ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
333 WEST WASHINGTON STREET, SUITE 130, SYRACUSE, NY 13202
PHONE: 315.435.3770 • FAX: 315.435.3669 • WWW.ONGOVED.COM

Meeting Agenda
September 15, 2020

8:05AM Call to Order the Regular Meeting of the Agency

A. Approval of Minutes-August 5 & August 11, 2020
B. Treasurers Report
C. Payment of Bills
D. Conflict of Interest

Action Items

1. **Green Street Power Partners (GSPP) Sentinel Heights Rd, LLC (3101-20-10B): Second Meeting**
   GSPP Sentinel Heights Rd, LLC is proposing the construction of a 3.75-megawatt solar project in the Town of Lafayette.

   Agency Action Requested:
   a. A SEQR Resolution.
   b. A Resolution of the Board authorizing the financial assistance the Agency will provide. Agency benefits requested include exemptions from certain sales and use taxes, real property taxes and real estate transfer taxes.

   Representative: Joseph Mendelsohn, Project Manager, Omni-Navitas Holdings, LLC

2. **Tracey Road Equipment, Inc. (3101-20-03B): Second Meeting**
   Tracey Road Equipment is proposing an expansion of their current facility in the Town of Dewitt.

   Agency Action Requested:
   a. A SEQR Resolution
   b. A Resolution of the Board authorizing the financial assistance the Agency will provide. Agency benefits requested include exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes.

   Representative: Sarah Stephens, SS Funding & Procurement Resources, LLC

3. **Uniform Tax Exemption Policy 2020 (UTEP)**
   Revised Uniform Tax Exemption Policy presented to the Board for approval.

   Agency Action Requested:
   a. A Resolution of the Board approving the 2020 Uniform Tax Exemption Policy (UTEP).

   Representative: Robert Petrovich, Executive Director, OCIDA

4. **TC Syracuse Assignment Approval**
   TC Syracuse Development Associates, LLC is requesting Board approval to assign its interests in the current Project Facility to CF Anaconda Syr LLC

   Agency Action Requested:
   a. A Resolution of the Board approving an assignment transaction by TC Syracuse Development Associates to CF Anaconda Syr LLC and authorizing the execution and delivery of documents in connection therewith**.**

   Representative: Robert Murray, Counsel, Harris Beach, PLLC; George Laigaie, TC Syracuse Development Associates, LLC

5. **TC Syracuse Lease Approval**
   CF Anaconda Syr LLC is requesting Board approval to lease the Project Facility to Amazon.com Services LLC.

   Agency Action Requested:
   a. A Resolution of the Board approving a lease of a project facility from CF Anaconda Syr LLC to Amazon.com Services LLC.

   Representative: Tom Pecci, CF Anaconda

6. **Executive Session**

7. **Purchase Contract Execution**
   Authorization to enter into a purchase contract for additional property

   Agency Action Requested:
   a. A Resolution of the Board authorizing the Executive Director to enter into a purchase contract and any related documents with respect to additional property.

   Representative: Robert Petrovich, Executive Director, OCIDA

Adjourn

SUBJECT TO BOARD APPROVAL

Onondaga County Industrial Development Agency
Regular Meeting Minutes
August 5, 2020

A regular meeting of the Onondaga County Industrial Development Agency was held on Wednesday, August 5, 2020 via Zoom Teleconference.

Janice Herzog called the meeting to order at 1:00 pm with the following:

PRESENT VIA TELECONFERENCE:
Janice Herzog
Steve Morgan
Susan Stanczyk
Kevin Ryan
Victor Ianno

DELAYED:
Fanny Villarreal

ABSENT:
Patrick Hogan

ALSO PRESENT:
Robert Petrovich, Executive Director
Nancy Lowery, Secretary
Nate Stevens, Treasurer
Karen Doster, Recording Secretary
Carolyn Evans-Dean, Office of Economic Development
Jeffrey Davis, Barclay Damon Law Firm
Amanda Mirabito, Barclay Damon Law Firm
Jim Gosier, Ultra Dairy, LLC
Dan Wood, Ultra Dairy, LLC

Janice Herzog shared information as to how the meeting will be conducted as a result of COVID-19.

CONFLICT OF INTEREST DISCLOSURE

The Conflict of Interest was emailed to Board Members present to sign off.

ULTRA DAIRY, LLC

Jim Gosier stated on behalf of Byrne Dairy he wanted to thank the Board for holding this special meeting. He stated they recognize this was at their request to accomplish their construction schedule. He stated at this time of year they are thinking 6 months ahead when it will be snowing and very windy. He stated this gives them the opportunity to complete their construction phase of the project before the bad weather sets in. He stated as mentioned before this is the 4th expansion of the Ultra Dairy facility in East Syracuse. He stated this particular expansion is going to move Byrne into a new phase of production in making products they have never made before but is what they believe is the future of the dairy and the beverage industry. He stated they will be utilizing aseptic packaging and aseptic processing which allows these products to have a shelf life in an unrefrigerated atmosphere for up to one year. He stated as discussed before they have found with many consumers doing basic grocery shopping on line and with the onset with the Covid pandemic not wanting to go to the grocery store that more and more consumers are moving toward this type of product with a shelf life of up to a year. He stated this type of processing and packaging is highly technical. He stated of the $28,500,000 project, almost $18,000,000 is for very high tech machinery. He stated this is a new phase for Byrne Dairy and they are very excited.

Janice Herzog stated that is wonderful and she would like to applaud Byrne Dairy for all their contributions in our community and the Central New York region. She stated they have always been steadily moving, changing and ahead of the curve.

Steve Morgan asked for an explanation on the process, how the packaging takes place and how it has the ability to last as long as it does. Dan Wood stated the process is very similar to extended shelf life (ESL) where they are heating it up to a high temperature for a short period of time. He stated the big difference is the packaging machine itself where they are actually providing not a fog of hydrogen peroxide but a bath of hydrogen peroxide. He stated the paper that comes off a reel goes through and within an inert atmosphere gets created into the package; then the product is put in an inert blanket MAP (Modified Atmospheric Packaging) and sealed closed which keeps the oxygen out and keeps the bath of hydrogen peroxide in. He stated that is what gives it its shelf life. He stated the ESL products that they make already are very close to that but that last step that takes it to the shelf stable level.

Steve Morgan asked where the product would be distributed. He asked if it would be all along the east coast and how far will they go with this. Dan Wood stated currently their distribution model has customers that want this all along the east coast and out to about the mid-west. He stated with the aseptic platform they have the ability to distribute all around the world eventually.

Jim Gosier stated they can apply this technology to not only dairy products but nondairy products as well. He stated they are looking forward to expanding their portfolio into additional product lines.

Victor Ianno asked how long Byrne Dairy has been in business. Jim Gosier stated 87 years.

Janice Herzog stated she read as of May 31, 2020 Ultra Dairy has purchased nearly $48,000,000 in milk and cream from farms in Central New York and the Finger Lakes region. She asked if with the expansion will it expand the purchasing of milk and cream within the region or will the level remain the same. Jim Gosier stated they will certainly need more milk and cream and it makes great business sense and community sense to continue to buy that here locally and in Central New York. He stated on average the farms that they purchase from are about 20 minutes away from their plants so there is a tight radius from where they draw the milk and the cream and that is going to continue.

Janice Herzog asked if the area has enough to provide what they need. Jim Gosier stated yes it does and a number of farms that they work, if the need is there, they will offer them the opportunity to expand their herds. He stated if they aren't able or willing to do that they would find additional sources for milk.

Nancy Lowery stated there were no comments at the public hearing.

Sue Stanczyk asked if the Town of DeWitt is supportive and if there have been an issues with the Town on the expansion. Jim Gosier stated this is the 4th expansion of Ultra Dairy and this has been the smoothest approval process they have had. He stated Ultra Diary is very thankful to the Town because they put in a lot of hard work under some difficult circumstances but they were able to accommodate their timeline.

Victor Ianno asked if there is room to add on if they need another expansion. Jim Gosier stated he and Dan Wood are working on the final stages of the master plan and they don't have an infinite amount of space. He stated they still have a lot of room left but certainly all good things come to an end and that will include expansions of the facility. He stated they are in the process of determining what that end game looks like and will be moving on that plan in the next 18 months.

Jeff Davis stated there is a SEQR Resolution that was prepared and went through a full review at the Town. He stated counsel reviewed the Town SEQR information and this is an unlisted action under SEQR. He stated based on that review by the Town and by Agency Counsel this action will not have an adverse impact on the environment. He stated in the resolution that is prepared, the Agency is issuing a negative declaration pursuant to SEQR based on upon the materials received by the applicant and the Town's review analysis of the project as well.

Upon a motion by Victor Ianno, seconded by Steve Morgan, the OCIDA Board approved a resolution authorizing the adoption of the SEQR determination for the Ultra Dairy, LLC project. Motion was carried.

(Sue Stanczyk lost connection to meeting.)

(Fanny Villarreal arrived at meeting.)

Upon a motion by Victor Ianno, seconded by Steve Morgan, the OCIDA Board approved a resolution authorizing the financial assistance the Agency will provide including a Payment in Lieu of Tax Agreement and Sales Tax Abatement for the Ultra Dairy Phase II Expansion project. Motion was carried.

Jim Gosier stated as you can imagine in the Dairy facility there is a huge area that is refrigerated and is an ammonia refrigeration system which presents its own unique challenges for both installation, operation and maintenance of that kind of system. He stated for years they have worked with Mullally Brothers out of Troy and they have been with Ultra Dairy almost the entire time they a have been in business. He stated they have had great success with Mullally Brothers particularly in the maintenance and operation of these systems. He stated they are highly technical and highly dangerous in that they are ammonia based systems. He stated there is no company in Onondaga County that provides that type of service. He stated in the last couple of expansions Ultra Dairy has requested for this type of waiver. He stated it is only for the Mullally Brothers Company and only for this highly specialized ammonia based refrigeration system.

Upon a motion by Kevin Ryan, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing a waiver from the Local Access Policy for the highly specialized ammonia refrigeration systems associated with Ultra Dairy's cooling systems. Motion was carried.

LEGAL ADVISE SESSION

Upon a motion by Fanny Villarreal, seconded by Victor Ianno, the OCIDA Board entered into Legal Advise Session at 1:23 pm.

(Sue Stanczyk reconnected.)

BOARD RE-CONVENED TO REGULAR SESSION UPON CLOSE OF LEGAL ADVISE SESSION.

Janice Herzog stated it is has been proposed to change the September meeting date from September 8 to September 15. The Board agreed.

Upon a motion by Victor Ianno, seconded by Fanny Villarreal, the OCIDA Board adjourned the meeting at 2:04 pm. Motion was carried.

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Nancy Lowery, Secretary

SUBJECT TO BOARD APPROVAL

Onondaga County Industrial Development Agency
Regular Meeting Minutes
August 11, 2020

A regular meeting of the Onondaga County Industrial Development Agency was held on Tuesday, August 11, 2020 via Zoom Teleconference.

Patrick Hogan called the meeting to order at 8:13 am with the following:

PRESENT VIA TELECONFERENCE:
Patrick Hogan
Janice Herzog
Steve Morgan
Sue Stanczyk
Kevin Ryan
Victor Ianno
Fanny Villarreal

ALSO PRESENT:
Robert Petrovich, Executive Director
Nancy Lowery, Secretary
Nate Stevens, Treasurer
Karen Doster, Recording Secretary
Carolyn Evans-Dean, Office of Economic Development
Jeff Davis, Barclay Damon Law Firm
Amanda Mirabito, Barclay Damon Law Firm
Glenn MacKay, OYA Solar
TJ Jahani, OYA Solar
Melissa Clark, Abundant Solar Power, LLC
Chris Carrick, Abundant Solar Power, LLC
Sarah Stevens, SS Funding & Procurement Resources, LLC
Ken Bush, Onondaga County Legislature

Patrick Hogan shared information as to how the meeting will be conducted due to COVID-19.

APPROVAL OF REGULAR MEETING MINUTES – JULY 14, 2020

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved the regular meeting minutes of July 14, 2020. Motion was carried.

TREASURER'S REPORT

Nate Stevens gave a brief review of the Treasurer's Report for the month of July 2020.

Upon a motion by Fanny Villarreal, seconded by Sue Stanczyk, the OCIDA Board approved the Treasurer's Report for the month of July 2020. Motion was carried.

PAYMENT OF BILLS

Nate Stevens gave a brief review of the Payment of Bills Schedule #446.

Upon a motion by Janice Herzog, seconded by Victor Ianno, the OCIDA Board approved the Payment of Bills Schedule #446 for $358,605.21 and PILOT payments to Town of DeWitt for $12.88, Town of Onondaga for $2.62, Jamesville DeWitt Central School District for $84.33, Syracuse City School District for $43,780.00, City of Syracuse for $24,684.24 and Onondaga County for $31,282.52. Motion was carried.

CONFLICT OF INTEREST DISCLOSURE

The Conflict of Interest was emailed to Board Members present to sign off.

OYA SOLAR PILOT A – SECOND MEETING

Patrick Hogan asked Glenn MacKay to give a synopsis of the project so the Board can reacquaint themselves. Glenn MacKay stated they are proposing two projects being Church Road A, 5 megawatts, and Church Road B, 1 megawatt, located in the Town of Lysander. He stated Church Road A and B are adjacent projects and they will be subdividing what is now a single tax parcel. He stated these are community distributed generation projects meaning the local community is eligible to subscribe to these solar arrays.

Janice Herzog stated the building costs are $4,500,000 and the equipment costs are $4,500,000 and asked if the building costs include the construction piece of it. TJ Jahani stated the building costs include the construction. He stated $4,500,000 is partly for solar boards, electrical, both DC and AC work required, site reading, foundations and for the high voltage contract work that is required to connect the system to the distribution grid. He stated the other $4,500,000 is essentially for major equipment such as panels, racking system and the invertors.

Janice Herzog asked if the high voltage construction will be able to be done locally with local labor. TJ Jahani stated absolutely and they will go to the local contractors first as the local contractors will probably be most cost effective for the project. He stated if they can find local contractors at a competitive price they will be given the project.

Pat Hogan asked TJ Jahani if he is aware that the Agency has a Local Labor provision and they will have to come before the Board for any kind of waiver. TJ Jahani stated yes.

Sue Stanczyk asked about the approval process with the Town and was there any pushback or issues. Glenn MacKay stated the process with the Town of Lysander was quite productive with general questions about technology. He stated the only conditions required to meet before getting their permit was to provide a decommissioning security to the Town which they have in progress now. He stated also they need to provide a landscaping plan to prevent view from surrounding roads.

Sue Stanczyk asked if the property is all fields. Glenn MacKay stated yes.

Nancy Lowery stated a public hearing was held and the Assistant School Superintendent called in with concern about earlier awareness about a project which is helpful feedback for us. She stated the office also received a letter from the Town of Lysander expressing support and correspondence from the School District with no objection to the project moving forward.

Sue Stanczyk asked how far the utility access reaches. Glenn MacKay stated as long as citizens looking to receive solar power are on the same utility company they are eligible to subscribe. He stated it can be statewide.

Jeff Davis stated for SEQR purposes this was a Type I Action and a coordinated review was conducted by the Town of Lysander. He stated OCIDA consented to the Town Planning Board being lead agency. He stated for purposes of a SEQR resolution for this Board the Board will be recognizing it is a Type I action and consenting to the Town Planning Board being lead agency and reaffirming, accepting and adopting the Negative Declaration that was issued by the Town of Lysander Planning Board as the lead agency for SEQR.

Upon a motion by Victor Ianno, seconded by Sue Stanczyk, the OCIDA Board approved a resolution authorizing the adoption of the SEQR determination for the OYA Solar PILOT A project. Motion was carried.

Jeff Davis stated this is a project that was subdivided and we have not yet seen the final subdivision approval from the Town. He stated we want to make sure that our project parcel lines up with each new tax lot. He stated he is sure it is not an issue with the terms of the subdivision that was done and staff will ensure that is the case. He stated in keeping in line with the ABO report that came out last month they are recommending sales and use tax in our resolutions be identified for a time period and he is recommending a sales and use tax exemption time period be for 2 years for the OYA projects. He stated the time periods are in the closing documents but the ABO is requesting that it be done in the resolutions. He stated as part of this resolution it would be an authorizing resolution for a two year sales and use exemption and the normal benefits that have been laid out by the Agency and requested by the applicant.

Robert Petrovich asked if this is specific to this project or solar in general. Jeff Davis stated it is specific for all projects going forward.

Upon a motion by Sue Stanczyk, seconded by Fanny Villarreal, the OCIDA Board approved a resolution authorizing the financial assistance the Agency will provide including a Payment in Lieu of Tax Agreement and Sales Tax Abatement for two years for the OYA Solar PILOT A project. Motion was carried.

<u>OYA SOLAR PILOT B – SECOND MEETING</u>

Pat Hogan asked for an explanation on why OYA has to do a 5 megawatts and 1 megawatt. Glenn MacKay stated the community distributed generation solar program is capped at 5 megawatts but this property could hold 6 megawatts by design. He stated because the program is capped at 5 megawatts they created a 5 megawatt and a 1 megawatt.

Nancy Lowery stated the Supervisor of Baldwinsville would like earlier awareness about projects. She stated the office received a letter of support from the Town of Lysander for this project as well as a statement from the School representative but no objection to this PILOT.

Jeff Davis stated for SEQR purposes this is a Type I Action coordinated review and OCIDA consented to the Lysander Planning Board being lead agency. He stated the resolution before the Board is recognizing the Type I action, recognizing OCIDA's consent and reaffirming the negative declaration that was issued by the Lysander Planning Board with a 2 year sales and use tax exemption. He stated we want to confirm the subdivision area lines up with the area for which OCIDA is taking an interest in the project.

Sue Stanczyk asked if they are side by side. Glenn MacKay stated yes.

Sue Stanczyk asked if the Town made the same requirements about landscaping. Glenn MacKay stated yes.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved a resolution authorizing the adoption of the SEQR determination as a Type I action for the OYA Solar PILOT B project. Motion was carried.

Upon a motion by Victor Ianno, seconded by Kevin Ryan, the OCIDA Board approved a resolution authorizing the financial assistance the Agency will provide including a Payment in Lieu of Tax Agreement and Sales Tax Abatement for two years for the OYA Solar PILOT B project. Motion was carried.

<u>ABUNDANT SOLAR POWER (E1) LLC 801 PERU ROAD – SECOND MEETING</u>

Melissa Clark stated they are looking to build a 2.7 mega-watt array on the closed Elbridge landfill. She stated they are looking to repurpose a fallow site that is quite hilly but works for the purposes of generating green energy. She stated this is a community solar project and the power from the site will be fed into the local grid and sold to local residents within the same utility load zone at a discount of approximately 10%. She stated there is a benefit to the residents who choose to purchase green energy, a benefit to the Town from a lease perspective and a net new income to the taxing jurisdictions because as a closed landfill the property was not generating property taxes previously. She stated this is part of a portfolio of sites with the Central New York Regional Planning Board where they are looking to repurpose municipally owned sites.

She stated they have an overarching commitment to prevailing wage under that agreement and also a commitment to look for local labor where at all feasible. She stated the costs attributed to this array include utility improvements at a cost of about $400,000 to improve the line and substation directly attributable to the array's interconnection agreement. She stated they also have captured in their lease with the Town of Elbridge a decommissioning bond requirement which will be finalized shortly. She stated there are special requirements for closed landfills so under the new regulations this is deemed a Type II action under SEQR.

Jeff Davis stated this is a Type II action under SEQR and the Town made a similar determination in their zoning process of a Type II action. He stated there were amendments to the SEQR regulations a few years ago to encourage new development of landfills. He stated if it is under 25 acres or less of physical disturbance on a closed landfill the State considers it a Type II action and therefore by statute means there is no significant adverse environmental impact and there is no further review required from an environmental perspective.

Steve Morgan asked for further detail as to the benefits to the Town of Elbridge. Melissa Clark stated there is a revenue stream by virtue of the lease to the Town of Elbridge, cost savings for 30 years to the residents, shared PILOT benefits that are net new to the three taxing jurisdictions and they have consent from the School District and the Town. She stated they will be hiring locally for ongoing maintenance and run local trucks from local electrical suppliers in order to support their operations and maintenance. She stated they are hiring local for the build.

Steve Morgan what are the lease payments to the Town for the property. Melissa Clark stated in year one it is $13,500 with a 1% escalator per year.

Steve Morgan asked if it is a 30 year lease. Melissa Clark stated it is a currently a 25 year lease and has 2 possible extensions. She stated currently they are seeing panels warrantied for 30 years and when they started the project they were being warrantied for 25 years so typically the first stage of the lease would align with the warranty for the solar panels.

Nancy Lowery stated at the public hearing Supervisor Richardson expressed support for the project on behalf of himself and the Board. She stated a statement was received from the representative of the School District stating no objection to this project.

Jeff Davis stated the resolution is recognizing that it is a Type II action and no further SEQR analysis is required.

Upon a motion by Janice Herzog, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing the adoption of the SEQR determination as a Type II action for the Abundant Solar Power (E1) LLC project. Motion was carried.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved a resolution authorizing the financial assistance the Agency will provide including a Payment in Lieu of Tax Agreement and Sales Tax Abatement for two years for the Abundant Solar Power (E1) LLC project. Motion was carried.

TRACEY ROAD EQUIPMENT, INC. – INITIAL MEETING

Sarah Stevens stated Tracey Road Equipment has out grown its 55,000 square foot facility on Manlius Center Road in East Syracuse. She stated they are looking to construct up to 31,000 square feet of new floor space as well as a small portion of it for offices. She stated the shop addition is the important component for them because it will allow more space for them to do the work needed. She stated they will add 30 full time positions. She stated it's about a $4,500,000 investment which is mostly construction. She stated the existing workforce at that facility is 140 employees and will be retained. She stated she sent the Town Board minutes last night to Nancy Lowery because they had to do a subdivision for the parcel the facility is currently on. She stated when it was originally constructed it straddled the lot lines so they are fixing that through this process. She stated they don't have the finalized parcel number yet but they should be getting it shortly and will forward it.

Sue Stanczyk asked if they are having difficulty finding local people to fill the technical jobs or is there a training program. Sarah Stevens stated Tracey Road has a training process and it has been really helpful for them.

Sue Stanczyk asked where they get the employees/trainees from. Sarah Stevens stated she does not remember but that question was asked. Janice Herzog stated she remembers and she was really impressed with the training program, how they attract employees, train them and employ them. She stated Tracey Road uses the technical schools to find employees.

Patrick Hogan stated in support of what Janice Herzog said he was particularly impressed because they evaluated the need in the field and decided to do this as far as training.

Nate Stevens stated the project initially came before the Board in February and since then the project budget has changed slightly which is why they are before the Board having another initial meeting.

Kevin Ryan asked what type of positions are being created with the 30 new jobs. Sarah Stevens stated they are primarily floor jobs for the shop and will be part of the training program. Nate Stevens stated there is a breakdown in the Board packet. Sarah Stevens stated there will be fabricators, technicians, parts clerks and a couple that are more administrative. She stated the starting salary ranges are $35,000-45,000 per year.

Upon a motion by Janice Herzog, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing a public hearing for the Tracey Road Equipment, Inc. project. Motion was carried.

REQUEST FOR PROFESSIONAL SERVICES (RFP): OCIDA GOVERNMENT AND BUSINESS DEVELOPMENT SERVICES

Robert Petrovich stated part of what the IDA Board does is look to advance substantial projects within Onondaga County in support of business growth, development and employment. He stated in support of that staff put out an RFP to augment what we are doing with the IDA for consultant services that can help us secure substantial projects. He stated we have had some success recently with Amazon and looking to do additional projects of that ilk, certainly that size if not more substantial. He stated as part of that staff wants to enlist the help of firms that swim in these waters. He stated the RFP went out and the office received 3 responses interested in assisting us. He stated they were Hinman Straub, Ostroff and Associates and Park Strategies. He stated staff reviewed the responses and met with the firms for additional clarification and discussion on the proposals. He stated after review staff recommendation is to retain the services of Park Strategies and principle we would be working with is Jeff Lovell. He stated not only does staff think they have the most comprehensive ability to assist us but also coincidentally they were the most affordable in terms of the fee being charged to the IDA. He stated staff's recommendation is that the Agency enter into a one year agreement with Park Strategies to facilitate the pursuit of substantially large projects for Onondaga County.

Upon a motion by Janice Herzog, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing the Executive Director to enter into an agreement with Park Strategies regarding the RFP services: OCIDA Government and Business Development Services. Patrick Hogan abstained. Motion was carried.

ONONDAGA COUNTY COVID SMALL BUSINESS RELIEF FUND

Robert Petrovich stated staff is seeking authorization from the IDA to allocate $500,000 to be used for small business grants in the area of COVID and in particular PPE expenses. He stated he has been working with Carolyn Evans-Dean. He stated this program will look to provide funding and support of the NYS legislation that allows IDAs to make grants and loans. He stated businesses will make application to the IDA and staff will review and vet the applications. He stated if the applications are approved through that process they will be presented to the Board to be reviewed and voted on to approve the granting of these funds. He stated the funds are limited to $10,000 per the statute and the Agency can do less than that but he thinks $10,000 in conformance with the statute makes sense. He stated these are for small businesses in the County having issues with expenses related to unintended expenses as a result of COVID and more substantive installations if they want to put in UV disinfection systems in terms of lighting systems. He stated it's a chance for us to provide some relief to small businesses. He stated the City of Syracuse is doing something similar. He stated we are looking to be supportive.

Sue Stanczyk stated she has been very involved in the phone calls and the process everyone is going through to try and get their businesses up and running. She stated she was extremely pleased when she saw that the State was a going to allow for IDAs to do grants. She stated she thinks it is great that we are going to take advantage of it. She stated she hopes that this is advertised very broadly. She stated she knows there are a lot of businesses in desperate need and hopefully we can help get some of the businesses not open yet opened.

Sue Stanczyk asked what the approval time is for the projects. Robert Petrovich stated staff is working with counsel to make sure the application is strong and comports with all the requirements that we think are necessary given our fiduciary responsibilities. He stated depending on the volume of applications certainly waiting a month or two to get approval might be too long so staff is considering instituting a more frequent zoom review with one agenda item specific to just this issue. Sue Stanczyk stated she hopes that everyone can go along with that because she would hate to see these people having to wait even longer than they already have.

Janice Herzog asked if this is retroactive for the companies that already installed and purchased their PPE. Jeff Davis stated the recommendation in terms of how far we go back would be no earlier than March 2020. He stated it is up to the Board to decide but it would allow for companies that maybe have spent this money already to make application. He stated the application is not necessarily going to be approved but they can certainly make application in terms of the time period.

Robert Petrovich stated it makes sense because that is one of the issues that surfaced. He stated a fast review and approval process will facilitate so if you incur the expense you don't have to wait an inordinate amount of time to get reimbursed.

Victor Ianno stated he agrees with the program and thinks it is a great idea but there are a lot of programs out there. He asked what the pay back procedure will be. Robert Petrovich stated this is going to be a grant not a loan so there will be no pay back. He stated legislation has afforded the IDA to do grants and loans and we felt that if they are under stress a grant would be more appropriate and helpful. Jeff Davis stated as part of the application process and what staff is going to review for recommendation to the Board, if there is specific information that we think should be included in the application process such as financial viability, explanation of the impacts of COVID, any other grants or applications they have made, requests etc., we get a bigger picture as to how the company has been impacted and what else they have received.

Janice Herzog stated she agrees and maybe there could be a push out date. She stated businesses could be applying to different programs at the same time because there is a lot out there. She stated maybe in the next 30 or 45 days if they receive one of the other grants they applied for they notify the Agency. She stated she thinks we are going to get inundated with requests and she is sure there are companies that will be getting support and there will be companies that really need the support and not getting it. Robert Petrovich stated the statute stipulates it is small business driven and there are caveats, one being less than 50 employees.

Patrick Hogan asked if it is only for PPE. Robert Petrovich stated yes.

Sue Stanczyk stated a lot of the applications for other financial assistance come with many restrictions and a lot of these small businesses don't qualify. She stated some won't fund them based on PPE because they are expected to provide it. She stated they will provide financial assistance for employees but not so much the actual build out of a business. She stated she thinks this is imperative that the IDA has this program.

Sue Stanczyk asked for a copy of the application as soon as it is drafted for the Board's input or if they see something that might help in the decision making. Robert Petrovich stated yes and staff will push it out within the next day or so for Board's comment.

Carolyn Evans-Dean stated there are still businesses that are not able to operate and this grant program is set up to be sort of a first come first serve type entity for these grants. She stated there are businesses that cannot expend the funds right now because they don't know what requirements New York State will place on them to open. She stated the Board does have the ability to reserve some of the funds specifically for these businesses so they are not left without funding when they are able to reopen.

Sue Stanczyk agreed with Carolyn Evans-Dean in that we don't know what the State is going to require. She stated they are the ones that have no way to make money since the shutdown began and they are the ones that are going to be in desperate need. She stated we don't know what the State is going to request and some of these may not open until January. She stated we need to keep that in mind.

Patrick Hogan stated he thinks this is more staff and policy decisions rather than the Board voting. Robert Petrovich stated these are valid concerns and issues that should be addressed. He stated if we want to amend the resolution or have an additional sentence in the resolution that says of the $500,000 we could set aside potentially $100,000to $200,000 for gyms and businesses of that ilk. He stated the Board can do that now or rely on staff to see the volume of activity and make an adjustment at that point.

Patrick Hogan stated he thinks it is important that we pass this and get the money set up to go. He stated he has full confidence with the staff discerning what should be pulled back and what shouldn't be pulled back in recognition that some businesses don't have any kind of guidance at all when they can open.

Jeff Davis suggested an approving resolution for the $500,000 to be authorized to be spent and in a resolution request that staff develop some recommendations as to any pull backs based upon the application process. He stated the Board can be advised of that at the next meeting.

Patrick Hogan asked about a date when someone can apply. Jeff Davis stated we want to authorize the allocation of the funds so the program can start. He stated some of this is going to be fluid. He stated IDAs have never had the ability to do this before so we will see the reaction and it will naturally cause a reaction on our end as to how we manage the process, develop the appropriate protocols in steps and maybe come back to the Board for a quick meeting with staff recommendations.

Sue Stanczyk asked if these are reimbursable grants. Robert Petrovich stated it is a reimbursable program. He stated they need to provide a PO or an invoice and then we will act. He stated the intent is to have accountability.

Janice Herzog stated she knows Carolyn Evan-Dean was putting together a one page information sheet for advertising and putting this out to the community. She asked if in the advertising to the community we include businesses who are not able to open right now but expect/hope to open in the next 6 months so we can get an idea what we are working with. She stated it might give us a forecast. Jeff Davis stated it is a good suggestion and he thinks a lot of this is going to be in the messaging. He stated they don't need to be open right now to do this but many of them understand what the business is going to need to open. He stated since they are not open they don't necessarily have the funds to do that and this may allow them to actually get everything ready to open. He stated they can go out get a quote to do it, provide the Board with a quote with the purchase order and then they can be offered the grant money to allow their facility to be ready to be open.

Jeff Davis stated the resolution would be the Agency authorizing the allocation of $500,000 for the grant program and authorize staff to work through and development application process and recommendations back to the Board on the specific allocation of funds.

Jeff Davis suggested setting up a 3 person subcommittee of the Board that can meet, look through the application process, address issues and sign off.

Robert Petrovich asked if the Board still has to vote. Jeff Davis stated the Board will vote and authorize this at today's meeting but in terms of a subcommittee it might allow this to move a little bit quicker in terms of signing off on the application process.

Robert Petrovich asked if the committee is focused on process or approval. Jeff Davis stated what he heard from the Board is that they would like to look at the application going out, they would like to look at the process and they would like to consider how much should be held back for businesses that can't be open. He stated that can be a full Board vote or that can be a subcommittee that makes a simple recommendation to the Board.

Kevin Ryan asked if there is going to be a subcommittee wouldn't that still be subject to the open meetings requirement because technically it is a body of this Agency and creating another level of bureaucracy on this. Jeff Davis stated if it is not a quorum than no. He stated he is asking for 3 members of the Board who would like to be involved in the process in terms of working with staff on this to come back to the Board.

Robert Petrovich stated if counsel is telling us we are ok with a subcommittee to look at the application, understand the process such that ultimately the subcommittee through staff will make a recommendation to the entire Board, he does not see anything problematic with that in this juncture. He asked counsel if he sees this as problematic. Jeff Davis stated he does not think that will be an issue at all.

Patrick Hogan stated whoever is interested in being on the subcommittee should email Bob Petrovich. He sated the subcommittee will make recommendations to the staff to what they think is important on the application. He stated the application will be finalized and brought back to the next meeting.

Jeff Davis stated there will not be a meeting held on this. He stated it will be group that can have a work session via email and provide comments on this document.

Patrick Hogan asked if the Board will vote on a list of people for the grant. Jeff Davis stated yes. Robert Petrovich stated he is envisioning the process as the funding is available, the application is made, staff meets and reviews the application with all of the backup material, there is a staff recommendation to the Board that the following companies are seeking this grant and we would then make a brief presentation on each company on who they are, what they are looking for, what they are using the funding for. He stated then the Board would make a vote.

Jeff Davis stated this is a new area and we are following procedures that have been developed by the State to do this. He stated he is not aware of an IDA yet starting this yet as it just came into play.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved a resolution authorizing the Onondaga County Industrial Development Agency to allocate $500,000 provide grants to small businesses and not-for-profits for costs incurred to comply with COVID. Motion was carried.

QUANTUM COOL, LLC/CRYOMECH REQUEST FOR SALES TAX ABATEMENT ADJUSTMENT

Jeff Davis stated when the Agency induced the project the sales tax exemption that was approved was $550,000 and that was to be split between the two entities on the applicants. He stated $346,500 to go to one and $203,500 to go to the other. He stated they requested in a letter to the Board to change the allocation between the two applicants, reallocating the same amount of funds. He stated Cryomech is the sub lessee and Quantum Cool is the real estate holding company. He stated they are both going to be allocated the same $275,000.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved a resolution where the total sales tax abatement is adjusted and reallocated between Quantum Cool, LLC and Cryomech with each entity receiving $275,000 sales tax abatement for a total of $550,000 in sales tax abatement. Motion was carried.

APPLICATION TO NYSDEC TO AMEND THE BROWNFIELD CLEANUP AGREEMENT FOR ROTH STEEL

Jeff Davis stated OCIDA is in title to the Roth Steel site. He stated this is an amendment application to the existing Brownfield Cleanup Agreement that exists between OCIDA and NYSDEC regarding remediation of the site. He stated the application is designed to change the specific boundaries of the agreements in terms of the total area that will be remediated by OCIDA. He stated the submittal of the application requires proof of authorization for Robert Petrovich to execute and submit. He stated the request is to reduce the size of the area thus reducing the cost for OCIDA for the cleanup area by taking a certain area of the site out of the cleanup agreement with DEC that will be cleaned up differently. He stated OCIDA will proceed under the cleanup agreement as modified. He stated a simple resolution is needed authorizing Robert Petrovich to execute the application to be submitted to DEC and will attach that resolution to the application that is being submitted. He stated DEC is aware of the application and they are waiting the signature and authorization.

Upon a motion by Victor Ianno, seconded by Sue Stanczyk, the OCIDA Board approved a resolution authorizing the Executive Director to execute and submit an application to NYSDEC to amend the Brownfield Cleanup Agreement for Roth Steel. Motion was carried.

Upon a motion by Janice Herzog, seconded by Sue Stanczyk, the OCIDA Board adjourned the meeting at 9:23 am. Motion was carried.

____

Nancy Lowery, Secretary

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
333 WASHINGTON STREET, SUITE 130, SYRACUSE, NY 13202
PHONE: 315.435.3770 • FAX: 315.435.3669

August 31, 2020

Revenue / Expense / Income	Current Period	Current YTD	2020 Budget Amount	Current YTD Change to Budget
Operating Revenue	321,375	4,229,921	1,526,000	2,703,921
Administrative Expense	48,141	369,424	900,000	(530,576)
Operating/Program Exp.	345,311	711,062	626,000	85,062
Net Ordinary Income	(72,078)	3,149,434	-	3,149,434

Current Assets	Current YTD	Prior YTD
Total Cash	4,474,350	1,841,130
Less Pass Through Received	-	-
Available Cash	4,474,350	1,841,130
Receivables (less pass through rec.)	1,265,139	847,358
Grant Reimbursements	268,733	268,733
Total	6,008,222	2,957,221

Reserve for Contracts	
County Operations 2020	530,576
Professional Services	(121,365)
333 W. Washington St 2020 Rent	35,191
WPCP Sewer Design Engineering	108,151
OBG WPCP CO #4 Additional Studies	523,969
JMT 800 Hiawatha Engineering	25,000
National Grid WPCP Engineering Gas	-
National Grid WPCP Engineering Electric	-
CNYIBA Consulting Services Agreement	17,500
OC COVID Small Business Relief Fund	500,000
Total	1,619,022

Receivables	
0-120 days	1,043,115
> 120 days	490,757
Total	1,533,872

Onondaga County Industrial Development Agency

PROFIT AND LOSS

August 2020

	TOTAL
Income	
500 Operating Revenue	
2116 Fees	
2116.1 Agency Fees	305,675.00
Total 2116 Fees	**305,675.00**
2655 Other Operating Revenue	
2660 FTZ	8,250.00
Total 2655 Other Operating Revenue	**8,250.00**
Total 500 Operating Revenue	**313,925.00**
501 Non-Operating Revenue	
2401 Interest Income	151.89
501.1 Subsidies Grants Donations	7,214.00
501.2 Other Non-Operating Revenue	83.73
Total 501 Non-Operating Revenue	**7,449.62**
Total Income	**$321,374.62**
GROSS PROFIT	**$321,374.62**
Expenses	
6400 Operating Expense	
6402 Rent	14,904.56
6407 Administrative Expense	48,141.41
6408 Board Mtg Exp	299.23
6410 Office Expense	1,753.06
6413 Legal	103,337.50
Total 6400 Operating Expense	**168,435.76**
6500 Agency Program Expenses	
6510 White Pine Commerce Park	
6510.2 Site Analysis	225,016.87
Total 6510 White Pine Commerce Park	**225,016.87**
Total 6500 Agency Program Expenses	**225,016.87**
Total Expenses	**$393,452.63**
NET OPERATING INCOME	**$ -72,078.01**
NET INCOME	**$ -72,078.01**

Onondaga County Industrial Development Agency

BALANCE SHEET

As of August 31, 2020

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
200 Cash	0.00
200.1 Cash - M & T Checking	3,593,152.43
200.2 Cash - M & T Money Maker Savings	890,105.17
200.4 Destiny USA Restricted Cash	-8,957.82
210 Petty Cash	50.00
Total 200 Cash	**4,474,349.78**
Total Bank Accounts	**$4,474,349.78**
Accounts Receivable	
380 Accounts Rec.	
380.2 PILOTs Rec	
380.222 Bank of NY	-2.00
Total 380.2 PILOTs Rec	**-2.00**
380.6 A/R Agency Fees	1,129,052.58
Total 380 Accounts Rec.	**1,129,050.58**
Total Accounts Receivable	**$1,129,050.58**
Other Current Assets	
391 Long Tern Receivable	222,024.00
392 Loans Receivable	
392.065 Simple Admit Current	-0.32
392.066 Aquari current	-0.24
Total 392 Loans Receivable	**-0.56**
393 Grant Reimbursements	
393.1 ESD WPCP	134,366.66
393.2 Nat Grid WPCP	134,366.66
Total 393 Grant Reimbursements	**268,733.32**
Total Other Current Assets	**$490,756.76**
Total Current Assets	**$6,094,157.12**

Onondaga County Industrial Development Agency

BALANCE SHEET

As of August 31, 2020

	TOTAL
Fixed Assets	
100 Land	
101 White Pines Commerce Park	1,520,401.50
101.1 WPCP GEIS	
101.101 CHA GEIS 1	267,452.05
101.102 CHA GEIS 2	219,439.36
101.104 GEIS Reg Plan Board Overview	19,797.74
Total 101.1 WPCP GEIS	**506,689.15**
101.2 WPCP Legal	69,774.25
101.3 Engineering Services	52,675.00
101.301 Temporary Access	4,055.44
101.4 Environmental/Demo Services	10,318.98
Total 101.3 Engineering Services	**67,049.42**
101.5 Land Acquisition Costs	
101.501 Land Purchases	1,160,063.57
101.502 Closing Costs	3,168.14
Total 101.5 Land Acquisition Costs	**1,163,231.71**
Total 101 White Pines Commerce Park	**3,327,146.03**
106 North Salina Properties	0.00
106.1 435 North Salina	17,083.55
106.3 435 North Salina Building	634,421.53
Total 106 North Salina Properties	**651,505.08**
107 800 Hiawatha	604,840.42
Total 100 Land	**4,583,491.53**
104 Machinery & Equipment	
104.1 Office Furniture	1,429.00
104.2 Equipment	1,432.40
Total 104 Machinery & Equipment	**2,861.40**
211 A/D Office Furniture	-2,861.00
213 A/D Buildings	-65,068.00
Total Fixed Assets	**$4,518,423.93**
Other Assets	
240 Blue Sky Redevelopment	1,641.76
Total Other Assets	**$1,641.76**
TOTAL ASSETS	**$10,614,222.81**

Onondaga County Industrial Development Agency

BALANCE SHEET

As of August 31, 2020

	TOTAL
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
600 Accounts Payable	0.00
600.1 Due to Related Party - OED	91,791.63
600.206 Mileage Reimbursement	81.41
600.207 EPP App Deposit	250.00
600.208 BlueRock Energy Agreement Deposit	25,000.00
Total 600 Accounts Payable	**117,123.04**
601 PILOT and Pass Thru Payable	
602 Pass Thru Payable	10,371.00
603 PILOT Pass Thru	42,779.08
Total 601 PILOT and Pass Thru Payable	**53,150.08**
631 Due to Other Governments	
631.1 Towns	
631.17 Van Buren	0.20
Total 631.1 Towns	**0.20**
631.3 Schools	
631.335 Liverpool	-0.01
631.337 Lyncourt	0.01
631.34 Marcellus	-0.01
631.345 North Syracuse	-0.01
631.356 Syracuse	-0.01
Total 631.3 Schools	**-0.03**
631.4 Onondaga County	31,284.46
631.5 City of Syracuse	-0.01
Total 631 Due to Other Governments	**31,284.62**
Total Other Current Liabilities	**$201,557.74**
Total Current Liabilities	**$201,557.74**
Total Liabilities	**$201,557.74**
Equity	
3900 Equity Unreserved	4,544,563.05
3901 Equity-Investment Fixed Assets	2,345,838.63
463 Reserve For Contracts	1,619,022.15
465 Equity - Unreserved	-1,246,193.15
Net Income	3,149,434.39
Total Equity	**$10,412,665.07**
TOTAL LIABILITIES AND EQUITY	**$10,614,222.81**

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
PAYMENT OF BILL - SCHEDULE #447
September 15, 2020

GENERAL EXPENSES

1.	MOHAWK VALLEY EDGE Inv#004784, 2020 SEMICON WEST	$	681.25
2.	FEDEX Inv#7-095-83035, Shipping to Barclay Damon	$	20.37
3.	ADVANCE MEDIA NEW YORK Public Hearing Notices; Abundant Solar & Ultra Dairy	$	370.16
4.	HAWLEY STUDIO Inv#16716	$	450.00
	TOTAL	**$**	**1,521.78**

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
PAYMENT OF BILL - SCHEDULE #447
September 15, 2020

PILOT Payments

1.	HINSDALE ROAD GROUP, LLC PIF Payment		$	525,000.00
2.	TOWN OF CAMILLUS September 2020 Hinsdale Road PILOT Payment		$	146,525.53
3.	WEST GENESEE CSD September 2020 Hinsdale Road PILOT Payment		$	508,983.42
4.	ONONDAGA COUNTY September 2020 Hinsdale Road PILOT Payment		$	115,678.05
		TOTAL	**$**	**1,296,187.00**

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
RESERVE FOR CONTRACTS
8/31/2020

DESCRIPTION	CONTRACT TERM	TOTAL CONTRACT	PORTION PAID	BALANCE OUTSTANDING
ONONDAGA COUNTY OED 2020	1-1-20-12-31-20	$900,000.00	$369,424.15	$530,575.85
PROFESSIONAL SERVICES	1-1-20-12-31-20	$55,000.00	$176,364.82	-$121,364.82
333 W. WASHINGTON ST 2020 RENT	1-1-20-12-31-20	$65,000.00	$29,809.12	$35,190.88
WPCP SEWER DESIGN ENGINEERING	1/31/16-1/31/17	$268,628.00	$160,476.55	$108,151.45
OBG WPCP CO #4 ADDITIONAL STUDIES	11/30/18-11/30/19	$800,000.00	$276,031.21	$523,968.79
JMT 800 HIAWATHA ENGINEERING	2/13/19-12-31-20	$25,000.00	$0.00	$25,000.00
NATIONAL GRID WPCP ENGINEERING GAS	11/29/18-11/29/19	$403,100.00	$403,100.00	$0.00
NATIONAL GRID WPCP ENGINEERING ELECTRIC	11/29/18-11/29/19	$375,000.00	$375,000.00	$0.00
CNYIBA CONSULTING SERVICES AGREEMENT	4-14-20-4-14-21	$35,000.00	$17,500.00	$17,500.00
OC COVID SMALL BUSINESS RELIEF FUND	8-31-20 - 8-31-21	$500,000.00	$0.00	$500,000.00
		$3,426,728.00	$1,807,705.85	$1,619,022.15

ACCOUNTS RECEIVABLE
8/31/2020

AGENCY FEES RECEIVABLE		$1,034,865.00
ACCOUNTS RECEIVABLE GENERAL		$8,250.00
QUASI-EQUITY LOAN RECEIVABLE		$0.00
GRANTS RECEIVABLE		$268,733.00
LONG TERM RECEIVABLE		$222,024.00
TOTAL		$1,533,872.00

Onondaga County Industrial Development Agency

Project Summary

7/9/2020

1. Project	**GSPP Sentinel Heights Road, LLC**	**2. Project Number**	**3101-20-10B**
3. Location	LaFayette	**4. School District**	LaFayette Central School
		6. Project Type	New construction-Solar Project
5. Tax Parcel(s)	025.-03-02.2		0

7.Total Project Cost	**$**	**6,103,750**
Land	$	-
Site Work	$	281,250
Building	$	-
Furniture & Fixtures	$	-
Equipment	$	5,250,000
Equipment Subject to NYS Production Exemption	$	-
Engineering/Architecture Fees	$	10,000
Financial Charges	$	-
Legal Fees	$	-
Other- Solar Installation Labor	$	-

8. Total Jobs	0
8A. Job Retention	0
8B: Job Creation	0
(Next 5 Years)	

Cost Benefit Analysis

GSPP Sentinel Heights Road, LLC

	Fiscal Impact ($)	
Abatement Cost	**$**	**890,249**
Sales Tax	$	420,000
Mortgage Tax	$	-
Property Tax Relief (PILOT)	$	470,249
New Investment	**$**	**6,622,955**
PILOT Payments	$	550,971
Project Wages (10 years)	$	-
Construction Wages	$	453,438
Employee Benefits (10 years)	$	-
Project Capital Investment	$	5,541,250
New Sales Tax Generated	$	-
Agency Fees	$	77,297
Agency Legal Fees	$	15,259

Benefit:Cost Ratio **7 :1**

Project Description

Construction is an approximately 3,750 KWAC solar facility. Consisting of racking & foundations; inverters & transformers; necessary electrical interconnections & all improvements & connections required to transfer & deliver generation offsite, including 3 phase extensions & power box(es); security fencing & gating; safety signage and solar photo voltaic ("PV") panels. The solar facility will be on approximately 18 acres of private land, which will be a leased portion by GSPP Sentinel Heights, LLC, of on an approximate 94 acre area.

GSPP Sentinel Heights Road, LLC 6/9/2020

A) PILOTS Estimate Table Worksheet

Current Revenue Generated by Parcel	$	3,355
Projected Year 1 Revenue to be generated as a result of the project:	$	20,625
Total Project Cost	$	6,103,750
OCIDA Estimate of Project Value	$	1,312,500
Estimated Property Tax Revenue if there was no project	$	109,654
Scheduled PILOT Payments	$	660,625
Projected MW to be generated		3.75

Year	Onondaga County	LaFayette	LaFayette Central School	Total PILOT	Full Tax Payment without PILOT	Net Exemption
	17.4%	**19.4%**	**63.2%**	**100.0%**		
2019-2020	**$ 585**	**$ 650**	**$ 2,120**	**$ 3,355**		
1	$ 3,599	$ 3,999	$ 13,028	$ 20,625	$ 28,562	$ 7,937
2	$ 3,671	$ 4,078	$ 13,288	$ 21,038	$ 29,133	$ 8,095
3	$ 3,744	$ 4,160	$ 13,554	$ 21,458	$ 29,716	$ 8,257
4	$ 3,819	$ 4,243	$ 13,825	$ 21,887	$ 30,310	$ 8,422
5	$ 3,895	$ 4,328	$ 14,102	$ 22,325	$ 30,916	$ 8,591
6	$ 3,973	$ 4,415	$ 14,384	$ 22,772	$ 31,534	$ 8,763
7	$ 4,053	$ 4,503	$ 14,671	$ 23,227	$ 32,165	$ 8,938
8	$ 4,134	$ 4,593	$ 14,965	$ 23,692	$ 32,808	$ 9,117
9	$ 4,216	$ 4,685	$ 15,264	$ 24,165	$ 33,465	$ 9,299
10	$ 4,301	$ 4,779	$ 15,569	$ 24,649	$ 34,134	$ 9,485
11	$ 4,387	$ 4,874	$ 15,881	$ 25,142	$ 34,816	$ 9,675
12	$ 4,475	$ 4,972	$ 16,198	$ 25,645	$ 35,513	$ 9,868
13	$ 4,564	$ 5,071	$ 16,522	$ 26,157	$ 36,223	$ 10,066
14	$ 4,655	$ 5,173	$ 16,853	$ 26,681	$ 36,948	$ 10,267
15	$ 4,748	$ 5,276	$ 17,190	$ 27,214	$ 37,686	$ 10,472
16	$ 4,843	$ 5,381	$ 17,534	$ 27,759	$ 58,170	$ 30,412
17	$ 4,940	$ 5,489	$ 17,884	$ 28,314	$ 59,333	$ 31,020
18	$ 5,039	$ 5,599	$ 18,242	$ 28,880	$ 60,520	$ 31,640
19	$ 5,140	$ 5,711	$ 18,607	$ 29,458	$ 61,731	$ 32,273
20	$ 5,243	$ 5,825	$ 18,979	$ 30,047	$ 62,965	$ 32,918
21	$ 5,348	$ 5,942	$ 19,359	$ 30,648	$ 64,224	$ 33,577
22	$ 5,454	$ 6,060	$ 19,746	$ 31,261	$ 65,509	$ 34,248
23	$ 5,564	$ 6,182	$ 20,141	$ 31,886	$ 66,819	$ 34,933
24	$ 5,675	$ 6,305	$ 20,543	$ 32,524	$ 68,155	$ 35,632
25	$ 5,788	$ 6,431	$ 20,954	$ 33,174	$ 69,519	$ 36,345
	$ 115,269	**$ 128,074**	**$ 417,283**	**$ 660,625**	**$ 1,130,874**	**$ 470,249**

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
APPLICATION FOR BENEFITS

1. Fill in all blanks using "none", "not applicable" or "not available". If you have any questions about the way to respond, please call the Onondaga County Industrial Development Agency at 315-435-3770.

2. If providing an estimate put "(est.)" after the figure or answer. If more space is needed to answer any specific question, attach a separate sheet.

3. If the OCIDA Board approves benefits, it is the company's responsibility to obtain and submit all necessary forms and documents. (ST-60, PILOT Agreement)

4. When completed, return this Application by mail or fax to the Agency at the address indicated below. A signed application may also be submitted electronically in PDF format to Nate Stevens at nstevens@ongov.net. **An Application will not be considered by the Agency until the Application fee has been received.**

5. The Agency will not give final approval for this Application until the Agency receives a completed NYS Full Environmental Assessment Form concerning the Project, which is the subject of this Application. The form is available at http://www.dec.ny.gov/permits/6191.html.

6. Please note the Public Officers Law declares all records in the possession of the OCIDA (with certain limited exceptions) are open to public inspection and copying. If the Applicant is of the opinion that there are elements of the Project which are in the nature of trade secrets which, if disclosed to the public or otherwise widely disseminated, would cause substantial injury to the Applicant's competitive position, this Applicant must identify such elements in writing and request that such elements be kept confidential. In accordance with Article 6 of the Public Officer's Law, the OCIDA may also redact personal, private, and/or proprietary information from publicly disseminated documents.

7. The Applicant will be required to pay the Agency Application fee and, if accepted as a project of the agency, all administrative and legal fees as stated in Section VI of the Application.

8. A complete application consists of the following 9 items:
   - This Application
   - Local Access Agreement
   - Employment Plan
   - Conflict of Interest
   - A feasibility statement indicating the need for the requested benefits
   - Description of project, Site Plans/Sketches, and Maps
   - NYS Full Environmental Assessment Form
   - A check payable to the Agency in the amount of $1,000
   - A check payable to Barclay Damon LLP in the amount of $2,500

9. This Application was adopted by the OCIDA Board on November 19, 2019.

It is the policy of the Agency that any project receiving benefits from the Onondaga County Industrial Development Agency will utilize 100% local contractors and local labor for the construction period of the project unless a waiver is granted in writing by the Agency.

Return to:
Onondaga County Industrial Development Agency
Attn: Nate Stevens
333 W. Washington Street, Suite 130
Syracuse, NY 13202
Phone: 315-435-3770 | Fax: 315-435-3669
nstevens@ongov.net

Section I: Applicant Information

Please answer all questions. Use "None", "Not Applicable" and "See Attached" where necessary.

A) Applicant information-company receiving benefits:

Applicant Name: GSPP Sentinel Heights Road, LLC

Applicant Address: 1 Landmark Square, Suite 320, Stamford, CT 06901

Phone: ____________ Fax: ____________

Website: N/A E-mail: Glenn.frank@omni-navitas.com

Federal ID#: 85-0545439 NAICS: 221114

State and Year of Incorporation/Organization: New York - 2020

Will a Real Estate Holding Company be utilized to own the Project property/ facility? ☐ Yes ☑ No

What is the name of the Real Estate Holding Company: ____________

Federal ID#: ____________

State and Year of Incorporation/Organization: ____________

List of stockholders, members, or partners of Real Estate Holding Company:

____

B) Individual Completing Application:

Name: Joseph Mendelsohn

Title: Project Manager

Address: 75 Central Street 3rd Floor

Phone: 401-862-5932 Fax: ____________

E-mail: joseph.mendelsohn@Omni-navitas.com

C) Company Contact (if different from individual completing application):

Name: Glenn Frank

Title: General Counsel

Address: 75 Central Street 3rd Floor

Phone: 774-269-2564 Cell Phone:

E-mail: glenn.frank@omni-navitas.com

D) Company Counsel:

Name of Attorney: Glenn Frank

Firm Name: Omni Navitas Holdings, LLC

Address: 75 Central Street 3rd Floor

Phone: 774-269-2564 Cell Phone:

E-mail: glenn.frank@omni-navitas.com

E) Business Organization (check appropriate category):

- ☐ Corporation
- ☐ Partnership
- ☐ Public Corporation
- ☐ Joint Venture
- ☐ Sole Proprietorship
- ☑ Limited Liability Company

Others (please specify):

Year Established: 2020

State in which Organization is established: New York

F) List all stockholders, members, or partners with % of ownership greater than 5% :

Name	% of ownership
GSPP Omni Holdco, LLC	100%

G) Applicant Business Description:

Please attach a description of your company's background, products, customers, goods and services.

Estimated % of sales within Onondaga County: See Attached

Estimated % of sales outside Onondaga County but within New York State: See Attached

Estimated % of sales outside New York State but within the U.S.: ____________

Estimated % of sales outside the U.S.: ____________

(*Percentage to equal 100%)

H) What percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Onondaga County. Include list of vendors, raw material suppliers and percentages for each. Provide supporting documentation including estimated percentages of local purchases. Please attach this information.

I) **Applicant History**: If the answer to any of the following is "Yes", please explain below. If necessary, attach additional information.

1. Is the company or management of the Company now a plaintiff or defendant in any civil or criminal litigation? ☐Yes ☑No
2. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? ☐Yes ☑No
3. Has any person listed in Section I ever been in receivership or declared bankruptcy? ☐Yes ☑No

Please attach any explanations:

J) Has the Project Beneficiary received assistance from OCIDA, SIDA, New York State or the Onondaga Civic Development Corporation in the past? If yes please attach an explanation and please give year, project name, description of benefits and address of project.

☐Yes ☑No

Section II: Project Information

A) Project Location: Location where the investment will take place. If company is moving, the new location should be entered here and the current location should be in Section I.

Address: 3356 Sentinel Heights Road

Legal Address (if different): ____

City: ____ Village/Town: LaFayette

Zip Code: 13084 School District: LaFayette Central School

Tax Map Parcel ID(s): 025.-03-02.2

Current Assessed Value: $112,903 Sq. Footage of Existing Building: N/A

Census Tract: 40266

B) Type (Check all that apply):

- ☑ New construction
- ☐ Expansion/Addition to current facilities
- ☐ Renovation of existing facility
- ☐ Acquisition of existing facility/property
- ☐ Demolition and Construction
- ☐ Purchase of machinery and/or equipment
- ☐ Brownfield/Remediated Brownfield
- ☐ LEED Certification
- ☐ Other:

C) Please attach a summary of how this project will help your business grow. Will it set the company up for revenue growth? Will it mitigate cost? Will it provide more flexibility?

D) Description of Project: Please provide a detailed narrative of the proposed Project. This narrative should include, but is not limited to:

- ☐ (i) the size of the Project in square feet and a breakdown of square footage per each intended use;
- ☐ (ii) the size of the lot upon which the Project sits or is to be constructed;
- ☐ (iii) the current use of the site and the intended use of the site upon completion of the Project;
- ☐ (iv) the principal products to be produced and/or the principal activities that will occur on the Project site; and
- ☐ (v) an indication as to why the Applicant is undertaking the Project and the need for the requested benefits. **Please separately attach the description and any copies of site plans, sketches or maps.**

E) Select Project Type for all end users at Project site (you may check more than one):
**Please check any and all end users as identified below

- ☐ Industrial
- ☐ Acquisition of Existing Facility
- ☐ Housing
- ☐ Equipment Purchase
- ☐ Multi-Tenant
- ☐ Commercial
- ☐ Bank Office
- ☐ Retail
- ☐ Mixed Use
- ☐ Facility for Aging
- ☐ Civic Facility (not for profit)
- ☑ Other Distributed Solar PV Facility

F) For the Agency to consider this Project, please provide the following information:

1. Does the project consist of new construction or expansion or substantial renovation of an existing facility?
   ☑ Yes ☐ No
2. Will the project create new employment opportunities or retain existing jobs that may otherwise be lost?
   ☑ Yes ☐ No
3. Does the project beneficiary serve a customer base primarily outside of Onondaga County?
   ☐ Yes ☑ No

G) Will the completion of the Project result in the removal of an industrial or manufacturing plant of the company 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 company located within the state? Please explain if you answer "Yes" by attaching a response.

☐ Yes ☑ No

H) Please attach a description of any compelling circumstances the Agency should be aware of while reviewing this application.

I) Environmental Information

1. Please attach the appropriate Environmental Impact Forms to your application. Here is a link to the SEQR forms:
   a. http://www.dec.ny.gov/permits/6191.html
2. Have any environmental issues been identified on the property?
   ☐ Yes ☑ No
   If yes, please attach an explanation.

Section III: Construction

A) Project Costs and Finances

Description of Costs	Total Budget Amount	% of Total Budget to be Procured in Onondaga County	Total Private Expenditure (should be less than or equal to total budget amount)
Land Acquisition			
Site Work/Demo			
Building Construction & Renovation			
Furniture & Fixtures			
Equipment			
Equipment Subject to NYS Production Sales Tax		See Attached	
Engineering/Architect			
Financial Charges			
Legal			
Other			
Management/Developer Fees			
Total Project Cost			

Note: Do not include OCIDA fees, OCIDA application fees or OCIDA legal fees as part of the Total Project Cost. You may attach a separate chart if needed.

B) TOTAL Capital Costs $ See Attached

Project refinancing: estimated amount
(for refinancing of existing debt only) $ ______________

Sources of Funds for Project Costs:

1. Bank Financing $ ______________
2. Equity (excluding equity that is attributed to grants/tax credits) $ ______________
3. Tax Exempt Bond Issuance (if applicable) $ ______________
4. Taxable Bond Issuance (if applicable) $ ______________

5. Public Sources (Include sum total of all state and federal grants and tax credits) $ ____________

-Identify each state and federal grant/credit:

____________________ $ ____________

____________________ $ ____________

____________________ $ ____________

6. Total Sources of Funds for Project Costs $ ____________

C) Employment and Payroll Information

*Full Time Equivalent (FTE) is defined as one employee working no less than 40 hours per week or two or more employees together working a total of 40 hours per week.

1. Are there people currently employed at the project site?
☐Yes ☑No If yes, provide number of FTE jobs at the facility: ________

2. Complete the following:

Estimate the number of FTE jobs to be retained as a result of this Project:	N/A
Estimate the number of construction jobs to be created by this Project:	25
Estimate the average length of construction jobs to be created (months):	5 Months
Current annual payroll at facility:	N/A
Average annual growth rate of wages:	N/A
Please list, if any, benefits that will be available to either full and/or part time employees:	N/A
Average annual benefit paid by the company ($ or % salary) per FTE job:	N/A
Average growth rate of benefit cost:	N/A
Amount or percent of wage employees pay for benefits:	N/A
Provide an estimate of the number of residents in the Economic Development Region (Onondaga, Madison, Cayuga, Oneida, Oswego, and Cortland Counties) to fill new FTE jobs:	N/A

D) New Employment Benefits

i. Complete the following chart indicating the number of FTE jobs presently employed at the Project and the number of FTE jobs that will be created at the Project site at the end of the first, second, third, fourth and fifth years after the Project is completed. Jobs should be listed by title of category (see below), including FTE independent contractors or employees of independent contractors that work at the Project location. Do not include construction workers.

ii. Feel free to include additional information or a substitute chart if you think additional material would add clarity.

Current & Planned Full Time Occupations (Job Titles)	Salary (Annual or Hourly)	Current Number of FTEs	Estimated Number of FTE Jobs **added each year** after project				
			Year 1	Year 2	Year 3	Year 4	Year 5
Job Creation Subtotal							

For purposes of completing the chart, please list the job titles that will be increasing in number. If possible, please attach a brief description that outlines what each job entails.

If you prefer, you may attach a job chart of your own that outlines the job growth projections regarding the project.

E) Financial Assistance sought (estimated values):

- [x] Real Property Tax Abatement (PILOT): TBD
- [ ] Mortgage Recording Tax Exemption (.75% of amount mortgaged):
- [x] Sales and Use Tax Exemption (4% Local, 4% State): TBD
- [ ] Tax Exempt Bond Financing (Amount Requested):
- [ ] Taxable Bond Financing (Amount Requested):

F) Mortgage Recording Tax Exemption Benefit Calculator: Amount of mortgage that would be subject to mortgage recording tax:

Mortgage Amount (include sum total of construction/permanent/ bridge financing): $ -

Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above, multiplied by .0075): $ -

G) Sales and Use Tax Benefit Calculator: Gross amount of costs for goods and services that are subject to State and local Sales and US tax – said amount to benefit from the Agency's Sales and Use Tax exemption benefit:

$5,250,000.00

Estimated State and local Sales and Use Tax Benefit (product of 8% multiplied by the figure, above) (This should match the amount in section "E" on this page, this calculation only exists to help you with your estimate):

$ ____________

Section IV: Estimate of Real Property Tax Abatement Benefits

Section IV of this Application will be: (i) completed by IDA Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application prior to the completed application being provided to the OCIDA Board.

A) PILOTS Estimate Table Worksheet

OCIDA estimate of current value	
New construction and renovation costs	
OCIDA estimate of increase in value	
OCIDA estimated value of completed project	
OCIDA estimate of taxes that would have been collected if the project did not occur	
Scheduled PILOT payments	

PILOT Year	Exemption %	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	100						
2	90						
3	80						
4	70						
5	60						
6	50						
7	40						
8	30						
9	20						
10	10						
TOTAL							

Estimates provided are based on current property tax rates and assessment value (current as of date of application submission) and have been calculated by IDA staff

Section V: Local Access Policy Agreement

In absence of a waiver permitting otherwise, every project seeking the assistance of the Onondaga County Industrial Development Agency (Agency) must use local general contractors, sub-contractors, and labor for one-hundred percent (100%) of the construction of new, expanded, or renovated facilities. The project's construction or project manager need not be a local company.

Noncompliance may result in the revocation and/or recapture of all benefits extended to the project by the Agency. Local Labor is defined as laborers permanently residing in the State of New York counties of Cayuga, Cortland, Herkimer, Jefferson, Madison, Oneida, Onondaga, Oswego, Tompkins, and Wayne. Local (General/Sub) Contractor is defined as a contractor operating a permanent office in the State of New York counties of Cayuga, Cortland, Herkimer, Jefferson, Madison, Oneida, Onondaga, Oswego, Tompkins and Wayne. The Agency may determine on a case-by-case basis to waive the Local Access Policy for a project or for a portion of a project where consideration of warranty issues, necessity of specialized skills, significant cost differentials between local and non-local services or other compelling circumstances exist. The procedure to address a local labor waiver can be found in the OCIDA handbook, which is available upon request.

Prior to issuance of any NYS Tax & Finance ST-60 forms, the Applicant must submit a **Contractor Status Report to the Agency.**

In consideration of the extension of financial assistance by the Agency GSPP Sentinel Heights, LLC (the Company) understands the Local Access Policy and agrees to complete Appendix C of the Agency's application at the time of the application to the Agency and as part of a request to extend the valid date of the Agency's tax-exempt certificate for the Project. The Company understands that an Agency tax-exempt certificate is typically valid for 12 months from the effective date of the project inducement and extended thereafter upon request by the Company. The Company further understands that any request for a waiver to this policy must be submitted in writing and approved by the Agency.

I agree to the conditions of this agreement and certify all information provided regarding the construction and employment activities for the project as of______________(date).

Company: GSPP Sentinel Heights, LLC
Representative for Contract: Glenn Frank
Address: 1 Landmark Square, Suite 320 City: Stamford State: CT Zip: 06901
Phone: 774-269-2564 Email: Glenn.frank@omni-navitas.com
Project Address: 3356 Sentinel Heights City: LaFayette State: NY Zip: 13084

General Contractor: None at this time
Contact Person: ______________________
Address: ______________ City: __________ State: ______ Zip: ________
Phone: ______________ Email: ______________
Authorized Representative: ______________ Title: ______________
Signature: ______________________

Section VI: Agency Fee Schedule

Payment Terms:

Application & Processing Fee (payable at the time of application):	$1,000
Legal Deposit (payable at the time of application):	$2,500
Agency Fee for Bond Projects:	Payable at Closing
Agency and Legal Fees for all other projects:	Due and Payable at Inducement

*** A sales tax certificate (ST-60) will not be issued until the Agency Fee is Paid in Full**

Agency Fees: The project cost is the Total Project Cost from section III A

Benefit Sought	Fee Charged
Mortgage Recording Tax and/or Sales Tax exemptions:	0.01 X the project cost
Additional Fee for PILOT Agreement Projects:	0.0025 X the project cost
Fee for bond financing, refinancing & refunding:	0.0025 X the project cost
Note: For Manufacturing Projects under $10 million the fee is reduced by:	0.0025 X the project cost

Agency Legal Fees: The project cost is the Total Project Cost from section III A

Fee for first $20 million:	0.0025 of the project cost
Fee for expenses above $20 million:	0.00125 of the project cost

In addition to the foregoing, Applicants are responsible for payment of all costs and expenses incurred by OCIDA in connection with application or Project including without limitation publication, copying costs, SEQRA compliance and fees and costs to OCIDA's attorneys, engineers, and consultants. OCIDA reserves the right to require a deposit to cover anticipated costs. Application fees are payable at time application/request is submitted. All fees are non-refundable. Applicants for bond transactions are responsible for payment of a Bond Issuance Charge payable to the State of New York. Applicants are also responsible for payment of post-closing fees and costs associated with the appointment of additional agents.

OCIDA reserves the right to modify this schedule at any time and assess fees and charges in connection with other transactions such as grants of easement or lease or sale of OCIDA-owned property.

Section VII: Recapture of Tax Abatement/Exemptions

Information to be Provided by Companies: Each Company agrees that to receive benefits from the Agency it must, whenever requested by the Agency or required under applicable statutes or project documents, provide and certify or cause to be provided and certified such information concerning the Company, its finances, its employees and other topics which shall, from time to time, be necessary or appropriate, including but not limited to, such information as to enable the Agency to make any reports required by law or governmental regulation.

Recapture of Benefits: It is the policy of the Agency to recapture the value of a PILOT, any sales and use tax exemption, and mortgage recording tax exemption in accordance with the Laws of the State and the provisions contained herein. Before receiving benefits, the Company must attest in writing to its understanding of, and agreement to, the recapture provisions contained in State Law and herein. To the extent permitted by State law, the recapture provisions contained herein may be modified from time to time by the Agency at its sole discretion.

Recapture of a PILOT, Sales Tax and the Mortgage Recording Tax Exemptions: If the number of full time equivalent jobs to be maintained or created in connection with a project falls below 75% of the number projected in the Company's application to the Agency, or if there are material violations of the project agreements, then the value of the property tax, sales and use tax and mortgage recording tax benefits extended to the project by the Agency may be subject to recapture. When deciding whether or not to recapture benefits and the amount of such recapture, the Agency may consider the potential future benefit of the business to the community.

Recapture Payment: The recapture payment paid by the Company to the Agency shall be determined (1) by the difference between any PILOT payments made by the Company and the property taxes that would have been paid by the Company if the property were not under the supervision, jurisdiction or control of the Agency, (2) the value of any mortgage recording tax exemption, if awarded to the Company and (3) the amount of sales and use tax that would have been paid if an exemption was not granted.

Recapture of the PILOT, Sales Tax or Mortgage Recording Tax: The Recapture Schedule for a Payment in Lieu of Tax Agreement, Sales Tax or the Mortgage Recording Tax is as follows:

Time from Project Completion	Tax Savings Recaptured
1 Year	80%
2 Years	60%
3 Years	40%
4 Years	20%
5 Years	10%

Distribution of the Recapture Payment: Any funds recaptured as a result of the recapture payment shall be distributed to the affected taxing jurisdictions in the same proportion as if the payments were paid or owed by the Company on the date of recapture.

Additional Conditions for the Recapture of Sales and Use Tax: As of April 1, 2013, New York State law requires Industrial Development Agencies to recapture sales tax benefits where:

- A project is not entitled to receive the benefits:
- Exemptions received exceed the amount authorized by the Agency;
- Exemptions are claimed by the Project for unauthorized property or services; or
- A project fails to use property in the manner required by its IDA agreements.

1. Distribution of Sales and Use Tax. Project operators must cooperate with the Agency in its effort to recapture all sales and use tax benefits received by the Company by promptly paying the recapture amount as determined by the Agency. The amount to be recaptured will be dictated by State Law or this UTEP Policy, which ever may be applicable. The Agency shall remit the recaptured sales and use tax benefits to the State within 30 days of receipt.

2. Compliance Report. Annually, the Agency will file an annual compliance report with the State of New York detailing its recapture terms and its activities to recapture benefits, including any attempt to recapture benefits from an Agency project.

A "Full Time Permanent Employee" shall mean

1. A full time, permanent, private sector employee on the Company's payroll, who has worked at the project location for a minimum of thirty hours per week for not less than four consecutive weeks and who is entitled to receive the usual and customary fringe benefits extended by Company to other employees with comparable rank, duties and hours; or

2. Up to three part time, permanent, private-sector employees on Company's payroll, who have worked at the project location for a combined minimum of thirty hours per week for not less than four consecutive weeks and who are entitled to receive the usual and customary fringe benefits extended by Company to other employees with comparable rank, duties and hours.

I have read the foregoing and agree to comply with all the terms and conditions contained therein as well as policies of the Onondaga County Industrial Agency.

Name of Applicant Company: GSPP Sentinel Heights, LLC

Signature of Officer or Authorized Representative:

Name & Title of Officer or Authorized Representative: Glenn Frank, General Counsel

Date: 5/8/20

Section VIII: Employment Plan

Jobs Listings: In accordance with §858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Business Services and with the administrative entity of the service delivery area created by the Workforce Innovation and Opportunity Act of 2014 in which the Project is located. In Onondaga County, please contact CNY Works. Additionally, the applicant is encouraged to review the services provided by JOBSPlus! for candidate matching services.

Are the employees of your company currently covered by a collective bargaining agreement?

☐ Yes ☐ No

If yes, name and location: ____________________

Is the labor pool in Onondaga County and/or the CNY Economic Development Region adequate to fill new positions?

☐ Yes ☐ No

Enter Company Name in three (3) places below and sign by an authorized company officer:

In consideration of the benefits provided by the Onondaga County Industrial Development Agency (OCIDA), GSPP Sentinel Heights, LLC, project beneficiary, also agrees to report to OCIDA on the number of new employment opportunities created in connection with industrial or commercial projects financed by the proceeds of such benefits to be listed with the New York State Department of Labor Business Services and CNY Works.

GSPP Sentinel Heights, LLC, project beneficiary, also agrees to report to OCIDA on or before March 1 of each year the status of employment opportunities filed with the New York State Department of Labor Business Services, including the number of new employment opportunities created, the number listed, and the number filled for the year ending the prior December 31.

GSPP Sentinel Heights, LLC, project beneficiary, further agrees that, to the extent practicable and feasible, and subject to the requirements of any existing collective bargaining agreement, the project beneficiary shall fill at least 10% of new employment opportunities with persons eligible for service under the Workforce Innovation and Opportunity Act of 2014.

Name of Applicant Company: GSPP Sentinel Heights, LLC

Signature of Officer or Authorized Representative: ____________________

Name & Title of Officer or Authorized Representative: Glenn Frank, General Counsel

Date: 5/8/20

NYS Department of Labor:
Roy Jewell
Associate Business Service Representative
450 South Salina Street, Syracuse, NY 13202 315-479-3362
roy.jewell@labor.ny.gov
www.labor.ny.gov

CNY Works
Chris Kennedy
Business Development Specialist
960 James Street, Syracuse, NY 13203
315-477-6974
ckennedy@cnyworks.com
www.cnyworks.com

Section IX: Conflict of Interest

Agency Board Members

1. Patrick Hogan
2. Steve Morgan
3. Victor Ianno
4. Sue Stanczyk
5. Kevin Ryan
6. Janice Herzog
7. Fanny Villarreal

Agency Officers/Staff

1. Robert M. Petrovich
2. Nathaniel Stevens
3. Nancy Lowery
4. Karen Doster
5. Chris Cox

Agency Legal Counsel & Auditor

1. Jeffrey Davis, Esq., Barclay Damon LLP
2. Amanda Mirabito, Esq., Barclay Damon LLP
3. Michael G, Lisson, CPA, Grossman St. Amour Certified Public Accountants PLLC

The Applicant has received from the Agency a list of members, officers and staff of the Agency. To the best of my knowledge, no member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

Name of Applicant Company: GSPP Sentinel Heights, LLC

Signature of Officer or Authorized Representative:

Name & Title of Officer or Authorized Representative: Glenn Frank, General Counsel

Date: 5/8/20

Section X: Representations, Certifications, and Indemnification

Glenn Frank (Name of CEO or other authorized representative of Applicant) confirms and says that he/she is the General Counsel (title) of GSPP Sentinel Heights, LLC (name of corporation or other entity) named in the attached Application (the "Applicant"), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and as follows:

A. **First Consideration for Employment:** In accordance with §858-b (2) of the New York General Municipal Law, the Applicant understands and agrees that if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the Applicant will first consider persons eligible to participate in WIA programs who shall be referred by the CNY Works for new employment opportunities created as a result of the Project.

B. **Other NYS Facilities:** In accordance with §862 (1) of the New York General Municipal Law, the Applicant understands and agrees that projects which will 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 within the state is ineligible for Agency Financial Assistance, unless otherwise approved by the Agency as reasonably necessary to preserve the competitive position of the project in its respective industry or is reasonably necessary.

C. **Annual Sales Tax Filings:** In accordance with §874(8) of the New York General Municipal Law, the Applicant understands and agrees that if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant.

D. **Outstanding Bonds:** The Applicant understands and agrees to provide on an annual basis any information regarding bonds, if any, issued by the Agency for the project that is requested by the Comptroller of the State of New York.

E. **Employment Reports:** The Applicant understands and agrees that, if the Project receives any financial assistance from the Agency, the Applicant agrees to file with the Agency, at least annually or as otherwise required by the Agency, reports regarding the number of people employed at the project site, salary levels, contractor utilization and such other information (collectively, "Employment Reports") that may be required from time to time on such appropriate forms as designated by the Agency. Failure to provide Employment Reports within 30 days of an Agency request shall be an Event of Default under the PILOT Agreement between the Agency and Applicant and, if applicable, an Event of Default under the Agent Agreement between the Agency and Applicant. In addition, a Notice of Failure to provide the Agency with an Employment Report may be reported to Agency board members, with said report being an agenda item subject to the open meetings law.

F. Absence of Conflicts of Interest: The Applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officer or employee of the Agency has an interest, whether direct or indirect in any transaction contemplated by this Application, except as hereinafter described in Section X.

G. Compliance: The Applicant understands and agrees that it is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.

H. The 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.

I. 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.

J. 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.

K. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.

L. The Applicant and the individual executing this Application on behalf of Applicant acknowledge that the Agency and its counsel will rely on the representations and covenants made in this Application when acting hereon and hereby represents that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statement contained herein not misleading.

M. The OCIDA has the right to request and inspect supporting documentation regarding attestations made on this application.

N. Hold Harmless Agreement: Applicant hereby releases Onondaga County Industrial Development Agency and the members, officers, servants, agents and employees thereof (the "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, the attached Application, regardless of whether or not the Application or the Project described therein or the tax-exemptions and other assistance requested therein are favorably acted upon by the Agency; (B) the Agency's acquisition, construction, and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project, including without limiting the generality of the foregoing, all cause of action and attorney's fees and any other expenses incurred in defending any suits or action which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in the process of the Application, including attorney's fees, if any.

Name of Applicant Company GSPP Sentinel Heights, LLC

Signature of Officer or Authorized Representative:

Name & Title of Officer or Authorized Representative: Glenn Frank, General Cousel

Date: 5/8/20

STATE OF NEW YORK)

COUNTY OF ONONDAGA)ss.;

Glenn Frank, being first duly sworn, deposes and says:

1. That I am the General Counsel (Corporate Officer) of GSPP Sentinel Heights, LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.

2. That I have read and attached Application, I Know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete

(Signature of Officer)

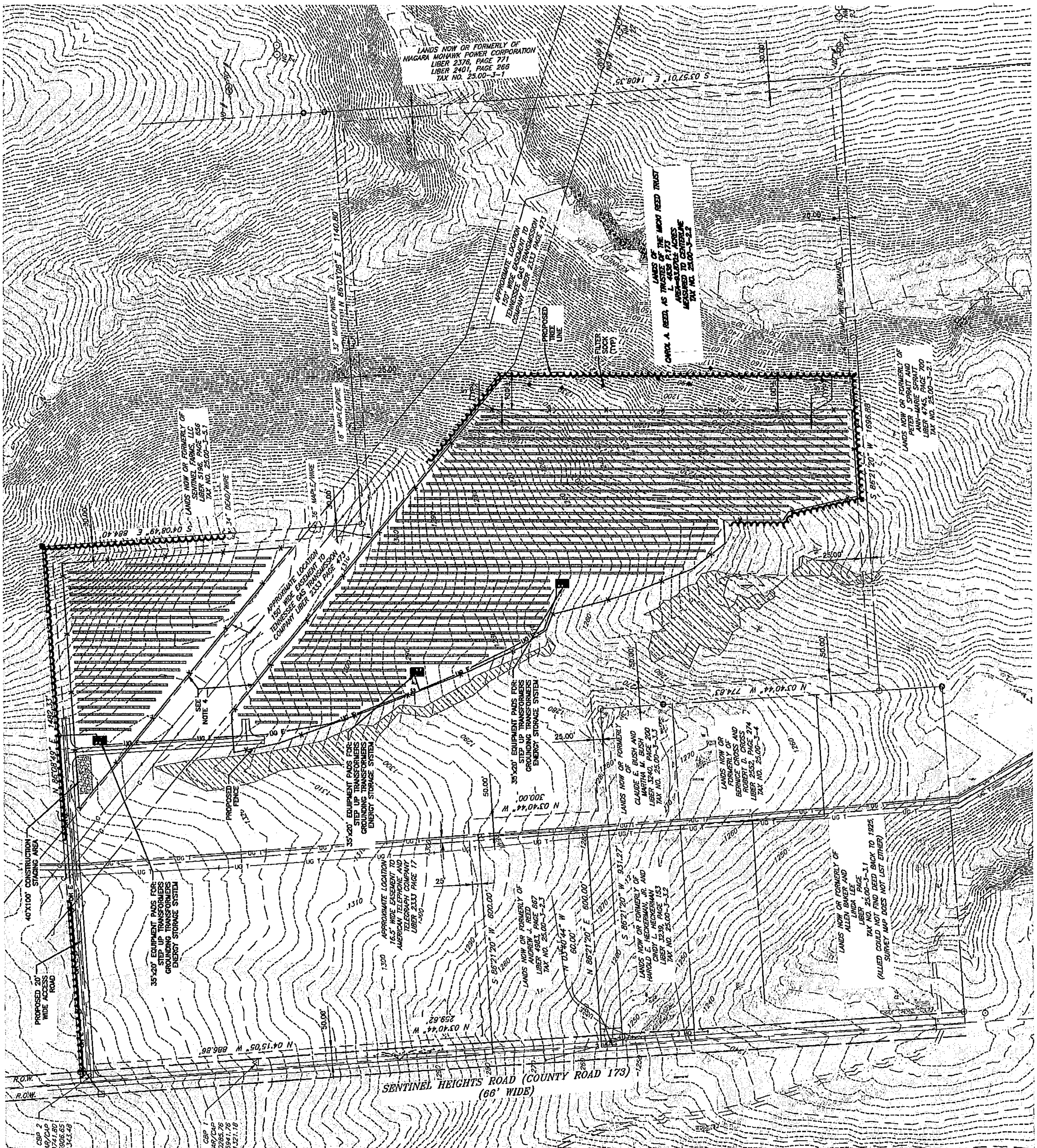
Subscribed and affirmed to me under penalties of perjury this 5th day of 5, 20 20.

(Notary Public)

RICHARD B. GULDEN
Notary Public
Commonwealth of Massachusetts
My Commission Expires
April 17, 2026

End of Application

Rev 1-9-20


LANDS NOW OR FORMERLY OF
NIAGARA MOHAWK POWER CORPORATION
LIBER 2376, PAGE 771
LIBER 2401, PAGE 266
TAX NO. 25.00-3-1
SENTINEL HEIGHTS ROAD (COUNTY ROAD 173)
(66' WIDE)

Description of Costs	*Total Budget Amount*	*% of Total Budget to be Procured in Onondaga County*	*Total Private Expenditure*
Land Acquisition	$ -		
Site Work/Demo	$ 281,250.00	100%	$ 281,250.00
Building Construction & Renovation	$ -		
Furniture & Fixtures	$ -		
Equipment	$ 5,250,000.00	20%	$ 5,250,000.00
Equipment Subject to NYS Production Sales Tax	$ -		
Engineering/Architect	$ 10,000.00		$ 10,000.00
Financial Charges	$ -		
Legal	$ -		
Other	$ -		$ -
Management/Developer Fees	$ 562,500.00		$ 562,500.00
Total Project Costs	*$ 6,103,750.00*	*22%*	*$ 6,103,750.00*

B) <u>Total Capital Cost</u>	$ 6,103,750.00

<u>Project Refinancing Estimated Amount</u> (for refinancing of existing debt only)	$ -

<u>Sources of Funds for Project Costs:</u>	
1. Bank Financing	$ -
2. Equity (excluding equity that is attributed to grants/tax credits)	$ 6,103,750.00
3. Tax Exempt Bond Issuance (if applicable)	$ -
4. Taxable Bond Issuance (if applicable)	$ -
5. Public Sources (Include sum total of all state and federal grants and tax credits)	$ -
Identify each state and federal grant/credit:	
	$ -
	$ -
	$ -
6. Total Sources of Funds for Project Costs	$ 6,103,750.00

Site plan attached/financial snapshot attached

Section I

G) Description of your company's background, products, customers, goods and services

Green Street Power Partners ("GSPP") is a national developer, financier, owner and operator of solar energy systems for businesses, schools, nonprofits and municipalities expanding across the country. Our versatile team specializes in creatively structuring short- and long-term debt financing for solar assets, balancing the benefits to sponsor equity and tax equity investors with realized value for our clients.

H) **Percentage of total annual supplies, raw materials, and vendor services purchased from firms in Onondaga County.**

GSPP Sentinel Heights, LLC does not currently have suppliers, or vendors associated with this project. While majority of manufacturers of solar pv technologies are not within Onondaga County, GSPP Sentinel Heights, LLC will diligently work to incorporate local entities.

Section II,

C) Summary of how this project will help your business grow.

Green Street Power Partners has been a developer, financier, owner and operator of solar energy systems for businesses, schools, nonprofits and municipalities expanding for several years and in a number of different jurisdictions. The Project described in this application is one of several new projects in the State of New York being undertaken by GSPP as its initial entry into the marketplace. GSPP believes solar development to be a socially conscious business opportunity and further believes that with the commitment of the State of New York to renewable energy, an expanding opportunity exists to enhance and grow GSPP's business while providing a well-documented service to the local communities through the reduction of green-house gasses as well as lower utility bills.

D) Description of Project

GSPP Sentinel Heights, LLC intends to construct an approximately three thousand seven hundred and fifty (3,750) kilowatt AC solar facility (the "Solar Farm") at its sole cost and expense. The Solar Farm shall consist of racking and foundations; inverters and transformers; necessary electrical interconnections and all improvements and connections required to transfer and deliver generation offsite, including three (3) phase extensions and power box(es); security fencing and gating; safety signage and solar photo voltaic ("PV") panels.

The solar facility will be situated on approximately 18 acres of private land, which will be a leased portion by GSPP Sentinel Heights, LLC, of on an approximate 94 acre area, owned by Micki Reed Trust.

H) Compelling Circumstances

The State of New York has repeatedly communicated its desire to meet significant renewable energy goals over the next two decades and each completed solar project that feeds the energy into the grid is essential to achieving these milestones. In addition, through New York States (NYS) Value of Distributive Energy Resources (VDER) program, distributed energy is compensated based on when and where they provide electricity to the grid. That energy can then be shared with utility customers in the same utility service area, through NYS community shared solar program, saving local residents and small businesses significant money on their utility bills. Finally, each solar project requires interconnection to the utility grid and this process not only improves the infrastructure of the aging grid, benefitting everyone in the area, but also requires electricians and contractors to implement enhancing job creation.

Section III,

Part C and D Employment Information

GSPP will hire 3rd party contractors, preferably from the local area, to perform annual maintenance and inspection for the solar array. This will include work to maintain the array, location, and grounds with an estimation of 300 hours for each (totaling an estimated 900 hours annually) which GSPP intends to higher individuals at the current market rates. This project, together with other projects in the area and throughout Onondaga County will support several jobs in the community, jobs which will be required to be filled for the life of the projects (25-35 years)

Onondaga County Industrial Development Agency

Project Summary 8/5/2020

1. Project	**Tracey Road Equipment, Inc**	**2. Project Number**	**3101-20-03B**
3. Location	Dewitt	**4. School District**	East Syracuse Minoa
		6. Project Type	Expansion
5. Tax Parcel(s)	14.-1-5.1; 14.-1.7.2; 14.-1-7.4; 14.-1-7.6;	**Village**	-

7.Total Project Cost	**$**	**4,500,000.00**
Land	$	-
Site Work	$	150,000.00
Building	$	4,000,000.00
Furniture & Fixtures	$	-
Equipment	$	300,000.00
Equipment Subject to NYS Production Exemption	$	-
Engineering/Architecture Fees	$	-
Financial Charges	$	-
Legal Fees	$	-
Other	$	50,000.00

8. Total Jobs	170
8A. Job Retention	140
8B: Job Creation (Next 5 Years)	30

Cost Benefit Analysis

Tracey Road Equipment, Inc

	Fiscal Impact ($)	
Abatement Cost	**$**	**314,162**
Sales Tax	$	160,000
Mortgage Tax	$	29,250
Property Tax Relief (PILOT)	$	124,912
New Investment	**$**	**22,938,210**
PILOT Payments	$	109,148
Project Wages (10 years)	$	12,650,240
Construction Wages	$	2,176,500
Employee Benefits (10 years)	$	3,795,072
Project Capital Investment	$	4,150,000
Agency Fees	$	57,250
Legal Fees	$	11,250
Benefit:Cost Ratio		**73.01 :1**

Project Description

Tracey Road Equipment, Inc seeks to expand and modernize to maintain a place in the marketplace. They will expand their current facility by investing to build a 31,000 SF shop addition, invest in equipment and add 30 FTEs

Tracey Road Equipment, Inc 8/5/2020

A) PILOTS Estimate Table Worksheet

for **10** years

OCIDA estimate of current market value					$ 1,476,300
Projected investment					$ 4,000,000
OCIDA estimate of increase in value					$ 594,270
OCIDA estimated value after project is completed					$ 2,070,570
Taxes that would have been collected if the project did not occur					$ 581,458
Scheduled PILOT payments					$ 690,607

PILOT YEAR	Exemption %	County PILOT Amount	Dewitt	East Syracuse Minoa	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	100%	$ 7,779	$ 7,454	$ 37,869	$ 53,103	$ 74,478	$ 21,376
2	90%	$ 8,254	$ 7,909	$ 40,182	$ 56,345	$ 75,968	$ 19,623
3	80%	$ 8,745	$ 8,379	$ 42,571	$ 59,696	$ 77,487	$ 17,792
4	70%	$ 9,252	$ 8,865	$ 45,040	$ 63,158	$ 79,037	$ 15,879
5	60%	$ 9,776	$ 9,367	$ 47,591	$ 66,735	$ 80,618	$ 13,883
6	50%	$ 10,318	$ 9,886	$ 50,226	$ 70,430	$ 82,230	$ 11,800
7	40%	$ 10,877	$ 10,422	$ 52,947	$ 74,246	$ 83,875	$ 9,629
8	30%	$ 11,454	$ 10,975	$ 55,757	$ 78,186	$ 85,552	$ 7,366
9	20%	$ 12,050	$ 11,546	$ 58,659	$ 82,254	$ 87,263	$ 5,009
10	10%	$ 12,665	$ 12,135	$ 61,654	$ 86,454	$ 89,009	$ 2,555
TOTAL		**$ 101,170**	**$ 96,938**	**$ 492,498**	**$ 690,607**	**$ 815,518**	**$ 124,912**

	Year					
	0	**1**	**2**	**3**	**4**	**5**
Jobs						
Current/Actuals						
Creation Goals		6	11	7	3	3
Total Employment Goals	140	146	157	164	167	170

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
APPLICATION FOR BENEFITS

1. Fill in all blanks using "none", "not applicable" or "not available". If you have any questions about the way to respond, please call the Onondaga County Industrial Development Agency at 315-435-3770.

2. If providing an estimate put "(est.)" after the figure or answer. If more space is needed to answer any specific question, attach a separate sheet.

3. If the OCIDA Board approves benefits, it is the company's responsibility to obtain and submit all necessary forms and documents. (ST-60, PILOT Agreement)

4. When completed, return this Application by mail or fax to the Agency at the address indicated below. A signed application may also be submitted electronically in PDF format to Nate Stevens at nstevens@ongov.net. **An Application will not be considered by the Agency until the Application fee has been received.**

5. The Agency will not give final approval for this Application until the Agency receives a completed NYS Full Environmental Assessment Form concerning the Project, which is the subject of this Application. The form is available at http://www.dec.ny.gov/permits/6191.html.

6. Please note the Public Officers Law declares all records in the possession of the OCIDA (with certain limited exceptions) are open to public inspection and copying. If the Applicant is of the opinion that there are elements of the Project which are in the nature of trade secrets which, if disclosed to the public or otherwise widely disseminated, would cause substantial injury to the Applicant's competitive position, this Applicant must identify such elements in writing and request that such elements be kept confidential. In accordance with Article 6 of the Public Officer's Law, the OCIDA may also redact personal, private, and/or proprietary information from publicly disseminated documents.

7. The Applicant will be required to pay the Agency Application fee and, if accepted as a project of the agency, all administrative and legal fees as stated in Section VI of the Application.

8. A complete application consists of the following 9 items:
   - This Application
   - Local Access Agreement
   - Employment Plan
   - Conflict of Interest
   - A feasibility statement indicating the need for the requested benefits
   - Description of project, Site Plans/Sketches, and Maps
   - NYS Full Environmental Assessment Form
   - A check payable to the Agency in the amount of $1,000
   - A check payable to Barclay Damon LLP in the amount of $2,500

9. This Application was adopted by the OCIDA Board on November 19, 2019.

It is the policy of the Agency that any project receiving benefits from the Onondaga County Industrial Development Agency will utilize 100% local contractors and local labor for the construction period of the project unless a waiver is granted in writing by the Agency.

Return to:
Onondaga County Industrial Development Agency
Attn: Nate Stevens
333 W. Washington Street, Suite 130
Syracuse, NY 13202
Phone: 315-435-3770 | Fax: 315-435-3669
nstevens@ongov.net

Section I: Applicant Information

Please answer all questions. Use "None", "Not Applicable" and "See Attached" where necessary.

A) Applicant information-company receiving benefits:

Applicant Name: Tracey Road Equipment, Inc.

Applicant Address: 6803 Manlius Center Road, East Syracuse, NY 13057

Phone: 315-437-1471 Fax:

Website: www.traceyroad.com E-mail: gtracey@traceyroad.com

Federal ID#: 16-1058204 NAICS: 423810

State and Year of Incorporation/Organization: NYS 1/9/1976

Will a Real Estate Holding Company be utilized to own the Project property/ facility? ☑Yes ☐No

What is the name of the Real Estate Holding Company: Tracey Holdings, LLC

Federal ID#: 16-1517290

State and Year of Incorporation/Organization: January 23, 1997

List of stockholders, members, or partners of Real Estate Holding Company:

1% Gerald W. Tracey; 99% Gerald W. Tracey (2010 Irrevocable Trust)

B) Individual Completing Application:

Name: Sarah Stephens, SS Funding & Procurement Resources, LLC

Title: President

Address: 201 Croyden Road, Syracuse, NY 13224

Phone: 315-530-2502 Fax:

E-mail: sarah@ssfundingresources.com

C) Company Contact (if different from individual completing application):

Name: Peter Blasioli

Title: Controller

Address: 6803 Manlius Center Road, East Syracuse, NY 13057

Phone: 315-437-1471 Cell Phone:

E-mail: pblasioli@traceyroad.com

D) Company Counsel:

Name of Attorney: Matthew N. Wells

Firm Name: Bond, Schoeneck & King PLLC

Address: One Lincoln Center, 110 West Fayette Street, Syracuse, NY 13202-1355

Phone: 315-218-8174 Cell Phone:

E-mail: mwells@bsk.com

E) Business Organization (check appropriate category):

☑ Corporation ☐ Partnership

☐ Public Corporation ☐ Joint Venture

☐ Sole Proprietorship ☐ Limited Liability Company

Others (please specify):

Year Established: 1976

State in which Organization is established: New York

F) List all stockholders, members, or partners with % of ownership greater than 5% :

Name	% of ownership
Gerald W. Tracey	1%
Gerald W. Tracey (2010 Irrevocable Trust)	99%

G) Applicant Business Description:

Please attach a description of your company's background, products, customers, goods and services.

Estimated % of sales within Onondaga County: 48.225

Estimated % of sales outside Onondaga County but within New York State: 51

Estimated % of sales outside New York State but within the U.S.: .75

Estimated % of sales outside the U.S.: .025

(*Percentage to equal 100%)

H) What percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Onondaga County. Include list of vendors, raw material suppliers and percentages for each. Provide supporting documentation including estimated percentages of local purchases. Please attach this information. **2.39%**

I) Applicant History: If the answer to any of the following is "Yes", please explain below. If necessary, attach additional information.

1. Is the company or management of the Company now a plaintiff or defendant in any civil or criminal litigation? ☐ Yes ☑ No
2. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? ☐ Yes ☑ No
3. Has any person listed in Section I ever been in receivership or declared bankruptcy? ☐ Yes ☑ No

Please attach any explanations:

J) Has the Project Beneficiary received assistance from OCIDA, SIDA, New York State or the Onondaga Civic Development Corporation in the past? If yes please attach an explanation and please give year, project name, description of benefits and address of project.

☑ Yes ☐ No

Section II: Project Information

A) Project Location: Location where the investment will take place. If company is moving, the new location should be entered here and the current location should be in Section I.

Address: 6803 Manlius Center Road

Legal Address (if different): ____________________

City: East Syracuse   Village/Town: East Syracuse

Zip Code: 13057   School District: East Syracuse - Minoa

Tax Map Parcel ID(s): 312689 014.-01-05.1, 312689 014.-01-07.2, 312689 014.-01-07.4, 312689 014.-01-07.6

Current Assessed Value: 1,207,500   Sq. Footage of Existing Building: 55,000

Census Tract: ____________________

B) Type (Check all that apply):

- ☑ New construction
- ☑ Purchase of machinery and/or equipment
- ☑ Expansion/Addition to current facilities
- ☐ Brownfield/Remediated Brownfield
- ☐ Renovation of existing facility
- ☐ LEED Certification
- ☐ Acquisition of existing facility/property
- ☐ Other:
- ☐ Demolition and Construction

C) Please attach a summary of how this project will help your business grow. Will it set the company up for revenue growth? Will it mitigate cost? Will it provide more flexibility?

D) Description of Project: Please provide a detailed narrative of the proposed Project. This narrative should include, but is not limited to:

- ☑ (i) the size of the Project in square feet and a breakdown of square footage per each intended use;
- ☑ (ii) the size of the lot upon which the Project sits or is to be constructed;
- ☑ (iii) the current use of the site and the intended use of the site upon completion of the Project;
- ☑ (iv) the principal products to be produced and/or the principal activities that will occur on the Project site; and
- ☑ (v) an indication as to why the Applicant is undertaking the Project and the need for the requested benefits. **Please separately attach the description and any copies of site plans, sketches or maps.**

E) Select Project Type for all end users at Project site (you may check more than one):
**Please check any and all end users as identified below

- ☑ Industrial
- ☐ Acquisition of Existing Facility
- ☐ Housing
- ☐ Equipment Purchase
- ☐ Multi-Tenant
- ☐ Commercial
- ☐ Bank Office
- ☐ Retail
- ☐ Mixed Use
- ☐ Facility for Aging
- ☐ Civic Facility (not for profit)
- ☐ Other ______________________________

F) For the Agency to consider this Project, please provide the following information:

1. Does the project consist of new construction or expansion or substantial renovation of an existing facility?
   ☑ Yes ☐ No
2. Will the project create new employment opportunities or retain existing jobs that may otherwise be lost?
   ☑ Yes ☐ No
3. Does the project beneficiary serve a customer base primarily outside of Onondaga County?
   ☑ Yes ☐ No

G) Will the completion of the Project result in the removal of an industrial or manufacturing plant of the company 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 company located within the state? Please explain if you answer "Yes" by attaching a response.

☐ Yes ☑ No

H) Please attach a description of any compelling circumstances the Agency should be aware of while reviewing this application.

I) Environmental Information

1. Please attach the appropriate Environmental Impact Forms to your application. Here is a link to the SEQR forms:
   a. http://www.dec.ny.gov/permits/6191.html
2. Have any environmental issues been identified on the property?
   ☐ Yes ☑ No
   If yes, please attach an explanation.

Section III: Construction

A) Project Costs and Finances

Description of Costs	Total Budget Amount	% of Total Budget to be Procured in Onondaga County	Total Private Expenditure (should be less than or equal to total budget amount)
Land Acquisition	0	0	0
Site Work/Demo	150,000	150,000	150,000
Building Construction & Renovation	4,000,000	4,000,000	4,000,000
Furniture & Fixtures	0	0	0
Equipment	300,000	300,000	300,000
Equipment Subject to NYS Production Sales Tax	0	0	0
Engineering/Architect	0	0	0
Financial Charges	0	0	0
Legal	0	0	0
Other	50,000	50,000	50,000
Management/Developer Fees	0	0	0
Total Project Cost	4,500,000	4,500,000	4,500,000

Note: Do not include OCIDA fees, OCIDA application fees or OCIDA legal fees as part of the Total Project Cost. You may attach a separate chart if needed.

B) TOTAL Capital Costs $ 4,500,000

Project refinancing: estimated amount
(for refinancing of existing debt only) $ 0

Sources of Funds for Project Costs:

1. Bank Financing $ 3,900,000
2. Equity (excluding equity that is attributed to grants/tax credits) $ 200,000
3. Tax Exempt Bond Issuance (if applicable) $ 0
4. Taxable Bond Issuance (if applicable) $ 0

5. Public Sources (Include sum total of all state and federal grants and tax credits) $ 400,000

-Identify each state and federal grant/credit:

NYS Capital Funds ESD $ 400,000

$

$

6. Total Sources of Funds for Project Costs $ 4,500,000

C) Employment and Payroll Information

*Full Time Equivalent (FTE) is defined as one employee working no less than 40 hours per week or two or more employees together working a total of 40 hours per week.

1. Are there people currently employed at the project site?

☑ Yes ☐ No If yes, provide number of FTE jobs at the facility: 140

2. Complete the following:

Estimate the number of FTE jobs to be retained as a result of this Project:	140
Estimate the number of construction jobs to be created by this Project:	50 (est)
Estimate the average length of construction jobs to be created (months):	12 (est)
Current annual payroll at facility:	9,130,962
Average annual growth rate of wages:	3-4% (est)
Please list, if any, benefits that will be available to either full and/or part time employees:	vision, cancer, accidental, short term disability, life, medical and dental
Average annual benefit paid by the company ($ or % salary) per FTE job:	30% (est)
Average growth rate of benefit cost:	5% (est)
Amount or percent of wage employees pay for benefits:	7% (est)
Provide an estimate of the number of residents in the Economic Development Region (Onondaga, Madison, Cayuga, Oneida, Oswego, and Cortland Counties) to fill new FTE jobs:	n/a

D) New Employment Benefits

i. Complete the following chart indicating the number of FTE jobs presently employed at the Project and the number of FTE jobs that will be created at the Project site at the end of the first, second, third, fourth and fifth years after the Project is completed. Jobs should be listed by title of category (see below), including FTE independent contractors or employees of independent contractors that work at the Project location. Do not include construction workers.

ii. Feel free to include additional information or a substitute chart if you think additional material would add clarity.

Current & Planned Full Time Occupations (Job Titles)	Salary (Annual or Hourly)	Current Number of FTEs	Estimated Number of FTE Jobs **added each year** after project				
			Year 1	Year 2	Year 3	Year 4	Year 5
Equipment Tech	45,000		1	2	1	0	0
Truck Tech	45,000		2	4	4	3	3
Service Writer/Warranty Clerk	40,000		0	3	1	0	0
Fabrication Tech	45,000		1	2	1	0	0
Parts Clerk	35,000		2	0	0	0	0
Job Creation Subtotal			6	11	7	3	3

For purposes of completing the chart, please list the job titles that will be increasing in number. If possible, please attach a brief description that outlines what each job entails.

If you prefer, you may attach a job chart of your own that outlines the job growth projections regarding the project.

E) Financial Assistance sought (estimated values):

☑ Real Property Tax Abatement (PILOT): ____________________

☑ Mortgage Recording Tax Exemption (.75% of amount mortgaged): 29,250

☑ Sales and Use Tax Exemption (4% Local, 4% State): 160,000

☐ Tax Exempt Bond Financing (Amount Requested): ____________________

☐ Taxable Bond Financing (Amount Requested): ____________________

F) Mortgage Recording Tax Exemption Benefit Calculator: Amount of mortgage that would be subject to mortgage recording tax:

Mortgage Amount (include sum total of construction/permanent/ bridge financing): $ 3,900,000

Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above, multiplied by .0075): $ 29,250

G) Sales and Use Tax Benefit Calculator: Gross amount of costs for goods and services that are subject to State and local Sales and US tax – said amount to benefit from the Agency's Sales and Use Tax exemption benefit:

$ 2,000,000

Estimated State and local Sales and Use Tax Benefit (product of 8% multiplied by the figure, above) (This should match the amount in section "E" on this page, this calculation only exists to help you with your estimate):

$ 160,000

Section IV: Estimate of Real Property Tax Abatement Benefits

Section IV of this Application will be: (i) completed by IDA Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application prior to the completed application being provided to the OCIDA Board.

A) PILOTS Estimate Table Worksheet

OCIDA estimate of current value	
New construction and renovation costs	
OCIDA estimate of increase in value	
OCIDA estimated value of completed project	
OCIDA estimate of taxes that would have been collected if the project did not occur	
Scheduled PILOT payments	

PILOT Year	Exemption %	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	100						
2	90						
3	80						
4	70						
5	60						
6	50						
7	40						
8	30						
9	20						
10	10						
TOTAL							

Estimates provided are based on current property tax rates and assessment value (current as of date of application submission) and have been calculated by IDA staff

Section V: Local Access Policy Agreement

In absence of a waiver permitting otherwise, every project seeking the assistance of the Onondaga County Industrial Development Agency (Agency) must use local general contractors, sub-contractors, and labor for one-hundred percent (100%) of the construction of new, expanded, or renovated facilities. The project's construction or project manager need not be a local company.

Noncompliance may result in the revocation and/or recapture of all benefits extended to the project by the Agency. Local Labor is defined as laborers permanently residing in the State of New York counties of Cayuga, Cortland, Herkimer, Jefferson, Madison, Oneida, Onondaga, Oswego, Tompkins, and Wayne. Local (General/Sub) Contractor is defined as a contractor operating a permanent office in the State of New York counties of Cayuga, Cortland, Herkimer, Jefferson, Madison, Oneida, Onondaga, Oswego, Tompkins and Wayne. The Agency may determine on a case-by-case basis to waive the Local Access Policy for a project or for a portion of a project where consideration of warranty issues, necessity of specialized skills, significant cost differentials between local and non-local services or other compelling circumstances exist. The procedure to address a local labor waiver can be found in the OCIDA handbook, which is available upon request.

Prior to issuance of any NYS Tax & Finance ST-60 forms, the Applicant must submit a **Contractor Status Report to the Agency.**

In consideration of the extension of financial assistance by the Agency Tracey Road Equipment, Inc (the Company) understands the Local Access Policy and agrees to complete Appendix C of the Agency's application at the time of the application to the Agency and as part of a request to extend the valid date of the Agency's tax-exempt certificate for the Project. The Company understands that an Agency tax-exempt certificate is typically valid for 12 months from the effective date of the project inducement and extended thereafter upon request by the Company. The Company further understands that any request for a waiver to this policy must be submitted in writing and approved by the Agency.

I agree to the conditions of this agreement and certify all information provided regarding the construction and employment activities for the project as of February 6, 2020 (date).

Company: Tracey Road Equipment, Inc.
Representative for Contract: Peter Blasioli
Address: 6803 Manlius Center Road City: East Syracuse State: NY Zip: 13057
Phone: 315-437-1471 Email: pblasioli@traceyroad.com
Project Address: same as above City: State: Zip:

General Contractor: TBD
Contact Person:
Address: City: State: Zip:
Phone: Email:
Authorized Representative: Gerald Tracey Title: President
Signature:

Section VI: Agency Fee Schedule

Payment Terms:

Application & Processing Fee (payable at the time of application):	$1,000
Legal Deposit (payable at the time of application):	$2,500
Agency Fee for Bond Projects:	Payable at Closing
Agency and Legal Fees for all other projects:	Due and Payable at Inducement

*** A sales tax certificate (ST-60) will not be issued until the Agency Fee is Paid in Full**

Agency Fees: The project cost is the Total Project Cost from section III A

Benefit Sought	Fee Charged
Mortgage Recording Tax and/or Sales Tax exemptions:	0.01 X the project cost
Additional Fee for PILOT Agreement Projects:	0.0025 X the project cost
Fee for bond financing, refinancing & refunding:	0.0025 X the project cost
Note: For Manufacturing Projects under $10 million the fee is reduced by:	0.0025 X the project cost

Agency Legal Fees: The project cost is the Total Project Cost from section III A

Fee for first $20 million:	0.0025 of the project cost
Fee for expenses above $20 million:	0.00125 of the project cost

In addition to the foregoing, Applicants are responsible for payment of all costs and expenses incurred by OCIDA in connection with application or Project including without limitation publication, copying costs, SEQRA compliance and fees and costs to OCIDA's attorneys, engineers, and consultants. OCIDA reserves the right to require a deposit to cover anticipated costs. Application fees are payable at time application/request is submitted. All fees are non-refundable. Applicants for bond transactions are responsible for payment of a Bond Issuance Charge payable to the State of New York. Applicants are also responsible for payment of post-closing fees and costs associated with the appointment of additional agents.

OCIDA reserves the right to modify this schedule at any time and assess fees and charges in connection with other transactions such as grants of easement or lease or sale of OCIDA-owned property.

Information to be Provided by Companies: Each Company agrees that to receive benefits from the Agency it must, whenever requested by the Agency or required under applicable statutes or project documents, provide and certify or cause to be provided and certified such information concerning the Company, its finances, its employees and other topics which shall, from time to time, be necessary or appropriate, including but not limited to, such information as to enable the Agency to make any reports required by law or governmental regulation.

Recapture of Benefits: It is the policy of the Agency to recapture the value of a PILOT, any sales and use tax exemption, and mortgage recording tax exemption in accordance with the Laws of the State and the provisions contained herein. Before receiving benefits, the Company must attest in writing to its understanding of, and agreement to, the recapture provisions contained in State Law and herein. To the extent permitted by State law, the recapture provisions contained herein may be modified from time to time by the Agency at its sole discretion.

Recapture of a PILOT, Sales Tax and the Mortgage Recording Tax Exemptions: If the number of full time equivalent jobs to be maintained or created in connection with a project falls below 75% of the number projected in the Company's application to the Agency, or if there are material violations of the project agreements, then the value of the property tax, sales and use tax and mortgage recording tax benefits extended to the project by the Agency may be subject to recapture. When deciding whether or not to recapture benefits and the amount of such recapture, the Agency may consider the potential future benefit of the business to the community.

Recapture Payment: The recapture payment paid by the Company to the Agency shall be determined (1) by the difference between any PILOT payments made by the Company and the property taxes that would have been paid by the Company if the property were not under the supervision, jurisdiction or control of the Agency, (2) the value of any mortgage recording tax exemption, if awarded to the Company and (3) the amount of sales and use tax that would have been paid if an exemption was not granted.

Recapture of the PILOT, Sales Tax or Mortgage Recording Tax: The Recapture Schedule for a Payment in Lieu of Tax Agreement, Sales Tax or the Mortgage Recording Tax is as follows:

Time from Project Completion	Tax Savings Recaptured
1 Year	80%
2 Years	60%
3 Years	40%
4 Years	20%
5 Years	10%

Distribution of the Recapture Payment: Any funds recaptured as a result of the recapture payment shall be distributed to the affected taxing jurisdictions in the same proportion as if the payments were paid or owed by the Company on the date of recapture.

<u>Additional Conditions for the Recapture of Sales and Use Tax</u>: As of April 1, 2013, New York State law requires Industrial Development Agencies to recapture sales tax benefits where:

- A project is not entitled to receive the benefits:
- Exemptions received exceed the amount authorized by the Agency;
- Exemptions are claimed by the Project for unauthorized property or services; or
- A project fails to use property in the manner required by its IDA agreements.

1. <u>Distribution of Sales and Use Tax</u>. Project operators must cooperate with the Agency in its effort to recapture all sales and use tax benefits received by the Company by promptly paying the recapture amount as determined by the Agency. The amount to be recaptured will be dictated by State Law or this UTEP Policy, which ever may be applicable. The Agency shall remit the recaptured sales and use tax benefits to the State within 30 days of receipt.

2. <u>Compliance Report</u>. Annually, the Agency will file an annual compliance report with the State of New York detailing its recapture terms and its activities to recapture benefits, including any attempt to recapture benefits from an Agency project.

<u>A "Full Time Permanent Employee" shall mean</u>

1. A full time, permanent, private sector employee on the Company's payroll, who has worked at the project location for a minimum of thirty hours per week for not less than four consecutive weeks and who is entitled to receive the usual and customary fringe benefits extended by Company to other employees with comparable rank, duties and hours; or

2. Up to three part time, permanent, private-sector employees on Company's payroll, who have worked at the project location for a combined minimum of thirty hours per week for not less than four consecutive weeks and who are entitled to receive the usual and customary fringe benefits extended by Company to other employees with comparable rank, duties and hours.

I have read the foregoing and agree to comply with all the terms and conditions contained therein as well as policies of the Onondaga County Industrial Agency.

Name of Applicant Company: Tracey Road Equipment, Inc.

Signature of Officer or Authorized Representative: ____________________

Name & Title of Officer or Authorized Representative: Gerald Tracey, President

Date: ______________

Section VIII: Employment Plan

Jobs Listings: In accordance with §858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Business Services and with the administrative entity of the service delivery area created by the Workforce Innovation and Opportunity Act of 2014 in which the Project is located. In Onondaga County, please contact CNY Works. Additionally, the applicant is encouraged to review the services provided by JOBSPlus! for candidate matching services.

Are the employees of your company currently covered by a collective bargaining agreement?

☐ Yes ☐ No

If yes, name and location: ______________________________

Is the labor pool in Onondaga County and/or the CNY Economic Development Region adequate to fill new positions?

☑ Yes ☐ No

Enter Company Name in three (3) places below and sign by an authorized company officer:

In consideration of the benefits provided by the Onondaga County Industrial Development Agency (OCIDA), Tracey Road Equipment, Inc, project beneficiary, also agrees to report to OCIDA on the number of new employment opportunities created in connection with industrial or commercial projects financed by the proceeds of such benefits to be listed with the New York State Department of Labor Business Services and CNY Works.

Tracey Road Equipment, Inc, project beneficiary, also agrees to report to OCIDA on or before March 1 of each year the status of employment opportunities filed with the New York State Department of Labor Business Services, including the number of new employment opportunities created, the number listed, and the number filled for the year ending the prior December 31.

Tracey Road Equipment, Inc, project beneficiary, further agrees that, to the extent practicable and feasible, and subject to the requirements of any existing collective bargaining agreement, the project beneficiary shall fill at least 10% of new employment opportunities with persons eligible for service under the Workforce Innovation and Opportunity Act of 2014.

Name of Applicant Company: Tracey Road Equipment, Inc

Signature of Officer or Authorized Representative: ______________________________

Name & Title of Officer or Authorized Representative: Gerald Tracey, President

Date: ______________

NYS Department of Labor:
Roy Jewell
Associate Business Service Representative
450 South Salina Street, Syracuse, NY 13202 315-479-3362
roy.jewell@labor.ny.gov
www.labor.ny.gov

CNY Works
Chris Kennedy
Business Development Specialist
960 James Street, Syracuse, NY 13203
315-477-6974
ckennedy@cnyworks.com
www.cnyworks.com

Section IX: Conflict of Interest

Agency Board Members

1. Patrick Hogan
2. Steve Morgan
3. Victor Ianno
4. Sue Stanczyk
5. Kevin Ryan
6. Janice Herzog
7. Fanny Villarreal

Agency Officers/Staff

1. Robert M. Petrovich
2. Nathaniel Stevens
3. Nancy Lowery
4. Karen Doster
5. Chris Cox

Agency Legal Counsel & Auditor

1. Jeffrey Davis, Esq., Barclay Damon LLP
2. Amanda Mirabito, Esq., Barclay Damon LLP
3. Michael G. Lisson, CPA, Grossman St. Amour Certified Public Accountants PLLC

The Applicant has received from the Agency a list of members, officers and staff of the Agency. To the best of my knowledge, no member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

Name of Applicant Company: Tracey Road Equipment, Inc

Signature of Officer or Authorized Representative: ____________________

Name & Title of Officer or Authorized Representative: Gerald Tracey, President

Date: _______________

Section X: Representations, Certifications, and Indemnification

Gerald Tracey (Name of CEO or other authorized representative of Applicant) confirms and says that he/she is the President (title) of Tracey Road Equipment, Inc (name of corporation or other entity) named in the attached Application (the "Applicant"), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and as follows:

A. **First Consideration for Employment:** In accordance with §858-b (2) of the New York General Municipal Law, the Applicant understands and agrees that if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the Applicant will first consider persons eligible to participate in WIA programs who shall be referred by the CNY Works for new employment opportunities created as a result of the Project.

B. **Other NYS Facilities:** In accordance with §862 (1) of the New York General Municipal Law, the Applicant understands and agrees that projects which will 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 within the state is ineligible for Agency Financial Assistance, unless otherwise approved by the Agency as reasonably necessary to preserve the competitive position of the project in its respective industry or is reasonably necessary.

C. **Annual Sales Tax Filings:** In accordance with §874(8) of the New York General Municipal Law, the Applicant understands and agrees that if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant.

D. **Outstanding Bonds:** The Applicant understands and agrees to provide on an annual basis any information regarding bonds, if any, issued by the Agency for the project that is requested by the Comptroller of the State of New York.

E. **Employment Reports:** The Applicant understands and agrees that, if the Project receives any financial assistance from the Agency, the Applicant agrees to file with the Agency, at least annually or as otherwise required by the Agency, reports regarding the number of people employed at the project site, salary levels, contractor utilization and such other information (collectively, "Employment Reports") that may be required from time to time on such appropriate forms as designated by the Agency. Failure to provide Employment Reports within 30 days of an Agency request shall be an Event of Default under the PILOT Agreement between the Agency and Applicant and, if applicable, an Event of Default under the Agent Agreement between the Agency and Applicant. In addition, a Notice of Failure to provide the Agency with an Employment Report may be reported to Agency board members, with said report being an agenda item subject to the open meetings law.

F. **Absence of Conflicts of Interest:** The Applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officer or employee of the Agency has an interest, whether direct or indirect in any transaction contemplated by this Application, except as hereinafter described in Section X.

G. **Compliance:** The Applicant understands and agrees that it is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.

H. The 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.

I. 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.

J. 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.

K. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.

L. The Applicant and the individual executing this Application on behalf of Applicant acknowledge that the Agency and its counsel will rely on the representations and covenants made in this Application when acting hereon and hereby represents that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statement contained herein not misleading.

M. The OCIDA has the right to request and inspect supporting documentation regarding attestations made on this application.

N. Hold Harmless Agreement: Applicant hereby releases Onondaga County Industrial Development Agency and the members, officers, servants, agents and employees thereof (the "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, the attached Application, regardless of whether or not the Application or the Project described therein or the tax-exemptions and other assistance requested therein are favorably acted upon by the Agency; (B) the Agency's acquisition, construction, and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project, including without limiting the generality of the foregoing, all cause of action and attorney's fees and any other expenses incurred in defending any suits or action which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in the process of the Application, including attorney's fees, if any.

Name of Applicant Company Tracey Road Equipment, Inc

Signature of Officer or Authorized Representative: ____________________

Name & Title of Officer or Authorized Representative: Gerald Tracey

Date: ______________

STATE OF NEW YORK)

COUNTY OF ONONDAGA)ss.;

Gerald Tracey, being first duly sworn, deposes and says:

1. That I am the President (Corporate Officer) of Tracey Road Equipment, Inc (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.

2. That I have read and attached Application, I Know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete

(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury this______________day of__, 20_____.

____

(Notary Public)

End of Application

Rev 1-9-20

J) Has the Project Beneficiary received assistance from OCIDA, SIDA, NYS or the Onondaga Civic Development Corporation in the past. If yes please attached an explanation and please give year, project name, description of benefits and address of project.

Yes, the Project Beneficiary had a prior PILOT program from OCIDA that has expired as well as a 2019 CFA NYS ESD Capital Funds grant in the amount of $400,000

C) Please attach a summary of how this project will help your business grow. Will it set the company up for revenue growth? Will it mitigate cost? Will it provide more flexibility?

Tracey Road Equipment has exceeded the capacity of its current 55,000 SF facility. It cannot add the necessary pieces of equipment, machinery and workforce to continue to meet the demands of its clients or the growing market in the same fashion that clients have come to expect without the investment of roughly $4.5 million to expand the facility by roughly 31,000 SF and add new equipment.

Tracey Road Equipment is proposing an expansion of its current facility, constructing an additional 31,000 SF of floor space. This space will be utilized to more efficiently and effectively serve customers and reduce down time for truckers and construction outfitters. With the added space, Tracey Road Equipment will be adding 30 jobs with a starting salary of $35,000. Training and apprenticeship opportunities are available. Currently, roughly 51% of business is derived from outside Onondaga County; Tracey Road Equipment anticipates increasing its customer base both in and outside of Onondaga County with the increased in square footage at its facility as well as purchase of new equipment.

D) Description of Project

Tracey Road Equipment's headquarters is located in the heart of CNY at 6803 Manlius Center Road in East Syracuse. This 55,000 SF facility houses Tracey Road's corporate headquarters and is where the company's largest service shop operates, offering the most diverse services. The Shop services light, medium, and heavy duty trucks, heavy construction equipment and serves as the fabrication shop.

Tracey Road Equipment has been a leader in the construction and trucking industries as a premier dealer for over 40 years. As the trucking and equipment industries continues to grow and technology advances Tracey Road has recognized the need to expand and modernize to maintain its place in the market, ensure customers are receiving timely service and meet the demands of the evolving market in general. In order to do so Tracey Road must expand its current facility and add 30 FT positions. Tracey Road plans to invest roughly $4.5 million towards the construction of a roughly 31,000 SF shop addition and invest in equipment. This expansion will allow Tracey to complete repair orders expeditiously and continue to serve customers in the surrounding region and across NYS.

Tracey Road Equipment obtains a majority of its sales; roughly 51% from outside of Onondaga County; bringing in revenue to our community from outside our county's boundaries; this addition will allow Tracey Road to increase sales potential, brining in even more to our local economy.

Tracey Road Equipment provides new hire training, apprentice opportunities and promotion from within; creating careers not just jobs. The City of Syracuse which is mere miles from the Manlius Center Road facility unemployment is three times the national average; the Tracey Road positions will add to the opportunity for current un- and underemployed in our region.

Tracey Road Equipment is finalizing plans for the expansion and looking to potentially begin construction in Spring of 2020.

H) Please attach a description of any compelling circumstances the Agency should be aware of while reviewing this application.

Tracey Road Equipment has exceeded the capacity of its current 55,000 SF facility. It cannot add the necessary pieces of equipment, machinery and workforce to continue to meet the demands of its clients or the growing market in the same fashion that clients have come to expect without the investment of roughly $4.5 million to expand the facility by roughly 31,000 SF and add new equipment.

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:
Tracey Road Equipment Addition

Project Location (describe, and attach a location map):
6803 Manlius Center Drive (aka East Manilus Street & NYS Rt 290). West side of Claymaster Drive which is a privately owned road by GW Tracey.

Brief Description of Proposed Action:
Tracey Road Equipment is proposing to construct a 27,692+/- sf pre-engineered metal building to the north of their existing facility. It will be utilized for equipment repair and servicing. No additional pavement is proposed with the exception of a 14,360 sf concrete apron on the north side, and (3) 6'x20' and (2) 7'-4"x6' concrete aprons on the west side. Also, a 2,304+/- sf 2-story office addition is proposed at the southeast corner of their existing facility.

Name of Applicant or Sponsor: Gerald W. Tracey	Telephone: 315.437.1471 E-Mail: gtracey@traceyroad.com

Address:
6803 Manlius Center Road

City/PO:	State:	Zip Code:
East Syracuse	NY	13057

	NO	YES
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.	☐	☑
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 & County Planning Board, Zoning Board of Appeals	☐	☑

3. a. Total acreage of the site of the proposed action? 9.409+/- acres
   b. Total acreage to be physically disturbed? .92 acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 30.87+/- acres

4. Check all land uses that occur on, are adjoining or near the proposed action:

5. ☐ Urban ☐ Rural (non-agriculture) ☑ Industrial ☐ Commercial ☐ Residential (suburban)
   ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):
   ☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	✔	☐
b. Consistent with the adopted comprehensive plan?	☐	✔	☐

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

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☑ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Northern Long-eared Bat, In...	NO ☐	YES ☑
16. Is the project site located in the 100-year flood plan?	NO ☐	YES ☑
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO ☐	YES ☑
a. Will storm water discharges flow to adjacent properties?	☑	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: Existing and proposed drainage patterns will remain the same utilizing existing catch basins and will sheet flow in same direction as presently exists. Area where building is proposed in presently hard packed gravel.	☐	☑
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 ☐
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 ☐
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 ☐

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Gerald W. Tracey __________ Date: __________

Signature: __________ Title: __________

PRINT FORM

EAF Mapper Summary Report

Thursday, June 20, 2019 2:46 PM

Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Northern Long-eared Bat, Indiana Bat
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	No

Tracey Road Equipment Building Additions – PB-546-20
Recommendation to ZBA
SPR RE: Proposed 27,692 SF Building Addition and 2,304 SF Office Addition to Existing 55,000 SF Building in an Industrial District
6803 Manlius Center Road
Tax Map Nos.: 014.-01-05.1, 014.-01-07.2, 014.-01-07.4, 014.-01-07.6
(0 minutes)

Mark Weiss and Wyatt Nelson were present for the applicant. After discussion, Mr. Webber made a motion, seconded by Mr. Mueller to recommend to the ZBA with the following findings:

1. To issue a negative SEQRA declaration for this project with the findings that these matters are unlisted actions and this Board has reviewed the EAF submitted by the applicant and finds no negative significant adverse environmental impacts from the project.
2. Recommend to the ZBA that the Specific Permit for operation of a Commercial Garage be granted as the use is compatible with the area and the uses surrounding it; and is appropriate for this industrial zone.
3. Recommend to the ZBA the applicant be granted a variance on the size of the sign and that the sign as presented by approved as to its proposed square footage as shown on the plan as it is compatible with the structures and uses on this site as they have been operating for many years and provides appropriate identification for the parcel and uses thereon and is generally compatible with this industrial district.

The motion carried unanimously.

Tracey Road Equipment Subdivision – PB-544-20
Subdivision RE: Combining of Four Lots into One in an Industrial District
6803 Manlius Center Road
Tax Map Nos.: 014.-01-05.1, 014.-01-07.2, 014.-01-07.4, 014.-01-07.6
(8 minutes)

Mark Weiss and Wyatt Nelson were present for the applicant. After discussion of the subdivision and pending matters, Mr. Webber made a motion seconded by Mrs. Kotz to approve the subdivision plan as presented with the following findings and conditions:

1. This is a Simple Division of land under the Code as no new lots are created; this involves movement of lot lines.
2. The lots herein consolidated are not changing the utilization of the properties substantially beyond how they have been used by the owner in common of all lots for many years, but is for convenience of the owner and to complete further improvements per a pending site plan in this industrial district.
3. Accordingly, and in light of the above, this Board waives public hearing requirement for subdivision as permitted by the Code where there are no new lots created and there is no public interest in this lot line adjustment.

4. This Board has reviewed the SOCPA resolution of 2/26/20 which found no significant adverse inter-community or county-wide implications and this Board has also reviewed the EAF submitted by the applicant and issues a negative SEQRA declaration for the project, finding no significant adverse environmental impacts from the project.
5. Applicant must file the subdivision map in the Onondaga County Clerk's Office in accordance with the rules of Onondaga County and provide a copy of the stamped filed map with the Town of DeWitt Department of Planning and Zoning.

The motion carried unanimously.

UNIFORM TAX EXEMPTION POLICY

Drafted February 1994
Readopted March 1999
Amended November 13, 2008
Amended April 9, 2009
Amended June 11, 2009
Amended July 9, 2009
Amended April 14, 2011
Amended September 13, 2011
Amended July 17, 2012
Amended December 11, 2012
Amended July 26, 2013
Amended July 20, 2016
Amended August 20, 2019
Pending OCIDA Board Approval
Amended Month Day, 2020

Section I. Purpose

A. Purpose. Pursuant to Section 874(4) of Article 18-A of the General Municipal Law (the "GML") of the State of New York (the "State"), the Onondaga County Industrial Development Agency (the "Agency") hereby establishes a uniform tax exemption policy ("UTEP") to provide guidelines for the claiming of real property, mortgage recording, and sales and use tax exemptions. The Agency may grant benefits on a case by case basis for a project expected to have significant economic impact on Onondaga County as determined in the sole discretion of the Agency members.

Section II. Real Property Tax Abatements

A. General Policy. The Agency may provide for the provision of real property tax abatements to qualified applicants. The granting of such abatements requires the Agency and the project owner or occupant (the "Company") to enter into a payment in lieu of taxes agreement ("PILOT"), which provides for payments in lieu of taxes to the taxing jurisdictions generally in an amount less than what the real property taxes would be if the Agency involvement did not cause the project to be tax exempt. The Agency's standard policy is to provide for payments following a schedule of steadily increasing fixed payments calculated by applying a sliding scale to values determined using current tax rates and the current assessed value of the project.

B. Special Assessments and Levies. No project shall be exempt from special assessments and special ad valorem levies lawfully levied and/or assessed against the project.

C. PILOT Qualification. A project must be engaged in one of the following below listed activities to be eligible for a Job Retention, Job Retention with MWBE Enhancement, Job Creation, Job Creation with MWBE Enhancement, or either Repatriation PILOT Scales later detailed in this UTEP. Qualifying activities include: manufacturing, processing, remanufacturing, assembly, warehousing, back office, wholesale, distribution, product research and development, professional/scientific/technical services, tourism, commercial housing or a corporate national or regional headquarters, or an energy project.

D. PILOT Valuation. Payments in lieu of taxes shall be determined pursuant to a written PILOT Agreement between the Agency and the Company. The Company shall pay to the Agency, or its designee, the amount calculated pursuant to the applicable PILOT Agreement. Each PILOT payment shall be allocated among the affected taxing jurisdictions in proportions equal to the percent of real property taxes which would have been received by each affected taxing jurisdiction had the project not been tax exempt. Variations in the proportions shall be done only with the prior written consent of all the affected taxing jurisdictions. Each PILOT agreement shall take effect during the tax year immediately following the taxable status date after the Agency acquires an interest in the project unless otherwise agreed upon by the Agency.

1. PILOT payments shall be equal to the sum of the following:

   i. Fixed payments, calculated by the Agency, using an estimated current value and current tax rate of the land both as of the date of the application for Project benefits; plus

   ii. Fixed payments, calculated by the Agency, using an estimated value of the improvements and current tax rate both at the time of the application for Project benefits, which value is then multiplied by the applicable percentage in the applicable PILOT Exemption Scale.

Job Retention PILOT Exemption Scale

The Job Retention PILOT Exemption Scales is available to a Company undertaking a project in Onondaga County where the project goal is to enhance the competitiveness of the Company through strategic investments. For these projects, additional capital investments by the Company are necessary to preserve existing jobs.

Job Retention PILOT Exemption Scale		Job Retention Community Benefit PILOT Exemption Scale	
Year	Exemption %	Year	Exemption %
1	100%	1	100%

2	90%	2	100%
3	80%	3	100%
4	70%	4	90%
5	60%	5	80%
6	50%	6	70%
7	40%	7	60%
8	30%	8	50%
9	20%	9	40%
10	10%	10	30%
		11	20%
		12	10%

Job Retention PILOT with MWBE Enhancement Exemption Scale

To qualify for an MWBE Enhancement PILOT Exemption Scale, a Company must demonstrate compliance with the MWBE Requirements, as noted below, from the date of project closing to 5 years from project completion. The MWBE enhancement requirements require that at least 15% of the Company's new hires in this time period (i) be minorities and (ii) at least 30% be minorities or women. If the Company can demonstrate this, they are eligible to return to the Agency and request this enhancement to their PILOT exemption scale. The Agency has sole and absolute discretion with granting this request.

Job Retention PILOT with MWBE Enhancement Exemption Scale		Job Retention and Community Benefit PILOT with MWBE Enhancement Exemption Scale	
Year	Exemption %	Year	Exemption %
1	100%	1	100%
2	90%	2	100%

3	80%	3	100%
4	70%	4	90%
5	60%	5	80%
6	50%	6	70%
7	45%	7	65%
8	35%	8	55%
9	25%	9	45%
10	15%	10	35%
		11	20%
		12	10%

Job Creation PILOT Exemption Scale

The Job Creation PILOT Exemption Scale is available to a Company undertaking a project in Onondaga County where the project will create jobs and/or enhance the competitiveness of the Company by creating or expanding a business.

To qualify for the Job Creation PILOT Exemption Scale, the Company must represent that it will create and/or increase employment at the project site by at least 25% for an existing site or increase the applicant's Onondaga County employee headcount by 25%.

Job Creation PILOT Exemption Scale (At least b25% increase in total jobs)		Job Creation Community Benefit PILOT Exemption Scale (At least 25% increase in total jobs)	
Year	Exemption %	Year	Exemption %
1	100%	1	100%
2	100%	2	100%
3	90%	3	100%
4	90%	4	100%
5	80%	5	90%
6	80%	6	90%
7	70%	7	80%

8	70%	8	80%
9	60%	9	70%
10	60%	10	70%
11	50%	11	60%
12	40%	12	60%
13	30%	13	50%
14	20%	14	40%
15	10%	15	40%
		16	30%
		17	20%
		18	10%

Job Creation PILOT with MWBE Enhancement Exemption Scale

A Project with a Job Creation PILOT exemption scale may qualify for an MWBE Enhancement Exemption Scale if the Company is able to show compliance with the MWBE enhancement requirements from the date of project closing to 5 years from project completion. The MWBE enhancement requirements require that at least 15% of the Company's new hires in this time period (i) be minorities and (ii) at least 30% be minorities or women. If the Company can demonstrate this, the Company is eligible to return to the Agency and request this enhancement to its Exemption Scale. The Agency has sole and absolute discretion regarding this request.

Job Creation PILOT (At least 25% of jobs must be new jobs) with MWBE Enhancement Exemption Scale		Job Creation Community Benefit PILOT (At least 25% of jobs must be new jobs) with MWBE Enhancement Exemption Scale	
Year	Exemption %	Year	Exemption %
1	100%	1	100%
2	100%	2	100%
3	90%	3	100%
4	90%	4	100%
5	80%	5	90%
6	80%	6	90%
7	80%	7	85%

8	80%	8	85%
9	75%	9	75%
10	65%	10	75%
11	50%	11	60%
12	40%	12	60%
13	30%	13	50%
14	20%	14	40%
15	10%	15	40%
		16	30%
		17	20%
		18	10%

Repatriation/Reshoring PILOT Exemption Scale

For exceptionally impactful projects a 30 year PILOT is available. To qualify, projects must meet these three requirements:

1. Development/expansion in a strategically important industry sector as determined by the Agency board in its sole and absolute discretion;
2. Total Project Cost greater than $250mm; and
3. Job creation greater than 500 full time permanent jobs over 5 years.

For smaller projects a 20 year PILOT is available. The proposed parameters are:

1. Development/expansion in a strategically important industry sector as determined by the Agency board in its sole and absolute discretion;
2. Total Project Cost less than or equal to $250mm; or,
3. Job creation is less than 500 jobs over 5 years.

Repatriation PILOT Exemption Scale : Total Project Cost exceeds $250 mm and Job Creation is greater than 500 jobs		Repatriation PILOT Exemption Scale : Total Project Cost is less than or equal to $250mm or Job Creation is less than 500 jobs	
Year	Exemption %	Year	Exemption %
1	100%	1	100%
2	100%	2	100%

3	100%	3	100%
4	100%	4	100%
5	100%	5	100%
6	100%	6	100%
7	100%	7	100%
8	100%	8	100%
9	100%	9	100%
10	100%	10	100%
11	100%	11	100%
12	100%	12	90%
13	100%	13	80%
14	100%	14	70%
15	100%	15	60%
16	100%	16	50%
17	100%	17	40%
18	100%	18	30%
19	100%	19	20%
20	100%	20	10%
21	100%		
22	90%		
23	80%		
24	70%		
25	60%		
26	50%		
27	40%		
28	30%		
29	20%		

30	10%

E. Community Benefit Incentive PILOT. The Community Benefit Incentive PILOT may offer a more generous PILOT exemption scale to a project that meets one of the following thresholds:

1. Brownfield. The project is a brownfield site as determined by the New York State Department of Environmental Conservation or United States Environmental Protection Agency. Sites located within Brownfield Opportunity Areas may also be considered.

2. Adaptive Reuse. The criteria for "adaptive reuse" is based on the following:

   i. the age of the structure;

   ii. the structure presents a significant structural challenge to redevelopment or presents a significant public safety hazard, as determined by the Agency;

   iii. the structure has been vacant or underutilized for a minimum of 2 years prior to application to the Agency;

   iv. the net increase in the facility's assessed value after project completion exceeds 30 percent;

   v. the project demonstrates a financial obstacle to development without the Agency's assistance;

   vi. the project is listed on the State or the National Register of Historic Places; and

   vii. the site or structure is presently delinquent in property tax payments.

3. LEED Certified. The project has received a Gold or Platinum LEED Certification from the US Green Building Council. To accommodate the LEED Certification Commissioning Process without penalizing a project, a project seeking LEED Certification may receive the applicable base PILOT Exemption Scale for up to 2 years after the project is completed and be transitioned for the remaining period to the Community Benefit PILOT Schedule upon receiving LEED Certification. If the project has not received LEED Certification within the 2-year period, the applicable PILOT Exemption Scale will remain in effect for an additional 8 years.

4. Community Benefit Incentive PILOT Valuation.

   a. PILOT payments shall be equal to the sum of the following:

      i. Fixed payments, calculated by the Agency, using an estimated current value and current tax rate of the land both as of the date of the application for Project benefits; plus

      ii. Fixed payments, calculated by the Agency, using an estimated value of the improvements and current tax rate both at the time of the application for Project benefits, which value is then multiplied by the applicable percentage in the Community Benefit Incentive PILOT Exemption Scale.

The Community Benefit Incentive PILOT Exemption Scale are shown on pages 7-G.3, 7-G.4, 7-G.5, and 7-G.6

F. Energy Project PILOT. Because of interest in our community for renewable energy development the Agency may, in its sole and absolute discretion, choose to grant real property, mortgage recording and sales and use tax exemptions to renewable energy projects. The following selection criteria and PILOT structure may be applied by the Agency to renewable energy related projects.

1. Selection Criteria

   i. Is the project in an underutilized or undesirable/ difficult to develop location? (e.g. landfill, brownfield, distressed land)
   ii. Is there demand in the area?
   iii. Is there support from local officials?
   iv. Does existing infrastructure support the project?
   v. Does the size of the project warrant a PILOT?

2. PILOT Structure:

   i. Term: At the Agency's sole and absolute discretion, the term of the PILOT may be extended to accommodate the financing requirements of a project.

   ii. PILOT Calculation: To estimate the annual PILOT payment, the Agency may use a formula expressed as a dollar value per AC Mega Watt (MW) multiplied by the MW generated to arrive at a PILOT payment to be paid by the Company each year. The Agency will be responsible for determining what the appropriate dollar value per MW is for each project. Mathematically, the formula can be expressed as: (AC MW Generated) X (Dollar Value per MW) = Total PILOT Payment for a given year.

G. Apartment Projects. Based on the need in our community for affordable housing for the workforce, the Agency may, in its sole and absolute discretion, choose to grant real property, mortgage recording and sales and use tax exemptions to apartment style housing projects. Apartment Projects real property tax benefits may be granted, in the Agency's sole and absolute discretion, in accordance with the Job Retention or Job Creation Exemption Scale contained in this UTEP. In addition to the requirements listed in the project evaluation and selection policy contained herein, the Agency may consider additional criteria when providing benefits to apartment style housing projects including, but is not limited to:

i. Is the project being built in a blighted area?

ii. Is the housing fulfilling an unmet need in the area?

iii. Is there a market study documenting demand for such housing?

iv. Is there support from local officials?

v. Is the project considered needed infill in an already populated area?

vi. Does the project provide walkability to municipality centers?

vii. Is any additional county providing infrastructure necessary to service the project?

viii. Is the project a part of a larger mixed-use development?

Section III. PILOT Deviations

A. PILOT Deviations. The Agency may deviate, on a case by case basis, from the PILOT Exemption Scale as described above.

B. Notification of Taxing Jurisdictions. Any deviations from this UTEP shall require a written notification by the Agency to the chief executive officer of each affected taxing jurisdiction in advance of the meeting at which the proposed deviation will be considered.

C. Deviation Considerations. The Agency in its sole and absolute discretion may consider the following factors in the determining whether a project may deviate from the PILOT

Exemption Scale contained in this UTEP , no single one of which is determinative:

1. The nature of the proposed project (e.g., manufacturing, commercial, etc.);

2. The nature of the property before the project begins (e.g., vacant land, vacant buildings);

3. The economic condition of the area at the time of the application;

4. The extent to which a project will create or retain permanent, private sector jobs;

5. The estimated value of the tax exemptions to be provided;

6. The impact of the project and proposed tax exemptions on affected tax jurisdictions;

7. The impact of the proposed project on existing and proposed businesses and economic development projects in the vicinity;

8. The amount of private sector investment generated or likely to be generated by the proposed project;

9. The demonstrated public support for the proposed project;

10. The likelihood of accomplishing the proposed project in a timely fashion;

11. The effect of the proposed project upon the environment

12. The extent to which the proposed project will require the provision of additional services including, but not limited to, additional educational, transportation, police, emergency medical or fire services;

13. The extent to which the proposed project will provide additional sources of revenue for municipalities and school districts in which the project is located; and

14. The extent to which the proposed project will provide a benefit (economic or otherwise) not otherwise available within the municipality in which the project is located.

Section IV. Sales and Use Tax Exemptions

A. Sales and Use Tax Exemption. The Agency may grant an exemption from State and local sales and use taxes to a project to the full extent permitted by the State.

1. Construction Materials, Equipment and Furnishings. Purchases of construction materials and equipment and of project related equipment, furnishings and other items of tangible personal property may be fully exempt from State and local sales and use taxes until the project is completed.

2. Operating and Maintenance Expenses. Operating and maintenance expenses incurred in connection with a project are not exempt from State and local sales and use tax.

3. Exempt Certificate. All project applicants must agree in writing to timely file with the New York State Department of Taxation an annual statement of the value of all sales and use tax exemptions.

Section V. Mortgage Recording Tax Exemptions

A. Permitted Exemptions. The Agency may grant an exemption from the mortgage recording tax to a project to the full extent of the law. The Agency may not grant an exemption from the portion of the mortgage recording tax that is payable to the Central New York Regional Transportation Authority.

Section VI. Recapture of Agency Benefits

A. Information to be Provided by Companies. Each Company agrees that to receive benefits from the Agency it must, whenever requested by the Agency or required under applicable statutes or project documents, provide and certify or cause to be provided and certified such information concerning the Company, its finances, its employees and other topics which shall, from time to time, be necessary or appropriate, including but not limited to, such information as to enable the Agency to make any reports required by law or governmental regulation.

B. Recapture of Benefits. It is the policy of the Agency to recapture the value of a PILOT, any sales and use tax exemption, and mortgage recording tax exemption in accordance with the Laws of the State and the provisions contained herein. Before receiving benefits, the Company must attest in writing to its understanding of, and agreement to, the recapture provisions contained in State Law and herein. To the extent permitted by State law, the recapture provisions contained herein may be modified from time to time by the Agency at its sole discretion.

C. Recapture of PILOT, Sales and Use Tax and Mortgage Recording Tax Exemption Benefits

1. Jobs. If the number of full time equivalent jobs to be maintained or created in connection with a project falls below 75% of the number projected in the Company's application to the Agency, or if there are material violations of

the project agreements, then the value of the property tax, sales and use tax and mortgage recording tax benefits extended to the project by the Agency may be subject to recapture. When deciding whether or not to recapture benefits and the amount of such recapture, the Agency may consider the potential future benefit of the business to the community.

2. Recapture Payment. The recapture payment paid by the Company to the Agency shall be determined (1) by the difference between any PILOT payments made by the Company and the property taxes that would have been paid by the Company if the property were not under the supervision, jurisdiction or control of the Agency, (2) the value of any mortgage recording tax exemption, if awarded to the Company and (3) the amount of sales and use tax that would have been paid if an exemption was not granted.

3. Recapture of the PILOT, Sales and Use Tax or Mortgage Recording Tax. The Recapture Schedule for a Payment in Lieu of Tax Agreement, Sales and Use Tax or the Mortgage Recording Tax is as follows:

Time from Project Completion	Tax Savings Recaptured
1 Year	80%
2 Years	60%
3 Years	40%
4 Years	20%
5 Years	10%

D. Distribution of the Recapture Payment. Any funds recaptured as a result of the recapture payment shall be distributed to the affected taxing jurisdictions in the same proportion as if the payments were paid or owed by the Company on the date of recapture.

E A "Full Time Permanent Employee" shall mean

1. A full time, permanent, private sector employee on the Company's payroll, who has worked at the project location for a minimum of thirty hours per week for not less than four consecutive weeks and who is entitled to receive the usual and customary fringe benefits extended by Company to other employees with comparable rank, duties and hours; or

2. Up to three part time, permanent, private-sector employees on Company's payroll, who have worked at the project location for a combined minimum of thirty hours per week for not less than four consecutive weeks and who are entitled to receive the usual and customary fringe benefits extended by Company to other employees with comparable rank, duties and hours.

F. Additional Conditions Applicable to the Recapture of Sales and Use Tax Exemption Benefits.

1. Recapture Events. As of April 1, 2013, State law requires industrial development agencies to recapture sales and use tax benefits where:

i. A project is not entitled to receive the benefits;

ii. Exemptions received exceed the amount authorized by the Agency;

iii. Exemptions are claimed by the project for unauthorized property or services; or

iv. A project fails to use the property in the manner required by its Agency agreements.

2. Distribution of Sales and Use Tax. Project operators must cooperate with the Agency in its effort to recapture all sales and use tax benefits received by the Company by promptly paying the recapture amount as determined by the Agency. The amount to be recaptured will be dictated by State Law or this UTEP Policy, which ever may be applicable. The Agency shall remit the recaptured sales and use tax benefits to the State within 30 days of receipt.

3. Compliance Report. Annually, the Agency will file an annual compliance report with the State detailing its recapture terms and its activities to recapture benefits, including the any attempt to recapture benefits from an Agency project.

Section VII. Amendment or Modification

A. Amendment or Modification. The Agency, by resolution of a majority of its members and upon notice to the affected taxing jurisdictions, may amend or modify the foregoing policy, from time to time in accordance with the laws of the State.

Section VIII. Project Evaluation and Selection Policy

A. Evaluation and Selection. Pursuant to Section 859-a (5) of the GML the Agency must adopt, by resolution of the Board, uniform project evaluation and selection criteria. This criteria will be used to determine whether the Agency should grant financial assistance to an applicant. As such, the Agency has adopted this Evaluation and Selection Policy in accordance with the applicable laws and regulations.

1. Prior to approval for financial assistance by the Agency the following actions must occur:

i. The applicant must provide a complete and signed application to the

Agency.

ii. The Agency must assess all of the information received in connection with the application as necessary to afford a reasonable basis for the decision to provide assistance.

iii. The Agency must prepare a written cost benefit analysis identifying the following:

a. The potential creation or retention of permanent private sector jobs, their salaries and benefit packages;

b. The estimated value of tax exemptions;

c. The amount of private sector investment likely to be generated by the project;

d. The extent to which the project will provide additional sources of revenue for municipalities and school districts; and

e. Any other public benefit that might occur due to the project.

2. The Agency must receive a statement signed by the applicant that, as of the date of the application, the project is in substantial compliance with all provisions of the GML, included but not limited to Section 862.

3. If the project would involve the removal or abandonment of a facility or facilities within the State, the Agency must notify the chief executive officers of such affected municipality or municipalities.