



ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

333 WEST WASHINGTON STREET, SUITE 130, SYRACUSE, NY 13202
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Meeting Agenda July 14, 2020

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

- A. Approval of Minutes-June 9, 2020
- B. Treasurers Report
- C. Payment of Bills
- D. Conflict of Interest

Action Items

1. Empire Polymer Solutions, LLC (3101-20-12-a): Second Meeting

Empire Polymer Solutions is proposing to purchase, renovate and construct a 205,000 sq. ft. facility to be used to process and manufacture goods from recycled plastics. This project is in the Town of Van Buren at the former Syroco location.

Agency Action Requested:

- a. SEQR Resolution
- b. A Resolution of the Board authorizing the financial assistance the Agency will provide. Agency benefits requested include a Payment in Lieu of Tax Agreement, Sales Tax Abatement, and Mortgage Recording Tax Abatement.

Representative: Steve Hubert, Empire Polymer Solutions, LLC

2. Ultra Dairy, LLC Aseptic Expansion (3101-20-14G)-Initial Meeting

Ultra Dairy is proposing to construct a 38,400 of additional manufacturing, storage and cooling space adjacent to the existing operation in the Town of Dewitt.

Agency Action Request:

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

Representative: James Gosier, General Counsel, Byrne Dairy

3. Abundant Solar Power (E1) LLC: 801 Peru Rd (3101-20-13B) Initial Meeting

Abundant is proposing the construction of a 2.7 mega-watt solar project in the Town of Elbridge.

Agency Action Requested:

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

Representative: Melissa Clark

Adjourn

SUBJECT TO BOARD APPROVAL

Onondaga County Industrial Development Agency Regular Meeting Minutes June 9, 2020

A regular meeting of the Onondaga County Industrial Development Agency was held on Tuesday, June 9, 2020 via Zoom Teleconference.

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

PRESENT VIA TELECONFERENCE:

Patrick Hogan
Janice Herzog
Susan Stanczyk
Kevin Ryan
Victor Ianno

DELAYED:

Fanny Villarreal

ABSENT:

Steve Morgan

ALSO PRESENT:

Robert Petrovich, Executive Director
Nancy Lowery, Secretary
Nate Stevens, Treasurer
Karen Doster, Recording Secretary
Carolyn Evans-Dean, Office of Economic Development
Jeffrey Davis, Barclay Damon Law Firm
Amanda Mirabito, Barclay Damon Law Firm
Chris Andreucci, Harris Beach Law Firm
Frank Murphy, Empire Polymer Solutions, LLC
Steve Hubert, Empire Polymer Solutions, LLC
Kevin McAuliffe, Barclay Damon Law Firm
Andrew Day, Taft Solar, LLC
Michael Cocquyt, LaBella Associates
Brian Harper, DG New York CS, LLC
George Laigaie, TC Syracuse
Bob Murry, Harris Beach Law Firm
Mike Lisson, Grossman St. Amour CPAs, PLLC
Ken Bush, Onondaga County Legislature
Lauryn LaBorde, SCSD
Rick Moriarty, Post Standard

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

APPROVAL OF REGULAR MEETING MINUTES – MAY 12, 2020

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved the regular meeting minutes of May 12, 2020. Motion was carried.

(Fanny Villarreal joined meeting)

TREASURER’S REPORT

Nate Stevens gave a brief review of the Treasurer’s Report for the month of May 2020.

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

PAYMENT OF BILLS

Nate Stevens gave a brief review of the Payment of Bills Schedule #444.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved the Payment of Bills Schedule #444 for \$67,347.82. Motion was carried.

CONFLICT OF INTEREST DISCLOSURE

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

EMPIRE POLYMER SOLUTIONS, LLC – INITIAL MEETING

Frank Murphy stated he owns Empire Resource Recycling which is a recycling manufacturing company out of Rochester, NY. He stated he has been looking for a site for their new processing plant between Rochester and Syracuse. He stated he is President of Empire Polymer Solutions and Steve Hubert is his partner.

Steve Hubert stated his background is primarily in development and he will be active in the design, construction and improvements of the project. He stated he is involved in real estate

development with a background in other venture capital type projects which is what led him to this venture with Frank Murphy in the plastic manufacturing reprocessing facility in Syracuse. He stated they looked at some areas in Maryland, Virginia and Maine. He stated they also looked from Rochester to Syracuse and settled on this location as a viable location. He stated it has a lot of the attributes that they want, good quality power, high level of power, railroad siding, good transportation and good proximity to Tessa Plastics which they expect to do some business with. He stated that is the background on how they ended up at the Syroco site. He stated the Syroco site has been abandoned for 10 plus years and they are happy to bring it back to life by making it a viable manufacturing facility. He stated they will grow into it over time and initially will be occupying about 100,000 square feet of the facility primarily the manufacturing area but they will have some office space that they will probably not need for some time.

Frank Murphy stated what they do in Rochester is they take plastics that are basically heading for the landfill. He stated postindustrial plastic is plastic that has never been touched by humans other than a production plant and there is post-consumer, which are plastics that consumers have used and discarded through a recycling program. He stated what they do primarily in Rochester is grind industrial scrap plastic, wash and make it ready to ship to manufacturers to remake products with it. He stated their growth plan is to put together a manufacturing plant with 3 main components; a facility, equipment and people. He stated what they found in Syracuse is a great building with the old Syroco site that has good bones and a site with a number of components they are looking for. He stated it is going to cost a lot of money to put it back in shape and that is the reason it is still available but it is going to fit their needs. He stated they have much of the equipment purchased for the manufacturing and washing. He stated they are going to do very high volume production so they need good people. He stated the fact that this building is on a site that is serviced by the local bus route is going to fit their needs. He stated about 80% of the employees they are looking for are people that can be trainable. He stated they are going to run 3 shifts 24 hours a day, 6 days a week. He stated they will train the employees. He stated their raw stock is recycled plastics. He stated their goal is to prepare it for things like composite decking, lawn furniture and bread trays. He stated down the road if everything works well they have future phases that would include doing their own manufacturing and processing of lumber or their own products inside the building.

Robert Petrovich stated staff has been working with Empire for about 9 to 10 months with initial contact back in September. He stated the County Executive is very enthusiastic about the project

for a number of reasons. He stated these are manufacturing jobs ultimately coming to the area. He stated the cap-ex is about \$7,000,000. He stated it removes a nuisance and brings it back to life. He stated the property is about \$900,000 in arrears on property taxes. He stated as we move forward after this meeting he is going to advance that conversation about solving that problem with this project. He stated this is a win-win.

Victor Ianno asked if Tessy Plastics plant is next door. Robert Petrovich stated yes.

Victor Ianno asked if there are other buildings there. Frank Murphy stated this is the only building on site. He stated there was the manufacturing facility and a large warehouse. He stated the property was split in half. He stated Tessy added on to the warehouse portion and they want to take the existing manufacturing facility.

Victor Ianno stated once Empire Polymer gets operational the campus is full? Frank Murphy stated yes.

Janice Herzog stated this sounds like a great project and she is really excited about it. She asked what we do now with the plastics. She asked if there are facilities in the northeast handling this type of recycling. Frank Murphy stated they are not competing with the Consella's and the Waste Management and they are actually Empire Polymer's clients. He stated the collectors collect the material from the blue bins, take it to their plant, and split it into cardboard, metal and plastics. He stated they buy it from those facilities in the Northeast and will bring it to this facility. He stated currently a lot of it goes overseas or down south to the Carolinas where the other big plastic processing plant is located. He stated the challenge is the high cost to transport it which causes the municipalities to suffer. He stated it is a supply and demand situation. He stated putting this facility in Syracuse gives them a 350 mile radius to the northeast and into Canada. He stated they will be able to make recycling in the northeast viable again.

Victor Ianno asked how many employees they will have at the site. Frank Murphy stated they are committing to 70 employees in Phase 1 but they are expecting much more than that. He stated that is not including the construction jobs. He stated they already have a lot of local contractors that they interviewed and received pricing from them.

Patrick Hogan asked if the project is a \$7,000,000 investment. Steve Huber stated yes.

Patrick Hogan asked if the PILOT is about 15 years. Nate Stevens stated yes.

Patrick Hogan stated even before the County Executive became County Executive he had huge concerns about this site and it was real problem for the neighborhood especially for Tessy. He stated he is pleased to heavily endorse this idea.

Upon a motion by Victor Ianno, seconded by Fanny Villarreal, the OCIDA Board approved a resolution authorizing a public hearing for the Empire Polymer Solutions, LLC project. Motion was carried.

BALDWINSVILLE SENIOR HOUSING PRESERVATION, LLC

Robert Petrovich stated Barclay Damon is representing the applicant and Chris Andreucci is conflict counsel for the Agency.

Kevin McAuliffe stated the action before the Board today is a ratification of the action took on August 16 of last year. He stated the new piece to the action is increasing the bond amount from \$17,000,000 to \$20,000,000. He stated the project remains the same except the need for the bond amount to increase. He stated it is a 199 unit cost control/rent control low income senior citizen project in the Village of Baldwinsville. He stated the PILOT schedule approved last year is the same and was approved by the Village of Baldwinsville, the Town of Van Buren and the Baldwinsville School District. He stated each unit will be modified and modernized. He stated the project was built in 1978 and a lot of infrastructure and components are at the end of their useful life. He stated the project will be renovated with about \$9,800,000 in fiscal modifications including kitchens, windows and floor coverings. He stated the methodology was the senior citizens will be moved out for a day and several bathrooms or several kitchens will be done in one day. He stated no one is displaced longer than a few hours at a time during the day. He stated no one is physically removed from the premises and there is no need for alternate housing. He stated the entire complex, 199 units, will be systematically renovated in this method.

Nancy Lowery stated a public hearing was held and there were no comments.

Susan Stanczyk asked when construction will begin. Kevin McAuliffe stated it will begin right after the closing and there has been discussion about closing the end of this month or early to mid-July. He stated they are at the point now where they are finalizing the official statement.

Susan Stanczyk asked if the precautions are being made due to Corona virus as this is a very vulnerable population. Kevin McAuliffe stated yes.

Patrick Hogan asked how does this work out as far as logistically and asked if they have issued the bonds. Kevin McAuliffe stated the bonds have not been issued. He stated the bonds will be issued, the loan will close, the bonds are collateralized by the loan and as soon as construction is complete the loan proceeds pay off the bond. He stated the long term debt is the government insured HUD loan.

Patrick Hogan stated it is a change and we did not issue the \$17,000,000. Kevin McAuliffe stated it is not a bond reissuance it is an increase in the bond authorization amount.

Janice Herzog asked how many units are occupied. Kevin McAuliffe stated last he knew they were all filled and there was a waiting list.

Robert Petrovich asked Chris Andreucci if there is anything that needs to be discussed from the IDA perspective on this project. Chris Andreucci stated the Agency receives a volume cap allocation for certain tax exempt bonds from the State each year. He stated the Agency is going to use that allocation in addition to an allocation received from the REDC in order to issue these bonds. He stated that is all in place.

Robert Petrovich asked if to the extent another project were to come before the Board relative to a similar request we would have to go back and seek additional allocation if possible. Chris Andreucci stated yes. He stated he thinks it is very possible because the REDC is sitting on a lot of allocation that they have not distributed. He stated it's not because they won't distribute it but because there isn't a high need right now.

Upon a motion by Victor Ianno, seconded by Susan Stanczyk, the OCIDA Board approved a resolution ratifying certain prior resolutions and findings of the Issuer with respect to the undertaking of the Baldwinsville Senior Housing Preservation, LLC project and describing the

increased financial assistance being contemplated by the Issuer with respect to the project in the form of the issuance of the Bonds. Motion was carried.

TAFT SOLAR, LLC

Andrew Day stated they have received a special use permit form the Town Board of Manlius and a negative declaration on the SEQR as the Town Board is acting as lead agency. He stated this project is a community solar project and Source Renewables is developing the project. He stated they have updated the system from the original application. He stated when they went through the permitting process they found that switching from a fixed to a tracker would have the best production and create the best opportunity for the land. He stated they have approval from the Town Board and now they are in front of the Planning Board for site plan approval and opening up the public hearing.

Patrick Hogan asked if Taft Solar is asking the Board to approve the SEQR resolution. Andrew Day stated yes.

Patrick Hogan asked if the Agency is lead agency. Nate Stevens stated no the Agency is not lead agency. He stated he wanted to also point out that it is a 3.4 megawatt project and \$4,500 a megawatt in year one and we received a letter of support from the ESM School District.

Patrick Hogan asked who is doing the SEQR. Andrew Day stated the Town is lead agency. Jeff Davis stated the Agency is doing their own SEQR determination and it is an unlisted action. He stated it was a Type I coordinated review and request for the Town to be Lead Agency.

Nancy Lowery stated a public hearing was held and there were no comments.

Upon a motion by Victor Ianno, seconded by Susan Stanczyk, the OCIDA Board approved a resolution authorizing the adoption of the SEQR determination for the Taft Solar, LLC project. Motion was carried.

Upon a motion by Janice Herzog, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing the financial assistance the Agency will provide. Motion was carried.

DG NEW YORK CS, LLC - INITIAL MEETING

Brian Harper stated DG New York is similar to the other solar projects the Agency has approved. He stated it is going to be a community solar project with 3 megawatts located in the Town of Van Buren. He stated NextEra Energy is the parent company on behalf of the applicant, DG New York CS, LLC. He stated it is a \$427 billion market company and they own Florida Power and Light, the largest electric utility in the United States. He stated they are hoping to get final approval from the Planning Board tonight and that will be their final meeting with them. He stated there was previously a solar project on this parcel two years ago and roughly the same size but the program they had applied to ran out of incentives and went bankrupt for other reasons.

Upon a motion by Susan Stanczyk, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing a public hearing for the DG New York CS, LLC project. Kevin Ryan abstained. Motion was carried.

TC SYRACUSE DEVELOPMENT ASSOCIATES, LLC

Robert Petrovich stated we have yet to close on the PILOT but there was a sales tax closing last month. He stated the counsel on the applicant's side needs to review the documents and they are not prepared to do that before the ST-60 currently issued will expire. He stated the expiration is June 30 of this month. He stated they are requesting an extension to July 31. He stated in consideration of that extension of the ST-60 they have agreed to pay the rest residue and the remainder of the IDA fee making the payment of the fee to 100%. He stated the remaining issue would be closing on the PILOT which can happen subsequent to this. He stated the only risk if they don't close on the PILOT is they don't get the PILOT benefits and all the issues that cascade down from that. He stated he thinks they are motivated to close on the PILOT eventually but just need a little extra time and get the books cleaned up on the IDA fee.

Upon a motion by Victor Ianno, seconded by Kevin Ryan, the OCIDA Board approved a resolution granting an interim sales and use tax exemption. Motion was carried.

UPDATE TO THE OCIDA 2019 FINANCIAL AUDIT

Mike Lisson stated in October 2012 there was a resolution by the County to allow reimbursement of up to \$2,000,000 for things related to White Pine. He stated Bob's team realized the office was able to get reimbursement from this in the amount of \$1,300,000. He stated when the County reviewed the financial statements and their own financial statements they decided to record liability sometime in May. He stated he had to adjust the financial statement to record a receivable after December 31 and this was not paid from the County until June. He stated he adjusted the IDA financial statement to record the receivable for \$1,336,000 to net assets and revenues to the bottom line. He stated it was a straight forward fix but the reason it had to be done was because the Agency financial statements go along with the County's financial statements so they wanted to make sure the receivables are on our books and the liability is on their book. He stated there are no concerns or issues but had to reissue the financial statements.

Patrick Hogan asked Mike Lisson if OCIDA had to amend the 2012 financial report. Mike Lisson stated no, you make the change in the year you make the error. He stated it impacted the 2019 financials. He stated he was not the auditor at that time and would have to go back to the original auditors. He stated under accounting standards you adjust as you go which is December 2019.

Patrick Hogan asked if this will be amended to the Agency's last audit. Mike Lisson stated the last filing was amended.

Upon a motion by Fanny Villarreal, seconded by Janice Herzog, the OCIDA Board approved a resolution approving a change to the 2019 Audit of the Agency. Kevin Ryan abstained. Motion was carried.

Upon a motion by Susan Stanczyk, seconded by Victor Ianno, the OCIDA Board adjourned the meeting at 8:43 am. Motion was carried.

Nancy Lowery, Secretary



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June 30, 2020

Revenue / Expense / Income	Current Period	Current YTD	2020 Budget Amount	Current YTD Change to Budget
Operating Revenue	376,951	3,662,127	1,526,000	2,136,127
Administrative Expense	46,646	277,633	900,000	(622,367)
Operating/Program Exp.	87,608	284,301	626,000	(341,699)
Net Ordinary Income	242,697	3,100,193	-	3,100,193

Current Assets	Current YTD	Prior YTD
Total Cash	4,820,460	1,944,397
Less Pass Through Received	34,779	-
Available Cash	4,785,682	1,944,397
Receivables (less pass through rec.)	971,664	668,659
Grant Reimbursements	268,733	268,733
Total	6,026,079	2,881,789

Reserve for Contracts	
County Operations 2020	622,367
Professional Services	(18,290)
333 W. Washington St 2020 Rent	50,095
WPCP Sewer Design Engineering	108,151
OBG WPCP CO #4 Additional Studies	561,486
JMT 800 Hiawatha Engineering	25,000
National Grid WPCP Engineering Gas	200,000
National Grid WPCP Engineering Electric	175,000
CNYIBA Consulting Services Agreement	26,250
Total	1,750,060

Receivables	
0-120 days	749,640
> 120 days	490,757
Total	1,240,397

Onondaga County Industrial Development Agency

PROFIT AND LOSS

June 2020

	TOTAL
Income	
500 Operating Revenue	
2116 Fees	
2116.1 Agency Fees	375,000.00
2116.2 Application Fees	1,000.00
Total 2116 Fees	376,000.00
2410 Lease Income	750.00
2655 Other Operating Revenue	72.99
Total 500 Operating Revenue	376,822.99
501 Non-Operating Revenue	
2401 Interest Income	127.76
Total 501 Non-Operating Revenue	127.76
534 Pilot & Pass Thru Revenue	
529 PILOT Income	132,375.45
Total 534 Pilot & Pass Thru Revenue	132,375.45
Total Income	\$509,326.20
GROSS PROFIT	\$509,326.20
Expenses	
6400 Operating Expense	
6404 Audit	13,000.00
6406 Other Professional Services	210.00
6407 Administrative Expense	46,645.93
6408 Board Mtg Exp	53.30
6410 Office Expense	1,254.19
6411 Memberships / Sponsorships	1,500.00
6413 Legal	38,962.50
6415 FTZ	8,750.00
Total 6400 Operating Expense	110,375.92
6500 Agency Program Expenses	
6510 White Pine Commerce Park	
6510.2 Site Analysis	2,012.50
6510.5 Insurance	4,172.00
6510.7 WPCP Marketing	7,555.50
Total 6510 White Pine Commerce Park	13,740.00
6520 North Salina Property Acquisition	
6520.1 435 N Salina Expenses	5,676.00
Total 6520 North Salina Property Acquisition	5,676.00

Onondaga County Industrial Development Agency

PROFIT AND LOSS

June 2020

	TOTAL
6530 800 Hiawatha Blvd. West	
6530.2 Insurance	103.00
6530.3 Engineering	4,359.00
Total 6530 800 Hiawatha Blvd. West	4,462.00
Total 6500 Agency Program Expenses	23,878.00
6600 Non-Operating Expenses	
6605 Pilot & Pass Thru Expenses	
6605.2 PILOT Expense	132,375.45
Total 6605 Pilot & Pass Thru Expenses	132,375.45
Total 6600 Non-Operating Expenses	132,375.45
Total Expenses	\$266,629.37
NET OPERATING INCOME	\$242,696.83
NET INCOME	\$242,696.83

Onondaga County Industrial Development Agency

BALANCE SHEET

As of June 30, 2020

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
200 Cash	0.00
200.1 Cash - M & T Checking	3,939,352.56
200.2 Cash - M & T Money Maker Savings	890,015.68
200.4 Destiny USA Restricted Cash	-8,957.82
210 Petty Cash	50.00
Total 200 Cash	4,820,460.42
Total Bank Accounts	\$4,820,460.42
Accounts Receivable	
380 Accounts Rec.	
380.2 PILOTs Rec	
380.222 Bank of NY	-2.00
Total 380.2 PILOTs Rec	-2.00
380.6 A/R Agency Fees	933,176.58
Total 380 Accounts Rec.	933,174.58
Total Accounts Receivable	\$933,174.58
Other Current Assets	
391 Long Tern Receivable	222,024.00
392 Loans Receivable	
392.065 Simple Admit Current	-0.32
392.066 Aquari current	-0.24
Total 392 Loans Receivable	-0.56
393 Grant Reimbursements	
393.1 ESD WPCP	134,366.66
393.2 Nat Grid WPCP	134,366.66
Total 393 Grant Reimbursements	268,733.32
Total Other Current Assets	\$490,756.76
Total Current Assets	\$6,244,391.76

Onondaga County Industrial Development Agency

BALANCE SHEET

As of June 30, 2020

	TOTAL
Fixed Assets	
100 Land	
101 White Pines Commerce Park	1,520,401.50
101.1 WPCP GEIS	
101.101 CHA GEIS 1	267,452.05
101.102 CHA GEIS 2	219,439.36
101.104 GEIS Reg Plan Board Overview	19,797.74
Total 101.1 WPCP GEIS	506,689.15
101.2 WPCP Legal	69,774.25
101.3 Engineering Services	52,675.00
101.301 Temporary Access	4,055.44
101.4 Environmental/Demo Services	10,318.98
Total 101.3 Engineering Services	67,049.42
101.5 Land Acquisition Costs	
101.501 Land Purchases	1,160,063.57
101.502 Closing Costs	3,168.14
Total 101.5 Land Acquisition Costs	1,163,231.71
Total 101 White Pines Commerce Park	3,327,146.03
106 North Salina Properties	0.00
106.1 435 North Salina	17,083.55
106.3 435 North Salina Building	634,421.53
Total 106 North Salina Properties	651,505.08
107 800 Hiawatha	604,840.42
Total 100 Land	4,583,491.53
104 Machinery & Equipment	
104.1 Office Furniture	1,429.00
104.2 Equipment	1,432.40
Total 104 Machinery & Equipment	2,861.40
211 A/D Office Furniture	-2,861.00
213 A/D Buildings	-65,068.00
Total Fixed Assets	\$4,518,423.93
Other Assets	
240 Blue Sky Redevelopment	1,641.76
Total Other Assets	\$1,641.76
TOTAL ASSETS	\$10,764,457.45

Onondaga County Industrial Development Agency

BALANCE SHEET

As of June 30, 2020

	TOTAL
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
600 Accounts Payable	0.00
600.1 Due to Related Party - OED	153,892.04
600.206 Mileage Reimbursement	81.41
600.207 EPP App Deposit	250.00
600.208 BlueRock Energy Agreement Deposit	25,000.00
Total 600 Accounts Payable	179,223.45
601 PILOT and Pass Thru Payable	
602 Pass Thru Payable	147,746.45
603 PILOT Pass Thru	39,285.15
Total 601 PILOT and Pass Thru Payable	187,031.60
631 Due to Other Governments	
631.1 Towns	
631.17 Van Buren	0.20
Total 631.1 Towns	0.20
631.3 Schools	
631.335 Liverpool	-0.01
631.337 Lyncourt	0.01
631.34 Marcellus	-0.01
631.345 North Syracuse	-0.01
631.356 Syracuse	15,358.47
Total 631.3 Schools	15,358.45
631.4 Onondaga County	10,815.19
631.5 City of Syracuse	8,604.72
Total 631 Due to Other Governments	34,778.56
Total Other Current Liabilities	\$401,033.61
Total Current Liabilities	\$401,033.61
Total Liabilities	\$401,033.61
Equity	
3900 Equity Unreserved	4,544,563.05
3901 Equity-Investment Fixed Assets	2,345,838.63
463 Reserve For Contracts	1,750,059.96
465 Equity - Unreserved	-1,377,230.96
Net Income	3,100,193.16
Total Equity	\$10,363,423.84
TOTAL LIABILITIES AND EQUITY	\$10,764,457.45

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
RESERVE FOR CONTRACTS
6/30/2020

	CONTRACT	TOTAL	PORTION	BALANCE
DESCRIPTION	TERM	CONTRACT	PAID	OUTSTANDING
ONONDAGA COUNTY OED 2020	1-1-20-12-31-20	\$900,000.00	\$277,632.51	\$622,367.49
PROFESSIONAL SERVICES	1-1-20-12-31-20	\$55,000.00	\$73,290.08	-\$18,290.08
333 W. WASHINGTON ST 2020 RENT	1-1-20-12-31-20	\$65,000.00	\$14,904.56	\$50,095.44
WPCP SEWER DESIGN ENGINEERING	1/31/16-1/31/17	\$268,628.00	\$160,476.55	\$108,151.45
OBG WPCP CO #4 ADDITIONAL STUDIES	11/30/18-11/30/19	\$800,000.00	\$238,514.34	\$561,485.66
JMT 800 HIAWATHA ENGINEERING	2/13/19-12-31-20	\$25,000.00	\$0.00	\$25,000.00
NATIONAL GRID WPCP ENGINEERING GAS	11/29/18-11/29/19	\$403,100.00	\$203,100.00	\$200,000.00
NATIONAL GRID WPCP ENGINEERING ELECTRIC	11/29/18-11/29/19	\$375,000.00	\$200,000.00	\$175,000.00
CNYIBA CONSULTING SERVICES AGREEMENT	4-14-20-4-14-21	\$35,000.00	\$8,750.00	\$26,250.00
		\$2,926,728.00	\$1,176,668.04	\$1,750,059.96

ACCOUNTS RECEIVABLE
6/30/2020

AGENCY FEES RECEIVABLE		\$748,890.00
ACCOUNTS RECEIVABLE GENERAL		\$750.00
QUASI-EQUITY LOAN RECEIVABLE		\$0.00
GRANTS RECEIVABLE		\$268,733.00
LONG TERM RECEIVABLE		\$222,024.00
TOTAL		\$1,240,397.00

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
PAYMENT OF BILL - SCHEDULE #445
July 14, 2020

GENERAL EXPENSES

1.	<u>NATIONWIDE*</u>	\$ 10,552.00
	Acct#J2551, 2020 Commercial and Umbrella Insurance Premium	
2.	<u>NATIONAL GRID</u>	\$ 187,500.00
	Inv#500086600, 2nd Payment WPCP Gas & Electric Studies	
3.	<u>O'BRIEN & GERE*</u>	\$ 7,555.50
	Inv371270-13, WPCP Brochure	
4.	<u>O'BRIEN & GERE*</u>	\$ 2,012.50
	Inv371270-13, WPCP Engineering	
5.	<u>ADVANCE MEDIA NEW YORK</u>	\$ 485.20
	Public Hearing Notices; B-Ville Housing, GSPP Caughdenoy & Sentinel Heights, OYA A & B	
6.	<u>REPUBLIC PARKING SYSTEM</u>	\$ 74.00
	Inv#19-09-305, Meeting Parking	
7.	<u>ONONDAGA COUNTY</u>	\$ 153,892.05
	2nd Quarter 2020 OED Administrative Expenses Payment	
8.	<u>FEDEX</u>	\$ 24.95
	Inv#7-045-12737, Shipping to Barclay Damon	
9.	<u>COMMISSIONER OF FINANCE</u>	\$ 1,744.62
	800 Hiawatha 2020-21 Syracuse City Taxes	
10.	<u>COMMISSIONER OF FINANCE</u>	\$ 49.64
	435 N. Salina 2020-21 Syracuse City Taxes	
11.	<u>KAREN DOSTER</u>	\$ 25.77
	Reimbursement for Meeting Expenses	

**ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
PAYMENT OF BILL - SCHEDULE #445
July 14, 2020**

PILOT Payments

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

Onondaga County Industrial Development Agency



6/4/2020

Project Summary

1. Project	Empire Polymer Solutions, LLC	2. Project Number	3101-20-12a
3. Location	Van Buren	4. School District	Baldwinsville CSD
5. Tax Parcel(s)	031.-11-01.01	6. Project Type	Acquisition, renovation of existing facility
		Village	0

7. Total Project Cost	\$	7,135,210	8. Total Jobs	70
Land	\$	560,000	8A. Job Retention	0
Site Work	\$	618,262	8B: Job Creation	70
Building	\$	5,271,948	(Next 5 Years)	
Furniture & Fixtures	\$	50,000		
Equipment	\$	150,000		
Equipment Subject to NYS Production Exemption	\$	150,000		
Engineering/Architecture Fees	\$	135,000		
Financial Charges	\$	50,000		
Legal Fees	\$	50,000		
Other	\$	-		

Cost Benefit Analysis

Empire Polymer Solutions, LLC

Fiscal Impact (\$)

Abatement Cost	\$2,442,999
Sales Tax	\$570,817
Mortgage Tax	\$42,264
Property Tax Relief (PILOT)	\$1,829,919
New Investment	\$32,813,654
PILOT Payments	\$1,048,740
Project Wages (10 years)	\$21,665,320
Construction Impact	\$725,500
Employee Benefits (10 years)	\$2,166,532
Project Capital Investment	\$7,135,210
New Sales Tax Generated	
Agency Fees	\$72,352
Agency Legal Fees	\$17,838

Benefit:Cost Ratio

13 :1

Project Description

This will be a post-industrial and post-consumer plastic processing plant that will eventually include five basic business units to be brought on line at the old Syroco building.

Empire Polymer Solutions, LLC

6/4/2020

A) PILOTS Estimate Table Worksheet

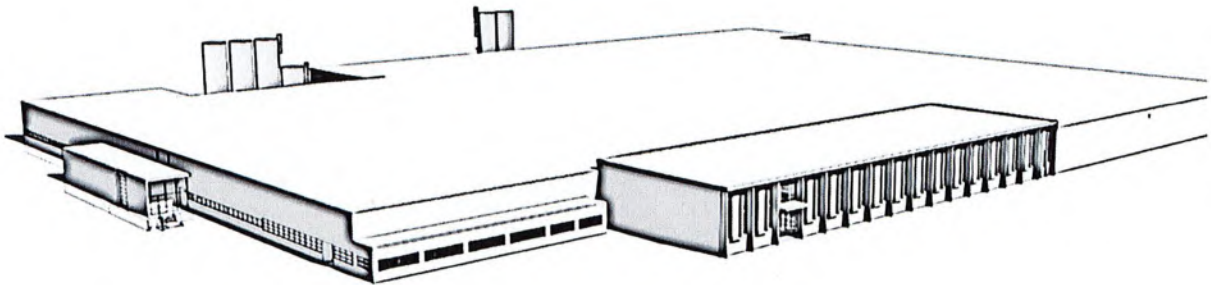
for 15 years

OCIDA estimate of current market value					\$	500,000
Projected investment					\$	5,271,948
OCIDA estimate of increase in value					\$	4,925,771
OCIDA estimated value after project is completed					\$	5,425,771
Taxes that would have been collected if the project did not occur					\$	292,204
Scheduled PILOT payments					\$	1,340,944

PILOT YEAR	Exemption %	Onondaga County	Van Buren	Baldwinsville CSD	Village	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	100%	\$ 2,633	\$ 2,011	\$ 12,253	\$ -	\$ 16,896.82	\$ 183,357	\$ 166,460
2	100%	\$ 2,685	\$ 2,052	\$ 12,498	\$ -	\$ 17,234.76	\$ 187,024	\$ 169,789
3	100%	\$ 2,739	\$ 2,093	\$ 12,748	\$ -	\$ 17,579.46	\$ 190,764	\$ 173,185
4	90%	\$ 5,546	\$ 4,237	\$ 25,812	\$ -	\$ 35,595.89	\$ 194,580	\$ 158,984
5	90%	\$ 5,657	\$ 4,322	\$ 26,328	\$ -	\$ 36,307.81	\$ 198,471	\$ 162,163
6	80%	\$ 8,634	\$ 6,596	\$ 40,182	\$ -	\$ 55,412.47	\$ 202,441	\$ 147,028
7	80%	\$ 8,807	\$ 6,728	\$ 40,986	\$ -	\$ 56,520.72	\$ 206,489	\$ 149,969
8	70%	\$ 11,962	\$ 9,139	\$ 55,671	\$ -	\$ 76,772.13	\$ 210,619	\$ 133,847
9	70%	\$ 12,202	\$ 9,321	\$ 56,784	\$ -	\$ 78,307.58	\$ 214,832	\$ 136,524
10	60%	\$ 15,545	\$ 11,876	\$ 72,346	\$ -	\$ 99,767.22	\$ 219,128	\$ 119,361
11	50%	\$ 19,018	\$ 14,529	\$ 88,507	\$ -	\$ 122,053.92	\$ 223,511	\$ 101,457
12	40%	\$ 22,624	\$ 17,283	\$ 105,286	\$ -	\$ 145,192.18	\$ 227,981	\$ 82,789
13	30%	\$ 26,365	\$ 20,142	\$ 122,700	\$ -	\$ 169,207.15	\$ 232,541	\$ 63,333
14	20%	\$ 30,248	\$ 23,108	\$ 140,769	\$ -	\$ 194,124.64	\$ 237,191	\$ 43,067
15	10%	\$ 34,275	\$ 26,185	\$ 159,511	\$ -	\$ 219,971.15	\$ 241,935	\$ 21,964
TOTAL		\$ 208,943	\$ 159,621	\$ 972,380	\$ -	\$ 1,340,944	\$ 3,170,862	\$ 1,829,919

Year						
	0	2020	2021	2022	2023	2024
Jobs						
Current/Actuals						
Creation Goals		6	12	15	19	18
Total Employment Goals	0	6	18	33	52	70

**Proposed Redevelopment
of
Former Syroco Site
7528 State Fair Blvd.
Syracuse, NY**



MAY 2020

www.EmpirePolymerSolutions.com

Attachment: Exhibit A
Empire Polymer Solutions LLC
Description of Project

Empire Polymer Solutions LLC (EPS) has a site on 7528 State fair Blvd. Baldwinsville, NY program. This site was previously a plastic injection molding company (Syroco), however over the years the building and property have fallen into disrepair. The building is 205,000 sq' and has a number of advantages, and challenges to be addressed.

After the building is prepared for use, we will be bringing in a great deal of plastic processing equipment, in phases, and making modifications and updates to the building to suit our needs.

We intend to utilize the space with the following breakdown:

- Warehousing incoming Wash Plastic: 26,000 sf
- Plastic wash processing: 43,000 sf
- Plastic Wash Shipping: 15,000 sf
- Plastic compounding / lumber: 10,000 sf
- plastic grinding / Shipping: 38,000 sf
- Broker / Warehouse: 37,000 sf
- Office / Maintenance / Engineering: 7,000 sf
- Future Office / Multi use: 30,000 sf
- Add 10,000 sf roof "Pop-up" for wash equipment
- Added Loading docks
- Upgrade silos and bulk material handling
- Refurbish rail spur for resin shipping

The Building is located on a 15.97 ac. Parcel, the area outside the building will be used for trailer parking, employee parking. No further buildings are planned on the lot. However, utilizing the rail spur and the silos are part of the business plan for finished goods storage and reduced shipping costs.



ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPLICATION INSTRUCTIONS

1. Fill in all blanks, using “none”, “not applicable”, or “not available” where the question is not appropriate to the project, which is the subject of this Application (the “Project”). If you have any questions about the way to respond, please call the Agency at 315-435-3770.
2. If an estimate is given as the answer to a question, put “(est.)” after the figure or answer, which is estimated. If more space is needed to answer any specific question, attach a separate sheet.
3. If the OCIDA Board approves benefits, it is the company’s responsibility to obtain and submit all necessary forms and documents. (ST-60, PILOT Agreement)
4. When completed, return this Application by mail or fax to the Agency at the address indicated below. A signed application may also be submitted electronically in PDF format to Nate Stevens at nstevens@ongov.net. **An Application will not be considered by the Agency until the Application fee has been received.**
5. The Agency will not give final approval for this Application until the Agency receives a completed NYS Full Environmental Assessment Form concerning the Project, which is the subject of this Application. The form is available at <http://www.dec.ny.gov/permits/6191.html>.
6. Please note the Public officers Law declares all records in the possession of the OCIDA (with certain limited exceptions) are open to public inspection and copying. If the Applicant feels that there are elements of the Project which are in the nature of trade secrets which, if disclosed to the public or otherwise widely disseminated, would cause substantial injury to the Applicant’s competitive position, this Applicant must identify such elements in writing and request that such elements be kept confidential. In accordance with Article 6 of the Public Officer’s Law, the OCIDA may also redact personal, private, and/or proprietary information from publicly disseminated documents.
7. The Applicant will be required to pay the Agency Application fee and, if accepted as a project of the agency, all administrative and legal fees as stated in Section VI of the Application.
8. A complete application consists of the following 9 items:
 - This Application
 - Local Access Agreement
 - Employment Plan
 - Conflict of Interest
 - A feasibility statement indicating the need for the requested benefits
 - Description of project, Site Plans/Sketches, and Maps
 - NYS Full Environmental Assessment Form
 - A check payable to the Agency in the amount of \$1,000
 - A check payable to Barclay Damon LLP in the amount of \$2,500

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

Return to:

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

Section I: Applicant Information

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

A) Applicant information-company receiving benefits:

Applicant Name: Empire Polymer Solutions LLC

Applicant Address: 4185 Glass Factory Bay Rd., Geneva, NY 14456

Phone: (585) 797-3348 Fax: Not used

Website www.EmpirePolymerSolutions.com E-mail: empireresource@aol.com

Federal ID#: 83-2935408 NAICS: 326199 - Other Plastics Product Manufacturing

State and Year of Incorporation/Organization: New York / 2019

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

What is the name of the Real Estate Holding Company: Empire Polymer Solutions LLC

Federal ID#: 83-2935408

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

List of stockholders, members, or partners of Real Estate Holding Company: Principals of the members of the Applicant Empire Resource Recycling Inc.

B) Individual Completing Application:

Name: Frank Murphy

Title: President

Address: 9841 Washingtonian Blvd., Gaithersburg, MD 20878 & 4185 Glass Factory Bay Rd., Geneva, NY 14456

Phone: (585) 797-3348 Fax: Not Used

E-mail: empireresource@aol.com

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

Name: SAME
Title: _____
Address: _____
Phone: _____ Cell Phone: _____
E-mail: _____

D) Company Counsel:

Name of Attorney: Vaughn Lang Esq.
Firm Name: Lang Law
Address: 6838 Genesee Street, Fayetteville, New York 13066
Phone: (315) 445 1831 Cell Phone: (315) 415 3942
E-mail: vaughnlang@langlaw.com

E) Business Organization (check appropriate category):

☐ Corporation ☐ Partnership
☐ Public Corporation ☐ Joint Venture
☐ Sole Proprietorship ☒ Limited Liability Company
Others (please specify): _____
Year Established: 2019
State in which Organization is established: New York

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

Name	% of ownership
<u>Empire Resource Recycling (Frank Murphy)</u>	50%
<u>Buchanan Empire LLC (BE)</u>	50%
<u>BE ownership by:</u>	
<u>Hubert Arcola Center LLC (Steven Hubert)</u>	20%
<u>Benninghoff Family LLC (Brian Benninghoff)</u>	20%
<u>Other Buchanan Affiliates less than 5%</u>	10%

G) Applicant Business Description:

Please attach a description of your company's background, products, customers, goods and services.
(See Attachment - EPS Business Summary)

Estimated % of sales within Onondaga County: 10 %

Estimated % of sales outside Onondaga County but within New York State: 25%

Estimated % of sales outside New York State but within the U.S.: 40%

Estimated % of sales outside the U.S.: 25%

(*Percentage to equal 100%)

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

We intend to use local contractors for most, or all, of the project development including environmental work, electrical, plumbing, roofing, windows, HVAC, security, sprinkler system, landscaping and equipment installation.

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

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

Please attach any explanations:

J) Has the Project Beneficiary received assistance from OCIDA, SIDA, New York State, or the Onondaga Civic Development Corporation in the past? If yes please attach an explanation and please

give year, project name, description of benefits, and address of project.

☐ Yes ☒ No

Section II: Project Information

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

Address: 7528 State Fair Blvd

Legal Address (if different): _____

City: Baldwinsville

Village/Town: Van Buren

Zip Code: 13027

School District: Baldwinsville

Tax Map Parcel ID(s): 031.-11-01.01

Current Assessed Value: \$500,000 Sq. Footage of Existing Building: 205,066

Census Tract: 118.00

B) Type (Check all that apply):

☐ New construction

☒ Purchase of machinery and/or equipment

☐ Expansion/Addition to current facilities

☒ Brownfield/Remediated Brownfield

☒ Renovation of existing facility

☐ LEED Certification

☒ Acquisition of existing facility/property

☒ Other: Re-install Power, Update Rail

☒ Demolition

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

(See Attachment - EPS Business Summary)

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

☐ (i) the size of the Project in square feet and a breakdown of square footage per each intended use;

☐ (ii) the size of the lot upon which the Project sits or is to be constructed;

☐ (iii) the current use of the site and the intended use of the site upon completion of the

Project;

- ☐ (iv) the principal products to be produced and/or the principal activities that will occur on the Project site; and
- ☐ (v) an indication as to why the Applicant is undertaking the Project and the need for the requested benefits. **Please separately attach the description and any copies of site plans, sketches, or maps.**

E) Select Project Type for all end users at Project site (you may check more than one):

****Please check any and all end users as identified below**

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

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

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

G) Will the completion of the Project result in the removal of an industrial or manufacturing plant of the company from one area of the state to another area of the state OR in the abandonment of one or more plants or facilities of the company located within the state? Please explain if you answer "Yes" by attaching a response.

☐ Yes ☒ No

H) Please attach a description of any compelling circumstances the Agency should be aware of while reviewing this application. Plastic/Raw material will be brought in from many States and Canada, processed and Re-sold in and out of state. We will also be developing new technology to recover currently unusable plastics with our equipment. Our staff requirements will primarily be trained internally and will require little or no prior job experience or special

skills. The skilled labor needed will come from equipment maintenance, building management, and office staff typical to any manufacturing facility. Our unused space will be subdivided into multi-tenant use that will create additional job opportunities, and taxable income, for the community.

I) Environmental Information

1. Please attach the appropriate Environmental Impact Forms to your application. Here is a link to the SEQR forms:
 - a. <http://www.dec.ny.gov/permits/6191.html>
2. Have any environmental issues been identified on the property?

☒ Yes ☐ No

If yes please attach an explanation.

Section III: Construction

A) Project Costs and Finances

Description of Costs	Total Budget Amount	% of Total Budget to be Procured in Onondaga County	Total Private Expenditure (should be less than or equal to total budget amount)
Land Acquisition	\$ 560,000	100%	\$ 560,000
Site Work/Demo	\$ 618,262	90%	\$ 519,622
Building Construction & Renovation	\$ 5,271,948	85%	\$ 4,073,958
Furniture & Fixtures	\$ 50,000	85%	\$ 40,000
Equipment	\$ 150,000	0%	\$ 120,000
Equipment Subject to NYS Production Sales Tax Exemption	\$ 150,000	0%	\$ 120,000
Engineering/Architects	\$ 135,000	90%	\$ 130,000
Financial Charges	\$ 50,000	100%	\$ 40,000
Legal	\$ 50,000	100%	\$ 40,000
Other			

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:	20
Estimate the average length of construction jobs to be created (months):	10
Current annual payroll at facility:	
Average annual growth rate of wages:	5%
Please list, if any, benefits that will be available to either full and/or part time employees:	PTO, 401K
Average annual benefit paid by the company (\$ or % salary) per FTE job:	10 %
Average growth rate of benefit cost:	5%
Amount or percent of wage employees pay for benefits:	4% to get 4% 401k match
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:	over 5-year period

D) New Employment Benefits

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

Current & Planned Full Time Occupations (Job Titles)	Salary (Annual)	Current Number of FTEs	Estimated Number of FTE Jobs added each year after project completion				
			Year 1	Year 2	Year 3	Year 4	Year 5
Management	85,000	0	1	0	0	0	0
Office / Administration	38,000	0	1	1	1	2	2
Sales / Project Management	65,000	0	0	1	0	1	1
Maintenance	40,000	0	2	2	2	2	2
Inventory/shipping/Material	35,000	0	1	0	2	2	2
Quality Control	40,000	0	0	0	1	1	0
Production Supervisor	32,000	0	1	1	2	1	2
Operator	27,000	0	0	7	7	10	9
Job Creation Subtotal			6	12	15	19	18
Job Creation Cumulative			6	18	33	52	70

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

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

E) Financial Assistance sought (estimated values):

☐ Real Property Tax Abatement (PILOT): See PILOT Summary Sheet

☐ Mortgage Recording Tax Exemption (.75% of amount mortgaged): \$42,264

☐ Sales and Use Tax Exemption (4% Local, 4% State): \$570,817

☐ Tax Exempt Bond Financing (Amount Requested): NA

☐ Taxable Bond Financing (Amount Requested): NA

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): \$ 5,635,210

Estimated Mortgage Recording Tax Exemption Benefit (product of
mortgage amount as indicated above multiplied by .0075): \$ 42,264

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

\$ 7,135,210

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

\$ 570,817

Section IV: Estimate of Real Property Tax Abatement Benefits*** and Percentage of Project Costs Financed from Public Sector Sources

** 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.

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							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
TOTAL							

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

Section V: Local Access Policy Agreement

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

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

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

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

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

Company: Empire Polymer Solutions, LLC Representative for Contract Steven Hubert Address: 9841 Washingtonian Blvd., Ste 300 City: Gaithersburg State: Maryland Zip: 20878 Phone: 301 674 5855 Email: s.hubert@buchananpartners.com Project Address: 7528 State Fair Boulevard City: Baldwinsville State: New York Zip: 13027

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

Section VI: Agency Fee Schedule

Payment Terms:

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

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

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

Fee for Manufacturing Projects under \$10 million:	0.0075 of the project cost
Fee for Agency Projects except those with PILOT agreements:	0.01 of the project cost
Additional Fee for PILOT Agreement Projects:	0.0025 of the project cost
Fee for bond refinancing & refunding:	0.0025 of the refinancing or refunding amount.

Agency Legal Fees: The project cost is the total project cost from section III A

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

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

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

Section VII: Recapture of Tax Abatement/Exemptions

Information to be Provided by Companies: The Companies that receive benefits from OCIDA agree, whenever requested by the agency, to provide and certify or cause to be certified such information concerning the Company, its finances and other topics as the Agency from time to time reasonably considers 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. The Company also agrees to provide and certify information concerning its finances and other topics as the agency considers appropriate. This is primarily done through an annual survey.

Recapture of Benefits: It is the policy of the Agency to recapture the value of Payment in Lieu of Taxes (PILOT), State and County Sales Tax, and Mortgage Recording Tax Exemptions in accordance with the provisions contained herein and the Laws of the State of New York. Before receiving benefits, projects of the Agency must attest in writing to their understanding of an agreement to the Recapture Provisions of the Agency Uniform Tax Exemption Policy. The recapture provision contained herein may be modified from time to time by the Board at its sole discretion.

Recapture of a PILOT, Sales Tax and the Mortgage Recording Tax Exemptions: In the event the facility is sold or closed, or the number of jobs is below 75% of the number projected to be employed at time of application to the Agency, or there are material violations of the project agreements and no substantial future economic benefit is likely to accrue to the community, then the value of the Property Tax, Sales Tax and the Mortgage Recording Tax benefits extended to the project by the Agency shall be subject to recapture.

Recapture Payment: The Recapture payment paid by the Project to the Agency shall be determined (1) by the difference between any PILOT payments made by the Project and the property taxes that would be paid by the Project, if the property were not in the ownership or control of the Agency, (2) the value of any Mortgage Recording Tax Exemption, if awarded to the Project and (3) the amount of sales tax that would have been paid if an exemption was not granted.

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

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

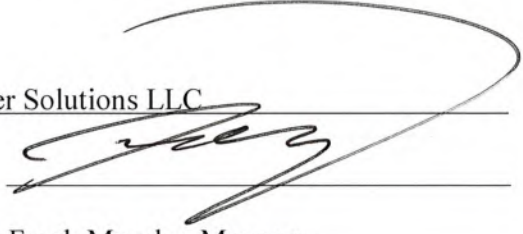
Distribution of the Recapture Payment: Any funds recaptured as the result of an Agreement with the Agency shall be distributed to the affected taxing jurisdictions in the same proportion as if the payments were paid or owed by the Project on the date of recapture.

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

- A project is not entitled to receive the benefits;
 - Exemptions received exceed the amount authorized by the Agency;
 - Exemptions are claimed by the Project for unauthorized property or services; or
 - A project fails to use property in the manner required by its IDA agreements.
1. Distribution of Sales Tax. Project operators must cooperate with the Agency in its effort to recapture all sales tax benefits received by the company by promptly paying the recapture amount as determined by the Agency. The amount to be recaptured will be dictated by NYS Law or IDA Policy which ever may be applicable. The Agency must remit the recaptured sales tax benefits to the State of New York within 30 days of receipt.
 2. Compliance Report. Annually, the Agency will file an annual compliance report with the State of New York detailing its recapture terms and its activities to recapture benefits, including the any attempt to recapture benefits from an Agency project.

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: Empire Polymer Solutions LLC

Signature of Officer or Authorized Representative: 

Name & Title of Officer or Authorized Representative: Frank Murphy, Manager

Date: June 2, 2020

Section VIII: Employment Plan

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

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

☐ Yes ☒ No

If yes, name and location: _____

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

☒ Yes ☐ No

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

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

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

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

Name of Applicant Company: Empire Polymer Solutions LLC

Signature of Officer or Authorized Representative: _____

Name & Title of Officer or Authorized Representative: Frank Murphy, Manager

Date: May, 2020

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

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

Section IX: Conflict of Interest

Agency Board Members

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

Agency Officers/Staff

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

Agency Legal Counsel & Auditor

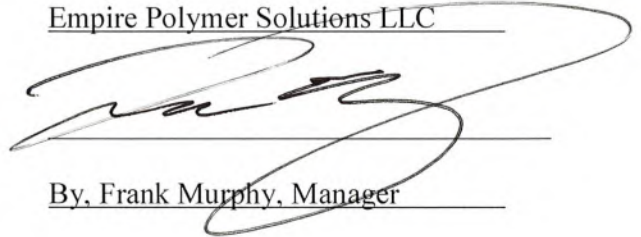
1. Jeffrey Davis, Esq., Barclay Damon LLP
2. Amanda Mirabito, Esq., Barclay Damon LLP
3. Michael G. Lisson, CPA, Grossman St. Amour Certified Public Accountants PLLC

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

Name of Applicant Company

Empire Polymer Solutions LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

By, Frank Murphy, Manager

Date: May 13, 2020

Section X: Representations, Certifications, and Indemnification

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

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

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

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

H. The Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if financial assistance is provided for the proposed Project:

§ 862. Restrictions on funds of the Agency. (1) No funds of the Agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one of more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

I. The Applicant confirms and acknowledges that the owner, occupant, or operator receiving financial assistance for the proposed Project is in substantial compliance with applicable local, state, and federal tax, worker protection and environmental laws, rules and regulations.

J. The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any financial assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement in the Project.

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

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

- M. The OCIDA has the right to request and inspect supporting documentation regarding attestations made on this application.
- N. **Hold Harmless Agreement:** Applicant hereby releases Onondaga County Industrial Development Agency and the members, officers, servants, agents and employees thereof (the "Agency") from, agrees that the Agency shall not be liable for, and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by: (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax-exemptions and other assistance requested therein are favorably acted upon by the Agency; (B) the Agency's acquisition, construction, and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project, including without limiting the generality of the foregoing, all cause of action and attorney's fees and any other expenses incurred in defending any suits or action which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in the process of the Application, including attorney's fees, if any

Name of Applicant Company

Empire Polymer Solutions LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

By, Frank Murphy, Manager

Date: 66, 3
May, 2020

STATE OF NEW YORK)

COUNTY OF ONONDAGA)ss.;

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

1. That I am the Manager (Corporate Office) of Empire Polymer Solutions LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read and attached Application, I Know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete

(Signature of Officer)

Subscribed and affirmed to me under penalties of
perjury this 3 day of 20, 2020.
June

NATHANIEL JAMES STEVENS
Notary Public, State of New York
Registration No. 01ST6349681
Qualified in Onondaga County
Commission Expires Oct. 24, 2020



(Notary Public)

End of Application

Onondaga County Industrial Development Agency



Project Summary

7/14/2020

1. Project	Ultra Dairy, LLC (Aseptic Processing 2020 Expansion)	2. Project Number	3101-20-14G
3. Location	Dewitt	4. School District	ESM
5. Tax Parcel(s)	042.-13-05.1	6. Project Type	Expansion
		Village	0

7. Total Project Cost	\$	28,537,023	8. Total Jobs	262
Land	\$	-	8A. Job Retention	198
Site Work	\$	606,000	8B: Job Creation	64
Building	\$	11,650,682	(Next 5 Years)	
Furniture & Fixtures	\$	-		
Equipment	\$	15,539,541		
Equipment Subject to NYS Production Exemption	\$	-		
Engineering/Architecture Fees	\$	601,000		
Financial Charges	\$	-		
Legal Fees	\$	-		
Other	\$	139,800		

Cost Benefit Analysis

Ultra Dairy, LLC (Aseptic Processing 2020 Expansion) Fiscal Impact (\$)

Abatement Cost	\$624,336
Sales Tax	\$400,000
Mortgage Tax	\$0
Property Tax Relief (PILOT)	\$224,336
New Investment	\$166,773,185
PILOT Payments	\$448,627
Project Wages (10 years)	\$136,438,785
Construction Wages	\$3,627,500
Employee Benefits (10 years)	\$13,643,878
Project Capital Investment	\$12,256,682
New Sales Tax Generated	\$0
Agency Fees	\$357,713

Benefit:Cost Ratio

267 :1

Project Description

Ultra Dairy is proposing to expand its existing facility by adding approximately 22,000 sq. ft. of aseptic processing area.

Ultra Dairy, LLC (Aseptic Processing 2020 Expansion)

7/7/2020

A) PILOTS Estimate Table Worksheet

for 12 years

OCIDA estimate of current market value					\$ 8,850,000
Projected investment					\$ 11,650,682
OCIDA estimate of increase in value					\$ 770,000
OCIDA estimated value after project is completed					\$ 9,620,000
Taxes that would have been collected if the project did not occur					\$ 4,514,839
Scheduled PILOT payments					\$ 4,661,977

PILOT YEAR (Town and County)	PILOT Year (School District)	Exemption %	Onondaga County	Dewitt	East Syracuse-Minoa	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
2022	2021-2022	100%	\$ 35,238	\$ 32,570	\$ 173,075	\$ 240,883	\$ 268,580	\$ 27,697
2023	2022-2023	100%	\$ 39,101	\$ 36,141	\$ 192,047	\$ 267,288	\$ 295,539	\$ 28,251
2024	2023-2024	100%	\$ 45,549	\$ 42,100	\$ 223,713	\$ 311,361	\$ 340,177	\$ 28,816
2025	2024-2025	90%	\$ 52,669	\$ 48,695	\$ 258,665	\$ 360,029	\$ 386,482	\$ 26,453
2026	2025-2026	80%	\$ 54,970	\$ 50,837	\$ 269,947	\$ 375,754	\$ 399,738	\$ 23,984
2027	2026-2027	70%	\$ 57,342	\$ 53,045	\$ 281,577	\$ 391,964	\$ 413,370	\$ 21,406
2028	2027-2028	60%	\$ 59,787	\$ 55,322	\$ 293,564	\$ 408,672	\$ 427,387	\$ 18,715
2029	2028-2029	50%	\$ 62,306	\$ 57,667	\$ 305,918	\$ 425,891	\$ 441,799	\$ 15,908
2030	2029-2030	40%	\$ 64,903	\$ 60,085	\$ 318,648	\$ 443,636	\$ 456,617	\$ 12,981
2031	2030-2031	30%	\$ 67,578	\$ 62,576	\$ 331,765	\$ 461,920	\$ 471,850	\$ 9,930
2032	2031-2032	20%	\$ 70,335	\$ 65,143	\$ 345,281	\$ 480,759	\$ 487,511	\$ 6,752
2033	2032-2033	10%	\$ 72,246	\$ 66,930	\$ 354,642	\$ 493,818	\$ 497,262	\$ 3,444
			\$ 682,023	\$ 631,112	\$ 3,348,842	\$ 4,661,977	\$ 4,886,312	\$ 224,336

Year						
	2020	2021	2022	2023	2024	2025
Job Targets						
Creation Goals		49	15	0	0	0
Total Employment Goals	198	247	262	262	262	262

This PILOT Schedule replaces all previous PILOT schedules regarding the associated parcels

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

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

Section I: Applicant Information

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

A) Applicant information-company receiving benefits:

Applicant Name: Ultra Dairy, LLC

Applicant Address: 2394 US Route 11, Lafayette, NY 13084

Phone: (315) 350-4836

Fax: (315) 471-0930

Website: byrnedairy.com

E-mail: jim.gosier@byrnedairy.com

Federal ID#: 20-0030743

NAICS: 311511

State and Year of Incorporation/Organization: NY 2003

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

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

Federal ID#: _____

State and Year of Incorporation/Organization: _____

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

B) Individual Completing Application:

Name: James Gosier

Title: General Counsel

Address: 2394 US Route 11, Lafayette, NY 13084

Phone: (315) 350-4836

Fax: (315) 71-0930

E-mail: jim.gosier@byrnedairy.com

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

Name: _____
Title: _____
Address: _____
Phone: _____ Cell Phone: _____
E-mail: _____

D) Company Counsel:

Name of Attorney: _____
Firm Name: _____
Address: _____
Phone: _____ Cell Phone: _____
E-mail: _____

E) Business Organization (check appropriate category):

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

Others (please specify): _____

Year Established: 2003

State in which Organization is established: NY

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

Name	% of ownership
Byrne Holdings, Inc*	85.3%
Nicholas Marsella	14.7%
*Shareholders: Carl V. Byrne, Mark V. Byrne, Thomas P. Byrne	40.90%/40.07%/8.08% respectively

G) Applicant Business Description:

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

Estimated % of sales within Onondaga County: <1%

Estimated % of sales outside Onondaga County but within New York State: 8%

Estimated % of sales outside New York State but within the U.S.: 92%

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

(*Percentage to equal 100%)

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

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

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

Please attach any explanations:

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

☒ Yes ☐ No

Section II: Project Information

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

Address: 6750 W. Benedict Road

Legal Address (if different): _____

City: East Syracuse

Village/Town: Dewitt

Zip Code: 13057

School District: East Syracuse Minoa

Tax Map Parcel ID(s): 042.-13-05.1

Current Assessed Value: \$8,850,000

Sq. Footage of Existing Building: 138,000

Census Tract: _____

- B) Type (Check all that apply):

☐ New construction

☒ Purchase of machinery and/or equipment

☒ Expansion/Addition to current facilities

☐ Brownfield/Remediated Brownfield

☐ Renovation of existing facility

☐ LEED Certification

☐ Acquisition of existing facility/property

☐ Other:

☐ Demolition and Construction

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

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

☒ (i) the size of the Project in square feet and a breakdown of square footage per each intended use;

☒ (ii) the size of the lot upon which the Project sits or is to be constructed;

☐ (iii) the current use of the site and the intended use of the site upon completion of the Project;

☒ (iv) the principal products to be produced and/or the principal activities that will occur on the Project site; and

☒ (v) an indication as to why the Applicant is undertaking the Project and the need for the requested benefits. **Please separately attach the description and any copies of site plans, sketches or maps.**

E) Select Project Type for all end users at Project site (you may check more than one):

**Please check any and all end users as identified below

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

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

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

G) Will the completion of the Project result in the removal of an industrial or manufacturing plant of the company from one area of the state to another area of the state OR in the abandonment of one or more plants or facilities of the company located within the state? Please explain if you answer "Yes" by attaching a response.

☐ Yes ☒ No

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

I) Environmental Information

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

Section III: Construction

A) Project Costs and Finances

Description of Costs	Total Budget Amount	% of Total Budget to be Procured in Onondaga County	Total Private Expenditure (should be less than or equal to total budget amount)
Land Acquisition			
Site Work/Demo	606,000		
Building Construction & Renovation	11,650,682		
Furniture & Fixtures			
Equipment	15,539,541		
Equipment Subject to NYS Production Sales Tax			
Engineering/Architect	601,000		
Financial Charges			
Legal			
Other	139,800		
Management/Developer Fees			
Total Project Cost	28,537,023		

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 \$ 28,537,023

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

Sources of Funds for Project Costs:

- | | |
|---|----------------------|
| 1. Bank Financing | \$ <u>12,000,000</u> |
| 2. Equity (excluding equity that is attributed to grants/tax credits) | \$ <u>11,528,681</u> |
| 3. Tax Exempt Bond Issuance (if applicable) | \$ _____ |
| 4. Taxable Bond Issuance (if applicable) | \$ _____ |

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

-Identify each state and federal grant/credit:

NYS ESD Capital Grant \$ 750,000

NYS ESD Jobs Tax Credits \$ 4,250,000

\$

6. Total Sources of Funds for Project Costs \$

C) Employment and Payroll Information

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

1. Are there people currently employed at the project site?
☒ Yes ☐ No If yes, provide number of FTE jobs at the facility: 198

2. Complete the following:

Estimate the number of FTE jobs to be retained as a result of this Project:	198
Estimate the number of construction jobs to be created by this Project:	125
Estimate the average length of construction jobs to be created (months):	8
Current annual payroll at facility:	\$10,900,000
Average annual growth rate of wages:	3%
Please list, if any, benefits that will be available to either full and/or part time employees:	Health, dental and vision insurance; supplemental life and 401(k)
Average annual benefit paid by the company (\$ or % salary) per FTE job:	8-10% (varies depending on coverage level)
Average growth rate of benefit cost:	5%
Amount or percent of wage employees pay for benefits:	2-6% (varies depending on coverage level)
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:	64

D) New Employment Benefits

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

Current & Planned Full Time Occupations (Job Titles)	Salary (Annual or Hourly)	Current Number of FTEs	Estimated Number of FTE Jobs added each year after project				
			Year 1	Year 2	Year 3	Year 4	Year 5
Operators	\$44,000	82	18	6			
Quality Assurance	\$49,000	15	6	2			
Inventory Specialist	\$37,000	22	10	2			
Maintenance Mechanic	\$74,000	29	6	2			
Logistics	\$54,000	14	3	1			
Processing	46,000	13	6	2			
Job Creation Subtotal			49	15			

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

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

E) Financial Assistance sought (estimated values):

☒ Real Property Tax Abatement (PILOT): _____

☐ Mortgage Recording Tax Exemption (.75% of amount mortgaged): _____

☒ Sales and Use Tax Exemption (4% Local, 4% State): \$400,000

☐ Tax Exempt Bond Financing (Amount Requested): _____

☐ Taxable Bond Financing (Amount Requested): _____

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

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

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

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

\$ 5,000,000

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

\$ 400,000

Section IV: Estimate of Real Property Tax Abatement Benefits

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

A) PILOTS Estimate Table Worksheet

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

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

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

Section V: Local Access Policy Agreement

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

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

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

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

I agree to the conditions of this agreement and certify all information provided regarding the construction and employment activities for the project as of 6/26/2020 (date).

Company: Ultra Dairy, LLC

Representative for Contract: James Gosier

Address: 2394 US Route 11 City: Lafayette State: NY Zip: 13084

Phone: (315) 350-4836 Email: jim.gosier@byrmedairy.com

Project Address: 6750 W. Benedict Road City: E. Syracuse State: NY Zip: 13057

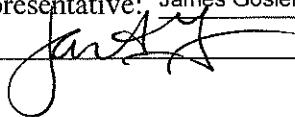
General Contractor: The Hayner Hoyt Company

Contact Person: Jeremy Thurston, President

Address: 628 Erie Boulevard West City: Syracuse State: NY Zip: 13204

Phone: (315) 455-5941 Email: jthurston@haynerhoty.com

Authorized Representative: James Gosier Title: General Counsel

Signature: 

Section VI: Agency Fee Schedule

Payment Terms:

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

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

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

<u>Benefit Sought</u>	<u>Fee Charged</u>
Mortgage Recording Tax and/or Sales Tax exemptions:	0.01 X the project cost
Additional Fee for PILOT Agreement Projects:	0.0025 X the project cost
Fee for bond financing, refinancing & refunding:	0.0025 X the project cost

Note: For Manufacturing Projects under \$10 million the fee is reduced by: 0.0025 X the project cost

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

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

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

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

Section VII: Recapture of Tax Abatement/Exemptions

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

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

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

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

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

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

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

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

- A project is not entitled to receive the benefits;
 - Exemptions received exceed the amount authorized by the Agency;
 - Exemptions are claimed by the Project for unauthorized property or services; or
 - A project fails to use property in the manner required by its IDA agreements.
1. **Distribution of Sales and Use Tax.** Project operators must cooperate with the Agency in its effort to recapture all sales and use tax benefits received by the Company by promptly paying the recapture amount as determined by the Agency. The amount to be recaptured will be dictated by State Law or this UTEP Policy, which ever may be applicable. The Agency shall remit the recaptured sales and use tax benefits to the State within 30 days of receipt.
 2. **Compliance Report.** Annually, the Agency will file an annual compliance report with the State of New York detailing its recapture terms and its activities to recapture benefits, including any attempt to recapture benefits from an Agency project.

A "Full Time Permanent Employee" shall mean

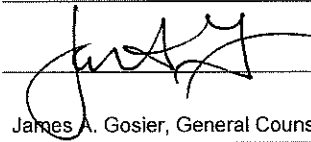
1. A full time, permanent, private sector employee on the Company's payroll, who has worked at the project location for a minimum of thirty hours per week for not less than four consecutive weeks and who is entitled to receive the usual and customary fringe benefits extended by Company to other employees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

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

Name of Applicant Company

Ultra Dairy, LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative: James A. Gosier, General Counsel

Date: 6/26/2020

Section VIII: Employment Plan

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

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

☐ Yes ☒ No

If yes, name and location: _____

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

☒ Yes ☐ No

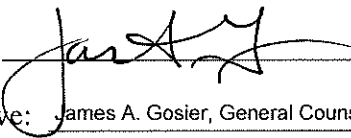
Enter Company Name in three (3) places below and sign by an authorized company officer:

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

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

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

Name of Applicant Company: Ultra Dairy, LLC

Signature of Officer or Authorized Representative: 

Name & Title of Officer or Authorized Representative: James A. Gosier, General Counsel

Date: 6/26/2020

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

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

Section IX: Conflict of Interest

Agency Board Members

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

Agency Officers/Staff

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

Agency Legal Counsel & Auditor

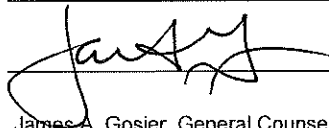
1. Jeffrey Davis, Esq., Barclay Damon LLP
2. Amanda Mirabito, Esq., Barclay Damon LLP
3. Michael G. Lisson, CPA, Grossman St. Amour Certified Public Accountants PLLC

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

Name of Applicant Company

Ultra Dairy, LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

James A. Gosier, General Counsel

Date: 6/26/2020

Section X: Representations, Certifications, and Indemnification

Carl V. Byrne (Name of CEO or other authorized representative of Applicant) confirms and says that he/she is the President (title) of Ultra Dairy, LLC (name of corporation or other entity) named in the attached Application (the "Applicant"), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and as follows:

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

meetings law.

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

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

H. The Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if financial assistance is provided for the proposed Project:

§ 862. Restrictions on funds of the Agency. (1) No funds of the Agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

I. The Applicant confirms and acknowledges that the owner, occupant or operator receiving financial assistance for the proposed Project is in substantial compliance with applicable local, state, and federal tax, worker protection and environmental laws, rules and regulations.

J. The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any financial assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement in the Project.

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

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

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

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

Name of Applicant Company

Ultra Dairy, LLC

Signature of Officer or Authorized Representative:

Name & Title of Officer or Authorized Representative:

Carl V. Byrne, President

Date: 6/2/2020

STATE OF NEW YORK

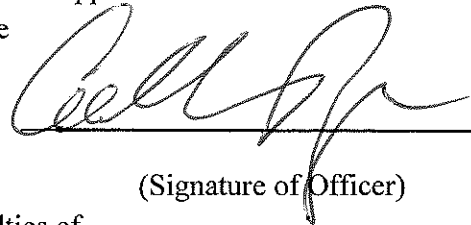
)

COUNTY OF ONONDAGA

)ss.;

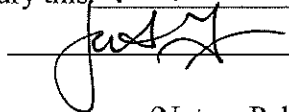
Carl V. Byrne, being first duly sworn, deposes and says:

1. That I am the President (Corporate Officer) of Ultra Dairy, LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read and attached Application, I Know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete



(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury this 29th day of June, 20 2020.



(Notary Public)

JAMES A. GOSIER
Notary Public, State of New York
No. 4889745
Qualified in Onondaga County
Commission Expires March 23, 20 23

End of Application

Rev 1-9-20

**Statement in Support of the Application of Ultra Dairy, LLC for
Economic Benefits from The Onondaga County Industrial Development Agency**

Section I (G):

Ultra Dairy, LLC (“Ultra”) was formed in 2003 as part of the Byrne Dairy family of companies. Ultra produces high quality dairy and non-dairy food products utilizing Ultra High Temperature (UHT) technology that results in extended shelf life (ESL) products. Ultra produces a variety of milk, cream and non-dairy products having shelf lives from 70 – 180 days. Ultra ships 92% of its finished products out of New York State for wholesale and retail sale.

Section I (H):

As a processor of milk and cream products, Ultra’s biggest raw material by far is milk and cream, much of it from local farms. Ultra works with family farms throughout Central New York and the Finger Lakes regions. Six of the largest farms Ultra works with are located in Onondaga County. As of May 31, 2020, Ultra had purchased nearly \$48 million in milk and cream in 2020. Examples of local vendors and raw material suppliers are as follows:

Vendor	Location	Material/Service	Spend YTD (as of 5/31/20)
Various Farms	Varies	Raw Milk/Cream	\$47,800,000
Sweeteners Plus	Lakeville, NY	Sweeteners	\$ 2,313,000
Packaging Corp. Of America	Solvay, NY	Corrugate	\$ 2,181,000
CHEP	Liverpool, NY	Pallets	\$ 905,000

Section I (J):

Since 2003, Ultra has been a party to a Payment in Lieu of Taxes (PILOT) Agreement with the Onondaga County Industrial Development Agency (OCIDA). Additionally, Ultra has requested and received exemptions from the NYS Mortgage Recording tax from OCIDA as part of its credit facilities with its lenders.

Section II (C):

See Section II(D) below.

Section II (D):

Ultra is situated on 22 +/- acres of land in the Town of Dewitt bounded by Fly Road on the West and I-481 on the East. Ultra is proposing to expand its existing 138,000 sq. ft. facility by adding approximately 22,000 sq. ft. of aseptic processing area.

Aseptic processing involves sterilization of the product and packaging which in turn allows for shelf life of up to one year without refrigeration. This advanced technology results in products that can be shipped across the United States and around the world. The ability to manufacture these products is particularly important in times like these when supply chains are stressed.

This project will involve capital expenditures of approximately \$28.5 million and will create a total of 64 new full time jobs. It is also anticipated that approximately 150 construction jobs will be created. Construction and equipment installation will take approximately 9 – 10 months.

Economic benefits from OCIDA in the forms of real property tax abatement (PILOT) and Sale and Use Tax exemptions are extremely important to the viability of the proposed project. A PILOT Agreement will provide Ultra with a steady and predictable vehicle for the payment its share of local services. Additionally, Ultra anticipates that it will expend approximately \$4.3 million on goods, materials and services that would otherwise be subject to state and local sales taxes. Exemptions from these taxes will allow Ultra to invest more of its own money into the project.



Onondaga County Industrial Development Agency



Project Summary

7/9/2020

1. Project	Abundant Solar Power (E1) LLC : 801 Peru Rd	2. Project Number	3101-20-13B
3. Location	Elbridge	4. School District	Jordan-Elbridge CSD
5. Tax Parcel(s)	029.-02-20.1	6. Project Type	Solar Development

7. Total Project Cost	\$	4,599,700	8. Total Jobs	0
Land	\$	-	8A. Job Retention	0
Site Work	\$	-	8B: Job Creation	0
Building	\$	-	(Next 5 Years)	
Furniture & Fixtures	\$	-		
Equipment	\$	2,394,700		
Equipment Subject to NYS Production Exemption	\$	-		
Engineering/Architecture Fees	\$	140,000		
Financial Charges	\$	35,000		
Legal Fees	\$	35,000		
Management Developer Fees	\$	70,000		
Other- Solar Installation Labor	\$	1,925,000		

Cost Benefit Analysis

Abundant Solar Power (E1) LLC : 801 Peru Rd

Fiscal Impact (\$)

Abatement Cost	\$	476,323
Sales Tax	\$	345,576
Mortgage Tax	\$	34,498
Property Tax Relief (PILOT)	\$	96,249
New Investment	\$	5,614,732
PILOT Payments	\$	212,898
Project Wages (10 years)	\$	-
Construction Wages	\$	743,638
Employee Benefits (10 years)	\$	-
Project Capital Investment	\$	4,599,700
New Sales Tax Generated	\$	-
Agency Fees	\$	58,496
Agency Legal Fees	\$	11,499

Benefit:Cost Ratio

12 :1

Project Description

Construct a Solar Development in the Town of Elbridge on land owned by the Town of Elbridge.

Abundant Solar Power (E1)LLC : 801 Peru Rd

6/23/2020

A) PILOTS Estimate Table Worksheet

Current Revenue Generated by Parcel \$ -

Expected Revenue from the Parcel if no project occurred \$ 89,788.27

Projected Year 1 Revenue to be generated as a result of the project: \$ 9,450

Total Project Cost \$ 4,599,700

OCIDA Estimate of Project Value \$ 598,675

Projected MW to be generated 2.7

Year	Onondaga County		Elbridge		Jordan-Elbridge CSD		Total PILOT		Full Tax Payment without PILOT		Net Exemption	
	15.0%		13.3%		71.7%		100.0%					
2019-2020	Property is currently Tax Exempt											
1	\$	1,417	\$	1,261	\$	6,773	\$	9,450	\$	2,803	\$	(6,647)
2	\$	1,445	\$	1,286	\$	6,908	\$	9,639	\$	2,859	\$	(6,780)
3	\$	1,474	\$	1,311	\$	7,047	\$	9,832	\$	2,916	\$	(6,915)
4	\$	1,503	\$	1,338	\$	7,187	\$	10,028	\$	2,975	\$	(7,054)
5	\$	1,533	\$	1,364	\$	7,331	\$	10,229	\$	3,034	\$	(7,195)
6	\$	1,564	\$	1,392	\$	7,478	\$	10,434	\$	3,095	\$	(7,339)
7	\$	1,595	\$	1,420	\$	7,627	\$	10,642	\$	3,157	\$	(7,485)
8	\$	1,627	\$	1,448	\$	7,780	\$	10,855	\$	3,220	\$	(7,635)
9	\$	1,660	\$	1,477	\$	7,936	\$	11,072	\$	3,284	\$	(7,788)
10	\$	1,693	\$	1,506	\$	8,094	\$	11,294	\$	3,350	\$	(7,944)
11	\$	1,727	\$	1,537	\$	8,256	\$	11,519	\$	3,417	\$	(8,102)
12	\$	1,761	\$	1,567	\$	8,421	\$	11,750	\$	3,485	\$	(8,264)
13	\$	1,797	\$	1,599	\$	8,590	\$	11,985	\$	3,555	\$	(8,430)
14	\$	1,832	\$	1,631	\$	8,761	\$	12,225	\$	3,626	\$	(8,598)
15	\$	1,869	\$	1,663	\$	8,937	\$	12,469	\$	3,699	\$	(8,770)
16	\$	1,906	\$	1,697	\$	9,115	\$	12,718	\$	32,006	\$	19,288
17	\$	1,945	\$	1,730	\$	9,298	\$	12,973	\$	32,646	\$	19,673
18	\$	1,983	\$	1,765	\$	9,484	\$	13,232	\$	33,299	\$	20,067
19	\$	2,023	\$	1,800	\$	9,673	\$	13,497	\$	33,965	\$	20,468
20	\$	2,064	\$	1,836	\$	9,867	\$	13,767	\$	34,644	\$	20,878
21	\$	2,105	\$	1,873	\$	10,064	\$	14,042	\$	35,337	\$	21,295
22	\$	2,147	\$	1,911	\$	10,265	\$	14,323	\$	36,044	\$	21,721
23	\$	2,190	\$	1,949	\$	10,471	\$	14,610	\$	36,765	\$	22,155
24	\$	2,234	\$	1,988	\$	10,680	\$	14,902	\$	37,500	\$	22,599
25	\$	2,278	\$	2,027	\$	10,894	\$	15,200	\$	38,250	\$	23,051
	\$	45,372	\$	40,375	\$	216,939	\$	302,686	\$	398,936	\$	96,249



ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPLICATION INSTRUCTIONS

1. Fill in all blanks, using “none”, “not applicable”, or “not available” where the question is not appropriate to the project, which is the subject of this Application (the “Project”). If you have any questions about the way to respond, please call the Agency at 315-435-3770.
2. If an estimate is given as the answer to a question, put “(est.)” after the figure or answer, which is estimated. If more space is needed to answer any specific question, attach a separate sheet.
3. If the OCIDA Board approves benefits, it is the company’s responsibility to obtain and submit all necessary forms and documents. (ST-60, PILOT Agreement)
4. When completed, return this Application by mail or fax to the Agency at the address indicated below. A signed application may also be submitted electronically in PDF format to Nate Stevens at nstevens@ongov.net. **An Application will not be considered by the Agency until the Application fee has been received.**
5. The Agency will not give final approval for this Application until the Agency receives a completed NYS Full Environmental Assessment Form concerning the Project, which is the subject of this Application. The form is available at <http://www.dec.ny.gov/permits/6191.html>.
6. Please note the Public officers Law declares all records in the possession of the OCIDA (with certain limited exceptions) are open to public inspection and copying. If the Applicant feels that there are elements of the Project which are in the nature of trade secrets which, if disclosed to the public or otherwise widely disseminated, would cause substantial injury to the Applicant’s competitive position, this Applicant must identify such elements in writing and request that such elements be kept confidential. In accordance with Article 6 of the Public Officer’s Law, the OCIDA may also redact personal, private, and/or proprietary information from publicly disseminated documents.
7. The Applicant will be required to pay the Agency Application fee and, if accepted as a project of the agency, all administrative and legal fees as stated in Section VI of the Application.
8. A complete application consists of the following 9 items:
 - This Application
 - Local Access Agreement
 - Employment Plan
 - Conflict of Interest
 - A feasibility statement indicating the need for the requested benefits
 - Description of project, Site Plans/Sketches, and Maps
 - NYS Full Environmental Assessment Form
 - A check payable to the Agency in the amount of \$1,000
 - A check payable to Barclay Damon LLP in the amount of \$2,500

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

Return to:

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

Section I: Applicant Information

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

A) Applicant information-company receiving benefits:

Applicant Name: Abundant Solar Power (E1) LLC

Applicant Address: 700 West Metro Park Rochester, NY 14623-2678

Phone: + 1 202 818 9194 Fax: N/A

Website: N/A E-mail: melissa.clark@abundantsolarenergy.com

Federal ID#: 83-3364686 NAICS: 2211

State and Year of Incorporation/Organization: State: New York State; Year: 2019

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

What is the name of the Real Estate Holding Company: not applicable

Federal ID#: not applicable

State and Year of Incorporation/Organization: not applicable

List of stockholders, members, or partners of Real Estate Holding Company:
not applicable

B) Individual Completing Application:

Name: Melissa Clark

Title: VP Business Development

Address: 2235 Sheppard Ave. East, Suite 900 Toronto, ON, M2J 5B5

Phone: 1-416-494-9559 ext. 104 Fax: N/A

E-mail: melissa.clark@abundantsolarenergy.com

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

Name: _____
Title: _____
Address: _____
Phone: _____ Cell Phone: _____
E-mail: _____

D) Company Counsel:

Name of Attorney: Daniel A. Spitzer
Firm Name: Hodgson Russ LLP
Address: 140 Pearl Street, Suite 100, Buffalo, NY 14202
Phone: 716.848.1420 Cell Phone: 716.472.4076
E-mail: DSpitzer@hodgsonruss.com

E) Business Organization (check appropriate category):

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

Others (please specify): _____
Year Established: 2019
State in which Organization is established: New York

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

Name	% of ownership
<u>Abundant Solar Power Inc.</u>	<u>100%</u>
_____	_____
_____	_____
_____	_____

G) Applicant Business Description:

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

See attached

Estimated % of sales within Onondaga County: 100%

Estimated % of sales outside Onondaga County but within New York State: 0%

Estimated % of sales outside New York State but within the U.S.: 0%

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

(*Percentage to equal 100%)

H) What percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Onondaga County. Include list of vendors, raw material suppliers and percentages for each. Provide supporting documentation including estimated percentages of local purchases. Please attach this information. The vendors haven't been decided, but we will direct the contractors to prioritize hiring from Onondaga County.

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

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

Please attach any explanations:

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

☐ Yes ☒ No

Section II: Project Information

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

Address: 801 Peru Road

Legal Address (if different): _____

City: N/A

Village/Town: Elbridge

Zip Code: 13080

School District: _____

Elbridge School District

Tax Map Parcel ID(s): 029.-02-20.1

Current Assessed Value: \$80,000

Sq. Footage of Existing Building: 0

Census Tract: 120

- B) Type (Check all that apply):

☒ New construction

☐ Purchase of machinery and/or equipment

☐ Expansion/Addition to current facilities

☐ Brownfield/Remediated Brownfield

☐ Renovation of existing facility

☐ LEED Certification

☐ Acquisition of existing facility/property

☐ Other:

☐ Demolition

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

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

☒ (i) the size of the Project in square feet and a breakdown of square footage per each intended use;

☒ (ii) the size of the lot upon which the Project sits or is to be constructed;

☒ (iii) the current use of the site and the intended use of the site upon completion of the Project;

☒ (iv) the principal products to be produced and/or the principal activities that will occur on the Project site; and

☒ (v) an indication as to why the Applicant is undertaking the Project and the need for the requested benefits. **Please separately attach the description and any copies of site plans, sketches, or maps.**

E) Select Project Type for all end users at Project site (you may check more than one):

****Please check any and all end users as identified below**

- | | |
|---|---|
| ☐ Industrial | ☐ Bank Office |
| ☐ Acquisition of Existing Facility | ☐ Retail |
| ☐ Housing | ☐ Mixed Use |
| ☐ Equipment Purchase | ☐ Facility for Aging |
| ☐ Multi-Tenant | ☐ Civic Facility (not for profit) |
| ☐ Commercial | ☒ Other <u>Solar Farm/Town of Elbridge Municipal site</u> |

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

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

G) Will the completion of the Project result in the removal of an industrial or manufacturing plant of the company from one area of the state to another area of the state OR in the abandonment of one or more plants or facilities of the company located within the state? Please explain if you answer "Yes" by attaching a response.

☐ Yes ☒ No

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

I) Environmental Information

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

Section III: Construction

A) Project Costs and Finances

Description of Costs	Total Budget Amount	% of Total Budget to be Procured in Onondaga County	Total Private Expenditure (should be less than or equal to total budget amount)
Land Acquisition			
Site Work/Demo			
Building Construction & Renovation			
Furniture & Fixtures			
Equipment	\$2,394,700		\$2,394,700
Equipment Subject to NYS Production Sales Tax			
Engineering/Architect	\$140,000		\$140,000
Financial Charges	\$35,000		\$35,000
Legal	\$35,000		\$35,000
Other-solar installation labor	\$1,925,000		\$1,925,000
Management/Developer Fees	\$70,000		\$70,000
Total Project Cost	\$4,599,700		\$4,599,700

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

B) TOTAL Capital Costs \$ 4,599,700

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

Sources of Funds for Project Costs:

- | | |
|---|---------------------|
| 1. Bank Financing | \$ <u>3,679,760</u> |
| 2. Equity (excluding equity that is attributed to grants/tax credits) | \$ <u>919,940</u> |
| 3. Tax Exempt Bond Issuance (if applicable) | \$ <u>0</u> |
| 4. Taxable Bond Issuance (if applicable) | \$ <u>0</u> |

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

-Identify each state and federal grant/credit:

_____ \$ _____
 _____ \$ _____
 _____ \$ _____

6. Total Sources of Funds for Project Costs \$ 4,599,700

c) Employment and Payroll Information

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

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

2. Complete the following:

Estimate the number of FTE jobs to be retained as a result of this Project:	0
Estimate the number of construction jobs to be created by this Project:	41
Estimate the average length of construction jobs to be created (months):	5 months
Current annual payroll at facility:	
Average annual growth rate of wages:	Standard Inflation
Please list, if any, benefits that will be available to either full and/or part time employees:	N/A
Average annual benefit paid by the company (\$ or % salary) per FTE job:	N/A
Average growth rate of benefit cost:	N/A
Amount or percent of wage employees pay for benefits:	N/A
Provide an estimate of the number of residents in the Economic Development Region (Onondaga, Madison, Cayuga, Oneida, Oswego, and Cortland Counties) to fill new FTE jobs:	

D) New Employment Benefits

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

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

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

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

E) Financial Assistance sought (estimated values):

- ☒ Real Property Tax Abatement (PILOT): PILOT: \$3,500/MWac x 2.7 MWac=\$9,450 annually
- ☒ Mortgage Recording Tax Exemption (.75% of amount mortgaged): \$34,497.75
- ☒ Sales and Use Tax Exemption (4% Local, 4% State): \$345,576
- ☐ 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): \$ 0

Estimated Mortgage Recording Tax Exemption Benefit (product of
mortgage amount as indicated above multiplied by .0075): \$ 0

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

\$ 4,319,700

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

\$ 345,576

Section IV: Estimate of Real Property Tax Abatement Benefits*** and Percentage of Project Costs Financed from Public Sector Sources

** 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.

A) PILOTS Estimate Table Worksheet

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

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

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

Section V: Local Access Policy Agreement

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

Noncompliance may result in the revoking 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 Abundant Solar Power (E1) LLC (the Company) understands the Local Access Policy and agrees to complete Appendix C of the Agency's application at the time of the application to the Agency and as part of a request to extend the valid date of the Agency's tax-exempt certificate for the Project. The Company understands an Agency tax-exempt certificate is valid for 12 months from the effective date of the project inducement and extended thereafter upon request by the Company. The Company further understands any request for a waiver to this policy must be submitted in writing and approved by the Agency before a tax exempt certificate is issued or extended.

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 2, 2020 (date).

Company: Abundant Solar Power (E1) LLC
Representative for Contract: Richard Lu
Address: 700 West Metro Park City: Rochester State: NY Zip: 14623
Phone: 1 416 494 9559 Email: richard.lu@abundantsolarenergy.com
Project Address: 801 Peru Road City: Town of Elbridge State: NY Zip: 13080

General Contractor: Hewitt Young Electric LLC
Contact Person: Mark Spall
Address: 645 Maple St City: Rochester State: NY Zip: 14611
Phone: 585-509-2598 Email: mark.hewittyoung.com
Authorized Representative: _____ Title: President
Signature: _____

Section VI: Agency Fee Schedule

Payment Terms:

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

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

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

Fee for Manufacturing Projects under \$10 million:	0.0075 of the project cost
Fee for Agency Projects except those with PILOT agreements:	0.01 of the project cost
Additional Fee for PILOT Agreement Projects:	0.0025 of the project cost
Fee for bond refinancing & refunding:	0.0025 of the refinancing or refunding amount.

Agency Legal Fees: The project cost is the total project cost from section III A

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

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

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

Section VII: Recapture of Tax Abatement/Exemptions

Information to be Provided by Companies: The Companies that receive benefits from OCIDA agree, whenever requested by the agency, to provide and certify or cause to be certified such information concerning the Company, its finances and other topics as the Agency from time to time reasonably considers 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. The Company also agrees to provide and certify information concerning its finances and other topics as the agency considers appropriate. This is primarily done through an annual survey.

Recapture of Benefits: It is the policy of the Agency to recapture the value of Payment in Lieu of Taxes (PILOT), State and County Sales Tax, and Mortgage Recording Tax Exemptions in accordance with the provisions contained herein and the Laws of the State of New York. Before receiving benefits, projects of the Agency must attest in writing to their understanding of an agreement to the Recapture Provisions of the Agency Uniform Tax Exemption Policy. The recapture provision contained herein may be modified from time to time by the Board at its sole discretion.

Recapture of a PILOT, Sales Tax and the Mortgage Recording Tax Exemptions: In the event the facility is sold or closed, or the number of jobs is below 75% of the number projected to be employed at time of application to the Agency, or there are material violations of the project agreements and no substantial future economic benefit is likely to accrue to the community, then the value of the Property Tax, Sales Tax and the Mortgage Recording Tax benefits extended to the project by the Agency shall be subject to recapture.

Recapture Payment: The Recapture payment paid by the Project to the Agency shall be determined (1) by the difference between any PILOT payments made by the Project and the property taxes that would be paid by the Project, if the property were not in the ownership or control of the Agency, (2) the value of any Mortgage Recording Tax Exemption, if awarded to the Project and (3) the amount of sales tax that would have been paid if an exemption was not granted.

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

Time from Project Completion	Tax Savings Recaptured
2 Years	100%
3 Years	80%
4 Years	60%
5 Years	40%
6 Years	30%
7 Years	20%
8 Years	10%
8 Years or more	0%

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

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

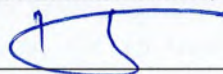
- A project is not entitled to receive the benefits;
 - Exemptions received exceed the amount authorized by the Agency;
 - Exemptions are claimed by the Project for unauthorized property or services; or
 - A project fails to use property in the manner required by its IDA agreements.
1. Distribution of Sales Tax. Project operators must cooperate with the Agency in its effort to recapture all sales tax benefits received by the company by promptly paying the recapture amount as determined by the Agency. The amount to be recaptured will be dictated by NYS Law or IDA Policy which ever may be applicable. The Agency must remit the recaptured sales tax benefits to the State of New York within 30 days of receipt.
 2. Compliance Report. Annually, the Agency will file an annual compliance report with the State of New York detailing its recapture terms and its activities to recapture benefits, including the any attempt to recapture benefits from an Agency project.

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

Abundant Solar Power (E1) LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative: Richard Lu,

CEO&President

Date: June 2, 2020

of Abundant Solar Power Inc, the sole member
of Abundant Solar Power (E1) LLC

Section VIII: Employment Plan

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

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

☐ Yes ☒ No

If yes, name and location: _____

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

☒ Yes ☐ No

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

In consideration of the benefits provided by the Onondaga County Industrial Development Agency (OCIDA), Abundant Solar Power (E1) LLC project beneficiary, also agrees to report to OCIDA on the number of new employment opportunities created in connection with industrial or commercial projects financed by the proceeds of such benefits to be listed with the New York State Department of Labor Business Services and CNY Works.

Abundant Solar Power (E1) LLC project beneficiary, also agrees to report to OCIDA on or before March 1 of each year of status of employment opportunities filed with the New York State Department of Labor Business Services, including the number of new employment opportunities created, the number listed, and the number filled for the year ending the prior December 31.

Abundant Solar Power (E1) LLC project beneficiary, further agrees that, to the extent practicable and feasible, and subject to the requirements of any existing collective bargaining agreement, shall fill at least 10% of new employment opportunities with persons eligible for service under the Workforce Innovation and Opportunity Act of 2014.

Name of Applicant Company: Abundant Solar Power (E1) LLC

Signature of Officer or Authorized Representative: _____

Name & Title of Officer or Authorized Representative: Richard Lu,

CEO & President

Date: June 2, 2020

of Abundant Solar Power Inc, the sole member of
Abundant Solar Power (E1) LLC

NYS Department of Labor:

Roy Jewell

Associate Business Service Representative

450 South Salina Street, Syracuse, NY 13202 315-479-3362

roy.jewell@labor.ny.gov

www.labor.ny.gov

CNY Works

Chris Kennedy

Business Development Specialist

960 James Street, Syracuse, NY 13203

315-477-6974

ckennedy@cnyworks.com

www.cnyworks.com

Section IX: Conflict of Interest

Agency Board Members

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

Agency Officers/Staff

1. Robert M. Petrovich
2. Nathaniel Stevens
3. Genevieve A. Suits
4. Karen Doster
5. Chris Cox

Agency Legal Counsel & Auditor

1. Anthony Rivizzigno, Esq., Barclay Damon LLP
2. 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

Abundant Solar Power (E1) LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

Richard Lu,

Date: June 2, 2020

CEO&President

of Abundant Solar Power Inc, the sole member
of Abundant Solar Power (E1) LLC

Section X: Representations, Certifications, and Indemnification

Richard Lu (Name of CEO or other authorized representative of Applicant) confirms and says that he/she is the President (title) of Abundant Solar Power Inc, the sole member of Abundant Solar Power (EI) LLC (name of corporation or other entity) named in the attached Application (the "Applicant"), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and as follows:

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

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

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

H. The Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if financial assistance is provided for the proposed Project:

§ 862. Restrictions on funds of the Agency. (1) No funds of the Agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one of more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

I. The Applicant confirms and acknowledges that the owner, occupant, or operator receiving financial assistance for the proposed Project is in substantial compliance with applicable local, state, and federal tax, worker protection and environmental laws, rules and regulations.

J. The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any financial assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement in the Project.

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

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

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

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

Name of Applicant Company

Abundant Solar Power (E1) LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

Richard Lu,
President&CEO

Date: June 2, 2020

of Abundant Solar Power Inc, the sole member of
Abundant Solar Power (E1) LLC

STATE OF NEW YORK)

COUNTY OF ONONDAGA)ss.;

Richard Lu

, being first duly sworn, deposes and says:

Abundant Solar Power Inc, the sole member

1. That I am the President (Corporate Office) of Abundant Solar Power (E1) LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.

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



(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury this 2nd day of June, 2020.

Rachel Clar
Rachel Clar

(Notary Public)

Notary : NYS, Monroe County
Registration No. 02CL6117437

End of Application

my commission expires 10/25/20

Attachment

Section I

G. Applicant Business Description

Abundant Solar Power (E1) LLC is a project company set up to hold only one project, which is the 2.7 MW ac community distributed solar project located at 801 Peru Road in the town of Elbridge, county of Onondaga. The project will generate renewable energy for the surrounding community. The ultimate ownership of this LLC along with the project is going to be transferred to Solarize NY Holdings, LLC before construction starts.

Section II

C. summary of how this project will help your business grow?

The project is estimated to generate approximately \$390k annually by selling electricity to the nearby community. A NYESRDA grant of approximately \$951k is also awarded to the project.

D. Description of Project

The Entire fenced area of the project is about 618,552 square foot, of which 474,804 square foot will be used to install solar arrays. The project sits on a 176.4 Acres land parcel with the tax ID: 029.-02-20.1. The current site is a landfill owned by the Town of Elbridge. After the completion of the project the site would be used to as a community distributed generation solar system. This will be a 2.7 MW AC array and it will generate renewable solar energy for the surrounding community. There is a high level of environmental awareness in the Onondaga County and Town of Elbridge, thus a high demand for access to and benefits from renewable energy. To meet this demand, the applicant is partnering with Central New York Regional Planning and Development Board to develop the project.

H. Description of any compelling circumstances the Agency should be aware of while reviewing this application

This project is intended to supply electricity to approximately 456 homes in the town of Elbridge and Onondaga County within load zone C. It will save approx. \$2 million on residents' bills through 25 year operation. However, we are facing both capital cost increase and incentive decline.

In early October 2019, the Office of the U.S. Trade Representative announced that it is eliminating the exclusion of bifacial solar panels from the 25% tariff on imported solar products. This change in policy brings the cost of project up by approximately \$320k. Plus the Department of Commerce is investigating potential tariffs on steel components used in transformers, the accumulative effect of U.S. import tariffs is mounting.

Regarding incentive, ITC (Investment Tax Credit) has decreased from 30% to 26% on January 1st, 2020. And it will drop further to 22% in year 2021.

Thus, to make the project feasible, we hope the project can be moved forward in a very timely manner.

EXHIBIT A

DESCRIPTION OF PROPERTY

801 Peru Road
Town of Elbridge
County of Onondaga
Tax Parcel No. _____

[Metes and bounds description to be inserted, if available]

DESCRIPTION OF PREMISES

[To be inserted upon receipt of metes and bound description]

EXHIBIT A-1

Preliminary Depiction of Lease Area

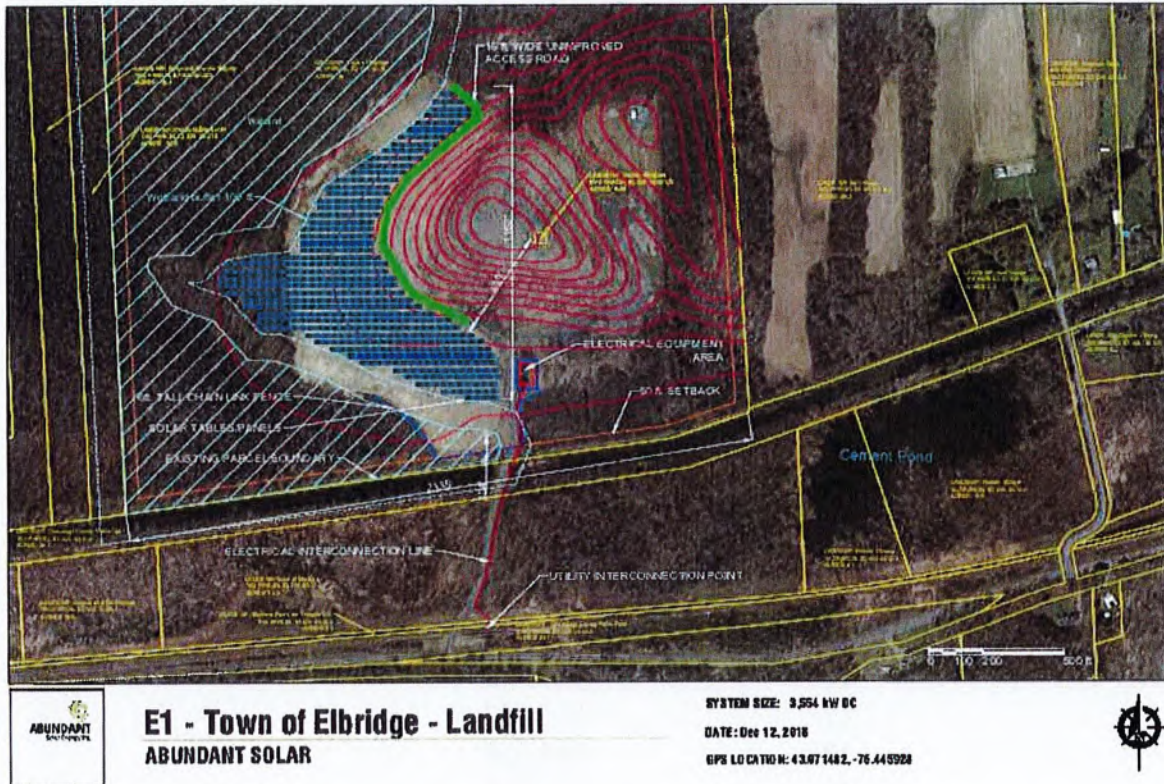


EXHIBIT B

Year	Base Lease Payment to Elbridge w/ 1% annual escalator
1	\$13,558
2	\$13,693
3	\$13,830
4	\$13,969
5	\$14,108
6	\$14,249
7	\$14,392
8	\$14,536
9	\$14,681
10	\$14,828
11	\$14,976
12	\$15,126
13	\$15,277
14	\$15,430
15	\$15,584
16	\$15,740
17	\$15,897
18	\$16,056
19	\$16,217
20	\$16,379
21	\$16,543
22	\$16,708
23	\$16,875
24	\$17,044
25	\$17,215

ABUNDANT Solar Power Inc.

700 West Metro Park
Rochester, NY 14623-2678
Tel: 1 416 494 9559
www.abundant.solar



Employment plan

Abundant Solar plans to hire 41 jobs to complete construction of the project. The construction is expected to last 5 months. There will be no FTE permanent employment that can be attributed to this specific site, but the application will retain the services on a Specialized solar property management company to maintain portfolio of properties in Central New York.

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Conflict of Interest

Abundant Solar Power Inc. has no conflict of Interest.

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Feasibility Statement

Abundant Solar plans to finance this project by 20% equity and 80% bank loan. Currently, we are facing both capital cost increase and incentive decline, which have negative impact on the feasibility.

In early October 2019, the Office of the U.S. Trade Representative announced that it is eliminating the exclusion of bifacial solar panels from the 25% tariff on imported solar products. This change in policy brings the cost of project up by approximately \$320k. Plus the Department of Commerce is investigating potential tariffs on steel components used in transformers, the accumulative effect of U.S. import tariffs is mounting.

Regarding incentive, ITC (Investment Tax Credit) has decreased from 30% to 26% on January 1st, 2020. And it will drop further to 22% in year 2021.

Thus, to make the project feasible, we hope the project can be moved forward in a very timely manner.

Introduction

The purpose of this study is to investigate the effects of the proposed system on the performance of the system. The study is divided into two main parts: a theoretical analysis and an experimental evaluation. The theoretical analysis is based on the principles of the system and the results of previous studies. The experimental evaluation is based on the results of a series of experiments conducted under controlled conditions. The results of the study are presented in the following sections.

The first part of the study is a theoretical analysis of the system. This part is based on the principles of the system and the results of previous studies. The second part of the study is an experimental evaluation of the system. This part is based on the results of a series of experiments conducted under controlled conditions. The results of the study are presented in the following sections.

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Description of Project

The Entire fenced area of the project is about 618,552 square foot, of which 474,804 square foot will be used to install solar arrays. The project sits on a 176.4 Acres land parcel with the tax ID: 029.-02-20.1. The current site is a landfill owned by the Town of Elbridge. After the completion of the project the site would be used to as a community distributed generation solar system. This will be a 2.7 MW AC array and it will generate renewable solar energy for the surrounding community. There is a high level of environmental awareness in the Onondaga County and Town of Elbridge, thus a high demand for access to and benefits from renewable energy. To meet this demand, the applicant is partnering with Central New York Regional Planning and Development Board to develop the project.



SYSTEM SIZE: 3,554 kW DC
 DATE: Dec 12, 2018
 GPS LOCATION: 43.071482, -76.445928

E1 - Town of Elbridge - Landfill

ABUNDANT SOLAR



Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Town of Elbridge - Community Solar Farm (E1)		
Project Location (describe, and attach a general location map): 801 Peru Rd, Village of Jordan, Onondaga County, NY 13080		
Brief Description of Proposed Action (include purpose or need): Abundant Solar Power, Inc. is developing plans for a 3.5-MW solar power photo-voltaic plant on a 176.4-acre lot that currently contains a capped landfill and mainly treed land (Tax parcel # 029.-02-20.1). The project will generate clean renewable energy for the local community and surrounding areas. The plant will consist of approximately 576 tables holding between 16 to 18 panels per table. This Project will yield a panel count of approximately 10,368, and the solar panels will cover approximately 10.9 acres of the project site. The solar table modules will be free-standing structures utilizing a ballast system as to not penetrate any ground on the closed landfill located in the South-West Corner of the property on the landfill with with a gentle incline. To operate the plant, one transformer pad and one main switch gear pad will be installed on concrete pads in addition to electrical lines (overhead and underground). A new 16-foot wide gravel access road will also be constructed from the existing access road to the eastern portion of the site. Additionally, for safety purposes an 6-foot high chain-link fence will be installed along the southern portion of the array, where the property's road connects to the municipal road. The maximum extent of ground disturbance will be approximately 1.6 acres.		
Name of Applicant/Sponsor: Abundant Solar Power Inc.	Telephone: 1-416-494-9559 ext.104 E-Mail: melissa.clark@abundantsolarenergy.com	
Address: 700 West Metro Park		
City/PO: Rochester	State: New York	Zip Code: 14623
Project Contact (if not same as sponsor; give name and title/role):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Town of Elbridge	Telephone: 315-689-6607 E-Mail: supervisor@townofelbridge.com	
Address: 5 Route 31, P.O. Box 568		
City/PO: Jordan	State: New York	Zip Code: 13080

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, ☒ Yes ☐ No or Village Board of Trustees	Town Board - Land Lease and Power Purchase Agreements	Pending
b. City, Town or Village Planning Board or Commission ☒ Yes ☐ No	Town Planning Board - Site Plan & Building Permit	Pending
c. City Council, Town or Village Zoning Board of Appeals ☐ Yes ☐ No		
d. Other local agencies ☐ Yes ☐ No		
e. County agencies ☐ Yes ☐ No		
f. Regional agencies ☐ Yes ☐ No		
g. State agencies ☒ Yes ☐ No	NYSDERDA - Funding; NYSDEC - SPDES Permit; SHPO Sign-Off	Pending
h. Federal agencies ☒ Yes ☐ No	U.S. Army Corps. - Wetland Permit (potential)	Pending
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		☐ Yes ☒ No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		☐ Yes ☒ No
iii. Is the project site within a Coastal Erosion Hazard Area?		☐ Yes ☒ No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☒ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☐ Yes ☒ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐ Yes ☒ No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district? Industrial _____	☒ Yes ☐ No
b. Is the use permitted or allowed by a special or conditional use permit?	☒ Yes ☐ No
c. Is a zoning change requested as part of the proposed action? If Yes, i. What is the proposed new zoning for the site? _____	☐ Yes ☒ No
C.4. Existing community services.	
a. In what school district is the project site located? JORDAN-ELBRIDGE	
b. What police or other public protection forces serve the project site? New York State Police, Onondaga County Sherriff	
c. Which fire protection and emergency medical services serve the project site? Jordan Volunteer Department, Mottville Volunteer Fire Department,	
d. What parks serve the project site? Erie Canal Trail-way, Seymour Lofft Park, Carpenters Brook Meadow	

D. Project Details

D.1. Proposed and Potential Development	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? 5.9 MW Community Distributed Generation solar array	
b. a. Total acreage of the site of the proposed action? _____	14.2 acres
b. Total acreage to be physically disturbed? _____	1.6 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____	0 acres
Lease and PPA in negotiation when signed size will be finalized.	
c. Is the proposed action an expansion of an existing project or use? i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____	☐ Yes ☒ No
d. Is the proposed action a subdivision, or does it include a subdivision? If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____	☐ Yes ☒ No
ii. Is a cluster/conservation layout proposed? _____	☐ Yes ☐ No
iii. Number of lots proposed? _____	
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will proposed action be constructed in multiple phases? i. If No, anticipated period of construction: _____ months	☐ Yes ☒ No
ii. If Yes: • Total number of phases anticipated _____ • Anticipated commencement date of phase 1 (including demolition) _____ month _____ year • Anticipated completion date of final phase _____ month _____ year • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____	

f. Does the project include new residential uses? ☐ Yes ☒ No				
If Yes, show numbers of units proposed.				
<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>	
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☒ Yes ☐ No	
If Yes,	
i. Total number of structures <u>+/-576</u>	
ii. Dimensions (in feet) of largest proposed structure: <u>9.8</u> height; <u>3.3</u> width; and <u>12.4</u> length	
iii. Approximate extent of building space to be heated or cooled: _____ 0 square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☒ No	
If Yes,	
i. Purpose of the impoundment: _____	
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____	
iii. If other than water, identify the type of impounded/contained liquids and their source. _____	
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐ Yes ☒ No	
If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
• Volume (specify tons or cubic yards): _____ • Over what duration of time? _____	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____	
iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No	
If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? ☐ Yes ☐ No	
ix. Summarize site reclamation goals and plan: _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☒ No	
If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☒ No
If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No
If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No
If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☒ No
If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☒ No
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

• Do existing sewer lines serve the project site? _____ • Will line extension within an existing district be necessary to serve the project? _____ If Yes: • Describe extensions or capacity expansions proposed to serve this project: _____	☐ Yes ☐ No ☐ Yes ☐ No	
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____ If Yes: • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____	☐ Yes ☒ No	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans): _____		
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____		
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____ If Yes: i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or _____ 0.2 acres (impervious surface) _____ Square feet or _____ 36 acres (parcel size) ii. Describe types of new point sources. <u>no new point source. ground disturbance and the creation of impervious surface is minimized</u> iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____ <u>Nearby surface water body identified. Storm water will most likely be directed to the canal or drainage nearby. There will be natural run-off to adjacent properties due to the elevation nature of the site. Storm water run-off impact remains minimal</u> • If to surface waters, identify receiving water bodies or wetlands: _____ <u>Cement pond located southeast of property</u> • Will stormwater runoff flow to adjacent properties? _____	☒ Yes ☐ No ☒ Yes ☐ No	
iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	☒ Yes ☐ No	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____ If Yes, identify: i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____ ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____ iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____	☐ Yes ☒ No	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____ If Yes: i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____ ii. In addition to emissions as calculated in the application, the project will generate: • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)		☐ Yes ☒ No ☐ Yes ☐ No

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No			
If Yes: i. Estimate methane generation in tons/year (metric): _____ ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____			
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No			
If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____ _____			
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☒ No			
If Yes: i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend ☐ Randomly between hours of _____ to _____. ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____ iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____ iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____ _____ vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No			
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☒ No			
If Yes: i. Estimate annual electricity demand during operation of the proposed action: _____ ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____ iii. Will the proposed action require a new, or an upgrade to, an existing substation? ☐ Yes ☐ No			
l. Hours of operation. Answer all items which apply. <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> i. During Construction: • Monday - Friday: _____ Potentially 7am - 6pm • Saturday: _____ Minimal if any • Sunday: _____ Minimal if any • Holidays: _____ Minimal if any </td> <td style="width: 50%; vertical-align: top;"> ii. During Operations: • Monday - Friday: _____ 24 hours a day • Saturday: _____ 24 hours a day • Sunday: _____ 24 hours a day • Holidays: _____ 24 hours a day </td> </tr> </table>		i. During Construction: • Monday - Friday: _____ Potentially 7am - 6pm • Saturday: _____ Minimal if any • Sunday: _____ Minimal if any • Holidays: _____ Minimal if any	ii. During Operations: • Monday - Friday: _____ 24 hours a day • Saturday: _____ 24 hours a day • Sunday: _____ 24 hours a day • Holidays: _____ 24 hours a day
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m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☒ Yes ☐ No If yes: i. Provide details including sources, time of day and duration: Intermittent construction noise could exceed existing ambient noise levels for short periods of time during daytime construction activities. Once operational, noise levels exceeding the existing ambient noise levels are not anticipated.	☒ Yes ☐ No
ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☒ No Describe: _____	☐ Yes ☒ No
n.. Will the proposed action have outdoor lighting? ☐ Yes ☒ No If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____	☐ Yes ☒ No
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No Describe: _____	☐ Yes ☐ No
o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☒ No If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____	☐ Yes ☒ No
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☒ No If Yes: i. Product(s) to be stored _____ ii. Volume(s) _____ per unit time _____ (e.g., month, year) iii. Generally describe proposed storage facilities: _____	☐ Yes ☒ No
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☒ No If Yes: i. Describe proposed treatment(s): _____	☐ Yes ☒ No
ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No	☐ Yes ☐ No
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☒ Yes ☐ No If Yes: i. Describe any solid waste(s) to be generated during construction or operation of the facility: • Construction: _____ 1,200 cubic yard per _____ 8 months _____ (unit of time) • Operation : _____ 0 tons per _____ (unit of time) ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste: • Construction: <u>Construction debris of disposable wrapping and containers will be recycled when appropriate.</u> • Operation: <u>N/A</u> iii. Proposed disposal methods/facilities for solid waste generated on-site: • Construction: <u>A standard 40-cubic yard dumpster will be available on-site, which will be emptied out once a week. The removed materials will be transported to a landfill.</u> • Operation: <u>N/A</u>	☒ Yes ☐ No

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)

☒ Forest ☒ Agriculture ☐ Aquatic ☒ Other (specify): Capped Landfill

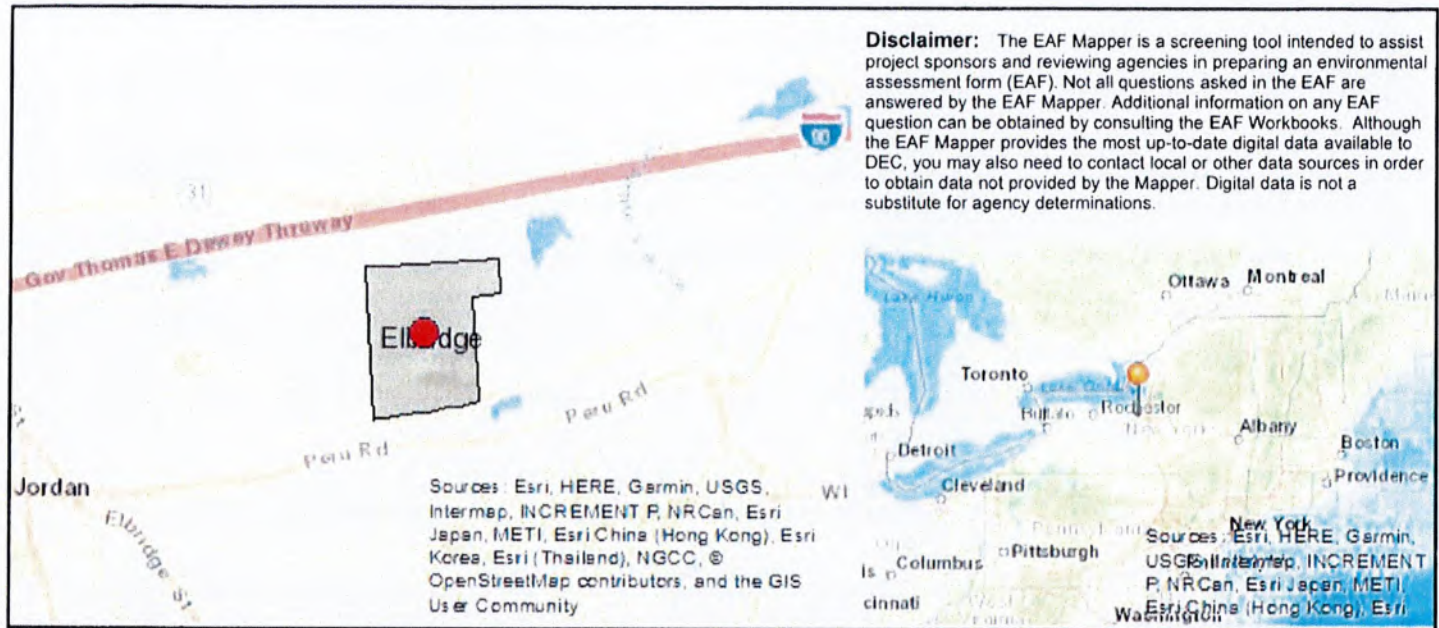
ii. If mix of uses, generally describe: _____

b. Land uses and coverts on the project site.

Land use or Coverttype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other <u>Capped Landfill</u> Describe: <u>Solar Panel covered over grass</u>	0	10.9	+10.9

c. Is the project site presently used by members of the community for public recreation? <i>i. If Yes: explain:</i> _____	☐ Yes ☒ No
d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? If Yes, <i>i. Identify Facilities:</i> _____ _____	☐ Yes ☒ No
e. Does the project site contain an existing dam? If Yes: <i>i. Dimensions of the dam and impoundment:</i> • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet <i>ii. Dam's existing hazard classification:</i> _____ <i>iii. Provide date and summarize results of last inspection:</i> _____ _____	☐ Yes ☒ No
f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? If Yes: <i>i. Has the facility been formally closed?</i> • If yes, cite sources/documentation: NYS DEC Inactive Solid Waste Facilities <i>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:</i> The proposed solar array will be installed on top of the closed landfill capping system. _____ <i>iii. Describe any development constraints due to the prior solid waste activities:</i> _____ Design and construction considerations will ensure that the existing capping system is not compromised.	☒ Yes ☐ No ☒ Yes ☐ No
g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? If Yes: <i>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:</i> _____ _____	☐ Yes ☒ No
h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? If Yes: <i>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:</i> ☐ Yes – Spills Incidents database Provide DEC ID number(s): _____ ☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____ ☐ Neither database <i>ii. If site has been subject of RCRA corrective activities, describe control measures:</i> _____ _____ <i>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?</i> If yes, provide DEC ID number(s): _____ <i>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):</i> _____ _____	☐ Yes ☒ No ☐ Yes ☒ No ☐ Yes ☒ No

m. Identify the predominant wildlife species that occupy or use the project site: squirrels, rabbits, raccoons, woodchucks frogs, and snakes. chipmunks, rodents, deer, foxes, coyote, songbirds, crows, raptors,	
n. Does the project site contain a designated significant natural community? ☐ Yes ☒ No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☒ No	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☒ No	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☒ No If yes, give a brief description of how the proposed action may affect that use: _____	
E.3. Designated Public Resources On or Near Project Site	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☒ No If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☒ No i. If Yes: acreage(s) on project site? 39.9 ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☒ No If Yes: i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☒ No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Wetlands Name]	NYS Wetland, Federal Waters
E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres):734.8
E.2.h.iv [Surface Water Features - DEC Wetlands Number]	JOR-10
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No

E.2.i. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer, Primary Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

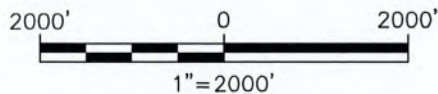
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SOURCE: GOOGLE EARTH



QUADRANGLE LOCATION



TRUE OR CALLED NORTH

**Barton
&Loguidice**

ABUNDANT SOLAR ENERGY INC.
 TOWN OF ELBRIDGE
 COMMUNITY SOLAR FARM (E1)
 SITE LOCATION PLAN

Figure Number
FIG NO. 1

Project Number
 2143.001.001

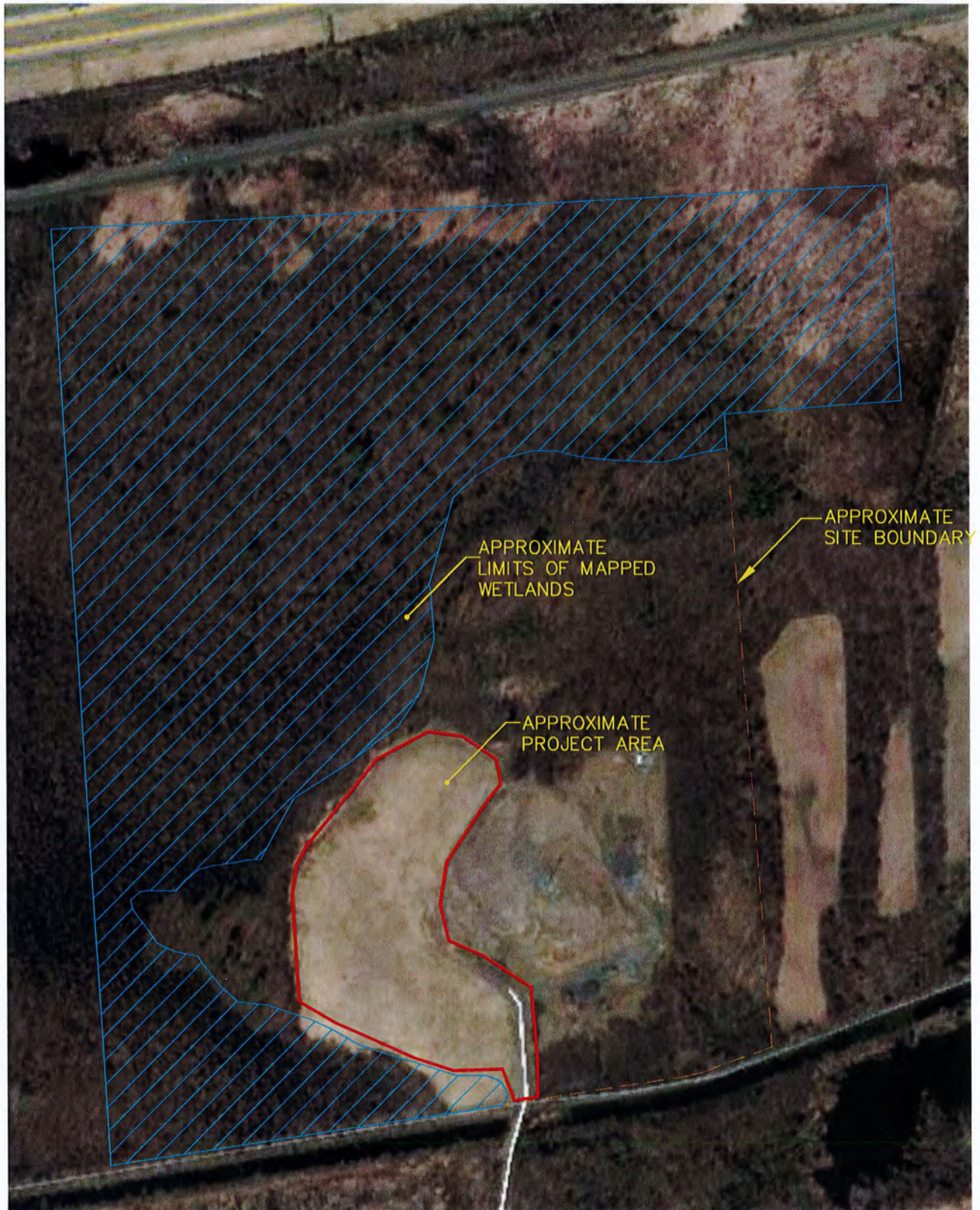
Date
 NOVEMBER, 2018

Scale
 AS SHOWN

TOWN OF ELBRIDGE

ONONDAGA COUNTY, NEW YORK

Plotted: Nov 08, 2018 - 1:35PM SYR By: jmb2
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ABUNDANT SOLAR ENERGY INC.
TOWN OF ELBRIDGE
COMMUNITY SOLAR FARM (E1)
SITE PLAN

Figure Number
FIGURE 2

Project Number
1943.001

Date
NOVEMBER, 2018

Scale
1" = 500'

TOWN OF ELBRIDGE

ONONDAGA COUNTY, NEW YORK

