



ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

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

Organizational Meeting Agenda January 12, 2021

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

Action Items

1. Slate of Officers and Chairs for the 2021 Agency Fiscal Year

Patrick Hogan, Chair

Janice Herzog, Vice Chair

Robert M. Petrovich, Executive Director

Nancy Lowery, Secretary

Nate Stevens, Treasurer

Karen Doster, Recording Secretary

Christopher Cox, Assistant Treasurer,

Robert M. Petrovich, Freedom of Information Act Officer

Patrick Hogan, Freedom of Information Act Appeals Officer

Robert M. Petrovich, State Finance Law Contract (Procurement) Officer

Agency Action Requested:

- a. A Resolution of the Board to approve the presented slate of officers for the 2021 Agency Fiscal Year.

Representative: Nancy Lowery, Secretary

2. Appointment of Legal Contractors

The Agency appoints Counsel and Special Counsels for a one year period. The agreement is subject to annual reappointment by the board. The counsel and special counsel appointment expires December 31, 2021.

Agency Action Requested:

- a. A Resolution of the Board reappointing for one year:
 1. Barclay Damon, LLP is appointed its Agency Counsel, and
 2. Bond, Schoeneck & King, PLLC; Harris Beach, PLLC; Nixon Peabody, LLP; Trespasz & Marquardt, LLP are appointed as Conflict Counsel.

Representative: Nancy Lowery, Secretary

3. Appointment of Audit Contractors

The Agency appoints its Auditor and alternate Auditor for a one year period. The agreement is subject to annual reappointment by the board. The Auditor appointment expires December 31, 2021.

Agency Action Requested:

- a. A Resolution of the Board reappointing for one year:
 - 1. Grossman St. Amour is appointed as Auditor.
 - 2. Bonadio & Co., LLP appointed as Special Auditor.

Representative: Nancy Lowery, Secretary

Adjourn



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Regular Meeting Agenda January 12, 2021

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

- A. Approval of Minutes-December 9, 2020
- B. Treasurer's Report
- C. Payment of Bills
- D. Conflict of Interest

Action Items

1. Milton Real Properties of Massachusetts, LLC & Southworth-Milton, Inc. d/b/a Milton CAT (3101-20-22B): Second Meeting

Milton CAT is proposing to construct a 75,000-85,000 square foot building in the Town of Cicero. The applicant is requesting exemptions from certain sales and use taxes and mortgage recording taxes.

Agency Action Requested:

- a. A Resolution of the Board authorizing financial assistance the Agency will provide. Agency benefits requested are exemptions from certain sales and use taxes and mortgage recording taxes.

Representative: Bradlee Farrin, Corporate Facilities Manager, Milton CAT

2. COR Aspen Park Boulevard Company, LLC: (3101-10-02A)

COR Aspen Park Boulevard Company, LLC is asking that OCIDA join in a mortgage associated with a refinancing of the project.

Agency Action Requested:

- a. A Resolution of the Board authorizing the Executive Director to execute the lender documents.

Representative: Robert Petrovich, Executive Director, OCIDA

3. CF Anaconda SYR LLC (3101-19-10A):

CF Anaconda SYR LLC is proposing to assign a portion of the sales and use tax exemption granted to CF Anaconda SYR LLC to Amazon.com Services LLC.

Agency Action Requested:

- a. A Resolution of the Board authorizing a public hearing.

Representative: Robert Petrovich, Executive Director, OCIDA

4. Project Termination

The following companies have withdrawn their applications for financial assistance:

- a. Bodycote Syracuse Heat Treating Corporation (3101-19-08A)
- b. OYA Church Road B LLC (3101-20-07B)
- c. DG New York, CS, LLC (3101-20-11A)
- d. GSPP 9177 Caughdenoy Road – East, LLC (3101-20-09A)
- e. Empire Polymer Solutions, LLC (3101-20-12A)
- f. Milton Real Properties of Massachusetts, LLC & Southworth-Milton, Inc (d/b/a Milton CAT) (3101-20-18A)

Agency Action Requested:

- a. Resolutions of the Board acknowledging the withdrawal of the application submitted by each company listed above and revoking any and all financial assistance granted to each company in connection the projects associated with each project number listed above.

Representative: Robert Petrovich, Executive Director, OCIDA

Adjourn

SUBJECT TO BOARD APPROVAL

Onondaga County Industrial Development Agency Regular Meeting Minutes December 8, 2020

A regular meeting of the Onondaga County Industrial Development Agency was held on Tuesday, December 8, 2020 via Zoom Teleconference.

Patrick Hogan called the meeting to order at 8:14 am with the following:

PRESENT VIA TELECONFERENCE:

Patrick Hogan
Janice Herzog
Steve Morgan
Sue Stanczyk
Kevin Ryan
Victor Ianno

ABSENT:

Fanny Villarreal

ALSO PRESENT:

Robert M. Petrovich, Executive Director
Nancy Lowery, Secretary
Nate Stevens, Treasurer
Karen Doster, Recording Secretary, Agency
Carolyn Evans-Dean, Onondaga County Economic Development
Amanda Fitzgerald, Barclay Damon Law Firm
Jeff Davis, Barclay Damon Law Firm
Christopher Andreucci, Harris Beach Law Firm
Kevin McAuliffe, Barclay Damon Law Firm
John Switzer, Summit Solar
David Spotts, Summit Solar
David Muraco, 629 LeMoyne Manor
Alexis Muraco, 629 LeMoyne Manor
Mark Arbon, Sarofeen & Arbon, LLC
Brad Farrin, Milton CAT
Tony Mancuso, Milton CAT
Jeremy Speich, Harris Beach Law Firm

(Patrick Hogan shared information as to how the meeting will be conducted in light of COVID-19 at the start of the Finance Committee Meeting.)

APPROVAL OF REGULAR MEETING MINUTES – NOVEMBER 10, 2020

Upon a motion by Janice Herzog, seconded by Victor Ianno, the OCIDA Board approved the regular meeting minutes of November 10, 2020. Motion was carried.

TREASURER'S REPORT

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

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

PAYMENT OF BILLS

Nate Stevens gave a brief review of the Payment of Bills Schedule #450.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved the Payment of Bills Schedule #450 for \$16,005.15 and COVID Grant Payments for \$79,599.19. Motion was carried.

CONFLICT OF INTEREST DISCLOSURE

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

5845 WIDEWATERS COMPANY, LLC - MEETING TO MODIFY

Robert Petrovich stated Chris Andreucci is representing the IDA as conflict counsel.

Kevin McAuliffe stated last year the Agency approved the construction of two 41,000 square foot buildings on an approximately 11 acre parcel in the Town of DeWitt. He stated the first building is under construction and that is going to be the international headquarters of Widewaters. He stated due to COVID they have determined it is not logical at this time to proceed with construction of the 2nd building which will be purely speculation on occupancy. He stated they have asked the Agency to allow counsel to modify the documents and remove from

the relationship the 2nd parcel upon which nothing would be constructed at this time. He stated the legal description would be modified and the description of the project changing it down to reflect one 41,000 square foot building. He stated there will still be all the jobs as originally presented in the 2019 application. He stated the net effect actually increases the cost benefit ratio because they are spending only a slightly smaller amount of money when you look at the total investment but all the jobs and salaries will be there. He stated they simply won't be building the second building and would eliminate from the IDA relationship of that second parcel.

Robert Petrovich stated the project cap has been reduced by roughly 50% in terms of the benefits to the project. He stated the original is in the package as well as the modified summaries of the project to see the differences. He stated counsel has determined that we are in compliance by doing this. Chris Andreucci agreed and said that he will draft an omnibus amendment to remove the second building from the project description. He stated individual documents that would modify the record will be filed with the County Clerk's office to show the change. He stated the PILOT schedule will be modified to reflect only one building and the sales tax exemption authority will be reduced which will be evidenced in a modified ST-60 that he will prepare and file with the State on behalf of the Agency.

Victor Ianno asked if 18 months from now things turn around and they have an opportunity to build another building, is that going to be a brand new application at that time. Chris Andreucci stated it will be a brand new application.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved a resolution authorizing a modification of the project description in connection with a straight lease transaction involving the Onondaga County Industrial Development Agency and 5845 Widewaters Company, LLC to remove the acquisition, construction and equipping of the second building and modifying the PILOT obligations in accordance with the schedule presented at this meeting. Motion was carried.

SSC LYSANDER, LLC – SECOND MEETING

David Spotts stated the project is a 3.5 megawatt AC ground mounted solar facility. He stated the solar panels will be mounted to a single axis tracking system which will follow the movement of the sun throughout the day. He stated power from the solar panels will be converted through the use of an inverter and transformer and directly injected into the grid. He stated they are expecting to participate in the NYSERDA Community Solar Program which allows them to sell energy to residential homeowners in the contiguous areas. He stated the solar modules are about 8 to 9 feet off the ground. He stated they intend to have vegetative screening on the project and the project produces no noise, smell or sound.

Patrick Hogan asked if a public hearing was held. Nancy Lowery stated the public hearing was held and there were no comments. She stated there is support from the School District and the Town. She stated staff will be working with the assessor to make sure there is a proper subdivision either through courtesy or slash parcel.

Jeff Davis stated counsel reviewed the EAF provided by the applicant and it is an unlisted action with a coordinated review from SEQR standpoint. He stated based upon a review of the project and the environmental assessment done by the Town, the recommendation is the issuance of a negative declaration. He stated counsel has prepared and upon approval the negative declaration will be signed as part of Part 3 of the SEQR EAF.

Upon a motion by Janice Herzog, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing adoption of SEQRA determination for the SSC Lysander, LLC project. Motion was carried.

Nancy Lowery stated she has received emails from the attorney representing the school district and there is no objection to the PILOT as well as from the Town.

Upon a motion by Victor Ianno, seconded by Susan Stanczyk, the OCIDA Board approved a resolution authorizing the financial assistance the Agency will provide to include exemption from certain real estate property taxes for the SSC Lysander, LLC project. Motion was carried.

629 LEMOYNE MANOR, LLC – SECOND MEETING

David Muraco stated the public hearing was held about two weeks ago. He stated they are now asking for financial assistance for a 102,000 square foot development which includes 66 apartments and 5,000 square feet of retail. He stated the project has been approved by the Town of Salina and the project is ready to go.

Nancy Lowery stated there were no comments at the public hearing but received letters of support. She stated one was cosigned by Supervisor Gunnip and Councilor Magnarelli, one from Mr. Pirro and one from a local business woman, Angi Renna.

Jeff Davis stated counsel reviewed the environmental assessment form provided by the applicant as well as materials in the environmental review conducted by the Town of Salina. He stated it is an unlisted action and the recommendation is there is no significant effect on the environment and as a result counsel is recommending the issuance and preparation of a negative declaration.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved a resolution authorizing adoption of SEQRA determination for the 629 LeMoyne Manor, LLC project. Motion was carried.

Upon a motion by Susan Stanczyk, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing the financial assistance the Agency will provide to include exemption from certain real estate property taxes for the 629 LeMoyne Manor LLC project. Motion was carried.

MILTON REAL PROPERTIES OF MASSACHUSETTS, LLC & SOUTHWORTH-MILTON, INC. 9DBA MILTON CAT) – INITIAL MEETING

Bradlee Farrin stated Milton CAT is finalizing and closing on the property on Ainsley Drive. He stated this is to provide a state of the art facility for service, sales and parts for the full caterpillar line. He stated there are some challenges they are looking at with the site as far as a number of out of pocket expenses for sewer and other things so they are looking for assistance along the way to make this happen. He stated they are building a 75,000 square foot facility. He stated they have the Planning Board support and they are now working on the design this winter with

anticipation they will break ground sometime in late spring or summer. He stated they hope to have it completed by spring of 2022.

Jeff Davis stated this was before the Board with resolutions and there have been some changes in the project that requires us to go back and it is on the agenda to reopen and conduct the public hearing to reflect the changes in the project.

Nate Stevens stated the difference between the old CBA and the new CBA is there is now mortgage recording tax being requested by the applicant.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved a resolution authorizing a public hearing for the Milton real Properties of Massachusetts, LLC & Southworth-Milton, Inc. (DBA Milton CAT) project. Motion was carried.

REQUEST FOR PROFESSIONAL SERVICES: OCIDA AUDIT SERVICES – 2020

Robert Petrovich stated request for proposals were sent out for audit services for the IDA and proposals were received from Grossman St. Amour and Bonadio & Associates. He stated staff is recommending to the Board that we issue contract awards for both firms and then the Agency will be in a position with additional information in January to make a recommendation on the firm for services for the IDA.

Victor Ianno asked who the current auditor is. Robert Petrovich stated Grossman St. Amour.

Patrick Hogan stated it is a two-step process. Robert Petrovich stated yes.

Upon a motion by Janice Herzog, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing the Executive Director to enter into an agreement for the RFP Services: OCIDA Audit Services-2020. Motion was carried.

REQUEST FOR PROFESSIONAL SERVICES: OCIDA COUNSEL/SPECIAL COUNSEL/GENERAL LEGAL SERVICES

Robert Petrovich stated staff issued an RFP for legal services and received a number of responses. He stated responses were received from Barclay Damon, Bond Schoeneck & King, Hancock & Estabrook, Trespacz & Marquardt, Nixon Peabody and Harris Beach. He stated the recommendation being sought is to enter into contracts with all the law firms so that we can proceed with the work of the IDA. He stated at the January meeting staff will make recommendation for primary counsel and the remaining law firms will be conflict counsel depending on the needs and situations that arise and come before the Board.

Upon a motion by Steve Morgan, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing the Executive Director to enter into an agreement for the RFP Services: OCIDA Counsel/Special Counsel/General Legal Services-2020. Motion was carried.

OCIDA COVID-19 SMALL BUSINESS GRANT

Robert Petrovich stated this is the latest round in COVID reimbursement grants for small businesses that have purchased PPE. He stated staff has been working with counsel to make sure any grant application requests meet the statute required. He stated this is the 4th round and the information is contained the Board packet. He stated all of the applications have been vetted and staff worked with counsel to make sure we are in compliance with the statute.

Patrick Hogan stated he would like to congratulate Mr. Petrovich and staff on this initiative as well as the County Executive for his input on this. Robert Petrovich stated he appreciates that but should also recognize Carolyn Evans-Dean as she has been working diligently on this process and managing the day to day. He stated she is an integral part of the equation.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved a resolution authorizing grants to qualified applicants pursuant to the COVID-19 Grant Legislation for authorized use up to the amount of \$10,000. Motion was carried.

EXECUTIVE SESSION/LEGAL ADVICE

Upon a motion by Susan Stanczyk, seconded by Victor Ianno, the OCIDA Board went into Executive Session. Motion was carried.

Upon a motion by Kevin Ryan, seconded by Janice Herzog, the OCIDA Board adjourned Executive Session. Motion was carried.

(Steve Morgan left the meeting.)

PURCHASE CONTRACT EXECUTION

Jeff Davis stated this is a request for an authorization of purchase for land on Caughdenoy Road. He stated OCIDA currently owns all the land from Route 31 and Caughdenoy Road north to the railroad tracks and all the frontage there with the exception of this small parcel owned by the Arnaults. He stated there has been some interest in acquiring this property for quite some time. He stated the property that is just north of the Arnaults that OCIDA owns has an existing house on the property. He stated there is a life estate for the Kings on this property and there is a relationship between the Kings and the Arnaults. He stated by acquiring the property by the Arnaults it is the understanding that the life estate for Kings would in all likelihood have Mrs. King move to be closer to relatives as the Arnaults are relocated. He stated this is 3.17 acres of land and it gives OCIDA all the road frontage on Caughdenoy Road from the intersection of Route 31 to the railroad tracks. He stated everything on the east side of Caughdenoy Road would then be owned by OCIDA which is all part of the current White Pine Park and covered under the 336 acre generic environmental impact study that was done in 2013. He stated before the Board are two requested resolutions. He stated the first is a SEQR resolution that identifies this as an unlisted action and recognizes the fact that there is no direct subsequent development or commitment by this Agency by proceeding with a purchase of the property. He stated there is potential for future development and if it were to occur that would be part of a specific environmental review. He stated the development that could be on the property is currently unknown. He stated it would not be productive to do a full environmental review of the property other than just an environmental review for acquisition of the land so that the Agency can control it and become part of the White Pine Park for any future development which then would be studied separately. He stated the first request is that the Agency would act as lead agency and we will issue a recommendation for a negative declaration with regard to the purchase of the

3.17 acres of land from the Arnaults. He stated the second is authorizing the execution of the purchase and sale agreement for \$300,000 to purchase the Arnault property. He stated the Arnault property is improved property and it contains a home, out buildings and out parcels etc. He stated the purchase price is reflective that this is last remaining parcel that the Agency does not own with road frontage on the east side of Caughdenoy Road as well as the relationship with the property to the north with the life estate.

Victor Ianno asked how much frontage we have along Route 31 going east. Jeff Davis stated about one quarter mile.

Susan Stanczyk asked if this is the last piece on Caughdenoy Road. Robert Petrovich stated yes.

Patrick Hogan asked if this is locking up the last piece of property in furtherance of the Agency's plans for further development of this property. Jeff Davis stated it has been included and identified on the marketing efforts for OCIDA for White Pine so it's one that has been the hold out and we are now in a position to purchase that and move forward to obtain all of the rectangle that is currently identified as the White Pine Park.

Victor Ianno asked if at this point we are done with Caughdenoy Road side and the acquisitions along Route 31. Jeff Davis stated yes. He stated this would conclude rounding out the Caughdenoy Road/Route 31 side.

Victor Ianno asked when will be at the point when we say we don't need any more property there. Jeff Davis stated in the marketing of the property to the high end users that have been identified in discussions that have gone on since 2013 with various potential suitors, he believes it's fair to say, that we have identified the fact that current land holdings for OCIDA are not sufficient to support the scale of development that one would want to bring here. He stated there is a lot of nice things in terms of water, availability, location and access but the size is restrictive at the current acreage OCIDA owns. He stated the current White Pine Park under GEIS is 336 acres. He stated OCIDA has purchased additional land outside of that and has under control right now about 600 acres through option agreements. He stated there is a need to expand that to a larger area for the type of development that we are trying to attract.

Upon a motion by Janice Herzog, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing the adoption of a SEQRA determination. Motion was carried.

Upon a motion by Janice Herzog, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing the Executive Director to enter into a purchase contract and any related documents with respect to property located at 8676 Caughdenoy Road, Clay NY. Motion was carried.

WHITE PINE ENVIROMENTAL REVIEW

Jeff Davis stated in 2013 the Agency completed a generic environmental impact statement studying potential development on the property and that included a parcel on White Pine Park that is 336 acres. He stated as discussed it is currently vacant and they have identified and learned that the park needs to be a larger area. He stated this Board has undertaken a process through acquisition of lands to do that, expand the park and consider acquiring more land. He stated the motion before the Board now is a reopening of the 2013 GEIS so that this Board can commence a similar generic environmental review of a larger White Pine Park area. He stated it will become the supplemental GEIS so the request before the Board is to issue a positive declaration under SEQR that will commence the process of notifying other agencies involved and interested that OCIDA plans to be lead agency for purposes of conducting a supplemental GEIS and we will send out notices to all involved and interested agencies of that intent. He stated they will have 30 days to comment and provide their consent to the Agency to be lead agency for this supplemental GEIS. He stated upon the completion of that 30 day period and assuming nobody objects OCIDA will then take on conducting a generic environmental review of an expanded White Pine Park up to 1,253 acres along the Caughdenoy Road/Route 31/Burnet Avenue corridor area and slightly east of Burnet Avenue. He stated the potential development of 1,253 acres would be studied in the same way that OCIDA studied the potential development and issue the GEIS in 2013. He stated there is no specific project at this time but a GEIS is an appropriate step taken when one is trying to develop a future high end business park like this and become shovel ready. He stated the action before the Board is authorizing the Agency to consider itself and declare itself lead agency to issue the appropriate notices and to commence a supplemental generic environmental impact statement on that 1,253 acre park.

Patrick Hogan asked if this would advise all other governmental entities that the Agency would be the lead agency. Jeff Davis stated we are declaring by issuing a positive declaration that we are saying there is a potential for significant environmental impact for future development for this area and we are going to study it. He stated we are asking to be lead agency to perform that study. He stated it would in essence be reopening what was done in 2013 and taking a look at those exact same impacts over a larger geographic area and what would come with a development that would be a larger development in that geographic area.

Upon a motion by Susan Stanczyk, seconded by Janice Herzog, the OCIDA Board approved a resolution authorizing the adoption of a SEQRA determination, declaring the Board's intent to act as lead agency, and authorizing the Executive Director to take the necessary steps to initiate and develop a supplement to the September 2013 final generic environmental impact statement. Motion was carried.

Patrick Hogan stated he would like to congratulate staff, Mr. Petrovich and certainly the County Executive's office.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board adjourned the meeting at 9:31 am. Motion was carried.

Nancy Lowery, Secretary



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December 31, 2020

Revenue / Expense / Income	Current Period	Current YTD	2020 Budget Amount	Current YTD Change to Budget
Operating Revenue	49,392	4,515,592	1,526,000	2,989,592
Administrative Expense	55,373	577,209	900,000	(322,791)
Operating/Program Exp.	229,634	1,199,151	626,000	573,151
Net Ordinary Income	(235,614)	2,739,231	-	2,739,231

Current Assets	Current YTD	Prior YTD
Total Cash	5,068,330	2,027,047
Less Pass Through Received	34,776	-
Available Cash	5,033,554	2,027,047
Receivables (less pass through rec.)	687,099	698,223
Grant Reimbursements	-	268,733
Total	5,720,653	2,994,003

Reserve for Contracts	
County Operations 2020	322,791
333 W. Washington St 2020 Rent	5,387
OBG WPCP CO #4 Additional Studies	489,933
JMT 800 Hiawatha Engineering	18,716
CNYIBA Consulting Services Agreement	10,150
Barclay Damon WPCP Options	100,000
Total	946,977

Receivables	
0-120 days	465,075
> 120 days	222,024
Total	687,099

Onondaga County Industrial Development Agency

PROFIT AND LOSS

December 2020

	TOTAL
Income	
500 Operating Revenue	
2116 Fees	
2116.1 Agency Fees	43,750.00
2116.2 Application Fees	4,000.00
Total 2116 Fees	47,750.00
2410 Lease Income	1,500.00
Total 500 Operating Revenue	49,250.00
501 Non-Operating Revenue	
2401 Interest Income	142.30
Total 501 Non-Operating Revenue	142.30
534 Pilot & Pass Thru Revenue	
529 PILOT Income	34,776.45
Total 534 Pilot & Pass Thru Revenue	34,776.45
Total Income	\$84,168.75
GROSS PROFIT	\$84,168.75
Expenses	
6400 Operating Expense	
6402 Rent	14,904.55
6406 Other Professional Services	225.00
6406.50 Consulting Services	2,500.00
Total 6406 Other Professional Services	2,725.00
6407 Administrative Expense	55,372.50
6408 Board Mtg Exp	287.30
6409 Conference Attendance	45.00
6410 Office Expense	1,404.09
6411 Memberships / Sponsorships	229.00
6412 Other Operating Expense	
6412.1 COVID-19 Grants	91,264.31
Total 6412 Other Operating Expense	91,264.31
6413 Legal	17,093.75
6414 Marketing	393.75
6415 FTZ	1,250.00
Total 6400 Operating Expense	184,969.25
6500 Agency Program Expenses	
6510 White Pine Commerce Park	
6513 WPCP Option Agree Fees app 9-22-20	100,000.00
Total 6510 White Pine Commerce Park	100,000.00

Onondaga County Industrial Development Agency

PROFIT AND LOSS

December 2020

	TOTAL
6530 800 Hiawatha Blvd. West	
6530.5 Legal	37.50
Total 6530 800 Hiawatha Blvd. West	37.50
Total 6500 Agency Program Expenses	100,037.50
6600 Non-Operating Expenses	
6605 Pilot & Pass Thru Expenses	
6605.2 PILOT Expense	34,776.45
Total 6605 Pilot & Pass Thru Expenses	34,776.45
Total 6600 Non-Operating Expenses	34,776.45
Total Expenses	\$319,783.20
NET OPERATING INCOME	\$ -235,614.45
NET INCOME	\$ -235,614.45

Onondaga County Industrial Development Agency

BALANCE SHEET

As of December 31, 2020

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
200 Cash	0.00
200.1 Cash - M & T Checking	4,186,983.88
200.2 Cash - M & T Money Maker Savings	890,253.94
200.4 Destiny USA Restricted Cash	-8,957.82
210 Petty Cash	50.00
Total 200 Cash	5,068,330.00
Total Bank Accounts	\$5,068,330.00
Accounts Receivable	
380 Accounts Rec.	
380.6 A/R Agency Fees	540,641.58
Total 380 Accounts Rec.	540,641.58
Total Accounts Receivable	\$540,641.58
Other Current Assets	
391 Long Tern Receivable	222,024.00
Total Other Current Assets	\$222,024.00
Total Current Assets	\$5,830,995.58

Onondaga County Industrial Development Agency

BALANCE SHEET

As of December 31, 2020

	TOTAL
Fixed Assets	
100 Land	
101 White Pines Commerce Park	1,520,401.50
101.1 WPCP GEIS	
101.101 CHA GEIS 1	267,452.05
101.102 CHA GEIS 2	219,439.36
101.104 GEIS Reg Plan Board Overview	19,797.74
Total 101.1 WPCP GEIS	506,689.15
101.2 WPCP Legal	69,774.25
101.3 Engineering Services	52,675.00
101.301 Temporary Access	4,055.44
101.4 Environmental/Demo Services	10,318.98
Total 101.3 Engineering Services	67,049.42
101.5 Land Acquisition Costs	
101.501 Land Purchases	1,160,063.57
101.502 Closing Costs	3,168.14
Total 101.5 Land Acquisition Costs	1,163,231.71
Total 101 White Pines Commerce Park	3,327,146.03
106 North Salina Properties	0.00
106.1 435 North Salina	17,083.55
106.3 435 North Salina Building	634,421.53
Total 106 North Salina Properties	651,505.08
107 800 Hiawatha	604,840.42
Total 100 Land	4,583,491.53
104 Machinery & Equipment	
104.1 Office Furniture	1,429.00
104.2 Equipment	1,432.40
Total 104 Machinery & Equipment	2,861.40
211 A/D Office Furniture	-2,861.00
213 A/D Buildings	-65,068.00
Total Fixed Assets	\$4,518,423.93
Other Assets	
240 Blue Sky Redevelopment	1,641.76
Total Other Assets	\$1,641.76
TOTAL ASSETS	\$10,351,061.27

Onondaga County Industrial Development Agency

BALANCE SHEET

As of December 31, 2020

	TOTAL
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
600 Accounts Payable	0.00
600.1 Due to Related Party - OED	163,662.50
600.205 Exp Pay Prev Period	51,004.14
600.206 Mileage Reimbursement	92.34
600.208 BlueRock Energy Agreement Deposit	25,000.00
Total 600 Accounts Payable	239,758.98
601 PILOT and Pass Thru Payable	
604 Other Pass Thrus	74,063.70
Total 601 PILOT and Pass Thru Payable	74,063.70
631 Due to Other Governments	
631.3 Schools	
631.356 Syracuse	15,358.46
Total 631.3 Schools	15,358.46
631.4 Onondaga County	10,813.25
631.5 City of Syracuse	8,604.73
Total 631 Due to Other Governments	34,776.44
Total Other Current Liabilities	\$348,599.12
Total Current Liabilities	\$348,599.12
Total Liabilities	\$348,599.12
Equity	
3900 Equity Unreserved	4,544,563.05
3901 Equity-Investment Fixed Assets	2,345,838.63
463 Reserve For Contracts	946,977.23
465 Equity - Unreserved	-574,148.23
Net Income	2,739,231.47
Total Equity	\$10,002,462.15
TOTAL LIABILITIES AND EQUITY	\$10,351,061.27

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
PAYMENT OF BILL - SCHEDULE #451
January 12, 2021

GENERAL EXPENSES

1.	<u>BARCLAY DAMON LLP*</u> WPCP Options Agreement 1st Payment	\$ 100,000.00
2.	<u>NEW YORK STATE SALES TAX**</u> Sales Tax Recapture	\$ 11,371.00
3.	<u>BARCLAY DAMON LLP</u> Inv#5100860 & 5102336, Legal thru 11/30/2020	\$ 5,400.00
4.	<u>BOND, SCHOENECK & KING, PLLC</u> Inv#19850575, Legal thru 11/30/2020	\$ 960.00
5.	<u>NEW YORK STATE EDC</u> Inv#12061, 2021 Membership	\$ 2,000.00
6.	<u>JODEE M. KELLY, RECEIVER OF TAXES CLAY</u> WPCP 2021 Taxes	\$ 9,116.02
7.	<u>COMMISSIONER OF FINANCE CITY OF SYRACUSE</u> 2021 435 N. Salina Taxes	\$ 1,169.94
8.	<u>COMMISSIONER OF FINANCE CITY OF SYRACUSE</u> 2021 800 Hiawatha Taxes	\$ 87.89
9.	<u>COOK'S COFFEE</u> Inv#20-402, Coffee Service	\$ 120.19
10.	<u>PLAN & PRINT SYSTEMS, INC.</u> Inv#I316975, Brochures	\$ 393.75

Schedule #451
page 2

11. <u>ADVANCE MEDIA NEW YORK</u>	\$ 229.60
Public Hearing Notices, SSC Lysander & 629 LeMoyne	
12. <u>ONONDAGA CIVIC DEVELOPMENT CORP.</u>	<u>\$ 15,731.03</u>
Inv#1111 & 1112, 4th Q 2020 Rent & Office Machines	
TOTAL	\$ 146,579.42

*Ratification of Check dated December 14, 2020

**Ratification of Check dated December 29, 2020

**ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
PAYMENT OF BILL - SCHEDULE #451
January 12, 2021**

PILOT Payments

1.	<u>CITY OF SYRACUSE</u>	\$	8,604.73
	4th Quarter 2020 COR IH Master PILOT Payment		
2.	<u>SYRACUSE CSD</u>	\$	15,358.48
	4th Quarter 2020 COR IH Master PILOT Payment		
3.	<u>ONONDAGA COUNTY</u>	\$	<u>10,813.25</u>
	4th Quarter 2020 COR IH Master PILOT Payment		
	TOTAL	\$	34,776.46

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
PAYMENT OF BILL - SCHEDULE #451
January 12, 2021

COVID-19 Grant Payments

1.	<u>BELLOWS CONSTRUCTION*</u>	\$	8,905.50
	1st and Final COVID 19 Grant Program Payment		
2.	<u>CNY FAMILY SPORTS CENTRE, LLC*</u>	\$	10,000.00
	1st and Final COVID 19 Grant Program Payment		
3.	<u>CONSORTIUM FOR CHILDREN'S SERVICES*</u>	\$	912.00
	1st and Final COVID 19 Grant Program Payment		
4.	<u>CRESTVIEW CADILLAC CORP.*</u>	\$	4,158.19
	1st and Final COVID 19 Grant Program Payment		
5.	<u>DUNK & BRIGHT LEASING CO. LLC*</u>	\$	1,370.12
	1st and Final COVID 19 Grant Program Payment		
6.	<u>PASTIMES ATHLETIC CLUB*</u>	\$	5,453.28
	1st and Final COVID 19 Grant Program Payment		
7.	<u>SAFETY SOURCE CONSULTANTS, LTD.*</u>	\$	3,024.93
	1st and Final COVID 19 Grant Program Payment		
8.	<u>SAGE UPSTATE, INC.*</u>	\$	2,012.07
	1st and Final COVID 19 Grant Program Payment		
9.	<u>SPEECH FAMILY CANDY SHOPPE, INC.*</u>	\$	8,748.00
	1st and Final COVID 19 Grant Program Payment		
10.	<u>SPEEDY MEDICAL TRANSPORT 1, LLC*</u>	\$	9,250.00
	1st and Final COVID 19 Grant Program Payment		
11.	<u>VISIT SYRACUSE*</u>	\$	8,578.30
	1st and Final COVID 19 Grant Program Payment		
12.	<u>CREATORS LOUNGE</u>	\$	6,020.31
	1st and Final COVID 19 Grant Program Payment		

13. <u>MANLIUS SENIOR CENTER</u>	\$	1,428.71
1st and Final COVID 19 Grant Program Payment		
14. <u>CMD RICHARDSON, INC.</u>	\$	9,601.48
1st and Final COVID 19 Grant Program Payment		
15. <u>EDGE STRENGTH & CONDITIONING</u>	\$	7,344.54
1st and Final COVID 19 Grant Program Payment		
16. <u>PITCHER HILL COMMUNITY CHURCH</u>	\$	1,369.12
1st and Final COVID 19 Grant Program Payment		
17. <u>PTTRPN, INC.</u>	\$	<u>3,087.76</u>
1st and Final COVID 19 Grant Program Payment		
TOTAL	\$	91,264.31

*Ratification of Checks dated December 16, 2020

**ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
RESERVE FOR CONTRACTS
12/31/2020**

	CONTRACT	TOTAL	PORTION	BALANCE
DESCRIPTION	TERM	CONTRACT	PAID	OUTSTANDING
ONONDAGA COUNTY OED 2020	1-1-20-12-31-20	\$900,000.00	\$577,209.15	\$322,790.85
333 W. WASHINGTON ST 2020 RENT	1-1-20-12-31-20	\$65,000.00	\$59,612.54	\$5,387.46
OBG WPCP CO #4 ADDITIONAL STUDIES	11/30/18-11/30/19	\$800,000.00	\$310,066.58	\$489,933.42
JMT 800 HIAWATHA ENGINEERING	2/13/19-12-31-20	\$25,000.00	\$6,284.50	\$18,715.50
BARCLAY DAMON WPCP OPTIONS	11/30/20-11/30/21	\$200,000.00	\$100,000.00	\$100,000.00
CNYIBA CONSULTING SERVICES AGREEMENT	4-14-20-4-14-21	\$35,000.00	\$24,850.00	\$10,150.00
		\$2,025,000.00	\$1,078,022.77	\$946,977.23

**ACCOUNTS RECEIVABLE
12/31/2020**

AGENCY FEES RECEIVABLE		\$456,825.00
ACCOUNTS RECEIVABLE GENERAL		\$8,250.00
QUASI-EQUITY LOAN RECEIVABLE		\$0.00
GRANTS RECEIVABLE		\$0.00
LONG TERM RECEIVABLE		\$222,024.00
TOTAL		\$687,099.00

Onondaga County Industrial Development Agency



Project Summary

12/2/2020

1. Project	Milton Cat 2020 Expansion	2. Project Number	3101-20-22B
3. Location	Town of Cicero	4. School District	North Syracuse (CNS)
5. Tax Parcel(s)	055.-03-01.0 & 055.-03-02.0	6. Project Type	-
		Village	-

7.Total Project Cost	\$	26,000,000.00	8. Total Jobs	109
Land	\$	950,000	8A. Job Retention	109
Site Work	\$	5,000,000	8B: Job Creation	0
Building	\$	13,000,000	(Next 5 Years)	
Furniture & Fixtures	\$	1,000,000		
Equipment	\$	3,500,000		
Equipment Subject to NYS Production Exemption	\$	-		
Engineering/Architecture Fees	\$	1,000,000		
Financial Charges	\$	-		
Legal Fees	\$	50,000		
Other	\$	-		

Cost Benefit Analysis

Milton Cat 2020 Expansion

Fiscal Impact (\$)

Abatement Cost	\$1,227,000
Sales Tax	\$1,040,000
Mortgage Tax	\$187,000
Property Tax Relief (PILOT)	\$0
New Investment	\$21,169,850
PILOT Payments	\$0
Project Wages (10 years)	\$0
Construction Wages	\$1,958,850
Employee Benefits (10 years)	\$0
Project Capital Investment	\$18,950,000
New Sales Tax Generated	\$0
Agency Fees	\$261,000

Benefit:Cost Ratio

17.25 :1

Project Description

Milton CAT is proposing to construct 75,000 - 85,000 square feet of new construction at 7285 Eastman Road in Cicero NY

Milton CAT – Transaction Summary

7285 - 7309 Eastman Road, Cicero, New York

The proposed project will be located at 7285 and 7209 Eastman Road, Cicero and represents a \$26,000,000 investment by Milton Cat. The proposed facility will be between 75,000 – 85,000 sq. ft. of buildings on 20 acres of land. This location will be shared by Milton Cat and SITECH Northeast. It is driven by three factors – the space to allow for expansion, the need for a more modern, engaging customer experience environment, and the ability to create a best in class work space for employees.

While our current location at Ainsley Drive has served us well for the last 20 years, the accessibility and roadways to the 60+ year-old location create transportation challenges specific to our business, and the structure and layout no longer meet the levels of our other locations or the needs of the market. Our current and future infrastructure requirements will be more than satisfied with our Eastman Road facility and footprint. Please note that some operations will remain at the Ainsley Drive location.

From our Cicero location we will be able to better serve a wide variety of industries from 14 counties. Customers from our earthmoving side of the business include landscapers, farms, site developers, bridge, highway and utility contractors, paving firms, forestry companies, aggregate producers, a salt mine, town, village and county municipalities and Fort Drum. Our power systems side of the business serves an equally diverse base of customers with the common thread being that they require reliable, sometimes critical-demand power – hospitals, banks, data centers, municipalities, on-highway trucks and many rental applications.

The new facility will also serve as corporate headquarters for SITECH Northeast, a sister company to Milton CAT, that sells and supports the technology and automation side of our earthmoving business. SITECH Northeast has been experiencing double-digit sales growth over the last seven years and has been filling good-paying, technology-based positions at the same rate.

The Milton CAT Syracuse location has a strong relationship with the NY BOCES program and a number of Diesel technology schools, in particular SUNY Morrisville. Our company has a robust internship and cooperative program to train technicians, many of whom we hire. These programs and the ability to teach technicians and other job roles will improve tremendously with the Cicero facility.

Design and construction decisions for the Eastman Road site will be handled by our corporate facilities department and every effort will be made to hire local to the job site. The culture of Milton CAT is to have as many decisions made by local management as possible and this will result in the hiring of local vendors and suppliers after the Cicero facility is complete.

The successful completion of this project is critical to the continued financial success and associated employment for Milton CAT's CNY operations. The financial assistance detailed in this application enables this project to succeed.

Milton CAT provides unique goods and services for our customers. A substitute provider of these goods and services is not available in the Town of Cicero or Onondaga County. The successful completion of this project will make these goods and services available to the Town of Cicero and County of Onondaga that would not otherwise be available.

Milton CAT has a strong track record of being a good community member supporting numerous charities, causes and foundations. Milton CAT also prides itself on being a good equal opportunity employer, offering training, opportunity for growth, and a highly competitive health and benefits package.

The current structure for the IDA transaction contemplates that Southworth-Milton, Inc. would purchase the real property, purchase the equipment and construct the facility under the IDA project. Upon completion of the project and as part of the IDA approval, Southworth-Milton, Inc. would transfer the real property and the facility to Milton Real Properties of Massachusetts, LLC. Southworth-Milton, Inc. would enter into a long-term lease with Milton Real Properties of Massachusetts. Southworth-Milton, Inc. would also hold a note and mortgage on the real property to secure payment of the purchase price.

Upon completion of the intercompany sale-leaseback, Milton Real Properties of Massachusetts, LLC, as the Real Estate Holding Company, will own the Land and the Project Facility and that Southworth-Milton, Inc., as the Operating Company, will be the owner of the Equipment and the operator of the Project Facility.



**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: Southworth-Milton, Inc. d/b/a Milton CAT

Applicant Address: 100 Quarry Drive, Milford, Massachusetts 01757

Phone: 508-634-3400

Fax: _____

Website: www.miltoncat.com

E-mail: _____

Federal ID#: 02-0258444

NAICS: 423810

State and Year of Incorporation/Organization: New Hampshire 1960

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: Milton Real Properties of Massachusetts, LLC

Federal ID#: 04-3497603

* See attached Milton CAT Transaction Summary

State and Year of Incorporation/Organization: New Hampshire 1999

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

Christopher G. Milton, Laura E. Milton 2017 Irrevocable Trust, Anna Louise Milton 2017 Irrevocable Trust, Keith Culver Milton 2017 Irrevocable Trust

B) Individual Completing Application:

Name: Stephen A. Boyd

Title: Vice President - Chief Financial Officer

Address: 100 Quarry Drive, Milford, Massachusetts 01757

Phone: 508-634-5570

Fax: _____

E-mail: steve_boyd@miltoncat.com

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

Name: Bradlee T. Farrin
Title: Corporate Facilities Manager
Address: 100 Quarry Drive, Milford, Massachusetts 01757
Phone: 508-634-5830 Cell Phone: 508-958-6111
E-mail: brad_farrin@miltoncat.com

D) Company Counsel:

Name of Attorney: Jeremy H. Speich, Esq.
Firm Name: Harris Beach, PLLC
Address: 677 Broadway, Suite 1101
Phone: 518-701-2737 Cell Phone: _____
E-mail: jspeich@harrisbeach.com

E) Business Organization (check appropriate category):

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

Others (please specify): _____

Year Established: 1960

State in which Organization is established: New Hampshire

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

Name	% of ownership
Christopher G. Milton	51%
Keith Culver Milton 2017 Irrevocable Trust	10%
William B. Swasey 2017 Irrevocable Trust	19%
Laura E. Milton 2017 Irrevocable Trust	10%
Anna Louise Milton 2017 Irrevocable Trust	10%

G) Applicant Business Description:

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

Estimated % of sales within Onondaga County: 5%

Estimated % of sales outside Onondaga County but within New York State: 27%

Estimated % of sales outside New York State but within the U.S.: 68%

Estimated % of sales outside the U.S.: 0%

(*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: 7285 and 7309 Eastman Road

Legal Address (if different): _____

City: _____

Village/Town: Cicero

Zip Code: 13039

School District: North Syracuse

Tax Map Parcel ID(s): 055-03-01 & 055-03-02

Current Assessed Value: 115,000.00

Sq. Footage of Existing Building: N/A

Census Tract: 010321

- 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: * see attached Transaction Summary

☒ (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 <u>Specialty Sales and Service of Heavy Construction Equipment</u> |

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	950,000	100%	
Site Work/Demo	5,000,000	100%	
Building Construction & Renovation	13,000,000	100% (if available)	
Furniture & Fixtures	1,000,000	50%	
Equipment	3,500,000	50%	
Equipment Subject to NYS Production Sales Tax			
Engineering/Architect	1,000,000	25%	
Financial Charges			
Legal	50,000	0%	
Other			
Management/Developer Fees	1,500,000	50%	
Total Project Cost	26,000,000		

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

B) TOTAL Capital Costs

\$ 26,000,000

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) \$ 26,000,000 (100% equity)
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

\$ 26,000,000

C) Employment and Payroll Information

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

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

☐ Yes

☒ No

If yes, provide number of FTE jobs at the facility: _____

2. Complete the following:

Estimate the number of FTE jobs to be retained as a result of this Project:	109
Estimate the number of construction jobs to be created by this Project:	45
Estimate the average length of construction jobs to be created (months):	12-18 months
Current annual payroll at facility:	\$8,500,000
Average annual growth rate of wages:	3.5%
Please list, if any, benefits that will be available to either full and/or part time employees:	Medical, Dental, 401K, Pension Plan, Life Ins., Long/Short Term Disability, Vacation, Paid Health Ins.
Average annual benefit paid by the company (\$ or % salary) per FTE job:	Variable
Average growth rate of benefit cost:	5%
Amount or percent of wage employees pay for benefits:	Variable
Provide an estimate of the number of residents in the Economic Development Region (Onondaga, Madison, Cayuga, Oneida, Oswego, and Cortland Counties) to fill new FTE jobs:	N/A

D) New Employment Benefits

- i. Complete the following chart indicating the number of FTE jobs presently employed at the Project and the number of FTE jobs that will be created at the Project site at the end of the first, second, third, fourth and fifth years after the Project is completed. Jobs should be listed by title of category (see below), including FTE independent contractors or employees of independent contractors that work at the Project location. Do not include construction workers.
- ii. Feel free to include additional information or a substitute chart if you think additional material would add clarity.

Current & Planned Full Time Occupations (Job Titles)	Salary (Annual or Hourly)	Current Number of FTEs	Estimated Number of FTE Jobs added each year after project				
			Year 1	Year 2	Year 3	Year 4	Year 5
Management	170,000	5					
Supervisors	80,000	12					
Sales People	91,000	29					
Service Technicians	85,000	39					
Warehouse	55,000	6					
Office Support - Salary	98,000	6					
Office Support - Hourly	60,000	12					
Job Creation Subtotal		109					

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): 187,500
- ☒ Sales and Use Tax Exemption (4% Local, 4% State): 1,040,000
- ☐ Tax Exempt Bond Financing (Amount Requested): _____
- ☐ Taxable Bond Financing (Amount Requested): _____

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

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

\$ 25,000,000 *

*See Attached Transaction Summary

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

\$ 187,500

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:

\$ 13,000,000

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

\$ 1,040,000

Section IV: Estimate of Real Property Tax Abatement Benefits

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

A) PILOTS Estimate Table Worksheet

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

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

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

Section V: Local Access Policy Agreement

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

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

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

In consideration of the extension of financial assistance by the Agency Southworth-Milton, Inc. d/b/a Milton CAT (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 December 1, 2020 (date).

Company: Southworth-Milton, Inc. d/b/a Milton CAT

Representative for Contract: Bradlee T. Farrin

Address: 100 Quarry Drive City: Milford State: MA Zip: 01757

Phone: 508-634-5830 Email: brad_farrin@miltoncat.com

Project Address: 7285 and 7309 Eastman Road City: Cicero State: NY Zip: 13039

General Contractor: TBD

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, which ever may be applicable. The Agency shall remit the recaptured sales and use tax benefits to the State within 30 days of receipt.
 2. **Compliance Report.** Annually, the Agency will file an annual compliance report with the State of New York detailing its recapture terms and its activities to recapture benefits, including any attempt to recapture benefits from an Agency project.

A "Full Time Permanent Employee" shall mean

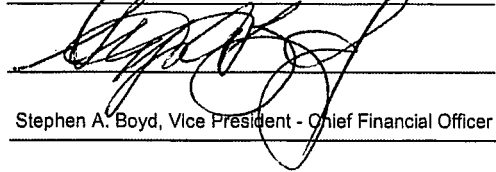
1. A full time, permanent, private sector employee on the Company's payroll, who has worked at the project location for a minimum of thirty hours per week for not less than four consecutive weeks and who is entitled to receive the usual and customary fringe benefits extended by Company to other employees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

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

Name of Applicant Company

Southworth-Milton, Inc. d/b/a Milton CAT

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

Stephen A. Boyd, Vice President - Chief Financial Officer

Date: December 1, 2020

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: Operating Engineers Local 545

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

☒ Yes ☐ No

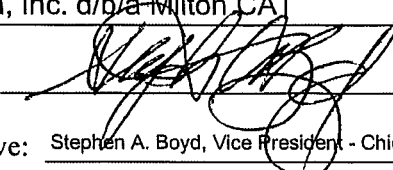
Enter Company Name in three (3) places below and sign by an authorized company officer:

In consideration of the benefits provided by the Onondaga County Industrial Development Agency (OCIDA), Southworth-Milton, Inc. d/b/a Milton CAT, 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.

Southworth-Milton, Inc. d/b/a Milton CAT, 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.

Southworth-Milton, Inc. d/b/a Milton CAT, 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: Southworth-Milton, Inc. d/b/a Milton CAT

Signature of Officer or Authorized Representative: 

Name & Title of Officer or Authorized Representative: Stephen A. Boyd, Vice President - Chief Financial Officer

Date: December 1, 2020

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

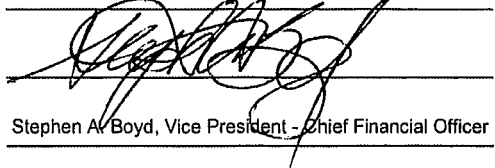
1. Jeffrey Davis, Esq., Barclay Damon LLP
2. Amanda Mirabito, Esq., Barclay Damon LLP
3. Michael G. Lisson, CPA, Grossman St. Amour Certified Public Accountants PLLC

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

Southworth-Milton, Inc. d/b/a Milton CAT

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

Stephen A. Boyd, Vice President - Chief Financial Officer

Date: December 1, 2020

Section X: Representations, Certifications, and Indemnification

Stephen A. Boyd, Vice President - Chief Financial Officer (Name of CEO or other authorized representative of Applicant) confirms and says that he/she is the Vice President - Chief Financial Officer (title) of Southworth-Milton, Inc. d/b/a Milton CAT (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

Southworth-Milton, Inc. d/b/a Milton CAT

Signature of Officer or Authorized Representative:

Name & Title of Officer or Authorized Representative:

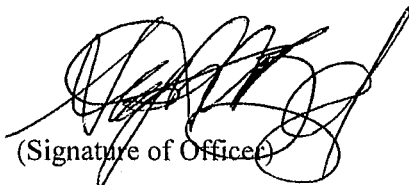
Stephen A. Boyd, Vice President - Chief Financial Officer

Date: December 1, 2020

STATE OF ~~NEW YORK~~ Massachusetts
COUNTY OF ~~ONONDAGA~~ Worcester ss.;

STEPHEN A. BOYD, being first duly sworn, deposes and says:

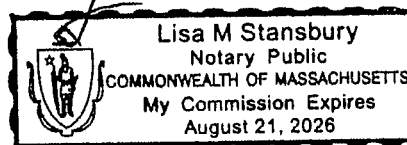
1. That I am the Vice President - Chief Financial Officer (Corporate Officer) of Southworth-Milton, Inc. d/b/a Milton CAT (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read and attached Application, I Know the contents thereof, and that to 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 1st day of Dec 20 20.

Lisa M Stansbury

(Notary Public)



End of Application

Rev 1-9-20



COR

DEVELOPMENT COMPANY, LLC

540 Towne Drive, Fayetteville, NY 13066
315•663•2100 Fax: 315•663•2109
www.corcompanies.com

January 5, 2021

Onondaga County Industrial Development Agency
333 W. Washington Street
Suite 130
Syracuse, New York 13202

Re: COR Aspen Park Boulevard Company, LLC
Lease/Leaseback Agreement with OCIDA recorded June 15, 2010
Mortgage with Beacon Federal n/k/a Berkshire Bank dated June 11, 2010 and recorded
June 15, 2010 in Book 161511, Page 652

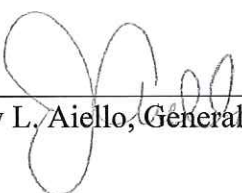
Dear Sir/Madam:

COR Aspen Park Boulevard Company, LLC (the "Company") is in the process of refinancing the above referenced mortgage which will be assigned to Pathfinder Bank. As the Lease/Leaseback Agreement is still in effect, we are requesting that OCIDA join in the execution of the Pathfinder Bank Mortgage (the "Mortgage"). A draft of the Mortgage is attached for your reference. We anticipate closing to occur by the end of January, 2021. Please advise if you have any further questions.

Very truly yours,

COR ASPEN PARK BOULEVARD COMPANY, LLC

By:


Jeffrey L. Aiello, General Manager