

# Onondaga County Industrial Development Agency



9/1/2021

## Project Summary

1. Project	GSPP Sentinel Heights Road, LLC	2. Project Number	3101-20-10B
3. Location	LaFayette	4. School District	LaFayette Central School
5. Tax Parcel(s)	025.-03-02.2	6. Project Type	New construction-Solar Project

0

7.Total Project Cost	\$	6,103,750	8. Total Jobs	0
Land	\$	-	8A. Job Retention	0
Site Work	\$	1,107,340	8B: Job Creation	10-20
Building	\$	-	(Next 5 Years)	
Management/Development Fee	\$	834,675		
Equipment	\$	3,499,214		
Equipment Subject to NYS Production Exemption	\$	-		
Engineering/Architecture Fees	\$	366,751		
Financial Charges	\$	-		
Legal Fees	\$	145,266		
Other- Solar Installation Labor	\$	150,544		

## Cost Benefit Analysis

### GSPP Sentinel Heights Road, LLC

#### Fiscal Impact (\$)

Abatement Cost	\$	1,070,420
Sales Tax	\$	420,000
Mortgage Tax	\$	-
Property Tax Relief (PILOT)	\$	650,420
New Investment	\$	6,692,385
PILOT Payments	\$	370,800
Project Wages (10 years)	\$	249,600
Construction Wages	\$	453,438
Employee Benefits (10 years)	\$	-
Project Capital Investment	\$	5,541,250
New Sales Tax Generated	\$	-

Agency Fees	\$	77,297
Agency Legal Fees	\$	15,259

## Benefit:Cost Ratio

6 :1

## Project Description

Construction is an approximately 3,500 KWAC solar facility. Consisting of racking & foundations; inverters & transformers; necessary electrical interconnections & all improvements & connections required to transfer & deliver generation offsite, including 3 phase extensions & power box(es); security fencing & gating; safety signage and solar photo voltaic ("PV") panels. The solar facility will be on approximately 18 acres of private land, which will be a leased portion by GSPP Sentinel Heights, LLC, of on an approximate 94 acre area.

# GSPP Sentinel Heights Road, LLC 9/1/2021

## A) PILOTS Estimate Table Worksheet

Current Revenue Generated by Parcel	\$	3,355
Projected Year 1 Revenue to be generated as a result of the project:	\$	15,000
Total Project Cost	\$	6,103,750
OCIDA Estimate of Project Value	\$	1,312,500
Estimated Property Tax Revenue if there was no project	\$	109,654
Scheduled PILOT Payments	\$	480,454
Projected MW to be generated		3.50

Year	Onondaga County	LaFayette	LaFayette Central School	Total PILOT	Full Tax Payment without PILOT	Net Exemption
	17.4%	19.4%	63.2%	100.0%		
<b>2019-2020</b>	<b>\$ 585</b>	<b>\$ 650</b>	<b>\$ 2,120</b>	<b>\$ 3,355</b>		
1	\$ 2,617	\$ 2,908	\$ 9,475	\$ 15,000	\$ 28,562	\$ 13,562
2	\$ 2,670	\$ 2,966	\$ 9,664	\$ 15,300	\$ 29,133	\$ 13,833
3	\$ 2,723	\$ 3,025	\$ 9,858	\$ 15,606	\$ 29,716	\$ 14,110
4	\$ 2,777	\$ 3,086	\$ 10,055	\$ 15,918	\$ 30,310	\$ 14,392
5	\$ 2,833	\$ 3,148	\$ 10,256	\$ 16,236	\$ 30,916	\$ 14,680
6	\$ 2,890	\$ 3,211	\$ 10,461	\$ 16,561	\$ 31,534	\$ 14,973
7	\$ 2,947	\$ 3,275	\$ 10,670	\$ 16,892	\$ 32,165	\$ 15,273
8	\$ 3,006	\$ 3,340	\$ 10,883	\$ 17,230	\$ 32,808	\$ 15,578
9	\$ 3,067	\$ 3,407	\$ 11,101	\$ 17,575	\$ 33,465	\$ 15,890
10	\$ 3,128	\$ 3,475	\$ 11,323	\$ 17,926	\$ 34,134	\$ 16,207
11	\$ 3,190	\$ 3,545	\$ 11,550	\$ 18,285	\$ 34,816	\$ 16,532
12	\$ 3,254	\$ 3,616	\$ 11,781	\$ 18,651	\$ 35,513	\$ 16,862
13	\$ 3,319	\$ 3,688	\$ 12,016	\$ 19,024	\$ 36,223	\$ 17,199
14	\$ 3,386	\$ 3,762	\$ 12,257	\$ 19,404	\$ 36,948	\$ 17,543
15	\$ 3,453	\$ 3,837	\$ 12,502	\$ 19,792	\$ 37,686	\$ 17,894
16	\$ 3,522	\$ 3,914	\$ 12,752	\$ 20,188	\$ 38,437	\$ 18,251
17	\$ 3,593	\$ 3,992	\$ 13,007	\$ 20,592	\$ 39,200	\$ 18,614
18	\$ 3,665	\$ 4,072	\$ 13,267	\$ 21,004	\$ 39,975	\$ 18,983
19	\$ 3,738	\$ 4,153	\$ 13,532	\$ 21,424	\$ 40,762	\$ 19,357
20	\$ 3,813	\$ 4,236	\$ 13,803	\$ 21,852	\$ 41,562	\$ 19,736
21	\$ 3,889	\$ 4,321	\$ 14,079	\$ 22,289	\$ 42,375	\$ 20,119
22	\$ 3,967	\$ 4,408	\$ 14,361	\$ 22,735	\$ 43,201	\$ 20,506
23	\$ 4,046	\$ 4,496	\$ 14,648	\$ 23,190	\$ 44,040	\$ 20,897
24	\$ 4,127	\$ 4,586	\$ 14,941	\$ 23,653	\$ 44,892	\$ 21,292
25	\$ 4,210	\$ 4,677	\$ 15,239	\$ 24,127	\$ 45,757	\$ 21,691
	<b>\$ 83,832</b>	<b>\$ 93,145</b>	<b>\$ 303,478</b>	<b>\$ 480,454</b>	<b>\$ 1,130,874</b>	<b>\$ 650,420</b>



## 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](mailto: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](mailto: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: \_\_\_\_\_

Applicant Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Website: \_\_\_\_\_ E-mail: \_\_\_\_\_

Federal ID#: \_\_\_\_\_ NAICS: \_\_\_\_\_

State and Year of Incorporation/Organization: \_\_\_\_\_

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

What is the name of the Real Estate Holding Company: \_\_\_\_\_

Federal ID#: \_\_\_\_\_

State and Year of Incorporation/Organization: \_\_\_\_\_

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

\_\_\_\_\_

**B) Individual Completing Application:**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

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

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

**D) Company Counsel:**

Name of Attorney: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

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

☐ Corporation

☐ Partnership

☐ Public Corporation

☐ Joint Venture

☐ Sole Proprietorship

☐ Limited Liability Company

Others (please specify): \_\_\_\_\_

Year Established: \_\_\_\_\_

State in which Organization is established: \_\_\_\_\_

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

Name

% of ownership

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**G) Applicant Business Description:**

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

Estimated % of sales within Onondaga County: \_\_\_\_\_

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

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

Estimated % of sales outside the U.S.: \_\_\_\_\_

(\*Percentage to equal 100%)

**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: \_\_\_\_\_

Legal Address (if different): \_\_\_\_\_

City: \_\_\_\_\_ Village/Town: \_\_\_\_\_

Zip Code: \_\_\_\_\_ School District: \_\_\_\_\_

Tax Map Parcel ID(s): \_\_\_\_\_

Current Assessed Value: \_\_\_\_\_ Sq. Footage of Existing Building: \_\_\_\_\_

Census Tract: \_\_\_\_\_

- B) Type (Check all that apply):

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

- |   |  |
|---|--|
| <input type="checkbox"/> Industrial                       | <input type="checkbox"/> Bank Office                     |
| <input type="checkbox"/> Acquisition of Existing Facility | <input type="checkbox"/> Retail                          |
| <input type="checkbox"/> Housing                          | <input type="checkbox"/> Mixed Use                       |
| <input type="checkbox"/> Equipment Purchase               | <input type="checkbox"/> Facility for Aging              |
| <input type="checkbox"/> Multi-Tenant                     | <input type="checkbox"/> Civic Facility (not for profit) |
| <input type="checkbox"/> Commercial                       | <input type="checkbox"/> Other _____                     |

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

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

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

☐ Yes      ☒ No

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

I) Environmental Information

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



### Section III: Construction

#### A) Project Costs and Finances

Description of Costs	Total Budget Amount	% of Total Budget to be Procured in Onondaga County	Total Private Expenditure (should be less than or equal to total budget amount)
Land Acquisition			
Site Work/Demo			
Building Construction & Renovation			
Furniture & Fixtures			
Equipment			
Equipment Subject to NYS Production Sales Tax			
Engineering/Architect			
Financial Charges			
Legal			
Other			
Management/Developer Fees			
<b>Total Project Cost</b>			

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

B) TOTAL Capital Costs \$ \_\_\_\_\_

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

Sources of Funds for Project Costs:

1. Bank Financing \$ 3,601,212.50
2. Equity (excluding equity that is attributed to grants/tax credits) \$ 449,846.38
3. Tax Exempt Bond Issuance (if applicable) \$ \_\_\_\_\_
4. Taxable Bond Issuance (if applicable) \$ \_\_\_\_\_



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 <b>added each year</b> after project				
			Year 1	Year 2	Year 3	Year 4	Year 5
<b>Job Creation Subtotal</b>							

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

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

E) Financial Assistance sought (estimated values):

☒ Real Property Tax Abatement (PILOT): \_\_\_\_\_

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

☐ Sales and Use Tax Exemption (4% Local, 4% State): \_\_\_\_\_

☐ Tax Exempt Bond Financing (Amount Requested): \_\_\_\_\_

☐ Taxable Bond Financing (Amount Requested): \_\_\_\_\_

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

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

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

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

\$ \_\_\_\_\_

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):

\$ \_\_\_\_\_

## 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 GSPP Sentinel Heights, 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 7/1/2021 (date).

Company: \_\_\_\_\_

Representative for Contract: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Project Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

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

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

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

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

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

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

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

## Section VII: Recapture of Tax Abatement/Exemptions

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

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

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

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

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

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

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



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

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

**A "Full Time Permanent Employee" shall mean**

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

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

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

Name of Applicant Company

GSPP Sentinel Heights, LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

Scott Kerner, Manager

Date: 7/1/2021

## 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

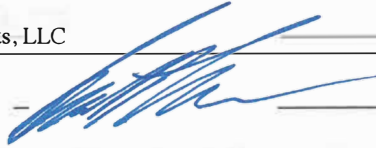
Enter Company Name in three (3) places below and sign by an authorized company officer:

In consideration of the benefits provided by the Onondaga County Industrial Development Agency (OCIDA), GSPP Sentinel Heights, 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.

GSPP Sentinel Heights, 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.

GSPP Sentinel Heights, 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: GSPP Sentinel Heights, LLC

Signature of Officer or Authorized Representative: 

Name & Title of Officer or Authorized Representative: Scott Kerner, Manager

Date: 9/1/2021

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](mailto:roy.jewell@labor.ny.gov)

[www.labor.ny.gov](http://www.labor.ny.gov)

CNY Works

Chris Kennedy

Business Development Specialist

960 James Street, Syracuse, NY 13203

315-477-6974

[ckennedy@cnyworks.com](mailto:ckennedy@cnyworks.com)

[www.cnyworks.com](http://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

GSPP Sentinel Heights, LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized

Scott Kerner, Manager

Representative: Date: 9/1/2021

## Section X: Representations, Certifications, and Indemnification

Scott Kerner (Name of CEO or other authorized representative of Applicant) confirms and says that he/she is the Manager (title) of GSPP Sentinel Heights, 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

GSPP Sentinel Heights, LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

Scott Kerner, Manager

Date: 9/1/2021

STATE OF NEW YORK

COUNTY OF ONONDAGA

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

1. That I am the Manager (Corporate Officer) of GSPP Sentinel Heights, 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 1st day of September, 2021



(Notary Public)

STEPHANIE S. SANTANA  
NOTARY PUBLIC OF CONNECTICUT  
Comm. # 174888  
My Commission Expires 9/30/2022

End of Application





Description of Costs		Total Budget Amount	% of Total Budget to be Procured in Onondaga County	Total Private Expenditure
Land Acquisition	\$	-		
Site Work/Demo	\$	1,107,340.00	100%	\$ 1,107,304.00
Building Construction & Renovation	\$	-		
Furniture & Fixtures	\$	-		
Equipment	\$	3,399,214.00		\$ 3,399,214.00
Equipment Subject to NYS				
Production Sales Tax	\$	-		
Engineering/Architect	\$	366,751.00		\$ 366,751.00
Financial Charges	\$			
Legal	\$	145,266.00		145,266.00
Other	\$	150,544.00		\$ 150,544.00
Management/Developer Fees	\$	834,675.00		\$ 834,675.00
Total Project Costs	\$	6,103,750.00	18%	\$ 6,103,750.00
B) Total Capital Cost	\$	6,103,750.00		
Project Refinancing Estimated Amount (for refinancing of existing debt only)	\$	-		
Sources of Funds for Project Costs:				
1. Bank Financing	\$	3,601,212.50		
2. Equity (excluding equity that is attributed to grants/tax credits)	\$	449,846.38		
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)	\$	2,052,691.13		
Identify each state and federal grant/credit:				
Investment Tax Credit	\$	2,052,691.13		
	\$	-		
	\$	-		
6. Total Sources of Funds for Project Costs	\$	6,103,750.00		

Site plan attached/financial snapshot attached

## **Section I**

### **G) Description of your company's background, products, customers, goods and services**

Green Street Power Partners ("GSPP") is a national developer, financier, owner and operator of solar energy systems for businesses, schools, nonprofits and municipalities expanding across the country. Our versatile team specializes in creatively structuring short- and long-term debt financing for solar assets, balancing the benefits to sponsor equity and tax equity investors with realized value for our clients.

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

GSPP Sentinel Heights, LLC does not currently have suppliers, or vendors from firms in Onondaga County associated with this project. While the majority of manufacturers of solar pv technologies are not within Onondaga County, GSPP Sentinel Heights, LLC will work to incorporate local entities.

## **Section II,**

### **C) Summary of how this project will help your business grow.**

Green Street Power Partners has been a developer, financier, owner and operator of solar energy systems for businesses, schools, nonprofits and municipalities expanding for several years and in a number of different jurisdictions. The Project described in this application is one of several new projects in the State of New York being undertaken by GSPP as its initial entry into the marketplace. GSPP believes solar development to be a socially conscious business opportunity and further believes that with the commitment of the State of New York to renewable energy, an expanding opportunity exists to enhance and grow GSPP's business while providing a well-documented service to the local communities through the reduction of green-house gases as well as lower utility bills.

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

GSPP Sentinel Heights, LLC intends to construct an approximately three thousand five hundred (3,500) kilowatt AC solar facility (the "Solar Farm") at its sole cost and expense. The Solar Farm shall consist of racking and foundations; inverters and transformers; necessary electrical interconnections and all improvements and connections required to transfer and deliver generation offsite, including three (3) phase extensions and power box(es); security fencing and gating; safety signage and solar photo voltaic ("PV") panels.

The solar facility will be situated on approximately 18 acres of private land, which will be a leased portion by GSPP Sentinel Heights, LLC, of on an approximate 94 acre area, owned by Micki Reed Trust.

## **H) Compelling Circumstances**

The State of New York has repeatedly communicated its desire to meet significant renewable energy goals over the next two decades and each completed solar project that feeds the energy into the grid is essential to achieving these milestones. In addition, through New York States (NYS) Value of Distributive Energy Resources (VDER) program, distributed energy is compensated based on when and where they provide electricity to the grid. That energy can then be shared with utility customers in the same utility service area, through NYS community shared solar program, saving local residents and small businesses significant money on their utility bills. Finally, each solar project requires interconnection to the utility grid and this process not only improves the infrastructure of the aging grid, benefitting everyone in the area, but also requires electricians and contractors to implement enhancing job creation.

## **Section III,**

### **Part C and D Employment Information**

GSPP will hire 3<sup>rd</sup> party contractors, preferably from the local area, to perform annual maintenance and inspection for the solar array. This will include work to maintain the array, location, and grounds with an estimation of 300 hours for each (totaling an estimated 900 hours annually) which GSPP intends to hire individuals at the current market rates. This project, together with other projects in the area and throughout Onondaga County will support several jobs in the community, jobs which will be required to be filled for the life of the projects (25-35 years)

August 31<sup>st</sup>, 2021

Via electronic transmission

Nate Stevens  
Chair of the Onondaga County Industrial Development Agency  
333 W. Washington Street, Suite 130  
Syracuse, NY 13202

Re: IDA Application Update for GSPP Sentinel Heights Road, LLC

Dear Mr. Nate Stevens,

On September 15<sup>th</sup>, 2020, the Onondaga County Industrial Development Agency convened a public session meeting to authorize the development and construction of a solar facility located on a parcel of real property located at 3356 Sentinel Heights Road in the town of Lafayette, County of Onondaga State of New York. We are providing this letter to you for an update to certain project information that have changed since the time of the original IDA application, please see the below bullet points:

1. Project Ownership:

The legal name of the project company or special purpose entity ("SPE") is GSPP Sentinel Heights Road, LLC, a New York limited liability company. The Federal ID # for GSPP Sentinel Heights Road, LLC is 85-0545439. The address is 1 Landmark Square, Suite 320, Stamford, CT 06901. Scott Kerner, Manager, is the Contact Name and Title, his email address is [scott@gspp.com](mailto:scott@gspp.com) and his phone number is (646) 303-5215. The project company was managed by its sole member GSPP Omni Holdco, LLC when the original application was filled out. Since then, 100% of the membership interest has been transferred to GSPP Holdco II, LLC.

2. Project Size:

The total size of the project has decreased from 3,750.00 kW AC to 3,500.00 kW AC.

3. Job Creation:

This project will provide ~10-20 local jobs during the construction period; once the system is fully built, GSPP does not expect the project to need full-time employees and will have a contract in place with an O&M provider to perform maintenance on the system as applicable.

4. Project Timeline:

This project is currently under construction. Racking and module completion is expected by September 15<sup>th</sup>, 2021. Mechanical Completion is expected by October 10<sup>th</sup>, 2021, and Permission to Operate is expected back from National Grid by December 15<sup>th</sup>, 2021

If you have any questions or need any additional information, please let us know.

Sincerely,

GSPP Sentinel Heights Road, LLC  
By: GSPP Holdco II, LLC, its Manager



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By: Scott Kerner  
Title: Manager