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

Meeting Agenda
June 9, 2020

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

A. Approval of Minutes-May 12, 2020
B. Treasurers Report
C. Payment of Bills
D. Conflict of Interest

Action Items:

1. **Empire Polymer Solutions, LLC (3101-20-12-a): Initial 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. A Resolution of the Board authorizing a public hearing.

Representative: Steve Hubert, Empire Polymer Solutions, LLC

2. **Baldwinsville Senior Housing Preservation, LLC (3101-19-07A)**
Baldwinsville Senior Housing Preservation, LLC is requesting that the Onondaga County Industrial Development Agency (the "Issuer") issue its tax-exempt multi-family housing revenue bonds in one or more series in the aggregate principal amount not to exceed $20,000,000 (the "Bonds") for the purpose of financing a certain project. This project was previously approved for benefits at the August 20, 2019 meeting.

Agency Action Requested:

a. A Resolution (a) ratifying certain prior resolutions and findings of the Issuer with respect to the undertaking of a project and (b) describing the increased financial assistance being contemplated by the Issuer with respect to the project in the form of the issuance of the Bonds.

Representative: Kevin McAuliffe, Barclay Damon, LLC

3. **Taft Solar, LLC (3101-20-01A): Second Meeting**
   Taft Road Solar, LLC is proposing to construct a 5-MW solar project in the Town of Manlius.

   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 and Sales Tax Abatement.

   Representative: Andrew Day, Taft Solar, LLC; Michael Cocquyt, LaBella Associates

4. **DG New York CS, LLC (3101-20-11a): Initial Meeting**
   DG New York CS, LLC is proposing the construction of a 3-MW solar project in the Town of Van Buren.

   Agency Action Requested:
   a. A Resolution of the Board authorizing a public hearing.

   Representative: Brian Harper, Project Manager, NextEra Energy, Inc.

5. **Update to the OCIDA 2019 Financial Audit**

   Agency Action Requested:
   a. A Resolution of the Board approving a change to the 2019 Audit of the Agency.

   Representative: Mike Lisson, CPA, CITP, Grossman St. Amour

Adjourn

SUBJECT TO BOARD APPROVAL

Onondaga County Industrial Development Agency
Regular Meeting Minutes
May 12, 2020

A regular meeting of the Onondaga County Industrial Development Agency was held on Tuesday, May 12, 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
Steve Morgan
Kevin Ryan
Victor Ianno

ABSENT:
Fanny Villarreal

ALSO PRESENT:
Robert Petrovich, Executive Director
Nancy Lowery, Secretary
Nate Stevens, Treasurer
Karen Doster, Recording Secretary
Carolyn Evans-Dean, Office of Economic Development
Len Rauch, Office of Economic Development
Jeffrey Davis, Barclay Damon Law Firm
Amanda Mirabito, Barclay Damon Law Firm
Kevin McAuliffe, Barclay Damon Law Firm
Brian Gerling, Bond Schoeneck & King
Paul Reichel, Bond Schoeneck & King
Becky Koze, CES
Glenn McKay, OYA Solar
Taymaz Jahani, OYA Solar
Joseph Mendelsohn, Green Street Power Partners
Lauryn LaBorde

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

<u>APPROVAL OF REGULAR MEETING MINUTES – APRIL 14, 2020</u>

Upon a motion by Victor Ianno, seconded by Susan Stanczyk, the OCIDA Board approved the regular meeting minutes of April 14, 2020. Motion was carried.

TREASURER'S REPORT

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

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

PAYMENT OF BILLS

Nate Stevens gave a brief review of the Payment of Bills Schedule #443.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved the Payment of Bills Schedule #443 for $3,967.50 and PILOT payments to the Town of Camillus for $4,901.42, Town of DeWitt for $15.93, Town of Elbridge for $1,997.03, Town of Geddes for $66.44, Town of Onondaga for $3.24, Village of Camillus for $847.64, Village of Solvay for $531.04, City of Syracuse for $1,615.86, Jamesville Dewitt Central School District for $104.23, Jordan Elbridge Central School District for $16,906.12, Marcellus Central School District for $253.05 Solvay School District for $3,390.10. West Genesee Central School District for $11,905.16 and Onondaga County for $7,915.33. Motion was carried.

CONFLICT OF INTEREST DISCLOSURE

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

CICERO ENERGY STORAGE I, LLC (CES I)

Kevin McAuliffe stated since the last meeting when the project was initially presented both projects were presented to the Town of Cicero Town Board and the Board unanimously voted to support the project and the PILOTs. He stated the North Syracuse Central School District took up the matter and the result was the email sent by Brody Smith to Nate Stevens indicating the school board took no position on the application. He stated they do not have any objection to the PILOT but he doesn't think the school board wanted to affirmatively appear to be supporting one project over another. He stated their position simply was they have no objection to what the IDA proposes to do.

Sue Stanczyk asked if there were any questions or concerns from the Town. Kevin McAuliffe stated there were a lot of questions and the meeting went on for quite some period of time. He stated there were no questions about the PILOT and the discussion about the PILOT lasted a minute at best. He stated two of the Board Members attended all of the planning board meetings so they in a sense recounted what had been done.

Nate Stevens stated the letter of support from the Town of Cicero is included in the Board package on page 93.

Nancy Lowery stated there were no comments at the public hearing.

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 Cicero Energy Storage I, LLC Project. Kevin Ryan abstained. Motion was carried.

Upon a motion by Victor Ianno, seconded by Susan Stanczyk, the OCIDA Board approved a resolution authorizing the financial assistance the Agency will provide including a Payment in Lieu of Tax Agreement, Sales Tax Abatement and Mortgage Recording Tax Abatement for the Cicero Energy Storage I, LLC Project. Motion was carried. Kevin Ryan abstained. Motion was carried.

CICERO ENERGY STORAGE II, LLC (CES II)

Patrick Hogan asked why Cicero Energy Storage are two separate projects. Kevin McAuliffe stated they are separate projects and will be constructed separately in order to properly meet the energy distribution demands Niagara Mohawk put out in their RFP. He stated each has its own interconnection to the Niagara Mohawk grid and rather than one large facility it is a design feature to have two points of interconnection to provide better distribution.

Patrick Hogan asked if it is a requirement of National Grid. Kevin McAuliffe stated yes and it was part of the design process of National Grid.

Nancy Lowery stated no comments were made at the public hearing.

Upon a motion by Janice Herzog, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing the adoption of the SEQR determination for the Cicero Energy Storage II, LLC Project. Kevin Ryan abstained. Motion was carried.

Upon a motion by Susan Stanczyk, seconded by Janice Herzog, the OCIDA Board approved a resolution authorizing the financial assistance the Agency will provide including a Payment in Lieu of Tax Agreement, Sales Tax Abatement and Mortgage Recording Tax Abatement for the Cicero Energy Storage II, LLC Project. Motion was carried. Kevin Ryan abstained. Motion was carried.

<u>OYA SOLAR A</u>

Susan Stanczyk asked where the project is located. Glenn McKay stated it is located in the Town of Lysander on 1671 Church Road, just west of Dunham Road and east of Mud Lake Road.

Robert Petrovich asked for a brief overview for the Board. Glenn McKay stated currently there is one tax parcel located at the address. He stated they plan to subdivide the project into 3 parcels and make use of two of them. He stated the 3rd portion of the subdivision north of Church Road they won't be making use of. He stated there will be 2 separate new lots with a 5 megawatt and a 2 megawatt project on each lot. He stated he it will be a community distributed generation meaning no greater than 5 megawatt size system. He stated there will not be energy storage. He stated they have assigned an interconnect agreement with National Grid so aside from receiving site plan approval from the Town of Lysander, the PILOT agreement is the next step for them.

Robert Petrovich stated for clarification, the discussions have included a five megawatt and a one megawatt. Glenn McKay stated Robert Petrovich is correct and it is a 5 megawatt and a one megawatt project.

Patrick Hogan stated this is 2 different plots of land and asked if they are working under the same limiting requirement that CES I has. Glenn McKay stated yes.

Victor Ianno asked if this is their first project or have they done other installations like this. Glenn McKay stated this is not their first project.

Upon a motion by Victor Ianno, seconded by Susan Stanczyk, the OCIDA Board approved a resolution describing the proposed OYA Solar A project and the financial assistance the Agency may provide and authorizing a public hearing for the project. Kevin Ryan abstained. Motion was carried.

OYA SOLAR B

Glenn McKay stated this project is west of the project that was just discussed which is the only major difference besides the size.

Susan Stanczyk asked if the property is all owned by the same property owners.

Upon a motion by Susan Stanczyk, seconded by Janice Herzog, the OCIDA Board approved a resolution describing the proposed OYA Solar B project and the financial assistance the Agency may provide and authorizing a public hearing for the project. Kevin Ryan abstained. Motion was carried.

GREEN STREET POWER PARTNERS (GSPP) CAUGHDENOY ROAD

Joseph Mendelsohn stated this is a 5 megawatt project located in the Town of Clay, New York on 9177 Caughdenoy Road. He stated they are currently going through the special use permit and site plan approval process within the Town. He stated it has been postponed slightly due to the COVID pandemic. He stated hopefully they are getting into the swing of things at their next meeting June 1 to hear on the project location for the special use permit. He stated they are not proposing energy storage systems for this so it will be just a 5 megawatt solar system in the Town. He stated they will be leasing the property from the land owner for the project lifespan and the owner will continue to use the remaining portions of the land for their cattle farm.

Patrick Hogan asked how it works with no storage. Joseph Mendelsohn stated it will continuously generate power and will be pushed into the grid then disbursed throughout the grid while it is generating power.

Patrick Hogan stated it is a solar project. Joseph Mendelsohn stated yes. He stated it will generate solar power. He stated it is a single tracker system so it will generate more power than a fixed system and rotates from east to west to track the sun.

Upon a motion by Susan Stanczyk, seconded by Victor Ianno, the OCIDA Board approved a resolution describing the proposed Green Street Power Partners (GSPP) Caughdenoy Road project and the financial assistance the Agency may provide and authorizing a public hearing for the project. Kevin Ryan abstained. Motion was carried.

GREEN STREET POWER PARTNERS (GSPP) SENTINEL HEIGHTS

Joseph Mendelsohn stated this is a similar process and they are working with the Town of Lafayette. He stated it was postponed due to COVID. He stated he has talked with the Town Code Enforcement Officer and Nancy Lowery has talked to them as well. He stated they have been reviewing the packets and hope to get back in front of them in late May or June to get the finalization for special use permit and site plan approval in the town.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved a resolution describing the proposed Green Street Power Partners (GSPP) Sentinel Heights project and the financial assistance the Agency may provide and authorizing a public hearing for the project. Kevin Ryan abstained. Motion was carried.

SYRACUSE PROPERTY PARTNERS

Jeff Davis stated in 2008 Syracuse Property Partners came in and received an initial PILOT. He stated they have been paying under that PILOT. He stated in 2013 they did some additions and an amendment was done so they have been paying under the 2008 and 2013 PILOT.

Patrick Hogan asked for a clarification of what project this is. Robert Petrovich stated this is also known as Southern Wine and Spirits.

Jeff Davis stated there was an error in the 2018-2019 assessment at the local level which resulted in them receiving a separate school tax bill for $536,571.57, despite the fact the company is paying under their PILOT agreement. He stated that was after the school had already set their budget which presented an issue for the school district and would have been a significant issue for their budget if that had not been paid. He stated under the real property tax law if the owner can't pay the County steps in and pays it. He stated the County has agreed to pay excess bill. He stated all the taxing jurisdictions have come to the IDA requesting and supporting a mechanism to address this and clean it up to correct the overpayment and refund the County. He stated the resolution addresses that by extending the PILOT a few years and changing the mechanism as to how that money under the PILOT goes. He stated more money goes to the County and less to the school district so the County is eventually refunded that $536,571.57. He stated the school district takes less over those few periods to make up for that fact. He stated the applicant gets no new benefits and pays the same amount that they would have paid in taxes otherwise. He stated this is all a mechanism to correct the error and assessment on the property. He stated a resolution is before the Board that reaffirms and ratifies the SEQR determination because the Board is making a determination and revising the PILOT schedule in how it is paid out between taxing jurisdictions to accommodate this refund mechanism to the County addressing the error in the 2018-2019 school tax.

Robert Petrovich asked Jeff Davis to relay to the Board that all of the parties to this have been briefed and have signed off to the affirmative on this. Jeff Davis agreed and stated it is part of the packet and noted in the resolution. He stated the Town signed a letter of support and both the School District and County have resolutions supporting this mechanism.

Upon a motion by Victor Ianno, seconded by Steve Morgan, the OCIDA Board approved a resolution authorizing an extension of a Payment in Lieu of Tax Agreement. Susan Stanczyk and Kevin Ryan abstained. Motion was carried.

Patrick Hogan stated he would like to congratulate the Board and everyone involved in the UTEP change. He stated obviously we have had a lot of solar projects come do this and it is obvious because we are progressive and aggressive as far as changing the UTEP. He stated it is certainly the wave of the future and wished everyone a safe and prosperous day.

Upon a motion by Victor Ianno, the OCIDA Board adjourned the meeting at 8:33 am. Motion was carried.

Nancy Lowery, Secretary

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
333 WASHINGTON STREET, SUITE 130, SYRACUSE, NY 13202
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May 31, 2020

Revenue / Expense / Income	Current Period	Current YTD	2020 Budget Amount	Current YTD Change to Budget
Operating Revenue	1,347,352	3,167,745	1,526,000	1,641,745
Administrative Expense	62,265	230,987	900,000	(669,013)
Operating/Program Exp.	5,469	79,262	626,000	(546,738)
Net Ordinary Income	1,279,617	2,857,496	-	2,857,496

Current Assets	Current YTD	Prior YTD
Total Cash	4,497,091	2,052,692
Less Pass Through Received	-	-
Available Cash	4,497,091	2,052,692
Receivables (less pass through rec.)	969,914	668,659
Grant Reimbursements	268,733	268,733
Total	5,735,739	2,990,084

Reserve for Contracts	
County Operations 2020	669,013
Professional Services	34,145
333 W. Washington St 2020 Rent	50,095
WPCP Sewer Design Engineering	108,151
OBG WPCP CO #4 Additional Studies	563,498
JMT 800 Hiawatha Engineering	25,000
National Grid WPCP Engineering Gas	200,000
National Grid WPCP Engineering Electric	175,000
CNYIBA Consulting Services Agreement	35,000
Total	1,859,904

Receivables	
0-120 days	1,248,890
> 120 days	490,757
Total	1,739,647

Onondaga County Industrial Development Agency

PROFIT AND LOSS

May 2020

	TOTAL
Income	
500 Operating Revenue	
2116 Fees	
2116.1 Agency Fees	3,500.00
2116.2 Application Fees	6,000.00
Total 2116 Fees	**9,500.00**
2410 Lease Income	750.00
2655 Other Operating Revenue	1,336,997.73
Total 500 Operating Revenue	**1,347,247.73**
501 Non-Operating Revenue	
2401 Interest Income	103.82
Total 501 Non-Operating Revenue	**103.82**
534 Pilot & Pass Thru Revenue	
528 Pass thru Income	5,000.00
529 PILOT Income	47,674.36
Total 534 Pilot & Pass Thru Revenue	**52,674.36**
Total Income	**$1,400,025.91**
GROSS PROFIT	**$1,400,025.91**
Expenses	
6400 Operating Expense	
6405 General Accounting	1,557.90
6407 Administrative Expense	62,264.66
6408 Board Mtg Exp	15.57
6410 Office Expense	183.51
6413 Legal	3,712.50
Total 6400 Operating Expense	**67,734.14**
6600 Non-Operating Expenses	
6605 Pilot & Pass Thru Expenses	
6605.1 Pass thru Expense	5,000.00
6605.2 PILOT Expense	47,674.36
Total 6605 Pilot & Pass Thru Expenses	**52,674.36**
Total 6600 Non-Operating Expenses	**52,674.36**
Total Expenses	**$120,408.50**
NET OPERATING INCOME	**$1,279,617.41**
NET INCOME	**$1,279,617.41**

Onondaga County Industrial Development Agency

BALANCE SHEET

As of May 31, 2020

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
200 Cash	0.00
200.1 Cash - M & T Checking	3,616,027.24
200.2 Cash - M & T Money Maker Savings	889,971.79
200.4 Destiny USA Restricted Cash	-8,957.82
210 Petty Cash	50.00
Total 200 Cash	**4,497,091.21**
Total Bank Accounts	**$4,497,091.21**
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	834,827.58
Total 380 Accounts Rec.	**834,825.58**
Total Accounts Receivable	**$834,825.58**
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	**$5,822,673.55**

Onondaga County Industrial Development Agency

BALANCE SHEET

As of May 31, 2020

	TOTAL
Fixed Assets	
100 Land	
101 White Pines Commerce Park	1,520,401.50
101.1 WPCP GEIS	
101.101 CHA GEIS 1	267,452.05
101.102 CHA GEIS 2	219,439.36
101.104 GEIS Reg Plan Board Overview	19,797.74
Total 101.1 WPCP GEIS	**506,689.15**
101.2 WPCP Legal	69,774.25
101.3 Engineering Services	52,675.00
101.301 Temporary Access	4,055.44
101.4 Environmental/Demo Services	10,318.98
Total 101.3 Engineering Services	**67,049.42**
101.5 Land Acquisition Costs	
101.501 Land Purchases	1,160,063.57
101.502 Closing Costs	3,168.14
Total 101.5 Land Acquisition Costs	**1,163,231.71**
Total 101 White Pines Commerce Park	**3,327,146.03**
106 North Salina Properties	0.00
106.1 435 North Salina	17,083.55
106.3 435 North Salina Building	634,421.53
Total 106 North Salina Properties	**651,505.08**
107 800 Hiawatha	604,840.42
Total 100 Land	**4,583,491.53**
104 Machinery & Equipment	
104.1 Office Furniture	1,429.00
104.2 Equipment	1,432.40
Total 104 Machinery & Equipment	**2,861.40**
211 A/D Office Furniture	-2,861.00
213 A/D Buildings	-65,068.00
Total Fixed Assets	**$4,518,423.93**
Other Assets	
240 Blue Sky Redevelopment	1,641.76
Total Other Assets	**$1,641.76**
TOTAL ASSETS	**$10,342,739.24**

Onondaga County Industrial Development Agency

BALANCE SHEET

As of May 31, 2020

	TOTAL
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
600 Accounts Payable	0.00
600.1 Due to Related Party - OED	107,246.11
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	**132,577.52**
601 PILOT and Pass Thru Payable	
602 Pass Thru Payable	15,371.00
603 PILOT Pass Thru	74,061.60
Total 601 PILOT and Pass Thru Payable	**89,432.60**
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	-0.01
Total 631.3 Schools	**-0.03**
631.4 Onondaga County	1.94
Total 631 Due to Other Governments	**2.11**
Total Other Current Liabilities	**$222,012.23**
Total Current Liabilities	**$222,012.23**
Total Liabilities	**$222,012.23**
Equity	
3900 Equity Unreserved	4,544,563.05
3901 Equity-Investment Fixed Assets	2,345,838.63
463 Reserve For Contracts	1,859,903.65
465 Equity - Unreserved	-1,487,074.65
Net Income	2,857,496.33
Total Equity	**$10,120,727.01**
TOTAL LIABILITIES AND EQUITY	**$10,342,739.24**

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
PAYMENT OF BILL - SCHEDULE #444
June 9, 2020

GENERAL EXPENSES

1.	BARCLAY DAMON LLP Inv#5070459, Legal thru 4/30/2020	$	1,462.50
2.	BARCLAY DAMON LLP Inv#5068807, TC Syracuse Legal thru April 24, 2020	$	37,500.00
3.	CENTRAL NY INTERNATIONAL BUSINESS ALLIANCE Inv#0000069-IN, 1st Quarter 2020 CNYIBA Consulting Services Payment	$	8,750.00
4.	KAREN DOSTER Reimbursement for Office Coffee	$	19.99
5.	ADVANCE MEDIA NEW YORK Public Hearing Notices; CES 1 & CES 2	$	137.20
6.	FEDEX Inv#7-007-64883, Shipping to Hinman Howard Kattell	$	44.67
7.	NATIONWIDE Acct#MPA85793J / 7J2551, WPCP Additional Parcel Insurance	$	340.00
8.	SYRACUSE DESIGN GROUP, LLC Inv#5681, Create and Deploy COVID-19 Complaint Form on Website	$	210.00
9.	FEDEX Inv# 7-013-20052, Shipping to Barclay Damon	$	24.46
10.	NYS ECONOMIC DEVELOPMENT COUNCIL Inv#10408, 2019 Membership	$	1,500.00
11.	JMT Inv#15-101634 & 18-101950, 800 Hiawatha Brownfield Clean-up	$	4,359.00

12. GROSSMAN ST. AMOUR PLLC		$ 13,000.00
Inv#76033, 2019 Annual Audit		
	TOTAL	**$ 67,347.82**

* Ratification of Check dated April 24, 2020

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
RESERVE FOR CONTRACTS
5/31/2020

DESCRIPTION	CONTRACT TERM	TOTAL CONTRACT	PORTION PAID	BALANCE OUTSTANDING
ONONDAGA COUNTY OED 2020	1-1-20-12-31-20	$900,000.00	$230,986.58	$669,013.42
PROFESSIONAL SERVICES	1-1-20-12-31-20	$55,000.00	$20,854.82	$34,145.18
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	$236,501.84	$563,498.16
JMT 800 HIAWATHA ENGINEERING	2/13/19-12-31-20	$25,000.00	$0.00	$25,000.00
NATIONAL GRID WPCP ENGINEERING GAS	11/29/18-11/29/19	$403,100.00	$203,100.00	$200,000.00
NATIONAL GRID WPCP ENGINEERING ELECTRIC	11/29/18-11/29/19	$375,000.00	$200,000.00	$175,000.00
CNYIBA CONSULTING SERVICES AGREEMENT	4-14-20-4-14-21	$35,000.00	$0.00	$35,000.00
		$2,926,728.00	$1,066,824.35	$1,859,903.65

ACCOUNTS RECEIVABLE
5/31/2020

AGENCY FEES RECEIVABLE		$747,890.00
ACCOUNTS RECEIVABLE GENERAL		$0.00
QUASI-EQUITY LOAN RECEIVABLE		$0.00
GRANTS RECEIVABLE		$268,733.00
LONG TERM RECEIVABLE		$222,024.00
TOTAL		$1,238,647.00

Onondaga County Industrial Development Agency

Project Summary

6/4/2020

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

7.Total Project Cost	**$**	**7,135,210**
Land	$	560,000
Site Work	$	618,262
Building	$	5,271,948
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	$	-

8. Total Jobs	70
8A. Job Retention	0
8B: Job Creation (Next 5 Years)	70

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

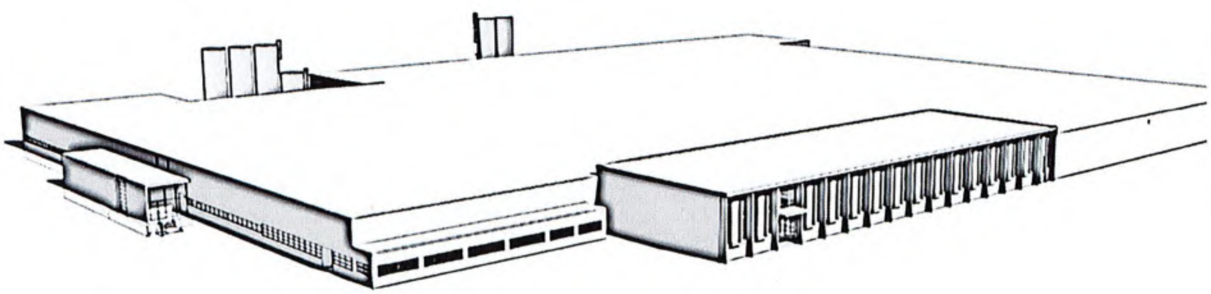
for **15** years

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



Empire Polymer Solutions

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? X 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 Genesse 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 X 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
Empire Resource Recycling (Frank Murphy)	50%
Buchanan Empire LLC (BE)	50%
BE ownership by:	
Hubert Arcola Center LLC (Steven Hubert)	20%
Benninghoff Family LLC (Brian Benninghoff)	20%
Other Buchanan Affiliates less than 5%	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 X No
2. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? ☐Yes X No
3. Has any person listed in Section I ever been in receivership or declared bankruptcy? ☐Yes X 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 X 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

☐Expansion/Addition to current facilities

X Renovation of existing facility

X Acquisition of existing facility/property

X Demolition

X Purchase of machinery and/or equipment

X Brownfield/Remediated Brownfield

☐LEED Certification

X Other: Re-install Power, Update Rail

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

X Industrial
X Acquisition of Existing Facility
☐ Housing
X Equipment Purchase
X Multi-Tenant
☐ Commercial

☐Bank Office
☐Retail
☐Mixed Use
☐Facility for Aging
☐Civic Facility (not for profit)
☐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?

   X Yes ☐No

2. Will the project create new employment opportunities or retain existing jobs that may otherwise be lost?

   X Yes ☐No

3. Does the project beneficiary serve a customer base primarily outside of Onondaga County?

   X 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 X 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?

   X 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			

Management/Developer Fees	$ 100,000	100%	$ 85,000
Total Project Cost	$7,135,210		$ 5,728,580

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 $ 7,135,210

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

Sources of Funds for Project Costs:

1. Bank Financing $ 5,635,210
2. Equity (excluding equity that is attributed to grants/tax credits) $ 1,500,000
3. Tax Exempt Bond Issuance (if applicable) $ NA
4. Taxable Bond Issuance (if applicable) $ NA
5. Public Sources (Include sum total of all state and federal grants and tax credits) $ 1,406,630

   -Identify each state and federal grant/credit:

   ______________________ $ 250,000 (National Grid)

   ______________________ $ 1,156,630 (New York State)

6. Total Sources of Funds for Project Costs $ 1,406,630

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 X 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:	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 X 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?

X 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~~ 06/13, 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

06, 3
Date: ~~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 20.
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 6/2/2020

1. Project	**Baldwinsville Housing Preservation**	**2. Project Number**	**3101-19-07A**
3. Location	Van Buren	**4. School District**	Baldwinsville
		6. Project Type	Acquisition and Renovation
5. Tax Parcel(s)	022.-01-14.0	**Village**	Baldwinsville

7.Total Project Cost	**$**	**38,030,540.00**
Land	$	22,000,000
Site Work	$	-
Building	$	9,812,833
Furniture & Fixtures	$	-
Equipment	$	-
Equipment Subject to NYS Production Exemption	$	-
Engineering/Architecture Fees	$	100,000
Financial Charges	$	1,612,109
Legal Fees	$	250,000
Management Developer Fees	$	3,576,498
Other	$	679,100

8. Total Jobs	4
8A. Job Retention	4
8B: Job Creation (Next 5 Years)	0

Cost Benefit Analysis

Baldwinsville Housing Preservation Partners LLC

	Fiscal Impact ($)	
Abatement Cost	**$**	**395,000**
Sales Tax	$	395,000
Mortgage Tax	$	-
Property Tax Relief (PILOT)	See attached Application	
Tax Exempt Bonding Requested	$	20,000,000
New Investment	**$**	**36,490,014**
PILOT Payments	$	-
Project Wages	$	1,803,759
Construction Wages	$	2,031,400
Employee Benefits (10 years)	$	270,564
Project Capital Investment	$	31,812,833
New Sales Tax Generated	$	-
OCIDA Project Fee	$	571,458
Benefit:Cost Ratio		**92.38 :1**

Project Description

The applicant is proposing to purchase and renovate the senior housing facility located at 700 Conifer Drive in the Village of Baldwinsville in the Town of Van Buren. The June 2020 Revision is to increase the bonding amount from $17,800,000 to $20,000,000

Onondaga County Industrial Development Agency

Project Summary 8/16/2019

1. Project	**Baldwinsville Housing Preservation**	**2. Project Number**	**3101-19-07A**
3. Location	Van Buren	**4. School District**	Baldwinsville
		6. Project Type	Acquisition and Renovation
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Baldwinsville Housing Preservation Partners LLC

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Benefit:Cost Ratio		**92.38 :1**

Project Description

The applicant is proposing to purchase and renovate the senior housing facility located at 700 Conifer Drive in the Village of Baldwinsville in the Town of Van Buren.

Year #	PILOT Payment	Onondaga County	Town of Van Buren	Baldwinsville School District	Village of Baldwinsville
1	$215,000	$28,957.54	$ 9,795.22	$ 134,654.92	$ 41,592.32
2	$219,300	$29,536.70	$ 9,991.12	$ 137,348.02	$ 42,424.16
3	$223,686	$30,127.43	$10,190.94	$ 140,094.98	$ 43,272.65
4	$228,160	$30,729.98	$10,394.76	$ 142,896.88	$ 44,138.10
5	$232,723	$31,344.58	$10,602.66	$ 145,754.82	$ 45,020.86
6	$237,377	$31,971.47	$10,814.71	$ 148,669.91	$ 45,921.28
7	$242,125	$32,610.90	$11,031.01	$ 151,643.31	$ 46,839.70
8	$246,967	$33,263.12	$11,251.63	$ 154,676.18	$ 47,776.50
9	$251,907	$33,928.38	$11,476.66	$ 157,769.70	$ 48,732.03
10	$256,945	$34,606.95	$11,706.19	$ 160,925.10	$ 49,706.67
11	$262,084	$35,299.09	$11,940.31	$ 164,143.60	$ 50,700.80
12	$267,325	$36,005.07	$12,179.12	$ 167,426.47	$ 51,714.82
13	$272,672	$36,725.17	$12,422.70	$ 170,775.00	$ 52,749.11
14	$278,125	$37,459.67	$12,671.16	$ 174,190.50	$ 53,804.10
15	$283,688	$38,208.87	$12,924.58	$ 177,674.31	$ 54,880.18
16	$289,362	$38,973.04	$13,183.07	$ 181,227.79	$ 55,977.78
17	$295,149	$39,752.50	$13,446.73	$ 184,852.35	$ 57,097.34
18	$301,052	$40,547.55	$13,715.67	$ 188,549.40	$ 58,239.29
19	$307,073	$41,358.50	$13,989.98	$ 192,320.39	$ 59,404.07
20	$313,214	$42,185.67	$14,269.78	$ 196,166.79	$ 60,592.15
21	$319,479	$43,029.39	$14,555.18	$ 200,090.13	$ 61,804.00
22	$325,868	$43,889.98	$14,846.28	$ 204,091.93	$ 63,040.08
23	$332,386	$44,767.78	$15,143.21	$ 208,173.77	$ 64,300.88
24	$339,033	$45,663.13	$15,446.07	$ 212,337.25	$ 65,586.89
25	$345,814	$46,576.39	$15,754.99	$ 216,583.99	$ 66,898.63
26	$352,730	$47,507.92	$16,070.09	$ 220,915.67	$ 68,236.60
27	$359,785	$48,458.08	$16,391.49	$ 225,333.98	$ 69,601.34
28	$366,981	$49,427.24	$16,719.32	$ 229,840.66	$ 70,993.36
29	$374,320	$50,415.79	$17,053.71	$ 234,437.48	$ 72,413.23
30	$381,807	$51,424.10	$17,394.78	$ 239,126.23	$ 73,861.50

Project Feasibility Statement

Built in 1978, Conifer Village is a 199-unit affordable senior housing complex located at 700 Conifer Drive, Baldwinsville, New York (the "Complex"). The Complex serves as income- and rent-restricted rental housing for seniors of low income. After more than 40 years of service, certain components of the Complex have reached the end of their useful life. In order to restore these components and upgrade the standard of living for the current and future residents of the Complex, the applicant desires to substantially renovate each apartment unit and upgrade the common areas and amenity space enjoyed by this community.

Our nation is in the midst of a growing affordable housing crisis. Every day, 10,000 baby boomers retire in the United States, and 45% of them report no retirement savings whatsoever.[3] Despite overwhelming demand, very little safe, decent and sanitary affordable rental housing exists in the United States. On average, there are only 45 adequate and affordable housing options for every 100 households with incomes at or below 50% of area median income ("AMI").[4] Roughly 2.3M units of existing, federally-subsidized affordable multifamily housing stock in the U.S. (representing 40% of the national inventory) is more than 35 years old, including the Complex. The only active federal program which subsidizes the preservation of affordable rental housing is the low-income housing tax credit program. This program requires the use of private activity bonds to finance eligible projects in order to generate tax credits which are converted to the private capital necessary to acquire, renovate and preserve existing affordable rental housing stock.

Preservation of existing, federally-subsidized affordable housing stock is in the best public interest because there is no substitute housing product in the market today for low-income seniors to live independently, age in place, and do so within the parameters of their own economic means. The total cost to acquire, renovate and guarantee long-term affordability of this housing stock remains lower than the cost to replace it. However, it is important to remember that any new housing that replaced Conifer Village would not benefit from the federal rental subsidy that makes the Complex affordable for seniors of the most modest means. Simply put, there is no substitute or replacement for Conifer Village; it deserves to be upgraded and preserved for the benefit of its current and future residents as well as the community at large.

In order to ensure that low-income seniors can afford to age in place and remain members of the Baldwinsville community, it is essential that the Complex be acquired and preserved using the private activity bonds and property tax relief requested in this application. This proposal maximizes private capital leverage (in the form of below market-rate debt financing from Fannie Mae, and private equity from the sale of low-income housing tax credits) on IDA benefits to deliver maximum impact in Baldwinsville. This proposal ensures that the Complex remains in service as affordable rental housing for low-income seniors for not less than another thirty (30) years. Moreover, this proposal places no financial burden on current or future residents, whose rental payments will not increase as a result of this proposal. All current residents of the Complex will

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[3] https://www.fool.com/retirement/2017/07/29/9-baby-boomer-statistics-that-will-blow-you-away.aspx
[4] https://www.nmhc.org/advocacy/issue-fact-sheet/low-income-housing-tax-credit-fact-sheet/

remain in place pursuant to their current leases; no involuntary relocation of residents will occur as part of this renovation.

Section I, Item G

The applicant is a newly formed limited liability company organized for the purpose of acquiring, owning, renovating and operating Conifer Village Apartments, a 199-unit affordable senior housing complex located at 700 Conifer Drive, Baldwinsville, New York (the "Complex").

Built in 1978, the Complex serves as income- and rent-restricted rental housing for seniors. After more than 40 years of service, certain components of the Complex have reached the end of their useful life. In order to restore these components and upgrade the standard of living for the current and future residents of the Complex, the applicant desires to substantially renovate each apartment unit and upgrade the common areas and amenity space enjoyed by this community.

The applicant's customer base is the low-income seniors that currently reside at the Complex, as well as those seniors on the waiting list that will one day become residents. Pursuant to federal regulations, seniors with actual household income of less than sixty percent (60%) of area median income are eligible for housing at the Complex. However, sixty (60) units at the Complex are reserved exclusively for seniors earning less than fifty percent (50%) of area median income.

The applicant offers no goods or services for sale other than affordable rental housing. Certain supportive housing services are made available to residents, but these services are not sold for pecuniary gain. Instead, these services are offered to enrich the lives of Complex residents. Such supportive housing services include transportation assistance, health and wellness classes, computer training, social outings, etc.

Section I, Item H

Supplies and material purchases by the applicant are only for ongoing maintenance and upkeep of the Complex. These purchases have limited significance to the economic impact of the project. On an annual basis, the Complex purchases roughly $250,000 of supplies, materials and services. Typical expenditures include landscaping services, pest control, tree removal/maintenance, paving repairs, snow removal, cleaning supplies, office supplies, software licenses and credit & background check services. On an annual basis, approximately 36% of the supplies, materials and services purchased are procured from Onondaga County firms. Attached as **Exhibit A** please find sample invoices from the past 9 months which illustrate the typical purchases and the firms commonly used to provide those materials/services.

Section II, Item C

The physical preservation of the Complex is essential to ensure that safe, decent and sanitary affordable rental housing for seniors continues to exist in Baldwinsville for the next 30 years. If the Complex is not preserved, Baldwinsville might eventually lose 199-units of deeply affordable, rent-subsidized housing for seniors that cannot be replaced under current federal housing policy.

Section II, Item D

The Complex consists of twenty-one (21) buildings totaling 118,015 square feet of improvements located on a 13.93-acre parcel known as 700 Conifer Drive, Baldwinsville, New York. The improvements include 199 residential rental apartments in twenty (20) two-story buildings plus one (1) single-story building which contains an office, maintenance workshop and community center for Complex residents.

The applicant proposes to acquire and substantially renovate the Complex to ensure its continued long-term viability as high-quality affordable rental housing for seniors of low income.

The renovation of the Complex will include:

- Replacement of building roofs
- Replacement of unit entry doors
- Installation of new intercom system
- Free wifi network for all residents
- Replacement of windows and sliding glass doors
- New kitchen cabinets, appliances and fixtures
- New bathroom fixtures, vanities and tub surrounds and tile flooring
- New flooring inside units
- Repaired entryway stairs
- Replacement of baseboard electric heaters
- Replacement of vinyl tile flooring

No Complex residents will be involuntarily displaced during the renovation; all work is designed to be done with residents in place. Moreover, Complex residents will not pay greater rent out of pocket as result of the renovation; 100% of the renovation cost is supported by tax credit equity capital. As a result of the renovation, the Complex will continue to be operated as affordable rental housing for not less than 30 more years.

Section II, Item H

Our nation is in the midst of a growing affordable housing crisis. Every day, 10,000 baby boomers retire in the United States, and 45% of them report no retirement savings whatsoever.[1]

Despite overwhelming demand, very little safe, decent and sanitary affordable rental housing exists in the United States. On average, there are only 45 adequate and affordable housing options for every 100 households with incomes at or below 50% of area median income ("AMI").[2] Roughly 2.3M units of existing, federally-subsidized affordable multifamily housing stock in the U.S. (representing 40% of the national inventory) is more than 35 years old. The only active federal program which subsidizes the preservation of affordable rental housing is the low-income housing tax credit program. This program requires the use of private activity bonds to finance eligible projects in order to generate tax credits which are converted to the private capital necessary to acquire, renovate and preserve existing affordable rental housing stock. In order to ensure that

[1] https://www.fool.com/retirement/2017/07/29/9-baby-boomer-statistics-that-will-blow-you-away.aspx
[2] https://www.nmhc.org/advocacy/issue-fact-sheet/low-income-housing-tax-credit-fact-sheet/

low-income seniors can afford to age in place and remain members of the Baldwinsville community, it is essential that the Complex be acquired and preserved using the private activity bonds and property tax relief requested in this application.

Section II, Item B3

The requested tax-exempt bond issuance of $17.8M is listed here per application instructions, but this amount is not included in Line 6, Total Sources of Funds for Project Costs. The tax-exempt bonds will be 100% cash-collateralized with proceeds from the $28M loan from Fannie Mae, which appears in Line 1, Bank Financing. Once the renovation of the Complex is complete, the tax-exempt bonds will be fully redeemed by release of the cash collateral held by the bond trustee. If we included the bonds as a $17.8M source, we would need to include a corresponding use of $17.8M to fund the cash collateral account for the bonds. These offsetting entries have zero impact on the total sources and uses the project. Given the formatting of Section III in the application, we believe listing the bonds as a source with this explanatory note most accurately describes the actual permanent sources and uses for the project, which equal $38,030,540.00.

Section IV

A proposed payment-in-lieu-of-tax agreement was prepared by the applicant and presented to the Mayor of Baldwinsville, Supervisor of the Town of Van Buren, and Superintendent of Baldwinsville Central School District. Attached hereto as **Exhibit B** please find a copy of that proposal.

Project Description

The renovation of Conifer Village Apartments has been designed to: (i) replace and/or upgrade existing building systems that have reached the end of their useful life; (ii) substantially upgrade the in-unit accommodations with new fixtures, finishes and appliances; (iii) improve energy efficiency with new windows and doors throughout the Complex; and (iv) expand the clubhouse and improve outdoor common areas and the clubhouse to bring modern, market-rate style amenities to the community.

The Complex is comprised of one hundred and ninety-nine (199), one (1) bedroom, one 1 bath units. All units are differentiated by being either a ground-floor unit, a second-floor unit or an ADA unit.

The scope of work for all units will include:

- New front entry door
- New windows and patio doors
- New interior hardware with lever sets
- New energy star rated refrigerator
- New energy star rated stove/oven
- New Luxury Vinyl Tile (LVT) flooring throughout unit except bathrooms
- Refurbished kitchen cabinets and pulls
- New light fixture, sink, faucet, and plastic laminated countertop in kitchen
- New water closet
- New bathroom sink and faucet
- Refinish tile and tub
- New ceramic tile bathroom flooring
- New mirrored medicine cabinet
- New exhaust fan with light kit
- Install grab bars around bathroom toilet and a towel bar
- New toilet paper roll dispenser
- Repaint unit
- Install surface mounted ceiling light in bedroom
- Install ceiling fan and light kit in living room
- Install stand-alone AC unit in bedroom
- Refurbish emergency call button service

In addition to this base scope**, the scope of work for every second-floor unit will also include:**

- Install non-skid stair treads on interior stairs
- Install emergency lighting in stairway with battery back up
- Provide doorbells with intercom

In addition to the base scope above (not including the second-floor scope of work), **the scope of work for every ADA unit will also include:**

- Modify cabinets, countertop and appliances in the kitchen to meet current ADA standards
- Replace existing 32" wide interior doors with a 36" doors
- Modify tub, water closet and sink locations to meet current ADA standards
- Widen exterior walkways into ADA units

The balance of the renovation work will encompass the building exteriors/site and community center remodeling.

Building Exteriors and Site:

- Replace roofs on 13 of 21 buildings, including gutters and downspouts
- New "plexiglass" snow barriers at end units
- Re-pour east-west side walks in front of buildings 11,13,15,16,11-19
- New property street-front sign
- Replace aluminum siding with Vinyl siding
- Install snow fence
- Repair exterior steps and landing at six (6) second floor units
- Install site drainage solution between buildings 13 and 18

Community Center Remodel:

- Increase size of existing bathroom to meet ADA standards
- Increase size of existing laundry room to accommodate more circulation space
- Create one additional office and a conference/meeting space for administrative use
- Create additional storage space
- Ensure all spaces within the building have adequate circulation space and meets ADA standards
- Create a secured computer lab space with two (2) workstations and a printer
- Create a secured, dedicated fitness/stretch space
- Incorporate additional space for library and games
- Create approx. 1500 sq. ft. of additional community meeting/event space

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: Baldwinsville Senior Housing Preservation, LLC

Applicant Address: 169 Mamaroneck Ave, Suite #8, White Plains, NY 10601

Phone: 917-592-6697 Fax: none

Website: none E-mail: pat@federalhousingsolutions.com

Federal ID#: applied for NAICS: ______

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

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: n/a

Federal ID#: n/a

State and Year of Incorporation/Organization: n/a

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

n/a

B) Individual Completing Application:

Name: Eliot Reid

Title: Principal

Address: c/o FHS, 169 Mamaroneck Avenue, White Plains, New York 10601

Phone: 202.557.4545 Fax: 716-535-1691

E-mail: eliot.reid@regenadvisors.com

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

Name: n/a

Title: n/a

Address: n/a

Phone: n/a Cell Phone: n/a

E-mail: n/a

D) Company Counsel:

Name of Attorney: Kevin McAuliffe, Esq.

Firm Name: Barclay Damon LLP

Address: 125 E. Jefferson Street, Syracuse, NY 13202

Phone: 315-425-2875 Cell Phone: 315-382-8703

E-mail: KMcAuliffe@barclaydamon.com

E) Business Organization (check appropriate category):

☐ Corporation ☐ Partnership

☐ Public Corporation ☐ Joint Venture

☐ Sole Proprietorship ☑ Limited Liability Company

Others (please specify): n/a

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
TBD LIHTC Investor	99.99% Investor Member

G) Applicant Business Description:

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

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.

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: 700 Conifer Drive

Legal Address (if different): ____

City: n/a

Village/Town: Baldwinsville/Van Buren

Zip Code: 13027

School District: Baldwinsville

Tax Map Parcel ID(s): 022.-01-14.0

Current Assessed Value: $5,375,000

Sq. Footage of Existing Building: 118,015

Census Tract: MSA/MD Code 45060 State Code 36 County Code 067 Tract Code 0117.00

B) Type (Check all that apply):

- ☐ New construction
- ☐ Expansion/Addition to current facilities
- ☑ Renovation of existing facility
- ☑ Acquisition of existing facility/property
- ☐ Demolition
- ☐ Purchase of machinery and/or equipment
- ☐ Brownfield/Remediated Brownfield
- ☐ LEED Certification
- ☐ Other:

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
- ☐ Acquisition of Existing Facility
- ☑ Housing
- ☐ Equipment Purchase
- ☐ Multi-Tenant
- ☐ Commercial
- ☐ Bank Office
- ☐ Retail
- ☐ Mixed Use
- ☐ Facility for Aging
- ☐ Civic Facility (not for profit)
- ☐ 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	22,000,000	100%	22,000,000
Site Work/Demo			
Building Construction & Renovation	9,812,833	100	9,812,833
Furniture & Fixtures	0	0	0
Equipment	0	0	0
Equipment Subject to NYS Production Sales Tax	0	0	0
Engineering/Architect	100,000	100	100,000
Financial Charges	1,612,109	0	1,612,109
Legal	250,000	50	250,000
Other Title/Recording, Accounting, Tax Credit Fees	679,100	50	679,100
Management/Developer Fees	3,576,498	0	3,576,498
Total Project Cost	38,030,540	94.5%	38,030,540

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 $ 38,030,540

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

Sources of Funds for Project Costs:

1. Bank Financing $ 28,000,000
2. Equity (excluding equity that is attributed to grants/tax credits) $ 0
3. Tax Exempt Bond Issuance (if applicable) $ 17,800,000*(see explanatory note in narrative)
4. Taxable Bond Issuance (if applicable) $ n/a

5. Public Sources (Include sum total of all state and federal grants and tax credits) $ 10,030,540

-Identify each state and federal grant/credit:

4% Low-Income Housing Tax Credit Equity $ 10,030,540

_______________ $ _______

_______________ $ _______

6. Total Sources of Funds for Project Costs $ 38,030,540

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: 4

2. Complete the following:

Estimate the number of FTE jobs to be retained as a result of this Project:	4
Estimate the number of construction jobs to be created by this Project:	35
Estimate the average length of construction jobs to be created (months):	16 months
Current annual payroll at facility:	237,173
Average annual growth rate of wages:	3%
Please list, if any, benefits that will be available to either full and/or part time employees:	PTO, health ins., EAP, 401(k), continuing education
Average annual benefit paid by the company ($ or % salary) per FTE job:	7,361.20
Average growth rate of benefit cost:	3%
Amount or percent of wage employees pay for benefits:	0%
Provide an estimate of the number of residents in the Economic Development Region (Onondaga, Madison, Cayuga, Oneida, Oswego, and Cortland Counties) to fill new FTE jobs:	N/A

D) New Employment Benefits

i. Complete the following chart indicating the number of FTE jobs presently employed at the Project and the number of FTE jobs that will be created at the Project site at the end of the first, second, third, fourth, and fifth years after the Project is completed. Jobs should be listed by title of category (see below), including FTE independent contractors or employees of independent contractors that work at the Project location. Do not include construction workers.

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

Current & Planned Full Time Occupations (Job Titles)	Salary (Annual or Hourly)	Current Number of FTEs	Estimated Number of FTE Jobs **added each year** after project				
			Year 1	Year 2	Year 3	Year 4	Year 5
Propety Manager	55,000	1	0	0	0	0	0
Property Superintendant	$20	1	0	0	0	0	0
Maintenance Tech I	$15	1	0	0	0	0	0
Maintenance Tech II	$12	1	0	0	0	0	0
Job Creation Subtotal		4	0	0	0	0	0

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):

- [x] Real Property Tax Abatement (PILOT): Proposed Schedule Attached
- [ ] Mortgage Recording Tax Exemption (.75% of amount mortgaged):______________
- [x] Sales and Use Tax Exemption (4% Local, 4% State): 395,000
- [x] Tax Exempt Bond Financing (Amount Requested): $17,800,000
- [ ] 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:

$ 4,906,416.50

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):

$ $395,000

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 See attached PILOT proposal which was presented to the taxing	jurisdictions.
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
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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 Baldwinsville Senior Housing Preservation, 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 July 16, 2019 (date).

Company: Baldwinsville Senior Housing Preservation, LLC
Representative for Contract: Eliot Reid
Address: 8805 Bellwood Road City: Bethesda State: MD Zip: 20817
Phone: 202.557.4545 Email: eliot.reid@regenadvisors.com
Project Address: 700 Conifer Drive City: Baldwinsville State: NY Zip: 13027

General Contractor: Gautieri/Foulger-Pratt Conifer Village, A Joint Venture
Contact Person: Victor Gautieri
Address: 45 Liberty Street City: Batavia State: NY Zip: 14020
Phone: 585-343-0852 Email: vgautieri@gautieri.com
Authorized Representative: Eliot Reid Title: Authorized Person
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.

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.

<u>Additional Conditions for the Recapture of Sales and Use Tax</u>: 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. <u>Distribution of Sales Tax</u>. 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. <u>Compliance Report</u>. 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: Baldwinsville Senior Housing Preservation, LLC

Signature of Officer or Authorized Representative: ______________________

Name & Title of Officer or Authorized Representative: Eliot Reid, Authorized Person

Date: 7/16/2019

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), Baldwinsville Senior Housing Preservation, 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.

Baldwinsville Senior Housing Preservation, 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.

Baldwinsville Senior Housing Preservation, 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: Baldwinsville Senior Housing Preservation, LLC

Signature of Officer or Authorized Representative: ______________________________

Name & Title of Officer or Authorized Representative: Eliot Reid, Authorized Person

Date: 7/16/2018

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. Julie Cerio
2. Nathaniel Stevens
3. Karen Doster
4. 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: Baldwinsville Senior Housing Preservation, LLC

Signature of Officer or Authorized Representative:

Name & Title of Officer or Authorized Representative: Eliot Reid, Authorized Person

Date: 7/16/2019

Section X: Representations, Certifications, and Indemnification

Eliot Reid (Name of CEO or other authorized representative of Applicant) confirms and says that he/she is the Authorized Person (title) of Baldwinsville Senior Housing Preservation, 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 Baldwinsville Senior Housing Preservation, LLC

Signature of Officer or Authorized Representative: ______________________

Name & Title of Officer or Authorized Representative: Eliot Reid, Authorized Person

Date: 7/16/2019

STATE OF NEW YORK)

COUNTY OF ONONDAGA)ss.;

Eliot Reid, being first duly sworn, deposes and says:

1. That I am the Authorized Person (Corporate Office) of Baldwinsville Senior Housing Preservation, 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_______________day of__, 20_____.

____

(Notary Public)

End of Application

Project Summary

6/4/2020

1. Project	**Taft Solar LLC**	**2. Project Number**	**3101-20-01A**
3. Location	Manlius	**4. School District**	East Syracuse
		6. Project Type	New Construction: Solar Development
5. Tax Parcel(s)	034.-01-20.1	**Village**	-

7.Total Project Cost	**$**	**15,140,800**
Land	$	-
Site Work	$	500,000
Building	$	14,440,800
Furniture & Fixtures	$	-
Equipment	$	-
Equipment Subject to NYS Production Exemption	$	-
Engineering/Architecture Fees	$	-
Financial Charges	$	-
Legal Fees	$	200,000
Other- Solar Installation Labor	$	-

8. Total Jobs	1.5
8A. Job Retention	0
8B: Job Creation (Next 5 Years)	1.5

Abatement/Benefit Analysis

Taft Solar LLC

		Fiscal Impact ($)
Estimated Abatement	**$**	**883,698**
Sales Tax	$	169,920
Mortgage Tax		
Property Tax Relief (PILOT)	$	713,778
Estimated New Investment	**$**	**18,391,444**
PILOT Payments	$	490,394
Project Wages (10 years)	$	1,872,000
Construction Wages	$	1,088,250
Employee Benefits (10 years)		
Project Capital Investment	$	14,940,800
New Sales Tax Generated		N/A
Agency Fees	$	190,260
Agency Legal Fees	$	37,852

Benefit:Abatement Ratio **20.81 :1**

Project Description

Construct a 3.4 MW Solar Project at 6966 East Taft Rd in the Town of Manlius.

Taft Solar LLC

6/4/2020

A) PILOTS Estimate Table Worksheet

Current Revenue Generated by Parcel	$	2,271.58
Projected Year 1 Revenue to be generated as a result of the project:	$	15,300
Total Project Cost	$	15,140,800
OCIDA Estimate of Project Value	$	3,610,200
Projected MW (AC) to be generated		5
Estimated Property Tax Revenue if there was no project	$	56,297.23
Scheduled PILOT Payments	$	371,750

Year	Onondaga County	Town of Manlius	ESM School District	Total PILOT	Full Tax Payment without PILOT	Net Exemption
	0.0%	**0.0%**	**0.0%**	**0.0%**		
2019-2020	**$ 333.48**	**$ 307.21**	**$ 1,630.89**	**$ 2,271.58**		
1	$ -	$ -	$ -	$ 15,300	$ 19,748.04	$ 4,448
2	$ -	$ -	$ -	$ 15,606	$ 20,143.00	$ 4,537
3	$ -	$ -	$ -	$ 15,918	$ 20,545.86	$ 4,628
4	$ -	$ -	$ -	$ 16,236	$ 20,956.77	$ 4,720
5	$ -	$ -	$ -	$ 16,561	$ 21,375.91	$ 4,815
6	$ -	$ -	$ -	$ 16,892	$ 21,803.43	$ 4,911
7	$ -	$ -	$ -	$ 17,230	$ 22,239.50	$ 5,009
8	$ -	$ -	$ -	$ 17,575	$ 22,684.29	$ 5,109
9	$ -	$ -	$ -	$ 17,926	$ 23,137.97	$ 5,212
10	$ -	$ -	$ -	$ 18,285	$ 23,600.73	$ 5,316
11	$ -	$ -	$ -	$ 18,651	$ 24,072.75	$ 5,422
12	$ -	$ -	$ -	$ 19,024	$ 24,554.20	$ 5,531
13	$ -	$ -	$ -	$ 19,404	$ 25,045.29	$ 5,641
14	$ -	$ -	$ -	$ 19,792	$ 25,546.19	$ 5,754
15	$ -	$ -	$ -	$ 20,188	$ 26,057.12	$ 5,869
16	$ -	$ -	$ -	$ 20,592	$ 176,585.41	$ 155,994
17	$ -	$ -	$ -	$ 21,004	$ 180,117.11	$ 159,113
18	$ -	$ -	$ -	$ 21,424	$ 183,719.46	$ 162,296
19	$ -	$ -	$ -	$ 21,852	$ 187,393.84	$ 165,542
20	$ -	$ -	$ -	$ 22,289	$ 191,141.72	$ 168,853
	$ -	**$ -**	**$ -**	**$ 371,750**	**$ 1,260,469**	**$ 888,719**

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
APPLICATION FOR BENEFITS

1. Fill in all blanks using “none”, “not applicable” or “not available”. If you have any questions about the way to respond, please call the Onondaga County Industrial Development Agency at 315-435-3770.

2. If providing an estimate put “(est.)” after the figure or answer. If more space is needed to answer any specific question, attach a separate sheet.

3. If the OCIDA Board approves benefits, it is the company’s responsibility to obtain and submit all necessary forms and documents. (ST-60, PILOT Agreement)

4. When completed, return this Application by mail or fax to the Agency at the address indicated below. A signed application may also be submitted electronically in PDF format to Nate Stevens at nstevens@ongov.net. **An Application will not be considered by the Agency until the Application fee has been received.**

5. The Agency will not give final approval for this Application until the Agency receives a completed NYS Full Environmental Assessment Form concerning the Project, which is the subject of this Application. The form is available at http://www.dec.ny.gov/permits/6191.html.

6. Please note the Public Officers Law declares all records in the possession of the OCIDA (with certain limited exceptions) are open to public inspection and copying. If the Applicant is of the opinion that there are elements of the Project which are in the nature of trade secrets which, if disclosed to the public or otherwise widely disseminated, would cause substantial injury to the Applicant’s competitive position, this Applicant must identify such elements in writing and request that such elements be kept confidential. In accordance with Article 6 of the Public Officer’s Law, the OCIDA may also redact personal, private, and/or proprietary information from publicly disseminated documents.

7. The Applicant will be required to pay the Agency Application fee and, if accepted as a project of the agency, all administrative and legal fees as stated in Section VI of the Application.

8. A complete application consists of the following 9 items:
    - This Application
    - Local Access Agreement
    - Employment Plan
    - Conflict of Interest
    - A feasibility statement indicating the need for the requested benefits
    - Description of project, Site Plans/Sketches, and Maps
    - NYS Full Environmental Assessment Form
    - A check payable to the Agency in the amount of $1,000
    - A check payable to Barclay Damon LLP in the amount of $2,500

9. This Application was adopted by the OCIDA Board on November 19, 2019.

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

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

Section I: Applicant Information

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

A) Applicant information-company receiving benefits:

Applicant Name: Taft Solar LLC

Applicant Address: 41 W Elm St, Suite C, Greenwich, CT 06830

Phone: (480) 272-1542 Fax: ______

Website: http://sourcerenew.com/ E-mail: aday@sourcerenew.com

Federal ID#: 84-4135053 NAICS: 221114

State and Year of Incorporation/Organization: Delaware 2020

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: Source Land Holdings LLC

Federal ID#: 84-2449887

State and Year of Incorporation/Organization: Delaware 2017

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

Source Renewables LLC

B) Individual Completing Application:

Name: Michael Cocquyt

Title: Planner

Address: 300 State St. Suite 201, Rochester NY 14614

Phone: (585) 287-9087 Fax: ______

E-mail: mcocquyt@labellapc.com

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

Name: Andrew Day

Title: Member

Address: 41 W Elm St, Suite C, Greenwich, CT 06830

Phone: (203) 542-5651 Cell Phone: (480) 272-1542

E-mail: aday@sourcerenew.com

D) Company Counsel:

Name of Attorney: Peter C. Trimarchi

Firm Name: Nixon Peabody LLP

Address: 677 Broadway, 10th Floor, Albany NY 12207-2996

Phone: (518) 427-2671 Cell Phone:

E-mail: ptrimarchi@nizonpeabody.com

E) Business Organization (check appropriate category):

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

Others (please specify):

Year Established: 2020

State in which Organization is established: Delaware

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

Name	% of ownership
Source Renewables LLC	100%

G) Applicant Business Description:

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

Estimated % of sales within Onondaga County: 100%

Estimated % of sales outside Onondaga County but within New York State: 100%

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.

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: 6966 East Taft Rd

Legal Address (if different): ______

City: East Syracuse   Village/Town: Manlius

Zip Code: 13057   School District: East Syracuse

Tax Map Parcel ID(s): 034.-01-20.1

Current Assessed Value: 64,900   Sq. Footage of Existing Building: 0

Census Tract: 154

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
- ☐ Acquisition of Existing Facility
- ☐ Housing
- ☐ Equipment Purchase
- ☐ Multi-Tenant
- ☐ Commercial
- ☐ Bank Office
- ☐ Retail
- ☐ Mixed Use
- ☐ Facility for Aging
- ☐ Civic Facility (not for profit)
- ☐ Other Solar Panel Array & Energy Storage

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	$500,000		
Building Construction & Renovation	14,440,800		
Furniture & Fixtures			
Equipment			
Equipment Subject to NYS Production Sales Tax			
Engineering/Architect			
Financial Charges			
Legal	$200,000		
Other			
Management/Developer Fees			
Total Project Cost	15,140,800		

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 $ 15,140,800

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

Sources of Funds for Project Costs:

1. Bank Financing $ 7,930,000
2. Equity (excluding equity that is attributed to grants/tax credits) $ 4,989,300
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) $ 2,221,500

-Identify each state and federal grant/credit:

NYSERDA Solar Grant $ 637,500

NYSERDA BESS Grant $ 1,584,000

______________________________ $ ____________

6. Total Sources of Funds for Project Costs $ 15,140,800

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:	See attached
Estimate the number of construction jobs to be created by this Project:	50
Estimate the average length of construction jobs to be created (months):	6
Current annual payroll at facility:	
Average annual growth rate of wages:	
Please list, if any, benefits that will be available to either full and/or part time employees:	
Average annual benefit paid by the company ($ or % salary) per FTE job:	
Average growth rate of benefit cost:	
Amount or percent of wage employees pay for benefits:	
Provide an estimate of the number of residents in the Economic Development Region (Onondaga, Madison, Cayuga, Oneida, Oswego, and Cortland Counties) to fill new FTE jobs:	

D) New Employment Benefits

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
Service Technician	$60/hr	0	1.5				
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): 20 years

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

☐ Sales and Use Tax Exemption (4% Local, 4% State): $169,920

☐ 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): $ NA

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

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:

$ 2,124,000

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):

$ 169,920

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

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

Company: Taft Solar LLC

Representative for Contract: Andrew Day

Address: 41 West Elm Street, Suite C City: Greenwich State: CT Zip: 06830

Phone: 203-542-5651 Email: ____________

Project Address: 6966 East Taft Rd City: East Syracuse State: NY Zip: 13057

General Contractor: None at this time.

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

Benefit Sought	Fee Charged
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.

<u>Information to be Provided by Companies:</u> 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.

<u>Recapture of Benefits</u>: 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.

<u>Recapture of a PILOT, Sales Tax and the Mortgage Recording Tax Exemptions:</u> 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.

<u>Recapture Payment:</u> 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.

<u>Recapture of the PILOT, Sales Tax or Mortgage Recording Tax:</u> 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%

<u>Distribution of the Recapture Payment:</u> 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 Taft Solar LLC

Signature of Officer or Authorized Representative: ____________________

Name & Title of Officer or Authorized Representative: Andrew Day, Member

Date: ______________

Section VIII: Employment Plan

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

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

☐Yes ☐No

If yes, name and location: ______________________________

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

☐Yes ☐No

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

In consideration of the benefits provided by the Onondaga County Industrial Development Agency (OCIDA), Taft Solar 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.

Taft Solar 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.

Taft Solar 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: Taft Solar LLC

Signature of Officer or Authorized Representative: ARDay

Name & Title of Officer or Authorized Representative: Andrew Day, Member

Date: 2/5/2020

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. Genevieve A. Suits
4. Karen Doster
5. Chris Cox

Agency Legal Counsel & Auditor

1. Anthony Rivizzigno, 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: Taft Solar LLC

Signature of Officer or Authorized Representative: [signature]

Name & Title of Officer or Authorized Representative: Andrew Day, Member

Date: 2/5/2020

Section X: Representations, Certifications, and Indemnification

Andrew Day (Name of CEO or other authorized representative of Applicant) confirms and says that he/she is the Member (title) of Taft Solar 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 Taft Solar LLC

Signature of Officer or Authorized Representative:

Name & Title of Officer or Authorized Representative: Andrew Day, Member

Date: February 5, 2020

STATE OF NEW YORK)

COUNTY OF ONONDAGA)ss.;

Andrew Day, being first duly sworn, deposes and says:

1. That I am the Member (Corporate Officer) of Taft Solar 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 5 day of February, 20 20.

(Notary Public)

Debra Biondolillo
Notary Public-Connecticut
My Commission Expires 4/24/23

End of Application

Rev 11-22-2019

TAFT SOLAR

SOLAR PHOTOVOLTAIC POWER PLANT

$5MW_{AC}$, $7.59MW_{DC}$ - $5MW_{BESS}/10.492MW_h$

FIXED TILT @ 20°/177°Az

6966 EAST TAFT ROAD, EAST SYRACUSE, NY 13057

VICINITY MAP
NTS

PROPOSAL DRAWINGS

N

PROJECT COORDINATES
LAT: 43° 7'10.46"N
LONG: 76° 2'27.57"W

DRAWINGS LIST

SHEET #	SHEET NAME	DATE
T-100	TITLE SHEET	08/02/2019
C-100	PV SOLAR SITE PLAN (G.E. IMAGE)	08/02/2019
C-200	PV SOLAR SITE PLAN	08/02/2019
E-100	SIMPLIFIED SINGLE LINE DIAGRAM	08/02/2019
E-110	SIMPLIFIED THREE LINE DIAGRAM	08/02/2019

PROJECT OWNER/DEVELOPER
Source Renewables
WWW.SOURCERENEW.COM
SOURCE RENEWABLES, LLC
50VANDERBILT AVE,
NEW YORK, NY 10017
(480) 272-1542

P.E. STAMP

ENGINEERING & DESIGN
RYDBERG POWER
WWW.RYDBERGPOWER.COM
+1.949.466.2540

TAFT SOLAR
SOLAR PV POWER PLANT
$5MW_{ac}/7.59MW_{dc}$, 13.2kV
6966 EAST TAFT ROAD
EAST SYRACUSE, NY 13057

REV#	DESCRIPTION	DATE	DWRN	CHKD	APVD
1.0	ISSUED FOR INTERCONNECTION APPLICATION	08/02/2019	RM	AD/MM	

DATE: 08/02/2019
DRAWN BY: ROGER DSM.
ENGINEER:
APPROVED BY: -

SHEET TITLE:
TITLE SHEET

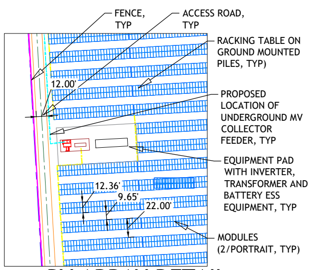
SHEET NO.:
T-100

SYSTEM SUMMARY

DESIGN TEMPERATURES	
HIGH TEMP (2%)	31°C
EXTREME MIN	-24°C
INVERTER	
MANUFACTURER:	SUNGROW
INVERTER NOMINAL OUTPUT POWER	2500KWac
@50°C, PF=1	2500kVA
DC OPERATING RANGE	800-1500V_{dc}
QUANTITY/TOTAL:	2
TOTAL AC SYSTEM OUTPUT	5MWAC
BATTERY STORAGE DETAILS	
PATHION ESS MODEL TYPE#1 (QTY)	PA2500Kw-5246E (x2)
TOTAL STORAGE CAPACITY:	5MWbess/10.492MWh
MAX CHARGE/DISCHARGE RATE	0.5c
OPERATING VOLTAGE RANGE	1037-1345V_{dc}
SLO OPTIMIZER DETAILS	
OPTIMIZER MODEL	PATHION SLO V14500
MAX VOLTAGE INPUT	1500V
NUMBER OF PV INPUTS/OPTIMIZER	4 STRINGS/OPTIMIZER
MODULE	
MANUFACTURER:	HANWHA Q-CELLS USA
MODULE MODEL:	Q.PEAK DUO L-G5.3 395
MODULE OUTPUT:	395W
MODULE COUNT:	19,224
DC SYSTEM OUTPUT	7.593MWDC
RACKING	
MANUFACTURER:	RBI OR APVD EQUAL
TITL	20°
PITCH	22.0FT
FOUNDATION:	PILE DRIVEN POSTS
CONFIGURATION:	1-UP PORTRAIT
AZIMUTH:	180°
PROJECT SITE	
AREA INSIDE FENCELINE	20.274ACRES
INTERCONNECTION VOLTAGE	13.2kV(ASSUMED)
FEEDER/SUBSTATION	FEEDER TO BRIDGEPORT SUBSTATION.

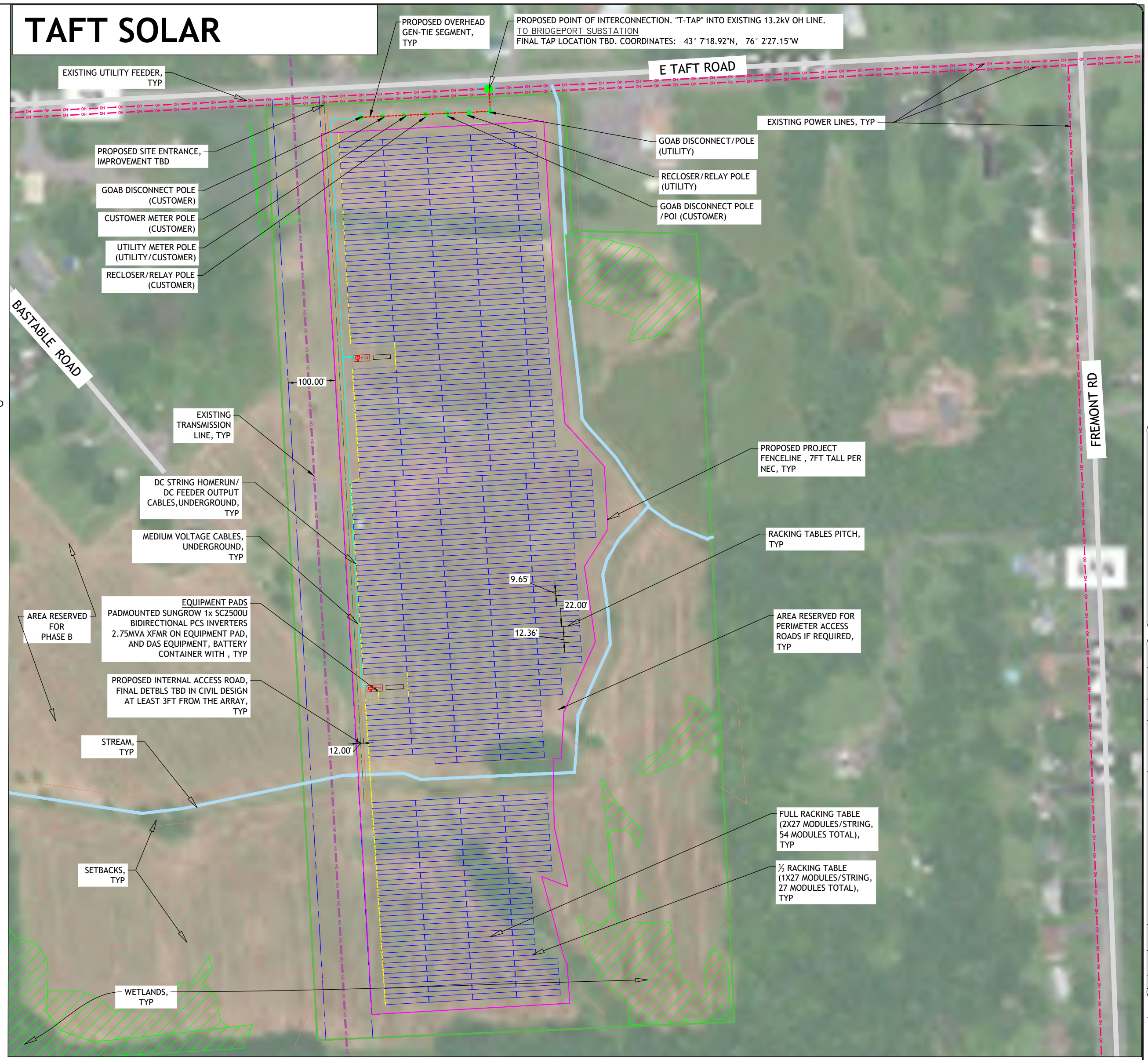
NOTES

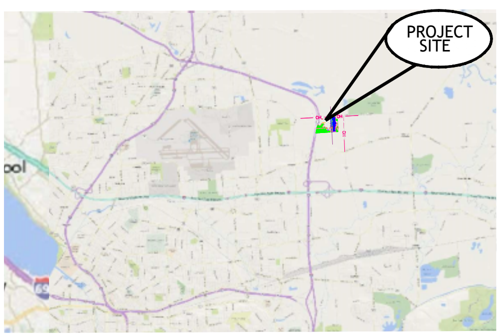
- THESE PLANS ARE DIAGRAMATIC. DO NOT SCALE FROM THESE DRAWINGS.
- GEOTECH,TOPOGRAPHIC, AND CONSTRAINT SURVEY RECOMENDED TO CONFIRM THE CONSTRUCTIBILITY OF THE AREAS SELECTED FOR PV ARRAY AND ALL ASSOCIATED INSTALLATIONS.
- THIS DRAWING IS CONCEPTUAL IN NATURE AND IS FOR PLANNING PURPOSES ONLY. INVERTER, MODULE, AND RACKING SELECTIONS ARE SUBJECT TO CHANGE. APPROVED EQUIVALENT EQUIPMENT MAY BE USED.
- SPECIAL CONSIDERATIONS TO TO BE TAKEN FOR INSTALLATIONS WITHIN THE FLOOD ZONES. HYDROLOGY STUDIES ARE REQUIRED FOR PROPER DELINEATION OF THE WETLANDS
- EQUIPMENT SHALL BE INSTALLED IN ACCORDANCE WITH THE NEC AND ALL APPLICABLE REQUIREMENTS OF THE SERVING ELECTRIC UTILITY COMPANY AND THE LOCAL AHJ
- THE ESS SIZE IS SUBJECT TO CHANGING UPON FURTHER FINANCIAL ANALYSIS
- GROUNDING TRANSFORMERS MAY BE REQUIRED BY UTILITY. SYSTEM DESIGN TO BE UPDATED IF NEEDED.
- INTERCONNECTION SYSTEM UPGRADES ARE TBD FOLLOWING THE SYSTEM INTERCONNECTION/IMPACT STUDY



PV ARRAY DETAIL
NTS"

TAFT SOLAR





2 PROJECT AREA MAP
NTS

PROJECT COORDINATES
LAT: 43° 7'10.46"N
LONG: 76° 2'27.57"W

1 PV SOLAR SITE PLAN (G.E. IMAGE)
NTS

PROJECT OWNER/DEVELOPER

Source Renewables

WWW.SOURCERENEW.COM
SOURCE RENEWABLES, LLC
50VANDERBILT AVE,
NEW YORK, NY 10017
(480) 272-1542

P.E. STAMP

ENGINEERING & DESIGN

RYDBERG POWER

WWW.RYDBERGPOWER.COM
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PRELIMINARY NOT FOR CONSTRUCTION 08/02/2019

TAFT SOLAR
SOLAR PV POWER PLANT
5MW_{ac}/7.59MW_{dc}, 13.2kV
6966 EAST TAFT ROAD
EAST SYRACUSE, NY 13057

REV#	DESCRIPTION	DATE	DWRN	CHKD	APVD
1.0	ISSUED FOR INTERCONNECTION APPLICATION	08/02/2019	RM	AD/MM	

DATE: 08/02/2019
DRAWN BY: ROGER DSM.
ENGINEER:
APPROVED BY: -

SHEET TITLE:
PV SITE PLAN (G.E.IMAGE)

SHEET NO.:
C-100

C:\Users\mizer\appdata\local\temp\AcPublish_19100\Taft Solar Unit B_Preliminary_Fixed Tilt- V1.dwg | Aug 04, 2019 - 9:49pm | Mizer

SYSTEM SUMMARY	
DESIGN TEMPERATURES	
HIGH TEMP (2%)	31°C
EXTREME MIN	-24°C
INVERTER	
MANUFACTURER:	SUNGROW
INVERTER NOMINAL OUTPUT POWER	2500KWac
@50°C, PF=1	2500kVA
DC OPERATING RANGE	800-1500V_{dc}
QUANTITY/TOTAL:	2
TOTAL AC SYSTEM OUTPUT	5MWAC
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DC SYSTEM OUTPUT	7.593MWDC
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MANUFACTURER:	RBI OR APVD EQUAL
TITL	20°
PITCH	22.0FT
FOUNDATION:	PILE DRIVEN POSTS
CONFIGURATION:	1-UP PORTRAIT
AZIMUTH:	180°
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INTERCONNECTION VOLTAGE	13.2kV(ASSUMED)
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NOTES

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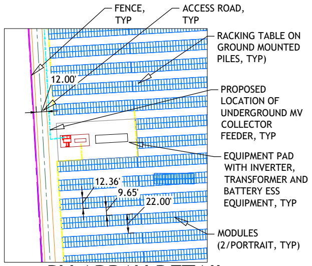
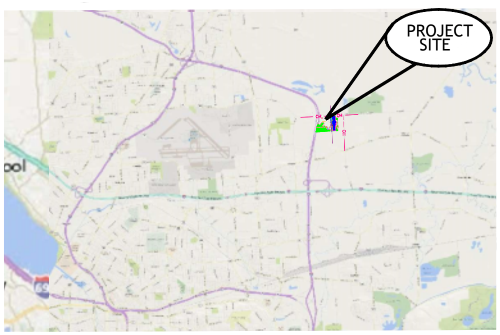


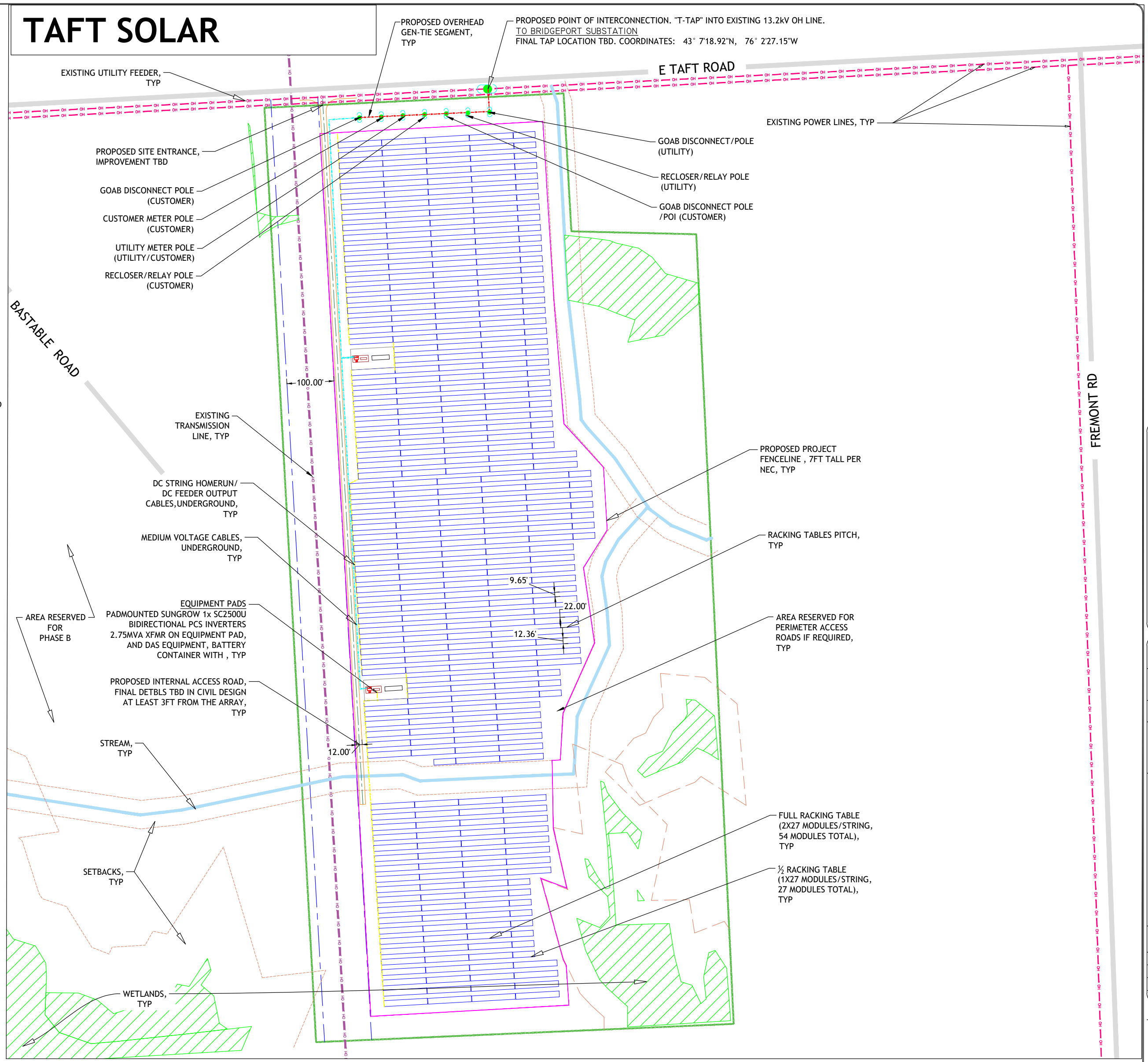
PV ARRAY DETAIL
NTS"



2 PROJECT AREA MAP
NTS

PROJECT COORDINATES
LAT: 43° 7'10.46"N
LONG: 76° 2'27.57"W

TAFT SOLAR



1 PV SOLAR SITE PLAN
NTS

PROJECT OWNER/DEVELOPER

Source Renewables

WWW.SOURCERENEW.COM
SOURCE RENEWABLES, LLC
50VANDERBILT AVE,
NEW YORK, NY 10017
(480) 272-1542

PRELIMINARY NOT FOR CONSTRUCTION 08/02/2019

STATE OF NEW YORK · STEVEN M. LONGWAY · 085425 · LICENSED PROFESSIONAL ENGINEER

ENGINEERING & DESIGN

RYDBERG POWER
WWW.RYDBERGPOWER.COM
+1.949.466.2540

LaBella Powered by partnership.
300 State Street, Suite 201
Rochester, NY 14614
585-454-6110
labellapc.com

TAFT SOLAR
SOLAR PV POWER PLANT
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REV#	DESCRIPTION	DATE	DWRN	CHKD	APVD
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DATE: 08/02/2019
DRAWN BY: ROGER DSM.
ENGINEER:
APPROVED BY: -

SHEET TITLE:
PV SITE PLAN

SHEET NO.:
C-200

Onondaga County Industrial Development Agency

Application for Benefits

Attachments

Section 1,

G)

Description of your company's background, products, customers, goods and services

Taft Solar Development LLC is a wholly owned subsidiary of Source Renewables. Source Renewables LLC is a clean energy development company focused on the development of Solar PV, Energy Storage, and Hybrid Solar/Storage projects in the Americas.

Source Renewables was formed by Source Structured Finance and ABA Clean Energy as a means to merge two energy development companies and provide a stronger unified value proposition to asset managers, customers, and the project development community.

The Source Renewables team has deep experience in the energy and project finance markets, having developed and built more than 60MW's of distributed Solar and Energy Storage. In addition to its already executed projects Source Renewables has a pipeline of over 300MW in various stages of development in the US.

We currently have multiple projects in Pennsylvania, New Jersey and New York.

For more information on the company please visit http://sourcerenew.com/

H)

Percentage of total annual supplies, raw materials, and vendor services purchased from firms in Onondaga County.

Taft Solar LLC does not have current vendors, suppliers, and contactors assigned to the project. We will make every effort to use local sources when feasible. Supplies specific to solar arrays are generally not available on a local level, however for general supplies, equipment and sub-contractors, we are committed to using local sources.

I) NA

J)

Assistance form OCIDA, SIDA, NYS or OCDC

The project beneficiary has not yet received assistance, but wishes to disclose they are in the process of applying for the NY SUN NYSERDA solar grant and the NYSRDA energy storage grant. No other assistance has been received, or is planned to be requested, from named entities in the application.

Section II,

C)

Summary of how this project will help your business grow.

Taft Solar Development, LLC has chosen this location as a target location for a photovoltaic solar facility. This solar plant, built at 6966 East Taft Rd. will increase Source Renewables overall power production capacity and reach, by providing residents the ability to obtain access to solar-generated electrical power.

D)

Description of Project

Taft Solar Development, proposes to build a Community Distributed Generation photovoltaic (PV) solar facilities ("Solar Facility") under New York State's Community Solar initiative. Said Solar Facility is planned to have a nameplate capacity of approximately 5 megawatts (MW) alternating current (AC).

The solar facility will be situated on approximately 20 acres of private land, on an approximate 35 acre area, owned by Taft Solar Development, LLC (the "Facility Site") which is currently sitting as vacant land.

The arrays will be complemented by a DC coupled energy storage systems to provide a community solar facility that will area residents the ability to obtain access to solar-generated electrical power.

Source Renewables is requesting PILOT and a Sales and Use Exemption for the project because the project is not financially feasible without the funding. Additionally, with support from the agency, these supports will allow Taft Solar Development to offer local residents lower rates for electricity.

H)

Compelling Circumstances

In addition to the descriptions provided in this application, I would like to submit this attachment outlining the unique benefits of community solar projects. Solar arrays, utilized for community solar, provide significant benefits for the environment and the community in which they are located. Adding battery storage to these arrays increases these benefits.

Solar projects generate clean renewable energy that feeds the local utility grid. Through monetary crediting, that energy can be shared with customers in the same utility service area. Savings show up directly on their utility bill, in the form of dollar-value credits for up to 25 years.

Battery storage paired with solar allows us to produce power when the sun shines and deliver power when it is needed. This helps to increase the amount of renewable energy that is able to be placed on the electric grid.

The inclusion of this battery storage is costly, however it helps to defer upgrades to utility generation, transmission and distribution, keeping costs and inflation down for all rate payers. Additionally, area regulation and voltage support improves smoother, higher quality electricity for the local community by reducing voltage spikes.

With a well-developed project coupling these technologies, such as described for Taft Solar, provides benefits to the community environmentally, and financially, both for the local municipality and local residents.

Section III,

Part C and D

Employment Information

Taft Solar LLC will hire 3rd party contractors, preferably from the local area, to perform annual maintenance and inspection for the solar array. This work would support three individuals from the selected contractor firm for a total of 1000 hours per year each. The 2020 market rate for this contract work is $60 per hour with a reasonable increase per year to maintain market rate. This employment is expected to continue through the pilot agreement and beyond.The target total employment is 3,000 hours of work at a rate of $60 per hour for each of the next 20 years.

Onondaga County Industrial Development Agency

Project Summary

5/28/2020

1. Project	**DG New York CS, LLC**	**2. Project Number**	**3101-20-11A**
3. Location	Van Buren	**4. School District**	West Genesee CSD
5. Tax Parcel(s)	055.-01-10.1	**6. Project Type**	Solar Development

0

7.Total Project Cost	**$**	**6,415,000**
Land	$	-
Site Work	$	836,000
Building	$	-
Furniture & Fixtures	$	-
Equipment	$	5,200,000
Equipment Subject to NYS Production Exemption	$	-
Engineering/Architecture Fees	$	-
Financial Charges	$	-
Legal Fees	$	-
Other- Solar Installation Labor	$	-

8. Total Jobs	0
8A. Job Retention	0
8B: Job Creation (Next 5 Years)	0

Cost Benefit Analysis

DG New York CS, LLC

	Fiscal Impact ($)	
Abatement Cost	**$**	**1,404,740**
Sales Tax	$	416,000
Mortgage Tax	$	-
Property Tax Relief (PILOT)	$	988,740
New Investment	**$**	**6,722,741**
PILOT Payments	$	170,253
Project Wages (10 years)	$	-
Construction Wages	$	435,300
Employee Benefits (10 years)	$	-
Project Capital Investment	$	6,036,000
New Sales Tax Generated	$	-
Agency Fees	$	81,188
Agency Legal Fees	$	16,038

Benefit:Cost Ratio **5 :1**

Project Description

DG New York CS, LLC is proposing to construct and operate a 3 MW (AC) Solar generation and energy storage project. The proposed project site is in the Town of Van Buren south of the intersection of Pottery Road and Herman Road. The project size is approximately 23.1 acres.

DG New York CS, LLC 5/28/2020

A) PILOTS Estimate Table Worksheet

Current Revenue Generated by Parcel		$6,685
Projected Year 1 Revenue to be generated as a result of the project:		$12,000
Total Project Cost	$	6,415,000
OCIDA Estimate of Project Value	$	1,300,000
Projected MW to be generated		3

Year	Onondaga County	Van Buren	West Genesee CSD	Total PILOT	Full Tax Payment without PILOT	Net Exemption
	16.0%	**12.2%**	**71.8%**	**100.0%**		
2019-2020	**$ 1,069**	**$ 817**	**$ 4,799**	**$ 6,685**		
1	$ 1,919	$ 1,466	$ 8,616	$ 12,000	$ 39,719	$ 27,719
2	$ 1,957	$ 1,495	$ 8,788	$ 12,240	$ 40,514	$ 28,274
3	$ 1,996	$ 1,525	$ 8,964	$ 12,485	$ 41,324	$ 28,839
4	$ 2,036	$ 1,555	$ 9,143	$ 12,734	$ 42,151	$ 29,416
5	$ 2,077	$ 1,587	$ 9,326	$ 12,989	$ 42,994	$ 30,004
6	$ 2,118	$ 1,618	$ 9,512	$ 13,249	$ 43,853	$ 30,604
7	$ 2,161	$ 1,651	$ 9,703	$ 13,514	$ 44,730	$ 31,217
8	$ 2,204	$ 1,684	$ 9,897	$ 13,784	$ 45,625	$ 31,841
9	$ 2,248	$ 1,717	$ 10,095	$ 14,060	$ 46,538	$ 32,478
10	$ 2,293	$ 1,752	$ 10,296	$ 14,341	$ 47,468	$ 33,127
11	$ 2,339	$ 1,787	$ 10,502	$ 14,628	$ 48,418	$ 33,790
12	$ 2,386	$ 1,822	$ 10,712	$ 14,920	$ 49,386	$ 34,466
13	$ 2,433	$ 1,859	$ 10,927	$ 15,219	$ 50,374	$ 35,155
14	$ 2,482	$ 1,896	$ 11,145	$ 15,523	$ 51,381	$ 35,858
15	$ 2,532	$ 1,934	$ 11,368	$ 15,834	$ 52,409	$ 36,575
16	$ 2,582	$ 1,973	$ 11,595	$ 16,150	$ 62,670	$ 46,520
17	$ 2,634	$ 2,012	$ 11,827	$ 16,473	$ 63,923	$ 47,450
18	$ 2,687	$ 2,052	$ 12,064	$ 16,803	$ 65,202	$ 48,399
19	$ 2,740	$ 2,093	$ 12,305	$ 17,139	$ 66,506	$ 49,367
20	$ 2,795	$ 2,135	$ 12,551	$ 17,482	$ 67,836	$ 50,354
21	$ 2,851	$ 2,178	$ 12,802	$ 17,831	$ 69,193	$ 51,361
22	$ 2,908	$ 2,222	$ 13,058	$ 18,188	$ 70,577	$ 52,389
23	$ 2,966	$ 2,266	$ 13,320	$ 18,552	$ 71,988	$ 53,436
24	$ 3,026	$ 2,311	$ 13,586	$ 18,923	$ 73,428	$ 54,505
25	$ 3,086	$ 2,358	$ 13,858	$ 19,301	$ 74,896	$ 55,595
	$ 61,455	**$ 46,948**	**$ 275,960**	**$ 384,364**	**$ 1,373,103**	**$ 988,740**

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
APPLICATION FOR BENEFITS

1. Fill in all blanks using "none", "not applicable" or "not available". If you have any questions about the way to respond, please call the Onondaga County Industrial Development Agency at 315-435-3770.

2. If providing an estimate put "(est.)" after the figure or answer. If more space is needed to answer any specific question, attach a separate sheet.

3. If the OCIDA Board approves benefits, it is the company's responsibility to obtain and submit all necessary forms and documents. (ST-60, PILOT Agreement)

4. When completed, return this Application by mail or fax to the Agency at the address indicated below. A signed application may also be submitted electronically in PDF format to Nate Stevens at nstevens@ongov.net. **An Application will not be considered by the Agency until the Application fee has been received.**

5. The Agency will not give final approval for this Application until the Agency receives a completed NYS Full Environmental Assessment Form concerning the Project, which is the subject of this Application. The form is available at http://www.dec.ny.gov/permits/6191.html.

6. Please note the Public Officers Law declares all records in the possession of the OCIDA (with certain limited exceptions) are open to public inspection and copying. If the Applicant is of the opinion that there are elements of the Project which are in the nature of trade secrets which, if disclosed to the public or otherwise widely disseminated, would cause substantial injury to the Applicant's competitive position, this Applicant must identify such elements in writing and request that such elements be kept confidential. In accordance with Article 6 of the Public Officer's Law, the OCIDA may also redact personal, private, and/or proprietary information from publicly disseminated documents.

7. The Applicant will be required to pay the Agency Application fee and, if accepted as a project of the agency, all administrative and legal fees as stated in Section VI of the Application.

8. A complete application consists of the following 9 items:
   - This Application
   - Local Access Agreement
   - Employment Plan
   - Conflict of Interest
   - A feasibility statement indicating the need for the requested benefits
   - Description of project, Site Plans/Sketches, and Maps
   - NYS Full Environmental Assessment Form
   - A check payable to the Agency in the amount of $1,000
   - A check payable to Barclay Damon LLP in the amount of $2,500

9. This Application was adopted by the OCIDA Board on November 19, 2019.

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

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

Section I: Applicant Information

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

A) Applicant information-company receiving benefits:

Applicant Name: DG New York CS, LLC

Applicant Address: 700 Universe Blvd (mail stop: A1A/JB), Juno Beach, FL 33408

Phone: 561-400-8076 Fax: N/A

Website: https://www.nexteraenergyresources.com/what-we-do/solar/distributed-generation.html E-mail: brian.harper@nee.com

Federal ID#: 83-2622807 NAICS: 221114

State and Year of Incorporation/Organization: Delware

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: N/A

Federal ID#: N/A

State and Year of Incorporation/Organization: N/A

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

B) Individual Completing Application:

Name: Brian Harper

Title: Project Manager

Address: 700 Universe Blvd (mail stop: A1A/JB), Juno Beach, FL 33408

Phone: 561-400-8076 Fax: N/A

E-mail: brian.harper@nee.com

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

Name: same as individual completing application

Title: __________

Address: __________

Phone: __________ Cell Phone: __________

E-mail: __________

D) Company Counsel:

Name of Attorney: Robert Ryan

Firm Name: Harris Beach, PLLC

Address: 358 Broadway, Saratoga Springs, NY 12866

Phone: (518) 701-2715 Cell Phone: __________

E-mail: rryan@harrisbeach.com

E) Business Organization (check appropriate category):

☐ Corporation ☐ Partnership

☐ Public Corporation ☐ Joint Venture

☐ Sole Proprietorship ☑ Limited Liability Company

Others (please specify): __________

Year Established: 2018

State in which Organization is established: Delaware

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

Name	% of ownership
DG 1 Acquisition Co, LLC	100%

G) Applicant Business Description:

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

Estimated % of sales within Onondaga County: up to 100% available to subscribers within the County

Estimated % of sales outside Onondaga County but within New York State: up to 100% available within State

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.

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: 6719 Pottery Road

Legal Address (if different): ______

City: Warners   Village/Town: ______

Zip Code: 13164   School District: West Genesee

Tax Map Parcel ID(s): 055.-01-10.1

Current Assessed Value: $145,000   Sq. Footage of Existing Building: ______

Census Tract: 76760

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
- ☐ Acquisition of Existing Facility
- ☐ Housing
- ☐ Equipment Purchase
- ☐ Multi-Tenant
- ☐ Commercial
- ☐ Bank Office
- ☐ Retail
- ☐ Mixed Use
- ☐ Facility for Aging
- ☐ Civic Facility (not for profit)
- ☑ Other Solar & Energy Storage

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	836,000 (est.)		
Building Construction & Renovation			
Furniture & Fixtures			
Equipment	5,200,000 (est.)		
Equipment Subject to NYS Production Sales Tax			
Engineering/Architect			
Financial Charges			
Legal			
Other			
Management/Developer Fees	379,000 (est.)		
Total Project Cost			

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

B) TOTAL Capital Costs $ 6,415,000

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

Sources of Funds for Project Costs:

1. Bank Financing $ 0
2. Equity (excluding equity that is attributed to grants/tax credits) $ 6,415,000
3. Tax Exempt Bond Issuance (if applicable) $ 0
4. Taxable Bond Issuance (if applicable) $ 0

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

-Identify each state and federal grant/credit:

NYSERDA ______________________________ $ not yet awarded

ITC ______________________________ $ 1,500,000 (est.)

______________________________ $ ________________

6. Total Sources of Funds for Project Costs $ ________________

C) Employment and Payroll Information

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

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

☐Yes ☑No If yes, provide number of FTE jobs at the facility: ________

2. Complete the following:

Estimate the number of FTE jobs to be retained as a result of this Project:	N/A
Estimate the number of construction jobs to be created by this Project:	30
Estimate the average length of construction jobs to be created (months):	4
Current annual payroll at facility:	N/A
Average annual growth rate of wages:	N/A
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:	N/A

D) New Employment Benefits

i. Complete the following chart indicating the number of FTE jobs presently employed at the Project and the number of FTE jobs that will be created at the Project site at the end of the first, second, third, fourth and fifth years after the Project is completed. Jobs should be listed by title of category (see below), including FTE independent contractors or employees of independent contractors that work at the Project location. Do not include construction workers.

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

Current & Planned Full Time Occupations (Job Titles)	Salary (Annual or Hourly)	Current Number of FTEs	Estimated Number of FTE Jobs **added each year** after project				
			Year 1	Year 2	Year 3	Year 4	Year 5
N/A							
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): TBD

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

☑ Sales and Use Tax Exemption (4% Local, 4% State): TBD

☐ 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): $ none

Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above, multiplied by .0075): $ none

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:

$ 5,200,000

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):

$ 416,000

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 DG New York CS, 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 5/26/2020 (date).

Company: DG New York CS, LLC

Representative for Contract: Brian Harper

Address: 700 Universe Blvd (mail stop: A1A/JB) City: Juno Beach State: FL Zip: 33408

Phone: 561-400-8076 Email: brian.harper@nee.com

Project Address: 6719 Pottery Road City: Warners State: NY Zip: 13164

General Contractor: ______

Contact Person: ______

Address: ______ City: ______ State: ______ Zip: ______

Phone: ______ Email: ______

Authorized Representative: ______ Title: ______

Signature: ______

Section VI: Agency Fee Schedule

Payment Terms:

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

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

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

Benefit Sought	Fee Charged
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.

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.

<u>Additional Conditions for the Recapture of Sales and Use Tax</u>: 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. <u>Distribution of Sales and Use Tax</u>. 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. <u>Compliance Report</u>. 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.

<u>A "Full Time Permanent Employee" shall mean</u>

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 DG New York CS, LLC

Signature of Officer or Authorized Representative: ____________________

Name & Title of Officer or Authorized Representative: Matthew Ulman, VP Development

Date: 5/26/2020

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), DG New York CS, 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.

DG New York CS, 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.

DG New York CS, 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: DG New York CS, LLC

Signature of Officer or Authorized Representative: ____________________

Name & Title of Officer or Authorized Representative: Matthew Ulman, VP Development

Date: 5/26/2020

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 DG New York CS, LLC

Signature of Officer or Authorized Representative: ______________________

Name & Title of Officer or Authorized Representative: Matthew Ulman, VP Development

Date: 5/26/2020

Section X: Representations, Certifications, and Indemnification

Matthew Ulman (Name of CEO or other authorized representative of Applicant) confirms and says that he/she is the Vice President (title) of DG New York CS, 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 DG New York CS, LLC

Signature of Officer or Authorized Representative: ______________________

Name & Title of Officer or Authorized Representative: Matthew Ulman, Vice President

Date: 5/26/2020

STATE OF NEW YORK)

COUNTY OF ONONDAGA)ss.;

______________________, being first duly sworn, deposes and says:

1. That I am the__________________(Corporate Officer) of__________________ (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.

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

(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury this______________day of__, 20_____.

____

(Notary Public)

End of Application

Rev 1-9-20

Project Overview

DG New York CS, LLC is an independent, wholly owned subsidiary of NextEra Energy Resources, LLC. NextEra has been generating clean energy for nearly 30 years and is the world's largest generator of wind and solar power, with more than 15,000 megawatts of wind and 2,300 MW of solar commercially operating in our portfolio. Our parent company, NextEra Energy, Inc. (NYSE: NEE), a Fortune 200 company with approximately $103 billion in total assets, is a leading clean energy company that has been in business since 1925.

DG New York CS, LLC is petitioning the Town of Van Buren for a Special Use Permit/Site Plan approval to allow for the development of the Van Buren II Solar and Energy Storage Project (Project), a proposed 3-megawatt (MW) alternating current (AC) solar photovoltaic (PV) project located within the municipal jurisdiction of the Town of Van Buren, Onondaga County, New York.

The proposed Project will be located on an approximately 32.99-acre parcel. The Project will be located to the west of Pottery Road and to the south of Herman Road and Interstate 90. The geographic coordinates of the center of the site are approximately 43.1013°/-76.2957°. The Project is designed to encompass 23.1 acres of the roughly 32.99-acre parcel. The parcel is located west of Pottery Rd and to the south of Herman Rd.

The proposed Project will consist of ground-mounted PV arrays that will be mounted on a single axis tracking system, which is designed to track the sun's movement, as the PV panels are designed to rotate and track. This type of PV array is designed to allow for higher solar energy capture efficiency than a static system. At their maximum height, the solar array, including trackers and inverters, will be approximately 10 to 12 feet above ground, and the battery storage equipment (if used) will be 12 feet above ground, a height unimposing to local residents.

An approximately seven-foot perimeter fence will be installed around the footprint of the proposed Project. The fence will include manual swing gates and an access driveway (with an aggregate base). The site will be accessed from a new driveway via Pottery Road.

This project will be part of the New York Community Solar program which provides local residential and commercial utility customers the opportunity to save money on their electric utility bill and benefit from clean, renewable energy. The project will also create local job opportunities during construction. The project will produce safe, clean and reliable power for New York. Solar is a quiet neighbor and partner in the community. It does not increase traffic or noise and will not be detrimental to or endanger health or safety of the public.

VAN BUREN II DG SOLAR & ENERGY STORAGE PROJECT

6719 POTTERY ROAD
WARNER, NEW YORK 13164
PARCEL #055.-01-10.1

DISCRETIONARY PERMITTING

LOCATION MAP
SCALE 1"=1000'

PROJECT DEVELOPER	**PROJECT SCOPE**
DG NEW YORK CS, LLC 700 UNIVERSE BLVD A1A/JB JUNO BEACH, FL 33408 (914) 256-7644	THIS PERMITTING PACKAGE PROVIDES DRAWINGS AND DETAILS FOR THE INSTALLATION OF A SOLAR PHOTOVOLTAIC SYSTEM AND BATTERY ENERGY STORAGE SYSTEM (BESS) IN THE STATE OF NEW YORK. THIS DRAWING SET IS FOR DISCRETIONARY PERMITTING PURPOSES ONLY, NOT FOR CONSTRUCTION.
CIVIL ENGINEER	**APPLICABLE CODES & STANDARDS**
TETRA TECH ENGINEERING CORPORATION PC 3136 SOUTH WINTON RD, SUITE 303 ROCHESTER, NEW YORK 14624 (585) 417-4009	• NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) • NFPA 855 (REFERENCE ONLY) • 2015 INTERNATIONAL BUILDING CODE (IBC) AND NEW YORK AMENDMENTS • 2015 INTERNATIONAL FIRE CODE (IFC) AND NEW YORK AMENDMENTS • 2016 NEW YORK STATE STANDARDS AND SPECIFICATIONS FOR EROSION AND SEDIMENT CONTROL • TOWN OF VAN BUREN, NY PROPOSED LOCAL LAW NO. J OF 2019

DRAWING INDEX

PROJECT SUMMARY

PARCEL NUMBER	055.-01-10.1
PARCEL ACREAGE	32.99 AC
ZONING CLASSIFICATION	INDUSTRIAL A
FRONT SETBACK	100 FT
REAR SETBACK	100 FT
SIDE SETBACK	100 FT
ADDITIONAL SETBACK	200 FT FROM RESIDENTIAL LOTS
PROJECT AREA	23.1 ACRES
LATITUDE/LONGITUDE	43.1013°/-76.2957°
SYSTEM SIZE (DC)	3.78 MW
SYSTEM SIZE (AC)	3.00 MW
MODULE	JINKO SOLAR - CHEETAH HC 72M-V RISEN ENERGY RSM72-625P
SERIES OF STRINGS	26-MODULE STRINGS 28-MODULE STRINGS
INVERTER	POWER ELECTRONICS - FREEMAQ FP3190K
AVG. STRINGS PER INVERTER	TBD
TRANSFORMER	TBD
BATTERY STORAGE	5.0 MW AC/15MWh

CIVIL INFORMATION

ROAD LENGTH	255 FT
FENCE LENGTH	3,320 FT
SILT FENCE LENGTH	3,340 FT

THIS PERMITTING PACKAGE, AND THE DATA HEREIN, IS INTENDED FOR PERMITTING PURPOSES ONLY, AND IS NOT TO BE USED FOR CONSTRUCTION.

NOT FOR CONSTRUCTION

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(914) 256-7644
www.NextEraEnergy.com

TETRA TECH

STAMP:

VAN BUREN II DG SOLAR & ENERGY STORAGE PROJECT
PROPERTY OWNER
MARK W BITZ FAMILY, LLC
6719 POTTERY ROAD
WARNERS, NY 13164

PROJECT NUMBERS:
194-6777

SHEET TITLE:
CIVIL TITLE SHEET

SHEET SIZE:
ARCH "D"
24" X 36" (610 x 914)
0 ½" 1"

NO.	REVISION	DATE	INIT.

DATE:	12/06/2019
DRAWN BY:	AJF
ENGINEER:	KMG
APPROVED BY:	

PROJECT PHASE:
DISCRETIONARY PERMITTING

SCALE:
AS SHOWN

SHEET NO.:
C-001

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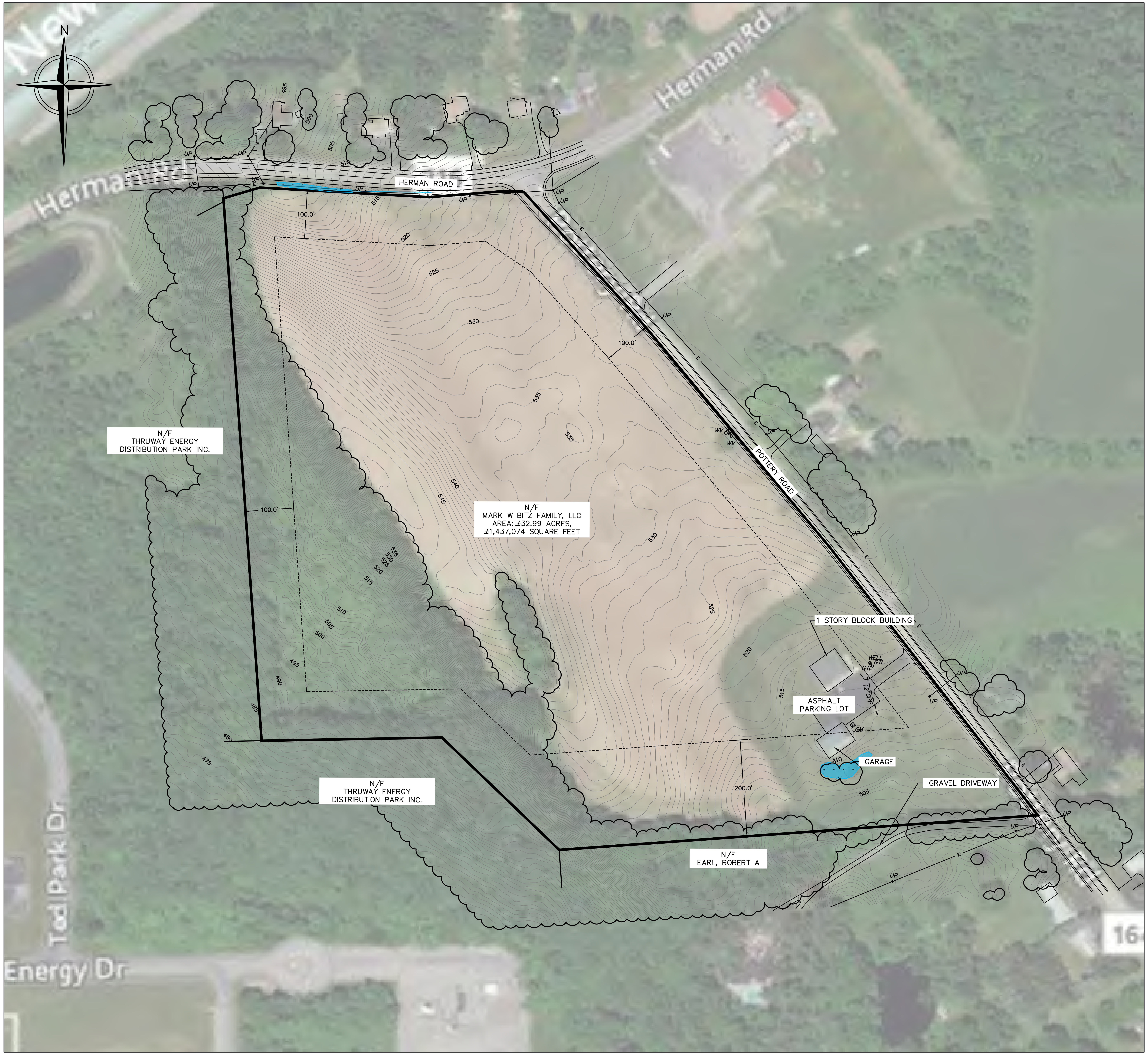

LEGEND

- PROPERTY LINE
- OVERHEAD ELECTRIC
- POWER POLE
- TREE LINE
- DELINEATED WETLANDS
- ZONING SETBACKS/CONSTRAINTS

GENERAL NOTES:

1. EXISTING CONDITIONS INFORMATION OBTAINED FROM SURVEY PERFORMED BY SCHWERZLER LAND SURVEYING, LLC, DATED OCTOBER 13, 2019.
2. TOPOGRAPHIC FEATURES HAVE BEEN PROVIDED BY DUDEK ON SEPTEMBER 20, 2019. ACCURACY OF SUCH DATA NOT PROVIDED.
3. PROPERTY BOUNDARY EDITED TO MATCH TAX MAP ALONG NORTHERN BOUNDARY.
4. THIS DATA IS REFERENCED HORIZONTALLY TO THE NORTH AMERICAN DATUM OF 1983 (NAD83)(2011) NY CENTRAL ZONE, US FOOT AND VERTICALLY TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), US FOOT, REFERENCED TO GEOID 12A.
5. FIELD SURVEY PERFORMED ON SEPTEMBER 19, 2019 BY SCHWERZLER LAND SURVEYING, LLC.
6. TREE LINES SHOWN HEREON ARE APPROXIMATE. SOURCE: GOOGLE EARTH.
7. RIGHTS, EASEMENTS AND INSTRUMENTS, IF ANY, FOR UTILITY POLES, WIRES, LINES, GUY WIRES, AND SIMILAR INSTALLATIONS, TOGETHER WITH SUCH RIGHTS AS MANY EXIST TO OPERATE, MAINTAIN AND REPAIR THE SAME. THERE WERE NO SUCH RIGHTS PROVIDED IN TITLE REPORT FOR THE UTILITY POLES NORTH OF LOT 7 AS SHOWN HEREON.
8. DELINEATED WETLANDS DATA OBTAINED BY TETRA TECH ON OCTOBER 23, 2019.

THIS PERMITTING PACKAGE, AND THE DATA HEREIN, IS INTENDED FOR PERMITTING PURPOSES ONLY, AND IS NOT TO BE USED FOR CONSTRUCTION.

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SCALE IN FEET

NOT FOR CONSTRUCTION

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(914) 256-7644
www.NextEraEnergy.com

TETRA TECH

STAMP:

VAN BUREN II DG SOLAR & ENERGY STORAGE PROJECT

PROPERTY OWNER
MARK W BITZ FAMILY, LLC

6719 POTTERY ROAD
WARNERS, NY 13164

PROJECT NUMBERS: 194-6777

SHEET TITLE: EXISTING CONDITIONS

SHEET SIZE: ARCH "D" 24" X 36" (610 x 914)

NO.	REVISION	DATE	INIT.

DATE:	12/06/2019
DRAWN BY:	AJF
ENGINEER:	KMG
APPROVED BY:	

PROJECT PHASE: DISCRETIONARY PERMITTING

SCALE: AS SHOWN

SHEET NO.: C-101

LEGEND

- PROPERTY LINE
- OVERHEAD ELECTRIC
- POWER POLE
- TREE LINE
- DELINEATED WETLANDS
- ZONING SETBACKS/CONSTRAINTS
- LIMITS OF DISTURBANCE
- PROPOSED PERIMETER SECURITY FENCE
- PROPOSED SILT FENCE
- PROPOSED UNDERGROUND ELECTRIC
- PROPOSED OVERHEAD ELECTRIC

GENERAL NOTES:

1. EXISTING CONDITIONS INFORMATION OBTAINED FROM SURVEY PERFORMED BY SCHWERZLER LAND SURVEYING, LLC, DATED OCTOBER 13, 2019.
2. TOPOGRAPHIC FEATURES HAVE BEEN PROVIDED BY DUDEK ON SEPTEMBER 20, 2019. ACCURACY OF SUCH DATA NOT PROVIDED.
3. PROPERTY BOUNDARY EDITED TO MATCH TAX MAP ALONG NORTHERN BOUNDARY.
4. THIS DATA IS REFERENCED HORIZONTALLY TO THE NORTH AMERICAN DATUM OF 1983 (NAD83)(2011) NY CENTRAL ZONE, US FOOT AND VERTICALLY TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), US FOOT, REFERENCED TO GEOID 12A.
5. FIELD SURVEY PERFORMED ON SEPTEMBER 19, 2019 BY SCHWERZLER LAND SURVEYING, LLC.
6. TREE LINES SHOWN HEREON ARE APPROXIMATE. SOURCE: GOOGLE EARTH.
7. RIGHTS, EASEMENTS AND INSTRUMENTS, IF ANY, FOR UTILITY POLES, WIRES, LINES, GUY WIRES, AND SIMILAR INSTALLATIONS, TOGETHER WITH SUCH RIGHTS AS MANY EXIST TO OPERATE, MAINTAIN AND REPAIR THE SAME. THERE WERE NO SUCH RECORDS PROVIDED IN TITLE REPORT FOR THE UTILITY POLES NORTH OF LOT 7 AS SHOWN HEREON.
8. DELINEATED WETLANDS DATA OBTAINED BY TETRA TECH ON OCTOBER 23, 2019.

PROJECT DESCRIPTION

SYSTEM SIZE (DC)	3.78 MW
SYSTEM SIZE (AC)	3.00 MW
AVG. DC/AC RATIO	1.26
MODULE	JINKO SOLAR - CHEETAH HC 72M-V RISEN ENERGY RSM72-625P
MODULE STC RATING	405 W 325 W
STRING SIZE	26 28
STRING QUANTITY	315 (26) 50 (28)
RACKING SYSTEM	SINGLE AXIS TRACKER
RACKING MODEL	TBD
PITCH	16.25 FT
SYSTEM AZIMUTH	180°
INVERTER	POWER ELECTRONICS - FREEMAQ FS3190K

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www.NextEraEnergy.com

TETRA TECH

STAMP:

VAN BUREN II DG SOLAR & ENERGY STORAGE PROJECT

PROPERTY OWNER
MARK W BITZ FAMILY, LLC

6719 POTTERY ROAD
WARNERS, NY 13164

PROJECT NUMBERS:
194-6777

SHEET TITLE:
SITE PLAN

SHEET SIZE:
ARCH "D"
24" X 36" (610 x 914)
0 ½" 1"

NO.	REVISION	DATE	INIT.

DATE: 12/06/2019
DRAWN BY: AJF
ENGINEER: KMG
APPROVED BY:

PROJECT PHASE:
DISCRETIONARY PERMITTING

SCALE:
AS SHOWN

SHEET NO.:
C-201

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LEGEND

———	PROPERTY LINE
— E — E —	OVERHEAD ELECTRIC
○	POWER POLE
	TREE LINE
	DELINEATED WETLANDS
	ZONING SETBACKS/CONSTRAINTS
	LIMITS OF DISTURBANCE
	PROPOSED PERIMETER SECURITY FENCE
	PROPOSED SILT FENCE
— UGE — UGE	PROPOSED UNDERGROUND ELECTRIC
— OHE — OHE	PROPOSED OVERHEAD ELECTRIC
	PROPOSED TREE CLEARING

GENERAL NOTES:

1. EXISTING CONDITIONS INFORMATION OBTAINED FROM SURVEY PERFORMED BY SCHWERZLER LAND SURVEYING, LLC, DATED OCTOBER 13, 2019.
2. TOPOGRAPHIC FEATURES HAVE BEEN PROVIDED BY DUDEK ON SEPTEMBER 20, 2019. ACCURACY OF SUCH DATA NOT PROVIDED.
3. PROPERTY BOUNDARY EDITED TO MATCH TAX MAP ALONG NORTHERN BOUNDARY.
4. THIS DATA IS REFERENCED HORIZONTALLY TO THE NORTH AMERICAN DATUM OF 1983 (NAD83)(2011) NY CENTRAL ZONE, US FOOT AND VERTICALLY TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), US FOOT, REFERENCED TO GEOID 12A.
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8. DELINEATED WETLANDS DATA OBTAINED BY TETRA TECH ON OCTOBER 23, 2019.

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SCALE IN FEET

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E D C B A

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(914) 256-7644
www.NextEraEnergy.com

TETRA TECH

STAMP:

VAN BUREN II DG SOLAR & ENERGY STORAGE PROJECT

PROPERTY OWNER
MARK W BITZ FAMILY, LLC

6719 POTTERY ROAD
WARNERS, NY 13164

PROJECT NUMBERS:
194-6777

SHEET TITLE:
TREE CLEARING PLAN

SHEET SIZE:
ARCH "D"
24" X 36" (610 x 914)
0 ½" 1"

NO.	REVISION	DATE	INIT.

DATE: 12/06/2019
DRAWN BY: AJF
ENGINEER: KMG
APPROVED BY:

PROJECT PHASE:
DISCRETIONARY PERMITTING

SCALE:
AS SHOWN

SHEET NO.:
C-202

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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 applicant or project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: DG New York CS, LLC - Van Buren II Solar and Energy Storage		
Project Location (describe, and attach a general location map): South of Herman Road, West of Pottery Road, Town of Van Buren, Onondaga County, New York (see Attachment F.1 Figures)		
Brief Description of Proposed Action (include purpose or need): See Attachment F.2		
Name of Applicant/Sponsor: DG New York CS, LLC	Telephone: 561-694-3842 E-Mail: mithun.vyas@nexteraenergy.com	
Address: 700 Universe Blvd. A1A/JB		
City/PO: Juno Beach	State: FL	Zip Code: 33408
Project Contact (if not same as sponsor; give name and title/role): Brian Harper, Project Manager	Telephone: 561-400-8076 E-Mail: brian.harper@nexteraenergy.com	
Address: same as sponsor		
City/PO: same as sponsor	State: same as sponsor	Zip Code: same as sponsor
Property Owner (if not same as sponsor): Mark W Bitz Family II, LLC	Telephone: 315-303-5503 E-Mail:	
Address: P.O. Box 240		
City/PO: Memphis	State: NY	Zip Code: 13112

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 Counsel, Town Board, or Village Board of Trustees	☑Yes ☐No	Special use permit, site plan approval, building permit	
b. City, Town or Village Planning Board or Commission	☑Yes ☐No	Same	
c. City, Town or Village Zoning Board of Appeals	☐Yes ☑No	Not known to be required	
d. Other local agencies	☑Yes ☐No	Town may refer applications to other local officials for review	
e. County agencies	☐Yes ☐No	Undetermined	
f. Regional agencies	☐Yes ☑No		
g. State agencies	☑Yes ☐No	SPDES General Construction Permit NOI; others as yet undetermined	
h. Federal agencies	☐Yes ☐No	Not yet known	

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):

2010 Development Guide for Onondaga County

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):

Onondaga County Agriculture and Farmland Protection Plan (1997)

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
Industrial A (IN-A). Chapter 160, Solar Photovoltaic Systems, is the town solar ordinance, scheduled to be replaced by a solar power section in Chapter 200 Zoning.

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? ☐ Yes ☑ No
If Yes,
i. What is the proposed new zoning for the site? ______

C.4. Existing community services.

a. In what school district is the project site located? West Genesee Central School District

b. What police or other public protection forces serve the project site?
Baldwinsville Police Department, Onondaga County Sheriff

c. Which fire protection and emergency medical services serve the project site?
Lakeside Fire District, Community General Hospital

d. What parks serve the project site?
Reed Webster Park, Van Buren Central Park, Onondaga Lake County Park, Camillus Forest Unique Area, Whiskey Hollow Nature Preserve, Beaver Lake Nature Center

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)? Industrial

b. a. Total acreage of the site of the proposed action? 33 acres
b. Total acreage to be physically disturbed? 16 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 33 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
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: ______

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
______
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 the proposed action be constructed in multiple phases? ☐ Yes ☑ No
i. If No, anticipated period of construction: 4.5 months
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.

	One Family	Two Family	Three Family	Multiple Family (four or more)
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 SeeAttF.2
ii. Dimensions (in feet) of largest proposed structure: SeeAttF.2 height; ________ width; and ________ length
iii. Approximate extent of building space to be heated or cooled: 0.0 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? ☐ Yes ☑ No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
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): The design will avoid wetlands and waterbodies. See Attachment F.3.

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 the proposed action cause or result in disturbance to bottom sediments? ☐Yes ☐No
If Yes, describe: ______________________________

iv. Will the 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), what is the 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? ☐Yes ☐No
- Will a line extension within an existing district be necessary to serve the project? ☐Yes ☐No

  If Yes:
  - Describe extensions or capacity expansions proposed to serve this project: ____________________

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes ☐No

If Yes:
- Applicant/sponsor for new district: ____________________
- Date application submitted or anticipated: ____________________
- What is the receiving water for the wastewater discharge? ____________________

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? ☑Yes ☐No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or 0.13 acres (impervious surface)

_____ Square feet or 33 acres (parcel size)

ii. Describe types of new point sources. No new point sources

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)?

Temporary runoff from construction will be discharged on-site and controlled by stormwater and sediment/erosion control best management practices. Sheet flow from solar panels will infiltrate ground surface or be directed to existing wetland, drainage, and/or swale areas. No increase in runoff.

- If to surface waters, identify receiving water bodies or wetlands: See Sections D.2.b and E.2.h and Attachment F.3.
- Will stormwater runoff flow to adjacent properties? ☐Yes ☑No

iv. Does the 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? ☑Yes ☐No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

Vehicles for occasional maintenance of facility equipment and lawn & landscaping equipment for seasonal grass cutting. See Attachment F.4.

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

None

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

None

---

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? ☐Yes ☑No

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) ☐Yes ☐No

ii. In addition to emissions as calculated in the application, the project will generate:
- ___________Tons/year (short tons) of Carbon Dioxide (CO_2)
- ___________Tons/year (short tons) of Nitrous Oxide (N_2O)
- ___________Tons/year (short tons) of Perfluorocarbons (PFCs)
- ___________Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- ___________Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- ___________Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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 7 a.m. to 7 p.m..

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): Intermittent increased truck trips during construction for delivery of materials/supplies. No increase in traffic during operations.

iii. Parking spaces: Existing Not applicable 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:

Non-public access road to be constructed from Pottery Road into solar facility for maintenance.

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.

i. During Construction:

- Monday - Friday: 7 a.m. - 7 p.m.
- Saturday: 7 a.m. - 7 p.m.
- Sunday: 9 a.m. - 7 p.m.
- Holidays: None

ii. During Operations:

- Monday - Friday: 24 hours
- Saturday: 24 hours
- Sunday: 24 hours
- Holidays: 24 hours

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:

See Attachment F.5.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☑ Yes ☐ No

Describe: 0.39 acres of trees are planned to be removed to accommodate the project. Existing trees in the western and southern portion of the property parcel and in surrounding property parcels will provide partial noise barriers.

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:

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No

Describe:

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:

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 the proposed storage facilities:

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):

No pesticide use during construction. If pesticides are used during operations, they will be used in accordance with local, state, and federal regulations.

ii. Will the proposed action use Integrated Pest Management Practices? ☑ 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: See Attachment F.6 tons per ________________ (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: See Attachment F.6
- Operation: Not applicable

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: See Attachment F.6
- Operation: Not applicable

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 the 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): ____________________

ii. If mix of uses, generally describe:

The property parcel consists primarily of agricultural and forested land and is surrounded by similar land. Some residences exist on Herman Road north of the site, and some residential/agricultural buildings are on Pottery Road east of the site.

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.5	0.63	+0.13
• Forested	9.0	8.61	-0.39
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	3.0	18.26	+15.26
• Agricultural (includes active orchards, field, greenhouse etc.)	20.42	5.42	-15.0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0.08	0.08	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: ____________________			

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☑ No
i. If Yes: explain: ______

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? ☐ Yes ☑ No
If Yes,
i. Identify Facilities:
______
______

e. Does the project site contain an existing dam? ☐ Yes ☑ No
If Yes:
i. Dimensions of the dam and impoundment:

- Dam height: ______ feet
- Dam length: ______ feet
- Surface area: ______ acres
- Volume impounded: ______ gallons OR acre-feet

ii. Dam's existing hazard classification: ______
iii. Provide date and summarize results of last inspection:
______
______

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? ☐ Yes ☑ No
If Yes:
i. Has the facility been formally closed? ☐ Yes ☐ No

- If yes, cite sources/documentation: ______

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:
______
______
iii. Describe any development constraints due to the prior solid waste activities: ______
______

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? ☑ Yes ☐ No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:
A gasoline/diesel storage facility is on Ted Park Drive to the west of the project parcel. The facility is owned by Thruway Energy Distribution Park, Inc..
The tanks are located about 1,000 feet from development areas for the solar facility.

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? ☐ Yes ☑ No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☑ No

☐ Yes – Spills Incidents database Provide DEC ID number(s): ______
☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): ______
☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: ______
______
______
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☑ No
If yes, provide DEC ID number(s): ______
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):
______
______

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐ No

- If yes, DEC site ID number: ______
- Describe the type of institutional control (e.g., deed restriction or easement): ______
- Describe any use limitations: ______
- Describe any engineering controls: ______
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: ______

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? > 6.5 feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☑ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? ______%

c. Predominant soil type(s) present on project site:

Madrid fine sandy loam 2-8% slopes	62 %
Ontario and Madrid soils 15-25% slp	16 %
Madrid fine sandy loam 8-15% slope	10 %

d. What is the average depth to the water table on the project site? Average: > 6 feet

e. Drainage status of project site soils:
- ☑ Well Drained: 92 % of site
- ☑ Moderately Well Drained: 8 % of site
- ☐ Poorly Drained ______% of site

f. Approximate proportion of proposed action site with slopes:
- ☑ 0-10%: 77 % of site
- ☑ 10-15%: 17 % of site
- ☑ 15% or greater: 6 % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☑ No
If Yes, describe: ______

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☑ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☐ Yes ☑ No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☑ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:
- Streams: Name See Attachment F.3. Classification ______
- Lakes or Ponds: Name ______ Classification ______
- Wetlands: Name See Attachment F.3. Approximate Size ______
- Wetland No. (if regulated by DEC) ______

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☑ No
If yes, name of impaired water body/bodies and basis for listing as impaired: ______

i. Is the project site in a designated Floodway? ☐ Yes ☑ No

j. Is the project site in the 100-year Floodplain? ☐ Yes ☑ No

k. Is the project site in the 500-year Floodplain? ☐ Yes ☑ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☑ Yes ☐ No
If Yes:
i. Name of aquifer: Principal Aquifer, Primary Aquifer (per NYSDEC Environmental Resource Mapper)

m. Identify the predominant wildlife species that occupy or use the project site:

American toad	wild turkey	songbirds (various)
common garter snake	red-tailed hawk	gray squirrel
white-tailed deer	Eastern chipmunk	raccoon

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

If Yes:

i. Species and listing (endangered or threatened): ____________

See Attachment F.7.

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

If Yes:

i. Species and listing: ____________

See Attachment F.7.

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: ____________

Seasonal deer and other hunting possibly conducted on nearby forested properties. Not confirmed.

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: ONON003

b. Are agricultural lands consisting of highly productive soils present? ☑ Yes ☐ No

i. If Yes: acreage(s) on project site? 22 acres

ii. Source(s) of soil rating(s): USDA Web Soil Survey

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: ____________

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? If Yes: *i.* Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District *ii.* Name: See Attachment F.8. *iii.* Brief description of attributes on which listing is based:	☐ Yes ☑ No
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐ Yes ☑ No
g. Have additional archaeological or historic site(s) or resources been identified on the project site? If Yes: *i.* Describe possible resource(s): See Attachment F.8. *ii.* Basis for identification:	☐ Yes ☑ No
h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? If Yes: *i.* Identify resource: Erie Canalway Trail,Camillus Forest Unique Area, Onondaga Lake County Park, Van Buren Central Park *ii.* Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): Historic trail, local parks *iii.* Distance between project and resource: < 2.5 miles.	☑ Yes ☐ No
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? If Yes: *i.* Identify the name of the river and its designation: *ii.* Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	☐ Yes ☑ No ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Matthew Ulman Date 1/27/20

Signature [signature] Title Vice President

PRINT FORM

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

(A DISCRETELY PRESENTED COMPONENT UNIT OF THE COUNTY OF ONONDAGA, NEW YORK)

FINANCIAL STATEMENTS AND SUPPLEMENTARY INFORMATION

December 31, 2019 and 2018

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
(A Discretely Presented Component Unit of the County of Onondaga, New York)

Table of Contents

grossman st. amour
CERTIFIED PUBLIC ACCOUNTANTS PLLC

INDEPENDENT AUDITOR'S REPORT

The Board of Onondaga County
Industrial Development Agency

Report on the Financial Statements

We have audited the accompanying financial statements of the Onondaga County Industrial Development Agency (the Agency), a component unit of the County of Onondaga, New York (the County), as of and for the year ended December 31, 2019, and the related notes to the financial statements, which collectively comprise the Agency's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

The Agency's management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

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110 West Fayette Street, One Lincoln Center, Suite 900, Syracuse, NY 13202-1387 T 315.424.1120 F 315.422.0829 www.gsacpas.com
Member of: American Institute of Certified Public Accountants and New York State Society of Certified Public Accountants

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Agency, as of December 31, 2019, and the changes in its financial position and its cash flows thereof for the years then ended in accordance with accounting principles generally accepted in the United States of America.

Emphasis of Matter

As discussed in Note 2 to the financial statements, the Agency restated its financial statements related to a reimbursement from its sponsoring agency, the County of Onondaga. Our opinion is not modified with respect to this matter.

Report On Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise the Agency's basic financial statements. The supplemental schedule of revenue bonds and other bonds (conduit debt obligations), as required by New York State General Municipal Law §859 (1) (b), are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The supplemental schedule of revenue bonds and other bonds (conduit debt obligations) is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the supplemental schedule of revenue bonds and other bonds (conduit debt obligations) is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Grossman St. Amour Certified Public Accountants PLLC 110 West Fayette Street, One Lincoln Center, Suite 900, Syracuse, NY 13202-1387 T 315.424.1120 F 315.422.0829 www.gsacpas.com

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated March 17, 2020, on our consideration of the Agency's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulation, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Agency's internal control over financial reporting and compliance.

Grossman St Amour CPAs

Syracuse, New York
March 17, 2020, except for Note 2 which is dated May 14, 2020

This section of the Onondaga County Industrial Development Agency's (the Agency), a discretely presented component unit of Onondaga County, New York (the County), annual financial report presents our discussion and analysis of the Agency's financial performance during the year ended December 31, 2019. It should be read in conjunction with the Agency's financial statements and accompanying notes.

FINANCIAL STATEMENTS

The annual financial report of the Agency consists of two parts: Management's Discussion and Analysis (this section) and the basic financial statements and footnotes. The Agency is a self supporting entity. The accounts are recorded in accordance with a proprietary fund type and consist of an enterprise fund. Proprietary fund type operating statements present increases and decreases in net position. The financial statements are presented using the economic resources measurement focus and the accrual basis of accounting. The Agency does not maintain separate fund accounts.

Condensed Comparative Financial Information

	Year Ended December 31,		
	2019	2018	2017
Cash and cash equivalents	$ 2,206,148	$ 2,300,977	$ 3,089,861
Receivables - Onondaga County	1,336,998	-	-
Accounts receivable	833,971	753,472	418,138
Grant receivables	268,734	268,734	-
Notes receivable	-	2,083	47,916
Capital assets	4,518,424	3,634,691	4,489,640
Total assets	9,164,275	6,959,957	8,045,555
Current liabilities	564,045	456,255	506,271
Total liabilities	564,045	456,255	506,271
Net Position:			
Net investment in capital assets	4,518,424	3,634,691	4,489,640
Unrestricted	4,081,806	2,869,011	3,049,644
Total net position	$ 8,600,230	$ 6,503,702	$ 7,539,284

FINANCIAL STATEMENTS (continued)

Condensed Comparative Financial Information (continued)

	Year Ended December 31, 2019	2018	2017
Operating revenues	$ 3,550,992	$ 1,782,767	$ 711,916
Operating expenses	1,462,500	2,827,856	745,757
Operating income (loss)	2,088,492	(1,045,089)	(33,841)
Other revenue	8,036	9,507	4,710
Change in net position	2,096,528	(1,035,582)	(29,131)
Net position - beginning of year	6,503,702	7,539,284	7,568,415
Net position - end of year	$ 8,600,230	$ 6,503,702	$ 7,539,284

Change in financial categories between the year ended December 31, 2019 and the year ended December 31, 2018 include the following:

- The Agency's total net position increased $2,096,528 primarily due the increase in Agency fees of $459,864, a reimbursement from the County of $1,336,998 and a decrease of cash related expenses of $487,617 compared to the prior year.

- Total cash decreased $94,829 due to current operations, which included cash spent on the Agency's purchase of land for the White Pine Commerce Park totaling $900,000, offset by an increase in cash from operations of $795,052 compared to the previous year.

- Operating Revenues increased $1,768,225 in 2019 compared to $1,782,767 in 2018. This 99% increase is due to a $459,864 increase in Agency and other fees for a total of $1,887,593. Significant Agency fees included $1,000,000 from TC Syracuse Development Association (an additional $1,625,000 is expected in early 2020); $301,788 from Ultra Dairy LLC, $212,259 from Cryomech, Inc. and $253,131 from The Widewaters Group, LLC. In addition, the Agency recorded a reimbursement from the County totaling $1,336,998 related to the White Pines development site.

- Operating Expenses, decreased $1,365,356. The demolition of buildings on the Agency's Hiawatha property resulted in expenses totaling $1,577,461 in the previous year that did not occur in 2019. The Agency also spent $1,208,506 ($900,000 related to land that is included in capital assets) and $308,506 of other expenses related to the White Pines development site.

Analysis of Overall Financial Position and Results of Operations

The Agency is engaged in activities to support economic growth in Onondaga County, including job creation and retention, and increasing the net wealth of the County. The Agency does not receive any general appropriations from local, county or state government to support its operations. The Agency collects revenue for its operating purposes from the issuance of bonds and straight lease transactions and from interest on investments. In the year ended December 31, 2019, the Agency received $1,887,593 from agency and other fees, an increase of $459,864 from the prior year.

The Agency's staff services are provided by the Onondaga County Office of Economic Development. The Agency compensates the County for these services based on budgeted expenses; in 2019 the expenses totaled $646,791.

Capital Asset Administration

As of December 31, 2019, the Agency's investment in capital assets was $4,518,424, net of depreciation. The Agency's capital assets include the White Pine Commerce Park (WPCP, formerly known as the Clay Business Park), land, buildings and equipment. WPCP is a 339 acre undeveloped industrial park in the Town of Clay. The Agency acquired the land in the park for the purpose of attracting a large commercial/industrial project in the Town of Clay. Additionally, in 2015 the Agency acquired property on North Salina Street, in the City of Syracuse, and is leasing the premises to Onondaga Community College to house a workforce development training program. Finally, the Agency continued to invest in the rehabilitation of the real property at 800 Hiawatha Blvd, also in the City of Syracuse.

Contacting the Agency's Financial Management

This financial report is designed to provide Onondaga County citizens and taxpayers, and the clients of the Agency, with a general overview of the Agency's finances. If you have questions about this report or need additional financial information, contact the Executive Director, Onondaga County Industrial Development Agency, 333 West Washington Street, Suite 130, Syracuse, New York 13202.

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
(A Discretely Presented Component Unit of the County of Onondaga, New York)

Statements of Net Position

	2019	2018
ASSETS		
Current Assets		
Cash and cash equivalents - unrestricted	**$ 2,206,148**	2,300,977
Receivables - Onondaga County	**1,336,998**	-
Receivables - agency fees	**611,947**	531,448
Grant receivables	**268,734**	268,734
Total current assets	**4,423,827**	3,101,159
Non-Current Assets		
Receivables - other agency fees	**222,024**	222,024
Notes receivable, net of current portion	**-**	2,083
Capital assets, net	**4,518,424**	3,634,691
Total noncurrent assets	**4,740,448**	3,858,798
Total assets	**$ 9,164,275**	$ 6,959,957
LIABILITIES and NET POSITION		
Current Liabilities		
Accounts payable	**$ 56,193**	$ 93,687
Due to Onondaga County	**312,981**	279,257
Due to other governments	**194,871**	83,311
Total liabilities	**564,045**	456,255
Net investment in capital assets	**4,518,424**	3,634,691
Unrestricted Net Position	**4,081,806**	2,869,011
Total net position	**8,600,230**	6,503,702
	$ 9,164,275	$ 6,959,957

The accompanying notes are an integral part of these financial statements

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
(A Discretely Presented Component Unit of the County of Onondaga, New York)

Statements of Revenues, Expenses and Changes in Net Position

	Year Ended December 31,	
	2019	2018
Operating Revenue:		
Agency and other fees	**$ 1,887,593**	1,427,729
Reimbursement - Onondaga County	**1,336,998**	-
Pass-through income	**2,910**	51,420
Rent income	**13,750**	12,250
Grant revenue	**130,119**	277,209
Other income	**179,622**	14,159
Total operating revenues	**3,550,992**	1,782,767
Operating Expenses:		
Contractual support services	**655,749**	551,834
General and administrative	**278,994**	1,188,235
Industrial development contracts	**235,393**	35,723
Service contracts	**12,500**	12,498
Pass-through expense	**2,910**	51,420
Depreciation expense	**16,267**	16,267
Loss on disposal of capital assets	**-**	877,739
Professional fees	**240,980**	50,211
Other expenses	**5,703**	28,144
Seminars and meetings	**14,004**	15,785
Total operating expenses	**1,462,500**	2,827,856
Operating Income	**2,088,492**	(1,045,089)
Non-Operating Income:		
Interest income	**8,036**	9,507
Change in Net Position	**2,096,528**	(1,035,582)
Net Position - beginning of the year	**6,503,702**	7,539,284
Net Position - end of year	**$ 8,600,230**	$ 6,503,702

The accompanying notes are an integral part of these financial statements

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
(A Discretely Presented Component Unit of the County of Onondaga, New York)

Statements of Cash Flows

	Years Ended December 31, 2019	2018
Cash Flows from Operating Activities		
Cash received for agency and other fees	**$ 1,807,094**	$ 1,092,395
Cash received for grants	**130,119**	8,475
Cash paid for industrial development	**(235,393)**	(35,723)
Cash paid for service contracts	**(12,500)**	(12,498)
Cash paid for contractual support services	**(655,749)**	(551,834)
Cash received for rent and other fees	**193,372**	26,409
Cash payments for professional services	**(237,590)**	(51,529)
Cash payments for other property expenses	**-**	-
Cash payments for general and administrative expenses	**(286,334)**	(1,331,039)
Cash payments for other operating expenses	**(5,703)**	(28,144)
Cash received and due to other governments	**111,560**	55,049
Cash paid for seminars and meetings	**(13,824)**	(15,785)
Net cash flows from operating activities	**795,052**	(844,224)
Cash Flows from Capital and Related Financing Activities		
Purchases of capital assets	**(900,000)**	-
Net cash flows from capital and related financing activities	**(900,000)**	-
Cash Flows from Investing Activities		
Net change in notes receivable	**2,083**	45,833
Net cash flows from investing activities	**2,083**	45,833
Cash Flows from Noncapital Financing Activities		
Net cash received for interest on notes outstanding	**8,036**	9,507
Net cash flows from financing activities	**8,036**	9,507
Change in Cash and Cash Equivalents	**(94,829)**	(788,884)
Cash and Cash Equivalents - beginning of year	**2,300,977**	3,089,861
Cash and Cash Equivalents - end of year	**$ 2,206,148**	$ 2,300,977

The accompanying notes are an integral part of these financial statements

Statements of Cash Flows (continued)

	Years Ended December 31, 2019	Years Ended December 31, 2018
Reconciliation of Operating Income to Net Cash Flows From Operating Activities:	**$ 2,088,492**	$ (1,045,089)
Operating Income		
Adjustment to reconcile operating income to net cash flow from operating activities:		
Depreciation	**16,267**	16,267
Loss on disposal of capital assets	**-**	838,682
Changes in:		
Accounts receivable	**(80,499)**	(335,334)
Receivables - Onondaga County	**(1,336,998)**	-
Grant receivable	**-**	(268,734)
Accounts payable	**(37,494)**	(17,310)
Due to Onondaga County	**33,724**	(87,755)
Due to other governments	**111,560**	55,049
Net cash flows from operating activities	**$ 795,052**	$ (844,224)

1. Organization

The New York State Industrial Development Agency Act of 1969 provided for the use of industrial revenue bond financing for the expansion and growth of industry in New York State. The Onondaga County Industrial Development Agency (the Agency) was created in accordance with the provisions of this Act in 1970 by a resolution passed by the County of Onondaga, New York (the County) Legislature.

The Agency was formed to promote and develop the economic growth of the County and to assist in attracting industry to the County through bond and sale/leaseback financing programs and other activities. The Agency created under this Act is a corporate governmental agency constituting a public benefit corporation. The County Legislature appoints the entire governing board and there is a potential for the County to impose its will on the Agency, and as such, the Agency is a discretely presented component unit of the County based on the criteria set forth by the Governmental Accounting Standards Board (GASB).

2. Restatement

The Agency upon subsequent review identified a reimbursement from the County totaling $1,336,998 that was not previously recorded in the financial statements. The reimbursement relates to the Agency's development at its White Pine Commerce Park in accordance with a resolution adopted by the County in October 2012. The Agency met the conditions of the resolution in December 2019. This correction resulted in the increase of total assets, net position and operating revenues by $1,336,998.

3. Summary of Significant Accounting Policies

Measurement Focus and Basis of Accounting

The Agency operates as a proprietary fund. Proprietary funds utilize an “economic resources” measurement focus. The accounting objectives of this measurement focus are the determination of operating income, changes in net position, financial position, and cash flows. All assets and liabilities (whether current or noncurrent) and deferred inflows and outflows associated with their activities are reported. Fund equity is classified as net position.

The Agency utilizes the accrual basis of accounting. Under the accrual basis of accounting, revenues are recognized when earned and expenses are recorded when the liability is incurred or an economic asset is used.

Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from these estimates.

3. Summary of Significant Accounting Policies (continued)

Income Tax Status

The Agency is a governmental corporation, exempt from federal and state income taxes. New York State Public Authorities Law, Title 10, Section 2975-A established a cost recovery of central governmental services to various public authorities. On November 1 of each year, the Director of the Division of Budget determines the assessment amount owed under this section by each industrial development agency in New York State.

Cash and Cash Equivalents

Cash and cash equivalents consist of cash held in checking and money market accounts.

Accounts Receivable

Accounts receivable are stated at their outstanding balances. The Agency considers all accounts receivable to be fully collectible. If collection becomes doubtful, the Agency will either set up an allowance for doubtful accounts or if deemed completely uncollectible, the accounts will be charged against income in the current period. Unpaid balances remaining after the stated payment terms are considered past due. Recoveries of previously charged off accounts are recorded when received.

Management did not believe an allowance for doubtful accounts was necessary at December 31, 2019 and 2018.

Capital Assets

Capital asset purchases are recorded at historical cost or fair market value at the date of acquisition. Depreciation expense is recorded on a straight-line basis over the assets' estimated useful life of 5 to 39 years. The Agency's policy is to capitalize all additions greater than $1,000 with a useful life of more than 5 years.

Pollution Remediation Obligations

Pollution remediation obligation are obligations to address the current or potential detrimental effects of existing pollution by participating in pollution remediation activities. Obligations to clean up spills of hazardous wastes or hazardous substances and obligations to remove contamination such as asbestos are pollution remediation obligations. Pollution remediation activities may include the following: (1) pre-cleanup activities, such as site assessments and site investigations, (2) cleanup activities, (3) government oversight and enforcement-related activities and (4) operation and maintenance of the remedy, including postremediatioin monitoring. Pollution remediation outlays including outlays for property, plant and equipment are expensed when a liability is incurred. The Agency will capitalize certain pollution remediation outlays for properties for which it anticipates a future sale. The Agency will only capitalize amounts that would result in the carrying amount of the property to not exceed its estimated fair value upon completion of the remediation. The Agency currently has a parcel of land with known pollution and is currently performing various remediation activities. The carrying amount of this parcel of land is $604,840 as of December 31, 2019 and 2018.

3. Summary of Significant Accounting Policies (continued)

Operating Revenues and Non-operating Revenues

The Statements of Revenues, Expenses, and Changes in Net Position distinguishes between operating and non-operating revenues. Operating revenues, such as fee and rental income, result from exchange transactions associated with the principal activities of the Agency. Exchange transactions are those in which each party to the transaction receives or gives up essentially equal values. Non-operating revenues arise from exchange transactions not associated with the Agency's principal activities and from all non-exchange transactions.

Revenue Recognition

Agency and other fee revenue are recognized by the Agency at the date of closing when the related bonds are issued. Interest income is recorded when earned.

Net Position

GASB requires the classification of net position into three components. These classifications are displayed in three components below:

a. Net investment in capital assets - capital assets including restricted capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those assets.

b. Restricted net position - net position with constraints placed on their use either by (1) external groups such as creditors or laws or regulations of other governments; or (2) law through constitutional provisions or enabling legislation.

c. Unrestricted net position - all other assets that do not meet the definition of net investment in capital assets or restricted net position.

It is the Agency's policy to first apply restricted resources when an expense is incurred for purposes for which both restricted and unrestricted net position is available.

Other Income

The County and Onondaga County Development Corporation (OCDC) entered into an agreement in 2014, whereas the Agency will be paid 60% of the net sale proceeds of property within Hancock Field for a total amount of $348,387. As of December 31, 2019, the Agency has earned $348,387 from property sales.

4. Tax Abatement Programs

The Industrial Development Agency Act (the "Act") of New York State sets forth the powers that the Agency can carry out. In accordance with the Act, the Agency was created to stimulate economic development, growth, and general prosperity for the people of Onondaga County by using incentives, rights, and powers in an efficient and cooperative manner. Qualified Agency projects are eligible for sales, mortgage, and real property tax exemptions. The Agency many also assist a projects' financing by issuing taxable and tax exempt bonds and by providing information on complementary financing such as fixed asset and working capital lending programs.

The Agency has instituted a Uniform Tax Exemption Policy ("UTEP") (last revised 6/20/16) which provides guidelines for the granting of real property, mortgage recording, and sales and use tax exemptions. To be eligible for financial assistance, the recipient of the financial assistance must abide by the requirements of this policy and complete an application process as instituted by the Agency.

In accordance with New York State General Municipal Law, the Agency has instituted a Recapture Policy (last revised 6/20/16) which allows for the recapture of financial incentive assistance provided to recipients for failure to comply with such Recapture Policy. New York State requires a mandatory recapture of the New York State portion of sales and use taxes for recipients for which the recipient was a) not entitled to; b) in excess of the amounts authorized by the Agency; c) for property or services not authorized by the Agency; and/or d) for a recipient that has failed to comply with material term or condition to use of the property or services in the manner required by any of the project documents between the recipient and the Agency. With respect to all other financial assistance provided to the recipient, the Agency shall have the right to suspend, discontinue, recapture or terminate financial assistance to any recipient to the extent that: a)for projects that utilized local sales and use tax exemptions, the project was not entitled to such exemptions, such exemptions were in excess of the amounts authorized by the Agency, and/or such exemptions were for property or services not authorized by the Agency; b) the recipient, upon completion of their project, fails to reach and maintain at least 75% of its employment requirements for job creation and/or retention; c) the total investment actually made with respect to the project at the project's completion date is less than 75% of its investment requirement; d) the recipient fails to provide annually to the Agency certain information to confirm that the project is achieving the investment, job retention, job creation, and other objectives of the project; or e) there otherwise occurs any event of default under any project document or material violation of the terms and conditions of any project document.

4. Tax Abatement Programs (continued)

The Agency has not made any commitments as part of the agreements other than to reduce taxes. The Agency has chosen to disclose information about its tax abatement agreements individually. The Agency has listed all of its projects that were approved for the periods ended December 31, 2019 and 2018:

	December 31, 2019			
	Abatement			
Project	Mortgage	Sales	PILOT	Total
Abundant Solar Power	$ -	$ 76,366	$ 5,497	$ 81,863
TC Syracuse Development Associates, LLC	1,687,500	20,000,000	49,084,564	70,772,064
The Widewaters Group Inc.	129,097	806,620	685,589	1,621,306
Bodycote Syracuse Heat Treating Corporation	-	1,056,000	315,045	1,371,045
Baldwinsville Housing Preservation	-	395,000	-	395,000
Buckeye Corrugated Inc.	-	43,850	-	43,850
BWI Hotel Acquisitions I, LLC	122,895	1,784,601	5,299,279	7,206,775
Flex Hose Co., Inc.	10,425	20,000	307,195	337,620
Cryomech, Inc.	84,000	550,000	747,974	1,381,974
Willow Brook of Manlius, LLC	122,025	386,720	2,102,235	2,610,980
VIP True North	22,763	131,280	-	154,043
	$2,178,705	$25,250,437	$58,547,378	$85,976,520

	December 31, 2018			
	Abatement			
Project	Mortgage	Sales	PILOT	Total
NexGen	$ -	$ 40,000	$ 3,099,659	$ 3,139,659
Immediate Mailing Services, Inc.	9,750	56,000	43,395	109,145
d.b.a Upstate Coin & Gold	7,350	200,000	121,171	328,521
G & C Food Distributors & Brokers, Inc. #2	133,500	700,000	1,746,601	2,580,101
DOT Foods, Inc.	-	118,144	-	118,144
Addcom Electronics	-	25,000	22,797	47,797
Morse Manufacturing Co., Inc.	18,750	240,000	499,611	758,361
ArmouredOne, LLC	26,250	428,400	205,566	660,216
Specialists' One Day Surgery, LLC	-	552,790	1,723,776	2,276,566
Towne Center Retirement Community, LLC	587,000	1,568,551	-	2,155,551
Syracuse Label Co., Inc.	12,045	216,000	253,300	481,345
Old Thompson Road, LLC	100,000	508,442	1,068,665	1,677,107
	$ 894,645	$ 4,653,327	$ 8,784,541	$14,332,513

5. Deposits with Financial Institutions and Investments

The Agency follows an investment and deposit policy, the overall objective of which is to adequately safeguard the principal amount of funds invested or deposited; conform with federal, state and other legal requirements; and provide sufficient liquidity of invested funds in order to meet obligations as they become due. Oversight of investment activity is the responsibility of the Executive Director.

Monies must be deposited in Federal Deposit Insurance Corporation (FDIC) insured commercial banks or trust companies located within and authorized to do business in New York State (the State). Collateral is required for deposits and certificates of deposit not covered by FDIC insurance. Obligations that may be pledged as collateral are those identified in New York State General Municipal Law, Section 10 and outlined in the New York State Comptroller's Financial Management Guide.

Interest Rate

Risk Interest rate risk is the risk that the fair value of investments will be affected by changing interest rates. The Agency has an investment policy that limits investment maturities as a means of managing its exposure to fair value losses arising from increasing interest rates.)

Credit Risk

The Agency's policy is to minimize the risk of loss due to failure of an issuer or other counterparty to an investment to fulfill its obligations. The Agency's investments and deposit policy authorizes the Agency to purchase the following types of investments:

- Obligations of the United States of America;
- Obligations where payment of principal and interest are guaranteed by the United States of America;
- Obligations of New York State;
- Special time deposit account; and
- Certificates of deposit.

Custodial Credit Risk

Custodial credit risk is the risk that, in the event of a failure of a depository financial institution, the reporting entity may not recover its deposits. In accordance with the Agency's investment and deposit policy, all deposits of the Agency including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act (FDIA) shall be secured by a pledge of securities with an aggregate value equal to the aggregate amount of deposits.

5. Deposits with Financial Institutions and Investments (continued)

The Agency restricts the securities to the following eligible items:
Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation;

- Obligations partially insured or guaranteed by an agency of the United States of America;
- Obligations issued or fully insured or guaranteed by the State of New York;
- Obligations issued by a municipal corporation, school district or district corporation of New York State;
- Obligations issued by states (other than New York State) of the United States of America rated in one of the two highest rating categories by at least one Nationally Recognized Statistical Rating Organization (NRSRO).

The Agency maintained cash balances of approximately $889,749 and $889,216 in cash and cash equivalents at December 31, 2019, and 2018, respectively, with financial institutions insured by the Federal Deposit Insurance Corporation (FDIC) up to $250,000 per bank for interest bearing and non-interest bearing accounts. The remaining balance was collateralized by a third party in accordance with New York State General Municipal Law, Section 10 and the Agency's policies.

6. Notes Receivable

Notes receivable consisted of the following at December 31:

	2019	2018
Note receivable from Aquarii, Inc. payable in monthly installments of $2,083 plus 4.5% interest per annum through January 2019	$ -	$ 2,083
Total	$ -	$ 2,083

7. Capital Assets

Capital asset activity for the year ended December 31, 2019 was as follows:

	Beginning Balance	Increases	Decreases	Ending Balance
Non depreciable land:				
White Pines	$ 2,427,146	$ 900,000	$ -	$ 3,327,146
435 North Salina	17,084	-	-	17,084
800 Hiawatha	604,840	-	-	604,840
Subtotal	3,049,070	900,000	-	3,949,070
Depreciable:				
Buildings	634,422	-	-	634,422
Furniture and Fixtures	2,862	-	-	2,862
Subtotal	637,284	-	-	637,284
Total capital assets	3,686,354	900,000	-	4,586,354
Accumulated depreciation:				
Buildings	48,801	16,267	-	65,068
Furniture and Fixtures	2,862	-	-	2,862
Total	51,663	16,267	-	67,930
Net capital assets	$ 3,634,691	$ 883,733	$ -	$ 4,518,424

Capital asset activity for the year ended December 31, 2018 was as follows:

	Beginning Balance	Increases	Decreases	Ending Balance
Non depreciable land:				
White Pines	$ 2,427,146	$ -	$ -	$ 2,427,146
435 North Salina	17,084	-	-	17,084
437 North Salina	26,340	-	(26,340)	-
800 Hiawatha	604,840	-	-	604,840
Subtotal	3,075,410	-	(26,340)	3,049,070
Depreciable:				
Buildings	1,482,727		(848,305)	634,422
Furniture and Fixtures	2,862	-	-	2,862
Subtotal	1,485,589	-	(848,305)	637,284
Total capital assets	4,560,999	-	(874,645)	3,686,354
Accumulated depreciation:				
Buildings	68,423	16,267	(35,889)	48,801
Furniture and Fixtures	2,862	-	-	2,862
Total	71,285	16,267	(35,889)	51,663
Net capital assets	$ 4,489,714	$ (16,267)	$ (838,756)	$ 3,634,691

8. Agency-Induced Financings

The total amount of industrial development, civic facility and pollution control financing issued through the Agency outstanding as of December 31, 2019 amounted to approximately $123,213,466. These financing obligations are not obligations of the Agency as the Agency acts a conduit for the obligations. The Agency does not have the obligation to repay the principal and interest of such obligations, as such, the obligations are not reflected as long-term obligations of the Agency.

9. Due to Onondaga County

The Agency will reimburse the County for a portion of the cost of operation of the Onondaga County Office of Economic Development. In exchange for this funding, the staff of the office provides operational and project implementation support services for the Agency. Maximum funds committed by the Agency were $646,791 and $551,834 for the years ended December 31, 2019 and 2018, respectively. The Agency owed $312,981 and $279,257 to the County at December 31, 2019 and 2018, respectively.

10. Property Leases and Bonds Payable

In accordance with its corporate purpose, the Agency has issued bonds to promote and develop various businesses within the County. The Agency holds legal title to the properties, under which such bonds were issued in order for business to acquire or renovate various facilities. The Agency's primary function is to arrange financing between borrowing companies and bondholders (conduit debt). For providing this service, the Agency receives administration fees from the borrowing companies. Total bonds outstanding were $123,213,466 and $128,443,800 at December 31, 2019 and 2018, respectively, which represent non-recourse debt of the Agency. The Agency does not have the obligation to repay the principal and interest of such obligations, as such, the obligations are not reflected as long-term obligations of the Agency.

11. Payments in Lieu of Taxes Agreements (Pilot)

The Agency has entered into PILOT agreements with various companies whereas the company will make annual payments in lieu of taxes to the Agency and the Agency will remit the annual payments to the appropriate tax jurisdictions. The Agency records a liability for any amounts paid by companies to the Agency but not distributed to the tax jurisdictions as of yearend. A total of $9,764,690 and $9,818,610 of PILOT payments passed through the Agency for the years ended 2019 and 2018, respectively. Total due to other governments was $194,871 and $83,311, respectively at December 31, 2019 and 2018.

12. Operating Lease

On February 1, 2016, the Agency entered into a lease agreement with Onondaga Community College (OCC) which allowed OCC to lease building space for educational purposes. In lieu of a monthly rental fee, OCC agreed to perform improvements to the space that became the property of the Agency upon installation and will not revert back to OCC upon lease termination on January 31, 2021. The initial terms of the lease agreement were amended and the new terms commenced on July 1, 2016. The lease agreement now provides for guaranteed rent of $9,000 per year through the new lease termination on January 31, 2026.

13. Concentration of Credit Risk

Financial instruments that potentially subject the Agency to credit risk consist principally of unsecured note receivable.

14. Subsequent Events

In preparing the financial statements, management of the Agency has evaluated events and transactions for potential recognition or disclosure through March 17, 2020, the date the financial statements were available to be issued. There were no additional events or transactions that were discovered during the evaluation that required further disclosure.

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
(A Discretely Presented Component Unit of the County of Onondaga, New York)

Supplemental Schedule of Revenue Bonds and Other Bonds (Conduit Debt Obligations)
For the Year Ended December 31, 2019

Project Number	Description of Financing	Closing Date	Interest at issuance	Current Interest Rate	Bonds Outstanding at January 1, 2019	Incurred During 2019	Paid During 2019	Bonds Outstanding at December 31, 2019	Term Ending Date
3101-06-10-C	OCIDA Pollution Control Revenue Bonds (Anheuser-Busch Project) 2006 Series B	July 21, 2006	4.95%		$ 2,200,000	$ -	$ -	$ 2,200,000	7/1/2036
3101-94-01A	OCIDA Sewage Facilities Revenue Bonds (Bristol-Myers Squibb Company Project) Series 1994	March 29, 1994	5.75%		35,000,000	-	-	35,000,000	3/1/2024
3101-99-12A	OCIDA Multi-Mode Civic Facility Variable Rate Revenue Bonds (The Christian Brothers Academy of Syracuse, New York Project) Series 1999A	November 1, 2010	5.00%	5.00%	990,000	-	645,000	345,000	6/30/2020
3101-95-01A	OCIDA Civic Facility Revenue Bonds (Discovery Center of Science and Technology Project) Series 1995	July 1, 1995	4.00%		2,978,000	-	-	2,978,000	7/1/2020
3101-07-16A	OCIDA Variable Rate Demand Industrial Development Revenue Bonds (G.A. Braun, Inc. Project) Series 2007	December 20, 2007	2.27%	2.01%	5,800,000	-	260,000	5,540,000	6/1/2034
3101-15-08B	OCIDA Multi-Modal Revenue Bonds (G.A. Braun, Inc. Project) Series 2015A	December 15, 2015	2.03%	2.58%	2,847,000	-	-	2,847,000	12/1/2041
3101-15-08B	OCIDA Multi-Modal Revenue Bonds (G.A. Braun, Inc. Project) Series 2015B (Taxable)	December 15, 2015	2.97%	3.74%	2,480,216	-	336,456	2,143,760	12/1/2026
				Subtotal	$ 52,295,216	$ -	$ 1,241,456	$ 51,053,760	

The accompanying notes are an integral part of these financial statements

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
(A Discretely Presented Component Unit of the County of Onondaga, New York)

Supplemental Schedule of Revenue Bonds and Other Bonds (Conduit Debt Obligations)
For the Year Ended December 31, 2019

Project Number	Description of Financing	Closing Date	Interest at issuance	Current Interest Rate	Bonds Outstanding at January 1, 2019	Incurred During 2019	Paid During 2019	Bonds Outstanding at December 31, 2019	Term Ending Date
3101-07-05C	OCIDA Variable Rate Demand Industrial Development Revenue Bonds (ICM Controls Corp. Project) Series 2007	December 20, 2007	6.30%	2.10%	2,500,000	-	285,000	2,215,000	12/1/2027
3101-04-11A	OCIDA Civic Facility Revenue Bonds (Manlius Library Project) Series 2005	April 28, 2005	4.00%	4.63%	940,000	-	65,000	875,000	12/15/2029
3101-07-13A	OCIDA Civic Facility Revenue Bonds (Marcellus Free Library Project) Series 2007	June 29, 2007	4.00%	4.13%	1,375,000	-	125,000	1,250,000	6/1/2027
3101-03-07A	OCIDA Civic Facility Revenue Bonds (Minoa Free Library Project) Series 2004A	February 1, 2004	5.00%	5.38%	650,000	-	25,000	625,000	2/1/2034
3101-07-21A	OCIDA Civic Facility Revenue Bonds (Onondaga Free Library Project) Series 2008	March 1, 2008	4.00%	5.13%	2,300,000	-	75,000	2,225,000	3/1/2037
3101-02-01A	OCIDA Civic Facility Revenue Bonds (Salina Free Library Project) Series 2002A	December 1, 2002	5.20%	5.68%	435,000	-	45,000	390,000	12/1/2026
3101-96-11A	OCIDA Revenue Bonds (Syracuse Research Corporation Project) Series 1997	December 1, 1997	7.70%	1.76%	1,470,000	-	460,000	1,010,000	12/1/2021
3101-05-15B	OCIDA Variable Rate Demand Civic Facility Revenue Bonds (Syracuse Research Corporation Project) Series 2005	December 14, 2005	7.70%	1.76%	10,860,000	-	700,000	10,160,000	12/1/2031
3101-06-11B	OCIDA Variable Rate Demand Civic Facility Revenue Bonds (Syracuse Home Association Project) Series 2007	June 21, 2007	4.00%	4.00%	8,660,000	-	280,000	8,380,000	6/30/2027
				Subtotal	**$ 29,190,000**	**$ -**	**$ 2,060,000**	**$ 27,130,000**	

The accompanying notes are an integral part of these financial statements

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
(A Discretely Presented Component Unit of the County of Onondaga, New York)

Supplemental Schedule of Revenue Bonds and Other Bonds (Conduit Debt Obligations)
For the Year Ended December 31, 2019

Project Number	Description of Financing	Closing Date	Interest at issuance	Current Interest Rate	Bonds Outstanding at January 1, 2019	Incurred During 2019	Paid During 2019	Bonds Outstanding at December 31, 2019	Term Ending Date
3101-15-04A	OCIDA Tax-exempt Multi-Modal Revenue Bonds (Syracuse Label Co., Inc. Project) Series 2015 (reissued)	November 16, 2016	1.92%		5,898,584	-	343,458	5,555,126	12/1/2041
3101-07-19A	OCIDA Civic Facility Variable Rate Revenue Bonds (Syracuse University Project) Series 2008	January 30, 2008	6.90%	1.70%	27,175,000	-	950,000	26,225,000	7/1/2037
3101-02-08A	OCIDA Multi-Modal Variable rate Civic Facility Revenue Bonds (YMCA of Greater Syracuse, Inc. Project) Series 2003A	November 9, 2003			3,885,000	-	460,000	3,425,000	11/1/2025
3101-17-04B	OCIDA Tax-exempt Revenue Bonds (Old Thompson Road, LLC Project) Series 2017A/B	December 1, 2017		2.87%	10,000,000	-	175,420	9,824,580	12/1/2042
		Carryforward subtotal - page 21			$ 52,295,216	$ -	$ 1,241,456	$ 51,053,760	
		Carryforward subtotal - page 22			29,190,000	-	2,060,000	27,130,000	
		Grand Total			**$ 128,443,800**	**$ -**	**$ 5,230,334**	**$ 123,213,466**	

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