



ONONDAGA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY

335 MONTGOMERY STREET, FLOOR 2M, SYRACUSE, NY 13202
315.435.3770 • ECONOMICDEVELOPMENT@ONGOV.NET

Regular Meeting Agenda
June 13, 2024

8:30AM Call to Order the Regular Meeting of the Agency

- A. Approval of Minutes: May 9, 2024
- B. Treasurer's Report
- C. Payment of Bills
- D. Conflict of Interest

Action Items:

1. NexGen Power Systems, Inc. (3101-18-01A) Terminating Project and Evaluating Recapture of Benefits

Agency Action Requested:

- a. A resolution of the Board evaluating the recapture of benefits and terminating a Project with NexGen Power Systems, Inc. and directing execution of termination documents with respect thereto.

Representative: Robert Petrovich, Executive Director

2. UR-Ban Villages PFA, LLC (3101-21-07A) Modification Meeting

UR-Ban Villages PFA, LLC is requesting a release of a portion of the Land from the Agency's leasehold interest in the property located at 100 Buckley Road in the Town of Salina.

Agency Action Requested

- a. A resolution of the Board authorizing a release of a portion of the Agency's leasehold interest in the Project Facility.

Representative: Robert Petrovich, Executive Director

3. Public Relations/Marketing Services - Contract Authorization

Agency Action Requested:

- a. A resolution of the Board increasing the contract with ABC Creative Marketing Group

in an amount not to exceed \$70,000 for public relations/marketing services for OCIDA to communicate the Agency's objectives.

Representative: Robert Petrovich, Executive Director

4. Micron New York Semiconductor Manufacturing LLC - Eminent Domain Action

Agency Action Requested:

- a. A resolution of the Board authorizing and directing Agency staff and counsel to take various actions pursuant to the Eminent Domain Procedure Law for the potential acquisition of lands and easement rights in support of the development of the White Pine Commerce Park.

Representative: Jeffrey W. Davis, Agency Counsel

5. COR Van Rensselaer Street Company II, LLC & COR Van Rensselaer Company III, Inc. (3101-15-14A) Request for execution and delivery of lender document in connection with a financing extension.

Agency Action Requested:

- a. A resolution of the Board authorizing execution and delivery of lender documents.

Representative: Amanda Fitzgerald, Agency Counsel

Adjourn

Regular Meeting Minutes

May 9, 2024

A regular meeting of the Onondaga County Industrial Development Agency was held on Thursday, May 9, 2024, 335 Montgomery Street, Floor 2M, Syracuse, New York.

Pat Hogan called the meeting to order at 8:30 AM with the following:

PRESENT:

Patrick Hogan
Susan Stanczyk
Janice Herzog
Fanny Villarreal
Cydney Johnson
Elizabeth Dreyfuss

ABSENT:

Kevin Ryan

ALSO PRESENT:

Robert M. Petrovich, Executive Director
Nathaniel Stevens, Treasurer
Alexis Rodriguez, Secretary
McKenna Moonan, Office of Economic Development
Len Rauch, Office of Economic Development
Jeff Davis - Barclay Damon
Amanda Fitzgerald - Barclay Damon
Leila Dwyer - Barclay Damon
Chris Andreucci - Harris Beach
Kevin McAuliffe - Barclay Damon
Heather Lamendola - Barclay Damon
Colby Clark - Old Thompson Road LLC
Amy Lawler - Old Thompson Road LLC
JonElle Baskin-Kelley - Clinton's Ditch
John Anthony Dunn - Clinton's Ditch
Noelle Meyer - Clinton's Ditch
Rick Moriarty - Syracuse.com

APPROVAL OF REGULAR MEETING MINUTES- APRIL 11, 2024

Upon motion by Cydney Johnson, seconded by Elizabeth Dreyfuss, the OCIDA Board approved the regular meeting minutes of April 11, 2024. Motion was carried.

TREASURER'S REPORT

Nate Stevens gave a brief overview of the Treasurer's Report for the month of April 2024.

Upon motion by Janice Herzog, seconded by Susan Stanczyk, the OCIDA Board approved the Treasurer's Report for the month of April 2024. Motion was carried.

PAYMENT OF BILLS

Nate Stevens gave a brief review of Payment of Bills.

Upon motion by Janice Herzog, seconded by Fanny Villarreal, the OCIDA Board approved the Payment of Bills. Motion was carried.

CONFLICT OF INTEREST DISCLOSURE

The Conflict of Interest was circulated and there were no conflicts.

ACTION ITEMS

1. Project Termination and Recapture of Benefits for Immediate Mailing Services, Inc. and 245 Commerce LLC (3101-21-15B): Robert Petrovich explained why this motion was being put forward as a result of the applicant not moving forward with the project. Termination of the benefits package and recapture of outstanding \$3,600 was put forth. The applicant is aware and in agreeance of repayment of said recapture of the mortgage recording tax exemption. Pat Hogan read the Agency Action Requested: A resolution of the Board recapturing benefits and terminating a Project with Immediate Mailing Services, Inc. and 245 Commerce LLC and directing execution of termination documents

with respect thereto. A motion was made by Janice Herzog and seconded by Fanny Villarreal. Motion passed unanimously.

2. Clinton's Ditch Co-Operative, Inc. (3101-24-03A): John Dunn, General Manager of Clinton's Ditch, gave a brief overview and the history of his company. A question was posed about the environmental issues stated on the application referring to the NYS D.E.C. permitting. Wetland mitigation is in the works, whether that be on-site or off-site is still unknown to Mr. Dunn. Pat Hogan read the Agency Action Requested: Clinton's Ditch Co-Operative Company, Inc, is proposing to expand their existing 274,000 SF facility in the Town of Cicero by adding approximately 100,000 SF. The addition will include a two-story office space, a chemical storage area and a small waste treatment building. The company is also proposing to construct a new 19,520 SF truck repair facility to support their fleet of tractors and trailers. Pat Hogan read the Agency Action requested. A resolution of the Board authorizing a public hearing regarding the requests for exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes, and mortgage recording taxes. A motion was made by Susan Stanczyk and seconded by Janice Herzog. Motion passed unanimously.
3. Old Thompson Road, LLC (3101-24-04C): Pat Hogan introduced the proposal by the applicant. Robert Petrovich added that Kevin McAuliffe of Barclay Damon is representing the applicant, Chris Andreucci of Harris Beach was acknowledged as OCIDA counsel. Mr. McAuliffe gave a brief overview of the applicant and past projects which was followed by an introduction of Colby Clark. Mr. Clark gave an introduction to Feldmeier Equipment as well as a history of the company. Mr. Clark then explained past projects of the company and ended by stating that Syracuse is home. Pat Hogan asked Nate Stevens to give an overview of the PILOT. Nate Stevens described how the existing and requested PILOTs will interact. Pat Hogan read the Agency Action Requested: 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. The financial

ONONDAGA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY

assistance requested includes (i) a partial exemption from the additional property taxes that would otherwise be due but for the Agency's involvement in the Project and (ii) an exemption from sales and use tax and mortgage recording tax. A motion was made by Susan Stanczyk and seconded by Fanny Villarreal. Motion passed unanimously.

Motion to adjourn made by Susan Stanczyk and seconded by Fanny Villarreal at 8:48am.

Alexis Rodriguez, Secretary

ONONDAGA COUNTY
 INDUSTRIAL DEVELOPMENT AGENCY

May 31, 2024

Revenue / Expense / Income	Current Period	Current YTD
Operating/Non-Op Revenue	1,694,793	2,406,263
Administrative Expense	36,493	222,654
Operating/Program Expense	29,373	270,732
Net Ordinary Income	1,628,927	1,912,878

Current Assets	Current YTD	Prior YTD
Total Cash	7,094,139	6,958,899
Less Pass Through Received	360,241	1,514,443
Available Cash	6,733,898	5,444,456
Receivables	1,755,303	425,967
Total	8,489,202	5,870,423

Onondaga County Industrial Development Agency

Profit and Loss

May 2024

	TOTAL
Income	
500 Operating Revenue	
2116 Fees	
2116.1 Agency Fees	1,533,081.18
2116.2 Application Fees	1,000.00
2116.3 WPCP Agency Fee	111,111.11
Total 2116 Fees	1,645,192.29
Total 500 Operating Revenue	1,645,192.29
501 Non-Operating Revenue	8,907.82
2401 Interest Income	25,692.81
501.2 Other Non-Operating Revenue	15,000.00
Total 501 Non-Operating Revenue	49,600.63
534 Pilot & Pass Thru Revenue	
528.003 OHB Redev LLC Funds Pass Thru	24,536.68
529 PILOT Income	58,217.09
Total 534 Pilot & Pass Thru Revenue	82,753.77
550 WPCP Pass Thru Revenue	306,565.66
Total Income	\$2,084,112.35
GROSS PROFIT	\$2,084,112.35
Expenses	
6400 Operating Expense	
6406 Other Professional Services	
6406.50 Consulting Services	3,000.00
Total 6406 Other Professional Services	3,000.00
6407 Administrative Expense	36,492.65
6408 Meeting Expenses	199.96
6409 Conference Attendance	357.99
6410 Office Expense	1,795.43
Total 6400 Operating Expense	41,846.03
6440 Legal Fees	
6450 Barclay Damon	
6460 IDA General Legal	3,776.31
Total 6450 Barclay Damon	3,776.31
Total 6440 Legal Fees	3,776.31
6500 Agency Program Expenses	
6510 White Pine Commerce Park	
6510.7 WPCP Marketing	18,113.62
Total 6510 White Pine Commerce Park	18,113.62
Total 6500 Agency Program Expenses	18,113.62

Onondaga County Industrial Development Agency

Profit and Loss

May 2024

	TOTAL
6514 White Pine Science & Technology Park	
6514.1 Legal	77.50
6514.2 Engineering	1,052.50
6514.3 Property Maintenance	1,000.00
Total 6514 White Pine Science & Technology Park	2,130.00
6600 Non-Operating Expenses	
6605 Pilot & Pass Thru Expenses	
6605.2 PILOT Expense	66,184.56
6606 OHB Redev LLC Funds Pass Thru	24,536.68
Total 6605 Pilot & Pass Thru Expenses	90,721.24
Total 6600 Non-Operating Expenses	90,721.24
6610 WPCP Pass Thru Expenses	
6610.1 Barclay Damon	177,777.78
6610.2 JMT	128,787.88
Total 6610 WPCP Pass Thru Expenses	306,565.66
Total Expenses	\$463,152.86
NET OPERATING INCOME	\$1,620,959.49
NET INCOME	\$1,620,959.49

Onondaga County Industrial Development Agency

Balance Sheet As of May 31, 2024

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
200 Cash	0.00
200.1 Cash - M & T Checking	5,836,332.99
200.2 Cash - M & T Money Maker Savings	1,957,192.41
Total 200 Cash	7,793,525.40
Total Bank Accounts	\$7,793,525.40
Accounts Receivable	
380 Accounts Rec.	
380.6 A/R Fees, Lease & PILOT	2,482,691.33
Total 380 Accounts Rec.	2,482,691.33
Total Accounts Receivable	\$2,482,691.33
Other Current Assets	
480 Prepaid Expenses	
480.4 Credit Balance on Card	-650.00
Total 480 Prepaid Expenses	-650.00
Total Other Current Assets	\$ -650.00
Total Current Assets	\$10,275,566.73
Fixed Assets	
100 Land	
101 White Pines Commerce Park	0.00
101.3 Engineering Services	16,190.00
101.4 Environmental/Demo Services	110.00
Total 101.3 Engineering Services	16,300.00
101.6 WPCP Marketing	221.49
Total 101 White Pines Commerce Park	16,521.49
107 800 Hiawatha	604,840.42
108 White Pine Science & Technology Park	2,140,557.00
Total 100 Land	2,761,918.91
104 Machinery & Equipment	
104.1 Office Furniture	1,429.00
104.2 Equipment	4,589.00
Total 104 Machinery & Equipment	6,018.00
211 A/D Office Furniture	-5,042.00
250 Investment in Real Property	30,756,703.00
Total Fixed Assets	\$33,519,597.91

Onondaga County Industrial Development Agency

Balance Sheet As of May 31, 2024

	TOTAL
Other Assets	
240 Blue Sky Redevelopment	1,641.76
Total Other Assets	\$1,641.76
TOTAL ASSETS	\$43,796,806.40
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
300 WPCP Pass Thru Payable	1,082,627.58
Total Accounts Payable	\$1,082,627.58
Other Current Liabilities	
600 Accounts Payable	0.00
600.1 Due to Related Party - OED	222,653.57
600.204 OHB Redev LLC Funds	699,386.34
600.208 BlueRock Energy Agreement Deposit	25,000.00
600.209 Syracuse Rail Overpayment	500.00
600.3 Onondaga County Loan	28,079,656.77
600.31 Accrued Interest - OC Note Payable	1,823,051.00
Total 600.3 Onondaga County Loan	29,902,707.77
Total 600 Accounts Payable	30,850,247.68
601 PILOT and Pass Thru Payable	
603 PILOT Pass Thru	-6,834,755.90
Total 601 PILOT and Pass Thru Payable	-6,834,755.90
631 Due to Other Governments	
631.1 Towns	
631.155 Skaneateles	0.10
Total 631.1 Towns	0.10
Total 631 Due to Other Governments	0.10
Total Other Current Liabilities	\$24,015,491.88
Total Current Liabilities	\$25,098,119.46
Total Liabilities	\$25,098,119.46
Equity	
3900 Equity Unreserved	7,227,937.45
3901 Equity-Investment Fixed Assets	2,345,838.63
463 Reserve For Contracts	368,811.84
465 Equity - Unreserved	4,017.16
Net Income	8,752,081.86
Total Equity	\$18,698,686.94
TOTAL LIABILITIES AND EQUITY	\$43,796,806.40

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
PAYMENT OF BILLS - SCHEDULE #494
June 13, 2024

GENERAL EXPENSES

1.	<u>GROSSMAN ST. AMOUR CPA'S PLLC</u>	\$	15,000.00
	2023 Audit, Inv#89664		
2.	<u>ONONDAGA COUNTY</u>	\$	3,600.00
	IMS Mortgage Recording Taxes		
3.	<u>BARCLAY DAMON LLP</u>	\$	4,262.00
	Legal fees for Lot 27		
4.	<u>BARCLAY DAMON LLP</u>	\$	29,185.36
	OHB Redev, Inv#5286663		
5.	<u>BARCLAY DAMON LLP</u>	\$	874.36
	Retained Corporate & Public Finance Matters, Inv#5285696		
6.	<u>BARCLAY DAMON LLP</u>	\$	177,777.78
	May 2024 Legal Costs		
7.	<u>JMT OF NEW YORK, INC.</u>	\$	128,787.88
	May 2024 Engineering Costs		
8.	<u>GORICK CONSTRUCTION CO., INC.</u>	\$	53,675.00
	Demoliton Costs		
9.	<u>LOVELL AND ASSOCIATES, LLC</u>	\$	3,000.00
	May 2024 Consulting		
10.	<u>DRYDEN MUTUAL INSURANCE CO.</u>	\$	1,614.19
	Insurance Premium		

11.	<u>ROBERT PETROVICH</u>	\$	106.40
	NYSEDC Conference Mileage		
12.	<u>NATE STEVENS</u>	\$	130.76
	NYSEDC Conference Mileage		
13.	<u>ALEXIS RODRIGUEZ</u>	\$	130.76
	NYSEDC Conference Mileage		
14.	<u>MCKENNA MOONAN</u>	\$	134.76
	NYSEDC Conference Mileage		
15.	<u>LEN RAUCH</u>	\$	209.48
	Albany Meeting Mileage		
16.	<u>MICRON TECHNOLOGY, INC.</u>	\$	90.88
	Reimbursement		
TOTAL		\$	418,579.61

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
PAYMENT OF BILLS - SCHEDULE #494
June 13, 2024

PILOT Payments

1. <u>ONONDAGA COUNTY*</u>	\$	8,397.02
Finger Lakes Railway 2024 PILOT Payment		
2. <u>TOWN OF CAMILLUS*</u>	\$	5,985.32
Finger Lakes Railway 2024 PILOT Payment		
3. <u>VILLAGE OF CAMILLUS*</u>	\$	1,035.09
Finger Lakes Railway 2024 PILOT Payment		
4. <u>TOWN OF ELBRIDGE*</u>	\$	2,438.65
Finger Lakes Railway 2024 PILOT Payment		
5. <u>TOWN OF GEDDES*</u>	\$	81.13
Finger Lakes Railway 2024 PILOT Payment		
6. <u>VILLAGE OF SOLVAY*</u>	\$	648.47
Finger Lakes Railway 2024 PILOT Payment		
7. <u>WEST GENESEE CSD*</u>	\$	14,537.87
Finger Lakes Railway 2024 PILOT Payment		
8. <u>SOLVAY UNION FREE SCHOOL DISTRICT*</u>	\$	4,139.80
Finger Lakes Railway 2024 PILOT Payment		
9. <u>JORDAN-ELBRIDGE CSD*</u>	\$	20,644.74
Finger Lakes Railway 2024 PILOT Payment		
10. <u>MARCELLUS CSD*</u>	\$	309.00
Finger Lakes Railway 2024 PILOT Payment		
11. <u>ONONDAGA COUNTY**</u>	\$	2,788.61
COR Inner Harbor Sub Project 1 1st Q 2024 PILOT Payment		
12. <u>SYRACUSE CITY SCHOOL DISTRICT**</u>	\$	3,107.32
COR Inner Harbor Sub Project 1 1st Q 2024 PILOT Payment		
13. <u>CITY OF SYRACUSE**</u>	\$	<u>2,071.54</u>
COR Inner Harbor Sub Project 1 1st Q 2024 PILOT Payment		
TOTAL	\$	66,184.56

*Ratification of checks dated May 28, 2024

**Ratification of checks dated May 29, 2024

June 5, 2024

Dear Onondaga County Industrial Development Agency,

We would like to request that the area covered under our PILOT agreement be reduced by approximately 2 acres; this change in size will have no impact on the PILOT agreement or any benefits. Enclosed please find a not to scale map as a visual representation of the reduction.

We appreciate the continued support of OCIDA as this project could not be possible without it! Please continue to help us develop this site, as we continue bringing it back to a useful purpose, adding to the fabric of Central New York. We ask that OCIDA provides support and acceptance of this request.

Sincerely,

Vittorio Pascarella

A handwritten signature in black ink, appearing to read 'V. Pascarella', written over the printed name.

Member

D

C

B

A

SHEET C-103, C-105, C-107

EXCLUDED FROM PILOT

INCLUDED IN PILOT

SHEET C-102, C-104, C-106

SITE DATA

APPLICANT/OWNER:
UR-BAN VILLAGES PFA, LLC
925 SEVENTH NORTH STREET
LIVERPOOL, NEW YORK 13088

AREA: PARCEL #086-01-15.2 11.50± AC (TOWN OF SALINA)
PARCEL #001.2-02-23.0 1.54± AC (CITY OF SYRACUSE)

TOTAL AREA 13.04± AC

ZONE: 086-01-15.2 (SALINA) I-1, INDUSTRIAL
w/ REPURPOSING & REUSE
OVERLAY DISTRICT
001.2-02-23.0 (SYRACUSE) IA, INDUSTRIAL

BUK AREA REGULATIONS:	REQUIRED	PROVIDED
LOT		
MINIMUM AREA:	20,000 SF	568,291 SF
MINIMUM WIDTH:	100'	977.20' ±
MINIMUM DEPTH:	N/A	802.69' ±
COVERAGE, MAXIMUM (BUILDING)	50%	136,800 SF (24.4% EXISTING)± 33,600 SF (5.9% NEW)± 172,400 SF (30.3% TOTAL)

YARD		
FRONT YARD	50'	15.24' (MIN. EX BLDG 3A)
SIDE YARD	20'	47' ±
REAR YARD	20'	25' MIN.

STRUCTURE REQUIREMENTS		
HEIGHT, MAXIMUM	45'	53' ± (EX BLDG 2)

PARKING:		
DIMENSIONS:		
AISSLES	20' (MIN)	20' MIN.
PARKING STALL	9' x 19' (MIN)	9' x 20'
LOADING SPACE	15' x 50'	NA
SPACES REQUIRED		
RESIDENTIAL (2/DU)		

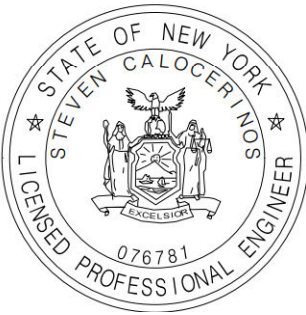
RESIDENTIAL (200 UNITS)	400	544 (200 INDOOR, 344 OUTSIDE)
RESTAURANT (4,000 SF)	50	

TOTAL	450	544 (200 INDOOR, 344 OUTSIDE)
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OTHER USES AS PERMITTED REFER TO §235-31



Calocerinos Engineering, PLLC
P.O. Box 2187
Syracuse, New York 13220
Phone: (315)214-5861
Fax: (315)214-5904



URBAN VILLAGES
100 Buckley Road
Liverpool, New York 13088
Tax Parcel ID #086-01-15.2

For:

Urban Villages PFA, LLC
925 Seventh North Street
Liverpool, New York 13088

Town of Salina,
Onondaga County, New York

MARK	DATE	DESCRIPTION
REVISIONS		
PROJECT NO:	1039.002	
DATE:	01.26.24	
DRAWN BY:	MPD	
DESIGNED BY:	S. CALOCERINOS, P.E.	
CHECKED BY:	S. CALOCERINOS, P.E.	

NO ALTERATION PERMITTED HERON EXCEPT AS
PROVIDED UNDER SECTION 7209 SUBDIVISION 2
OF THE NEW YORK STATE EDUCATION LAW

CIVIL

OVERALL
SITE
PLAN

C-101

A1 OVERALL SITE PLAN
SCALE: 1" = 60'-0"

0 60 120

**ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
APPLICATION FOR FINANCIAL ASSISTANCE**

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 (the “Agency” or “OCIDA”) at 315-435-3770.
2. In accordance with Section 224-a(8)(d) of Article 8 of the New York Labor Law, the Agency has identified that any “financial assistance” (within the meaning of Section 858 of the General Municipal Law) granted by the Agency to the Applicant consisting of sales and use tax exemption benefits, mortgage recording tax exemption benefits and real property tax exemption benefits, constitutes “public funds” within the meaning of Section 224-a(2)(b) of Article 8 of the New York Labor Law and such funds are not excluded under Section 224-a(3) of Article 8 of the New York Labor Law. The Agency hereby notifies the Applicant of the Applicant’s obligations under Section 224-a (8)(a) of Article 8 of the New York Labor Law.
3. If the OCIDA Board approves benefits, it is the company’s responsibility to obtain and submit all necessary forms and documents.
4. All projects approved for benefits by the OCIDA Board will close with the Agency within 6-months of the OCIDA Board approval date. If this schedule cannot be met, the Applicant will need to submit a closing schedule modification written request to the Executive Director that will be presented to OCIDA Board for consideration.
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 https://extapps.dec.ny.gov/docs/permits_ej_operations_pdf/feafpart1.pdf
6. Public Officers Law stipulates all records in the possession of the Agency (with certain limited exceptions) are open to public inspection and reproduction. Should the Applicant believe there are project elements which are trade secrets if publicly disclosed or otherwise widely disseminated, would cause substantial injury to the Applicant’s competitive position, the 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 Agency may also redact personal, private, and/or proprietary information from publicly disseminated documents.
7. The completed Application and associated fees MUST be received 10 business days prior to the upcoming OCIDA Board meeting in order to be placed on the agenda. A signed application may be submitted by mail, fax or electronically in PDF format to Nate Stevens at natestevens@ongov.net.
 - 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

This Application was adopted by the OCIDA Board on February 15, 2024.

Return completed application to:
Onondaga County Industrial Development Agency
335 Montgomery Street, Floor 2M Syracuse, NY 13202
Phone: 315-435-3770 | Fax: 315-435-3669
natestevens@ongov.net

Section I: Applicant Information

Submittal Date: July 14, 2023 AMENDED AND RESTATED JUNE 10, 2024

A) Applicant/Project Operator information (company receiving benefits):

1. Applicant/Project Operator: Micron New York Semiconductor Manufacturing LLC
Applicant/Project Operator Address: 8000 S. Federal Way, Boise, ID 83716
Phone: 208-368-4000 Fax: 208-368-4617
Website: www.micron.com Email: aeberlin@micron.com
Federal ID#: 92-0692507 NAICS: 334413
State of Incorporation: Delaware
See link for your NYS incorporation information. <https://apps.dos.ny.gov/publicInquiry>
2. Owner (if different from Applicant/Project Operator): N/A
Owner Address: _____
Federal ID#: _____
State of Incorporation: _____
List of stockholders, members, or partners of Owner: _____

B) Applicant Business Organization (check appropriate category):

- | | |
|--|---|
| ☐ Corporation | ☐ Partnership |
| ☐ Public Corporation | ☐ Joint Venture |
| ☐ Sole Proprietorship | ☒ Limited Liability Company |
| ☐ Other, explain | |

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

Name	% of ownership
<u>Micron Technology, Inc.</u>	<u>100%</u>
_____	_____
_____	_____
_____	_____

C) Applicant Business Description: See attached: US Sales Projections Narrative

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%) _____

Applicant /Owner History:

1. Is the Owner and/or Applicant or any manager or owner of the Owner and/or Applicant now a plaintiff or defendant in any civil or criminal litigation? ☒ No ☐ Yes, explain
2. Has any owner or manager of the Owner and/or Applicant listed above ever been convicted of a criminal offense (other than a minor traffic violation)? ☒ No ☐ Yes, explain
3. Has any person listed in Section I ever been in receivership or declared bankruptcy?
☒ No ☐ Yes, explain

D) Has the Applicant/Owner received assistance from Onondaga County Industrial Development Agency (OCIDA, Syracuse Industrial Development Agency (SIDA), New York State or the Onondaga Civic Development Corporation (OCDC) in the past?

☒ No ☐ Yes, explain (Provide year, project name, benefit description, amounts, address)

E) Individual Completing Application:

Name: Scott Gatzemeier Title: CVP, Front End US Expansion

Address: 8000 S. Federal Way, PO Box 6, Boise, ID 83707 Phone: 208-363-4026

Cell Phone: None E-mail: sngatzemeier@micron.com

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

Name: Anna Eberlin Title: Senior Assistant General Counsel

Address: 8000 S. Federal Way, PO Box 6, Boise, ID 83707 Phone: 208-363-2424

Cell Phone: None Email: aeberlin@micron.com

G) Company Counsel:

Name of Attorney: John P. Sidd

Firm Name: Hancock Estabrook LLP

Address: 1800 AXA Tower I, 100 Madison Street, Syracuse, NY 13202

Phone: 315-565-4500

Cell Phone: None

Email: jsidd@hancocklaw.com

Section II: Project and Site Information

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

Address: White Pine Commerce Park

Legal Address (if different): 5171 NYS Route 31

City: N/A Town: Clay Village: N/A

Zip Code: 13041 School District: North Syracuse Central School District

Tax Map Parcel ID(s): See Attached Town of Clay Tax Map Parcel ID List & Preliminary Site Plan

Full Market Value: \$30M Square Footage of Existing Building(s): All existing buildings to be removed by OCIDA in 2

B) Project Activity (Check all that apply):

- | | |
|--|---|
| ☒ New construction | ☐ Acquisition of existing facility |
| ☐ Expansion to current facilities | ☐ Brownfield/Remediated Brownfield |
| ☐ Renovation of existing facility | ☐ Demolition and construction |
| | ☒ Purchase of machinery/equipment |

C) Select Project Type or Project End Use at site (you may check more than one):

- | | |
|--|--|
| ☒ Manufacturing | ☐ Mixed Use |
| ☐ Retail (see Section V) | ☐ Facility of Aging |
| ☐ Housing Project (see Section VII) | ☐ Distribution/Wholesale |
| ☐ Civic Facility (not for profit) | ☐ Commercial |
| ☒ Industrial | ☐ Renewable Energy Project (see Section VI) |
| ☐ Other, explain | |

D) Project Narrative: Please check one of the two boxes below and attach statement.

- ☒ A statement that the Project described in this application would not be undertaken but for the financial assistance provided by the Agency. Please see attached Project Narrative
- ☐ If the Project is going to advance regardless of any financial assistance from the Agency, please provide a statement indicating why the project should be considered by the Agency for any financial assistance.

- E) Description of Project: Please attach a detailed narrative of the proposed Project. Please attached copies of site plans, sketches or maps. This narrative should include, but is not limited to:
- ☒ (i) a description of your Company's background, customers, goods and services and the principal products to be produced and/or the principal activities that will occur on the Project site;
 - ☒ (ii) the size of the Project in square feet and a breakdown of square footage per each intended use;
 - ☒ (iii) the size of the lot upon which the Project sits or is to be constructed;
 - ☒ (iv) the current use of the site and the intended use of the site upon completion of the Project;
 - ☒ (v) describe your method for site control (Own, lease, other).
- F) 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?
- ☒ No ☐ Yes
- G) Please describe any compelling circumstances the Agency should be aware of while reviewing this application. Please see attached Project Narrative

H) Local Approvals (Site Plan and Environmental Review)

Have site plans been submitted to the appropriate town or local planning department?

☒ No. When will the plans be submitted? 1/31/202 ☐ Yes, what is the status? _____

Has the project received site plan approval from the town or local planning board?

☒ No, anticipated approval date. 2/28/202 ☐ Yes, date _____

If yes, provide the Agency with a copy of the Planning Board's approval resolution along with the related SEQR determination. **(NOTE: SEQR determination is required for final approval and sales tax agency appointment.)**

1. Environmental Review Information

- a. Please attach the appropriate Environmental Impact Forms to your application. Here is a link to the SEQR forms: https://extapps.dec.ny.gov/docs/permits_ej_operations_pdf/feafpart1.pdf
- b. Has Lead Agency been established? ☒ No ☐ Yes, name of Lead Agen ☐
- c. Have any environmental issues been identified on the property?
☐ No ☒ Yes, explain Please see attached Environmental Review Information Explanation

Section III: FINANCIAL AND EMPLOYMENT INFORMATION

A) Project Costs and Finances

Description of Costs	Total Budget Amount
Land Acquisition	TBD
Site Work/Demo	TBD
Building Construction & Renovation	TBD
Furniture & Fixtures	TBD
Equipment	TBD
Project Soft Cost	
Total Project Cost	TBD

Please have documentation available upon request. Do not include OCIDA fees, OCIDA application fees or OCIDA legal fees as part of the Total Project Cost.

Sources of Funds for Project Costs:

1. Bank Financing	\$ 5,478,000,000.00
2. Equity	\$ 25,140,000,000.00
3. Tax Exempt Bond Issuance (if applicable)	\$ 0
4. Taxable Bond Issuance (if applicable)	\$ 0
5. Total Sources of Funds for Project Costs	\$ 30,618,000,000.00

6. Public Sources (Include sum total of all state and federal grants and tax credits)	\$ 18,095,000,000.00
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-Identify each state and federal grant/credit:

United States CHIPS and Science Act	\$ 4,600,000,000.00
Investment Tax Credit	\$ 11,251,000,000.00
State and Local Incentives	\$ 2,244,000,000.00

State and Local Incentives include Green CHIPS only

B) Employment and Payroll Information

Full Time Equivalent (FTE) is defined as one employee working no less than 35 hours per week or two or more employees together working a total of 35 hours per week.

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

☒ No ☐ Yes, provide number of FTE jobs at the project site _____
If you are relocating, are all employees moving to new site? ☐ No, explain ☐ Yes

2. Complete the following:

Estimate the number of FTE jobs to be retained as a result of this Project:	0
Estimate the number of construction jobs to be created by this Project:	4200
Estimate the average length of construction jobs to be created (months):	24
Current annual payroll including the benefit cost:	0
Average salary amount that is an employee benefit (%):	33%
Average annual growth salary/wage rate (%)	3%
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:	1301

C) New Employment Benefits

Complete the following chart indicating the number of FTE jobs currently employed by the Applicant, FTE jobs currently 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, and third, 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.

Please use this chart to illustrate the current employment:

Job Title/Category	Current Annual Pay	Current Employment (FTE)
N/A	N/A	N/A

Please use this chart to illustrate the projected employment growth:

Job Title/Category	Projected Annual Pay	FTE Jobs Created Year 1	FTE Jobs Created Year 2	FTE Jobs Created Year 3	FTE Jobs Created Year 4	FTE Jobs Created Year 5
Management & Executives	166,000	134	21	31		
Engineers	94,800	588	91	138		
Technicians	68,600	481	74	114		
Manufacturing Support	154,759	134	21	31		

D) Financial Assistance sought:

☒ Real Property Tax Abatement (PILOT): *Agency Staff will provide draft and final PILOT schedule:* _____

☐ Mortgage Recording Tax Exemption (.75% of mortgage): N/A

☒ Sales and Use Tax Exemption (4% Local, 4% State): \$1,760,000,000.00

☐ Tax Exempt Bond Financing (Amount Requested): N/A

☐ Taxable Bond Financing (Amount Requested): N/A

E) 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): \$ N/A

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

F) Sales and Use Tax Benefit Calculator: Gross amount of costs for goods and services that are subject to State and local Sales and Use Tax: \$ 22,000,000,000.00

Estimated State and local Sales and Use Tax Benefit (product of 8% multiplied by the figure, above): \$ 1,760,000,000.00

Section IV: Estimate of Real Property Tax Abatement Benefits

This section of the Application will be: (i) completed by Agency 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 For Retail Projects Only

1. Will the cost of the retail portion of the Project exceed one-third of the total project cost?

☐ Yes ☐ No

If yes, please answer, questions 2, 3 and/or 4 below.

If yes, please explain how much the project will exceed one-third of the total project cost.

2. Is the Project located in a distressed area? A distressed area is a census tract that has
a) A poverty rate of at least 20% or at least 20% of households receiving public assistance, and (b) an unemployment rate of least 1.25 times the statewide unemployment rate for the year to which the date relates.

☐ Yes ☐ No

If yes, please provide the data and explain.

3. Is the Project likely to attract a significant number of visitors from outside of the economic development region?

☐ Yes ☐ No

If yes, please provide a third party market study.

4. Is the predominate purpose of the Project to make available goods or services which would not, but for the Project, be reasonably accessible to the residents of the Town, City, County or Village of where the Project will be located.

☐ Yes ☐ No

If yes, please provide data and explain.

SECTION VI: For Solar Projects Only

Please answer all the questions as an addendum to this application:

1. Describe the reasons why the Agency's financial assistance is necessary. Describe how the Project would be affected if these benefits were not provided. [see Section II (C)]
2. Is the Applicant leasing the property?
☐ Yes, please provide a copy of the lease
☐ No, purchased the property. Please provide documentation.
3. Has the Applicant provided written communication to the affected taxing jurisdictions notifying them of its intent to construct a renewable energy project?
☐ Yes
☐ No
4. Has the Applicant received a letter of support for the megawatt cost to be used as a basis for the PILOT from the town, city, and village where the Project is located?
☐ Yes, please provide copy of the letter.
☐ No
5. Has the Applicant received a letter of support for the megawatt cost to be used as a basis for PILOT from the school district?
☐ Yes, please provide copy of the letter.
☐ No
6. Is the entire parcel being used for the solar project?
☐ Yes
☐ No, have you reached out to the town assessor to discuss a subdivision or slash parcel? Explain:
7. Will the Applicant enter into a decommissioning plan with the host community, including financial assurance the plan can be executed?
☐ Yes, explain.
☐ No

**PLEASE SEE FOLLOWING PAGE FOR OCIDA SOLAR GUIDANCE & BEST PRACTICE*

OCIDA SOLAR PILOTs GUIDANCE AND BEST PRACTICE

To be placed on the Agency meeting agenda, proposed solar projects must provide the Agency with the following in advance of the Project's first OCIDA Board meeting:

1. Fully completed OCIDA application.
2. Copy of Environmental Assessment Form.
3. A SEQR resolution approved by a local municipality indicating the municipality that is lead agency, the type of action (I, II, or unlisted) and, if completed, the SEQR determination made by the municipality.
4. Copies of your zoning applications submitted to the local municipality.
5. Verification of parcel subdivision process with the town (if the entire parcel will not be used for the solar project).
6. A statement clarifying whether the applicant will lease or purchase the real property on which the Project is situated. If leased, provide a copy of the proposed or executed lease. If lease parcel is less than entire parcel then see 5 above.
7. A supporting document from the local town, village, city, and/or school district outlining the agreed upon cost per megawatt to be used as a basis for the PILOT. The Agency cannot create the PILOT schedule without this information.
8. Absent a showing otherwise by the Company, deemed acceptable by the Agency in the sole and absolute discretion, the Company must close with the Agency on a project prior to consideration of any requested organizational structure or project entity ownership changes.

You will receive a draft Cost Benefit Analysis and a Draft PILOT schedule from this office. You may use these documents as your Project progresses through the Agency approval process. Agency staff are available to update these two documents as needed.

SECTION VII: For Housing Projects Only

Please answer all the questions as an addendum to this application:

Defined terms:

“Market Rate Housing”: Housing units priced at the current rental rate for the area.

“Workforce Housing”: Housing consisting of a specified percentage of units (at least 10-15% per the PILOT Exemption Scale) with rent rates designated to an 80% household AMI as identified in the Workforce Housing AMI chart located on the Agency’s website: ([Housing Exhibit A](#)) Income levels for individuals living in the specified Workforce Housing units shall not exceed 120% AMI.

“Senior Lifestyle Communities”: Housing communities for individuals 55 years or older. Communities may offer a variety of amenities, including but not limited to pools, community rooms, fitness centers, playgrounds, firepits, bocce/pickleball/tennis courts, picnic areas, spaces for relaxation and entertainment, safety amenities, on-site medical services, entertainment and dining, walkability, bike trails, and dog parks, playgrounds.

1. Describe the reasons why the Agency’s financial assistance is necessary. Describe how the project would be impacted if these benefits were not provided. {Section II (D)}
2. Describe how the proposed housing project fulfills an unmet need in the community.
3. Please provide a market study documenting a need for the proposed project.
4. Describe how the proposed project aligns with the Plan Onondaga County comprehensive plan. ([Plan Onondaga](#))
5. Is the Project considered infill in a populated area? If yes, please explain.
6. Is there additional infrastructure necessary to service the project? If yes, please explain.
7. Is the project a part of a larger mixed-use development? If yes, please describe.

Please refer to the Housing Exhibit A ([Housing Exhibit A](#))

Section VIII: 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.

In consideration of the extension of financial assistance by the Agency Micron New York Semiconductor Manufacturing LI (the Company understands the Local Access Policy and agrees to abide by it. 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 June 11, 2024 (date).

If there are two applicants (Real Estate Holding and Operating Company) both need to complete this page.

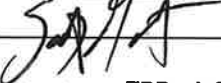
Applicant(s) Company: Micron New York Semiconductor Manufacturing LLC

Representative for Contract: Scott Gatzemeier

Address: 8000 S. Federal Way City: Boise State: ID Zip: 83716

Phone: 208-363-4026 Email: sngatzemeier@micron.com

Project Address: 5171 NY-31 City: Clay State: NY Zip: 13041

Signature: 

General Contractor: TBD - A General Contractor will be selected closer to the start of construction

Contact Person: _____

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

Phone: _____ Email: _____

Authorized Representative: _____ Title: _____

Signature: 

Section IX: Agency Fee Schedule

* Minimum Fee to be applied to all project receiving OCIDA benefits is 1% of the Total Project Cost (TPC)

ACTIVITY	FEES	COMMENTS
Non- refundable Application Fee (All projects except Solar Projects)	\$1,000	Due at time of application
Non-refundable Application Fee (Solar Projects Only)	\$10,000	
Legal Deposit (All projects except Solar Projects)	\$2,500	Due at time of application
Legal Deposit (Solar Projects Only)	\$5,000	
Minimum Fee of 1% of TPC		Due at closing
1. Sales and Use Tax Exemption	.01 X TPC	
2. Mortgage Recording Tax		
3. PILOT is an additional fee	.0025 X TPC (total X .0125)	
4. Bond refinancing	.0025 X TPC (total X .015)	
Projects that exceed \$250,000,000 in Total Project Cost and/or create in excess of 500 new jobs, may be eligible to negotiate a non-standard Agency fee with the Executive Director.	TBD based on Executive Director determination	Due at closing
Agency Legal Fees		Due at closing
Fee for first \$20 million	.0025 X of the project cost or bond amount	
Fee for expenses above \$20 million	.00125 X of project cost or bond amount	
Amendment or Modification of IDA documents, including but not limited to name or organization change, refinancing, etc. Consent to the amendment or modification of IDA documents prior to closing on the project shall be given at OCIDA's sole and absolute discretion.	\$2500 All Projects (except Solar Project) \$4500 Solar Projects Attorney fees determined by OCIDA Legal Representative.	Due at time of Request

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 X: Recapture of Tax Abatement/Exemptions

Information to be Provided the Company: 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.

Please refer to the OCIDA Uniform Tax Exemption Policy ([UTEP](#)).

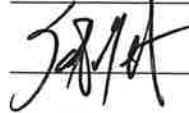
I have read the foregoing and agree to comply with all the terms and conditions contained therein as well as policies of the Onondaga County Industrial Agency.

If there are two applicants (Real Estate Holding and Operating Company) both need to complete this page.

Name of Applicant(s) Company

Micron New York Semiconductor Manufacturing LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

Scott Gatzemeier: CVP, Front End US Expansion

Date: June 11, 2024

Section XI: Conflict of Interest

Agency Board Members

1. Patrick Hogan, Chairperson
2. Janice Herzog, Vice Chairperson
3. Sue Stanczyk, Director
4. Kevin Ryan, Director
5. Fanny Villarreal, Director
6. Cydney Johnson, Director
7. Elizabeth Dreyfuss, Director

Agency Officers/Staff

1. Robert M. Petrovich, Executive Director
2. Nathaniel Stevens, Treasurer
3. Alexis Rodriguez, Secretary
4. Karen Doster, Recording Secretary

Agency Legal Counsel & Auditor

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

The Applicant(s) has received 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:

If there are two applicants (Real Estate Holding and Operating Company) both need to complete this page.

Name of Applicant(s) Company

Micron New York Semiconductor Manufacturing LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

Scott Gatzemeier: CVP, Front End US Expansion

Date: June 11, 2024

Section XII: Representations, Certifications, and Indemnification

If there are two applicants (Real Estate Holding and Operating Company) both need to complete this page.

Scott Gatzemeier (Name of CEO or other authorized representative of Applicant(s) confirms and says that he/she is the CVP Front End US Expansio (title) of Micron New York Semiconductor Manufacturing LI (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. 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. For additional information on NYS sales and use tax see [here](#).
- C. 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.
- D. 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 Project closing documents. Please see this page for [ST-340](#) form required in the above referenced employment report.

- E. Housing Reports and Information:** The Applicant understands and agrees that if the Project is a housing project, the Applicant shall file with the Agency, at least annually or as otherwise required by the Agency, reports regarding the number of revenue-generating units constructed or reconstructed and the household income or tenant age, as applicable. Upon request of the Agency, the Applicant shall provide supporting documentation for all housing related information provided. Failure to provide such reports and supporting information shall be an event of default under the Project closing documents
- F. Prevailing Wage:** The Applicant understands and agrees that, if the Project receives any financial assistance from the Agency, the Applicant shall determine whether the Project is a “covered project” pursuant to Section 224-a of Article 8 of the New York Labor Law and, if applicable, the Applicant shall comply with Section 224-a of Article 8 of the New York Labor Law; and the Applicant further covenants that the Applicant shall provide such evidence of the foregoing as requested by the Agency.
- 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. 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.
- 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 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.
- J.** 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.

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.

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

L. 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, reconstruction, equipping 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:

Micron New York Semiconductor Manufacturing LL

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

Scott Gatzemeier: CVP, Front End US Expansion

Date: June 11, 2024

STATE OF IDAHO

)

COUNTY OF ADA

) ss.;

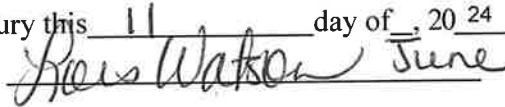
Scott Gatzemeier, being first duly sworn, deposes and says:

1. That I am the CVP, Front End US Expansion (Corporate Officer) of Micron New York Semiconductor Manufacturing L (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

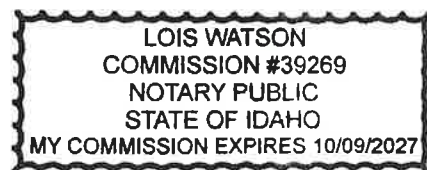


(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury this 11 day of June, 2024.



(Notary Public)



End of Application

Rev 2.15.23

US Sales Projections:

The Fabs 1 and 2 Phase of the Onondaga County, New York campus will produce approximately 100,000 wafers per month. The total available market for memory is predicted to double by CY2030. Micron's Idaho facility will come online in November of 2025 and both Fabs 1 and 2 of the New York campus will come online by end of 2029. As it will require some time for each fab to reach full production capacity, Micron expects the market demand to be well more than three times the output. This market demand provides strong justification for Micron's plan to invest up to \$100B in the U.S. as a central part of its commercial strategy. Micron's investments will increase the global percentage of DRAM manufactured in the US from 2% to 10% by CY2035. The Fabs 1 and 2 Phase of the Onondaga County, New York project will be enough to supply the most critical needs of the US market.

MICRON FABs 1 AND 2
TOWN OF CLAY TAX MAP PARCELS

046.-02-01.0
046.-02-02.1
046.-02-02.2
046.-02-03.1
046.-02-04.0
046.-02-05.1
046.-02-05.2
048.-01-01.0
048.-01-02.1
048.-01-02.2
048.-01-23.1
048.-01-23.3
049.-01-15.0
049.-01-16.0
049.-01-17.0
049.-01-18.4
049.-01-19.1
049.-01-19.2
050.-01-01.0
050.-01-02.1
050.-01-03.1
050.-01-04.1
050.-01-04.2
050.-01-04.3
050.-01-04.4
050.-01-05.0
051.-01-10.1
051.-01-10.6
051.-01-10.7
051.-01-10.8
051.-01-10.9
051.-01-12.0
064.-01-06.3
064.-01-08.0

TOTAL ACREAGE: +/- 806.16

**MICRON NEW YORK SEMICONDUCTOR MANUFACTURING LLC
OCIDA FINANCIAL ASSISTANCE APPLICATION SECTION II D AND E AND G
AMENDED PROJECT NARRATIVE
JUNE 2024**

Micron New York Semiconductor Manufacturing LLC, a Delaware limited liability company, is a wholly owned subsidiary of Micron Technology, Inc. (“Micron”), a publicly traded Delaware corporation (NASDAQ: MU), the fourth largest semiconductor company in the world and the only U.S.-based manufacturer of digital memory. Micron was founded in 1978 and is headquartered in Boise, Idaho with approximately 48,000 employees worldwide. Micron is ranked 127th on the 2022 Fortune 500 list with fiscal year 2022 revenue of \$30.8 billion. Micron is a world leader in innovating memory and storage solutions that accelerate the transformation of information into intelligence, inspiring the world to learn, communicate and advance faster than ever. Micron delivers the world's broadest portfolio of technologies at the core of today's most significant disruptive breakthroughs such as artificial intelligence and autonomous vehicles. Micron delivers a rich portfolio of high-performance DRAM, NAND and NOR memory and storage products through our Micron® and Crucial® brands. Every day, the innovations that Micron employees create fuel the data economy, enabling advances in artificial intelligence and 5G applications that unleash opportunities from the data center to the intelligent edge and across the client and mobile user experience. The following critical and emerging technologies are highly reliant on the types of memory and storage products manufactured by Micron:

- Consumer electronics including mobile phones and personal computers that help people learn, work, and communicate across nearly every endeavor;
- Medical devices and other health care technology that support lifesaving efforts from the pandemic response to enabling health professionals to detect and treat cancer;
- Current vehicles on the road, which are more and more becoming “data centers on wheels” as more advanced driving systems become the norm;
- Major defense platforms, from fighter jets to combat vehicles to aircraft carriers and submarines, rely on computing, and through that memory, to operate;
- IT and communications systems that enable our digital world, data center applications, as well as communications networks for 5G and future networking models;
- Emerging technologies like artificial intelligence and machine learning, for which memory is one of the most critical technologies;

Micron intends to invest approximately \$100 billion over the next 20 years to build a leading-edge semiconductor manufacturing complex in the Town of Clay, New York. Micron is proposing to acquire the approximately 1,400-acre White Pine Commerce Park (WPCP), located at 5171 Route 31, Clay, NY 13041, from the Onondaga County Industrial Development Agency (OCIDA) and to construct the semiconductor

manufacturing facility over a continuous 20-year period (the “Proposed Project”). The Proposed Project consists of: 1) construction of the Micron Campus, which will include four individual memory fabrication units (fabs), ancillary support facilities, driveways, and parking; 2) construction of a childcare and health care center located at 9100 Caughdenoy Road, Brewerton, NY; 3) construction of an electric utility conveyance at 8852 Caughdenoy Road, adjacent to the Micron Campus; and 4) construction of a rail spur on an approximately 38.2-acre property west of Caughdenoy Road (this property does not have an assigned address). Micron intends to start construction of the Micron Campus in 2025, with two fabs (Fabs 1 and 2) becoming operational by 2029. Two more fabs (Fabs 3 and 4) would be operational by 2041. At the time of this Amended and Restated Application, the Financial Assistance requested are intended for the Micron Campus only.

At the time of this application, neither OCIDA nor Micron has control over certain off-site utility corridors vital to connect White Pines Commerce Park to utility infrastructure. Therefore, in support of and in keeping with the Proposed Project’s public purpose, and in furtherance of and to carry out OCIDA’s express corporate purpose to “promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing manufacturing facilities,” acquisition of certain real property, or rights or easements therein, by negotiated purchase or the exercise of OCIDA’s eminent domain authority pursuant to New York Eminent Domain Procedure Law (“EDPL”) and General Municipal Law (“GML”) §858(4) may be required. Attached hereto and made a part hereof is a list of Town of Clay tax parcels on which real property interests may need to be acquired via purchase or by eminent domain pursuant to the EDPL and GML, however additional real property interests and parcels may hereafter be identified for Fabs 1 and 2 and Fabs 3 and 4 (as defined below).

Micron intends to construct two memory fabrication facilities in approximately 10 years (“Fabs 1 and 2”). While Micron will consistently hire new employees during the construction of Fabs 1 and 2 as set forth in Micron’s OCIDA Application, Micron intends to employ approximately 4,680 people on site upon completion of Fabs 1 and 2. More detailed employment information is included in Micron’s OCIDA Application. Micron plans to construct two additional memory fabrication facilities (“Fabs 3 and 4”) to be completed approximately 10 years after completion of Fabs 1 and 2. While Micron will consistently hire new employees during the construction of Fabs 3 and 4, Micron intends to employ approximately 9,000 people on site upon the completion of Fabs 3 and 4. This Financial Assistance Application seeks Financial Assistance for Fabs 1 and 2 only.

In addition to Micron’s direct employment on-site of approximately 9,000 employees upon completion of the Proposed Project, Micron anticipates the creation of approximately 40,000 additional ancillary jobs, including vendor, supply chain, construction, and community jobs in the Syracuse area and throughout New York State.

Micron’s planned investment in domestic memory manufacturing in Clay, New York is only possible because of federal, state, and local financial assistance. For

decades, other countries have spent hundreds of billions of dollars to attract semiconductor manufacturing, and the jobs and advanced technological ecosystems that come with the industry, to their shores. The Federal CHIPS and Science Act provides companies like Micron with the confidence needed to make long-term investments as we face current cost premiums to build and operate fabs in the U.S. of up to 45% vs. low-cost global markets. This Act forms a holistic strategy to restore U.S. leadership in semiconductor manufacturing by leveling the playing field and making U.S. manufacturing cost competitive. Likewise, Micron would be unable to proceed with its Town of Clay Proposed Project without the commitment from the State of New York for Proposed Project infrastructure improvements as well as financial assistance from the Onondaga County Industrial Development Agency in the form of sales and real property tax exemptions. Federal, state, and local financial assistance is critical to the undertaking of the Proposed Project by Micron and enabling ongoing business profitability comparable to that in lower-cost markets.

Micron is committed to construct the Proposed Project to the highest standards practicable including in a manner consistent with its Clean Energy and Sustainability Action Plan ("CESAP") and subject to the requirements of Excelsior Jobs Program Green CHIPS incentives that will strive for and create a plan to:

1. Micron has a public goal to achieve 100% renewable energy for our electricity consumption by CY25 which may include, but not necessarily be limited to, the use of renewable energy credits. Micron's plan will prioritize in-state sources of renewable energy to the extent they are available, cost-effective, and compatible with Micron's corporate renewable energy definition and in alignment with New York State's Clean Energy Standard.

2. Use green infrastructure and sustainable building attributes toward achieving a Gold LEED status for all Fabs and for office buildings, and aim to implement commercially reasonable efforts to achieve Platinum LEED status.

3. Mitigate and control GHG emissions from the new Fab Complex operations and to create a plan to implement commercially reasonable and achievable upgrades given the state of technology advancements and the nature of the Proposed Project to mitigate GHG emissions through the Term.

4. Install on-site renewable energy systems and on-site battery storage systems to contribute to the Fab Complex's energy needs to the extent practicable, cost-effective, and consistent with Micron's site development plan, including for resilience, peak-shaving, grid benefits, and other applications.

5. Where feasible and cost-effective, (i) utilize green hydrogen (hydrogen formed through electrolysis powered by renewable electricity, without greenhouse gas emissions) to displace/replace natural gas and gray hydrogen consumption; (ii) support

/participate in New York's federal Hydrogen Hub proposal; and (iii) explore other clean measures such as geothermal heat pumps for space heating and cooling loads.

6. Commit to infrastructure for charging/fueling clean vehicles for employee, contractor, and Micron fleet use.

7. Implement water conservation and efficiency measures.

8. Adopt measures to reduce, avoid and re-use waste.

9. Incorporate energy efficiency and electrification where feasible throughout the Proposed Project.

10. Encourage contractors to utilize, to the extent they are reasonably available, suitable, and cost-effective, low-carbon construction vehicles and equipment and incorporate low-carbon building materials (green steel, green cement, etc.) into construction.

11. Commit to exploring environmentally sound practices, including green infrastructure such as permeable pavement, stormwater runoff management solutions, and sustainable wastewater management.

Micron has a long history of caring for and investing in the communities in which it does business and in which its employees live and work. In furtherance of that mission, Micron has committed to make substantial investments in Central New York including:

1. Micron will invest \$250 million in a \$500 million Green CHIPS Community Investment Fund focused on supporting workforce development, education, community assets and organizations, and affordable housing, as well as other initiatives that ensure the Central New York workforce will have the advanced skills needed to sustain leading-edge semiconductor manufacturing.

2. Micron will invest \$5 million over 10 years to build and outfit a cleanroom at Onondaga Community College and support development of the school's technical curriculum. This investment will provide students access to advanced manufacturing methods and equipment to prepare them for technician and engineering roles inside Micron's manufacturing facility.

3. Micron will also tap into Central New York's significant military population, a highly skilled and talented pool of labor critical to scale U.S. high-tech manufacturing. In coordination and partnership with Micron, Syracuse University's D'Aniello Institute of Veteran and Military Families (IVMF) will support veteran skill development for advanced manufacturing jobs and transitions into Micron and other industry roles. Micron will also establish an internship program designed to prepare students for full-time positions as

engineers, scientists and other critical roles in the semiconductor industry, with recruitment focused heavily on veterans and students from traditionally underrepresented communities. Micron aspires to hire more than 1,500 veterans in the region over two decades in Central New York.

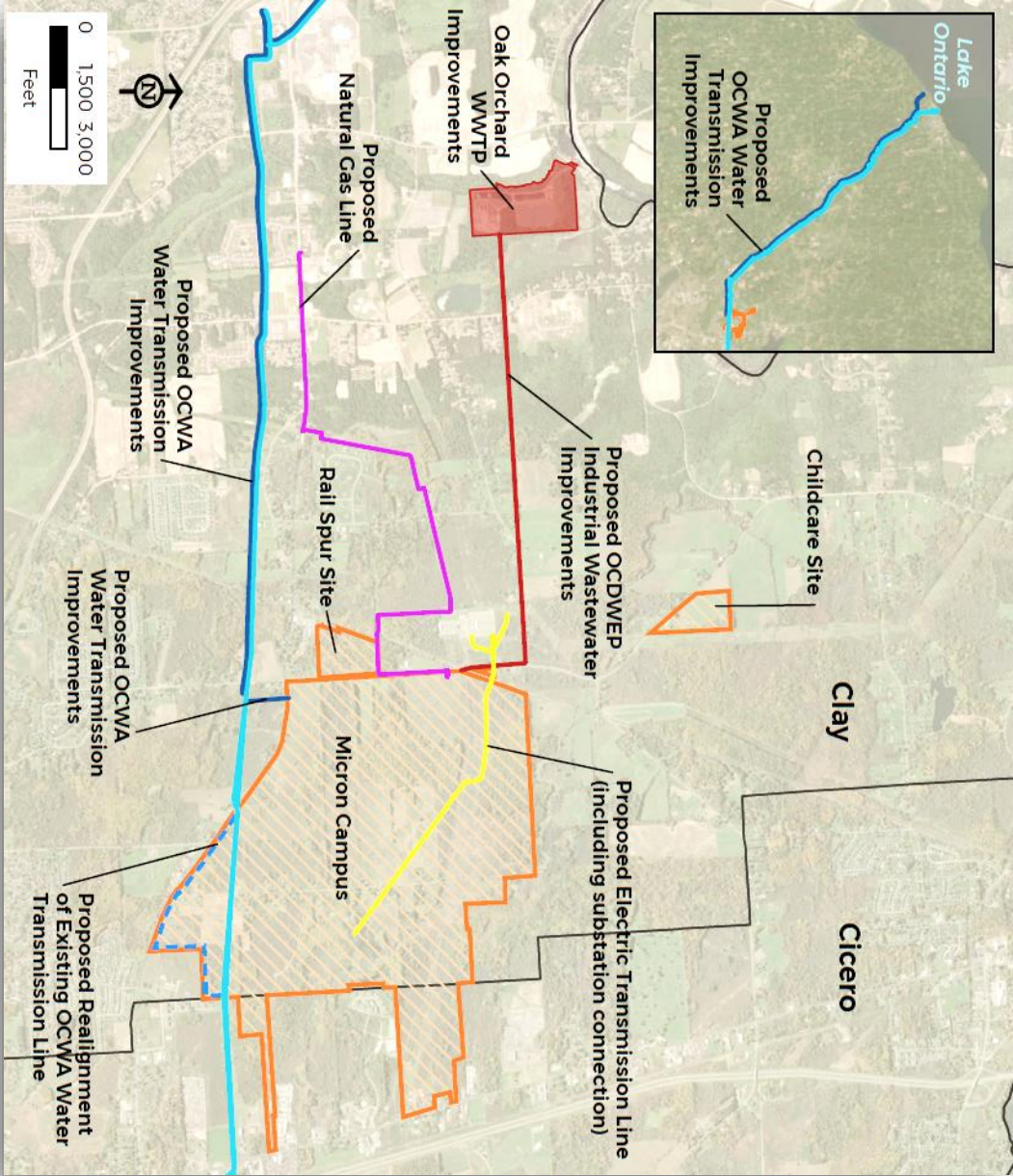
4. Micron has entered into a Project Labor Agreement with local trade unions, which establishes a framework for labor-management cooperation and stability throughout construction of the Proposed Project. This agreement outlines the use of the Center for Military Recruitment, Assessment and Veterans Employment and its “Helmets to Hardhats” program. It also requires contractors to donate one cent per hour for each craft hour worked on the Proposed Project to the Pathways for Apprenticeship program, part of Syracuse Build, to promote representation of minorities and women in the Proposed Project workforce.

5. As part of Micron’s commitment to increase supplier diversity, Micron will target to award 30% of the Proposed Project’s eligible construction spend, and 20% of its eligible ongoing annual operating spend, to companies owned by individuals from traditionally underrepresented communities, with priority given to New York State Certified Minority/Women Owned Business Enterprises and Service-Disabled Veteran Owned Businesses. Micron will encourage construction contractors and subcontractors to use Syracuse Build as a first-source model to identify candidates for hiring from disadvantaged populations.

6. Micron’s focus extends deeper into community infrastructure and services, including plans to invest \$10 million in venture funding in partnership with the regional tech ecosystem to support and attract new business to Central New York.

7. Micron will continue evaluating opportunities to leverage community and minority financial institutions as the company grows in the region. This includes making \$10 million in deposits with Minority Depository Institutions (MDIs) that serve Central New York.

Micron NY – Overview Map



Proposed Project (Micron) *

- Micron Campus
- Childcare Site
- Rail Spur Site

Off-site Improvements (By Others)

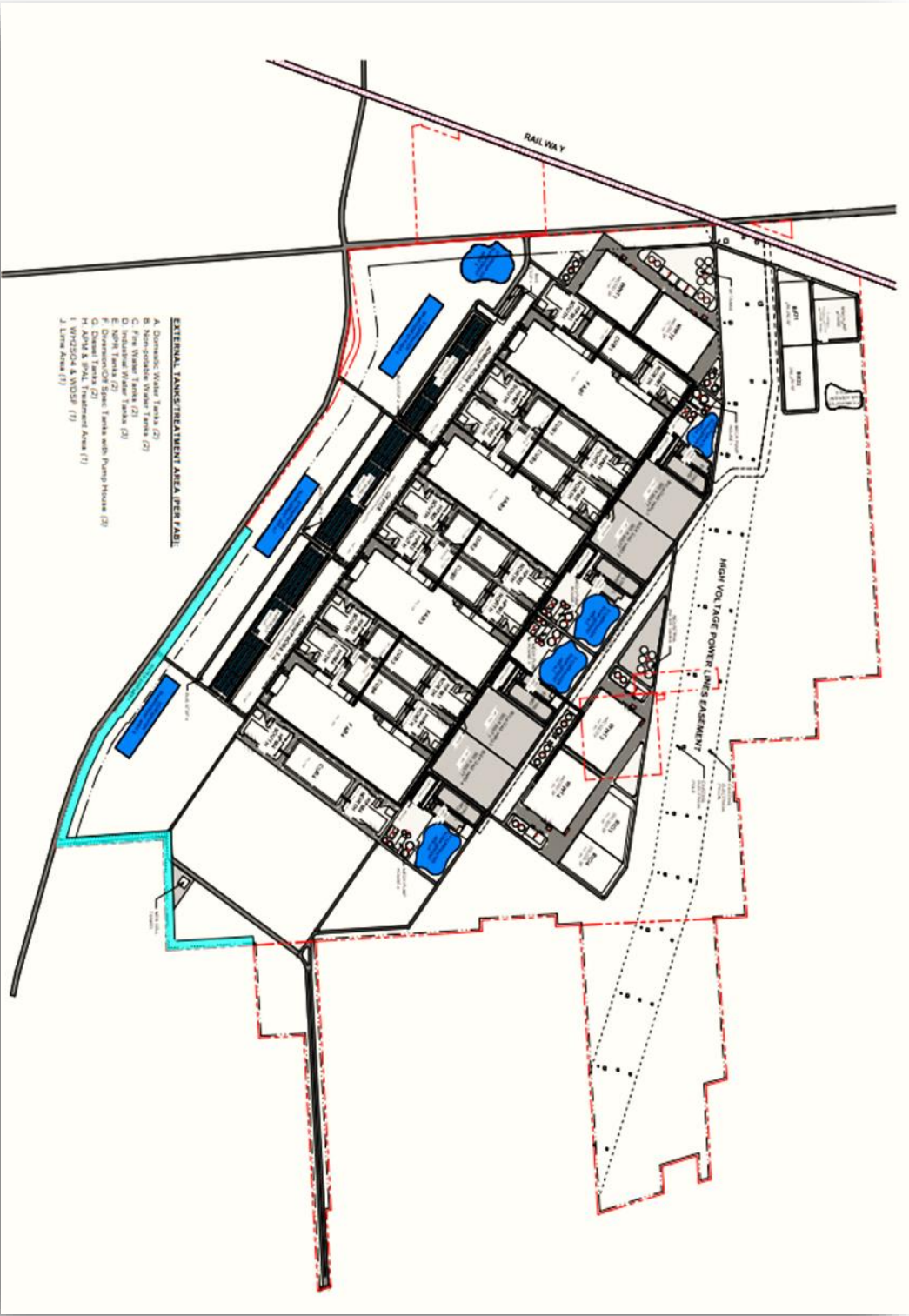
- Proposed OCDWEP Industrial Wastewater Improvements
- Proposed Electric Transmission Line
- Proposed Natural Gas Line
- Proposed OCWA Water Transmission Improvements
- Proposed Realignment of Existing OCWA Water Transmission Line
- Existing OCWA Water Transmission Line

 Municipal Boundary

*At the time of this Amended and Restated Application, the Financial Assistance requested are intended for the Micron Campus only.



Micron NY – Proposed Project Elements



• Main Site

- +/- 1,400 ac parcel assemblage at NYS Route 31 & Caughdenoy Road (including “jack and bore” site)
- Fab 1: Start Construction CY 2025
- Fab 2: Operational by CY 2029
- Fab 3: Operational by CY 2035
- Fab 4: Operational by CY 2041
- Each Fab will have +/- 600k sf cleanroom, 290k sf cleanroom support, 250k sf admin space
- Each set of 2 Fabs will have +/- 470k sf central utility, 200k sf warehouse, 200k sf product testing
- Campus will have ancillary on-site electrical substations, facilities for water and wastewater treatment and storage, and industrial gas storage.

TOWN OF CLAY TAX PARCELS
POSSIBLE NEED FOR USE OF OCIDA EMINENT DOMAIN AUTHORITY

UTILITY EASEMENTS ONLY

<u>Town Tax Parcel</u>	<u>Owner</u>
043.-01-32.1	John Peter Ryan
030.-01-01.0	SSO Holdings, LLC
031.-01-16.1	SSO Holdings, LLC
048.-01-02.3	Joseph Emmi
048.-01-06.0	Paul Licari

ENVIRONMENTAL REVIEW INFORMATION EXPLANATION

The proposed action qualifies as a Type 1 action pursuant to the State Environmental Quality Review Act (“SEQRA”), which constitutes an action more likely than not to require the preparation of an Environmental Impact Statement (EIS).

The attached EAF reveals that the proposed action has the potential to result in significant adverse impacts on the environment, including but not limited to impacts related to transportation, natural resources, air quality and construction and construction-related impacts. OCIDA previously assessed the anticipated significant adverse impacts associated with use of the Project site for a similar use but smaller development footprint by acceptance of a Final Supplemental Generic Environmental Impact Statement on July 16, 2021 (“FGEIS”) and the issuance of a SEQRA Findings Statement on July 27, 2021. The Company refers to the FGEIS and the SEQRA Findings Statement for further information on potential significant adverse environmental impacts on the Project site and potential strategies to avoid or mitigate such potential significant adverse impacts.

The Project anticipates completion of a Project-specific environmental impact statement that complies with the requirements of SEQRA as well as the requirements of the National Environmental Policy Act. Please note that while Micron is only currently seeking Financial Assistance for Fabs 1 and 2, as defined in the Project Narrative, the Project-specific environmental impact statement will address the impact of all 4 Fabs.