

Motion By: Tony McLeo
Seconded By: Lisa Bolzner

RESOLUTION
(M/E Properties Rochester, LLC)

A regular meeting of the County of Monroe Industrial Development Agency d/b/a Imagine Monroe Powered By COMIDA (the "Agency"), was held at the Rush Town Hall, 5977 East Henrietta Road, Rush, New York 14543, on February 19, 2019.

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 D/B/A IMAGINE MONROE POWERED BY COMIDA (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON FEBRUARY 14, 2019, WITH RESPECT TO THE M/E PROPERTIES ROCHESTER, LLC (THE "COMPANY") PROJECT (THE "PROJECT"); (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, MODERNIZATION AND EQUIPPING OF THE PROJECT, (B) IF NECESSARY, A MORTGAGE RECORDING TAX EXEMPTION 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 AN AGENT, FINANCIAL ASSISTANCE AND PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, PILOT 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, M/E PROPERTIES ROCHESTER, LLC, a New York limited liability company, for itself or an entity formed or to be formed (collectively, the "Company"), submitted an application, attached hereto as Exhibit A, to the County of Monroe Industrial Development Agency d/b/a Imagine Monroe Powered By COMIDA (the "Agency") requesting the Agency to assist with a certain project (the "Project") consisting of: (A) the acquisition of a leasehold interest in an approximately 2.45-acre parcel of land located at 300 Trolley Blvd. in the Town of Gates, Monroe County, New York 14624 (the "Land") together with the existing approximately 22,900 square-foot office building thereon (the "Existing Improvements"); (B) the renovation

and modernization of the Existing Improvements to include, but not be limited to, offices, conference rooms, data rooms and a cafeteria (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"); all for sublease to M/E Engineering, P.C. (the "Tenant") for use as office space; 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 Monday, February 11, 2019, at 10:00 a.m., local time, in the Supervisor's Conference Room at the Gates Town Hall, 1605 Buffalo Road, Rochester, New York 14624, the Agency held a public hearing with respect to the Project and the proposed Financial Assistance being contemplated by the Agency (the "Public Hearing"), whereat interested parties were provided a reasonable opportunity, both orally and in writing, to present their views; a copy of the Notice of Public Hearing published in the *Democrat and Chronicle*, the affidavit of publication of such newspaper, and Minutes of the Public Hearing are attached hereto as **Exhibit B**; and

WHEREAS, it is contemplated that the Agency will (i) negotiate an agent agreement (the "Agent Agreement"), pursuant to which the Agency will appoint the Company as its agent for the purpose of acquiring, renovating, modernizing and equipping the Project, (ii) negotiate and enter into a lease agreement (the "Lease Agreement"), leaseback agreement (the "Leaseback Agreement") and payment-in-lieu-of-tax agreement (the "PILOT Agreement") with the Company, (iii) take title to or a leasehold interest in the Land, the Improvements and personal property constituting the Facility (once the Lease Agreement, Leaseback Agreement and PILOT Agreement have been negotiated), and (iv) 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, modernization and equipping of the Facility, (b) if necessary, a mortgage recording tax exemption for financing relating to the Project and (c) a partial real property tax abatement structured through the PILOT Agreement; 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 d/b/a Imagine Monroe Powered By COMIDA 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 Company's

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 acquiring, constructing, renovating and equipping the Project; and

(d) The action to be taken by the Agency will induce the Company to develop 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) The Project involves 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 determines that the acquisition of a leasehold interest in and the renovation, modernization, equipping, repair and maintenance of the Facility by the Agency and the lease or sublease of the Facility to the Company will promote job opportunities, health, general prosperity and the economic welfare of the inhabitants of the County of Monroe and the people of the State of New York and improve their standard of living, thereby serving the public purposes of the Act and, therefore, the same is approved.

Section 3. The Agency hereby approves the cost/benefit report submitted by the Company listing the proposed cost/benefits of the Project.

Section 4. Subject to the Company executing the Agent 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, modernization and equipping of the Project and hereby appoints the Company as the true and lawful agent of the Agency to acquire, renovate, modernize and equip the Facility, and such appointment includes the following activities as they relate to the

construction, 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, modernizing, 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, modernizing, 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 Agent Agreement shall expire on **December 31, 2020** (unless extended for good cause by the Executive Director, Chairman or Vice Chairman of the Agency) if the Lease Agreement, Leaseback Agreement and PILOT Agreement contemplated have not been executed and delivered. The Executive 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 5. 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 **\$490,000**, which result in New York State and local sales and use tax exemption benefits ("sales and use tax exemption benefits") not to exceed **\$39,200**. The Agency also hereby authorizes and approves the Tenant, 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 **\$390,000**, which result in New York State and local sales and use tax exemption benefits ("sales and use tax exemption benefits") not to exceed **\$31,200**. The Agency agrees to consider any requests by the Company and/or the Tenant 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; (ii) a mortgage tax exemption in connection with the financing of the Facility or portions thereof and including any refinancing thereof not to exceed **\$18,731**; and (iii) real property tax abatement pursuant to the Agency's uniform tax exemption policy for a ten (10) year term under its JobsPlus program.

Section 6. Pursuant to Section 875(3) of the New York General Municipal Law, the Agency may recover or recapture from the Company and/or the Tenant, their respective 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 and/or the Tenant, their respective 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 and/or the Tenant, their respective 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 and/or the Tenant, their respective 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 and/or the Tenant, their respective 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 7. The form and substance of the Lease Agreement, the Leaseback Agreement and the PILOT 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 8. The Executive 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, (B) the related Leaseback Agreement conveying the Project back to the Company, and (C) the PILOT Agreement; provided, that, (i) 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; and (ii) the terms of the PILOT Agreement are consistent with the Agency's Uniform Tax Exemption Policy or the procedures for deviation have been complied with.

Section 9. The Executive 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, Leaseback Agreement and PILOT 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, Chairman or Vice Chairman of the Agency shall approve, the execution thereof by the Executive 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 10. The Executive 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, 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 11. This resolution shall take effect immediately.

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
Anthony Meleo	X			
Gary Collins	X			
Troy Milne			X	
Jared Lusk				X
Lisa Bolzner	X			
Ann L. Burr	X			

The Resolutions were thereupon duly adopted.

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

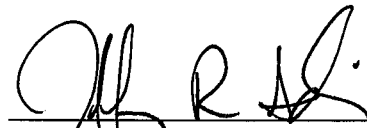
I, the undersigned Executive Director of the County of Monroe Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the County of Monroe Industrial Development Agency d/b/a Imagine Monroe Powered By COMIDA (the "Agency"), including the resolutions contained therein, held on February 19, 2019, 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.

That the Lease Agreement and the Leaseback Agreement contained in this transcript of proceedings are each in substantially the form presented to the Agency and approved by said meeting.

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 19th day of February, 2019.

A handwritten signature in black ink, appearing to read 'J. R. Adair', is written over a horizontal line.

Jeffrey R. Adair, Executive Director

EXHIBIT A

APPLICATION

[See Attached]

IMAGINE MONROE

POWERED BY COMIDA

APPLICATION SUMMARY

DATE: February 19, 2019

APPLICANT:

M/E Properties Rochester, LLC
150 North Chestnut Street
Rochester, NY 14604

TENANT & PROJECT LOCATION:

M/E Engineering, P.C.
300 Trolley Blvd.
Rochester, NY 14606

PROJECT SUMMARY:

M/E Properties Rochester, LLC, a real estate holding company, proposes to purchase and renovate 300 Trolley Blvd. in the Town of Gates for M/E Engineering, P.C. (M/E). Founded in 1991, M/E is a mechanical/electrical consulting engineering firm. The firm has outgrown their leased space in the City of Rochester. The new 22,900 sq. ft. location will allow the company to expand operations and create 11 FTEs over the next 3 years. Headquartered in Monroe County, M/E also operates in Buffalo, Albany and Syracuse with a total employment of 200 people. The Rochester location employs approximately 85 people. The project cost is \$3,100,000. The applicant seeks the JobsPlus property tax abatement, sales tax and mortgage recording tax exemptions. The tenant seeks sales tax exemptions on furniture/fixtures, computers, wiring and signage. The job creation requirement is 9. The benefit to incentive ratio is 5.9:1

PROJECT AMOUNT:

\$3,100,000 Lease/Leaseback with Abatement

JOBS: EXISTING:

NEW:

REQUIREMENT:

82	FTEs
11	FTEs
9	FTEs

REAL PROPERTY TAXES:

EXISTING:

WITH IMPROVEMENTS:

\$ 625,111	(TAXED IN FULL)
\$ 853,925	(ABATEMENT APPLIES TO INCREASE ONLY)

PUBLIC HEARING DATE:

February 11, 2019

BENEFIT TO INCENTIVE RATIO:

5.9:1

SEQR:

INTERNAL RENOVATIONS ONLY; SEQR PROCESS COMPLETE.

ELIGIBILITY:

REHABILITATION OF EXISTING COMMERCIAL BUILDING VACANT FOR A LONG TIME

APPROVED PURPOSE:

JOB CREATION



Board Report

Table 1: Basic Information

Project Applicant	M/E Properties Rochester, LLC
Project Name	M/E Engineering, P.C.
Project Industry	Professional, Scientific, and Technical Services
Municipality	Gates Town
School District	Gates-Chili
Type of Transaction	Lease
Project Cost	\$3,100,000
Mortgage Amount	\$2,497,500
Employment at Application (Annual FTEs)	82
Direct Employment Expected to Result from Project (Annual FTEs)	11
Direct Employment Required for PILOT (Annual FTEs)	8

Table 2: Estimated State & Regional Benefits / Estimated Project Incentives Analysis (Discounted Present Value*)

Total State and Regional Benefits	\$989,061	
Total Project Incentives	\$167,663	
State and Regional Benefits to Incentives Ratio	5.9:1	
Projected Employment	State	Region
Total Employment	38	38
Direct**	11	11
Indirect***	4	4
Induced****	6	6
Temporary Construction (Direct and Indirect)	17	17

Table 3: Estimated State & Regional Benefits (Discounted Present Value*)

Total State and Regional Benefits	\$989,061
Income Tax Revenue	\$459,090
Property Tax/PILOT Revenue	\$228,814
Sales Tax Revenue	\$277,556
IDA Fee	\$23,600

Table 4: Estimated Project Incentives (Discounted Present Value*)

Total Project Incentives	\$167,663
Mortgage Tax	\$18,731
Property Tax Above 485-b	\$78,532
Sales Tax	\$70,400

* Figures over 10 years and discounted by 2%

** Direct - The recipient of IDA assistance adds new jobs to the regional economy and/or retains jobs at risk of being lost to another region. Investments that result in displacing existing jobs (e.g., most retail and many service sector industries) do not fall under this definition.

*** Indirect - The recipient of IDA assistance makes purchases from regional firms, which stimulates suppliers to add jobs and payroll that are new to the regional economy or are saved from being lost to competitors outside the region.

**** Induced - The recipient of IDA assistance by adding to and/or retaining payroll stimulates household spending that is new to the regional economy and/or saved from being lost to competitors outside the region.

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APPLICATION FOR ASSISTANCE

Each applicant seeking assistance must complete this application and provide required supplemental form/documentation. A non-refundable application fee of \$350.00 must be included with this application. Make check payable to COMIDA. Please see page 10 for additional information on costs and fees.

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.growmonroe.org.

I. APPLICANT

A. Name M/E Properties Rochester, LLC
Address 150 North Chestnut Street
City/State/Zip Rochester, NY 14604
Tax ID No. 83-3309600
Contact Name Ronald C. Mead
Title Partner
Telephone (585) 288-5590
E-Mail rcmead@meengineering.com

B. Owners of 20% or more of Applicant Company

Name	%	Corporate Title
<u>Ronald C. Mead</u>	<u>25</u>	<u>Partner</u>
<u>John A. Dredger</u>	<u>25</u>	<u>Partner</u>
<u>W. Bruce Knapp</u>	<u>25</u>	<u>Partner</u>
<u>William P. Liberto</u>	<u>25</u>	<u>Partner</u>

C. Applicant's Legal Counsel

Name Robert G. Lamb, Esq.
Firm Lamb Law Offices
Address One East Main Street, Suite 510
City/State/Zip Rochester, NY 14614
Telephone (585) 325-6700
Fax (585) 325-1372
Email rlamb@lambattomeys.com

II. PROJECT

A. Address of proposed project facility
300 Trolley Blvd.
Rochester, New York 14606
Tax Map Parcel Number 104.11-1-6
City/Town/Village Gates
School District Gates
Current Legal Owner of Property
Trolley LLC

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

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

Company Name M/E Engineering, P.C.
Address 150 North Chestnut Street
City/State/Zip Rochester, NY 14604
Tax ID No. 22-3253106
Contact Name Ronald C. Mead
Title President
Telephone (585) 288-5590
E-Mail rcmead@meengineering.com

% of facility to be occupied by company 100

C. Owners of 20% or more of User/Tenant Company

Name	%	Corporate Title
<u>Per Attached</u>		

D. Benefits Requested (Check all that apply)

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

E. Description of project (check all that apply)

☐ New Construction

☒ Existing Facility

☐ Acquisition

☐ Expansion

☒ Renovation/Modernization

☐ Acquisition of machinery/equipment

☐ Other (specify) _____

GENERAL DESCRIPTION OF THE PROJECT AND BACKGROUND ON USER(S) OF THE FACILITY
(Attached additional sheets as necessary)

M/E Engineering - Rochester Location

The proposed acquisition of the 300 Trolley Boulevard location (approximately 22,900 square feet) would house the Rochester operations of M/E Engineering. This location would provide adequate office space for the current 85 employees along with the necessary support spaces, i.e. Conference rooms, data rooms, cafeteria, printing and plotting, etc. Additionally, it is anticipated that the building will provide additional space to accommodate growth of approximately 12 people without building modifications. The parking lot currently provides more parking capacity than would be required as it is configured for 106 spaces. Furthermore, the site contains adequate space to allow for a building expansion that could potentially house additional people and the increased parking required. Therefore, this property is ideally suited for the needs of the Rochester operations of M/E Engineering.

Please see attached information on M/E Engineering, P.C.

II. PROJECT (cont'd)

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

☒ Yes ☐ No

Location:

Buffalo/Syracuse/Schenectady, NY

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, notwithstanding the aforementioned closing or activity reduction, the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry**:

G. Please confirm by checking the box, below, if there is likelihood that the Project would not be undertaken but for the Financial Assistance provided by the Agency?

☒ Yes ☐ No

If the Project could be undertaken without Financial Assistance provided by the Agency, then provide a statement in the space provided below indicating why the Project should be undertaken with the Financial Assistance to be provided by the Agency**:

The financing provided will allow M/E to
move into a larger facility which will
appropriately accommodate our increasing
current needs and future growth.

**To be completed with Agency assistance.

H. PROJECT TIMELINE

Proposed Date of Acquisition

03/01/2019

Proposed Commencement Date of Construction

03/02/2019

Anticipated Completion Date

08/30/2020

I. Contractor(s)

DGA Builders

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). This is applicable to projects that require the state or local municipality to issue a discretionary permit, license or other type of Approval for that project.

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

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

Check One:

☒ **JOBSPLUS**

Requirements:

- 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 12. (10 FT, 2 PT = 11 FTE)

☐ **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 in new plant, machinery and equipment or renovation of existing building(s) AND
- A minimum of 100 new jobs from new companies locating in Monroe County, or existing companies expanding operations here.

☐ **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 RENTS**

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 equipping of the project by the APPLICANT.

Building Construction or Renovation

- a. MATERIALS a. \$ 450,000
b. LABOR b. \$ 650,000

Site Work

- c. MATERIALS c. \$ 40,000
d. LABOR d. \$ 45,000
e. Non-Manufacturing Equipment e. \$
f. Furniture and Fixtures f. \$
g. LAND and/or BUILDING Purchase g. \$ 1,525,000
h. Manufacturing Equipment h. \$
i. Soft Costs (Legal, Architect, Engineering) i. \$ 0
Other (specify) j. \$ 0
k. \$
l. \$
m. \$
Total Project Costs \$ 2,710,000

- B. Sources of Funds for Project Costs:

- a. Tax-Exempt Industrial Revenue Bond a. \$
b. Taxable Industrial Revenue Bond b. \$
c. Tax-Exempt Civic Facility Bond c. \$
d. Bank Financing d. \$ 2,497,500
e. Public Sources e. \$

Identify each state and federal grant/credit

\$
\$
\$
\$

- f. Equity \$ 212,500
TOTAL SOURCES \$ 2,710,000

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

☒ Yes ☐ No

If so, please specify bank, underwriter, etc.

M&T Bank

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

Use additional sheets as necessary

Company Name M/E Engineering, P.C.

- 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. Furniture and Fixtures d. \$ 100,000
Other (specify) e. \$
f. Computers f. \$ 250,000
g. Signage g. \$ 10,000
h. Data Wiring h. \$ 30,000
Total \$ 390,000

A non-refundable fee of 1/4% on TOTAL(e) above is due and payable upon issuance of a Sales Tax Letter to User(s)/Tenant(s)

M/E Engineering, P.C.

User/Tenant Company

Signature Title Date
President 01/16/19

For Office Use Only	
Total Assessment Value	
Land	Building
Applicant 2602- 19-009 A	
User/Tenant 2602- 19-010 A	
RM	

VI. Value of Incentives

Project name: M/E Properties Rochester, LLC

A. IDA PILOT Benefits:

Current Land Assessment	1,727,700	Taxes on Land	73,254
Dollar Value of New Construction & Renovation Costs	1,185,000		
Estimated New Assessed Value of Project Subject to IDA	2,912,700		

County Tax rate/\$1,000	8.49
Local Tax Rate* Tax Rate/\$1,000	7.36
School Tax Rate /\$1,000	26.55
Total Tax Rate	42.40

PILOT Year	% Payment	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT Amount	Full Tax Payment w/o PILOT	Net Exemption
1	90%	2,473	2,144	7,733	12,350	196,753	111,149
2	80%	4,946	4,287	15,466	24,700	196,753	98,799
3	70%	7,419	6,431	23,200	37,050	196,753	86,449
4	60%	9,892	8,575	30,933	49,399	196,753	74,099
5	50%	12,364	10,719	38,666	61,749	196,753	61,749
6	40%	14,837	12,862	46,399	74,099	196,753	49,399
7	30%	17,310	15,006	54,133	86,449	196,753	37,050
8	20%	19,783	17,150	61,866	98,799	196,753	24,700
9	10%	22,256	19,294	69,599	111,149	196,753	12,350
10	0%	24,729	21,437	77,332	123,498	196,753	0
Total		136,009	117,906	425,327	679,242	1,967,530	555,743

* Local Tax Rate for Town/City/Village

B. Sales Tax Exemption Benefit:

Estimated value of Sales Tax exemption for facility construction:	39,200
Estimated Sales Tax exemption for fixtures and equipment:	31,200
Estimated duration of Sales Tax exemption:	24 months

C. Mortgage Recording Tax Exemption Benefit:

Estimated Value of Mortgage Recording Tax exemption:	\$18,731
--	----------

D. Industrial Revenue Bond Benefit

IRB inducement amount, if required:	\$0
-------------------------------------	-----

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

Total Value of Incentives:	\$644,874.41	20.80%
Sources of Funds (Section IV.B.)	\$3,100,000.00	

** All estimates are based on current tax rates.

VII. PROJECTED EMPLOYMENT

Complete for each Applicant or User/Tenant

M/E Engineering, P.C.

Company Name: _____

Applicant: ☐

or

User/Tenant: ☒

You must include a copy of the most recent NYS-456 Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return OR if you have multiple locations within New York State, the Bureau of Labor – BLS 3020 – Multiple Worksite Report

	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)	76.0	76.0	10.0	10.0
Part Time (PTE)	11.0	11.0	2.0	2.0
Total	87.0	87.0	12.0	12.0

** 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 Market Area, in the fourth column. The Labor Market 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.

(10FT, 2PT = 11 FTE)

(Remainder of this Page Intentionally Left Blank)

Salary and Fringe Benefits for Jobs to be Retained and/or Created:

Category of Jobs to be Retained and Created	Average Annual Salary or Range of Salary	Average Annual Fringe Benefits or Range of Fringe Benefits (stated as a percentage)
Management	220,000	15%
Professional	125,000	20%
Administrative	40,000	20%
Production	75,000	20%
Independent Contractor		
Other		

Estimated Annual Salary of NEW jobs

AVERAGE	70,000
HIGH	125,000
LOW	50,000

This information constitutes a "trade secret" and/or "information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise", and, is thereby exempt from disclosure pursuant to New York Freedom of Information Law.

[The 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:

Company Name M/E Properties
Applicant: ☒ or User/Tenant: ☐

All project employees of the general contractor, subcontractor, or sub to a subcontractor (contractors) working on the project must reside within the following counties in the State of New York: Monroe, Genesee, Livingston, Ontario, Orleans, Seneca, Wayne, Wyoming or Yates. The All-Local Labor criterion will be verified based on employment, payroll and related records.

COMIDA understands that at certain times local labor may not be available within the local area. Under this condition, applicants are required to complete a waiver request of the All-Local Labor requirement prior to beginning construction. Contractors do not have to be local companies as defined herein, but must employ local people to qualify under the All-Local Labor criterion.

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.

M/E Properties

(APPLICANT or USER/TENANT COMPANY)

gmc Partner 01/16/2019
Signature , Title Date

IX. FEES

1. Application Fee - Send with Completed Application

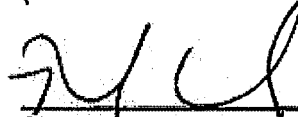
A non-refundable application fee of Three Hundred Fifty Dollars (\$350.00) shall be charged each applicant.

2. Administrative Fee - Paid at Closing

- (a) For tax-exempt IRB bond issues, the fee shall be one percent (1%) of the project amount. For projects that utilize a Payment In Lieu of Taxes (PILOT) agreement, an additional one-quarter percent (1/4%) will be added.
 - (b) For lease/leaseback transactions and taxable bond issues, the fee shall be one-half percent (1/2%) of the project amount. For projects that utilize a Payment In Lieu of Taxes (PILOT) agreement, an additional one-quarter percent (1/4%) will be added.
 - (c) For refunding outstanding COMIDA bond issues, the fee shall be one-quarter percent (1/4%) of the new issuance amount.
3. If a sales tax letter is required prior to closing, a non-refundable twenty-five percent (25%) of the Administrative Fee and Agency Counsel fee is payable at that time. This amount will be applied towards the Administrative fee and Agency Counsel Fee. The Sales Tax Letter shall only be for a three (3) month period. If the project does not have a formal closing within three (3) months of the sales tax letter being issued, and an extension is not granted, the balance of the Administrative fee and Agency Counsel fee become immediately due and payable.
4. Agency Counsel fee is one-third (1/3) of the Agency's Administrative fee, with a minimum fee for a lease/leaseback transaction of \$4,000.00.
5. Designated Bond Counsel fee is based on the complexity and amount of the transaction.

M/E Properties

(APPLICANT or USER/TENANT COMPANY)



Partner

01/16/2019

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:

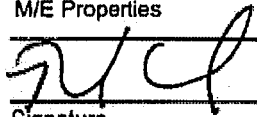
- A. The information contained in this Application, including employment information, is true and correct. The Applicant is aware that any material misrepresentation made in this Application constitutes an act of fraud, resulting in revocation of COMIDA benefits.
- B. The undersigned, on behalf of the Applicant, hereby certifies that the Applicant, and all parties which own a minimum of 20% 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 in 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. Applicant hereby releases the County of Monroe Industrial Development Agency ("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.

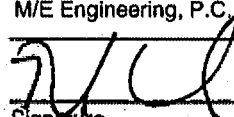
APPLICANT COMPANY

M/E Properties

	Partner	01/16/20
Signature	Title	Date

USER/TENANT COMPANY

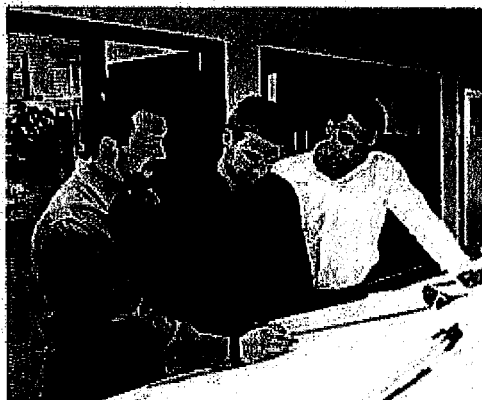
M/E Engineering, P.C.

	President	1/16/2019
Signature	Title	Date

Company Overview

Mechanical Engineering

- Heating/ventilation/air conditioning
- Cogeneration
- Central chiller/heating plants
- Air filtration
- Exhaust
- Energy management
- Heat recovery
- Clean rooms
- Incineration
- Refrigeration
- Plumbing
- Sanitary systems and drainage
- Fire protection and sprinkler systems
- Backflow prevention
- Fuel storage and distribution
- Systems commissioning
- Computational Fluid Dynamics Modeling (CFD)



We are committed to designing projects that maximize the value our clients receive from their investment. M/E's partners are involved in every project from inception to completion.



Electrical Engineering

- Load analysis and short circuit analysis
- Protective relaying and coordination
- Cogeneration
- Medium voltage substations
- Medium and low voltage distribution
- Power factor correction
- Uninterruptible power supply (UPS)
- Network and data systems
- Telephone and intercommunication systems
- Emergency power systems
- On-site generation
- Fire alarm and evacuation systems
- Security/CCTV/access control
- PA and sound systems
- Systems commissioning

M/E Engineering, P.C. is a New York State Professional Corporation. Founded in 1991, M/E Engineering, P.C. is a mechanical/electrical consulting engineering firm committed to value-driven solutions for its clients. Four offices and an expert staff of licensed professional engineers, project designers and technicians serve industrial, commercial, educational, health care, institutional and municipal clients. A commitment to producing designs that result in reliable and efficient systems drives every M/E Engineering project.

M/E Engineering has nearly 200 employees, including 38 licensed professional engineers, 61 senior engineers/senior designers, 31 project engineers/project designers and 51 designers/CAD technicians.

M/E Engineering offers services including initial programming, planning and feasibility studies; schematic design and systems life cycle cost analysis; design development and value engineering; engineers' estimates of probable construction costs; and production of construction drawings and specifications. M/E Engineering also provides construction phase services including bid analysis, construction observation, shop drawing review and systems commissioning. To meet our client's needs, a Partner or Principal is engaged in the design process from inception to completion.

The Rochester Business Alliance ranked M/E Engineering among the Top 100 Fastest Growing Rochester Companies eleven times since 1995. The company received the Zweig White and Associates *Hot Firm Award* in 2001, 2002, 2008, 2009, 2010 and 2011 for being one of the fastest growing architecture, engineering, planning and environmental consulting firms in the United States. M/E has also been included in Consulting Specifying Engineer Magazine "MEP Giants 100" list for fifteen consecutive years.



Value-Driven Solutions

M/E Engineering, P.C.

150 North Chestnut Street
Rochester, NY 14604

Stock Ownership

<i>Name</i>	<i>Shares</i>	<i>%</i>	<i>Title</i>	
Ronald C Mead	0	0%	President	Director
William P Liberto	50	15%	VP/Treas/Secy	Director
Anthony V Thomas	50	15%	Principal	Director
James P Chatelle	50	15%	Principal	Director
W Bruce Knapp	50	15%	Principal	Director
John A Dredger	50	15%	Vice President	Director
Brian L Danker	30	9%	Principal	
Davis M Schlant	30	9%	Principal	
Michael K Sullivan	10	3%	Partner	
Robert K Stewart	<u>10</u>	3%	Partner	
	330	100%		

EXHIBIT B

SEQR

[See Attached]

Short Environmental Assessment Form

Part 1 - Project Information

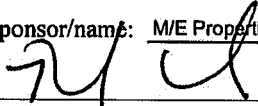
Instructions for Completing

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: M/E Corporate Office Renovation			
Project Location (describe, and attach a location map): 300 Trolley Blvd., Rochester, NY 14606			
Brief Description of Proposed Action: M/E Engineering proposes to complete cosmetic renovations to the interior of 300 Trolley Blvd. in order to accomodate our current operation and proposed growth. Exterior work is of a maintenance nature and includes repair of the Front Entrance Canopy/Planter wall, new bollard lights, sidewalk repair, catch basin repair and replacement of the existing pavilion.			
Name of Applicant or Sponsor: M/E Properties		Telephone: (585) 288-5590 E-Mail: rcmead@meengineering.com	
Address: 150 North Chestnut Street			
City/PO: Rochester		State: NY	Zip Code: 14604
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? 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.		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Town of Gates Building Permit		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		2.5 acres	
b. Total acreage to be physically disturbed?		.1 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2.5 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: The lighting will be upgraded to LED and exceed code requirements. The HVAC and building envelope will not be modified. _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" 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?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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?	<input checked="" 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?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			

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 <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> 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	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<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)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
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	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. 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	YES
	<input checked="" type="checkbox"/>	<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	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>M/E Properties - Ronald Mead</u> Date: <u>01/16/2019</u> Signature: <u></u> Title: <u>Partner</u>		

PRINT FORM

EXHIBIT B

NOTICE DOCUMENTS

[See Attached]

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York State General Municipal Law will be held by the County of Monroe Industrial Development Agency d/b/a Imagine Monroe Powered By COMIDA (the "Agency") on the 18th day of March, 2019 at 10:00 a.m., local time, in the Main Meeting Room at the Henrietta Town Hall, 475 Calkins Road, Henrietta, New York 14467, in connection with the following matter:

10 COLONY MANOR, LLC, a New York limited liability company or an 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 or subleasehold interest in an approximately 14-acre parcel of land located at 10-284 Colony Manor Drive in the Town of Henrietta, New York (the "Land"); (B)(i) the demolition of the existing 16 structures on the Land and (ii) the construction in its place of an approximately 445,000 square-foot, 7-story, 300-unit/935-bed student housing facility featuring 14,000 square feet of modern amenities available 24/7 to its residents (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"), to be used by the students of Rochester Institute of Technology. The Facility will be initially operated and/or managed by the Company.

The Agency will acquire a leasehold interest in the Facility and lease the Facility back to the Company. The Company will operate the Facility during the term of the lease. At the end of the lease term the Agency's leasehold interest will be terminated. The Agency contemplates that it will provide financial assistance (the "Financial Assistance") to the Company in the form of sales and use tax exemptions and a mortgage recording tax exemption, consistent with the policies of the Agency, and a partial real property tax abatement.

The Agency will, at the above-stated time and place, present a copy of the Company's Application (including the Benefit/Incentive analysis) and hear all persons with views in favor of or opposed to either the location or nature of the Facility, or the proposed financial assistance being contemplated by the Agency. In addition, at, or prior to, such hearing, interested parties may submit to the Agency written materials pertaining to such matters.

Dated: March 6, 2019

COUNTY OF MONROE INDUSTRIAL
DEVELOPMENT AGENCY D/B/A IMAGINE
MONROE POWERED BY COMIDA

By: Jeffrey R. Adair, Executive Director

HARRIS BEACH PLLC
ATTORNEYS AT LAW

99 GARNSEY ROAD
PITTSFORD, NY 14534
(585) 419-8800

RACHEL C. BARANELLO

DIRECT: (585) 419-8769
FAX: (585) 419-8816
RBARANELLO@HARRISBEACH.COM

February 1, 2019

Hon. Cheryl Dinolfo, County Executive
County Office Building
39 West Main Street
Rochester, New York 14614
CERTIFIED MAIL RECEIPT#:
91 7199 9991 7039 2312 7976

Mr. Cosmo A. Giunta, Supervisor
Gates Town Hall
1605 Buffalo Road
Rochester, New York 14624
CERTIFIED MAIL RECEIPT#:
91 7199 9991 7039 2312 7983

Mr. Paul I. Arndt, Assessor
Gates Town Hall
1605 Buffalo Road
Rochester, New York 14624
CERTIFIED MAIL RECEIPT#:
91 7199 9991 7039 2312 7990

Ms. Carol Stehm, Interim Superintendent
Gates-Chili Central School District
3 Spartan Way
Rochester, New York 14624
CERTIFIED MAIL RECEIPT#:
91 7199 9991 7039 2312 8003

**Re: County of Monroe Industrial Development Agency d/b/a Imagine Monroe
Powered By COMIDA – M/E Properties LLC Project
300 Trolley Boulevard in the Town of Gates, New York**

Ladies and Gentlemen:

On Monday, February 11, 2019 at 10:00 a.m. local time, in the Supervisor's Conference Room at Gates Town Hall, 1605 Buffalo Road, Rochester, New York 14624, the County of Monroe Industrial Development Agency d/b/a Imagine Monroe Powered By COMIDA will conduct a public hearing concerning the above-captioned project. Attached is a copy of the Notice of Public Hearing describing the project and financial assistance contemplated by the Agency.

We are providing this notice to you pursuant to Section 859-a of the General Municipal Law of the State of New York. Should you desire to discuss this matter, or if you have any questions concerning this notice, please feel free to contact me.

Very truly yours,



Rachel C. Baranello

RCB/lap

Enclosures

cc: Imagine Monroe Powered By COMIDA

USPS Tracking® FAQs > (<https://www.usps.com/faqs/uspstracking-faqs.htm>)

Track Another Package +

Tracking Number: 9171999991703923127976

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Expected Delivery by

MONDAY

4 FEBRUARY
2019 ⓘ by
8:00pm ⓘ

✓ **Delivered**

February 4, 2019 at 2:22 pm
Delivered, Front Desk/Reception/Mail Room
ROCHESTER, NY 14614

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Text & Email Updates



Return Receipt Electronic



Tracking History



Product Information



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USPS Tracking® FAQs > (<https://www.usps.com/faqs/uspstracking-faqs.htm>)

Track Another Package +

Tracking Number: 9171999991703923127983

Remove X

Expected Delivery by

MONDAY

4 FEBRUARY
2019 ⓘ by
8:00pm ⓘ

✓ **Delivered**

February 4, 2019 at 11:49 am
Delivered, Left with Individual
ROCHESTER, NY 14624

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Return Receipt Electronic



Tracking History



Product Information



Feedback

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USPS Tracking® FAQs > (<https://www.usps.com/faqs/uspstracking-faqs.htm>)

Track Another Package +

Tracking Number: 9171999991703923127990

Remove X

Expected Delivery by

MONDAY

4

FEBRUARY
2019 ⓘ

by

8:00pm ⓘ

✓ **Delivered**

February 4, 2019 at 11:49 am
Delivered, Left with Individual
ROCHESTER, NY 14624

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Tracking History



Product Information



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USPS Tracking® FAQs > (<https://www.usps.com/faqs/uspstracking-faqs.htm>)

Track Another Package +

Tracking Number: 9171999991703923128003

Remove X

Expected Delivery on

SATURDAY

2 FEBRUARY
2019 ⓘ

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✓ **Delivered**

February 2, 2019 at 7:14 am
Delivered, Individual Picked Up at Postal Facility
ROCHESTER, NY 14624

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Text & Email Updates



Return Receipt Electronic



Tracking History



Product Information



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NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York State General Municipal Law will be held by the County of Monroe Industrial Development Agency d/b/a Imagine Monroe Powered By COMIDA (the "Agency") on the 11th day of February, 2019 at 10:00 a.m., local time, in the Supervisor's Conference Room at the Gates Town Hall, 1605 Buffalo Road, Rochester, New York 14624, in connection with the following matter:

M/E PROPERTIES or M/E ENGINEERING, P.C. or an 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 an approximately 2.45-acre parcel of land located at 300 Trolley Blvd. in the Town of Gates, Monroe County, New York 14624 (the "Land") together with the existing approximately 22,900 square-foot office building thereon (the "Existing Improvements"); (B) the renovation and modernization of the Existing Improvements to include, but not be limited to, offices, conference rooms, data rooms and a cafeteria (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"); all for use as office space.

The Agency will acquire a leasehold interest in the Facility and lease the Facility back to the Company. The Company will operate the Facility during the term of the lease. At the end of the lease term the Agency's leasehold interest will be terminated. The Agency contemplates that it will provide financial assistance (the "Financial Assistance") to the Company in the form of sales and use tax exemptions and a mortgage recording tax exemption, consistent with the policies of the Agency, and a partial real property tax abatement.

The Agency will, at the above-stated time and place, present a copy of the Company's Application (including the Benefit/Incentive analysis) and hear all persons with views in favor of or opposed to either the location or nature of the Facility, or the proposed financial assistance being contemplated by the Agency. In addition, at, or prior to, such hearing, interested parties may submit to the Agency written materials pertaining to such matters.

Dated: February 1, 2019

COUNTY OF MONROE INDUSTRIAL
DEVELOPMENT AGENCY D/B/A IMAGINE
MONROE POWERED BY COMIDA

By: Jeffrey R. Adair, Executive Director