



**ONONDAGA COUNTY**  
INDUSTRIAL DEVELOPMENT AGENCY

5/9/2024

<b>1. Project</b>	<b>Clinton's Ditch Co-Operative Company Inc.</b>	<b>2. Project Number</b>	<b>3101-24-03A</b>
<b>3. Location</b>	Cicero	<b>4. School District</b>	North Syracuse
<b>5. Tax Parcel(s)</b>	090.-01-32.0, 090.-01-33.0, 090.-01-30.0, 090.-01-31.0, 090.-01-29.0	<b>6. Project Type</b>	Expansion
		<b>Village</b>	-

<b>7.Total Project Cost</b>	<b>\$</b>	<b>40,786,706</b>	<b>8. Total Jobs</b>	314
Land Acquisition	\$	-	8A. Job Retention	299
Site Work/Demo	\$	10,698,020	8B: Job Creation	15
Building Construction & Renovation	\$	24,744,740	(Next 5 Years)	
Furniture & Fixtures	\$	323,018		
Equipment	\$	972,087		
Project Soft Cost	\$	4,048,841		

**Community Investment /Abatement Clinton's Ditch Co-Operative Comp**

**Project Description**

	<b>Fiscal Impact (\$)</b>
<b>Abatement Summary</b>	<b>\$3,873,758</b>
Sales Tax Abatement	\$3,262,936
Mortgage Tax Abatement	\$229,213
Property Tax Relief (PILOT)	\$381,609
<b>Community Investment</b>	<b>\$55,886,277</b>
PILOT Payments	\$2,312,071
Project Salaries Estimated (10 yrs)	\$8,434,500
Construction Benefit Estimate	\$4,353,000
Total Project Cost	\$40,786,706

Clinton's Ditch is proposing to expand their existing 274,000 square foot facility with an addition of roughly 100,000 square feet. The company is also proposing to construct a new truck repair facility of approximately 20,000 square feet.

**Investment:Abatement Ratio** **14.43** **:1**

# Clinton's Ditch Co-Operative Company Inc.

A) PILOTS Estimate Table Worksheet

for 10 years

OCIDA estimate of current market value					\$ 6,819,443
Projected investment					\$ 24,744,740
OCIDA estimate of increase in value					\$ 2,464,502
OCIDA estimated value after project is completed					\$ 9,283,945
Taxes that would have been collected if the project did not occur					\$ 1,978,619
Scheduled PILOT payments					\$ 2,312,071

PILOT YEAR	Exemption %	County PILOT Amount	Town	School District	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
0	0	\$ 24,848.05	\$ 26,327.42	\$ 125,981.87	-	\$ 177,157.34	-
1	100%	\$ 25,344.99	\$ 26,853.96	\$ 128,501.49	\$ 180,700.44	\$ 246,004.41	\$ 65,303.97
2	90%	\$ 26,786.16	\$ 28,380.94	\$ 135,808.35	\$ 190,975.45	\$ 250,924.49	\$ 59,949.04
3	80%	\$ 28,274.84	\$ 29,958.25	\$ 143,356.10	\$ 201,589.19	\$ 255,942.98	\$ 54,353.80
4	70%	\$ 29,812.35	\$ 31,587.30	\$ 151,151.43	\$ 212,551.08	\$ 261,061.84	\$ 48,510.76
5	60%	\$ 31,400.06	\$ 33,269.53	\$ 159,201.23	\$ 223,870.81	\$ 266,283.08	\$ 42,412.27
6	50%	\$ 33,039.34	\$ 35,006.41	\$ 167,512.56	\$ 235,558.31	\$ 271,608.74	\$ 36,050.43
7	40%	\$ 34,731.64	\$ 36,799.46	\$ 176,092.66	\$ 247,623.77	\$ 277,040.92	\$ 29,417.15
8	30%	\$ 36,478.41	\$ 38,650.24	\$ 184,948.97	\$ 260,077.62	\$ 282,581.73	\$ 22,504.12
9	20%	\$ 38,281.16	\$ 40,560.32	\$ 194,089.09	\$ 272,930.57	\$ 288,233.37	\$ 15,302.80
10	10%	\$ 40,141.43	\$ 42,531.34	\$ 203,520.83	\$ 286,193.61	\$ 293,998.04	\$ 7,804.43
<b>TOTAL</b>		<b>\$ 324,290.40</b>	<b>\$ 343,597.75</b>	<b>\$ 1,644,182.70</b>	<b>\$ 2,312,070.85</b>	<b>\$ 2,693,679.61</b>	<b>\$ 381,608.76</b>

	Year					
	0	1	2	3	4	5
Jobs						
Current/Actuals						
Creation Goals		2	6	7		
Total Employment Goals	299	301	307	314	314	314



## ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPLICATION FOR BENEFITS

1. 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.
2. 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.
3. 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.
4. If the OCIDA Board approves benefits, it is the company's responsibility to obtain and submit all necessary forms and documents.
5. All projects approved for benefits by the OCIDA Board will close with the Agency within 6-months of the inducement 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.
6. 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 Nancy Lowery at [nancylowery@ongov.net](mailto:nancylowery@ongov.net). **An Application will not be considered by the Agency until the Application fee has been received.**
7. 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>.
8. 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.
9. 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.

10. 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

11. This Application was adopted by the OCIDA Board on January 18, 2022.

**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: Nancy Lowery  
335 Montgomery Street, 2<sup>nd</sup> Floor  
Syracuse, NY 13202  
Phone: 315-435-3770 | Fax: 315-435-3669  
[nancylowery@ongov.net](mailto:nancylowery@ongov.net)

**Section I: Applicant Information**

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

Submittal Date: 4/26/24/

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

Applicant/Project Operator: Click here to enter text Clinton's Ditch Co-Operative Company, Inc.

Applicant/ Project Operator Address: 8478 Pardee Road, Cicero, NY 13039

Phone: 315-699-2695 Fax: 315-699-4215

Website: www.clintonsditch.com E-mail: jkelley@clintonsditch.com

Federal ID#: 16-0926423 NAICS: 312111

State and Year of Incorporation/Organization: NY - 1967

Owner (if different from Applicant/Project Operator): N/A

Owner Address: N/A

Federal ID#: 16-0926423

State and Year of Incorporation/Organization: NY 1967

List of stockholders, members, or partners of Owner:

see attached list

**B) Individual Completing Application:**

Name: JonElle Baskin-Kelley

Title: CFO

Address: 8478 Pardee Road, Cicero, NY 13039

Phone: 315-698-2306 Fax: 315-699-4215

E-mail: jkelley@clintonsditch.com

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

Name: Noelle Meyer  
Title: Accounting Manager  
Address: 8478 Pardee Road, Cicero, NY 13039  
Phone: 315-699-2695 x115 Cell Phone: \_\_\_\_\_  
E-mail: nmeyer@clintonsditch.com

**D) Company Counsel:**

Name of Attorney: Matthew N. Wells  
Firm Name: Bond Schoeneck & King  
Address: PO Box 11607, Syracuse, NY 13202  
Phone: (315) 218-8174 Cell Phone: 315-481-8236  
E-mail: wellsm@bsk.com

**E) Business Organization (check appropriate category):**

☒ Corporation ☐ Partnership  
☐ Public Corporation ☐ Joint Venture  
☐ Sole Proprietorship ☐ Limited Liability Company  
☐ Other (please specify): \_\_\_\_\_

Year Established: 1967  
State in which Organization is established: NY

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

Name	% of ownership
<u>Pepsi Cola of the Hudson Valley</u>	<u>20</u>
<u>Geneva Club Beverages / Pepsico</u>	<u>20 / 20</u>
<u>Pepsi Cola Ogdensburg</u>	<u>20</u>
<u>Fitzgerald Brothers Beverages</u>	<u>20</u>

**G) Applicant Business Description:**

Estimated % of sales within Onondaga County: 10.5%

Estimated % of sales outside Onondaga County but within New York State: 61%

Estimated % of sales outside New York State but within the U.S.: 28.5%

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

(\*Percentage to equal 100%)

**H) 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?  
Please attach any explanations. ☐ Yes ☒ No

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

☐ Yes ☒ No

## Section II: Project and Site 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: 8478 Pardee Road

Legal Address (if different): N/A

City: Cicero

Village/Town: Town of Cicero

Zip Code: 13039

School District: North Syracuse

Tax Map Parcel ID(s): 090.-01-32.0, 090.-01-33.0, 090.-01-30.0, 090.-01-31.0, 090.-01-29.0

Full Market Value: 5,709,303

Footage of Existing Building: 274,000 sq ft

Census Tract: 103.22

B) Type (Check all that apply):

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> New construction                         | <input checked="" type="checkbox"/> Purchase of machinery and/or equipment |
| <input checked="" type="checkbox"/> Expansion/Addition to current facilities | <input type="checkbox"/> Brownfield/Remediated Brownfield                  |
| <input type="checkbox"/> Renovation of existing facility                     | <input type="checkbox"/> LEED Certification                                |
| <input type="checkbox"/> Housing Project                                     | <input checked="" type="checkbox"/> Demolition and Construction            |
| <input type="checkbox"/> Renewable Energy Project                            | <input type="checkbox"/> Acquisition of existing facility/property         |
| <input type="checkbox"/> Retail  | <input type="checkbox"/> Other:  |

C) Project Narrative: A statement that there is a likelihood that the project would not be undertaken but for the financial assistance provided by the Agency or, if the project could be undertaken without financial assistance provided by the Agency, a statement indicating why the project should be undertaken by the agency.

\* For a Retail Project (also see page 14)

\* For a Renewable Energy Project (also see page 15)

\* For a Housing Project (also see page 17)

D) Description of Project: Please provide a detailed narrative of the proposed Project. Please separately attach the description and any 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;
- ☒ (vi) describe your method for site control (Own, lease, other).



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

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Industrial                   | <input type="checkbox"/> Bank Office                     |
| <input type="checkbox"/> Acquisition of Existing Facility        | <input type="checkbox"/> Retail ( see page 14)           |
| <input type="checkbox"/> Housing Project ( see page 17 )         | <input type="checkbox"/> Mixed Use                       |
| <input type="checkbox"/> Equipment Purchase                      | <input type="checkbox"/> Facility for Aging              |
| <input type="checkbox"/> Multi-Use Tenant                        | <input type="checkbox"/> Civic Facility (not for profit) |
| <input type="checkbox"/> Renewable Energy Project ( see page 15) | <input type="checkbox"/> Other _____                     |
| <input checked="" type="checkbox"/> Commercial                   |  |

F) If applicant will not occupy 100% of the building in a real estate transaction, provide information on tenant(s) that includes name, present address, and percentage of project to be leased, type of business organization, relationship to applicant, date and term of lease.

G) 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

H) 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

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

J) Local Approvals (Site Plan and Environmental Review)

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

☒ Yes. What is the status?      ☐ No. When will the plans be submitted?

Approval anticipated by 6/5/24

2. Has the project received site plan approval from the town or local planning board?  
☐ Yes ☒ No
3. If no, what is the anticipated approval date? 6/5/2024
4. 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.)
5. Environmental Information
- a. Please attach the appropriate Environmental Impact Forms to your application. Here is a link to the SEQR forms: <http://www.dec.ny.gov/permits/6191.html>
- b. Have any environmental issues been identified on the property?  
☒ Yes ☐ No  
If yes, please attach an explanation.

### Section III: Construction

#### A) Project Costs and Finances

Description of Costs	Total Budget Amount	% of Total Budget to be Procured in Onondaga County	Total Private Expenditure (should be less than or equal to total budget amount)
Land Acquisition			
Site Work/Demo	10,698,020	100%	
Building Construction & Renovation	24,744,740	100%	
Furniture & Fixtures	323,018	100%	
Equipment*	972,087	100%	
Engineering/Architect	1,284,764	100%	
Financial Charges			
Legal			
Other	950,000	100%	
Management/Developer Fees	1,814,077		
<b>Total Project Cost</b>	<b>40,786,705</b>	<b>100%</b>	

**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 \$ 40,786,705

Project refinancing: estimated amount  
(For refinancing of existing debt only) \$ -

Sources of Funds for Project Costs:

- |   |                                |
|---|--------------------------------|
| 1. Bank Financing   | \$ <u>30,561,705</u>           |
| 2. Equity (excluding equity that is attributed to grants/tax credits) | \$ <u>7,500,000</u>            |
| 3. Tax Exempt Bond Issuance (if applicable)                           | \$ <u>                    </u> |
| 4. Taxable Bond Issuance (if applicable)                              | \$ <u>                    </u> |

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

\$ 2,725,000

-Identify each state and federal grant/credit:

NYS CFA - Empire State Dev Grant Funds

\$ 2,725,000

\$

\$

6. Total Sources of Funds for Project Costs

\$ 40,786,705

C) Employment and Payroll Information

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.

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:	299
Estimate the number of construction jobs to be created by this Project:	100
Estimate the average length of construction jobs to be created (months):	12
Current annual payroll at facility:	20,769,455
Please list, if any, benefits that will be available to either full and/or part time employees:	medical, dental, DBL, life insurances, FSA, 401k match & profit sharing
Average annual benefit paid by the company (\$ or % salary) per FTE job:	87.5%
Amount or percent of wage employees pay for benefits:	12.5%
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:	15

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

Please use this chart to illustrate the current employment:

Job Title/Category	Current Annual Pay	Current Employment (FTE)
Steelworkers	50,200	190
Salaried Associates	79,900	52
Transportation	65,000	57

Please use this chart to illustrate the projected employment growth:

Job Title/Category	Current Annual Pay	Jobs Created Year 1	Jobs Created Year 2	Jobs Created Year 3
Building & Grounds Maint	90,500	1	1	
Transportation	65,000	1	3	3
Manufacturing	55,000		2	4

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): 229,213
- ☒ Sales and Use Tax Exemption (4% Local, 4% State): 3,262,936
- ☐ 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): \$ 30,561,705

Estimated Mortgage Recording Tax Exemption Benefit (product of  
mortgage amount as indicated above, multiplied by .0075): \$ 229,213

G) 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 -- said amount to benefit from the Agency's Sales and Use Tax exemption benefit:

\$ 40,786,705

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 page 9, this calculation only exists to help you with your estimate):

\$ 3,262,936

## 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 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
2. Is the Project located in a distressed area? A distressed area is a census tract that has a) a poverty rate of a 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
3. Is the Project likely to attract a significant number of visitors from outside of the economic development region?  
☐Yes ☐No
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



## SECTION VI: For Solar Projects Only

Please complete the following as an addendum:

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 or village where the Project is located?  
☐ Yes. Please provide copy.  
☐ 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.  
☐ No
6. Is the entire parcel being used for the solar project?  
☐ Yes  
☐ No, if not, 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

### OCIDA SOLAR PILOTs GUIDANCE AND BEST PRACTICE

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

1. Fully completed OCIDA application.
2. Copy of Environmental Assessment Form.
3. A SEQR resolution approved by a local municipality indicating municipality will be 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 School District and the Town Board outlining the agreed upon cost per megawatt to be used as a basis for the PILOT. OCIDA 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 OCIDA approval process. OCIDA staff are available to update these two documents as needed.

## SECTION VII: For Housing Projects Only

Please complete the following as an addendum:

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. [see Section II (C)]
2. Is the Project being built in a blighted area? Please describe.
3. Is the Project fulfilling an unmet need in the area? Please explain.
4. Please provide a market study documenting a need for such housing.
5. Is there support from local government officials for the Project and for the financial assistance being requested from the Agency? Please provide written documentation.
6. Is the Project considered infill in a populated area? Please explain.
7. Does the Project provide walkability?
8. Is there additional county infrastructure necessary to service the Project? If, yes, please explain.
9. Is the Project part of a larger mixed-use development? Please describe.

## 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.

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

I agree to the conditions of this agreement and certify all information provided regarding the construction and employment activities for the project as of 4/26/24 (date).

Company: Clinton's Ditch Cooperative Company Inc

Representative for Contract: JonElle Baskin-Kelley

Address: 8478 Pardee Road City: Cicero State: NY Zip: 13039

Phone: (315) 699-2695 Email: jkelley@clintonsditch.com

Project Address: 8478 Pardee Road City: Cicero State: NY Zip: 13039

General Contractor: C&S Design Build Inc.

Contact Person: Tim Andersen

Address: 499 Col. Eileen Collins Blvd City: Syracuse State: NY Zip: 13212

Phone: 315-970-6281 Email: tandersen@cscos.com

Authorized Representative: Tim Andersen Title: Vice President

Signature: [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		
1. Sales and Use Tax Exemption	.01 X TPC	Due at closing
2. Mortgage Recording Tax		
3. PILOT is an additional fee	.0025 X TPC (total .0125)	
Bonds		Due at closing
Bond refinancing and refunding	.0025 of TPC	
Agency Legal Fees		
Fee for first \$20 million	.0025 X of the project cost or bond amount	Due at closing
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.	Up to but not to exceed 5% of Agency Fee as noted on the Cost Benefit Analysis at time of project approval. 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 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.

Please refer to the OCIDA Uniform Tax Exemption Policy. (add hyperlink)

**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

Clinton's Ditch Cooperative Company, Inc.

Signature of Officer or Authorized Representative:

*Jonelle Baskin-Kelley, CFO*

Name & Title of Officer or Authorized Representative:

Jonelle Baskin-Kelley, CFO

Date: 4/26/2024

## Section XI: Conflict of Interest

### Agency Board Members

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

### Agency Officers/Staff

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

### Agency Legal Counsel & Auditor

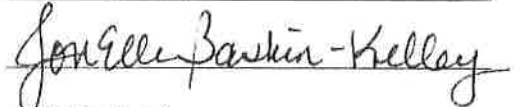
1. Jeffrey Davis, Esq., Barclay Damon LLP
2. Amanda Fitzgerald, Esq., Barclay Damon LLP
3. Michael G. Lisson, CPA, Grossman St. Amour Certified Public Accountants PLLC

The Applicant 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

Clinton's Ditch Cooperative Company, Inc.

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

Jon Elle Baskin-Kelley, CFO

Date: 4/26/24

## Section XII: Representations, Certifications, and Indemnification

JonElle Baskin-Kelley (Name of CEO or other authorized representative of Applicant) confirms and says that he/she is the Chief Financial Officer (title) of Clinton's Ditch Cooperative Company Inc (name of corporation or other entity) named in the attached Application (the "Applicant"), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and as follows:

- A. First Consideration for Employment:** In accordance with §858-b (2) of the New York General Municipal Law, the Applicant understands and agrees that if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the Applicant will first consider persons eligible to participate in WIA programs who shall be referred by the CNY Works for new employment opportunities created as a result of the Project.
- B. Other NYS Facilities:** In accordance with §862 (1) of the New York General Municipal Law, the Applicant understands and agrees that projects which will result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant within the state is ineligible for Agency Financial Assistance, unless otherwise approved by the Agency as reasonably necessary to preserve the competitive position of the project in its respective industry or is reasonably necessary.
- C. Annual Sales Tax Filings:** In accordance with §874(8) of the New York General Municipal Law, the Applicant understands and agrees that if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant.
- D. Outstanding Bonds:** The Applicant understands and agrees to provide on an annual basis any information regarding bonds, if any, issued by the Agency for the project that is requested by the Comptroller of the State of New York.
- E. Employment Reports:** The Applicant understands and agrees that, if the Project receives any financial assistance from the Agency, the Applicant agrees to file with the Agency, at least annually or as otherwise required by the Agency, reports regarding the number of people employed at the project site, salary levels, contractor utilization and such other information (collectively, "Employment Reports") that may be required from time to time on such appropriate forms as designated by the Agency. Failure to provide Employment Reports within 30 days of an Agency request shall be an Event of Default under the PILOT Agreement between the Agency and Applicant and, if applicable, an Event of Default under the Agent Agreement between the Agency and Applicant. In addition, a Notice of Failure to provide the Agency with an Employment Report may be reported to Agency board members, with said report being an agenda item subject to the open meetings law.



- F. 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. 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.
- H. 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.
- I.** 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.
- J.** 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.
- K.** 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.
- L.** 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.

- M. 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.
- N. The OCIDA has the right to request and inspect supporting documentation regarding attestations made on this application.
- O. **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:

Clinton's Ditch Cooperative Co Inc

Signature of Officer or Authorized Representative:

*Jonelle Baskin-Kelley*

Name & Title of Officer or Authorized Representative:

Jonelle Baskin-Kelley, CFO

Date: 4/26/24

STATE OF NEW YORK )

COUNTY OF ONONDAGA ) ss.;

John Dunn, being first duly sworn, deposes and says:

1. That I am the Secretary (Corporate Officer) of Clinton's Ditch Cooperative Co Inc (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read and attached Application, I Know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete

*John Dunn*

(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury this 29th day of 4, 2024.

*Melissa J. Moshier*

(Notary Public)

**MELISSA J. MOSHIER**  
Notary Public, State of New York  
Qualified in Onondaga County  
No. 01BR6015504  
My Commission Expires November 02, 2026

End of Application

Rev 12.14.22

My Commission Expires December 05, 20  
NY 00000000000000000000000000000000  
County of Onondaga  
Notary Public, State of New York  
MELISSA J. MOSHIER

## **Section II.**

### **C) Project Narrative**

The business growth at Clinton's Ditch is currently maximized and constrained by our existing building space. To accommodate increasing demand, our only option is to continue to expand our operations. If we remain at our current capacity, we face a risk of business relocating to an associated facility in Massachusetts, displacing our 250+ local workers and leaving a hole in the Central NY economy. For such a large expansion to happen in a short timeframe, Clinton's Ditch would require financial assistance from OCIDA. A phased approach is not viable, an efficient and full expansion is contingent upon all components being completed together in a sequence that allows current operations to continue. OCIDA assistance are critical to our ability to complete this expansion in a timely manner; to do otherwise will continue to constrain space and production ability. This will hinder our ability to grow and hire new employees, as well as increase the rapidly emerging risk of relocation out of Central NY. Financial assistance from OCIDA will allow us to expand strategically, eliminate offsite warehouse space, improve line layout resulting in greater production efficiency, and grow our capacity. Combined, these enhancements will allow us to remain cost competitive in the highly competitive beverage industry. Most importantly, the enhancements will allow us to retain over 250 high paying union jobs while allowing for at least 5 -10% capacity growth resulting in at least 15 new employees.

In essence, this project is critical as it will ultimately increase productivity, improve cost structure, and increase our market share, allowing our Central NY company to survive in an increasingly competitive market.

### **D) Description of Project**

We began our history as an independent bottler of Pepsi Cola with our founding as a New York State Cooperative in 1967 and a ground-breaking in 1968 on the 150<sup>th</sup> Anniversary of the Erie Canal, hence the name "Clinton's Ditch". The Clinton's Ditch cooperative was founded by the individual investments of eighteen New York State Independent Pepsi-Cola bottlers, with the intent of producing Pepsi in aluminum cans. Over the years the business expanded to include not only filling aluminum cans but filling bottles as well. It has grown from its original 47,000 square feet to approximately 138,000 by adding production and warehouse additions totaling 91,000 square feet in 1970. Since then, the plant has expanded two more times and is currently comprised of 274,000 square feet of manufacturing and warehouse space. Clinton's Ditch as it stands today is a high-volume producer of various types of carbonated soft drinks, seltzer's, energy drinks and purified water.

Our business is structured as a Cooperative where our customers are our owners. We exist for the exclusive purpose of producing for our owners. Inherent in this structure is that all profits, excluding those needed to cover our debt covenants, are returned to our owners each year. We operate and exist separately from our owners – 4 of which are Independent Bottlers and are multi-generational family owned businesses. Our fifth owner is Pepsico, but we are completely independent from them and have no affiliation with the corporation, other than being one of their suppliers. They are not a potential source for assistance.

Our facility sits on 76.84-acres in the Town of Cicero. The location is owned and operated by Clinton's Ditch Co., ensuring we have full control over the site throughout the duration of the project. At our current location, on the North side of our property, we intend to build a new approximately 20,000 square foot truck repair facility to support our fleet of 44 tractors and 180 trailers, replacing our current undersized, in-efficient, and obsolete facility. This will include 15,220 square feet of maintenance space, 4,300 square feet of office space.

In preparation for the expansion described above we will need to do two things. First, relocate our current employee parking area from the North side to the South side of the current building. This portion of the project will enhance our employee experience by including a new employee entrance and new interior locker rooms for our employees. Second, we will add a new and separate road loop on the West side of the plant to accommodate the bulk receiving of plant raw materials. This will improve employee safety by physically isolating the receiving of bulk tractor trailers delivering raw materials to our plant operation from our employee population coming to and from work.

Finally, we intend to add approximately 100,000 square foot building addition to our existing plant in order to accommodate the efficient layout of our existing production line equipment and eliminate the need for outside warehouse space currently being sourced offsite. The addition will include a two-story office space, a chemical storage area and a small waste treatment building.

The timing of the phases of the project are:

- Phase 1 & 2 – Employee parking lot, locker room and delivery loop 8/24-1/25
- Phase 3 – Transportation Facility 11/24-8/25
- Phase 4 – Facility expansion 8/25 – 11/26

This expansion project will result in a great transformation of the existing Clinton's Ditch property as it resides adjacent to Interstate Route 81. It will result in efficient and cost competitive business operations, growth opportunities, and enhanced workplace safety and employee experience. Successful completion of this expansion will ensure that Clinton's Ditch remains viable for many years to come to the CNY community. We have been an important contributor to the CNY business community for over fifty years, and this expansion will allow for that history to continue while enhancing the overall economic vitality of our community.

The project site plan is attached with this application.

**F) Not applicable**

**J) 5.b.** Clinton's Ditch is working with the NYS DEC on a Notice of Violation (NOV) issue where a small portion of a 100-foot wetland buffer was inadvertently encroached upon while creating an area to accommodate trailer parking on the Northeast portion of the property in 2020. The issue was noted when we invited the NYS DEC on site to evaluate our expansion plans in late 2021. Clinton's Ditch has acknowledged the violation, and not contested it. Since then, we have engaged the environmental firm Ambient Environmental to work on our behalf and help us resolve the issue proactively with NYS DEC. That work is currently in progress in conjunction with our expansion plans.



**CLINTON'S DITCH COOPERATIVE CO. INC.**  
**FACILITY EXPANSION**  
CICERO, NY

REVISIONS		
1.	MUNICIPAL REVIEW	3-20-23
2.	MUNICIPAL REVIEW	5-03-23
3.	MUNICIPAL REVIEW	11-01-23
4.	90% CD's	2-02-24

Drawn By: NL  
Checked By: SLF  
KFA Proj. No.: 42025  
Date: JULY 13, 2023  
Scale: AS NOTED

Title:  
**OVERALL  
PLAN**

**L1.01**

