



BOARD MEETING AGENDA

August 15, 2023

12:00 p.m. – CityPlace Building, 50 West Main Street, Rochester, NY 14614

- A. Call Meeting to Order
- B. Pledge of Allegiance
- C. Approval of Minutes – July 18, 2023 (p. 2)
- D. Public Comments
- E. Local Labor Monitoring Report – July 2023 - Kevin Loewke (p. 7)
- F. Local Labor Exemptions Report – July 2023 - Brian Lafountain (p. 8)
- G. Financial Report – July 2023 - Gregg Genovese (p. 9)
- H. Applications for Consideration
 - 1. Ren Square LLC (p. 10)
- I. Project Modifications
 - 2. **WITHDRAWN**-120 Marina Drive LLC – Increase (p. 37) - **WITHDRAWN**
 - 3. Durst Imaging Inc. – Increase and Extension (p. 44)
- J. Governance Committee Report – A. Burr
- K. Compliance Committee Report – J. Popli
- L. Executive Director – Discussion Items
 - Rochester Child First Network – Workforce Development Fund Request (p. 51)
 - Rochester Works – Workforce Development Fund Request (p. 57)
 - Business Center Conference Room
 - FAST NY Grant Authorization
 - Dashboard (p. 68)
- M. Chair Burr – Discussion Items
- N. Adjourn Meeting

Next meeting: Tuesday, September 19, 2023



BOARD MEETING MINUTES
July 18, 2023

Time & Place: 12:00 p.m. at City Place

Board Present: A. Burr, R. King, T. Milne, N. Jones, J. Alloco, J. Popli, L. Bolzner

Board Absent: None

Also Present: A. Liss, R. Finnerty, A. Clark, A. Sepulveda, K. Loewke, R. Baranello, Esq., B. Lafountain, G. Genovese

Chair Burr called the meeting to order at 12:00 p.m. and T. Milne led the board in the Pledge of Allegiance.

On motion by J. Alloco, second by L. Bolzner, all aye, minutes of the June 20, 2023 meeting were approved.

K. Loewke presented the local labor monitoring report for June 2023.

B. Lafountain presented the following verified exemption for June 2023:

LiCycle North American Hub

One exemption related to the provision of Union Members of Local #158 (Laborers) and Local #435 (Operating Engineers) that do not reside within the COMIDA Local Labor area to supplement the workforce at the project site in Rochester. The Laborers are providing general labor and excavations work, and the Operating Engineers conducting Heavy Haul excavation and Heavy Equipment Operation. The exemption was based on the “No local labor available...” criteria.

One exemption related to the provision of Union Members of Local #3 (Bricklayers and Craftworkers) and Local #33 (Ironworkers) that do not reside within the COMIDA Local Labor area to supplement the workforce at the project site in Rochester. The Bricklayers are providing skilled cement finishers/masons and the Ironworkers are providing a working foreman at the location. The exemption was based on the “No local labor available...” criteria.

One exemption related to the provision of Union Members of Local #5 Zone 7 (Boilermakers) that do not reside within the COMIDA Local Labor area to supplement the workforce at the project site in Rochester. The Boilermakers Local #5 Zone 7 is located in Orchard Park, NY and the Local covers 16 Counties in NYS, including Monroe County. The exemption was based on the “No local labor available...” criteria. One exemption related to the provision of a NYS Certified Crane Operator with the experience to assemble and operate the crane needed (16000 Manitowoc) at the project site in Rochester. The Crane Operator is a member of Local 158, District 832 (Rochester area) but does not reside within the COMIDA Local Labor area. The exemption was based on the “No local labor available...” criteria.

One exemption related to the provision of a qualified Journeymen Structural Ironworker from the Local 33 (Ironworkers) Union Hall to supplement the workforce at the project site in Rochester. The Local #33 does not have any qualified members that reside within the COMIDA Local Labor area. The exemption was based on the “No local labor available...” criteria.

G. Genovese presented the financial report for June 2023.

Executive Director Liss presented the following projects for consideration:

Jays Acquisition II, LLC

Jay's Acquisitions II LLC is proposing the redevelopment of the Triangle Building located in the City of Rochester. The project will include reconstruction and renovation of the existing building into a multi-tenant mixed use facility, with the ground floor as commercial space and new residential space above. The ground floor will be occupied by Colgate Rochester Crozer Divinity School at below market rate to assist with the continued operations and success of CRCDS. CRCDS will relocate its existing 18 FTEs to this location. The new residential space will contain approximately 36 residential apartments with a mixture of studio, one-bedroom and two-bedroom apartments. Rents will range from \$785-1,100/month and will be targeted to Eastman School of Music Students. The \$9.2 million project is seeking a LeasePlus real property tax abatement, mortgage recording tax and sales tax exemption on the commercial portion, with a Shelter Rent on the residential portion. The cost benefit ratio is 14:1 on the commercial portion and 3:1 on the residential portion.

The applicant was represented by Angelo Ingrassia, Carly Tremiti, and Brandon Cottrell. The applicant confirmed awareness of the local labor policy and that exemptions must be requested 45 days in advance, and does not anticipate any local labor exemptions at this time. Ms. Baranello stated there were no comments at the public hearing which was held on July 13th, 2023.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON JULY 13, 2023, WITH RESPECT TO A CERTAIN PROJECT BEING UNDERTAKEN BY JAY'S ACQUISITIONS II LLC, OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, THE "COMPANY"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA; (iii) APPOINTING THE COMPANY AS AGENT OF THE AGENCY; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, RENOVATION AND EQUIPPING OF THE PROJECT; (B) A PARTIAL MORTGAGE RECORDING TAX EXEMPTION FOR FINANCING RELATED TO THE PROJECT, AND (C) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A PAYMENT-IN-LIEU-OF-TAX AGREEMENT ("PILOT AGREEMENT"); AND (V) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

On motion by J. Alloco, second by N. Jones for inducement and final resolution approving a shelter rent real property tax abatement and a lease plus real property tax abatement, sales tax and mortgage tax exemptions, a roll call vote resulted as follows and the motion carried:

J. Popli	Yea	J. Alloco	Yea
L. Bolzner	Yea	R. King	Yea
T. Milne	Yea	A. Burr	Yea
N. Jones	Yea		

Executive Director Liss presented the following modifications for considerations:

WR Greece Senior LLC/Columbia Wegman Greece, LLC – Assumption

WR Greece Senior LLC is acquiring Greece Senior Living located at 45 Mill Road in Greece, NY from Columbia/Wegman Greece LLC. Originally approved in 2015, the two-story, 93,000 sq. ft. building is an Enriched Living Facility with 111 total beds.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING THE ASSIGNMENT BY COLUMBIA/WEGMAN GREECE, LLC OF CERTAIN FINANCIAL ASSISTANCE AND DOCUMENTS IN CONNECTION WITH A CERTAIN PROJECT LOCATED AT 45 MILL ROAD IN THE TOWN OF GREECE, NEW YORK, TO WR GREECE SENIOR LLC; AND THE EXECUTION OF RELATED DOCUMENTS.

On motion by R. King, second by L. Bolzner, all aye, motion carried to approve the sale of the facility and assignment of the real property tax abatement.

CooperVision Inc. Erie Station 241 LLC – Assumption

CooperVision, Inc., tenant to Erie Station 241 LLC, is acquiring the building located at 180 and 230 Thruway Park Drive. Erie Station 214 LLC, a real estate holding company, renovated and equipped two vacant buildings in the Town of Henrietta for CooperVision, Inc. Now that the project is nearly complete, CooperVision, Inc. is acquiring the facility.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING THE ASSIGNMENT BY ERIE STATION 241 LLC OF CERTAIN FINANCIAL ASSISTANCE AND DOCUMENTS IN CONNECTION WITH A CERTAIN PROJECT LOCATED AT 180 AND 230 THRUWAY PARK DRIVE IN THE TOWN OF HENRIETTA, NEW YORK, TO COOPERVISION, INC.; AND THE EXECUTION OF RELATED DOCUMENTS.

L. Bolzner abstained from the discussion and left the room due to a conflict as she sits on the Henrietta Town board.

On motion by N. Jones, second by J. Popli, abstention by L. Bolzner, all aye, motion carried to approve the sale of the facility and assignment of the real property tax abatement.

Erie Station 241 LLC - Extension

Erie Station 241 LLC, a real estate holding company, is renovating and equipping two vacant facilities for its tenant CooperVision, Inc. in the Town of Henrietta. CooperVision Inc. is a world-leading manufacturer of contact lenses. The renovated and expanded facility will be used for packaging and distribution of contact lenses. In January 2022, the applicant was approved for a real property tax abatement, mortgage recording tax and sales tax exemptions and in April 2022 the applicant was approved for an increase in project costs of \$7,324,207. The applicant is now seeking an extension of the sales tax exemption through December 31, 2023 as the construction is taking longer than expected.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING THE EXTENSION OF THE SALES AND USE TAX EXEMPTION BENEFITS GRANTED TO ERIE STATION 241 LLC (THE "COMPANY") THROUGH DECEMBER 31, 2023, AND THE EXECUTION OF RELATED DOCUMENTS.

L. Bolzner abstained from the discussion and left the room due to a conflict as she sits on the Henrietta Town board.

On motion by J. Popli, second by R. King, abstention by L. Bolzner, all aye, motion carried to approve an extension of the sales tax exemption through December 31, 2023.

Riverwood Tech Campus LLC – Extension

Riverwood Tech Campus, LLC is redeveloping the former Kodak Marketing Education Center in the Town of Henrietta. The project originally received Board approval in October 2015 for a custom real property tax abatement as well as sales and mortgage recording tax exemptions. The project has been approved for multiple sales exemption extensions as well as an increase in project costs in November 2019. The applicant is now seeking an extension of the sales tax exemption through December 31, 2024, as the project is still under construction for new tenants.

The board considered the following resolution: RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING THE EXTENSION OF THE SALES TAX EXEMPTION BENEFIT GRANTED TO RIVERWOOD TECH CAMPUS, LLC (THE "COMPANY") THROUGH DECEMBER 31, 2024; AND THE EXECUTION OF RELATED DOCUMENTS.

L. Bolzner abstained from the discussion and left the room due to a conflict as she sits on the Henrietta Town board.

On motion by R. King, second by J. Alloco, abstention by L. Bolzner, all aye, motion carried to approve an extension of the sales tax exemption through December 31, 2024.

The Finance Committee Report was given by Chair Burr. The Finance Committee had an informal discussion on June 29th. Staff has worked with G. Genovese and R. Baranello to come up with an estimated cash flow for the next 18 months. At this time, staff will work with M&T bank to purchase a total of approximately \$10,000,000 in US Treasury Bills at staggered time periods (3, 6, 9, 12, 18 months) in amounts of \$1.8 million each. There will be \$2.5 million set aside in a savings account for anticipated operation expenses earning about 3%. The finance committee will review the T-Bills and decide on the next action when they come due.

R. Baranello summarized the action for a 2024 Bond Cap Allocation Commitment for Andrew's Terrace. On motion by J. Popli, second by T. Milne, all aye, motion carried to assign all or a portion of COMIDA's volume cap allocation for fiscal years 2023, 2024, and 2025 to the Andrew's Terrace Project.

Executive Director Liss introduced Don Jeffries from Visit Rochester and Galin Brooks, President & CEO, RDDC along with Joe Stefko, Andy Gallina, Jim Brown, Chris Hill, Ken Glazer, Johnna McCooey, and Rachel Laber. They presented a request for support through the Rochester Downtown Development Corporation for the Downtown Ambassador Pilot Program. On motion by N. Jones, second by J. Alloco, all aye, motion carried to approve the execution and delivery of a contract with RDDC for the Downtown Ambassador pilot program in the City of Rochester in an amount not to exceed \$300,000 for one year.

Executive Director Liss presented Jim Senall, President of NextCorps, with a request for support through the Workforce Development Fund for the Embark No-Code Bootcamp Program. J. Popli abstained from the discussion and left the room as he is a NextCorps board member. On motion by R. King, second by T. Milne, abstention by J. Popli, all aye, motion carried to approve the execution and delivery of a contract

COMIDA Board Meeting Minutes

July 18, 2023

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with NextCorps for the Embark No-Code Bootcamp and Startup Accelerator Program in an amount not to exceed \$400,000 for one year through the Workforce Development Fund.

On motion by R. King, second by T. Milne, abstention by J. Popli, all aye, motion carried to adjourn the regular meeting of the Board, adjourned at 1:15 p.m.



July 2023 Monthly C.O.M.I.D.A. Report

August 8th 2023,

1. This report covers our site visits between July 1st, 2023 and July 31st, 2023.
2. During this period Loewke Brill made 68 monthly site visits.
3. During this period Loewke Brill made "2" Follow up visits.
4. Loewke Brill checked for residence with 521 workers.
5. Of those workers, there were "6" non-compliant.
 - a. 6 – No proof of residence
 - i. 07/07/23 – Erie Station 241, LLC – 1 from WNY Interiors no ID, compliant with ID on follow up inspection 07/10/23
 - ii. 07/27/23 – A50EB, LLC – Greenfield Flooring -2 no ID, GYP Systems – 1 no ID, M.P.S.M. – 2 no ID. All workers compliant with ID on follow up visit 07/28/23
 - b. 0 – Out of Area
 - c. 0 – Invalid ID
6. USRE Manitou – Current Overall = 73.4% – Project subject to 70% overall compliance
7. As of July 31st, 2023 all monitored sites were in compliance at time of our inspection.
8. There were "0" new COMIDA sign(s) delivered

Big firm capability. Small firm personality.

THE BONADIO GROUP

CPAs, Consultants & More

August 2023 Verified Local Labor Exemption Report

Board Meeting – August 2023

The following Verified Local Labor Exemption Requests were processed in July 2023

1. LiCycle North American Hub

- a. One exemption related to the provision of Union Member Journeymen Welders and Pipefitters from Local #13 Plumbers and Pipefitters that do not reside within the COMIDA Local Labor area to supplement the workforce at the project site in Rochester. The exemption was based on the “No local labor available...” criteria.
- b. One exemption related to the provision of qualified painters from the Painters Local #150 Painters and Allied Trades of America and Canada. that do not reside within the COMIDA Local Labor area to supplement the workforce at the project site in Rochester. The exemption was based on the “No local labor available...” criteria.

Statement of Financial Position

	Year To Date 07/31/2023	Year Ending 12/31/2022
	Actual	Actual
Assets		
Current Assets		
Cash and Cash Equivalents	9,721,962	10,551,290
Restricted Cash	4,242,339	4,765,270
Accounts Receivable, Net	42,634	82,197
Prepaid Expenses	119,768	115,681
Total Current Assets	14,126,702	15,514,438
Long-term Assets		
Property & Equipment	625,000	625,000
Other Long-term Assets	242,304	242,304
Total Long-term Assets	867,304	867,304
Total Assets	14,994,006	16,381,742
Liabilities and Net Assets		
Liabilities		
Short-term Liabilities		
Accounts Payable	285,577	17,878
Accrued Liabilities	350,533	951,536
Deferred Revenue	11,191	65,915
Other Short-term Liabilities	476	476
Total Short-term Liabilities	647,778	1,035,804
Long Term Liabilities	246,992	246,992
Total Liabilities	894,770	1,282,796
Net Assets		
Net Assets	15,098,945	8,846,166
Change In Net Assets	(999,709)	6,252,779
Total Net Assets	14,099,237	15,098,945
Total Liabilities and Net Assets	14,994,006	16,381,742

Summary Statement of Activities - All Funds with Prior Year

	Year To Date 07/31/2023	Year To Date 07/31/2023	Prior Year To Date 07/31/2022
	Actual	Budget	Actual
Revenue			
Fee Income	350,540	1,367,167	2,887,559
Interest Income	116,602	583	198
Total Revenue	467,142	1,367,750	2,887,757
Payroll	166,448	180,775	233,216
Sponsorships	9,000	5,833	6,515
Program & Community Development	869,458	1,430,217	598,489
General & Administrative	421,944	420,646	451,366
Total Expenses	1,466,851	2,037,471	1,289,587
Change In Net Assets	(999,709)	(669,721)	1,598,170



APPLICATION SUMMARY

DATE: August 15, 2023

APPLICANT:

Ren Square LLC
34 Elton St.
Rochester, NY 14607

**TENANT & PROJECT
ADDRESS:**

9-17 N. Clinton Ave
Rochester, NY 14604

PROJECT SUMMARY:

Ren Square LLC, a real estate holding company, is proposing to renovate a 10,000 sq. ft. building in the City of Rochester. This property is located in the East Main Historic District and will transform this long vacant and blighted property into a mixed-use building. The first floor will be used as commercial space and the 2nd floor will contain four apartments, three of which will be market rate and one will be set aside as affordable. This project is a recipient of Restore NY funding and is a priority project for the City of Rochester. The \$2.5 million project is projected to create 1 new FTE over the next three years. The applicant is seeking approval of sales tax and mortgage recording tax exemptions only. The Benefit/Incentive ratio is 17:1.

**PROJECT AMOUNT:
EXEMPTIONS:**

\$2,500,000 – Sales Tax Exemption Only
\$76,623 – Sales Tax Exemption
\$18,750 – Mortgage Recording Tax Exemption

**JOBS: EXISTING:
PROJECTED:**

0	FTE
1	FTE

PUBLIC HEARING DATE:

August 10, 2023

BENEFIT TO INCENTIVE RATIO:

17 : 1

SEQR:

TYPE II ACTION UNDER SEQR SECTION 617.5

ELIGIBILITY:

REHABILITATION OF EXISTING COMMERCIAL BUILDING

APPROVED PURPOSE:

COMMUNITY DEVELOPMENT

Monroe County Industrial Development Agency

MRB Cost Benefit Calculator

Date August 15, 2023
Project Title Ren Square LLC
Project Location 9-17 N. Clinton Ave, Rochester, NY 14604



Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

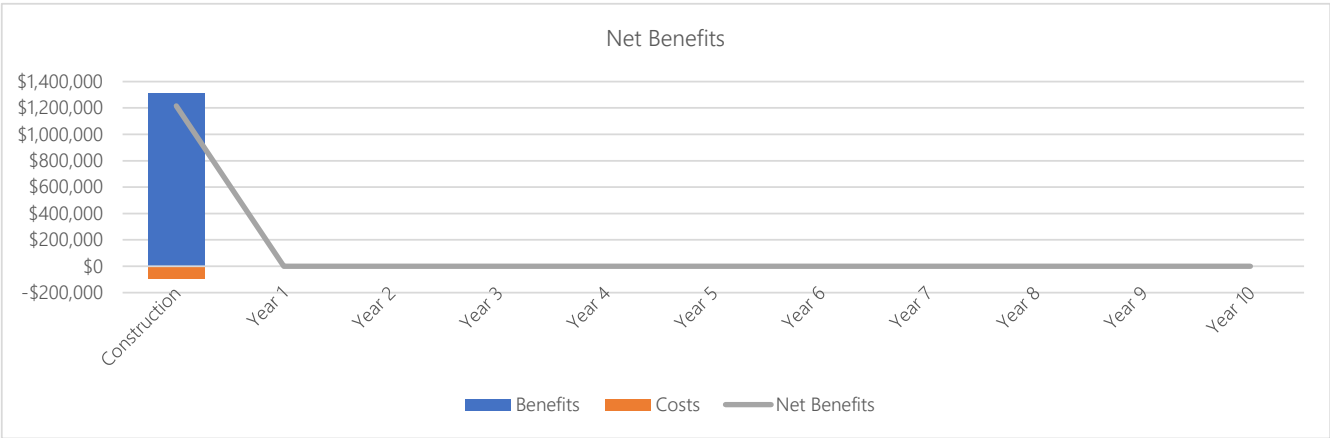
Project Total Investment

\$2,500,000

Temporary (Construction)			
	Direct	Indirect	Total
Jobs	8	7	15
Earnings	\$837,237	\$400,613	\$1,237,850
Local Spend	\$2,000,000	\$1,190,325	\$3,190,325

Ongoing (Operations)			
Aggregate over life of the PILOT			
	Direct	Indirect	Total
Jobs	0	0	0
Earnings	\$150,000	\$112,010	\$262,010

Figure 1



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

Figure 2

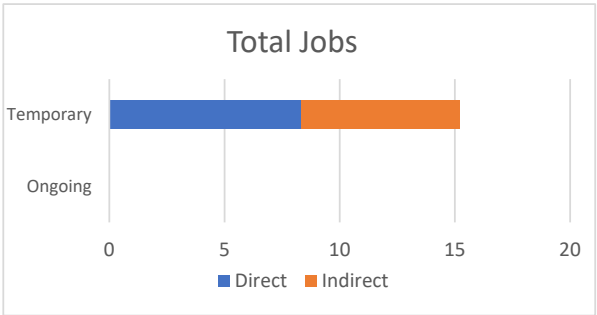
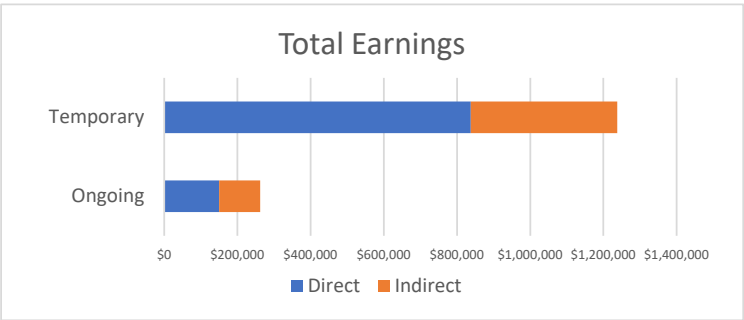


Figure 3



Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$0	\$0
Sales Tax Exemption	\$76,622	\$76,622
Local Sales Tax Exemption	\$38,311	\$38,311
State Sales Tax Exemption	\$38,311	\$38,311
Mortgage Recording Tax Exemption	\$18,750	\$18,750
Local Mortgage Recording Tax Exemption	\$6,250	\$6,250
State Mortgage Recording Tax Exemption	\$12,500	\$12,500
Total Costs	\$95,372	\$95,372

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$1,510,751	\$1,501,586
To Private Individuals	\$1,499,860	\$1,490,781
Temporary Payroll	\$1,237,850	\$1,237,850
Ongoing Payroll	\$262,010	\$252,931
Other Payments to Private Individuals	\$0	\$0
To the Public	\$10,891	\$10,805
Increase in Property Tax Revenue	\$0	\$0
Temporary Jobs - Sales Tax Revenue	\$8,665	\$8,665
Ongoing Jobs - Sales Tax Revenue	\$2,226	\$2,140
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$78,385	\$77,890
To the Public	\$78,385	\$77,890
Temporary Income Tax Revenue	\$55,703	\$55,703
Ongoing Income Tax Revenue	\$11,790	\$11,382
Temporary Jobs - Sales Tax Revenue	\$8,665	\$8,665
Ongoing Jobs - Sales Tax Revenue	\$2,226	\$2,140
Total Benefits to State & Region	\$1,589,135	\$1,579,476

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$1,501,586	\$44,561	34:1
State	\$77,890	\$50,811	2:1
Grand Total	\$1,579,476	\$95,372	17:1

*Discounted at 2%

Additional Comments from IDA

0

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

Motion By: _____
Seconded By: _____

RESOLUTION
(Ren Square, LLC Project)
OSC Code 2602-23-019A

A regular meeting of the County of Monroe Industrial Development Agency (the "Agency"), was held at the Agency's Offices, 50 West Main Street, Rochester, New York 14614, on August 15, 2023 at 12:00 p.m.

After the meeting had been duly called to order, the Chair announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to a certain Project more particularly described below.

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON AUGUST 10, 2023, WITH RESPECT TO A CERTAIN PROJECT (AS DEFINED BELOW) BEING UNDERTAKEN BY REN SQUARE, LLC, OR A RELATED ENTITY FORMED OR TO BE FORMED (COLLECTIVELY, THE "COMPANY"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA (AS DEFINED BELOW); (iii) APPOINTING THE COMPANY AS AGENT OF THE AGENCY; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, RENOVATION AND EQUIPPING OF THE PROJECT; AND (B) A PARTIAL MORTGAGE RECORDING TAX EXEMPTION FOR FINANCING RELATED TO THE PROJECT; AND (v) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

WHEREAS, by Title I of Article 18-A of the General Municipal Law of the State of New York, as amended and Chapter 55 of the Laws of 1972 of the State of New York (collectively, the "Act"), the Agency was created with the authority and power among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, **REN SQUARE, LLC**, a New York limited liability company for itself or a related entity formed or to be formed (collectively, the "Company") has requested that the Agency assist with a certain Project (the "Project"), consisting of: (A) the acquisition of a leasehold interest in land located at 9-17 North Clinton Avenue in the City of Rochester, New York 14604 and all other lands in the City of Rochester where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (the "Land") together with the approximately 10,000 existing vacant building located thereon (the "Existing Improvements"); (B) the renovation of the Existing Improvements into (i) approximately 5,000 square feet of retail space on the first floor and (ii) approximately 5,000 square feet of residential space on the second floor, consisting of approximately four units, one of which will be set aside for individuals earning 60% or less of the Rochester metropolitan statistical area medium income (collectively, the "Improvements"); and (C) the acquisition and installation therein, thereon or

thereabout of certain machinery, equipment and related personal property (the "Equipment" and, together with the Land, the Existing Improvements and the Improvements, the "Facility"); and

WHEREAS, the Act authorizes and empowers the Agency to promote, develop, encourage and assist projects such as the Facility and to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York; and

WHEREAS, pursuant to Section 859-a of the Act, on Thursday, August 10, 2023, at 10:00 a.m., local time, at the Agency's offices, 50 West Main Street, Rochester, New York 14614, the Agency held a public hearing with respect to the Project and the proposed Financial Assistance (as defined below) being contemplated by the Agency, whereat interested parties were provided a reasonable opportunity, both orally and in writing, to present their views; and

WHEREAS, it is contemplated that the Agency will (i) negotiate a project agreement (the "Project Agreement"), pursuant to which the Agency will appoint the as its agent for the purpose of undertaking the Project, (ii) negotiate and enter into a lease agreement (the "Lease Agreement") and leaseback agreement (the "Leaseback Agreement") with the Company and (iii) provide financial assistance (the "Financial Assistance") to the Company in the form of (a) a sales and use tax exemption for purchases and rentals related to the acquisition, renovation and equipping of the Facility, and (b) a partial mortgage recording tax exemption for financing related to the Project; and

WHEREAS, the Company has agreed to indemnify the Agency against certain losses, claims, expenses, damages and liabilities which may arise in connection with the transactions contemplated by the lease of the Facility; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto at 6 N.Y.C.R.R. Part 617, as amended (collectively referred to as "SEQRA"), the Agency must satisfy the applicable requirements set forth in SEQRA, as necessary, prior to making a final determination whether to undertake the Project.

NOW, THEREFORE, BE IT RESOLVED by the County of Monroe Industrial Development Agency as follows:

Section 1. The Company has presented an application in a form acceptable to the Agency. Based upon the representations made by the Company to the Agency in the application and other correspondence submitted by the Company to the Agency, the Agency hereby finds and determines that:

(a) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and

(b) The Facility constitutes a "project", as such term is defined in the Act; and

(c) It is desirable and in the public interest for the Agency to appoint the Company as its agent for purposes of undertaking the Project; and

(d) The action to be taken by the Agency will induce the Company to undertake the Project, thereby increasing employment opportunities in Monroe County and otherwise furthering the purposes of the Agency as set forth in the Act; and

(e) The Project will not result in the removal of a civic, commercial, industrial, or manufacturing plant of the Company or any other proposed occupant of the Project from one area of the State of New York (the "State") to another area of the State or result in the abandonment of one or more plants or facilities of the Company or any other proposed occupant of the Project located within the State; and the Agency hereby finds that, based on the Company's application, to the extent occupants are relocating from one plant or facility to another, the Project is reasonably necessary to discourage the Project occupants from removing such other plant or facility to a location outside the State and/or is reasonably necessary to preserve the competitive position of the Project occupants in their respective industries; and

(f) Pursuant to SEQRA, the Project constitutes a "Type II Action" as said term is defined in SEQRA, and therefore no further action is required to be taken under SEQRA.

Section 2. The Agency hereby approves the cost/benefit report submitted by the Company listing the proposed cost/benefits of the Project.

Section 3. Subject to the Company executing the Project Agreement and the delivery to the Agency of a binder, certificate or other evidence of liability insurance policy for the Project satisfactory to the Agency, the Agency hereby authorizes the Company to proceed with the acquisition, renovation and equipping of the Project and hereby appoints the Company as the true and lawful agent of the Agency to acquire, renovate and equip the Facility, and such appointment includes the following activities as they relate to the construction, renovation, erection, completion, use, repair and maintenance of the Improvements and the purchase, use, lease, placement, installation, repair, maintenance and replacement of the Equipment, whether or not any materials or supplies described below are incorporated into or become an integral part of the Improvements or the Equipment: (i) all purchases, leases, rentals and other uses of tools, machinery and equipment in connection with acquiring, renovating, equipping, repairing and maintaining the Facility, (ii) all purchases, rentals, uses or consumption of supplies, materials and services of every kind and description in connection with acquiring, renovating, equipping, repairing and maintaining the Facility, and (iii) all purchases, leases, rentals and uses of equipment, machinery, and other tangible personal property (including installation costs with respect thereto), installed or placed in, upon or under the Improvements, Land or the Equipment, including all repairs, maintenance and replacement of all such property. Said agents are authorized to make, execute, acknowledge and deliver any contracts, orders, receipts, writings and instructions, as the stated agents for the Agency, and in general to do all things which may be requisite or proper for completing the Facility, all with the same powers and with the same validity as the Agency could do if acting on its own behalf. As agent of the Agency, the Company is authorized to delegate such agency, in whole or in part, to agents, subagents, contractors, subcontractors, contractors and subcontractors of such agents and subagents and to such other parties as the Company chooses; provided, however, the Project Agreement shall expire on **December 31, 2025** (unless extended for good cause by the Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency) if the Lease Agreement and Leaseback Agreement contemplated have not been executed and delivered. The Executive

Director, Deputy Director, Chairman or Vice Chairman of the Agency are authorized and directed to execute and deliver to said agent an appropriate letter on Agency letterhead describing the authority granted under this resolution.

Section 4. Based upon the representation and warranties made by the Company in its application for financial assistance, the Agency hereby authorizes and approves (i) the Company as its agent, to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use tax in an amount up to **\$957,780** which result in New York State and local sales and use tax exemption benefits ("sales and use tax exemption benefits") not to exceed **\$76,622**. The Agency agrees to consider any requests by the Company for increase to the amount of sales and use tax exemption benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services; and (ii) a mortgage (or mortgages), in connection with the financing of the Facility or portions thereof and including any refinancing thereof, securing an aggregate principal amount not to exceed **\$2,500,000**, resulting in a mortgage tax exemption not to exceed **\$18,750**.

Section 5. Pursuant to Section 875(3) of the New York General Municipal Law, the Agency may recover or recapture from the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, any sales and use tax exemption benefits taken or purported to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, if it is determined that: (i) the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, is not entitled to the sales and use tax exemption benefits; (ii) the sales and use tax exemption benefits are in excess of the amounts authorized to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project; (iii) the sales and use tax exemption benefits are for property or services not authorized by the Agency as part of the Project; or (iv) the sales and use tax exemption benefits are taken in cases where the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, fails to comply with a material term or condition to use property or services in the manner approved by the Agency in connection with the Project. As a condition precedent of receiving sales and use tax exemption benefits, the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, shall (i) cooperate with the Agency in its efforts to recover or recapture any sales and use tax exemption benefits, and (ii) promptly pay over any such amounts to the Agency that the Agency demands.

Section 6. The form and substance of the Lease Agreement and the Leaseback Agreement (each in substantially the forms presented to the Agency and which, prior to the execution and delivery thereof, may be redated) are hereby approved.

Section 7. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized, on behalf of the Agency, to negotiate and execute (A) the Lease Agreement whereby the Company leases the Project to the Agency, and (B) the related Leaseback Agreement conveying the Project back to the Company; provided, that, the rental payments under the Leaseback Agreement include payments of all costs incurred by the Agency arising out of or related to the Project and indemnification of the Agency by the Company for actions taken by the Company and/or claims arising out of or related to the Project.

Section 8. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver any mortgage, assignment of leases and rents, security agreement, UCC-1 Financing Statements and all documents reasonably contemplated by these resolutions or required by any lender identified by the Company (the "Lender") up to a maximum principal amount necessary to undertake the Project, acquire the Facility and/or finance or refinance equipment and other personal property and related transactional costs (hereinafter, with the Lease Agreement and Leaseback Agreement are collectively referred to as, the "Agency Documents"); and, where appropriate, the Secretary or Assistant Secretary of the Agency is hereby authorized to affix the seal of the Agency (if any) to the Agency Documents and to attest the same, all with such changes, variations, omissions and insertions as the Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency shall approve, the execution thereof by the Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency to constitute conclusive evidence of such approval; provided in all events recourse against the Agency is limited to the Agency's interest in the Project.

Section 9. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of such Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 10. This resolution shall take effect immediately.

[Remainder of Page Intentionally Left Blank]

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

	<u><i>Yea</i></u>	<u><i>Nay</i></u>	<u><i>Absent</i></u>	<u><i>Abstain</i></u>
Jay Popli				
Troy Milne				
Lisa Bolzner				
Joseph Alloco				
Rhett King				
Norman Jones				
Ann L. Burr				

The Resolutions were thereupon duly adopted.

STATE OF NEW YORK)
COUNTY OF MONROE) ss.:

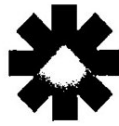
I, the undersigned Executive Director of the County of Monroe Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the County of Monroe Industrial Development Agency (the "Agency"), including the resolutions contained therein, held on August 15, 2023, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with Sections 103 and 104 of the New York Public Officers Law (Open Meetings Law) that all members of the Agency had due notice of the meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand on this 15th day of August, 2023.

Ana J. Liss, Executive Director



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.

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: Ren Square LLC
Address: 34 Elton St
City/State/Zip: Rochester, NY 14607
Tax Id No.: 46-4171091
Contact Name: Patrick Dutton
Title: Member
Telephone: 5857041546
E-Mail: patrickdutton7@gmail.com

B. Applicant's Legal Counsel

Name: Anthony Iacovangelo
Firm: Gallo and Iacovangelo, LLP
Address: 180 Canal View Blvd #100
City/State/Zip: Rochester, NY 14623
Telephone: 5854547145
Email: AnthonyIacovangelo@GalloLaw.com

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

Name	%	Corporate Title
Patrick Dutton	33.33 %	Co-Owner
Luke Dutton	33.33 %	Co-Owner
Gary Dutton	33.33 %	Co-Owner
	%	
	%	
	%	
	%	
	%	
	%	
	%	
	%	

II. PROJECT

A. Address of proposed project facility

Address: 9-17 N Clinton Ave

Tax Map Parcel Number: 121.23-2-15

City/Town/Village: City of Rochester

School District: Rochester

Zip: 14604

Current Legal Owner of Property:

Ren Square 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
N/A	%	
	%	
	%	
	%	

F. Project Timeline

Proposed Date of Acquisition: _____

Proposed Commencement Date of Construction: 10/1/2023

Anticipated Completion Date: 5/1/2025

G. Contractor(s)

Dutton Properties

II. PROJECT (cont'd)

- I. Would the project be undertaken without financial assistance from the Agency? ☐ Yes ☒ No

Please explain why financial assistance is necessary.

This is a speculative project in that we are thoughtfully targeting neighborhood retail tenants in food & beverage, grocery, etc., and the risk is too great without incentives like those being applied for here.

- J. 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:

K. 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)

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

NAICS Code: 531000

Located in the East Main Historic District, this project is eligible for historic tax credits and they will be successfully obtained by the Responsible Parties as part of this project. The recipient of RestoreNY funding, this project is a priority project for the City of Rochester and will help to transform this long vacant and blighted block in the heart of our center city. This 10,000 SF long vacant building will be transformed into a mixed-use commercial building.

The project includes the creation of 5,000 SF of neighborhood retail and service space on the 1st Floor. Targeting coffee shops, fast casual restaurants and eateries, bakeries, mobile phone providers, and potential intimate music venues.

Below the commercial space, the lower level of the building will feature studio spaces to be used by the neighborhood residents and business owners for various uses.

The project also includes the creation of 5,000 SF of residential apartments on the 2nd Floor. Details for each of the 4 units are listed below:

Unit 1 (affordable): 1 bedroom / 1 bathroom, 640sf, will be set aside for individuals making at or below 60-80% of the Rochester, NY MSA area median income.

Unit 2 (market rate): 2 bedroom / 2.5 bathroom, 1,330sf, anticipated rent of \$2,600.

Unit 3 (market rate): 2 bedroom / 2 bathroom, 990sf, anticipated rent of \$1,900.

Unit 4 (market rate): 2 bedroom / 2.5 bathroom, 1,460sf, anticipated rent of \$2,900.

We plan to receive \$1,245,000 in funding from public sources upon completion of the project. The breakdown of this funding is as follows:

Restore NY Round 7: \$500,000
RG&E Brownfield Redevelopment Grant: \$70,000
RG&E Commercial Corridor Grant: \$30,000
NYS Historic Tax Credit Reimbursement: \$645,000

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. \$ 800,780
b. Labor b. \$ 1,295,000

Site Work

- c. Materials c. \$ 17,000
d. Labor d. \$ 17,220
e. Non-Manufacturing Equipment e. \$ 120,000
f. Manufacturing Equipment f. \$ 0
g. Equipment Furniture and Fixtures g. \$ 20,000
h. Land and/or Building Purchase h. \$ 110,000
i. Soft Costs (Legal, Architect, Engineering) i. \$ 120,000
Other (specify) j. \$
k. \$
l. \$
m. \$

Total Project Costs \$ 2,500,000
(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. \$ 2,500,000
d. Public Sources d. \$

Identify each state and federal grant/credit

Restore NY Round 7 \$
RG&E Brownfield Redev. Grant \$
RG&E Comm. Corridor Grant \$
NYS Historic Tax Credit Reimb \$

- e. Equity \$
TOTAL SOURCES \$ 2,500,000
(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.

The Upstate Bank
Frank Cipriano
585-490-2978

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. \$

g. \$

h. \$

i. \$

Total Project Costs \$

Value of Incentives
Ren Square LLC

A. IDA PILOT Benefits:

Current Assessment	
Value of New Construction & Renovation Costs	
Estimated New Assessed Value Subject to IDA	\$0
Current Taxes	\$0
Current Taxes Escalator	2%
PILOT Terms - Years	0
County Tax rate/\$1,000	
Local Tax Rate* Tax Rate/\$1,000	
School Tax Rate /\$1,000	
Total Tax Rate	0.00000

B. Sales Tax Exemption Benefit:

Estimated value of Sales Tax exemption:	\$76,622
Estimated duration of ST exemption:	12/31/2025

C. Mortgage Recording Tax Exemption (MRTE) Benefit:

Estimated Value of MRTE:	\$18,750
--------------------------	----------

D. Industrial Revenue Bond Benefit

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

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

Total Value of Incentives:	\$95,372
Project Construction Costs:	\$2,500,000
	3.81%

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**
	Total	\$0	\$0	\$0	\$0	\$0	\$0
-	90%	-	-	-	-	\$0	-
-	80%	-	-	-	-	-	-
-	70%	-	-	-	-	-	-
-	60%	-	-	-	-	-	-
-	50%	-	-	-	-	-	-
-	40%	-	-	-	-	-	-
-	30%	-	-	-	-	-	-
-	20%	-	-	-	-	-	-
-	10%	-	-	-	-	-	-
-	0%	-	-	-	-	-	-

VII. PROJECTED EMPLOYMENT

Complete for each Applicant or User/Tenant

Company Name: Ren Square LLC

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)	0	0	1	1
Part Time (PTE)	0	0	0	0
Total	0	0	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.

[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:

Ren Square LLC

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.



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.**



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.



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.



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.



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.



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.

Ren Square LLC

(APPLICANT COMPANY)

[Signature] *Manager* *07/21/23*

Signature , Title Date

(TENANT COMPANY)


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.

Ren Square LLC

(APPLICANT COMPANY)			(TENANT COMPANY)		
 Signature	, Title	Date 07/21/23	 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

Ren Square LLC

Signature

, Title

Date

TENANT COMPANY

Signature

, Title

Date

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:			Telephone:	
			E-Mail:	
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<input type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO	YES
If Yes, list agency(s) name and permit or approval:			<input type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres				
4. Check all land uses that occur on, are adjoining or near the proposed action: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): </div> <div style="margin-top: 5px;"><input type="checkbox"/> Parkland</div>				

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	N/A <input type="checkbox"/> <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest Agricultural/grasslands Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO <input type="checkbox"/>	YES <input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>

49. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature: _____ Title: _____		

STATE ENVIRONMENTAL QUALITY REVIEW RECORD

TYPE II ACTIONS AND PREVIOUSLY REVIEWED ACTIONS

Project: Restore New York Communities Initiative Round 6 Grant Application

Project Address: 9-17 North Clinton Avenue

Project Description: This rehabilitation project will restore an approximately 10,000 square foot building consisting of roughly 5,000 square feet of ground floor commercial space, and 5,000 square feet of second floor space to be converted to residential apartments.

Reviewer:

Lindsay Nabozny, Senior Community Housing Planner
City of Rochester/NBD/Bureau of Business and Housing Development

Date: July 18, 2023

The project is not subject to SEQR requirements because:

- The project is a Type II action according to 6CRR NY Section 617.5(c)(2) and (18).

(2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part;

(18) reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted use under the applicable zoning law or ordinance, including permitted by special use permit, and the action does not meet or exceeds any of the thresholds in section 617.4 of this Part

No further SEQR compliance is required.



MODIFICATION SUMMARY

DATE: August 15, 2023

APPLICANT:

120 Marina Drive, LLC
5138 W Ridge Road
Spencerport, NY 14559

PROJECT LOCATION:

DiPasquale Construction, Inc.
120 Marina Drive
Rochester, NY 14626

MODIFICATION REQUEST:

120 Marina Drive, LLC, a real estate holding company, is constructing a new 22,000 sq. ft. building for DiPasquale Construction, Inc and other related entities in the Town of Ogden. The project was approved by the board in June 2022 for mortgage recording tax exemption, sales tax exemption as well as a property tax abatement. The applicant is requesting an increase in project costs of \$1,200,000 due to the increases in material and labor costs. The new sales tax exemption is not to exceed \$268,000. The total project cost is now \$6,100,000.

PROJECT AMOUNT

<u>CURRENT</u>	<u>REQUESTED</u>	<u>NEW TOTAL</u>
\$4,900,000	\$1,200,000	\$6,100,000

Motion By: _____
Seconded By: _____

RESOLUTION
(120 Marina Drive LLC Project)
OSC Code: 2602-22-020B

A regular meeting of the County of Monroe Industrial Development Agency (the "Agency"), was held at the Agency's Offices located at 50 West Main Street, Rochester, New York 14614, on August 15, 2023, at 12:00 p.m.

After the meeting had been duly called to order, the Chair announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to a certain Project more particularly described below.

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL
DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING
ADDITIONAL FINANCIAL ASSISTANCE TO 120 MARINA DRIVE LLC
(THE "COMPANY") IN AMOUNTS EXCEEDING THE AMOUNTS
PREVIOUSLY APPROVED BY THE AGENCY; AND THE EXECUTION OF
RELATED DOCUMENTS.

WHEREAS, by Title I of Article 18-A of the General Municipal Law of the State of New York, as amended and Chapter 55 of the Laws of 1972 of the State of New York (collectively, the "Act"), the Agency was created with the authority and power among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, by Resolution duly adopted on June 21, 2022 (the "Authorizing Resolution"), the Agency appointed **120 MARINA DRIVE LLC**, a New York limited liability company, for itself or an entity formed or to be formed (collectively, the "Company"), the true and lawful agent of the Agency to undertake a certain project (the "Project") consisting of: (A) the acquisition of a leasehold interest in an approximately 1.38-acre parcel of vacant land located at 120 Marina Drive in the Town of Greece, New York 14626 (the "Land"); (B) the construction on the Land of an approximately 22,000 square-foot two-story building, the first floor of which will be leased to commercial tenants and the second floor is to be occupied by DiPasquale Construction, Inc. and its related company, Garden Grove Construction Corp. (collectively, the "Improvements"); and (C) the acquisition and installation therein, thereon or thereabout of certain machinery, equipment and related personal property (the "Equipment" and, together with the Land and the Improvements, the "Facility"); and

WHEREAS, the Agency previously appointed the Company as its true and lawful agent to make purchases of goods and services relating to the Project that would otherwise be subject to New York State and local sales and use tax (the "Sales and Use Tax Exemption Benefits") in an amount up to \$2,693,200, which would result in New York State and local sales and use tax exemption benefits not to exceed \$215,456; and

WHEREAS, the Company, by the Project Modification Request, dated July 24, 2023, has requested the Agency approve the increase in purchases of goods and services relating to the Project that would otherwise be subject to New York State and local sales and use tax in an

amount up to \$3,350,000, which would result in New York State and local Sales and Use Tax Exemption Benefits not to exceed \$268,000 (as increased, the "Sales and Use Tax Exemption Benefits"); and

WHEREAS, the Agency desires to adopt a resolution authorizing (i) the increase in Sales and Use Tax Exemption Benefits; and (ii) the execution and delivery of any documents necessary and incidental thereto.

NOW, THEREFORE, BE IT RESOLVED by the County of Monroe Industrial Development Agency as follows:

Section 1. Based upon the representation and warranties made by the Company in its request, the Agency hereby authorizes and approves the Company, as its agent, to continue to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use in an amount up to **\$3,350,000**, which result in New York State and local Sales and Use Tax Exemption Benefits not to exceed **\$268,000**. The Agency agrees to consider any requests by the Company for another extension or an increase to the amount of Sales and Use Tax Exemption Benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services.

Section 2. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver any agreements, documents or certificates necessary and incidental to providing the Company with the Sales and Use Tax Exemption Benefits and necessary to effectuate the above-described changes with respect to the Facility.

Section 3. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of such Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 4. This resolution shall take effect immediately.

[Remainder of Page Intentionally Left Blank]

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

	<u><i>Yea</i></u>	<u><i>Nay</i></u>	<u><i>Absent</i></u>	<u><i>Abstain</i></u>
Jay Popli				
Troy Milne				
Lisa Bolzner				
Joseph Alloco				
Rhett King				
Norman Jones				
Ann L. Burr				

The Resolutions were thereupon duly adopted.

STATE OF NEW YORK)
COUNTY OF MONROE) ss.:

I, the undersigned Executive Director of the County of Monroe Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the County of Monroe Industrial Development Agency (the "Agency"), including the resolutions contained therein, held on August 15, 2023, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with Sections 103 and 104 of the New York Public Officers Law (Open Meetings Law) that all members of the Agency had due notice of the meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand on this 15th day of August, 2023.

Ana J. Liss, Executive Director



PROJECT MODIFICATION REQUEST

If you have any questions or need assistance, please call 585.753.2000.

Applicant:	<u>120 Marina Drive, LLC</u>		
Project Address:	<u>120 Marina Drive, Rochester, NY 14626</u>		
Contact Name:	<u>Jason Colline</u>		
Contact Company:	<u>120 Marina Drive, LLC</u>		
Contact Address:	<u>5138 W Ridge Road, Spencerport, NY 14559</u>		
Contact Email:	<u>jcolline@dc-team.com</u>	Contact Phone:	<u>585-352-4418</u>

Employment in Monroe County:	<u>56</u>	<u>0</u>	<u>7/14/2023</u>
	Full Time	Part Time	As of Date

Modification Requested: Check all that apply. (Attach additional page if necessary). Legal fees apply.
 A substantial change in project costs or scope may require a new application.

☒ **Increase in Project Costs:** Must complete page 2. (If there is a significant change in Project Scope, an application will be required.)

Assistance Requested: Check all that apply.

☐ Property Tax Abatement
 ☐ Mortgage Tax Exemption
 ☒ Sales Tax Exemption

Project Cost Information: \$ 4,900,000 \$ 1,200,000 \$ 6,100,000
 Original Project Cost Increase in Project Costs New Project Costs

☐ **Extend or Renew Sales Tax Exemption:** (If exemption date has expired, a \$350 fee applies.)

_____ _____ \$ _____
 Current Expiration Date Requested Expiration Date Amount of Exemptions Taken to Date

Reason for Extension:

☐ **New Tenant:** Include name, business description, and square feet to be occupied.

Applicant hereby represents that (i) it is not in default under any documents executed in connection with the Project being modified; (ii) Applicant will pay all applicable fees of the Agency and its counsel in connection with the modification of the Project.

Signed: Jason Colline Digitally signed by Jason Colline Date: 07/24/2023
 Date: 2023.07.24 13:50:28 -04'00'

Print Name and Title: Jason E. Colline, Vice President

Staff Use Only: 2/20

Date Received: 7/24/23 Date of Original Approval: 6/24/22 New Code 2602 22 0208

Project Modification Request - Page 2

Required when requesting an Increase in Project Costs

A. Applicant Project Costs	Original/Current Approval	Requested Increase Modification	Revised Approval Requested
Building Construction or Renovation			
a. Materials	\$ 2,266,835	\$ 683,165	\$ 2,950,000
b. Labor	\$ 1,605,165	\$ 451,235	\$ 2,056,400
Site Work			
c. Materials	\$ 326,365	\$ -76,365	\$ 250,000
d. Labor	\$ 123,635	\$ 76,365	\$ 200,000
e. Non-Manufacturing Equipment	\$ 0	\$ 0	\$ 0
f. Furniture & Fixtures	\$ 100,000	\$ 50,000	\$ 150,000
g. Land and/or Building Purchase	\$ 400,000	\$ 0	\$ 400,000
h. Manufacturing Equipment	\$ 0	\$ 0	\$ 0
i. Soft Costs (Legal, Architect, Engineer)	\$ 0	\$ 0	\$ 0
Other Costs (specify)			
j. Legal	\$ 8,000	\$ 9,800	\$ 17,800
k. Architectural	\$ 45,000	\$ 0	\$ 45,000
l. M.E.P.	\$ 15,000	\$ 0	\$ 15,000
m. Civil	\$ 10,000	\$ 5,800	\$ 15,800
Total Project Costs	\$ 4,900,000	\$ 1,200,000	\$ 6,100,000

Sources of Funds for Project Costs

a. Tax Exempt Industrial Revenue Bond	\$ 0	\$ 0	\$ 0
b. Taxable Industrial Revenue Bond	\$ 0	\$ 0	\$ 0
c. Tax Exempt Civic Facility Bond	\$ 0	\$ 0	\$ 0
d. Bank Financing (subject to recording tax)	\$ 4,500,000	\$ -356,250	\$ 4,143,750
e. Public Sources	\$ 0	\$ 0	\$ 0
f. Equity	\$ 400,000	\$ 1,556,250	\$ 1,956,250
Total Sources	\$ 4,900,000	\$ 1,200,000	\$ 6,100,000

B. Reason for Increase:

When we first completed the application, we did not have pricing from Subcontractors for the interior build-out of the 2nd and 3rd floors. We only had building shell estimates at that time. We used a 60/40 split to determine the "material" pricing on our initial application. We also did not have quotes for FFE at the time of the application. Now, the FFE has been quoted, and all contracts/PO have been written; we have an accurate "material" cost. We also increased the scope of work, which has increased the overall budget.

C. Amount of Sale Tax Exemptions Taken to Date: \$ 2,575,616.00

(\$206,049 exemptions)



MODIFICATION SUMMARY

DATE: August 15, 2023

APPLICANT:

Durst Image Technology, US LLC
667 Panorama Trail
Penfield, NY 14625

PROJECT LOCATION:

667 Panorama Trail
Penfield, NY 14625

MODIFICATION REQUEST:

Durst Image Technology, US LLC, a manufacturer of digital inkjet printing systems for large image formats is renovating a 40,000 sq foot facility in the Town of Penfield. The project was approved by the board in October 2022 for mortgage recording tax exemption, sales tax exemption as well as a property tax abatement. The applicant is requesting an increase in project costs of \$1,653,000 and an extension of the sales tax exemption through December 31, 2024 due to construction delays and increases in material and labor costs. The new sales tax exemption is not to exceed \$202,000. The total project cost is now \$4,696,150.

PROJECT AMOUNT

<u>CURRENT</u>	<u>REQUESTED</u>	<u>NEW TOTAL</u>
\$3,043,150	\$1,653,000	\$4,696,150

Motion By: _____
Seconded By: _____

RESOLUTION
(Durst Image Technology US LLC Project)
OSC Code: 2602-22-034B

A regular meeting of the County of Monroe Industrial Development Agency (the "Agency"), was held at the Agency's Offices located at 50 West Main Street, Rochester, New York 14614, on August 15, 2023, at 12:00 p.m.

After the meeting had been duly called to order, the Chair announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to a certain Project more particularly described below.

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING (i) ADDITIONAL FINANCIAL ASSISTANCE TO DURST IMAGE TECHNOLOGY US LLC (THE "COMPANY") IN AMOUNTS EXCEEDING THE AMOUNTS PREVIOUSLY APPROVED BY THE AGENCY AND (ii) THE EXTENSION OF THE SALES AND USE TAX EXEMPTION BENEFITS (AS HEREINAFTER DEFINED) THROUGH DECEMBER 31, 2024; AND THE EXECUTION OF RELATED DOCUMENTS.

WHEREAS, by Title I of Article 18-A of the General Municipal Law of the State of New York, as amended and Chapter 55 of the Laws of 1972 of the State of New York (collectively, the "Act"), the Agency was created with the authority and power among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, by Resolution duly adopted on October 18, 2022 (the "Authorizing Resolution"), the Agency appointed **DURST IMAGE TECHNOLOGY US LLC**, a Delaware limited liability company for itself or a related entity formed or to be formed (collectively, the "Tenant") have requested that the Agency assist with a certain Project (the "Project"), consisting of: (A) the acquisition of a leasehold interest in a portion of an approximately 3-acre parcel of land located at 667 Panorama Trail West in the Town of Penfield, New York 14625 (the "Land") together with the existing approximately 40,000 square-foot building thereon (the "Existing Improvements"); (B) the renovation of the Existing Improvements into spaces for training, offices, common area and warehousing (the "Improvements"); and (C) the acquisition and installation therein, thereon or thereabout of certain machinery, equipment and related personal property (the "Equipment" and, together with the Land, the Existing Improvements and the Improvements, the "Facility") for use in its business as a manufacturer of digital inkjet printing systems; and

WHEREAS, the Agency previously appointed the Company as its true and lawful agent to make purchases of goods and services relating to the Project that would otherwise be subject to New York State and local sales and use tax (the "Sales and Use Tax Exemption Benefits") in an amount up to \$1,300,000, which would result in New York State and local sales and use tax exemption benefits not to exceed \$104,000 through December 31, 2023; and

WHEREAS, the Company, by the Project Modification Request, dated July 26, 2023, has requested the Agency approve the increase in purchases of goods and services relating to the Project that would otherwise be subject to New York State and local sales and use tax in an amount up to \$2,525,000, which would result in New York State and local Sales and Use Tax Exemption Benefits not to exceed \$202,000 (as increased, the "Sales and Use Tax Exemption Benefits") and that the Agency grant an extension to the Sales and Use Tax Exemption Benefits through December 31, 2024; and

WHEREAS, the Agency desires to adopt a resolution authorizing (i) the increase and extension in Sales and Use Tax Exemption Benefits; and (iii) the execution and delivery of any documents necessary and incidental thereto.

NOW, THEREFORE, BE IT RESOLVED by the County of Monroe Industrial Development Agency as follows:

Section 1. Based upon the representation and warranties made by the Company in its request, the Agency hereby authorizes and approves the Company, as its agent, to continue to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use in an amount up to **\$2,525,000**, which result in New York State and local Sales and Use Tax Exemption Benefits not to exceed **\$202,000** through **December 31, 2024**. The Agency agrees to consider any requests by the Company for another extension or an increase to the amount of Sales and Use Tax Exemption Benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services.

Section 2. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver any agreements, documents or certificates necessary and incidental to providing the Company with the Sales and Use Tax Exemption Benefits and necessary to effectuate the above-described changes with respect to the Facility.

Section 3. The Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of such Executive Director, Deputy Director, Chairman or Vice Chairman of the Agency acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 4. This resolution shall take effect immediately.

[Remainder of Page Intentionally Left Blank]

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

	<u><i>Yea</i></u>	<u><i>Nay</i></u>	<u><i>Absent</i></u>	<u><i>Abstain</i></u>
Jay Popli				
Troy Milne				
Lisa Bolzner				
Joseph Alloco				
Rhett King				
Norman Jones				
Ann L. Burr				

The Resolutions were thereupon duly adopted.

STATE OF NEW YORK)
COUNTY OF MONROE) ss.:

I, the undersigned Executive Director of the County of Monroe Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the County of Monroe Industrial Development Agency (the "Agency"), including the resolutions contained therein, held on August 15, 2023, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with Sections 103 and 104 of the New York Public Officers Law (Open Meetings Law) that all members of the Agency had due notice of the meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand on this 15th day of August, 2023.

Ana J. Liss, Executive Director



PROJECT MODIFICATION REQUEST

If you have any questions or need assistance, please call 585.753.2000.

Applicant: Durst Image Technology US LLC
 Project Address: 667 Panorama Trail West, Penfield, NY 14625
 Contact Name: Tiffany Gruschow
 Contact Company: Durst ImageTechnology US LLC
 Contact Address: 50 Methodist Hill Dr, Suite 100, Rochester, NY 14623
 Contact Email: tiffany.gruschow@durst-group.com Contact Phone: 585-486-0340 x5275

Employment in Monroe County: 44 2 7/26/2023
 Full Time Part Time As of Date

Modification Requested: Check all that apply. (Attach additional page if necessary). Legal fees apply.

A substantial change in project costs or scope may require a new application.

☒ **Increase in Project Costs:** Must complete page 2. (If there is a significant change in Project Scope, an application will be required.)

Assistance Requested: Check all that apply.

☐ Property Tax Abatement ☐ Mortgage Tax Exemption ☒ Sales Tax Exemption

Project Cost Information: \$ 3043150 \$ 1653000 \$ 4,696,150
 Original Project Cost Increase in Project Costs New Project Costs

☒ **Extend or Renew Sales Tax Exemption:** (If exemption date has expired, a \$350 fee applies.)

12/31/2023 09/30/2024 \$
 Current Expiration Date Requested Expiration Date Amount of Exemptions Taken to Date

Reason for Extension:

Project started six months later than originally expected.

☐ **New Tenant:** Include name, business description , and square feet to be occupied.

Applicant hereby represents that (i) it is not in default under any documents executed in connection with the Project being modified; (ii) Applicant will pay all applicable fees of the Agency and its counsel in connection with the modification of the Project.

Signed: Tiffany Gruschow Digitally signed by Tiffany Gruschow Date: 2023.07.27 15:01:50 -04'00' Date: 07/27/2023

Print Name and Title: Tiffany Gruschow, Director of Accounting and Administration

Staff Use Only:

Date Received 7/27/23 Date of Original Approval: 10/18/22 New Code 2602 22034 B ^{2/20}

Project Modification Request - Page 2

Required when requesting an Increase in Project Costs

A. Applicant Project Costs	Original/Current Approval	Requested Increase Modification	Revised Approval Requested
Building Construction or Renovation			
a. Materials	\$ _____	\$ _____	\$ 0 _____
b. Labor	\$ _____	\$ _____	\$ 0 _____
Site Work			
c. Materials	\$ 1,150,000	\$ 350,000	\$ 1,500,000
d. Labor	\$ 1,743,150	\$ 428,000	\$ 2,171,150
e. Non-Manufacturing Equipment	\$ 50,000	\$ 70,000	\$ 120,000
f. Furniture & Fixtures	\$ 100,000	\$ 425,000	\$ 525,000
g. Land and/or Building Purchase	\$ _____	\$ _____	\$ 0 _____
h. Manufacturing Equipment	\$ _____	\$ _____	\$ 0 _____
i. Soft Costs (Legal, Architect, Engineer)	\$ _____	\$ _____	\$ 0 _____
Other Costs (specify)			
j. AV, IT Network & Security	\$ 0	\$ 250,000	\$ 250,000
k. Exterior Signage	\$ 0	\$ 30,000	\$ 30,000
l. Movers	\$ 0	\$ 100,000	\$ 100,000
m. _____	\$ _____	\$ _____	\$ 0 _____
Total Project Costs	\$ 3,043,150	\$ 1,653,000	\$ 4,696,150

Sources of Funds for Project Costs

a. Tax Exempt Industrial Revenue Bond	\$ _____	\$ _____	\$ 0 _____
b. Taxable Industrial Revenue Bond	\$ _____	\$ _____	\$ 0 _____
c. Tax Exempt Civic Facility Bond	\$ _____	\$ _____	\$ 0 _____
d. Bank Financing (subject to recording tax)	\$ 1,043,150	\$ 0	\$ 1,043,150
e. Public Sources	\$ _____	\$ _____	\$ 0 _____
f. Equity	\$ 2,000,000	\$ 1,653,000	\$ 3,653,000
Total Sources	\$ 3,043,150	\$ 1,653,000	\$ 4,696,150

B. Reason for Increase:

The original application included our best estimates at the time, prior to purchasing the building and having the construction contractor and architects really look at what it would take to convert a fitness center into office and warehouse space. During this time, we also made the decision to create a space in the new building to accommodate a portion of our Atlanta business operations. We also decided that we wanted to create focal areas in the new space with the addition of key pieces of furniture to accomplish the elevated look and feel of a space that we are excited to bring visitors and potential customers to.

C. Amount of Sale Tax Exemptions Taken to Date: \$ _____



WORKFORCE DEVELOPMENT FUND APPLICATION

COMIDA is proud to support workforce development initiatives to improve access to employment opportunities. Please fill in all information below and attach your program proposal to be considered for support. For questions and submissions, please email Allison Clark at AllisonClark@monroecounty.gov or call (585) 753-2006.

Organization and/or Program Name: Rochester Childfirst Network/Supporting In-Home Family Childcare Providers 2023-24

Rochester Childfirst Network/Supporting In-Home Family Childcare Providers 2023-24

Contact Name: Jeff Hoffman Contact Phone: 585.473.2858 ext 246

Contact Email: jhoffman@rcn4kids.org Year program started: 1981

Address: 941 South Ave City: Rochester State: NY Zip: 14620

Tax EIN: _____

Please attach to this page your proposal for program funding. Please note, you must address each of the questions below to be considered for funding

- A brief overview of your program including your program's mission and target audience.
- Who are your other community partners, if any. Please list all funding partners, collaborative partners as well as businesses or industry groups for job placement.
- How your program is directly linked to job creation in Monroe County. Are jobs available for the program participants to be placed into upon completion of the program/training.
- How you plan to measure the success of your program. Performance metrics should include success rates, job placement rates and number of participants. If your program is new, projected metrics should be included.
- Amount of funding requested and how these dollars would be used.
- A copy of the operating budget and statement of financial position (balance sheet).
- Administration and operation of the organization. Please give a basic outline of how the program organizational structure as well as staff duties, org chart and an explanation of internal controls.
- Copy of your most recent audit.



Rochester Childfirst Network

SERVING CHILDREN SINCE 1857

941 South Avenue, Rochester, NY 14620
(585) 473-2858 • www.RCN4kids.org



RCN-COMIDA APPLICATION NARRATIVE 2023

Narrative

Brief overview of program; mission; target audience

Founded in 1857, the mission of Rochester Childfirst Network states *RCN believes in the inherent potential of every child, regardless of their background or needs. We promote equitable access to comprehensive services by providing innovative early care and educational programming for young children and their families in a safe, diverse, and nurturing environment.*

Our 2023 proposal to COMIDA will expand the outreach of the *Family Child Care Satellites of Greater Rochester*. FCCSGR plays an essential role in Monroe County's infrastructure by providing in-home childcare for 2,000 children. FCCSGR's 188 member sites enable the parents of these children to go to work daily, knowing that their kids are safe and well cared-for.

FCCSGR's Background and Programs

FCCSGR was founded in 1981 by the United Way, Rochester's Child, and the Rochester Area Community Foundation. Its mission is to support in-home childcare businesses, especially those in economically depressed areas of Rochester.

FCCSGR's programs for in-home businesses include:

- Workshops required for NYS licensure (Nutrition, Safety, Identification of Child Abuse and others). These are free of charge, through FCCSGR's partnership with the CSEA Union;
- Business management seminars—Using the Business Administration Scale, Tax Preparation, Managing Your Budget and others;
- Monthly cash reimbursements to daycare centers that provide healthy meals. In 2022, this program brought over \$900,000 in federal funding into Monroe County; and
- FCCSGR member benefits—passes to the Seneca Park Zoo and RMSC, diaper giveaways, MYBetterBenefits discounts, low-cost food via Foodlink; and free training materials.

Target Audience

FCCSGR supports 188 in-home childcare providers. These 188 independent businesses **care for more than 2,000 children.** All FCCSGR businesses are in Monroe County and over 98% are owned and operated by entrepreneurial Women of Color.

Community Partners (Funding, Collaborators, Business/Industry Groups)

Funding:

- Community Foundation Early Childhood Equity Grants: \$30,000 annually
- Rochester's Child: \$30,000 annually.
- Grants from the Greater Rochester Health Foundation and Excellus.
- The Wilson and Konar foundations gave grants to study coaching models in childcare.

RCN provides early education and care for children 6 weeks through 12 years old, focusing on social-emotional growth and daily play.

Collaborators

- The Community Place of Greater Rochester helps oversee 80 of our 188 in-home providers.
- Foodlink invites FCCSGR members to shop at Foodlink at very low cost.
- ESL Federal Credit Union has provided workshops on budgeting.
- The Child Care Council assists providers with their initial NYS licensure.
- The Children's Agenda provides advocacy for FCCSGR at the state and federal level.

Business and Industry Groups

- CSEA covers the costs of workshops that are required for NYS licensure.
- The Early Childhood Education Quality Council (ECEQC) assists with trainings.
- QUALITYstarsNY assesses children's outcomes at FCCSGR homes.

Program's Link to Job Creation in Monroe County

The rate of childhood poverty in Rochester has risen to 51.9 percent. Families in poverty often live in "childcare deserts" (more than 3 young children for every available childcare slot). These families cannot access childcare due to cost, transportation and other factors.

Over 66% of census tracts in Monroe County/Finger Lakes qualify as childcare deserts (OCFS analysis, 2022).

Measuring Success of Program

- Success rates—This grant will provide "start-up" funding for new FCCSGR providers. Our goal is to help at least 10 new childcare "startups" in the 2023-24.
- Job placement rates—all FCCSGR providers, existing and new, are self-employed. So in that sense, the "placement rate" for FCCSGR members is 100%
- Number of participants—188 existing providers will be eligible for grants of \$2,000 each.
- New and expanding childcare businesses will be eligible for grants of up to \$20,000.
- Projected metrics: We will set a goal for an 80% success rate, which we will measure as follows: 80% of start-ups will still be serving children for two years after their opening.

Funding Requested/How Dollars Will Be Used

Up to \$300,000 (see attached budget) will be distributed. The FCCSGR Director will review all funding requests, in effect serving as the "grantor," and her decisions will be final.

\$175,000 will be used for new childcare business start-ups, or for existing providers to set up second "branch" sites. These may be up-front grants for costs that these entrepreneurs incur while opening new sites. As detailed in the budget, start-up costs will vary greatly. An owner might have a turnkey site that only needs \$500 for licensing and legal costs. Another might need to cover expenses for room renovations, furniture, supplies, etc. These grants will be capped at \$20,000 per new site, with the goal of having up to 10 new sites opened in 2024.

\$80,000 will be set aside for reimbursement grants of up to \$2,000 for existing daycares, on a first-come first-served basis. These grants will reimburse daycare owners for documented, eligible expenditures which could include training costs; books and educational materials; new furnishings or equipment; minor upgrades to the home which directly support the daycare's business activities.

\$10,000 will be designated for marketing this new outreach to underserved neighborhoods in Rochester and Monroe County. This could include targeting radio spots, social media, flyers and posters, advertising on RTS buses/kiosks and other means.

\$35,000 will be dedicated to program management, staffing, and overhead costs incurred during 2024 by the FCCSGR office.

Administration/Operation of RCN

Your grant program will be overseen by the FCCSGR office, with assistance from RCN's Business and Development offices.

Outline of Program Organizational Structure & Internal Controls

Rochester Childfirst Network, incorporated in 1857, is a 501c3 nonprofit corporation under the laws of New York State. Its operations are overseen by a 22-member Board of Directors. The FCCSGR office's administrator reports directly to RCN's Executive Director.

Internal controls are done through RCN's Business Office. Our finances and books are audited annually by an outside firm (Heveron and Co., CPAs).

Attachments

- Operating budget
- Balance sheet
- Organization Chart
- 2021-22 Audit

PROJECT BUDGET FORM

Applicant: Rochester Childfirst Network
Project: Family Child Care Satellites of Greater Rochester 2022-23

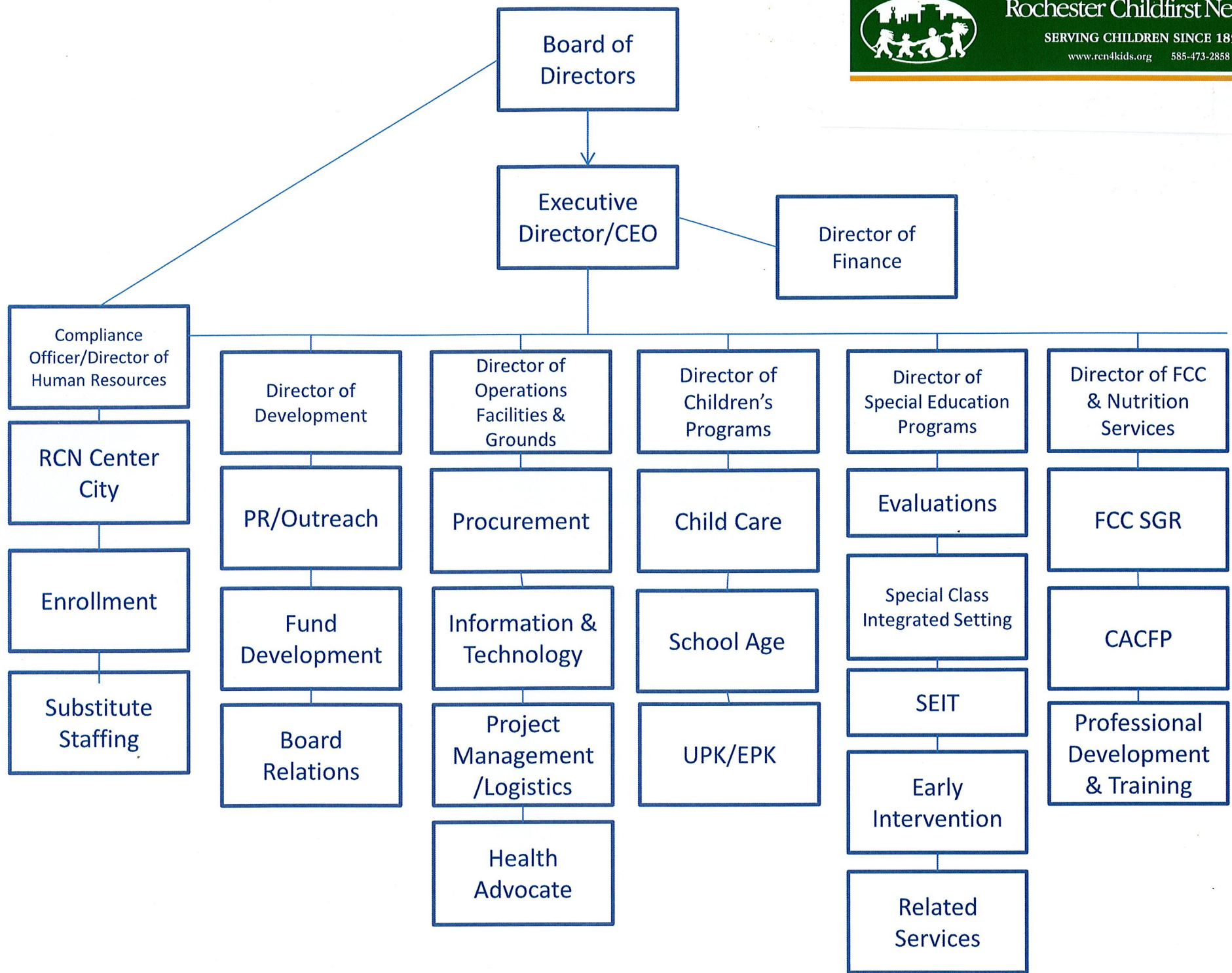
INCOME

Funding Sources	Amount	COMIDA Funds
COMIDA	\$300,000	\$300,000
Rochester's Child Grant Box 1	\$30,000	
RACF Early Childhood Equity Grant	\$30,000	
Child & Adult Care Food Program (CACFP) FEDERAL GRANT	\$900,000	
Other foundation or corporate grants	\$30,000	
Government grants or contracts	\$10,000	
Other Contributions		
Fees for service	\$2,000	
Sales revenue		
Membership dues	\$3,000	
In-kind (Approx \$25,000 food, materials, services)		
Total Project Income Box 2	\$1,305,000	\$300,000

EXPENSES

Expense Items	Amount	COMIDA Funds
Salaries	132,000	\$ 35,000
Fringe Benefits	20,000	
CACFP Payments to Providers	845,000	
Professional fees (contracts, consultants)	5,000	
Evaluation	2,000	
Training	1,500	
Travel/meeting expenses	2,000	
Occupancy	7,000	
Marketing & Communications	13,500	\$ 10,000
Grants--New and Expanding Childcare Centers	175,000	\$ 175,000
Grants--Upgrades/Expenses at Existing Childcare Centers	80,000	\$ 80,000
Supplies (FCCSGR Office at RCN)	3,000	
Subtotal: Direct Expenses	\$1,286,000	\$300,000
General & Management Expenses (prorated)	19,000	
Total Expenses	\$1,305,000	\$300,000

should match Box 2





WORKFORCE DEVELOPMENT FUND APPLICATION

COMIDA is proud to support workforce development initiatives to improve access to employment opportunities. Please fill in all information below and attach your program proposal to be considered for support. For questions and submissions, please email Allison Clark at AllisonClark@monroecounty.gov or call (585) 753-2006.

Organization and/or Program Name: RochesterWorks, Inc: Business Hiring & Training Grants Program

RochesterWorks, Inc: Business Hiring & Training Grants Program

Contact Name: Dave Seeley Contact Phone: 585-258-3534

Contact Email: dseeley@rochesterworks.org Year program started: 2002

Address: 100 College Ave, Suite 200 City: Rochester State: NY Zip: 14607

Tax EIN: 16-1596825

Please attach to this page your proposal for program funding. Please note, you must address each of the questions below to be considered for funding

- A brief overview of your program including your program's mission and target audience.
- Who are your other community partners, if any. Please list all funding partners, collaborative partners as well as businesses or industry groups for job placement.
- How your program is directly linked to job creation in Monroe County. Are jobs available for the program participants to be placed into upon completion of the program/training.
- How you plan to measure the success of your program. Performance metrics should include success rates, job placement rates and number of participants. If your program is new, projected metrics should be included.
- Amount of funding requested and how these dollars would be used.
- A copy of the operating budget and statement of financial position (balance sheet).
- Administration and operation of the organization. Please give a basic outline of how the program organizational structure as well as staff duties, org chart and an explanation of internal controls.
- Copy of your most recent audit.

COMIDA Workforce Development Fund Application
RochesterWorks, Inc., Business Training Grants Programs
July 31, 2023

Program Overview:

On-the-Job Training Program

RochesterWorks, Inc, acting on behalf of the Monroe-County Rochester Workforce Development Board, seeks to enhance its On-the-Job Training (OJT) Training Grant Program. This program is designed to help businesses in the City of Rochester and Monroe County meet their employment needs by offsetting the cost of training new employees who need to upgrade their skills to meet the demands of a specific job.

Under the program, candidates go through a traditional screening process, and if an employer decides they like to hire the candidate, the grant will reimburse a company up to 50 percent of their wages while on-the-job learning new skills from a more experienced employee.

OJT grants reimburse an employer up to a maximum of \$7500 per new hire. All training must be completed within four months (640 hours) and it is expected that when the training period is completed, the position will continue.

At its June 2023 meeting, the Workforce Development Board raised the maximum grant amount from \$5,000 to \$7,500 a necessity to keep the program attractive enough to keep pace with rising entry-level wages. This was the first increase in a decade, when the maximum was increased from \$3,000. The Workforce Development Board, to account for the higher cap, has allocated a significant increase to RochesterWorks' Business Grant program. However, it is not enough to allow for any considerable growth of the program due to the higher per participant cost.

Incumbent Worker Upskilling

RochesterWorks also looks to increase its business grant capacity to provide grants for incumbent worker training to businesses. The grants provide both workers and employers with the opportunity to build and maintain a quality workforce and increase both participants' and companies' competitiveness. This has been a resource that RochesterWorks has offered to businesses in the past, but has been forced to scale back due to declining Federal funding. Under the program, businesses could request up to 50% the cost of training their employee: either to ensure they are able to have the necessary skill set to retain employment or to acquire skills necessary to advance within the company, thereby allowing for the company to backfill and provide new employment opportunities.

Community Partners: At present, the sole funding partner for RochesterWorks' Business Grants program is Federal Workforce, Innovation Opportunity Act (WIOA) Title I funding, which RochesterWorks administer on behalf of Monroe County and the City of Rochester.

Strategic partners include employer organizations who help to disseminate information about the program, including the Greater Rochester Chamber of Commerce and the Rochester Technology Manufacturing Association.

The OJT program also partners with the RochesterWorks Career Center, providing WIOA-funded career services and supportive services to training participants.

Job Creation: RochesterWorks' Business Grants programs have demonstrated effectiveness in helping new employees maintain their initial employment, with a 75% training completion rate over the past 5 years. By underwriting the lost productivity, as well as some of the risk, that many small businesses are confronted with when hiring, RochesterWorks helps serve as a bridge between recruitment, hiring and sustained employment. The OJT program is especially designed for those employers who do not require completion of a occupational skills training program.

The top industries served by the program include: Manufacturing/Production, Skilled Construction Trades, Optics/Imaging, Food/Agriculture and Business Services.

In its most recent program year, RochesterWorks Business Services Team had funding to award approximately 35 grants. The Workforce Development Board increased funding for business grants for the current 2023 Program Year. However, the higher \$2,500 cap will not allow for significant growth in the number of participants served. The funding request outlined below would allow RochesterWorks to expand its hiring and retention programs to **65** annual participants.

Program Performance: RochesterWorks seeks to use COMIDA workforce grant funding to provide training grants to upwards of 130 individuals over a two-year period.

For On-the-Job Training grants, it would seek to assess:

- Number of candidates receiving training
- Number of businesses receiving grant support
- Retention of Employees (derived from follow up contact with candidates)

For Incumbent worker training grants, RochesterWorks would assess:

- Number of participants who obtained an additional credential or certificate to help with their job.
- Number of businesses receiving grant support
- Matching funds provided by businesses to cover wage and other costs
- Potential Increase in hourly wages for grant recipients.

Funding Request & Proposed Grant-Funded Budget:

RochesterWorks requests \$500,000 in grant funds, to be used over a two-year period. Under this proposal, COMIDA funds would provide a 50% match of all OJT and Incumbent Workers training contracts administered by RochesterWorks, amounting to \$245,000 in grant funds, per year. RochesterWorks also requests a total of \$10,000 for marketing costs across two years.

Item	2-Year Total	Description
Total Cost - Training	\$980,000	Projected 130 Grants (65-66/year) with maximum grant amount of \$7,500. Note: Training will not always exceed maximum amount, thus allowing for potential additional participants
COMIDA Grant – Training (50% share)	\$490,000	
COMIDA Grant - Marketing costs	\$10,000	
Budget Total (Grant Funded)	\$500,000	

Administration of the Program

RochesterWorks Business Grants are administered by its Business Services Division, which is managed by Laura Seelman, Manager of Business Services. Two other members of the Business Services Division – Kyle McCarthy, Business Services Coordinator and Meagan Neubauer, Business Services Representative, assist business and participants in the process.

The grant programs are administered using the technical policies adopted by the Monroe County-Rochester Workforce Development Board. Furthermore, the administration of the program is monitored by the New York State Department of Labor to ensure compliance with Federal WIOA and related New York State laws and policies.

Attachments:

1. Organizational operating budget
2. Balance sheet
3. Independent Audit
4. Statement of Internal Controls



WORKFORCE DEVELOPMENT FUND APPLICATION

COMIDA is proud to support workforce development initiatives to improve access to employment opportunities. Please fill in all information below and attach your program proposal to be considered for support. For questions and submissions, please email Allison Clark at AllisonClark@monroecounty.gov or call (585) 753-2006.

Organization and/or Program Name: RochesterWorks, Inc., Enhanced Recovery Services

RochesterWorks, Inc., Enhanced Recovery Services

Contact Name: Lee Koslow Contact Phone: (585) 258-3500, x-3516

Contact Email: Lkoslow@rochesterworks.org Year program started: 2019

Address: 100 College Ave., Suite 200 City: Rochester State: NY Zip: 14607

Tax EIN: 16-1596825

Please attach to this page your proposal for program funding. Please note, you must address each of the questions below to be considered for funding

- A brief overview of your program including your program's mission and target audience.
- Who are your other community partners, if any. Please list all funding partners, collaborative partners as well as businesses or industry groups for job placement.
- How your program is directly linked to job creation in Monroe County. Are jobs available for the program participants to be placed into upon completion of the program/training.
- How you plan to measure the success of your program. Performance metrics should include success rates, job placement rates and number of participants. If your program is new, projected metrics should be included.
- Amount of funding requested and how these dollars would be used.
- A copy of the operating budget and statement of financial position (balance sheet).
- Administration and operation of the organization. Please give a basic outline of how the program organizational structure as well as staff duties, org chart and an explanation of internal controls.
- Copy of your most recent audit.

COMIDA Workforce Development Fund Application RochesterWorks, Inc., Enhanced Recovery Services

Program Overview: RochesterWorks' Enhanced Recovery Services program seeks to increase the number of certified health care professionals available to address the opioid crisis—and addiction in general—by providing short-term training and work experience to people who have been impacted by substance use disorders, qualifying them to fill those jobs.

Our target audience includes people in recovery from substance use disorders and others who have been impacted by the opioid crisis and addiction in general.

RochesterWorks' program to prepare and train workers to address the opioid crisis arose from a US Department of Labor National Dislocated Worker Grant awarded to the New York State Department of Labor in 2019. The USDOL grant ended in June 2022. We have been able to sustain programming through a combination of Workforce Innovation and Opportunity Act (WIOA) and foundation funding. However, there are significant gaps in our current funding structure that need to be filled.

Our program model includes 1) assessment by a specialized career services advisor; 2) individualized career services, including resume development and soft skills drawing on elements of the 5 Steps to Rapid Employment curriculum; 3) classroom instruction (online or in-person) leading to the Certified Recovery Peer Advocate (CRPA), Credentialed Alcohol and Substance Abuse Counselor (CASAC), and other similar credentials; 4) supportive services, including transportation, digital divide supportive services, and emergency supportive services, to help overcome barriers to employment; 5) up to 500 hours of paid work experience toward the CRPA or similar credential; and 6) an unsubsidized placement in a related job.

Community Partnerships: We have MOUs with 14 system partners, including

- Providers of substance abuse treatment and recovery services, who also provide both subsidized work experience and unsubsidized employment opportunities for our program participants: Delphi Rise, East House, Huther Doyle, Recovery Houses of Rochester, ROCovery Fitness, CORE Center, Rochester Regional Health System, Venture Forthe, Westfall Associates, and Salvation Army Adult Rehab Center;
- Training providers: DePaul NCADD-RA and Recovery Coach University
- Providers of referrals and supportive services: Monroe County Sheriff's Office and Veterans Outreach Center

Additionally, the following foundations are our current funding partners: Mother Cabrini Health Foundation and ESL Charitable Foundation.

Job Creation: Certified Recovery Peer Advocates (CRPAs) are a subset of the standard occupational title social and human service assistants. According to data provided by Lightcast, social and human service assistant jobs are projected to increase by 5% in Monroe County between 2022 and 2025, with 2,104 employed in 2025. Credentialed

Alcohol and Substance Abuse Counselors (CASACs) are a subset of the standard occupational title substance abuse, behavioral disorder, and mental health counselors. These jobs are projected to increase by 10% in Monroe County between 2022 and 2025, with 859 employed in 2025. Anecdotal evidence suggests that we will continue to see a tight labor market for these jobs. Through May 2023, we had hosted three Recovery Services and Mental Health Professional Job Fairs with a peak of 11 employers participating. At least 26 job or internship offers were made and 55 follow-up interviews were scheduled. Each placement represents a job that would not have been filled without a trained candidate available for hire.

Program Performance:

Performance Measure	Current Year Goals	Current Year Outcomes	Proposed Future (2-year) Outcomes
Participants receiving career services	26	30	52
Participants receiving training services	23	30	40
Participants completing training services	19	26	34
Training completion rate	83%	87%	85%
Participants placed in paid work experiences	14	19	28
Participants placed in unsubsidized employment	17	16*	34
Job placement rate	65%	53%*	65%

*Current program has not yet ended. We expect to exceed 65% job placement rate by program end.

Funding Request and Proposed Budget:

Total proposed, 2-year funding request: \$400,000

Item	Amount	Description
Salaries	\$180,000	2 FTEs Specialized Career Service Advisors
Fringe	\$61,200	Fringe for 2 FTEs Specialized Career Service Advisors
Operations Costs	\$46,800	Occupancy, supplies, contracted services, and related operations costs allocable to 2 FTEs Specialized Career Service Advisors
Training	\$30,000	Participant training costs
Wage subsidies	\$30,636	Participant costs for paid work experience
Supportive services	\$15,000	Participant supportive services costs
Administrative Costs	\$36,364	10% cost to administer the grant
Total	\$400,000	

We are also planning for \$250,000 in matching foundation funds to support our additional participant training, paid work experience, and supportive services costs.

Attachments:

1. Organizational operating budget
2. Balance sheet
3. Organizational chart
4. Statement on internal controls
5. Independent audit

RochesterWorks Proposed Budget- Program Year 2023

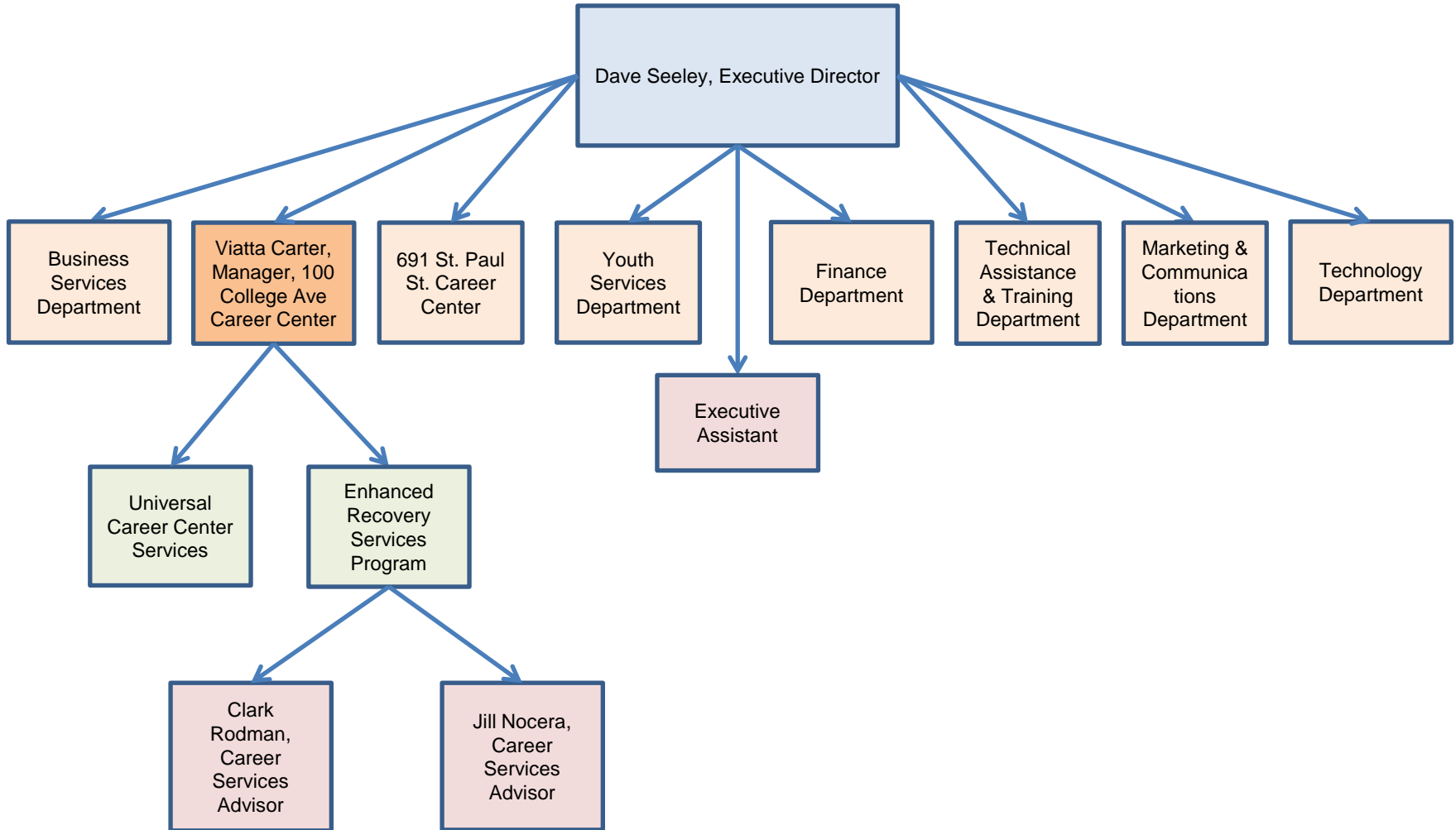
		Proposed '23-'24 Budget	Approved '22-'23 Budget	Projected Year End 6/30/23	Variance compared to prior year approved budget	
REVENUE						
	WIOA (Current Year)	6,265,303	6,024,456	4,929,848	240,847	Year over year - Adult down \$77,405; DW up \$405,628; Youth down \$87,377.
	WIOA (Prior Program Year)	1,721,151	1,413,995	1,416,215	307,156	
	NY SCION	100,000	100,000	104,775	-	
	Temporary Assistance to Needy Families (TANF)	1,614,501	1,576,824	1,033,921	37,677	Originally budgeted \$1,340,300.
	Welfare to Work (WTW)	260,000	525,000	118,091	(265,000)	
	Trade Adjustment Assistance (TAA)	60,000	200,000	34,716	(140,000)	The TAA program was terminated 6/30/22.
	Grant Revenue	25,000	-	335,644	25,000	Anticipated Grant revenue as a match for ROC Seeds.
	Other Revenue	69,000	-	16,241	69,000	
	ER NDWG	-	203,055	151,797	(203,055)	
	Gun Violence Prevention	984,105	2,250,000	510,000	(1,265,895)	Program ends 3/31/24. See Attachment "A"
	ROC SEEDS - NYS OSWD	357,393	-	82,532	357,393	Program starts 6/1/23.
	TOTAL REVENUE	\$ 11,456,454	\$ 12,293,330	\$ 8,733,780	(836,876)	
PROGRAM EXPENSES						
	<u>Direct Expenses</u>					
	Wage Subsidies	1,646,550	1,867,474	1,259,145	(220,924)	
	Individual Training Accounts	823,505	777,651	579,809	45,854	
	Worksite/OJT	496,200	235,000	74,700	261,200	Increased Business Services budget to \$225K. Add'l \$271K is for ROC Seeds.
	Client & Supportive Services	261,935	216,000	205,000	45,935	
	Total Direct Expenses	3,228,190	3,096,125	2,118,654	132,065	
	<u>Service Provider Payments</u>					
	WIOA Youth Service Provider Payments	912,000	960,000	927,331	(48,000)	
	SYEP Youth Service Provider Payments	548,888	442,470	352,028	106,418	
	GVP Provider Payments	200,000	-	205,481	200,000	
	One Stop System Operator Payments	8,000	-	5,175	8,000	
	Total Service Provider Payments	1,668,888	1,402,470	1,490,015	266,418	
	<u>Marketing/Outreach Expenses</u>	15,875	20,000	13,500	(4,125)	
	TOTAL PROGRAM EXPENSES	\$ 4,912,953	\$ 4,518,595	\$ 3,622,169	\$ 394,358	

RochesterWorks Proposed Budget - Program Year 2023

		Proposed '23-'24 Budget	Approved '22-'23 Budget	Projected Year End 6/30/23	Variance compared to prior year approved budget	
	RWI OPERATIONAL EXPENSES					
	Salaries	3,360,340	4,312,070	2,967,458	(951,730)	Added .5 FTE to Youth; 2.5 FTE to Career Center & 1 FTE (eff. 1/1/24) to Bus. Srv.
	Benefits	974,428	1,119,573	843,235	(145,145)	
	Rent & Utilities	339,319	325,673	339,000	13,646	
	Office Operations	197,721	127,120	285,900	70,601	
	Travel / Meetings / Training	43,114	68,418	54,700	(25,304)	
	Professional Fees	626,376	413,557	441,775	212,819	
	Insurance	33,139	32,835	31,164	304	
	TOTAL OPERATIONAL EXPENSES	\$ 5,574,437	\$ 6,399,246	\$ 4,963,232	(824,809)	
	TOTAL EXPENSES	\$ 10,487,390	\$ 10,917,841	\$ 8,585,401	\$ (430,451)	
	REMAINING FUNDS TO ALLOCATE	\$ 969,064	\$ 1,375,489	\$ 148,379		

Attachment 3

RochesterWorks Organizational Chart, Enhanced Recovery Services





COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

Dashboard

August 2023

Incentives Summary

Sales Tax Exemptions		Mortgage Recording Tax Exemption		PILOTS		Total Company Investment	
Year To Date	Prior Year End	Year To Date	Prior Year End	Year To Date	Prior Year End	Year To Date	Prior Year End
14	30	7	17	8	17	\$499,140,174	\$738,190,997

Jobs Summary

Number of Total Projects		Existing Jobs Retained per Application		New Jobs Projected by Applicant		New Jobs Required*	
Year To Date	Prior Year End	Year To Date	Prior Year End	Year To Date	Prior Year End	Year To Date	Prior Year End
15	29	168	1948	130	737	16	245

Fees for Approved Projects (includes all app and agency fees)

Total		Paid to Date		Outstanding	
2023 Projects YTD	2022 Projects YE	2023 Projects YTD	2022 Projects YE	2023 Projects YTD	2022 Projects YE
\$5,469,549	\$5,361,074	\$138,169	\$5,090,980	\$5,331,381	\$291,714

Workforce Development Fund

Beginning Balance \$2,500,000

Allocated Revenue		Committed Funds		Fund Balance	
2023 YTD	2022 YE	2023 YTD	2022 YE	2023 YTD	2022 YE
\$35,054	\$2,656,317	\$1,520,000	\$2,400,000	\$1,236,317	\$2,756,317

Solar WD Fund

Fee Collected to Date	Committed to Date	Balance
\$50,000	\$0	\$50,000

*Required jobs are calculated as 10% of the existing jobs, with a minimum of 1 job. Enhanced JobsPlus is 100 jobs with a minimum of \$15,000,000 investment. There is no job creation requirement for projects that only receive sales tax exemptions.