



ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

333 WEST WASHINGTON STREET, SUITE 130, SYRACUSE, NY 13202

PHONE: 315.435.3770 • FAX: 315.435.3669 • ONGOVED.COM

Meeting Agenda April 14, 2020

8:00AM Call to Order the Regular Meeting of the Agency

- A. Approval of Minutes-March 17, 2020
- B. Treasurers Report
- C. Payment of Bills
- D. Conflict of Interest

Action Items:

1. TC Syracuse Development Associates, LLC (3101-19-10A)

TC Syracuse Development Associates, LLC is requesting a waiver from the Local Access Policy with respect to no more than 30% of the project's total labor cost.

Agency Action Requested:

- a. Resolution to accept request for waiver to the Local Access Policy.

Representative: Robert Petrovich

2. TC Syracuse Development Associates, LLC (3101-19-10A)

TC Syracuse Development Associates, LLC is requesting an interim sales and use tax exemption.

Agency Action Requested

- a. Resolution to grant an interim sales and use tax exemption.

Representative: Robert Petrovich

3. Tessy Plastics Corporation (3101-20-02K)

Tessy Plastics is proposing an expansion of their Elbridge, NY manufacturing facility. This site is located in the Town of Elbridge. Ratification by the Board of the SEQR Resolution, the Final Approving Resolution and any further actions in connection therewith.

Agency Action Requested: A resolution of the Board to authorize sales tax abatement, mortgage tax exemption and real property tax abatement.

- a. Ratification of Resolutions
 - SEQR Resolutions
 - Final Approving Resolution

Representative: Robert Petrovich

4. Cicero Energy Storage I, LLC (CES I) 3101-20-05A- Initial Meeting

Cicero Energy Storage I, LLC, is proposing the construction of a 5-megawatt solar facility in the Town of Cicero.

Agency Action Requested:

- a. A Resolution of the Board describing the proposed project and the financial assistance the Agency may provide and authorizing a public hearing for the project. Agency benefits requested include a Payment in Lieu of Tax Agreement, Sales Tax Abatement, and Mortgage Recording Tax Abatement.

Representative: Kevin McAuliffe, Barclay Damon, LLC

5. Cicero Energy Storage II (CES II) 3101-20-06A-Initial Meeting

Cicero Energy Storage II, LLC, is proposing the construction of a 5-megawatt solar facility in the Town of Cicero.

Agency Action Requested:

- a. A Resolution of the Board describing the proposed project and the financial assistance the Agency may provide and authorizing a public hearing for the project. Agency benefits requested include a Payment in Lieu of Tax Agreement, Sales Tax Abatement, and Mortgage Recording Tax Abatement.

Representative: Kevin McAuliffe, Barclay Damon, LLC

6. Central New York International Business Association (CNYIBA) Contract

An agreement between CNYIBA and OCIDA.

Agency Action Requested:

- a. A Resolution Authorizing the Execution of a Consulting Services Agreement.

Representative: Robert Petrovich

7. Barbagallo's Tavern, Inc.

Agency Action Requested:

- a. A Resolution Authorizing the Execution of Lender Documents.

Representative: Robert Petrovich

Adjourn

SUBJECT TO BOARD APPROVAL

Onondaga County Industrial Development Agency Regular Meeting Minutes March 17, 2020

A regular meeting of the Onondaga County Industrial Development Agency was held on Tuesday, March 17, 2020 at 333 West Washington Street, Syracuse, New York in the large conference room on the first floor.

Patrick Hogan called the meeting to order at 8:00 am with the following:

PRESENT:

Patrick Hogan
Fanny Villarreal

TELECONFERENCE

Kevin Ryan
Susan Stanczyk
Steve Morgan
Janice Herzog

ABSENT:

Victor Ianno

ALSO PRESENT:

Robert Petrovich, Executive Director
Nancy Lowery, Secretary
Nate Stevens, Treasurer
Karen Doster, Recording Secretary
Carolyn Evans-Dean, Economic Development
Jeffrey Davis, Barclay Damon Law Firm (Teleconference)
Amand Mirabito, Barclay Damon Law Firm (Teleconferenc)
Angela Orlandella, Barclay Damon Law Firm (Teleconference)
Brian Gerling, Bond Schoeneck & King (Teleconference)
Paul Reichel, Bond Schoeneck & King (Teleconference)
Melissa Clark, Abundant Solar Power (SK1), LLC (Teleconference)
Chris Carrick, CNY Regional Planning Board (Teleconference)

APPROVAL OF REGULAR MEETING MINUTES – FEBRUARY 11, 2020

Upon a motion by Janice Herzog, seconded by Steve Morgan, the OCIDA Board approved the regular meeting minutes of February 11, 2020. Motion was carried.

TREASURER'S REPORT

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

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

PAYMENT OF BILLS

Nate Stevens gave a brief review of the Payment of Bills Schedule #441.

Upon a motion by Janice Herzog, seconded by Fanny Villarreal, the OCIDA Board approved the Payment of Bills Schedule #441 for \$108,632.95 and PILOT payments to Town of DeWitt for \$29,218.00, Town of Manlius for \$15,959.81, Town of Van Buren for \$34,804.00, Baldwinsville Central School District for \$204,861.00, East Syracuse Minoa Central School District for \$155,264.00 and Onondaga County for \$92,699.63. Motion was carried.

CONFLICT OF INTEREST DISCLOSURE

The Conflict of Interest Statement was circulated and there were no conflicts reported. The conflict of interest will be emailed to Board Members present via teleconference to sign off.

APPROVAL OF THE 2020 BUDGET

Upon a motion by Fanny Villarreal, seconded by Janice Herzog, the OCIDA Board approved a resolution adopting the 2020 budget. Motion was carried.

TESSY PLASTICS CORPORATION

Nate Stevens stated Nancy Lowery held the public hearing.

Angela Orlandella stated that Tessa Plastics is doing an \$18,000,000 expansion which is divided \$8,000,000 for the building construction and \$10,000,000 in equipment. She stated that the expansion involves additional warehouse space but also internal space for clean rooms etc. to expand the manufacturing operation.

Robert Petrovich stated that since Barclay Damon is representing Tessy on this transaction, staff has been working with Brian Gerling and Paul Reichel from Bond Schoeneck & King who have been representing the Agency for this transaction. He stated they have been working through the benefit package that will be voted on shortly.

Steve Morgan asked if there were any comments at the public hearing. Nancy Lowery stated that there were no negatives. She stated that there were folks that came to listen from the Town Board and from the School. She stated they both offered support for the project.

Patrick Hogan asked what the employment numbers will be after the expansion is completed. Angela Orlandella stated that right now in Elbridge there are about 564 employees and companywide there are about 975. She stated they are looking to create 150 jobs in the next 3 years with 50 the first year.

Upon a motion by Janice Herzog, seconded by Susan Stanczyk, the OCIDA Board approved a resolution authorizing sales tax abatement, mortgage tax exemption and real property tax abatement for the Tessy Plastics Corporation project. Motion was carried.

ABUNDANT SOLAR POWER (SK1) LLC

Melissa Clark stated that Abundant Solar had originally discussed how the ownership of the SK1 Solar array would work over the long term in September-October. She stated that they did mention there would be a transfer of the asset prior to construction and it was included in the original application. She stated that they are on the cusp of moving to construction and as a consequence in order to get the financing appropriately in place True Green Capital has created a special purpose entity called Solarize NY Holdings LLC. She stated that they have purchased the shares in the SK1 LLC and they are here today to request approval of this change in ownership to move forward with the project with the funding in place.

Jeff Davis stated that from a SEQR perspective the project has been reviewed and adopted. He stated that the request for change in ownership has no significant impact on the SEQR resolution so there is no change to that.

Chris Carrick stated that he wanted to remind the Board that the CNY Regional Planning and Development Board has partnered with Abundant to construct a number of solar projects on municipal properties. He stated Skaneateles is the first in Onondaga County but there will be several more coming before the Board in the coming months. He stated the change in membership interest is fairly typical for the financing of these solar projects because of the way the federal investment credit works to finance the projects.

Upon a motion by Janice Herzog, seconded by Fanny Villarreal, the OCIDA Board approved a resolution consenting to the sale of the membership interest of the Abundant Solar Power (SK1) LLC project. Motion was carried.

CENTRAL NEW YORK INTERNATIONAL BUSINESS ASSOCIATION (CNYIBA)

Robert Petrovich stated that at the prior meeting there was conversation about a relationship we are entering with the Central New York IBA in order to enhance opportunities and work relative to import/export in particular with our FTZ. He stated the CNYIBA has some skill sets that we think we should utilize in terms of moving the needle on our FTZ related activities for constituents in our universe. He stated this was an opportunity for us over the course of this year for staff to work with Steve King of CNYIBA to see if we can expand our FTZ90 and meet the needs of folks that have expressed an interest in services related to import/export. He stated that he is seeking a resolution authorizing his execution of the contract negotiated with CNYIBA for services they are going to be providing, 200 hours over the course of this year. He stated they will be working with us and we will compensate them \$35,000 for that effort.

Kevin Ryan asked if the Board has seen a copy of the agreement. Robert Petrovich stated that he believes the Board may have seen a draft a while back but the agreement is available to look at. He stated it is straightforward.

Patrick Hogan asked about terms of the money going back and forth. Robert Petrovich stated that in terms of the money they have to provide services and we can choose to pay them. He stated Barclay Damon drafted the agreement for us. He stated that CNYIBA has looked at it, they are satisfied with what was presented as an agreement, they signed it and now he is waiting

authorization from the Board for him to sign it. He stated that it is \$35,000 paid in quarterly installments based upon the work completed. He stated that it is up to \$35,000 and we will not exceed that.

Patrick Hogan asked if the Board will get a chance to review it going forward. Robert Petrovich stated that staff will provide updates through the course of the year.

Fanny Villarreal stated that she would like to see the agreement before voting. Robert Petrovich stated that the draft went out previously but he will send the agreement out today. He suggested tabling the vote for now. Patrick Hogan agreed to table.

AUDIT FROM GROSSMAN ST AMOUR

Upon a motion by Fanny Villarreal, seconded by Janice Herzog, the OCIDA Board approved a resolution adopting the 2019 Agency audit. Motion was carried.

Nate Stevens asked Brian Gerling and Paul Reichel to discuss SEQR for the Tessy Plastics project.

Paul Reichel stated that in connection with the Agency's approval, Tessy Plastics project will also need the SEQR review. He stated that Tessy submitted an environmental assessment form with its application along with the negative declaration and determination by the Town Planning Board that the project will not have an impact on the environment. He asked the Board to approve a resolution accepting the determination by the Planning Board that it will not have a significant effect on the environment.

Upon a motion by Kevin Ryan, seconded by Fanny Villarreal, the OCIDA Board approved a resolution accepting the SEQR determination by the Town of Elbridge Town Planning Board that the project will not result in a significant adverse environmental impact. Motion was carried.

Patrick Hogan thanked everyone because we are in a new normal and especially the County Executive and the Governor of the State with the open meeting laws and the Economic Development staff.

Upon a motion by Fanny Villarreal, seconded by Patrick Hogan, the OCIDA Board adjourned the meeting at 8:57 am. Motion was carried.

Robert M. Petrovich, Executive Director



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March 31, 2020

Revenue / Expense / Income	Current Period	Current YTD	2020 Budget Amount	Current YTD Change to Budget
Operating Revenue	1,851,261	2,193,808	1,526,000	667,808
Administrative Expense	42,376	123,740	900,000	(776,260)
Operating/Program Exp.	10,070	30,011	626,000	(595,989)
Net Ordinary Income	1,798,816	2,040,057	-	2,040,057

Current Assets	Current YTD	Prior YTD
Total Cash	2,825,604	1,918,544
Less Pass Through Received	25,750	-
Available Cash	2,799,854	1,918,544
Receivables (less pass through rec.)	1,845,914	973,947
Grant Reimbursements	268,733	268,733
Total	4,914,501	3,161,224

Reserve for Contracts	
County Operations 2020	776,260
Marketing	14,737
Professional Services	55,000
Website Design	180
333 W. Washington St 2020 Rent	65,000
WPCP Sewer Design Engineering	108,151
OBG WPCP Engineering	-
OBG WPCP Drone Flyover	-
OBG WPCP CO #2 Site Selection	-
OBG WPCP CO #3 Additional Studies	(2,418)
OBG WPCP CO #4 Additional Studies	563,498
JMT 800 Hiawatha Engineering	25,000
National Grid WPCP Engineering Gas	200,000
National Grid WPCP Engineering Electric	175,000
Total	1,980,408

Receivables	
0-120 days	1,623,890
> 120 days	490,757
Total	2,114,647

Onondaga County Industrial Development Agency

PROFIT AND LOSS

March 2020

	TOTAL
Income	
500 Operating Revenue	
2116 Fees	
2116.1 Agency Fees	1,851,125.00
Total 2116 Fees	1,851,125.00
Total 500 Operating Revenue	1,851,125.00
501 Non-Operating Revenue	
2401 Interest Income	87.28
501.2 Other Non-Operating Revenue	49.00
Total 501 Non-Operating Revenue	136.28
534 Pilot & Pass Thru Revenue	
528 Pass thru Income	10,371.00
529 PILOT Income	34,776.45
Total 534 Pilot & Pass Thru Revenue	45,147.45
Total Income	\$1,896,408.73
GROSS PROFIT	\$1,896,408.73
Expenses	
6400 Operating Expense	
6407 Administrative Expense	42,375.91
6408 Board Mtg Exp	395.63
6409 Conference Attendance	1,954.93
6410 Office Expense	335.62
Total 6400 Operating Expense	45,062.09
6500 Agency Program Expenses	
6510 White Pine Commerce Park	
6510.2 Site Analysis	5,555.50
6510.7 WPCP Marketing	1,828.00
Total 6510 White Pine Commerce Park	7,383.50
Total 6500 Agency Program Expenses	7,383.50
6600 Non-Operating Expenses	
6605 Pilot & Pass Thru Expenses	
6605.1 Pass thru Expense	10,371.00
6605.2 PILOT Expense	34,776.45
Total 6605 Pilot & Pass Thru Expenses	45,147.45
Total 6600 Non-Operating Expenses	45,147.45
Total Expenses	\$97,593.04
NET OPERATING INCOME	\$1,798,815.69
NET INCOME	\$1,798,815.69

Onondaga County Industrial Development Agency

BALANCE SHEET

As of March 31, 2020

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
200 Cash	0.00
200.1 Cash - M & T Checking	1,944,628.87
200.2 Cash - M & T Money Maker Savings	889,882.55
200.4 Destiny USA Restricted Cash	-8,957.82
210 Petty Cash	50.00
Total 200 Cash	2,825,603.60
Total Bank Accounts	\$2,825,603.60
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	1,744,604.03
Total 380 Accounts Rec.	1,744,602.03
Total Accounts Receivable	\$1,744,602.03
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	\$5,060,962.39

Onondaga County Industrial Development Agency

BALANCE SHEET

As of March 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	-48,801.00
Total Fixed Assets	\$4,534,690.93
Other Assets	
240 Blue Sky Redevelopment	1,641.76
Total Other Assets	\$1,641.76
TOTAL ASSETS	\$9,597,295.08

Onondaga County Industrial Development Agency

BALANCE SHEET

As of March 31, 2020

	TOTAL
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
600 Accounts Payable	0.00
600.1 Due to Related Party - OED	123,740.47
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	149,071.88
601 PILOT and Pass Thru Payable	
602 Pass Thru Payable	10,871.00
603 PILOT Pass Thru	108,838.05
Total 601 PILOT and Pass Thru Payable	119,709.05
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
Total 631.3 Schools	0.00
631.4 Onondaga County	1.93
Total 631 Due to Other Governments	2.13
Total Other Current Liabilities	\$268,783.06
Total Current Liabilities	\$268,783.06
Total Liabilities	\$268,783.06
Equity	
3900 Equity Unreserved	4,569,787.87
3901 Equity-Investment Fixed Assets	2,345,838.63
463 Reserve For Contracts	1,980,407.91
465 Equity - Unreserved	-1,607,578.91
Net Income	2,040,056.52
Total Equity	\$9,328,512.02
TOTAL LIABILITIES AND EQUITY	\$9,597,295.08

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
PAYMENT OF BILL - SCHEDULE #442
April 14, 2020

GENERAL EXPENSES

1.	<u>ONONDAGA COUNTY</u>	\$	123,740.47
	1st Quarter 2020 OED Administrative Expenses Payment		
2.	<u>BROWN & BROWN EMPIRE STATE</u>	\$	5,664.00
	2020 D&O Insurance Premium		
3.	<u>REPUBLIC PARKING SYSTEM</u>	\$	4.00
	Inv# 20-03-305 Meeting Parking		
4.	<u>FEDEX</u>	\$	49.69
	Inv#6-951-09261, Shipping to SSG Atlanta		
5.	<u>ADVANCE MEDIA NEW YORK</u>	\$	160.20
	Publing Hearing Notices; Taft Solar, Tracey Road & Tessy		
6.	<u>ONONDAGA CIVIC DEVELOPMENT CORP.</u>	\$	15,408.06
	1st Quarter 2020 Rent and Office Machine Payments		
7.	<u>HARRIS BEACH PLLC</u>	\$	2,011.00
	Inv#2361534, WPCP Land Purchase		
8.	<u>BARCLAY DAMON LLP</u>	\$	14,969.42
	Inv#5064017, 5064019 & 5064018, Legal thru 2/29/2020		
9.	<u>THE NEW YORK, SUSQUEHANA & WESTERN RAILWAY*</u>	\$	<u>500.00</u>
	2020 PILOT Refund		

TOTAL **\$ 162,506.84**

* Ratification of Check dated April 8, 2020

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
PAYMENT OF BILL - SCHEDULE #442
April 14, 2020

PILOT Payments

1.	<u>CITY OF SYRACUSE</u>	\$	8,604.73
	1st Quarter 2020 COR Inner Harbor Master PILOT Payment		
2.	<u>SYRACUSE CSD</u>	\$	15,358.48
	1st Quarter 2020 COR Inner Harbor Master PILOT Payment		
3.	<u>ONONDAGA COUNTY</u>	\$	<u>10,813.24</u>
	1st Quarter 2020 COR Inner Harbor Master PILOT Payment		
	TOTAL	\$	34,776.45

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
RESERVE FOR CONTRACTS
3/31/2020

	CONTRACT	TOTAL	PORTION	BALANCE
DESCRIPTION	TERM	CONTRACT	PAID	OUTSTANDING
ONONDAGA COUNTY OED 2020	1-1-20-12-31-20	\$900,000.00	\$123,740.47	\$776,259.53
MARKETING	1-1-20-12-31-20	\$15,000.00	\$262.76	\$14,737.24
PROFESSIONAL SERVICES	1-1-20-12-31-20	\$55,000.00	\$0.00	\$55,000.00
WEBSITE DESIGN	8/31/16-12-31-20	\$10,000.00	\$9,820.00	\$180.00
333 W. WASHINGTON ST 2020 RENT	1-1-20-12-31-20	\$65,000.00	\$0.00	\$65,000.00
WPCP SEWER DESIGN ENGINEERING	1/31/16-1/31/17	\$268,628.00	\$160,476.55	\$108,151.45
OBG WPCP ENGINEERING	2/28/17-2/28/18	\$99,370.00	\$99,370.00	\$0.00
OBG WPCP CO #1 DRONE FLYOVER	4/30/17-4/30/18	\$3,300.00	\$3,300.00	\$0.00
OBG WPCP CO #2 SITE SELECTION	9/30/17-9-30-18	\$25,646.02	\$25,646.02	\$0.00
OBG WPCP CO #3 ADDITIONAL STUDIES	9/30/17-9-30-18	\$65,000.00	\$67,418.47	-\$2,418.47
OBG WPCP CO #4 ADDITIONAL STUDIES	11/30/18-11/30/19	\$800,000.00	\$236,501.84	\$563,498.16
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	\$203,100.00	\$200,000.00
NATIONAL GRID WPCP ENGINEERING ELECTRIC	11/29/18-11/29/19	\$375,000.00	\$200,000.00	\$175,000.00
		\$3,110,044.02	\$1,129,636.11	\$1,980,407.91

ACCOUNTS RECEIVABLE
3/31/2020

AGENCY FEES RECEIVABLE		\$1,623,890.00
ACCOUNTS RECEIVABLE GENERAL		\$0.00
QUASI-EQUITY LOAN RECEIVABLE		\$0.00
GRANTS RECEIVABLE		\$268,733.00
LONG TERM RECEIVABLE		\$222,024.00
TOTAL		\$2,114,647.00

Onondaga County Industrial Development Agency



Project Summary

4/7/2020

1. Project	Cicero Energy Storage I, LLC	2. Project Number	3101-20-05A
3. Location	Town of Cicero	4. School District	North Syracuse CSD
5. Tax Parcel(s)	054.-01-15.1	6. Project Type	New Construction
		Village	-

7.Total Project Cost	\$	12,198,381	8. Total Jobs	0
Land	\$	-	8A. Job Retention	0
Site Work	\$	336,979	8B: Job Creation	0
Building	\$	-	(Next 5 Years)	
Furniture & Fixtures	\$	-		
Equipment	\$	4,281,402		
Equipment Subject to NYS Production Exemption	\$	-		
Engineering/Architecture Fees	\$	80,000		
Financial Charges	\$	-		
Legal Fees	\$	-		
Other- Solar Installation Labor	\$	7,500,000		

Cost Benefit Analysis

Cicero Energy Storage I, LLC

Fiscal Impact (\$)

Abatement Cost

\$1,048,187

Sales Tax	\$768,000
Mortgage Tax	\$68,618
Property Tax Relief (PILOT)	\$211,569

New Investment

\$12,702,584

PILOT Payments	\$350,723
Project Wages (10 years)	\$0
Construction Wages	\$0
Employee Benefits (10 years)	\$0
Project Capital Investment	\$12,198,381
New Sales Tax Generated	\$0

Agency Fees	\$153,480
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Benefit:Cost Ratio

12 :1

Project Description

Cicero Energy Storage I LLC is proposing to construct a 5 MW photovoltaic solar facility with a battery energy storage system on lands located at Totman Road in the Town of Cicero.

Cicero Energy Storage I, LLC

4/8/2020

A) PILOTS Estimate Table Worksheet

Current Revenue Generated by
Parcel \$ 11,550

Projected Year 1 Revenue to be
generated as a result of the project: \$ 22,500

Total Project Cost \$ 12,198,381

OCIDA Estimate of Project Value \$ 1,070,351

Projected MW to be generated 5

Year	Onondaga County 15.0%	Town of Cicero 16.6%	North Syracuse CSD 68.4%	Total PILOT 100.0%	Full Tax Payment without PILOT	Net Exemption
2019-2020	\$ 1,731	\$ 1,917	\$ 7,903	\$ 11,550		
1	\$ 3,371	\$ 3,734	\$ 15,395	\$ 22,500	\$ 11,781	\$ (10,719)
2	\$ 3,439	\$ 3,809	\$ 15,702	\$ 22,950	\$ 12,017	\$ (10,933)
3	\$ 3,507	\$ 3,885	\$ 16,016	\$ 23,409	\$ 12,257	\$ (11,152)
4	\$ 3,578	\$ 3,963	\$ 16,337	\$ 23,877	\$ 12,502	\$ (11,375)
5	\$ 3,649	\$ 4,042	\$ 16,664	\$ 24,355	\$ 12,752	\$ (11,602)
6	\$ 3,722	\$ 4,123	\$ 16,997	\$ 24,842	\$ 13,007	\$ (11,834)
7	\$ 3,797	\$ 4,205	\$ 17,337	\$ 25,339	\$ 13,268	\$ (12,071)
8	\$ 3,873	\$ 4,289	\$ 17,683	\$ 25,845	\$ 13,533	\$ (12,312)
9	\$ 3,950	\$ 4,375	\$ 18,037	\$ 26,362	\$ 13,804	\$ (12,559)
10	\$ 4,029	\$ 4,463	\$ 18,398	\$ 26,890	\$ 14,080	\$ (12,810)
11	\$ 4,110	\$ 4,552	\$ 18,766	\$ 27,427	\$ 14,361	\$ (13,066)
12	\$ 4,192	\$ 4,643	\$ 19,141	\$ 27,976	\$ 14,649	\$ (13,327)
13	\$ 4,276	\$ 4,736	\$ 19,524	\$ 28,535	\$ 14,942	\$ (13,594)
14	\$ 4,361	\$ 4,831	\$ 19,914	\$ 29,106	\$ 15,240	\$ (13,866)
15	\$ 4,448	\$ 4,927	\$ 20,313	\$ 29,688	\$ 15,545	\$ (14,143)
16	\$ 4,537	\$ 5,026	\$ 20,719	\$ 30,282	\$ 16,533	\$ 36,250
17	\$ 4,628	\$ 5,126	\$ 21,133	\$ 30,888	\$ 67,863	\$ 36,975
18	\$ 4,721	\$ 5,229	\$ 21,556	\$ 31,505	\$ 69,220	\$ 37,715
19	\$ 4,815	\$ 5,333	\$ 21,987	\$ 32,136	\$ 70,605	\$ 38,469
20	\$ 4,911	\$ 5,440	\$ 22,427	\$ 32,778	\$ 72,017	\$ 39,239
21	\$ 5,010	\$ 5,549	\$ 22,875	\$ 33,434	\$ 73,457	\$ 40,023
22	\$ 5,110	\$ 5,660	\$ 23,333	\$ 34,102	\$ 74,926	\$ 40,824
23	\$ 5,212	\$ 5,773	\$ 23,800	\$ 34,785	\$ 76,425	\$ 41,640
24	\$ 5,316	\$ 5,888	\$ 24,276	\$ 35,480	\$ 77,953	\$ 42,473
25	\$ 5,422	\$ 6,006	\$ 24,761	\$ 36,190	\$ 79,513	\$ 43,323
	\$ 107,983	\$ 119,607	\$ 493,091	\$ 720,682	\$ 932,251	\$ 211,569



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: _____

Applicant Address: _____

Phone: _____ Fax: _____

Website: _____ E-mail: _____

Federal ID#: _____ NAICS: _____

State and Year of Incorporation/Organization: _____

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: _____

Title: _____

Address: _____

Phone: _____ Fax: _____

E-mail: _____

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

Name: _____

Title: _____

Address: _____

Phone: _____ Cell Phone: _____

E-mail: _____

D) Company Counsel:

Name of Attorney: _____

Firm Name: _____

Address: _____

Phone: _____ Cell Phone: _____

E-mail: _____

E) Business Organization (check appropriate category):

☐ Corporation

☐ Partnership

☐ Public Corporation

☐ Joint Venture

☐ Sole Proprietorship

☐ Limited Liability Company

Others (please specify): _____

Year Established: _____

State in which Organization is established: _____

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

SEE ATTACHED SHEET.

Name

% of ownership

G) Applicant Business Description:

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

Estimated % of sales within Onondaga County: _____

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

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: _____

Legal Address (if different): _____

City: _____ Village/Town: _____

Zip Code: _____ School District: _____

Tax Map Parcel ID(s): _____

Current Assessed Value: _____ Sq. Footage of Existing Building: _____

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 | ☐ Bank Office |
| ☐ Acquisition of Existing Facility | ☐ Retail |
| ☐ Housing | ☐ Mixed Use |
| ☐ Equipment Purchase | ☐ Facility for Aging |
| ☐ Multi-Tenant | ☐ Civic Facility (not for profit) |
| ☐ Commercial | ☐ 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			
Site Work/Demo			
Building Construction & Renovation			
Furniture & Fixtures			
Equipment (solar)			
Equipment Subject to NYS Production Sales Tax			
Engineering/Architect			
Financial Charges			
Legal			
Other (BESS)			
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 \$ _____

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:	
Estimate the number of construction jobs to be created by this Project:	
Estimate the average length of construction jobs to be created (months):	
Current annual payroll at facility:	
Average annual growth rate of wages:	
Please list, if any, benefits that will be available to either full and/or part time employees:	
Average annual benefit paid by the company (\$ or % salary) per FTE job:	
Average growth rate of benefit cost:	
Amount or percent of wage employees pay for benefits:	
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:	

D) New Employment Benefits N/A

- 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):

- ☐ Real Property Tax Abatement (PILOT): _____
- ☐ Mortgage Recording Tax Exemption (.75% of amount mortgaged): _____
- ☐ Sales and Use Tax Exemption (4% Local, 4% State): _____
- ☐ 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:

\$ _____

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 _____ (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: _____

Representative for Contract: _____

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Project Address: _____ City: _____ State: _____ Zip: _____

General Contractor: _____

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

<u>Benefit Sought</u>	<u>Fee Charged</u>
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, whichever 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 _____

Signature of Officer or Authorized Representative: _____

Name & Title of Officer or Authorized Representative: _____

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), _____, 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.

_____, 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.

_____, 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: _____

Signature of Officer or Authorized Representative: _____

Name & Title of Officer or Authorized Representative: _____

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 _____

Signature of Officer or Authorized Representative: _____

Name & Title of Officer or Authorized Representative: _____

Date: _____

Section X: Representations, Certifications, and Indemnification

_____ (Name of CEO or other authorized representative of Applicant) confirms and says that he/she is the _____ (title) of _____ (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 _____

Signature of Officer or Authorized Representative: _____

Name & Title of Officer or Authorized Representative: _____

Date: _____

STATE OF NEW YORK)

COUNTY OF ONONDAGA)ss.;

_____, being first duly sworn, deposes and says:

1. That I am the _____ (Corporate Officer) of _____ (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

Short Environmental Assessment Form

Part 1 - Project Information

TOWN OF CICERO

SEP 16 2019

Instructions for Completing

ZONING AND PLANNING

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.

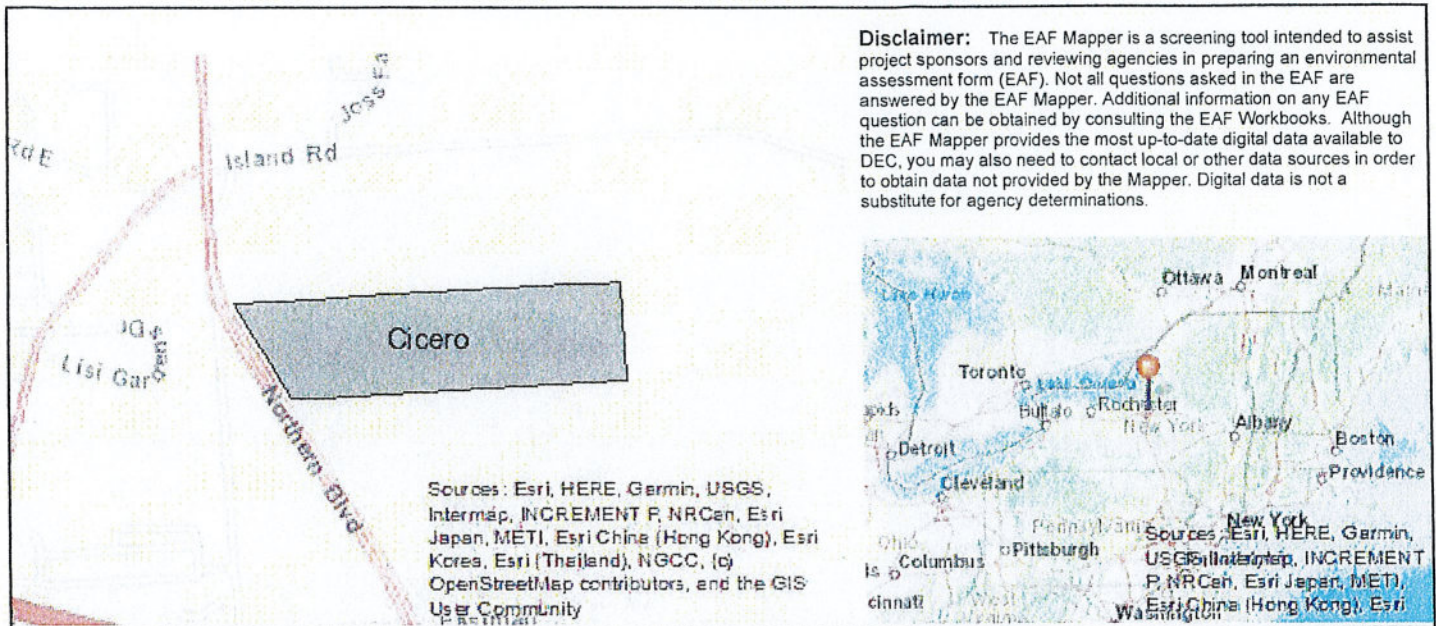
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Cicero ES1			
Name of Action or Project: Proposed Site Plan			
Project Location (describe, and attach a location map): Northern Boulevard, Cicero, NY			
Brief Description of Proposed Action: Applicant seeking site plan approval for a 5MW PV + 5MW/15MWh Battery Energy Storage System Project.			
Name of Applicant or Sponsor: Convergent Energy Solutions New York, LLC		Telephone: 917-907-3286 E-Mail: aisraelson@convergentep.com	
Address: 7 Times Square Tower, Suite 3504			
City/PO: New York		State: NY	Zip Code: 10036
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO ☒	YES ☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Town of Cicero Planning, Onondaga County Planning, NYSDEC		NO ☐	YES ☒
3. a. Total acreage of the site of the proposed action?		90.4+/- acres	
b. Total acreage to be physically disturbed?		0.2+/- acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		90.4+/- 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			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO ☐	YES ☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? Per DEC Website If Yes, identify: _____	NO ☒	YES ☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO ☒	YES ☐	
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: _____ _____	NO ☐	YES ☒	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ No water service proposed.	NO ☒	YES ☐	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ No sanitary services proposed.	NO ☒	YES ☐	
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? Per DEC Website 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?	NO ☒ ☐	YES ☐ ☒	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO ☐	YES ☒	
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: _____ We propose to install Solar Panel Systems throughout the ACOE wetlands. However, we will not be adversely affecting said wetlands at anytime. No fill or disturbance will be done within said wetlands. _____			

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?	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:	☐	☐
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
	☒	☐
Per DEC Website		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Timothy J. Coyer, L.S.</u> Date: <u>09-06-2019</u>		
Signature: <u></u> Title: <u>Land Surveyor for applicant</u>		





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]	Yes
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]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

Project: CONVERGENT SOLAR ENERGYDate: 1-7-20

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☒	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☒	☐
3. Will the proposed action impair the character or quality of the existing community?	☒	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☒	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☒	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☒	☐
7. Will the proposed action impact existing:	☒	☐
a. public / private water supplies?	☒	☐
b. public / private wastewater treatment utilities?	☒	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☒	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☒	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☒	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐

Project: CONVERTIBLE SOLAR ENERGYDate: 1-7-20

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
☒	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
<u>CICERO PLANNING BOARD</u>	<u>1-7-20</u>
Name of Lead Agency	Date
<u>MARK MARZULLO</u>	<u>CHAIR</u>
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
<u>[Signature]</u>	<u>[Signature]</u>
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

Project Narrative

Cicero Energy Storage 1 LLC

Cicero Energy Storage 1 LLC (“CES1 LLC”) proposes to construct a 5-megawatt (MW) photovoltaic solar facility with a 20 MWh battery energy storage system on lands located at Totman Road and Northern Boulevard in the Town of Cicero (the “Project”). The Project will be constructed on approximately 23 acres of a 90.4-acre parcel, which is situated in the Industrial zoning district. CES1 LLC will lease approximately 91 acres from the landowner, Riccelli Enterprises, LLC.

The proposed installation is permitted subject to site plan review and approval by the Town of Cicero Planning Board. CES1 LLC received site plan approval on December 18, 2019.

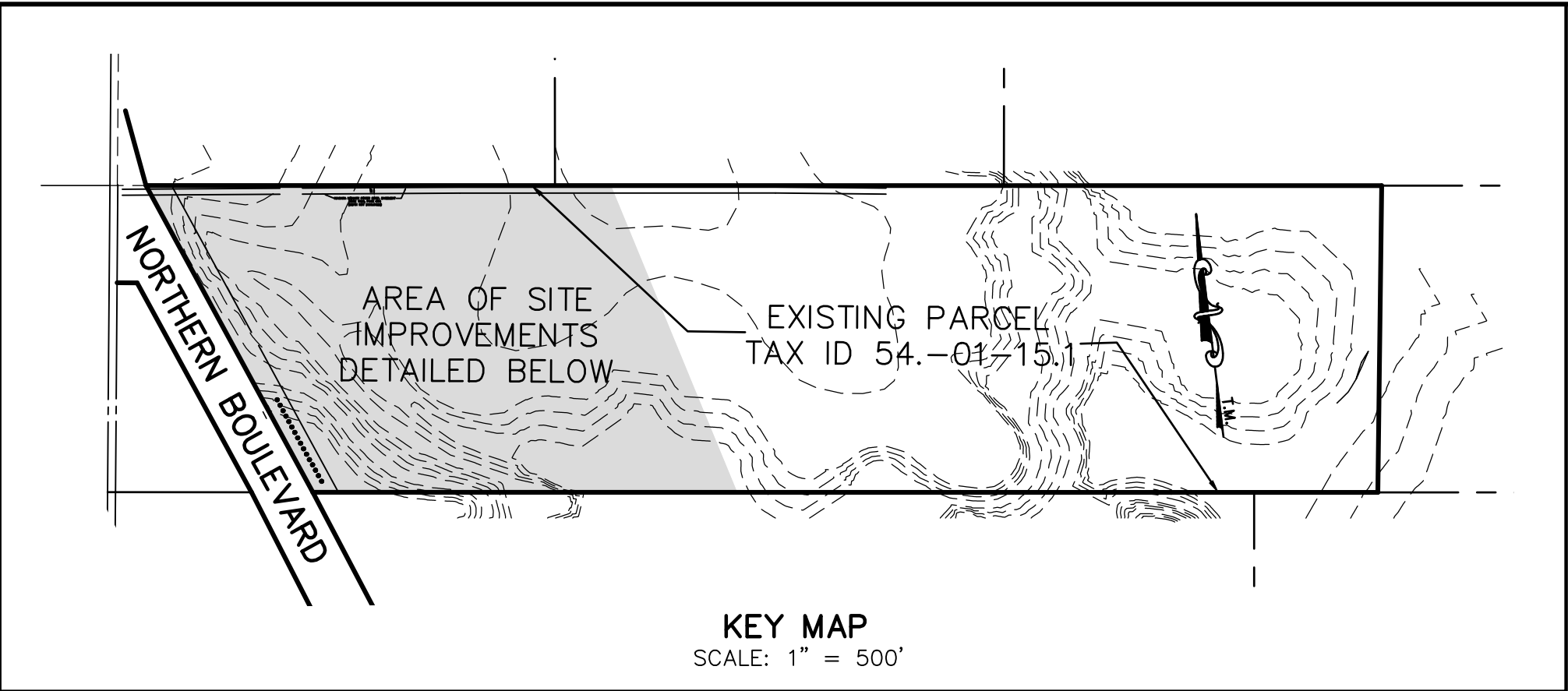
The solar facility will consist of two (2) 3,200 kW DC photovoltaic arrays including all panels and single axis tracking. Each DC will be coupled with its associated power conversion unit. Other project components will include various electrical appurtenances, such as transformers and inverters.

In addition to the photovoltaic system this Project also proposes the construction of a rechargeable lithium-ion battery energy storage facility consisting of six (6) 8-ft x 20-ft containers which house the batteries. The purpose of the battery system is to manage peak load situations where peak solar energy generation and peak demand in the National Grid electric distribution lines do not match. The battery enclosures are equipped with a fully integrated thermal management system, fire suppression systems, and control systems. These containers accompanied by external transformers and other associated equipment, are placed on concrete foundations within a gravel pad and connected to this site’s electrical inverters. From the inverters all electricity generated by the solar facility or stored in the batteries is conveyed to the Point of Interconnection (POI) to National Grid electric distribution lines.

Generally, minor cuts and fills will be required to develop this Project’s access road, posts, and battery equipment pads. The Project proposes to access the solar facility location off of Northern Boulevard. At the entrance to the solar facility, the Project will construct a new 15-ft wide gravel access road. The solar facility will be enclosed with an industrial grade, weatherproof chain link fence, approximately 6 feet in height.

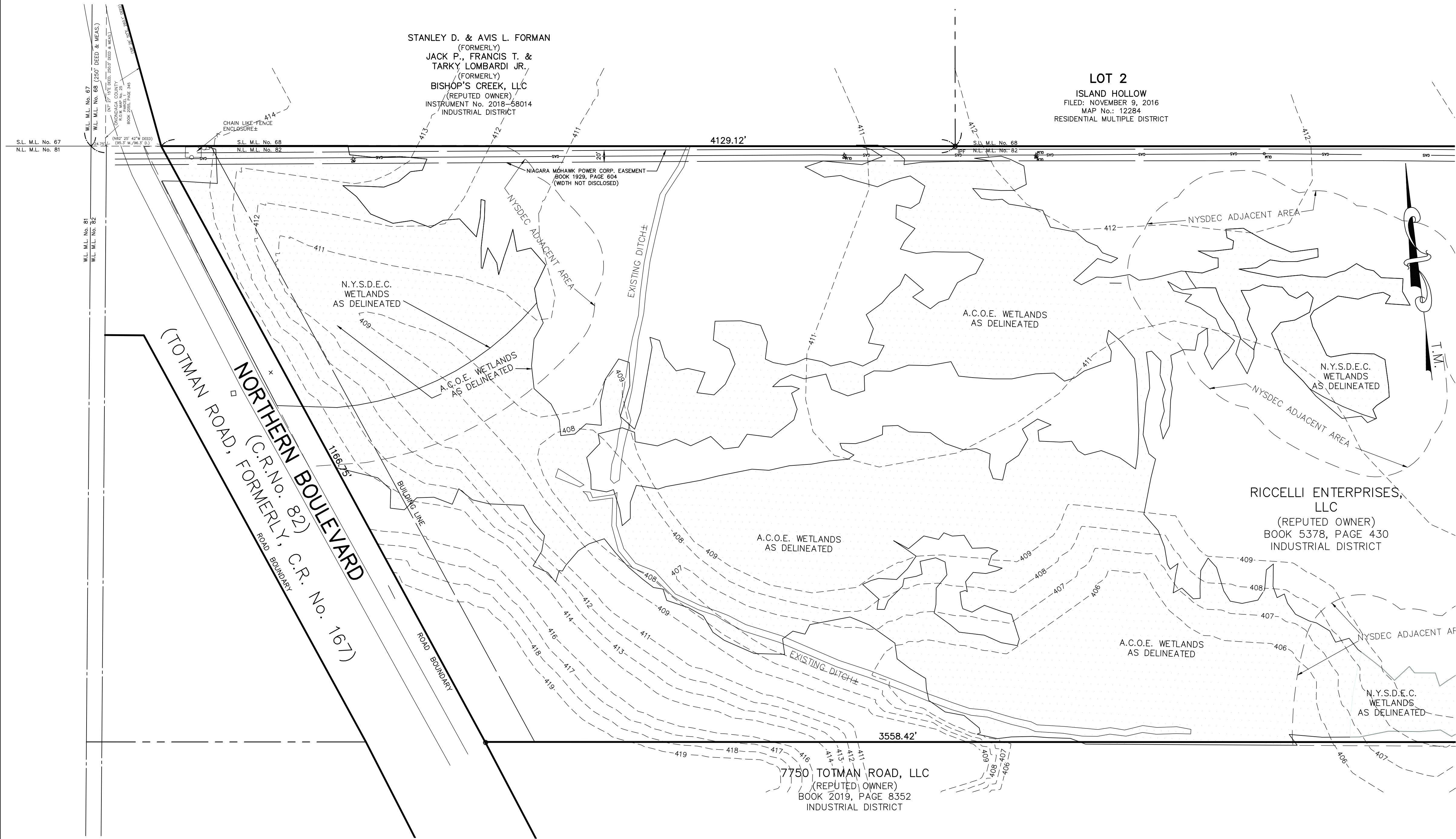
This Project is being constructed pursuant to a Request for Proposal (“RFP”) published by National Grid for Non-Wires Alternative (“NWA”) Solutions to relieve an area of electrical stress served by the Pine Grove Substation. The loading at the Pine Grove Substation serving the Town of Cicero has increased to a level at which it is projected to be overloaded to 100% or higher of its emergency rating in the event of an outage of one of the station transformer banks. In accordance with the RFP, National Grid sought NWA solutions that could provide delivery infrastructure avoidance value or other reliability and operational benefits. A NWA Solution is any strategy that addresses an electrical system need, such as peak demand management or reliability, with a solution that does not involve building new transmission and distribution lines or substation infrastructure. NWA solutions can be any one type or combination of distributed energy resources including,

energy efficiency, demand response, energy storage systems, or distributed generation that can be deployed individually or as a portfolio. The implementation of NWA solutions also aligns with principles set forth by the Public Service Commission in regard to reforming the Energy Vision. As such, the Project benefits the immediate community by reducing electrical stress on the Pine Groves Substation and offers a NWA Solution to ensure system reliability and operational benefits, ultimately saving energy costs to ratepayers.

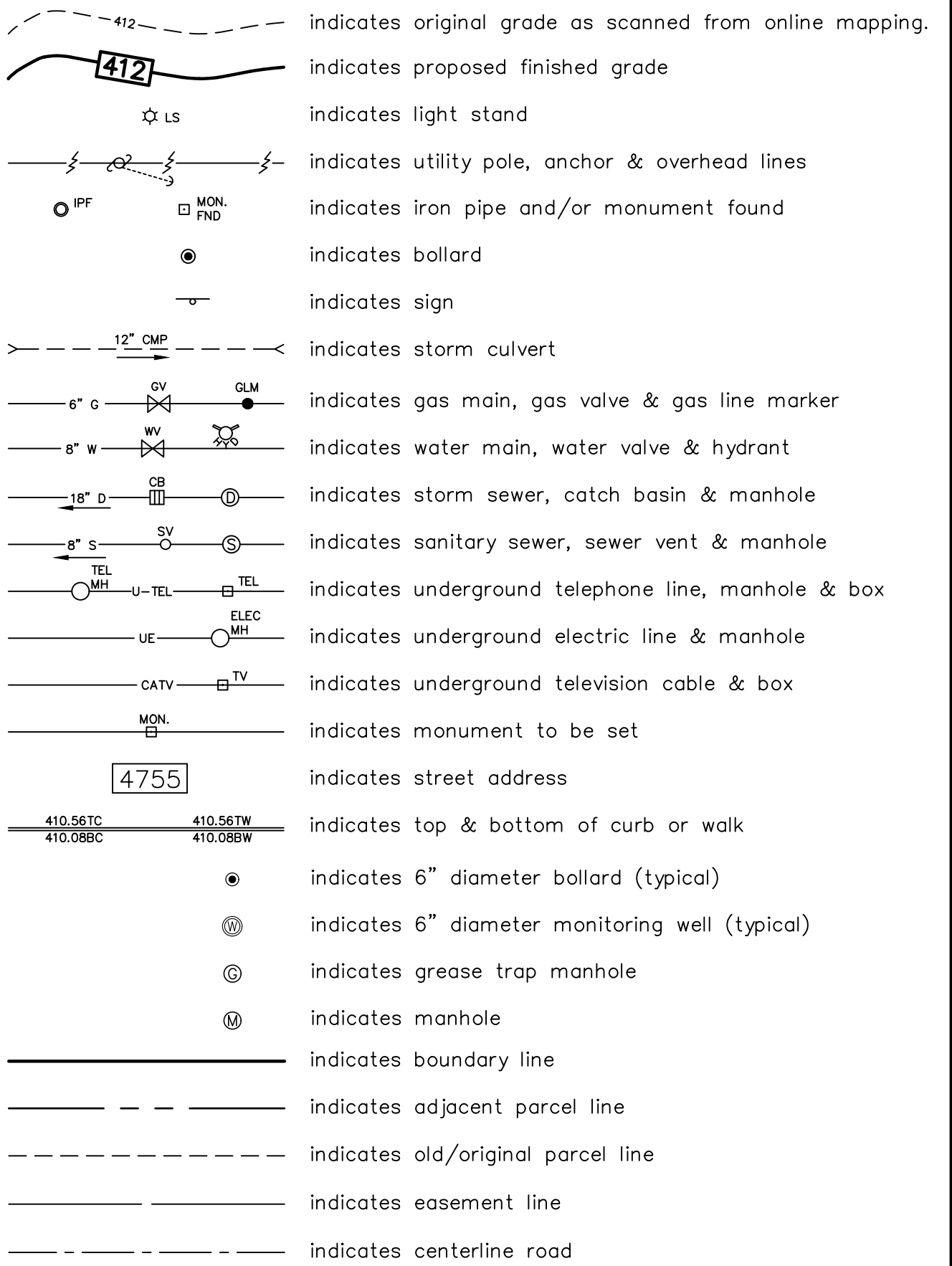


NOTES:

Total area: 90.4± acres.
Present Zone: Industrial
Location of underground utilities taken by field measurement where practicable, otherwise taken from various other sources and are approximate only.
The premises shown hereon is within Zone "X" (Areas determined to be outside the 0.2% annual chance floodplain.)according to Federal Emergency Management Agency National Flood Insurance Program Flood Insurance Rate Map Community Panel No. 36067C0114F, Effective date: November 4, 2016.
Part of Tax Map No. 54-01-15.1
Wetlands delineated & located by Environmental Design & Research on July 19, 2019.
Elevations referred to U.S.G.S. Quad Maps and are approximate only.

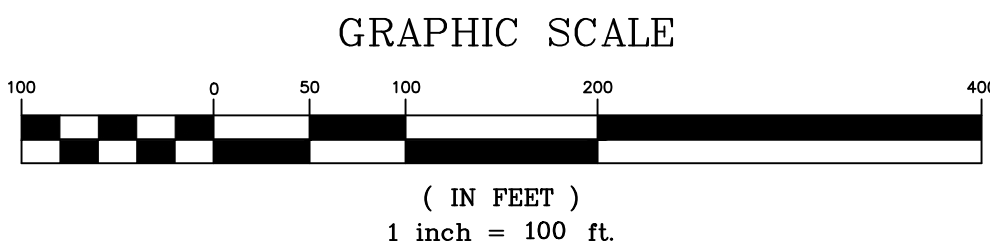


LEGEND:



STATEMENT OF USE:

Site to be used for a 5MW PV + 5MW/15MWh Battery Storage System.
Please see submitted "Construction & Operations Processes".



Subject to any statement of facts on accurate and up to date abstract of title will show.
Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2, of the New York State Education Law.

REVISIONS		SITE PLAN – EXISTING FEATURES		
BATTERY NOTE	08-30-2019	CICERO ES1		
NAME & NOTES	09-06-2019			
NP 51 COMMENTS	09-27-2019			
COMMENTS	10-08-2019			
		PART OF MILITARY LOT No. 68		
		TOWN OF CICERO		
		ONONDAGA COUNTY, NEW YORK		
		IANUZI & ROMANS LAND SURVEYING, P.C. 5251 WITZ DRIVE NORTH SYRACUSE, NY 13212 PHONE: (315) 457-7200 FAX: (315) 457-9251 EMAIL: mail@romanspc.com		DATE: AUGUST 23, 2019
				SCALE: 1" = 100'
				FILE No.: 12938.002
				SHEET No. 1 OF 2
				F.B. No.

2. No

Onondaga County Industrial Development Agency



4/7/2020

Project Summary

1. Project	Cicero Energy Storage II, LLC	2. Project Number	3101-20-06B
3. Location	Town of Cicero	4. School District	North Syracuse CSD
5. Tax Parcel(s)	054.-01-02.0	6. Project Type	New Construction: Solar Development Village

7.Total Project Cost	\$	12,255,581.00	8. Total Jobs	0
Land	\$	-	8A. Job Retention	0
Site Work	\$	394,179	8B: Job Creation	0
Building	\$	-	(Next 5 Years)	
Furniture & Fixtures	\$	-		
Equipment	\$	4,281,402		
Equipment Subject to NYS Production Exemption	\$	-		
Engineering/Architecture Fees	\$	80,000		
Financial Charges	\$	-		
Legal Fees	\$	-		
Other- Solar Installation Labor	\$	7,500,000		

Cost Benefit Analysis

Cicero Energy Storage II, LLC

Fiscal Impact (\$)

Abatement Cost

\$901,012

Sales Tax	\$768,000
Mortgage Tax	\$68,938

Property Tax Relief (PILOT)	\$64,074
-----------------------------	----------

New Investment

\$12,900,595

PILOT Payments	\$490,819
Project Wages (10 years)	\$0
Construction Wages	\$0
Employee Benefits (10 years)	\$0
Project Capital Investment	\$12,255,581
New Sales Tax Generated	\$0

Agency Fees	\$154,195
-------------	-----------

Benefit:Cost Ratio

14 :1

Project Description

Cicero Energy Storage II LLC is proposing to construct a 5 MW photovoltaic solar facility with a battery energy storage system on lands located at 6256 Island Rd in the Town of Cicero

Cicero Energy Storage II, LLC

4/8/2020

A) PILOTS Estimate Table Worksheet

Current Revenue Generated by
Parcel \$7,036

Projected Year 1 Revenue to be
generated as a result of the project: \$22,500

Total Project Cost \$ 12,255,581.00

OCIDA Estimate of Project Value \$ 1,070,350.50

Projected MW to be generated 5

Year	Onondaga County	Town of Cicero	North Syracuse CSD	Total PILOT	Full Tax Payment without PILOT	Net Exemption
	15.0%	16.6%	68.4%	100.0%		
2019-2020	\$ 1,054	\$ 1,168	\$ 4,814	\$ 7,036		
1	\$ 3,371	\$ 3,734	\$ 15,395	\$ 22,500	\$ 7,176.42	\$ (15,324)
2	\$ 3,439	\$ 3,809	\$ 15,702	\$ 22,950	\$ 7,319.95	\$ (15,630)
3	\$ 3,507	\$ 3,885	\$ 16,016	\$ 23,409	\$ 7,466.35	\$ (15,943)
4	\$ 3,578	\$ 3,963	\$ 16,337	\$ 23,877	\$ 7,615.67	\$ (16,262)
5	\$ 3,649	\$ 4,042	\$ 16,664	\$ 24,355	\$ 7,767.99	\$ (16,587)
6	\$ 3,722	\$ 4,123	\$ 16,997	\$ 24,842	\$ 7,923.35	\$ (16,918)
7	\$ 3,797	\$ 4,205	\$ 17,337	\$ 25,339	\$ 8,081.81	\$ (17,257)
8	\$ 3,873	\$ 4,289	\$ 17,683	\$ 25,845	\$ 8,243.45	\$ (17,602)
9	\$ 3,950	\$ 4,375	\$ 18,037	\$ 26,362	\$ 8,408.32	\$ (17,954)
10	\$ 4,029	\$ 4,463	\$ 18,398	\$ 26,890	\$ 8,576.48	\$ (18,313)
11	\$ 4,110	\$ 4,552	\$ 18,766	\$ 27,427	\$ 8,748.01	\$ (18,679)
12	\$ 4,192	\$ 4,643	\$ 19,141	\$ 27,976	\$ 8,922.97	\$ (19,053)
13	\$ 4,276	\$ 4,736	\$ 19,524	\$ 28,535	\$ 9,101.43	\$ (19,434)
14	\$ 4,361	\$ 4,831	\$ 19,914	\$ 29,106	\$ 9,283.46	\$ (19,823)
15	\$ 4,448	\$ 4,927	\$ 20,313	\$ 29,688	\$ 9,469.13	\$ (20,219)
16	\$ 4,537	\$ 5,026	\$ 20,719	\$ 30,282	\$ 9,663.35	\$ 30,053
17	\$ 4,628	\$ 5,126	\$ 21,133	\$ 30,888	\$ 9,863.42	\$ 30,654
18	\$ 4,721	\$ 5,229	\$ 21,556	\$ 31,505	\$ 10,068.49	\$ 31,267
19	\$ 4,815	\$ 5,333	\$ 21,987	\$ 32,136	\$ 10,278.56	\$ 31,892
20	\$ 4,911	\$ 5,440	\$ 22,427	\$ 32,778	\$ 10,493.63	\$ 32,530
21	\$ 5,010	\$ 5,549	\$ 22,875	\$ 33,434	\$ 10,713.70	\$ 33,181
22	\$ 5,110	\$ 5,660	\$ 23,333	\$ 34,102	\$ 10,938.77	\$ 33,844
23	\$ 5,212	\$ 5,773	\$ 23,800	\$ 34,785	\$ 11,168.84	\$ 34,521
24	\$ 5,316	\$ 5,888	\$ 24,276	\$ 35,480	\$ 11,403.91	\$ 35,212
25	\$ 5,422	\$ 6,006	\$ 24,761	\$ 36,190	\$ 11,644.00	\$ 35,916
	\$ 107,983	\$ 119,607	\$ 493,091	\$ 720,682	\$ 784,756	\$ 64,074



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: _____

Applicant Address: _____

Phone: _____ Fax: _____

Website: _____ E-mail: _____

Federal ID#: _____ NAICS: _____

State and Year of Incorporation/Organization: _____

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: _____

Title: _____

Address: _____

Phone: _____ Fax: _____

E-mail: _____

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

Name: _____

Title: _____

Address: _____

Phone: _____ Cell Phone: _____

E-mail: _____

D) Company Counsel:

Name of Attorney: _____

Firm Name: _____

Address: _____

Phone: _____ Cell Phone: _____

E-mail: _____

E) Business Organization (check appropriate category):

☐ Corporation

☐ Partnership

☐ Public Corporation

☐ Joint Venture

☐ Sole Proprietorship

☐ Limited Liability Company

Others (please specify): _____

Year Established: _____

State in which Organization is established: _____

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

SEE ATTACHED SHEET.

Name

% of ownership

G) Applicant Business Description:

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

Estimated % of sales within Onondaga County: _____

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

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: _____

Legal Address (if different): _____

City: _____ Village/Town: _____

Zip Code: _____ School District: _____

Tax Map Parcel ID(s): _____

Current Assessed Value: _____ Sq. Footage of Existing Building: _____

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 | ☐ Bank Office |
| ☐ Acquisition of Existing Facility | ☐ Retail |
| ☐ Housing | ☐ Mixed Use |
| ☐ Equipment Purchase | ☐ Facility for Aging |
| ☐ Multi-Tenant | ☐ Civic Facility (not for profit) |
| ☐ Commercial | ☐ 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			
Site Work/Demo			
Building Construction & Renovation			
Furniture & Fixtures			
Equipment (Solar)			
Equipment Subject to NYS Production Sales Tax			
Engineering/Architect			
Financial Charges			
Legal			
Other (BESS)			
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 \$ _____

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:	
Estimate the number of construction jobs to be created by this Project:	
Estimate the average length of construction jobs to be created (months):	
Current annual payroll at facility:	
Average annual growth rate of wages:	
Please list, if any, benefits that will be available to either full and/or part time employees:	
Average annual benefit paid by the company (\$ or % salary) per FTE job:	
Average growth rate of benefit cost:	
Amount or percent of wage employees pay for benefits:	
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:	

D) New Employment Benefits N/A

- 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):

- ☐ Real Property Tax Abatement (PILOT): _____
- ☐ Mortgage Recording Tax Exemption (.75% of amount mortgaged): _____
- ☐ Sales and Use Tax Exemption (4% Local, 4% State): _____
- ☐ 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:

\$ _____

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 _____ (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: _____

Representative for Contract: _____

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Project Address: _____ City: _____ State: _____ Zip: _____

General Contractor: _____

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

<u>Benefit Sought</u>	<u>Fee Charged</u>
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, whichever 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 _____

Signature of Officer or Authorized Representative: _____

Name & Title of Officer or Authorized Representative: _____

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), _____, 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.

_____, 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.

_____, 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: _____

Signature of Officer or Authorized Representative: _____

Name & Title of Officer or Authorized Representative: _____

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 _____

Signature of Officer or Authorized Representative: _____

Name & Title of Officer or Authorized Representative: _____

Date: _____

Section X: Representations, Certifications, and Indemnification

_____ (Name of CEO or other authorized representative of Applicant) confirms and says that he/she is the _____ (title) of _____ (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 _____

Signature of Officer or Authorized Representative: _____

Name & Title of Officer or Authorized Representative: _____

Date: _____

STATE OF NEW YORK)

COUNTY OF ONONDAGA)ss.;

_____, being first duly sworn, deposes and says:

1. That I am the _____ (Corporate Officer) of _____ (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

Short Environmental Assessment Form

Part 1 - Project Information

TOWN OF CICERO

SEP 16 2019

ZONING AND PLANNING

FILE COPY

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

Cicero ES2

Name of Action or Project:

Proposed Site Plan

Project Location (describe, and attach a location map):

6256 Island Road, Cicero, NY

Brief Description of Proposed Action:

Applicant seeking site plan approval for a 5MW PV + 5MW/15MWh Battery Energy Storage System Project.

Name of Applicant or Sponsor:

Convergent Energy Solutions New York, LLC

Telephone: 917-907-3286

Address:

7 Times Square Tower, Suite 3504

E-Mail: aisraelson@convergentep.com

City/PO:

New York

State:

NY

Zip Code:

10036

1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.

NO

YES

☒

☐

2. Does the proposed action require a permit, approval or funding from any other government Agency?
If Yes, list agency(s) name and permit or approval: Town of Cicero Planning, Onondaga County Planning, NYSDEC

NO

YES

☐

☒

3. a. Total acreage of the site of the proposed action?

39.5+/- acres

b. Total acreage to be physically disturbed?

0.2+/- acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?

39.5+/- 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

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: Per DEC Website	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
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?	NO	YES	
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?	NO	YES	
If No, describe method for providing potable water:	☒	☐	
No water service proposed.			
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment:	☒	☐	
No sanitary services proposed.			
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☒	☐	
Per DEC Website	☐	☒	
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?	NO	YES	
	☐	☒	
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?	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:	☐	☐

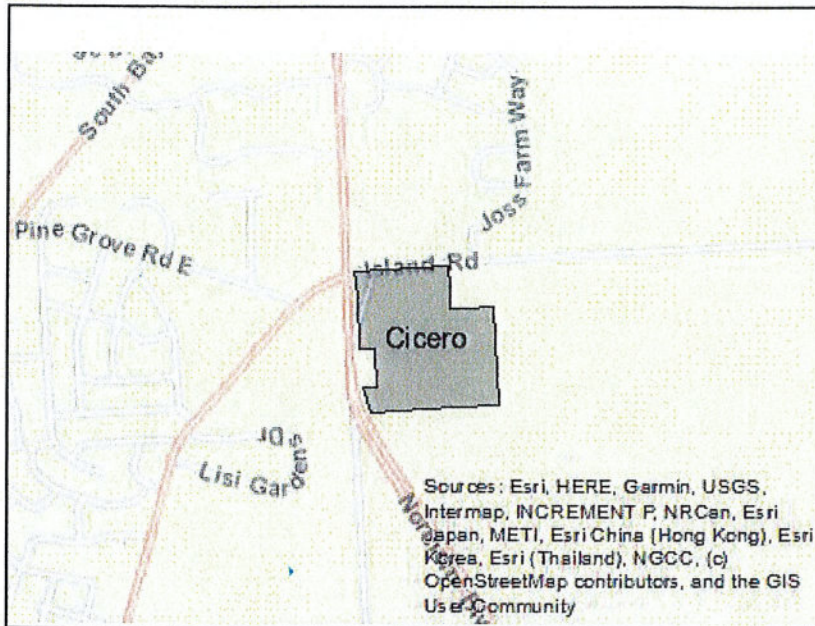
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐

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
	☒	☐

Per DEC Website		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Timothy J. Coyer, L.S.</u> Date: <u>09-06-2019</u>		
Signature: <u></u> Title: <u>Land Surveyor for applicant</u>		





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]	Yes
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]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

Project: CONVERGENT SOLAR ENERGYDate: 1-7-20

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☒	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☒	☐
3. Will the proposed action impair the character or quality of the existing community?	☒	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☒	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☒	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☒	☐
7. Will the proposed action impact existing:		
a. public / private water supplies?	☒	☐
b. public / private wastewater treatment utilities?	☒	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☒	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☒	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☒	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐

Project: CONVERGENT SOLAR ENERGYDate: 1-7-20

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
☒	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
<u>CICERO PLANNING BOARD</u>	<u>1-7-20</u>
Name of Lead Agency	Date
<u>MARK MARZULLO</u>	<u>CHAIR</u>
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
<u>[Signature]</u>	<u>[Signature]</u>
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

Project Narrative

Cicero Energy Storage 2 LLC

Cicero Energy Storage 2 LLC (“CES2 LLC”) proposes to construct a 5-megawatt (MW) photovoltaic solar facility with a 15 MWh battery energy storage system on lands located at 6256 Island Road in the Town of Cicero (the “Project”). The Project will be constructed on approximately 21 acres of a 39.5-acre parcel, which is situated in the Industrial zoning district. CES2 LLC will lease approximately 41.7 acres from the landowner, Lombardi Family Properties Inc.

The proposed installation is permitted subject to site plan review and approval by the Town of Cicero Planning Board. CES2 LLC received site plan approval on December 18, 2019.

The solar facility will consist of two (2) 3,200 kW DC photovoltaic arrays including all panels and single axis tracking. Each DC will be coupled with its associated power conversion unit. Other project components will include various electrical appurtenances, such as transformers and inverters.

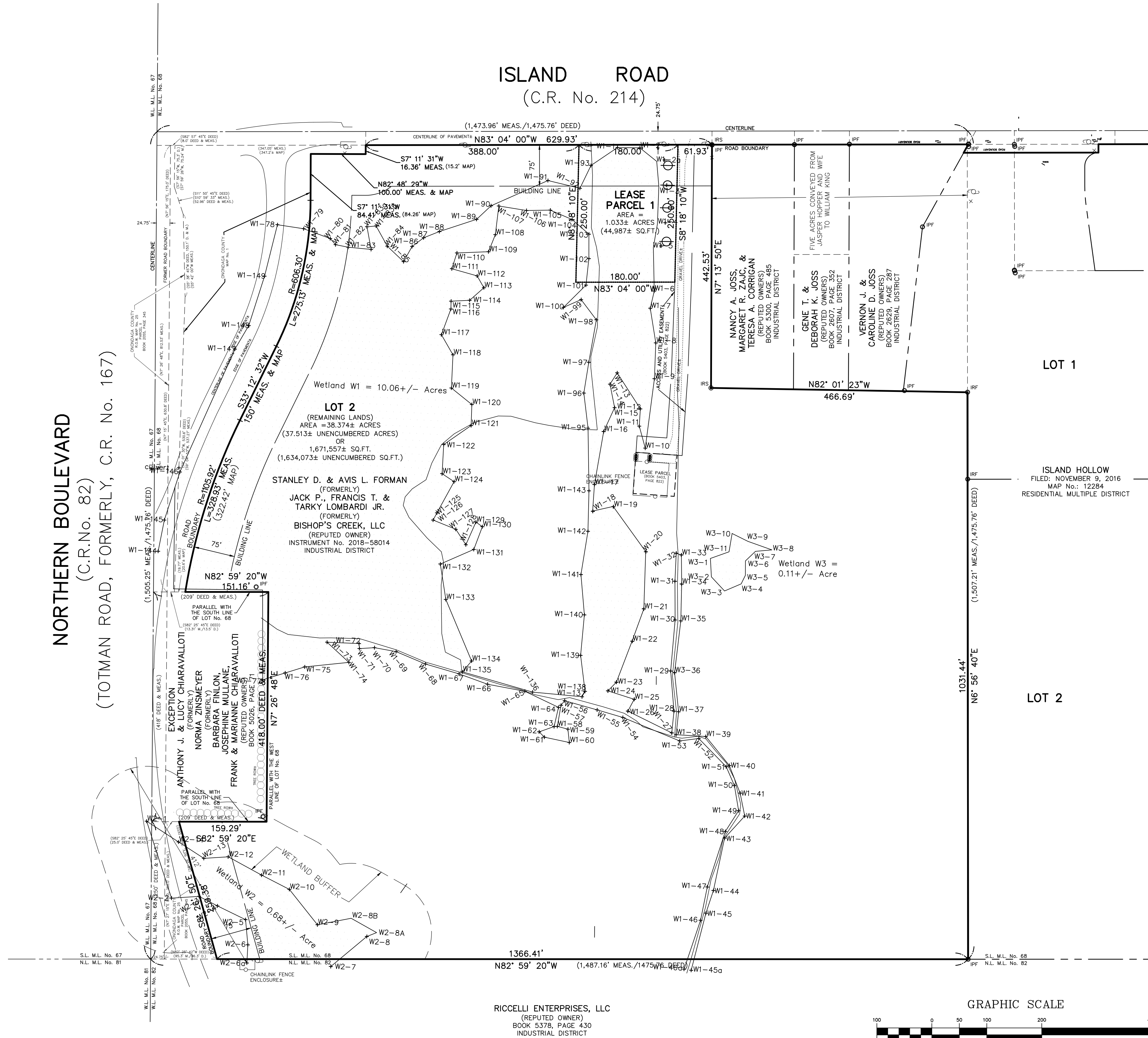
In addition to the photovoltaic system this Project also proposes the construction of a rechargeable lithium-ion battery energy storage facility consisting of six (6) 8-ft x 20-ft containers which house the batteries. The purpose of the battery system is to manage peak load situations where peak solar energy generation and peak demand in the National Grid electric distribution lines do not match. The battery enclosures are equipped with a fully integrated thermal management system, fire suppression systems, and control systems. These containers accompanied by external transformers and other associated equipment, are placed on concrete foundations within a gravel pad and connected to this site’s electrical inverters. From the inverters all electricity generated by the solar facility or stored in the batteries is conveyed to the Point of Interconnection (POI) to National Grid electric distribution lines.

Generally, minor cuts and fills will be required to develop this Project’s access road, posts, and battery equipment pads. The Project proposes to access the solar facility location off of Island Road. At the entrance to the solar facility, the Project will construct a new 15-ft wide gravel access road. The solar facility will be enclosed with an industrial grade, weatherproof chain link fence, approximately 6 feet in height.

This Project is being constructed pursuant to a Request for Proposal (“RFP”) published by National Grid for Non-Wires Alternative (“NWA”) Solutions to relieve an area of electrical stress served by the Pine Grove Substation. The loading at the Pine Grove Substation serving the Town of Cicero has increased to a level at which it is projected to be overloaded to 100% or higher of its emergency rating in the event of an outage of one of the station transformer banks. In accordance with the RFP, National Grid sought NWA solutions that could provide delivery infrastructure avoidance value or other reliability and operational benefits. A NWA Solution is any strategy that addresses an electrical system need, such as peak demand management or reliability, with a solution that does not involve building new transmission and distribution lines or substation infrastructure. NWA solutions can be any one type or combination of distributed energy resources including,

energy efficiency, demand response, energy storage systems, or distributed generation that can be deployed individually or as a portfolio. The implementation of NWA solutions also aligns with principles set forth by the Public Service Commission in regard to reforming the Energy Vision. As such, the Project benefits the immediate community by reducing electrical stress on the Pine Groves Substation and offers a NWA Solution to ensure system reliability and operational benefits, ultimately saving energy costs to ratepayers.

NORTHERN BOULEVARD
(C.R.No. 82)
(TOTMAN ROAD, FORMERLY, C.R. No. 167)

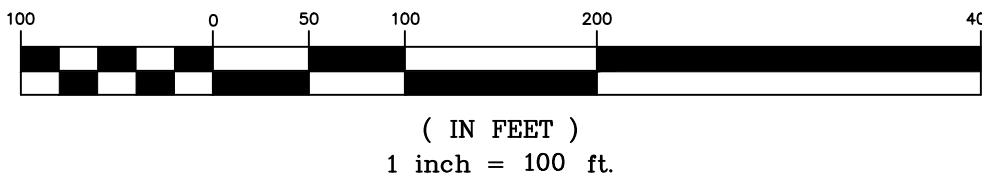


RICCELLI ENTERPRISES, LLC
(REPUTED OWNER)
BOOK 5378, PAGE 430
INDUSTRIAL DISTRICT

OWNER
LOMBARDI FAMILY PROPERTIES
401 NORTH SALINA STREET
SYRACUSE, NY 13203
315-278-1555

DEVELOPER
CONVERGENT ENERGY SOLUTIONS NEW YORK, LLC
7 TIMES SQUARE TOWER, SUITE 3504
NEW YORK, NY 10036
917-907-3286

GRAPHIC SCALE



ZONING REGULATIONS

INDUSTRIAL	
	Required
Minimum Lot Area: (SQ.FT.)	20,000 sq.ft.
Minimum Building Line:	100 ft.
Minimum Lot Depth:	200 ft.
Minimum Front Yard:	75ft.
Minimum Rear Yard:	25 ft.
Minimum Side Yard:	30 ft
Maximum Building Coverage:	40%
Maximum Building Height:	60 ft.

LOCATION PLAN
Scale: 1" = 2000'

LEGEND:

- indicates utility pole, anchor & overhead lines
- indicates iron pipe and/or monument found
- indicates iron rod set 3/2019
- indicates bollard
- indicates sign
- indicates storm culvert
- indicates gas main, gas valve & gas line marker
- indicates water main, water valve & hydrant
- indicates storm sewer, catch basin & manhole
- indicates sanitary sewer, sewer vent & manhole
- indicates underground telephone line, manhole & box
- indicates underground electric line & manhole
- indicates underground television cable & box
- indicates 6" diameter monitoring well (typical)
- indicates grease trap manhole
- indicates manhole
- indicates boundary line
- indicates adjacent parcel line
- indicates old/original parcel line
- indicates easement line
- indicates centerline road

NOTES:

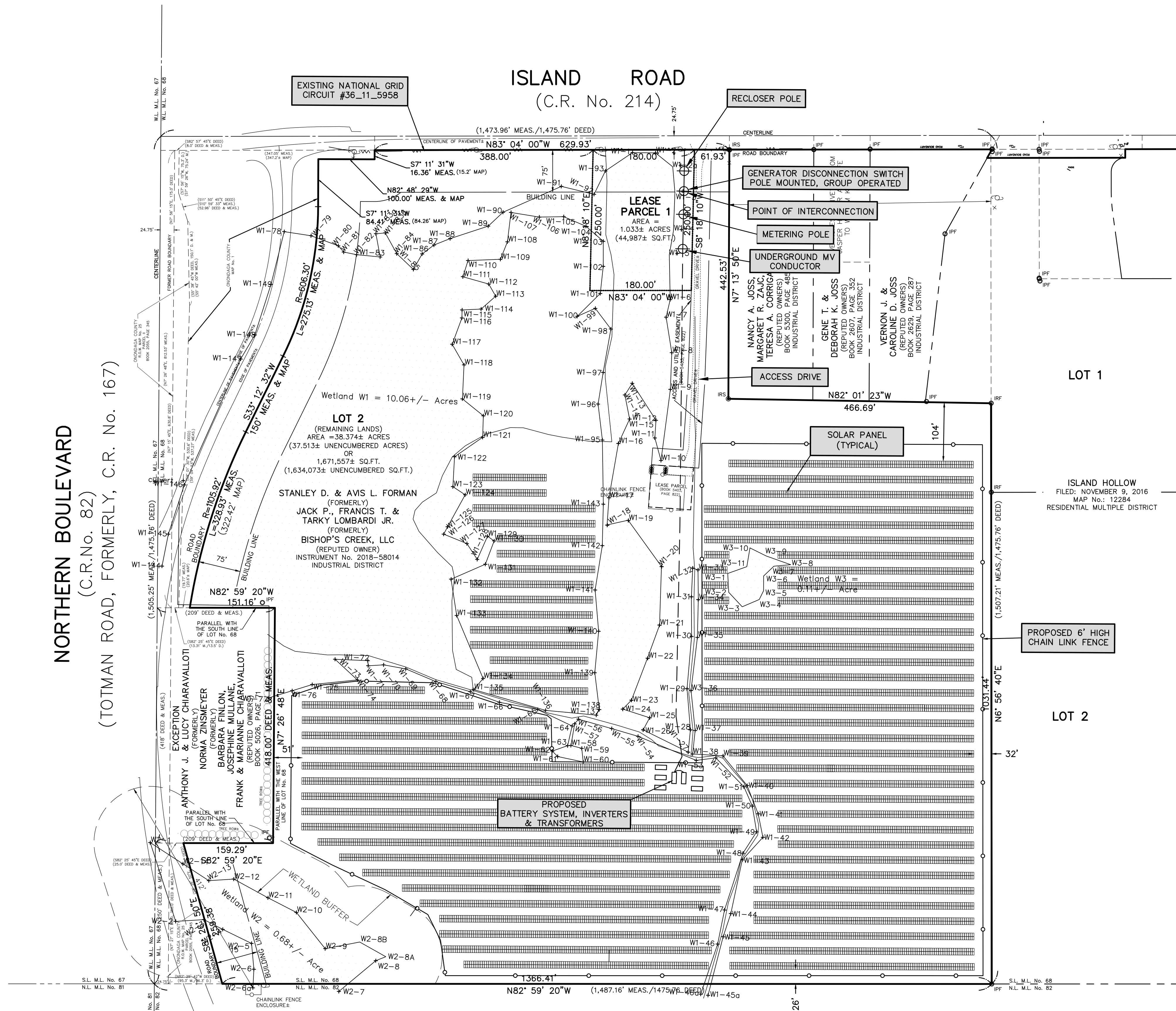
Total area: 39.535± acres.
Present Zone: Industrial
Location of underground utilities taken by field measurement where practicable, otherwise taken from various other sources and are approximate only.
The premises shown hereon is within Zone "X" (Areas determined to be outside the 0.2% annual chance floodplain, according to Federal Emergency Management Agency National Flood Insurance Program Flood Insurance Rate Map Community Panel No. 36067C0114F, Effective date: November 4, 2016.
Tax Map No. 54.-01-02
Wetlands delineated & located by Earth Dimensions, Inc. on July 31, 2019.

STATEMENT OF USE:

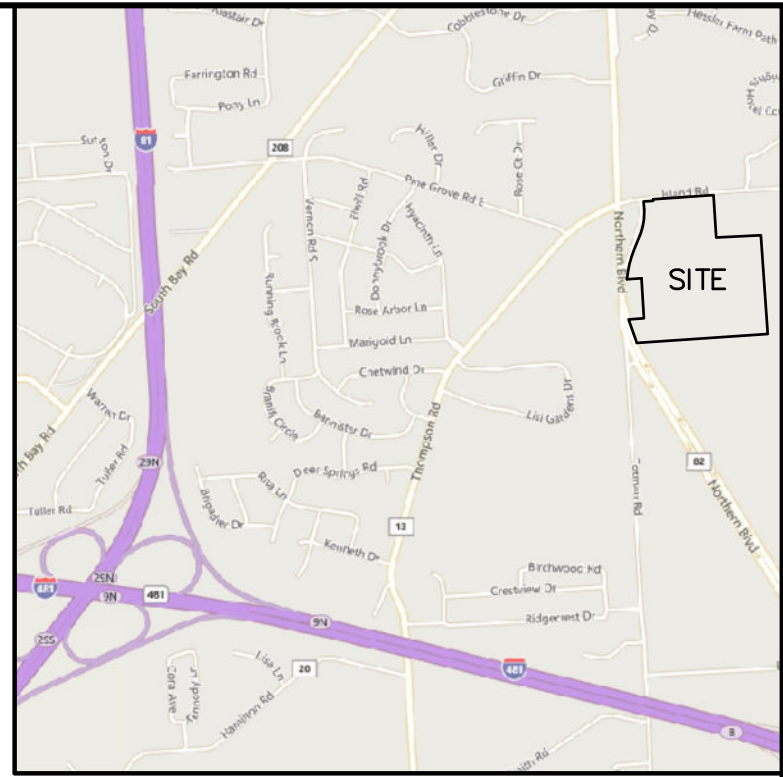
Site to be used for a 5MW PV + 5MW/15MWh Batter Storage System.
Please see submitted "Construction & Operations Processes".

Subject to any statement of facts on accurate and up to date abstract of title will show.
Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of section 7209, sub-division 2, of the New York State Education Law.

REVISIONS		SITE PLAN - EXISTING FEATURES 6256 ISLAND ROAD CICERO ES2 PART OF MILITARY LOT No. 68 TOWN OF CICERO ONONDAGA COUNTY, NEW YORK	
		IANUZI & ROMANS LAND SURVEYING, P.C. 5251 WITZ DRIVE NORTH SYRACUSE, NY 13212 PHONE: (315) 457-7200 FAX: (315) 457-9251 EMAIL: mail@comanspc.com	DATE: AUGUST 22, 2019 SCALE: 1" = 100' FILE No.: 12938.001
			SHEET No. 1 of 2 F.B. No. 1287



ZONING REGULATIONS	
INDUSTRIAL	
	Required
Minimum Lot Area: (SQ.FT.)	20,000 sq.ft.
Minimum Building Line:	100 ft.
Minimum Lot Depth:	200 ft.
Minimum Front Yard:	75ft.
Minimum Rear Yard:	25 ft.
Minimum Side Yard:	30 ft
Maximum Building Coverage:	40%
Maximum Building Height:	60 ft.



LEGEND:

- indicates utility pole, anchor & overhead lines
- indicates iron pipe and/or monument found
- indicates iron rod set 3/2019
- indicates bollard
- indicates sign
- indicates storm culvert
- indicates gas main, gas valve & gas line marker
- indicates water main, water valve & hydrant
- indicates storm sewer, catch basin & manhole
- indicates sanitary sewer, sewer vent & manhole
- indicates underground telephone line, manhole & box
- indicates underground electric line & manhole
- indicates underground television cable & box
- indicates 6" diameter monitoring well (typical)
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- indicates easement line
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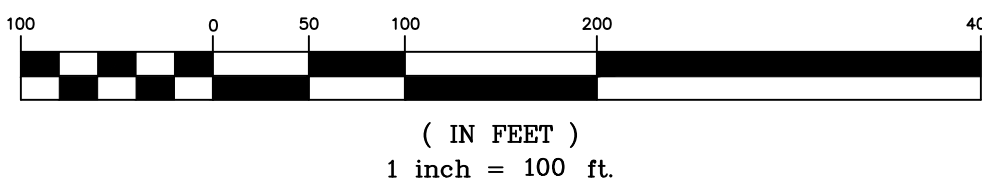
NOTES:

- Total area: 39.535± acres.
- Present Zone: Industrial
- Location of underground utilities taken by field measurement where practicable, otherwise taken from various other sources and are approximate only.
- The premises shown hereon is within Zone "X" (Areas determined to be outside the 0.2% annual chance floodplain, according to Federal Emergency Management Agency National Flood Insurance Program Flood Insurance Rate Map Community Panel No. 36067C0114F, Effective date: November 4, 2016.
- Tax Map No. 54.-01-02
- Wetlands delineated & located by Earth Dimensions, Inc. on July 31, 2019.
- No proposed change in grading.
- No proposed landscaping.
- No proposed lighting.
- No proposed sign.

STATEMENT OF USE:

- Site to be used for a 5MW PV + 5MW/15MWh Batter Storage System.
- Please see submitted "Construction & Operations Processes".

GRAPHIC SCALE



OWNER

LOMBARDI FAMILY PROPERTIES
401 NORTH SALINA STREET
SYRACUSE, NY 13203
315-278-1555

DEVELOPER

CONVERGENT ENERGY SOLUTIONS NEW YORK, LLC
7 TIMES SQUARE TOWER, SUITE 3504
NEW YORK, NY 10036
917-907-3286

REVISIONS		SITE PLAN — PROPOSED FEATURES	
BATTERY NOTE	08-30-2019	6256 ISLAND ROAD	
		CICERO ES2	
		PART OF MILITARY LOT No. 68	
		TOWN OF CICERO	
		ONONDAGA COUNTY, NEW YORK	
		IANUZI & ROMANS	DATE: AUGUST 22, 2019
		LAND SURVEYING, P.C.	SCALE: 1" = 100'
		2251 WITZ DRIVE	FILE No.: 12938.001
		NORTH SYRACUSE, NY 13212	
		PHONE: (315) 457-7200	
		FAX: (315) 457-9251	
		EMAIL: mail@romanspc.com	
			SHEET No.
			2 of 2
			F.B. No. 1287