drive being redesigned and upgraded to work with the Applicant's increased capacity and anticipate to complete the installation and work in this new 40,000 square foot facility by third quarter 2024.

The Applicant will be applying for a real estate tax abatement for the building located at 145 Commerce Avenue due to the extensive work being contemplated for this location.

Regarding the properties, please see ownership below:

111 Commerce Street (square footage of 80,000 sq ft) is owned by 11 Commerce Drive LLC, which is 100% owned by Karla Fichter

145/155 Commerce Drive (145 40,000 sq ft and 155 80 sq feet) is owned by Commerce Drive Venture LLC which is owned by:

Karla Fichter - 19%

Dave Rydell - 19%

Jesse Casper - 19%

Chris Cieslak - 21.5%

Dan Brady 21.5%

### 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 24.

☐ **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. \$ 666,750  
b. Labor b. \$ \_\_\_\_\_

##### Site Work

- c. Materials c. \$ 250000  
d. Labor d. \$ 450000  
e. Non-Manufacturing Equipment e. \$ 150000  
f. Manufacturing Equipment f. \$ 7225000  
g. Equipment Furniture and Fixtures g. \$ 25000  
h. Land and/or Building Purchase h. \$ \_\_\_\_\_  
i. Soft Costs (Legal, Architect, Engineering) i. \$ 982000  
Other (specify) j. Painting/Signage j. \$ 253628  
k. 2 Cold Foil Units k. \$ 1300000  
l. \_\_\_\_\_ l. \$ \_\_\_\_\_  
m. \_\_\_\_\_ m. \$ \_\_\_\_\_

**Total Project Costs** \$ 11,302,378  
(must equal Total Sources)

- B. Sources of Funds for Project Costs:

- a. Tax-Exempt Industrial Revenue Bond a. \$ \_\_\_\_\_  
b. Taxable Industrial Revenue Bond b. \$ \_\_\_\_\_  
c. Bank Financing c. \$ 10,000,000  
d. Public Sources d. \$ \_\_\_\_\_

Identify each state and federal grant/credit

\_\_\_\_\_  
\$ \_\_\_\_\_  
\_\_\_\_\_  
\$ \_\_\_\_\_  
\_\_\_\_\_  
\$ \_\_\_\_\_  
\_\_\_\_\_  
\$ \_\_\_\_\_

- e. Equity \$ 1,302,378

**TOTAL SOURCES** \$ 11,302,378  
(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.

M & T Financing

#### 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** \$ \_\_\_\_\_

**Value of Incentives  
Diamond Packaging, Inc.**

**A. IDA PILOT Benefits:**

Current Assessment	\$6,600,000
Value of New Construction & Renovation Costs	\$916,750
Estimated New Assessed Value Subject to IDA	\$7,516,750
Current Taxes	\$151,008
Current Taxes Escalator	2%
PILOT Terms - Years	10
County Tax rate/\$1,000	6.44000
Local Tax Rate* Tax Rate/\$1,000	1.06000
School Tax Rate /\$1,000	15.38000
Total Tax Rate	22.88000

**B. Sales Tax Exemption Benefit:**

Estimated value of Sales Tax exemption:	\$211,630
Estimated duration of ST exemption:	12/31/2024

**C. Mortgage Recording Tax Exemption (MRTE) Benefit:**

Estimated Value of MRTE:	\$75,000
--------------------------	----------

**D. Industrial Revenue Bond Benefit**

IRB inducement amount:	\$0
------------------------	-----

**E. Percentage of Project Costs financed from Public Sector sources:**

Total Value of Incentives:	\$386,233
Project Construction Costs:	\$11,302,378
	3.42%

**PILOT Schedule**

PILOT Year	% Abatement	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT Amount	Full Tax Payment w/o PILOT***	Net Exemption**
	<b>Total</b>	<b>\$36,611</b>	<b>\$6,026</b>	<b>\$87,433</b>	<b>\$130,070</b>	<b>\$229,673</b>	<b>\$99,603</b>
1	90%	\$590	\$97	\$1,410	\$2,098	\$20,975	\$18,878
2	80%	\$1,204	\$198	\$2,876	\$4,279	\$21,395	\$17,116
3	70%	\$1,843	\$303	\$4,401	\$6,547	\$21,823	\$15,276
4	60%	\$2,506	\$412	\$5,985	\$8,904	\$22,259	\$13,355
5	50%	\$3,195	\$526	\$7,631	\$11,352	\$22,704	\$11,352
6	40%	\$3,911	\$644	\$9,340	\$13,895	\$23,158	\$9,263
7	30%	\$4,654	\$766	\$11,115	\$16,535	\$23,622	\$7,086
8	20%	\$5,425	\$893	\$12,957	\$19,275	\$24,094	\$4,819
9	10%	\$6,226	\$1,025	\$14,868	\$22,118	\$24,576	\$2,458
10	0%	\$7,056	\$1,161	\$16,850	\$25,067	\$25,067	\$0



## VII. PROJECTED EMPLOYMENT

Complete for each Applicant or User/Tenant

Company Name: Diamond Packaging Inc.

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)	236	236	80	80
Part Time (PTE)	0	0	10	10
Total	236	236	90	90

\*\* 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.

[Remainder of this Page Intentionally Left Blank]



## VIII. LOCAL LABOR

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

Diamond Packaging

**Company Name** \_\_\_\_\_

**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.

*DB*  
Initial

### **100% Local Labor**

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.**

*DB*  
Initial

### **Local Labor Market**

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.

*DB*  
Initial

### **Bid Processing**

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.

*DB*  
Initial

### **Monitoring**

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.



DB  
Initial

### Signage

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.

DB  
Initial

### Exemption Process

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

- 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.
- 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);
- 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).
- 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.

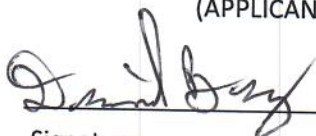
The foregoing terms have been read, reviewed and understood by the Applicant or User/Tenant and all appropriate personnel. Furthermore, the undersigned agrees and understands that the information contained herein must be transmitted and conveyed in a timely fashion to all applicable subcontractors, suppliers 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.

Diamond Packaging Inc.

(APPLICANT COMPANY)

(TENANT COMPANY)

 CFO 1/26/24  
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.

Diamond Packaging Inc.

\_\_\_\_\_  
(APPLICANT COMPANY)

*[Signature]* CFO 1/26/24

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

Diamond Packaging Inc.

Daniel B. [Signature] CFO 1/26/24

Signature, Title Date

### TENANT COMPANY

\_\_\_\_\_  
Signature, Title Date

# Monroe County Industrial Development Agency

## MRB Cost Benefit Calculator

Date February 20, 2024  
Project Title Diamond Packaging, Inc.  
Project Location 111 Commerce Drive, Rochester, NY 14623



### Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

Project Total Investment

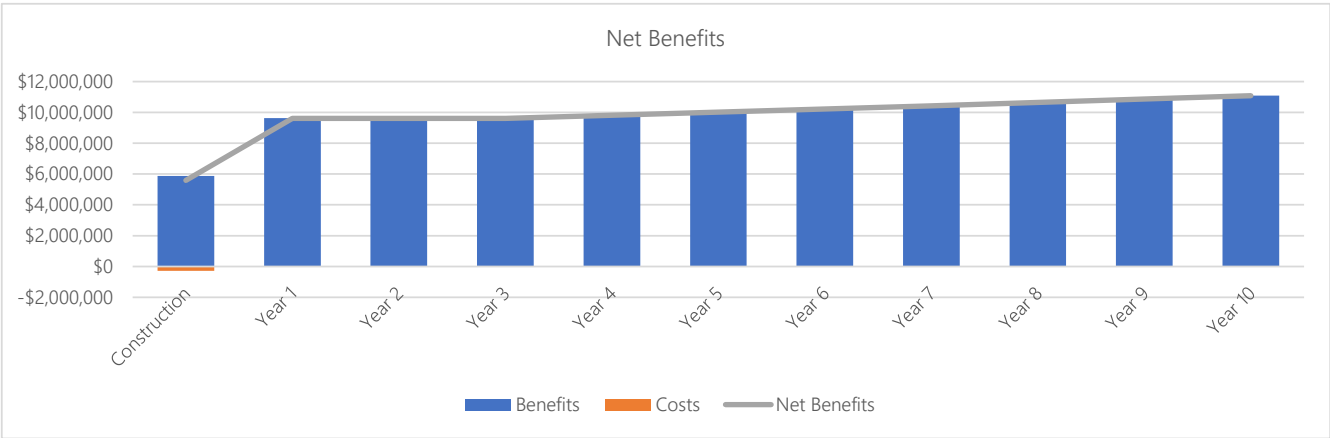
\$11,302,378

Temporary (Construction)			
	Direct	Indirect	Total
Jobs	43	31	74
Earnings	\$3,739,159	\$1,809,084	\$5,548,243
Local Spend	\$9,041,902	\$5,386,538	\$14,428,441

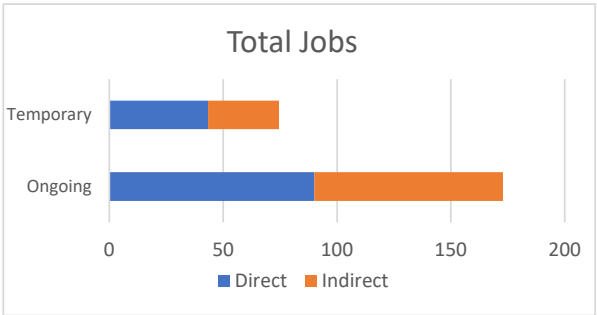
Ongoing (Operations)			
Aggregate over life of the PILOT			
	Direct	Indirect	Total
Jobs	90	83	173
Earnings	\$52,385,697	\$43,817,508	\$96,203,205

Figure 1



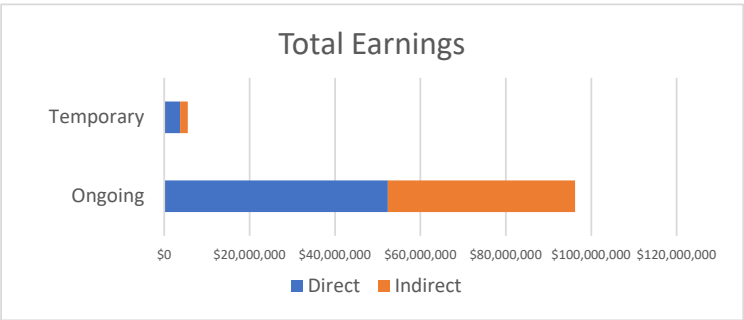
Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2



© Copyright 2021 MRB Engineering, Architecture and Surveying, D.P.C.

Figure 3



Ongoing earnings are all earnings over the life of the PILOT.

## Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

### Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$99,603	\$92,538
Sales Tax Exemption	\$211,630	\$211,630
Local Sales Tax Exemption	\$105,815	\$105,815
State Sales Tax Exemption	\$105,815	\$105,815
Mortgage Recording Tax Exemption	\$75,000	\$75,000
Local Mortgage Recording Tax Exemption	\$25,000	\$25,000
State Mortgage Recording Tax Exemption	\$50,000	\$50,000
<b>Total Costs</b>	<b>\$386,233</b>	<b>\$379,168</b>

### State and Local Benefits

	Nominal Value	Discounted Value*
<b>Local Benefits</b>	<b>\$102,593,778</b>	<b>\$92,481,495</b>
<b>To Private Individuals</b>	<b>\$101,751,448</b>	<b>\$91,726,310</b>
Temporary Payroll	\$5,548,243	\$5,548,243
Ongoing Payroll	\$96,203,205	\$86,178,066
Other Payments to Private Individuals	\$0	\$0
<b>To the Public</b>	<b>\$842,330</b>	<b>\$755,186</b>
Increase in Property Tax Revenue	\$130,070	\$113,102
Temporary Jobs - Sales Tax Revenue	\$38,838	\$38,838
Ongoing Jobs - Sales Tax Revenue	\$673,422	\$603,246
Other Local Municipal Revenue	\$0	\$0
<b>State Benefits</b>	<b>\$5,291,075</b>	<b>\$4,769,768</b>
<b>To the Public</b>	<b>\$5,291,075</b>	<b>\$4,769,768</b>
Temporary Income Tax Revenue	\$249,671	\$249,671
Ongoing Income Tax Revenue	\$4,329,144	\$3,878,013
Temporary Jobs - Sales Tax Revenue	\$38,838	\$38,838
Ongoing Jobs - Sales Tax Revenue	\$673,422	\$603,246
<b>Total Benefits to State &amp; Region</b>	<b>\$107,884,853</b>	<b>\$97,251,264</b>

### Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$92,481,495	\$223,353	414:1
State	\$4,769,768	\$155,815	31:1
<b>Grand Total</b>	<b>\$97,251,264</b>	<b>\$379,168</b>	<b>256:1</b>

\*Discounted at 2%

### Additional Comments from IDA

0

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