



PROJECT MODIFICATION REQUEST

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

Applicant: O'Connell Electric Co., Inc.

Project Address: 390 Systems Road Henrietta, NY 14623

Contact Name: Richard Camping

Contact Company: O'Connell Electric Co., Inc.

Contact Address: 830 Phillips Road Victor, NY 14564

Contact Email: richard.camping@oconnellelectric.com Contact Phone: 585-734-3510

Employment in Monroe County: 128 11/16/22

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: \$ 6,557,000 \$ 4,000,000 \$ 10,577,000

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.)

12/31/2023 03/31/2024 \$ 0

Current Expiration Date Requested Expiration Date Amount of Exemptions Taken to Date

Reason for Extension:
 We chose to not incur the added construction costs to work all winter and decided instead to wait until spring 2023. This in turn extends the completion to late 2023 or early 2024

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: *Richard Camping* Date: 11/17/2022

Print Name and Title: Richard Camping VP of Operations

Staff Use Only:

Date Received 11/18/22 Date of Original Approval: 6/24/22 New Code 2602 22 019 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	\$ _____	\$ _____	\$ _____
b. Labor	\$ _____	\$ _____	\$ _____
Site Work			
c. Materials	\$ _____	\$ _____	\$ _____
d. Labor	\$ _____	\$ _____	\$ _____
e. Non-Manufacturing Equipment	\$ _____	\$ _____	\$ _____
f. Furniture & Fixtures	\$ _____	\$ _____	\$ _____
g. Land and/or Building Purchase	\$ _____	\$ _____	\$ _____
h. Manufacturing Equipment	\$ _____	\$ _____	\$ _____
i. Soft Costs (Legal, Architect, Engineer)	\$ _____	\$ _____	\$ _____
Other Costs (specify)			
j. _____	\$ _____	\$ _____	\$ _____
k. _____	\$ _____	\$ _____	\$ _____
l. _____	\$ _____	\$ _____	\$ _____
m. _____	\$ _____	\$ _____	\$ _____
Total Project Costs	\$ _____	\$ _____	\$ _____
Sources of Funds for Project Costs			
a. Tax Exempt Industrial Revenue Bond	\$ _____	\$ _____	\$ _____
b. Taxable Industrial Revenue Bond	\$ _____	\$ _____	\$ _____
c. Tax Exempt Civic Facility Bond	\$ _____	\$ _____	\$ _____
d. Bank Financing (subject to recording tax)	\$ _____	\$ _____	\$ _____
e. Public Sources	\$ _____	\$ _____	\$ _____
f. Equity	\$ _____	\$ _____	\$ _____
Total Sources	\$ _____	\$ _____	\$ _____

B. Reason for Increase:

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

Motion By:

J. Popli

Seconded By:

T. Mink

RESOLUTION
(Genesis Vision, Inc. Project)
OSC Code 2602-21-065C

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 January 17, 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 THE EXTENSION OF THE SALES AND USE TAX EXEMPTION BENEFITS (AS HEREINAFTER DEFINED) GRANTED TO GENESIS VISION, INC. (THE "COMPANY") THROUGH DECEMBER 31, 2023, 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 Resolutions duly adopted on December 21, 2021 and July 19, 2022 (collectively, the "Authorizing Resolution"), the Agency appointed **Genesis Vision, Inc. d/b/a Rochester Optical Manufacturing Company**, a New York corporation, 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 2.67-acre parcel of land located at 920 Emerson Street in the City of Rochester, New York 14606 (the "Land") together with the existing approximately 42,187 square-foot manufacturing building thereon (the "Existing Improvements"); (B) the renovation of the Existing Improvements including, but not limited to, upgrades to HVAC and electrical systems, new furniture and fixtures, and the installation of electric vehicle chargers (collectively, the "Improvements"); and (C) the acquisition and installation therein, thereon or thereabout of certain machinery, equipment and related personal property including, but not limited to, four (4) Ford F-150 electric trucks (collectively, the "Equipment" and, together with the Land, the Existing Improvements and the Improvements, the "Facility") for use by the Company in its optical lens fabrication business; 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") through June 30, 2022; and

WHEREAS, the Company, pursuant to a certain Project Modification Request, dated June 15, 2022, requested the Agency grant an extension to the Sales and Use Tax Exemption Benefits through December 31, 2022; and

WHEREAS, the Company has, pursuant to a certain Project Modification Request, dated December 21, 2022, requested the Agency grant an extension to the Sales and Use Tax Exemption Benefits through December 31, 2023; and

WHEREAS, the Agency desires to adopt a resolution authorizing the extension of Sales and Use Tax Exemption Benefits to the Company and 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 tax through **December 31, 2023**. 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.

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

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 January 17, 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 17th day of January, 2023.



Ana J. Liss, Executive Director

PROJECT MODIFICATION REQUEST

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

Applicant: O'Connell Electric Co., Inc.

Project Address: 390 Systems Road Henrietta, NY 14623

Contact Name: Richard Camping

Contact Company: O'Connell Electric Co., Inc.

Contact Address: 830 Phillips Road Victor, NY 14564

Contact Email: racamping@yahoo.com Contact Phone: 585-734-3510

Employment in Monroe County: 198 2/29/2024

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: \$ 10,577,000 \$ 2,613,007 \$ 13,170,007

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.)

12/31/2024 _____ \$ 477,062

Current Expiration Date Requested Expiration Date Amount of Exemptions Taken to Date

Reason for Extension:
 Additional new trucks (non-manufacturing equipment) and added material costs overall.

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: _____ Date: 03/01/2024

Print Name and Title: Richard Camping, VP of Operations, Retired

Staff Use Only: 2/20

Date Received _____ Date of Original Approval: _____ New Code 2602 _____

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	\$ 2,808,862	\$ _____	\$ 2,808,862
b. Labor	\$ 3,151,388	\$ _____	\$ 3,151,388
Site Work			
c. Materials	\$ 643,000	\$ 46,896	\$ 689,896
d. Labor	\$ 390,000	\$ _____	\$ 390,000
e. Non-Manufacturing Equipment	\$ 3,050,000	\$ 2,566,111	\$ 5,616,111
f. Furniture & Fixtures	\$ 386,000	\$ _____	\$ 386,000
g. Land and/or Building Purchase	\$ 0	\$ _____	\$ 0
h. Manufacturing Equipment	\$ 0	\$ _____	\$ 0
i. Soft Costs (Legal, Architect, Engineer)	\$ 0	\$ _____	\$ 0
Other Costs (specify)			
j. Civil	\$ 42,500	\$ _____	\$ 42,500
k. Architectural	\$ 78,000	\$ _____	\$ 78,000
l. Soils Engineer	\$ 7,250	\$ _____	\$ 7,250
m. _____	\$ 0	\$ _____	\$ 0
Total Project Costs	\$ 10,557,000	\$ 2,613,007	\$ 13,170,007

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)	\$ 7,000,000	\$ _____	\$ 7,000,000
e. Public Sources	\$ _____	\$ _____	\$ 0
f. Equity	\$ 3,557,000	\$ 2,613,007	\$ 6,170,007
Total Sources	\$ 10,557,000	\$ 2,613,007	\$ 13,170,007

B. Reason for Increase:

1) We were not able to purchase the brand and type of trucks due to a nationwide shortage of trucks last year. Therefore, we were forced to purchase other name brand trucks and in some cases smaller trucks than we originally proposed. The shortage is now over and the desired trucks are again available for purchase. We desire to purchase 11 additional new bucket, derrick digger, forestry and service trucks.

2) As the building project nears completion, the estimated cost of materials has exceeded the actual tracked cost. This difference is due to materials added as part of change orders together with an overall increase in material costs in general.

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

Motion By:
Seconded By:

J. Alloco
L. Bolzner

RESOLUTION

(O'Connell Electric Company, Inc. Project Modification)
OSC Code 2602-22-019C

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 March 26, 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 ADDITIONAL FINANCIAL ASSISTANCE 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 Agency appointed **O'CONNELL ELECTRIC COMPANY, INC.**, a New York corporation for itself, or a related 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 a portion of an approximately 5.42±-acre parcel of vacant land located at 390 Systems Road in the Town of Henrietta, New York 14623 and all other lands in the County of Monroe where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (collectively, the "Land"); (B) the construction on the Land of a two-story approximately 20,000 square-foot office building and training facility consisting of offices, a large training room and common area spaces (the "Improvements"); and (C) the acquisition and installation therein, thereon or thereabout of certain machinery, equipment and related personal property, including, but not limited to, the purchase of bucket, forestry and mechanics trucks and aerial devices to be maintained at the Company's offices at 390 Systems Road, Henrietta, New York 14623 (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 in an amount up to \$6,887,862, which would result in New York State and local sales and use tax exemption benefits not to exceed \$551,029 through December 31, 2024; and

WHEREAS the Agency initially approved a mortgage in relation to this Project in the principal amount of \$7,000,000 resulting in mortgage recording tax exemption in the amount of \$52,000; and

WHEREAS, pursuant to a certain Project Modification Request, dated March 1, 2024, the Company has notified the Agency that it desires to purchase additional bucket, forestry and mechanics trucks and aerial devices and has requested that the Agency authorize the Company 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 in an amount of up to \$9,500,869, which would result in New York State and local sales and use tax exemptions not to exceed \$760,070 (as increased, the "Sales and Use Tax Exemption Benefits"); and

WHEREAS, the Agency desires to adopt a resolution authorizing (i) the purchase of additional trucks and (ii) the increase in Sales and Use Tax Exemption Benefits.

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, including, but not limited to, additional bucket, forestry and mechanics trucks and aerial devices, and that would otherwise be subject to New York State and local sales and use tax in an amount up to **\$9,500,869**, which result in New York State and local Sales and Use Tax Exemption Benefits not to exceed **\$760,070**.

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 an increase of Sales and Use Tax Exemption Benefits.

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	X			
Troy Milne	X			
Lisa Bolzner	X			
Joseph Alloco	X			
Rhett King	X			
Norman Jones	X			
Ann L. Burr	X			

The Resolutions were thereupon duly adopted.

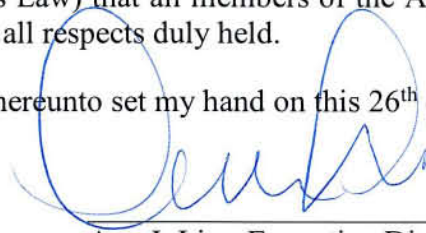
STATE OF NEW YORK)
COUNTY OF MONROE) ss.:

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 March 26, 2024, 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 26th day of March, 2024.



Ana J. Liss, Executive Director