



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: Clear Choice Building NY, LLC.
 Address: 103 Canal Landing Blvd.
 City/State/Zip: Rochester NY
 Tax Id No.: 88-3044158
 Contact Name: Christine Tirk
 Title: President
 Telephone: 585.723.3440
 E-Mail: ctirk@clearchb.com

B. Applicant's Legal Counsel

Name: Anthony Dinitto
 Firm: Anthony A Dinitto Law Firm
 Address: 2250 West Ridge Road Suite 300
 City/State/Zip: Rochester NY 14626
 Telephone: 585.349.9577
 Email: anthony@dinittolaw.com

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

Name	%	Corporate Title
Christine Tirk	100 %	Single-Member
	%	
	%	
	%	
	%	
	%	
	%	
	%	
	%	
	%	
	%	


II. PROJECT**A. Address of proposed project facility**Address: 130 Canal Landing BlvdTax Map Parcel Number: 089.04-1-12.11City/Town/Village: Rochestr/GreeceSchool District: Greece Central (262801)Zip: 14626

Current Legal Owner of Property:

Clear Choice Building NY 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 ☐ NoCompany Name: Clear Choice Hearing SolutionAddress: 103 Canal Landing Blvd Ste #3City/State/Zip: Rochester NY 14626Tax ID No: 26-2494015Contact Name: Christine TirkTitle: PresidentTelephone: 585.723.3440Email: ctirk@clearchb.com% of facility to be occupied by user/tenant 29%**E. Owners of User/Tenant Company (must total 100%)**

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

Name	%	Corporate Title
<u>Christine Tirk</u>	<u>100 %</u>	<u>President</u>
_____	<u>%</u>	<u>Single-Member</u>
_____	<u>%</u>	_____
_____	<u>%</u>	_____

F. Project TimelineProposed Date of Acquisition: 05/26/22Proposed Commencement Date of Construction: 05/22/23Anticipated Completion Date: 05/22/24**G. Contractor(s)**DiPasquale Construction, Inc-GC

2

II. PROJECT**A. Address of proposed project facility**Address: 103 Canal Landing BlvdTax Map Parcel Number: 089.04-1-12.11City/Town/Village: Rochester/GreeceSchool District: Greece Central (262801)Zip: 14262

Current Legal Owner of Property:

Clear Choice Building NY 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 ☐ NoCompany Name: Clear Choice ProductsAddress: 103 Canal Landing Blvd Ste \$3City/State/Zip: Rochester NY 14626Tax ID No: 97-0876655Contact Name: Christine TirkTitle: PresidentTelephone: 585.723.3440Email: ctirk@clearchb.com% of facility to be occupied by user/tenant 6%**E. Owners of User/Tenant Company (must total 100%)**

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

Name	%	Corporate Title
<u>Christine Tirk</u>	<u>100 %</u>	<u>President</u>
_____	<u>%</u>	<u>Single-Member</u>
_____	<u>%</u>	_____
_____	<u>%</u>	_____

F. Project TimelineProposed Date of Acquisition: 05/26/22Proposed Commencement Date of Construction: 05/22/23Anticipated Completion Date: 05/22/24**G. Contractor(s)**DiPasquale Construction, Inc-GC

II. PROJECT (cont'd)

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

Please explain why financial assistance is necessary.

I purchased the property with the intent to build a new state-of-art corporate headquarters for (DBA): Clear Choice Hearing and Balance on the premises. I am also moving Clear Choice Products to the new facility. We have placed both projects out to bid and due to the current escalation of cost on materials (residual battle from COVID-19) we might be leaning towards placing portions of the project on hold until material costs come back down. I am seeking assistance to make this project move forward in all facets verse waiting for material costs to come down to pre-pandemic levels. This building would of cost approx. \$165-\$200 per square feet in 2019 and we are now looking at \$250-\$300 per square foot now due to the current environment of material availability.

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

☒ Yes ☐ No

Location:

1065 Senator Keating Blvd Roch NY 14618

103 Canal Landng Blvd Roch NY 14626

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:

Relocation is required to retain a competitive advantage, so we can maintain the growth that is necessary to continue continuity of care to the public.

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

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

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

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

☐ NO

II. PROJECT (cont'd)**K. DESCRIPTION OF THE PROJECT AND BACKGROUND ON USER(S) OF THE FACILITY**

Please see below
 NAICS Code: _____

The project is a proposed 30,000 sqft 2 story building, 15,000 per floor. The first floor is where (DBA) Clear Choice Hearing and Balance will be occupying 8800 sqft. Cost is \$2,000,000.00 or 21% of total budget for building construction costs. The second floor will be Clear Choice Products and will occupy 1800 sqft. Both companies are owned by single-member Christine Tirk.

1. Clear Choice Hearing and Balance is a medical diagnostic audiology private practice that was founded in 2008. CCHB provides diagnostic/treatment to newborns all the way to geriatric care. CCHB is a leader in the medical community and utilizes state-of-the-art technology. We have grown annually and will continue to significantly in the next 12-18 months. The need to build a new facility came when we grossly outgrew our current Greece location and have no other option but to look for a larger space. I am planning on hiring 6 new employees to help support this growth. To keep the continuity of care in place "the team" of professionals/doctors have to be under one roof. Growth will continue in a aggressive nature to provide and fulfill the growing need for full scope audiology. This includes NYS EI (Early Intervention) and several military contracts that we provide through the Veterans Administration in Rochester and surrounding areas.

2. Clear Choice Products is a manufacturing/packaging/production LLC. We specialize in developing/production/packaging products on site such as: custom ear molds for hearing devices, noise protection, musician in-ear-monitors. A few other products are ear wax softener, ear lights, noise machines and custom hearing devices. CCP is a unique state-of-the-art company and there are no other businesses in Monroe County of it's kind. When I relocate CCP I plan on hiring 5 new employees to make CCP a cemented company in Rochester NY. Growth projection will continue in a quick fashion due to high demand of custom products locally and state wide.

The remaining space is being represented by a realtor and will be leased under the guide lines of COMIDA.

130 Canal Landing is centrally located to the city of Rochester and the suburbs and is located near major highways making the destination easy to access and favorable for employment.

Building plans are available upon request. Interior plans are being drawn up currently.

*Clear Choice Hearing and Balance - NAICS Code: 621340

*Clear Choice Products - NAICS Code: 466199

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 2.

☐ **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. \$ 5,700,000
b. Labor b. \$ 3,800,000

Site Work

- c. Materials c. \$ 650,000
d. Labor d. \$ 350,000
e. Non-Manufacturing Equipment e. \$ 100,000
f. Manufacturing Equipment f. \$ 100,000
g. Equipment Furniture and Fixtures g. \$ 100,000
h. Land and/or Building Purchase h. \$ _____
i. Soft Costs (Legal, Architect, Engineering) i. \$ _____
Other (specify) j. _____ j. \$ _____
k. _____ k. \$ _____
l. _____ l. \$ _____
m. _____ m. \$ _____

Total Project Costs \$ 10,800,000
(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. \$ 10,800,000
d. Public Sources d. \$ _____

Identify each state and federal grant/credit

- e. Equity \$ _____
TOTAL SOURCES \$ 10,800,000
(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.

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

Use additional sheets as necessary

Company Name _____

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

Estimated Costs Eligible for Sales Tax Exemption Benefit

- a. Materials a. \$ _____
b. Labor b. \$ _____
c. Non-Manufacturing Equipment c. \$ _____
d. Manufacturing Equipment d. \$ _____
e. Furniture and Fixtures e. \$ _____
Other (specify): f. _____ f. \$ _____
g. _____ g. \$ _____
h. _____ h. \$ _____
i. _____ i. \$ _____

Total Project Costs \$ _____

Value of Incentives
Clear Choice Building NY, LLC

A. IDA PILOT Benefits:

Current Assessment	\$148,000
Value of New Construction & Renovation Costs	\$6,550,000
Estimated New Assessed Value Subject to IDA	\$6,698,000
Current Taxes	\$5,643
Current Taxes Escalator	2%
PILOT Terms - Years	10
County Tax rate/\$1,000	7.31000
Local Tax Rate* Tax Rate/\$1,000	5.98000
School Tax Rate /\$1,000	24.84000
Total Tax Rate	38.13000

B. Sales Tax Exemption Benefit:

Estimated value of Sales Tax exemption:	\$524,000
Estimated duration of ST exemption:	12/31/2024

C. Mortgage Recording Tax Exemption (MRTE) Benefit:

Estimated Value of MRTE:	\$81,000
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D. Industrial Revenue Bond Benefit

IRB inducement amount:	\$0
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E. Percentage of Project Costs financed from Public Sector sources:

Total Value of Incentives:	\$1,790,971
Project Construction Costs:	\$10,800,000
	16.58%

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	\$296,913	\$242,892	\$1,008,934	\$1,548,738	\$2,734,709	\$1,185,971
1	90%	\$4,788	\$3,917	\$16,270	\$24,975	\$249,752	\$224,776
2	80%	\$9,768	\$7,990	\$33,191	\$50,949	\$254,747	\$203,797
3	70%	\$14,944	\$12,225	\$50,783	\$77,952	\$259,841	\$181,889
4	60%	\$20,324	\$16,627	\$69,064	\$106,015	\$265,038	\$159,023
5	50%	\$25,914	\$21,199	\$88,057	\$135,170	\$270,339	\$135,170
6	40%	\$31,718	\$25,947	\$107,782	\$165,448	\$275,746	\$110,298
7	30%	\$37,745	\$30,877	\$128,260	\$196,883	\$281,261	\$84,378
8	20%	\$44,000	\$35,994	\$149,515	\$229,509	\$286,886	\$57,377
9	10%	\$50,490	\$41,303	\$171,568	\$263,361	\$292,624	\$29,262
10	0%	\$57,222	\$46,811	\$194,444	\$298,476	\$298,476	\$0

VII. PROJECTED EMPLOYMENT

Complete for each Applicant or User/Tenant

Company Name: Clear Choice Building NY LLCApplicant: ☐ 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)	12	12	10	6
Part Time (PTE)		0	1	1
Total	12	12	11	7

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

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VIII. LOCAL LABOR

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

Clear Choice Building NY 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.


Initial

100% Local Labor

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


Initial

Local Labor Market

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


Initial

Bid Processing

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


Initial

Monitoring

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

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

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

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

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



Initial

Signage

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



Initial

Exemption Process

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

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

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

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

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

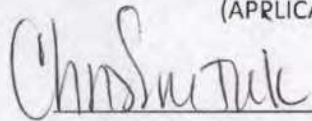
Furthermore, the undersigned realizes that failure to abide by the terms herein could result in COMIDA revoking all or any portion of benefits it deems reasonable in its sole discretion for any violation hereof.

Clear Choice Building NY LLC

Clear Choice Hearing and Balance
Clear Choice Products

(APPLICANT COMPANY)

(TENANT COMPANY)



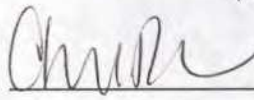
Signature

Member

4/18/23

, Title

Date



Signature

President

4/18/23

, 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.

Clear Choice Building NY LLC

Clear Choice Hearing and Balance
Clear Choice Products

(APPLICANT COMPANY)

(TENANT COMPANY)

Christine Tirk Member 4/18/23
Signature , Title Date

Christine Tirk President 4/18/23
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

Clear Choice Building NY LLC

Christine M Tirk Member 4/18/23
 Signature , Title Date

TENANT COMPANY

Clear Choice Hearing and Balance

Christine M Tirk President 4/18/23
 Signature , Title Date

Monroe County Industrial Development Agency

MRB Cost Benefit Calculator

Date May 16, 2023
Project Title Clear Choice Building NY, LLC
Project Location 130 Canal Landing Blvd



Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

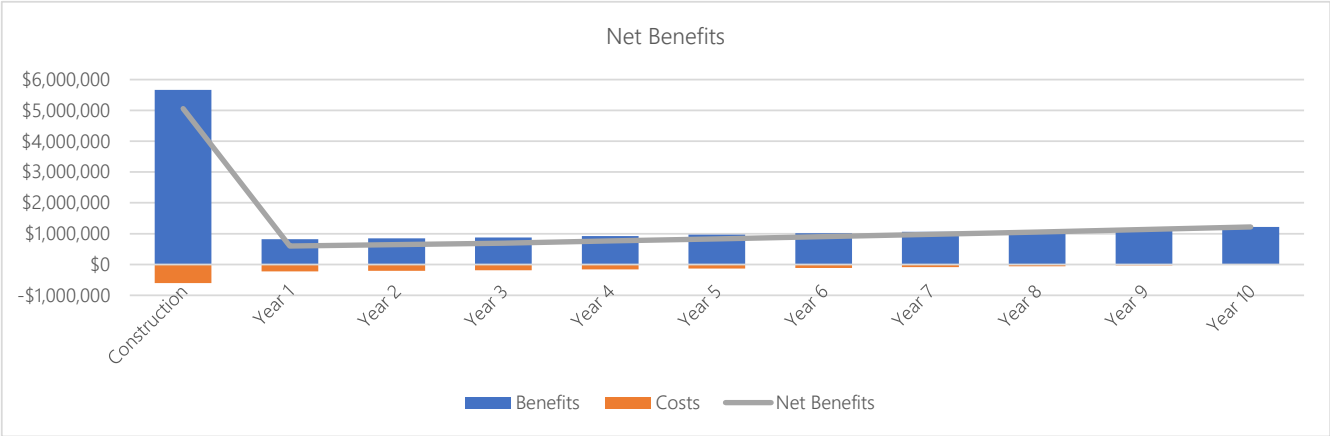
Project Total Investment

\$10,800,000

Temporary (Construction)			
	Direct	Indirect	Total
Jobs	36	30	66
Earnings	\$3,616,864	\$1,730,647	\$5,347,512
Local Spend	\$8,640,000	\$5,142,202	\$13,782,202

Ongoing (Operations)			
Aggregate over life of the PILOT			
	Direct	Indirect	Total
Jobs	7	2	9
Earnings	\$5,926,463	\$2,066,121	\$7,992,583

Figure 1



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

Figure 2

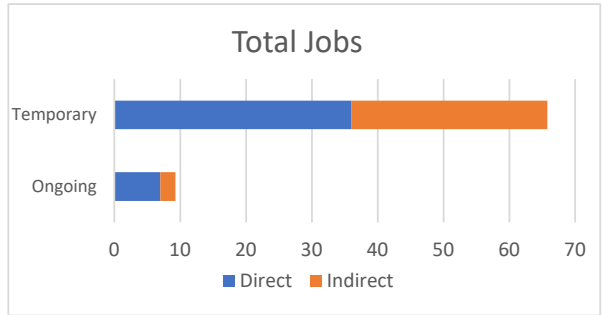
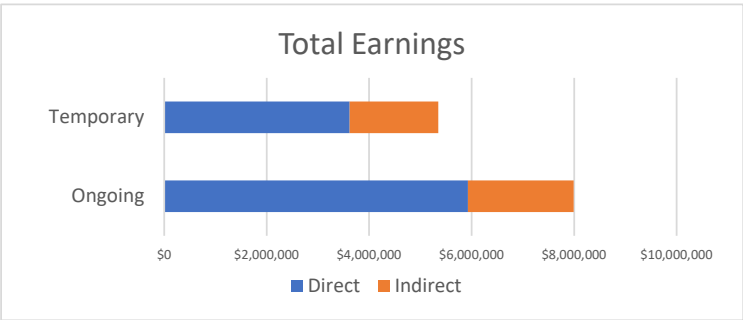


Figure 3



Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$1,185,971	\$1,101,845
Sales Tax Exemption	\$524,000	\$524,000
Local Sales Tax Exemption	\$262,000	\$262,000
State Sales Tax Exemption	\$262,000	\$262,000
Mortgage Recording Tax Exemption	\$81,000	\$81,000
Local Mortgage Recording Tax Exemption	\$27,000	\$27,000
State Mortgage Recording Tax Exemption	\$54,000	\$54,000
Total Costs	\$1,790,971	\$1,706,845

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$14,982,213	\$13,941,454
To Private Individuals	\$13,340,095	\$12,507,204
Temporary Payroll	\$5,347,512	\$5,347,512
Ongoing Payroll	\$7,992,583	\$7,159,693
Other Payments to Private Individuals	\$0	\$0
To the Public	\$1,642,119	\$1,434,250
Increase in Property Tax Revenue	\$1,548,738	\$1,346,699
Temporary Jobs - Sales Tax Revenue	\$37,433	\$37,433
Ongoing Jobs - Sales Tax Revenue	\$55,948	\$50,118
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$693,685	\$650,375
To the Public	\$693,685	\$650,375
Temporary Income Tax Revenue	\$240,638	\$240,638
Ongoing Income Tax Revenue	\$359,666	\$322,186
Temporary Jobs - Sales Tax Revenue	\$37,433	\$37,433
Ongoing Jobs - Sales Tax Revenue	\$55,948	\$50,118
Total Benefits to State & Region	\$15,675,898	\$14,591,828

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$13,941,454	\$1,390,845	10:1
State	\$650,375	\$316,000	2:1
Grand Total	\$14,591,828	\$1,706,845	9:1

*Discounted at 2%

Additional Comments from IDA

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