IMAGINE MONROE

PROJECT MODIFICATION REQUEST

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

Applicant: UNITHER MANUFACTURING LLC

Project Address: 755 JEFFERSON ROAD, ROCHESTER, NEW YORK 14623

Contact Name: CONNIE SELLMAN

Contact Company: Unither

Contact Address: 755 Jefferson Road, Rochester, New York 14623

Contact Email: connie.sellman@unither-pharma.com Contact Phone: 585-274-5537

Employment in Monroe County: 326 (Full Time) _____ (Part Time) 10/31/20 (As of Date)

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

☐ **Increase in Project Costs:** Must complete page 2. (If Increase is 25% greater than the Original Project Costs or 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: $ _____ (Original Project Cost) $ _____ (Increase in Project Costs) $ 0 (New Project Costs)

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

12/31/20 (Current Expiration Date) 12/31/21 (Requested Expiration Date) $ $47,767 (Amount of Exemptions Taken to Date)

Reason for Extension:

Delays in construction due to COVID-19 pandemic

☐ **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: CSellman Date: 12/4/20

Print Name and Title: _____

Staff Use Only:

Date Received 12/7/20 Date of Original Approval: 6/18/19 New Code 2602 19029B

2/20

Motion By: A. Meleo
Seconded By: J. Affoco

RESOLUTION
(Unither Manufacturing LLC Project)

A regular meeting of the County of Monroe Industrial Development Agency (the "Agency"), was held at the Agency's offices at 50 West Main Street, Suite 1150, Rochester, New York 14614, on December 15, 2020, in accordance with Executive Order Number 202.1, as extended by subsequent executive orders.

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 TAX EXEMPTION BENEFIT GRANTED TO UNITHER MANUFACTURING LLC (THE "COMPANY") THROUGH DECEMBER 31, 2021; 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 18, 2019 (the "Authorizing Resolution"), the Agency appointed **UNITHER MANUFACTURING LLC**, a New York limited liability company, for itself or an entity formed or to be formed (collectively, the "Company"), the true and lawful agent of the Agency to undertake a certain project (the "Project") consisting of: (A) the acquisition of a leasehold interest in a portion of land located at 755 Jefferson Road in the Town of Henrietta, New York [Tax Account No.: 162.09-1-2.001] (the "Land") together with the existing approximately 420,320 square-foot manufacturing building thereon (the "Existing Improvements"); (B) the construction of an approximately 150,000 square-foot addition to the Existing Improvements to house a new packaging line and warehouse to accommodate finished product storage (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 Company in its business as a manufacturer of single-dosage drug delivery systems; and

WHEREAS, the Agency previously appointed the Company as its true and lawful agent to make purchases of goods and services relating to the Project that would otherwise be subject to New York State and local sales and use tax (the "Sales and Use Tax Exemption Benefits") through December 31, 2020; and

WHEREAS, the Company, pursuant to a certain Project Modification Request dated December 4 2020, has requested the Agency grant an extension to its sales tax exemption through December 31, 2021; 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, 2021**. 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, Chairman or Vice Chairman of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver any agreements, documents or certificates necessary and incidental to providing the Company with the Sales and Use Tax Exemption Benefits and necessary to effectuate the above-described changes with respect to the Facility.

Section 3. The Executive Director, 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 4. 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:

	Yea	*Nay*	*Absent*	*Abstain*
Jay Popli	X			
Anthony Meleo	X			
Troy Milne	X			
Lisa Bolzner	X			
Joseph Alloco	X			
Rhett King	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 December 15, 2020, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

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

IN WITNESS WHEREOF, I have hereunto set my hand on this 15th day of December, 2020.

Ana J. Liss, Executive Director

COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

PROJECT MODIFICATION REQUEST

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

Applicant: Unither Manufacturing, LLC
Project Address: 755 Jefferson Road
Contact Name: Connie Sellman
Contact Company: Unither Manufacturing, LLC
Contact Address: 755 Jefferson Road, Rochester, NY 14623
Contact Email: connie.sellman@unither-pharma.com Contact Phone: 5852745537

Employment in Monroe County: 299 (Full Time) 0 (Part Time) 6/30/2022 (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: $ 22,941,273 (Original Project Cost) $ 3,345,000 (Increase in Project Costs) $ 26,286,273 (New Project Costs)

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

12/31/2021 (Current Expiration Date) 03/31/2023 (Requested Expiration Date) $ 163,684 (Amount of Exemptions Taken to Date)

Reason for Extension:
Changes from the original construction plans, facility design and future footprint strategy requiring incrementalproject spending.

☐ **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: CSellman Date: 7/25/22

Print Name and Title: Constance Sellman CFO

Staff Use Only: 2/20

Date Received 7/26/22 Date of Original Approval: 6/18/19 New Code 2602 19 029C

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	$ 2,019,551	$ 3,145,000	$ 5,164,551
b. Labor	$ 2,800,000	$	$ 2,800,000
Site Work			
c. Materials	$	$	$ 0
d. Labor	$	$	$ 0
e. Non-Manufacturing Equipment	$	$	$ 0
f. Furniture & Fixtures	$ 26,500	$ 200,000	$ 226,500
g. Land and/or Building Purchase	$	$	$ 0
h. Manufacturing Equipment	$ 17,713,938	$	$ 17,713,938
i. Soft Costs (Legal, Architect, Engineer)	$ 381,284	$	$ 381,284
Other Costs (specify)			
j.	$	$	$ 0
k.	$	$	$ 0
l.	$	$	$ 0
m.	$	$	$ 0
Total Project Costs	**$ 22,941,273**	**$ 3,345,000**	**$ 26,286,273**

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)	$	$	$ 0
e. Public Sources	$	$	$ 0
f. Equity	$ 22,941,273	$ 3,345,000	$ 26,286,273
Total Sources	**$ 22,941,273**	**$ 3,345,000**	**$ 26,286,273**

B. Reason for Increase:

The Company has exausted the initial sales tax exemption award ($163,684) given in June, 2019. There are additional costs due to changes from the original construction plans, facility design and future footprint strategy requiring incremental project spending.

C. Amount of Sale Tax Exemptions Taken to Date: $ 163,684.00

Motion By: J. Alloco
Seconded By: R. King

RESOLUTION
(Unither Manufacturing LLC Project)
OSC Project Code 2602-19-29C

A regular meeting of the County of Monroe Industrial Development Agency (the "Agency"), was held at the Ebenezer Watts Center, 47 S. Fitzhugh St., Rochester, New York 14614, on August 16, 2022 at 12:00 p.m.

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

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING (i) ADDITIONAL FINANCIAL ASSISTANCE TO UNITHER MANUFACTURING LLC (THE "COMPANY") IN AMOUNTS EXCEEDING THE AMOUNTS PREVIOUSLY APPROVED BY THE AGENCY; (ii) THE EXTENSION OF THE SALES TAX EXEMPTION BENEFIT and (iii) 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 June 18, 2019 and December 15, 2020 (collectively, the "Authorizing Resolution"), the Agency appointed **UNITHER MANUFACTURING LLC**, a New York limited liability company, for itself or an entity formed or to be formed (collectively, the "Company"), the true and lawful agent of the Agency to undertake a certain project (the "Project") consisting of: (A) the acquisition of a leasehold interest in a portion of land located at 755 Jefferson Road in the Town of Henrietta, New York [Tax Account No.: 162.09-1-2.001] (the "Land") together with the existing approximately 420,320 square-foot manufacturing building thereon (the "Existing Improvements"); (B) the construction of an approximately 150,000 square-foot addition to the Existing Improvements to house a new packaging line and warehouse to accommodate finished product storage (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 Company in its business as a manufacturer of single-dosage drug delivery systems; and

WHEREAS, the Agency previously appointed the Company as its true and lawful agent to make purchases of goods and services relating to the Project that would otherwise be subject to New York State and local sales and use tax in an amount up to $2,046,051, which would result in New York State and local sales and use tax exemption benefits not to exceed $163,684 through December 31, 2020; and

WHEREAS, the Company, pursuant to a certain Project Modification Request, dated December 4, 2020, requested the Agency grant an extension to the Sales and Use Tax Exemption Benefits through December 31, 2021; and

WHEREAS, the Company has requested, by a Project Modification Request, dated July 25, 2022, 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 (i) in an the amount up to $5,391,051, which would result in New York State and local Sales and Use Tax Exemption Benefits not to exceed $431,284 (as increased, the "Sales and Use Tax Exemption Benefits"); and (ii) the extension of the sales tax exemption benefit through June 30, 2023; and

WHEREAS, the Agency desires to adopt a resolution authorizing (i) the increase in Sales and Use Tax Exemption Benefits; (ii) the extension of the sales tax exemption benefit through June 30, 2023; 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 (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 **$5,391,051**, which result in New York State and local Sales and Use Tax Exemption Benefits not to exceed **$431,284**; and (ii) the extension of the Sales and Use Tax Exemption Benefits through **June 30, 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 and necessary to effectuate the above-described changes with respect to the Facility.

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

Section 4. This resolution shall take effect immediately.

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

	Yea	***Nay***	***Absent***	***Abstain***
Jay Popli	✓			
Troy Milne	✓			
Lisa Bolzner			✓	✓
Joseph Alloco	✓			
Rhett King	✓			
Ann L. Burr	✓			

The Resolutions were thereupon duly adopted.

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

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

That I have compared the annexed extract of the minutes of the meeting of the County of Monroe Industrial Development Agency (the "Agency"), including the resolutions contained therein, held on August 16, 2022, 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 16th day of August, 2022.

Ana J. Liss, Executive Director

COUNTY OF MONROE
COMIDA
INDUSTRIAL DEVELOPMENT AGENCY

PROJECT MODIFICATION REQUEST

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

Applicant: Unither Manufacturing, LLC
Project Address: 755 JEFFERSON ROAD
Contact Name: Connie Sellman
Contact Company: Unither Manufacturing, LLC
Contact Address: 755 JEFFERSON ROAD, ROCHESTER, NY 14623
Contact Email: _____ Contact Phone: _____

Employment in Monroe County: 294 (Full Time) _____ (Part Time) 3-31-23 (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: $ _____ (Original Project Cost) $ _____ (Increase in Project Costs) $ 0 (New Project Costs)

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

6/30/2023 (Current Expiration Date) 12/31/2023 (Requested Expiration Date) $ 210,789 (Amount of Exemptions Taken to Date)

Reason for Extension: Changes in the phasing of implementation of our projects - requested by French parent Co.

☐ **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: Constance Sellman Date: 4/26/23
Print Name and Title: Constance Sellman CFO

Staff Use Only:
Date Received 4/28/23 Date of Original Approval: 6/18/19 New Code 2602 19 029 D

2/20