# **Jefferson County Industrial Development Agency**

800 Starbuck Avenue, Suite 800 Watertown, New York 13601 Telephone 315-782-5865 / 800-553-4111 Fax 315-782-7915 www.jcida.com

TO:

JCIDA Loan Review Committee

Robert E. Aliasso, Jr., Chair

David Converse John Jennings

**JCLDC Energy Committee** 

William Johnson Paul Warneck

FROM:

David J. Zembiec, CEO

DATE:

January 22, 2021

SUBJECT:

JCIDA Loan Review Committee Meeting held jointly with JCLDC

Alternative Energy Committee

A joint committee meeting has been scheduled for Thursday, January 28, 2021 at 10:00 a.m. in the board room, 800 Starbuck Avenue, Watertown, NY.

Please confirm your attendance with Peggy Sampson <u>pssampson@jcida.com</u> at your earliest convenience.

#### Zoom Information:

https://us02web.zoom.us/j/84355250468?pwd=R0t4VjRPdGJBZDJrL2JQYVVjKytDdz09

Meeting ID: 843 5525 0468

Passcode: 011440

1-929-205-6099 US (New York)

Thank you.

pss

C: Lyle Eaton, CFO

Marshall Weir, Deputy CEO

W. Edward Walldroff

Lisa L'Huillier

Kent Burto

Greg Gardner

Christine Powers

Rob Aiken

Joseph Russell, Esq.

Media

# **Jefferson County Industrial Development Agency**

800 Starbuck Avenue, Suite 800 Watertown, New York 13601 Telephone: (315) 782-5865 or (800) 553-4111 Facsimile (315) 782-7915 www.jcida.com

JOINT MEETING OF JCIDA LOAN REVIEW & JCLDC ALTERNATIVE ENERGY Thursday, January 28, 2021

10:00 a.m.

## **AGENDA**

I.	Call to Order
II.	Pledge of Allegiance
III.	NY USLE Carthage SR26 A LLC
IV.	NY USLE Carthage SR26 B LLC
v.	Roth Industries Inc.
VI.	Other/Unfinished business
VII.	Adjournment

# Cost-Benefit Analysis for NY USLE CARTHAGE A

Prepared by Jefferson County LDC using InformAnalytics

# **Executive Summary**

INVESTOR

**TOTAL INVESTED** 

LOCATION

TIMELINE

NY USLE CARTHAGE SR 26

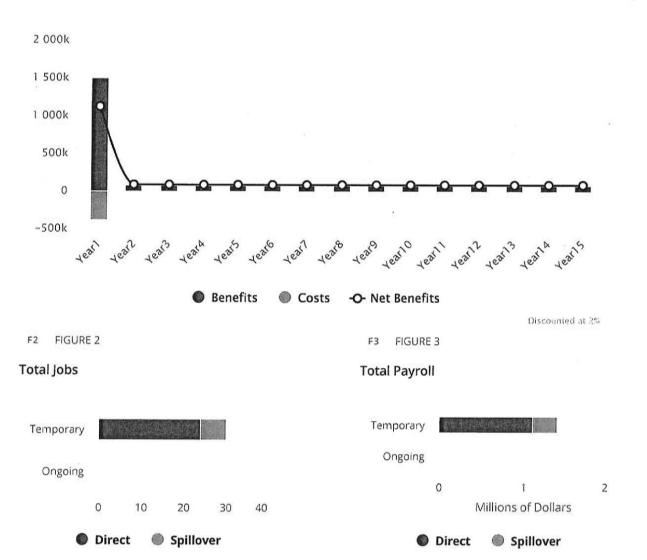
\$6.6 Million

35890 State Route 26, Carthage, NY 13619 15 Years

F1 FIGURE 1

Discounted\* Net Benefits for NY USLE CARTHAGE A by Year

Total Net Benefits: \$2,259,000



# Proposed Investment

NY USLE CARTHAGE SR 26 proposes to invest \$6.6 million at 35890 State Route 26, Carthage, NY 13619 over 15 years. Jefferson County LDC staff summarize the proposed with the following: 5 MW Community Distributed Generation Solar

T1 TABLE 1

F4 FIGURE 4

**Proposed Investments** 

Location of Investment

Description

Amount

CONSTRUCTION SPENDING

5 MW Solar on 31.6

\$3,075,000

Acres

OTHER SPENDING

**Production Equipment** 

\$3,524,000

**Total Investments** 

\$6,599,000

Discounted Total (2%)

\$6,599,000

# Cost-Benefit Analysis

A cost-benefit analysis of this proposed investment was conducted using InformAnalytics, an economic impact model developed by CGR. The report estimates the impact that a potential project will have on the local economy based on information provided by Jefferson County LDC. The report calculates the costs and benefits for specified local taxing districts over the first 15 years, with future returns discounted at a 2% rate.

T2 TABLE 2

#### Estimated Costs or Incentives

Jefferson County LDC is considering the following incentive package for NY USLE CARTHAGE SR 26.

Description	Nominal Value	Discounted Value*
Sales Tax Exemption	\$380,000	\$380,000
Total Costs	\$380,000	\$380,000

<sup>\*</sup> Discounted at 2%

T3 TABLE 3

State & Regional Impact (Life of Project)

The following table estimates the total benefits from the project over its lifetime.

Description	Direct	Spillover	Total
REGIONAL BENEFITS	\$2,300,000	\$265,000	\$2,564,000
To Private Individuals	\$1,062,000	\$261,000	\$1,323,000
Temporary Payroll	\$1,062,000	\$261,000	\$1,323,000
To the Public	\$1,238,000	\$3,000	\$1,241,000
Property Tax Revenue	\$1,224,000	N/A	\$1,224,000
Temporary Sales Tax Revenue	\$14,000	\$3,000	\$17,000
STATE BENEFITS	\$61,000	\$15,000	\$76,000
To the Public	\$61,000	\$15,000	\$76,000
Temporary Income Tax Revenue	\$47,000	\$12,000	\$59,000
Temporary Sales Tax Revenue	\$14,000	\$3,000	\$17,000
Total Benefits to State & Region	\$2,360,000	\$280,000	\$2,640,000
Discounted Total Benefits (2%)	\$2,360,000	\$280,000	\$2,640,000

#### T4 TABLE 4

### Benefit to Cost Ratio

The following benefit to cost ratios were calculated using the discounted totals.

Description	Benefit*	Cost*	Ratio
Region	\$2,564,000	\$190,000	13:1
State	\$76,000	\$190,000	0:1
Grand Total	\$2,640,000	\$380,000	7:1

### May not sum to total due to rounding.

CGR has exercised reasonable professional care and diligence in the production and design of the InformAnalytics™ tool. However, the data used is provided by users. InformAnalytics does not independently verify, validate or audit the data supplied by users. CGR makes no representations or warranties with respect to the accuracy of the data supplied by users.

<sup>\*</sup> Discounted at 2%

# Application to

# Jefferson County Industrial Development Agency (JCIDA)

	Tax	Exe	mpt	Bono	d Financ	cing
	Tax	able	Bon	d Fir	ancing	
$\mathbf{A}$	Leas	se L	easel	oack	Transac	ction

Please contact the agency for more information regarding project eligibility and application process.

Applicant (Company) Name:			
NY USLE Carthage SR26 A LLC			
Applicant Address:			
600 Third Ave. 38th Floor, NY 100	<u>16</u>		
Phone:			
(740) 721-6199	3.4		
E-mail:			
scott@magpie.energy			
Application Date: November 2, 202	0		
Internal Use Only			
Staff Signature and Date of Submission:			
Revised Date:	, Revision #:		-
Completed Application Date:		Staff Initial	

Document Date: November 1, 2018

# Fee Schedule

Updated as of the date of the document

## Taxable and Tax Exempt Industrial Development Revenue Bonds

A 17	49	100	
Applie	cation	ree:	

A non-refundable fee of \$2,500.00 is payable to the JCIDA at the time the

application is submitted. This fee will be credited towards the total fee at closing.

Fee:

First \$10 million  $\square$  2% of the principal amount of the bond series.

\$10 million - \$20 million □1% of the bond series.

Any amount over \$20 million □0.5% of the bond series.

Annual Fee - \$1,500.00

Point of Contact:

Donald Alexander CEO JCIDA+1 (315) 782-5865

### **Lease Leaseback Transactions**

Application Fee:

A non-refundable fee of \$2,500.00 is payable to the JCIDA at the time the

application is submitted. This fee will be credited towards the total fee at closing.

Fee:

With a PILOT:

First \$10 million □2%

Second \$10-\$20 million - 0.5%

Any amount over \$20 million - 0.25%

No PILOT □25% of the abatement value

Point of Contact:

Donald Alexander - CEO JCIDA +1 (315)782-5865

Revised Date:\_\_\_\_\_\_, Revision #:\_\_\_\_\_

## Section I: Applicant Information

Please answer all questions. Use □None□or □Not Applicable□where necessary. The applicant is a special purpose entity wholly owned by CSG PV I A) Applicant Information-company receiving benefit: otherwise, the project may be sold, transferred and/or assigned to a LLC. To secure financing of the project through tax equity partners or new entity. In the event any proposed transfer of interest, we will notify Applicant Name: NY USLE Carthage SR26 A LLC the IDA thirty (30) days in advance and provide the identity of the purchaser and the type of transaction contemplated. Applicant Address: 600 Third Ave. 38th Floor, NY 10016 Phone: (740) 721-6199 E-mail: scott@magpie.energy Website: Federal ID#: 85-2661436 NAICS: Will a Real Estate Holding Company be utilized to own the Project property/facility? Yes or No What is the name of the Real Estate Holding Company: N/A Federal ID#: State and Year or Incorporation/Organization: List of stockholders, members, or partners of Real Estate Holding Company: B) Individual Completing Application: Name: Daniel Gulick Title: Authorized Representative Address: 600 Third Avenue, 38th Floor, New York, NY 10017 Phone: 917 405-8046 Fax: E-Mail: dan@magpie.energy C) Company Contact (if different from Section B above): Name: Mark D. Richardson Title: CEO Address: 830 Loudon Rd. Latham NY 12110 Phone: 518-288-7800 Fax: E-Mail: mrichardson@uslightenergy.com Revised Date: \_\_\_\_\_\_. Revision #:\_\_\_\_\_\_

Firm Name: Barclay Damon LLP  Address: 80 State Street, Albany NY 122		
Phone: 518-429-4265	Fax: 518-427-34	184
E-mail: gtrigg@barclaydamon.com	1 ax,	2001
D-Main.		
E) Identify the assistance being requested of	of the Agency (select all that	apply):
1. Exemption from Sales Tax	X Yes or	□ No
2. Exemption from Mortgage Tax	☐ Yes or	X No
3. Exemption from Real Property Tax	X Yes or	□ No
4. Tax Exempt Financing *	Yes or	X No
* (typically for not-for-profits and qua	lified small manufacturers)	
		ÿ.
F) Applicant Business Information (check	appropriate category):	
Corporation	Partnership	
Public Corporation	Joint Venture	
Sole Proprietorship	Limited Liability Company	X
Other (please specify)		
Year Established: 2020	440 J. A	
State in which Organization is establish	hed: NY	-14
G) List all Applicant stockholders, member	s, or partners with % of own	ership greater than 20%:
Name	% of owner	<u>rship</u>
CSG PV I LLC		
Applicant Business Description:		
Describe in detail company background, produ	cts, customers, goods and ser	vices. Description is critical
n determining eligibility:		
The company is developing a community solar nouseholds will be the customers of this facility	photovoltaic facility, which it w , purchasing a pro-rata amour i.	rill own and operate. Individuant of the energy generated, res

Estimated % of sales within Jefferson County:
Estimated % of sales outside Jefferson 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.S0%
(*Percentage to equal 100%)
I) What percentage of your total annual supplies, raw materials and vendor services are purchased from
firms in Jefferson County. Include list of vendors, raw material suppliers and percentages for each
Provide supporting documentation including estimated percentage of local purchases.  TBD
Section II: Project Description & Details
A) Project Location:
List your current operation(s) locations in Jefferson County:
List your current operation(s) locations in New York State:
List the Proposed Project location(s): 35890 State Route 26 Carthage
Provide the Property Address of the proposed Project: 35890 State Route 26 Carthage
Will the completion of the Project result in the removal, or reduction of an industrial or manufacturing
plant of the Applicant from: one area of New York State to Jefferson County; or within Jefferson County
Yes or No X
If Yes, please provide details
Revised Date:, Revision #:

THE DAY OF SHAPE OF THE PROPERTY OF THE PROPER	ore plants or facilities of the
Applicant located within New York State?	
Yes or No X	
If Yes, please provide details	
Will the Proposed Project affect Applicant current operations within Jeff be subjected to reduced activity?	ferson County to be closed or
Yes or No X	
If Yes, please provide details	
If Yes to any of the above three (3) questions, Applicant must complete Sections this Application.	on II (Q) and Section IV of
Will the completion of the Project result in the abandonment, removal, or red manufacturing plant of a closely aligned competitor from one area of New Yo County?  Yes or No X	ork State or Jefferson
If Yes, please provide details	
SBL Number for Property upon which proposed Project will be located: 76.00	0-2-42.1
What are the current real estate taxes on the proposed Project Site? For 2020	: School \$4,316.27; County \$13,9
If amount of current taxes is not available, provide assessed value for each:	Note that there are 2 solar arra units proposed on this property
Land: \$_431,900 Buildings(s):\$	anne proposed on and propert
** If available please include a copy of current tax bill.	anne proposed on and propore
** If available please include a copy of current tax bill.  Are Real Property Taxes current? X Yes or No. If no, please explain	
** If available please include a copy of current tax bill.  Are Real Property Taxes current? X Yes or No. If no, please explain	

Revised Date:, Revision #:	
by the Agency:	
If the Project could be undertaken without Financial Assistance provided by the Agency provide a statement in the space provided below indicating why the Project should be under by the Agency:	
Without Financial Assistance, the project may no longer be financially viable, and may need to be or	canceled
If Yes, please provide details:	
Please confirm by checking the box, below, if there is a strong possibility that the Project would be undertaken but for the Financial Assistance provided by the Agency?  X Yes or No	ıld not
savings. Without the Agency's Financial Assistance, the project may need to be canceled.	
Construction of the project would directly benefit community residents and businesses through energian	gy cost
Describe the reasons why the Agency's Financial Assistance is necessary, and the effect the leavill have on the Applicant's business or operations. Focus on competitiveness issues, a shortfalls, etc Your eligibility determination will be based in part on your answer (additional pages if necessary):	project
Program.	<del></del> .
consumption by their customers, and will directly benefit customers enrolled in the Community So	lar
from the proposed facility will be exported to the National Grid distribution network for daily elect	trical
The facility will interconnect with the local electrical grid owned by National Grid. The energy ger	nerated
B) Please provide narrative of project and the purpose of the project (new build, renov and/or equipment purchases). Identify specific uses occurring within the project. Describe a all tenants and any/all end users: (This information is critical in determining project eligibility): Development and construction of a community solar photovoltaic facility in the Town of Champion	ny and
Does Applicant or related entity have an option/contract to purchase the Project site?  Yes or	₹] No
If No, indicate name of present owner of the Project Site: Uhlinger Capital Company LLC	
Does the Applicant or any related entity currently hold fee title to the Project site?  Yes or	No

the Applicant? Project may need to be o	canceled. Investment would be lost.
C) Will Project include	leasing any equipment  Yes or  No
If Yes, please de	scribe:
D) Site Characteristics:	
Describe the present use	of the proposed Project site: Undeveloped land
Will the Project meet zon	ing/land use requirements at the proposed location? ✓ Yes or ☐ No
If Yes, please provide loc	al zoning reference that applies: Project has received site plan approval
from the Town of Champ	pion on 08/11/2019
Describe the present zonio	ng/land use: Mine/quarry
Describe required zoning/	land use, if different: N/A
If a change in zoning/lar zoning/land use requireme	nd use is required, please provide details/status of any request for change of the state of the
s the proposed project loc	cated on a site where the known or potential presence of contaminants
s complicating the develo	pment/use of the property? If yes, please explain: No
Have site plans been subm	itted to the appropriate planning department?
2	Yes or No
** If yes, please	provide the Agency with a copy of the related State Environmental Quality
	nvironmental Assessment Form that may have been required to be submitted
long with the site plan ap	oplication to the appropriate planning department. Please provide the Agency
evised Date:	. Revision #:
eminoremoderate on violationer	

with the status with respect to any required p	planning department approval:
	rom the planning department?  Yes or  No. with a copy of the planning department approval along with
E) Has a Phase I Environmental Assessment proposed project site? ☑ Yes or ☐ No	nt been prepared, or will one be prepared with respect to the If yes, please provide a copy.
	een undertaken with respect to the proposed project site that contamination that would complicate the site's development? ovide copies of the study
G) Provide any additional information or de-	tails:
	ratifications and that Afficiate and outside a designate of the Contract and American Americans.
Retail Sales: Yes or Mo	Services: ☐ Yes or ☑ No
Article 28 of the Tax Law of the State of Ne	m "retail sales" means (i) sales by a registered vendor under w York (the "Tax Law") primarily engaged in the retail sale a Section 1101(b)(4)(i) of the Tax Law), or (ii) sales of a Project.
Industrial Acquisition of Existing Facility Housing Equipment Purchase Multi-Tenant Commercial	Back Office Retail  Mixed Use Facility for Aging Civic Facility (not for profit) Other Photovoltaic Facility
Revised Date:	, Revision #:

## I) Project Information:

1.	Land and/or Building Acquisition:		\$
	acressq	uare feet	
2.	New Building Construction: N/A sq	uare feet	\$
3.	New Building Addition(s): N/A sq	uare feet	\$
4.	Infrastructure Work		\$
5.	Reconstruction/Renovation:sq	uare feet	\$
6.	Manufacturing Equipment:		\$3,524,384
7.	Non-Manufacturing Equipment (furniture, f	ixtures, etc.):	
8.	Soft Costs: (professional services, etc.):		\$3,074,631
9.	Other, Specify:		
	TO trefinancing; estimated amount financing of existing debt only)	TAL Capital Costs:	\$ <u>6,599,015</u> \$
urce	s of Funds for Project Costs:		
Bar	nk Financing:		\$
Equ	nity (excluding equity that is attributed to gran	nts/tax credits)	\$ 2,144,51
Tax	Exempt Bond Issuance (if applicable)		\$
Tax	able Bond Issuance (if applicable)		\$
	lic Sources (Include sum total of all state and ats and tax credits)		\$
	Identify each state and federal grant/credit:		
	Federal ITC		\$1,979,705
	NYSERDA Grant	*	\$ <u>2,474,797</u>
			\$
	ATT-000-TIME		\$
			<sub>\$</sub> 6,599,015

Document Date: 11/1/2018

Revised Date: \_\_\_\_\_\_, Revision #:\_

Have any of the above costs been paid or incurred as of the date of this Application? ✓ Yes or ✓ No
If Yes, describe particulars: Utility application and study costs, engineering costs
Mortgage Recording Tax Exemption Benefit: 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%):  \$\
Construction Cost Breakdown:
Total Cost of Construction \$ 6,599,015 (sum of 2,3,4,5, and/or 7 in Question I, above)
Cost for materials:  % sourced in Jefferson County:  % sourced in New York State List major material suppliers if known  \$3,524,384  % (including Jefferson County)
Cost for labor: \$_\$3,074,631  Expected Full-Time Equivalent Jobs during construction  Expected Total Labor Hours during construction  List major subcontractors, if knownSignal Energy Constructors
Sales and Use Tax: Gross amount of costs for goods and services that are subject to State and local Sales and Use tax - said amount to benefit from the Agency Sales and Use Tax exemption benefit:
\$
Estimated State and local Sales and Use Tax Benefit (product of% multiplied by the figure, above):
\$
** Note that the estimate provided above will be provided to the New York State Department of Taxation and Finance. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to undertake the total amount of investment as proposed within this Application, and that the estimate, above, represents the maximum amount of sales and use tax benefit that the Agency may authorize with respect to this Application. The Agency may utilize the estimate, above, as well as the proposed total Project Costs as contained within this Application, to determine the Financial Assistance that will be offered.
Revised Date:, Revision #:

Real	Pro	perty	Tax	Benefit:
Treat	T . O	CILY	A GLA	Denezit.

Identify and described THAN the Agency PILO	그는 사람들이 아이를 내려가 있었다면 얼굴에 하지만 그림이 되었다.	will utilize a	real property tax exemption benefit OTHER
Project Costs as contained PILOT Benefit abatement Benefit abatement amount  Percentage of Project Copercentage of Project Costs Costs as depicted above in	I herein and anticip amount for each ye for the term of the I osts financed from s financed from Pub Section II(I) of the	ated tax rates ear of the PIL PILOT as depi- PILOT as depi- Public Sector sou Application.	mount of PILOT Benefit based on estimated and assessed valuation, including the annual OT benefit year and the sum total of PILOT cted in Section II(I) of the Application.  or sources: Agency staff will calculate the rese based upon Sources of Funds for Project ge for each of the uses outlined below:
*If company is paying for l			
	Square Footage	Cost	% of Total Cost of Project
Manufacturing/Processing			
Warehouse		<b>†</b>	
Research & Development		-	
Commercial		-	
Retail (see section K)		141	
Office		-	1
Specify Other			
What is your project time     Start date: acquise     Estimated complete.	ition of equipment of etion date of project y □estimated startin n contracts been sign	or construction February 28, g date of operated? Yes	ations: March 1, 2021
Revised Date:		Revision #:	
			Document Date: 11/1/2018

** If const	tructions contracts ha	ve been signed, please	provide copies of exect	uted construction contracts
				l related construction costs
totaling the	amount of the new bi	ulding construction, and	d/or new builaing adai	tion(s), and/or renovation.
L) Is the pro	oposed Project necess	ary to expand Applican	t employment: Ye	es or 🛛 No
Is the propo	osed Project necessary	to retain existing empl	oyment:	es or 🛛 No
M) Employ	ment Plan (Specific t	o the proposed project l	ocation):	
	Current # of jobs at proposed project location or to be relocated at project location	IF FINANCIAL ASSISTANCE IS GRANTED □project the number of FTE and PTE jobs to be RETAINED	IF FINANCIAL ASSISTANCE IS GRANTED □project the number of FTE and PTE jobs to be CREATED upon TWO Years after Project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PTE jobs to be created upon TWO Years after Project Completion **
Full time (FTE)	0 FTEs			Completion
Part Time (PTE)				
Total ***				
indicated in	the third column, by	residents of the Labor		jobs that will be filled, as ourth column. The Labor se following Areas:
the request for time period for number of P	or Financial Assistance of the Project com TE jobs by two (2).	ce is granted. Agency pletion. Agency staff of	staff will project such converts PTE jobs into works the equivalent	be retained and created if jobs over the TWO-Year FTE jobs by dividing the of a 40-hour week for 48 eks.
Revised Date:_	11	, Revision #		

# Salary and Fringe Benefits for Jobs to be Retained and Created:

Category of Jobs to be Retained and Created	Average Salary or Ran		verage Fringe f Fringe Benef	Benefits or Range
Management				
Professional				
Administrative			No. of the last of	
Production				
Other				
Employment at other loat each location):	cations in County/City/1	Fown/Village: (pro	ovide address a	nd number of employee Address
Full time		1 Marie Mari		4.42.46
Part Time				9
l'otal				
Yes to the question, above  ** Please note that the  letermine the Financial  acknowledges that the	es described above are ve, you must complete Se Agency may utilize the Assistance that will be transaction documents te the number of jobs will	ection IV of this Ap foregoing employn offered by the Ap may include a co	oplication.  ment projection  gency to the A  evenant by the	ns, among other items, i pplicant. The Applican Applicant to retain th
tate? Yes	ect reasonably necessary or No. Out of Jest	fferson County?	X Yes or	] No.
rovide supporting docur	nentation if available:	See comment	s for P) on th	ne following page

P) What competitive : State?	factors led you to inquire about sites outside of Jefferson County or New York
We are developing project	cts in other counties throughout New York state some localities provide sales tax exemptions and property tax Them attractive for further development activities. Because projects in surrounding counties compete for the sam with unfavorable tax regimes will be at a disadvantage in a commodity market, which is based mainly on price.
Q) Have you contacte	d or been contacted by other Local, State and/or Federal Economic Development
Agencies?  Yes or	☑ No.
Have you applied, or it	ntend to apply for additional Grant Funding, or tax incentives? 🗹 Yes or 🗌 No.
If yes, please identify	which agencies and what other Local, State and/or Federal assistance and the
assistance sought and of Grant \$2,474,797	Iollar amount that is anticipated to be received: NYSERDA funding
	Section III Retail Questionnaire
requires additional in	e with Section 862 of the New York General Municipal Law, the Agency formation if the proposed Project is one where customers personally visit the ake either a retail sale transaction or to purchase services.
Please answer the follo	owing:
other sources)	on of the Project (including that portion of the cost to be financed from equity or consist of facilities or property that are or will be primarily used in making sales of es to customers who personally visit the project site?
Yes or X	No. If the answer is yes, please continue. If no, proceed to section V
Article 28 of the retail sale of ta	f Question A, the term ☐ retail sales ☐ means (i) sales by a registered vendor under the Tax Law of the State of New York (the ☐ Tax Law ☐) primarily engaged in the ngible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or revice to customers who personally visit the Project.
primarily used i	ge of the cost of the Project will be expended on such facilities or property in making sales of goods or services to customers who personally visit the project?
	is Yes $\underline{AND}$ the answer to Question B is greater than $\underline{33.33\%}$ , indicate which estions below apply to the project:
1. Will the Pro	ject be operated by a not-for-profit corporation \( \subseteq \text{Yes or } \subseteq \text{No.} \)
evised Date:	, Revision #:
ANA MESERTATE PARTITION OF THE PARTITION	A CONTRACTOR OF THE CONTRACTOR

Revised	Date:, Revision #:
·	
New York	how the Agency Financial Assistance is required to prevent the Project from relocating out of ork State, or is reasonably necessary to preserve the Project occupant competitive position in its we industry:
from A Applica more p Assista	gency is required by State law to make a determination that, if completion of a Project benefiting gency Financial Assistance results in the removal of an industrial or manufacturing plant of the ant from one area of New York State to another area of the State; or in the abandonment of one or plants or facilities of the Applicant located within the New York State, Agency Financial nice is required to prevent the Applicant from relocating out of the New York State, or is ably necessary to preserve the Applicant competitive position in its respective industry.
	Section IV Inter-Municipal Move Determination
	5. Is the Project located in a Highly Distressed Area?   Yes or   No
	If yes, explain
	Yes or No.
	4. Will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York?
	If yes, please provide a third party market analysis or other documentation supporting your response.
	Yes or No
	3. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonably accessible to the residents of the municipality within which the proposed Project would be located because of a lack of reasonably accessible retail trade facilities offering such goods or services?
	If yes, please provide a third party market analysis or other documentation supporting your response.
	Yes or No
	2. Is the Project location or facility likely to attract a significant number of visitors from outside the economic development region (list specific County or ED region) in which the project will be located?

# Section V: Estimate of Real Property Tax Abatement Benefits and Percentage of Project Costs financed from Public Sector sources

\*\* Section V 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.

#### PILOT Estimate Table Worksheet

Construction and Renovation Costs	New Assessed Value of Property Subject to IDA*	Rate/1000	(Town/City/Village)/1000	Rate/1000
--	--	-----------	--------------------------	-----------

<sup>\*</sup>Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1							
2							
3					7	14	
4						1	TVIIV. I STEEL
5	10 10 10				1		
6							
7							
8							
9	1						
10							
TOTAL		Y					

<sup>\*</sup>Estimates provided are based on current property tax rates and assessment values

Revised Date:	, Revision #:	
	Document Dat	e: 11/1/2018

## Percentage of Project Costs financed from Public Sector Table Worksheet:

Total Project Cost	Estimated Value of PILOT	Estimated Value of Sales Tax Incentive	Total of Other Public Incentives (Tax Credits, Grants, ESD Incentives, etc.)
	i a		

Calculate %  (Est. PILOT + Est. Sales Tax+ Est. Mortgage Tax+ Other)/Total Project Costs:						etc.)
JCIDA will also complete a Cost-Benefit analysis using information contained within this Application, and available to the Public.  ** This Section of the Application can only be completed upon the Applicant receiving, and must be completed after the Applicant receives, JCIDA Staff confirmation that Section I through Section V of the Application are complete.  Joshua J. Feldman  (name of CEO or other authorized representative of Applicant confirms and says that he/she is the Authorized Signatory (title) on NY USLE Carthage SR26 A LLC (name of corporation or other entity) named in the attached Application (the Dapplicant), that he/she has read the foregoing Application and knows the content thereof, and hereby represents, understands, and otherwise agrees with the Agency and as follows:  A. Job Listings: In accordance with Section 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 Community Services Division (the DOLD and with the administrative entity (collectively with the DOL, the TPA Entities[) of the service delivery area created by the federal job training partnership act (Public Law 97-300) (DTPAD in which the Project is located.  B. First Consideration for Employment: In accordance with Section 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 Financial Assistance from the Agency, except as otherwise provided by collective bargaining						
** This Section of the Application can only be completed upon the Applicant receiving, and must be completed after the Applicant receives, JCIDA Staff confirmation that Section I through Section V of the Application are complete.    Joshua J. Feldman			st. Sales Tax+	Est. Mortgage Ta	ax+ Other)/Total Proje	ect Costs:
** This Section of the Application can only be completed upon the Applicant receiving, and must be completed after the Applicant receives, JCIDA Staff confirmation that Section I through Section V of the Application are complete.    Joshua J. Feldman			- 10 Marie 1		s using information co	ntained within this
Joshua J. Feldman  (name of CEO or other authorized representative of Applicant confirms and says that he/she is the Authorized Signatory (title) or NY USLE Carthage SR26 A LLC (name of corporation or other entity) named in the attached Applicant (the Dapplicant), that he/she has read the foregoing Application and knows the content thereof, and hereby represents, understands, and otherwise agrees with the Agency and as follows:  A. Job Listings: In accordance with Section 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 Community Services Division (the DOLD and with the administrative entity (collectively with the DOL, the TPA Entities of the service delivery area created by the federal job training partnership act (Public Law 97-300) (TPAD in which the Project is located.  B. First Consideration for Employment: In accordance with Section 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			Section VI F	Representations, C	Certifications and Inde	mnification
Confirms and says that he/she is the Authorized Signatory (title) on NY USLE Carthage SR26 A 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 content thereof, and hereby represents, understands, and otherwise agrees with the Agency and as follows:  A. Job Listings: In accordance with Section 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 Community Services Division (the □DOL□) and with the administrative entity (collectively with the DOL, the □TPA Entities□) of the service delivery area created by the federal job training partnership act (Public Law 97-300) (□TPA□) in which the Project is located.  B. First Consideration for Employment: In accordance with Section 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	complete	<u>d</u> after tl	he Applicant r	eceives, JCIDA S		
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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	and the control of th	Job Listhe Apfrom the employ State I administrate cr	stings: In accorplicant unders the Agency, expending the Agency of the A	rdance with Section tands and agrees as otherwise nities created as a Labor Communicollectively with federal job training	on 858-b(2) of the New that, if the Project rece provided by collective result of the Project will nity Services Division the DOL, the TTPA En	York General Municipal Latives any Financial Assistant bargaining agreements, not be listed with the New York, the DOLD and with the tities of the service delivered.
	В.	Genera	l Municipal La	w, the Applicant u	inderstands and agrees t	hat, if the Project receives a
Revised Date:, Revision #;	Revised Da	te:		, Revi	sion #;	

agreements, where practicable, the Applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.

- C. Annual Sales Tax Filings: In accordance with Section 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, in accordance with Section 874(8) of the General Municipal Law, 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. Copies of all filings shall be provided to the Agency.
- D. Employment Reports: The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, 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, said report being an agenda item subject to the Open Meetings Law.
- E. The Applicant acknowledges that certain environmental representations will be required at closing. The Applicant shall provide with this Representation, Certification and Indemnification Form copies of any known environmental reports, including any existing Phase I Environmental Site Assessment Report(s) and/or Phase II Environmental Investigations. The Agency may require the Company and/or owner of the premises to prepare and submit an environmental assessment and audit report, including but not necessarily limited to, a Phase I Environmental Site Assessment Report and a Phase II Environmental Investigation, with respect to the Premises at the sole cost and expense of the owner and/or the Applicant. All environmental assessment and audit reports shall be completed in accordance with ASTM Standard Practice E1527-05, and shall be conformed over to the Agency so that the Agency is authorized to use and rely on the reports. The Agency, however, does not adopt, ratify, confirm or assume any representation made within reports required herein.
- F. The Applicant and/or the owner, and their successors and assigns, hereby release, defend and indemnify the Agency from any and all suits, causes of action, litigations, damages, losses, liabilities, obligations, penalties, claims, demands, judgments, costs, disbursements, fees or expenses of any kind or nature whatsoever (including, without limitation, attorneys, consultants and experts fees) which may at any time be imposed upon, incurred by or asserted or awarded against the Agency, resulting from or arising out of any inquiries and/or environmental assessments, investigations and audits performed on behalf of the Applicant and/or the owner pursuant hereto, including the scope, level of detail, contents or accuracy of any environmental assessment, audit, inspection or investigation report completed hereunder

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	-

and/or the selection of the environmental consultant, engineer or other qualified person to perform such assessments, investigations, and audits.

- Hold Harmless Provision: The Applicant acknowledges and agrees that the Applicant shall be G. and is responsible for all costs of the Agency incurred in connection with any actions required to be taken by the Agency in furtherance of the Application including the Agency s costs of general counsel and/or the Agency bond/transaction counsel whether or not the Application, the proposed Project it describes, the attendant negotiations, or the issue of bonds or other transaction or agreement are ultimately ever carried to successful conclusion and 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: (i) the Agency's examination and processing of, and action pursuant to or upon, the Application, regardless of whether or not the Application or the proposed Project described herein or the tax exemptions and other assistance requested herein are favorably acted upon by the Agency; (ii) the Agency's acquisition, construction and/or installation of the proposed Project described herein; and (iii) any further action taken by the Agency with respect to the proposed Project including, without limiting the generality of the foregoing, all causes of action and attorney's fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law and the policies of the Agency that any New York State and local sales and use tax exemption claimed by the Applicant and approved by the Agency, any mortgage recording tax exemption claimed by the Applicant and approved by the Agency, and/or any real property tax abatement claimed by the Applicant and approved by the Agency, in connection with the Project, may be subject to recapture and/or termination by the Agency under such terms and conditions as will be established by the Agency and set forth in transaction documents to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this Application, including without limitation information regarding the amount of the New York State and local sales and use tax exemption benefit, the amount of the mortgage recording tax exemption benefit, and the amount of the real property tax abatement, if and as applicable, to the best of the Applicant is knowledge, is true, accurate and complete.
- H. This obligation includes an obligation to submit an Agency Fee Payment to the Agency in accordance with the Agency Fee policy effective as of the date of this Application
- I. By executing and submitting this Application, the Applicant covenants and agrees to pay the following fees to the Agency and the Agency general counsel and/or the Agency bond/transaction counsel, the same to be paid at the times indicated:

(i)	a non-refundable \$ application and publication fee (the □Application Fee□;
(ii)	a \$ expense deposit for the Agency Counsel Fee Deposit
iii)	Unless otherwise agreed to by the Agency, an amount equal to percent %) of the total project costs.

(iv) All fees, costs and expenses incurred by the Agency for (1) legal services, including but not limited to those provided by the Agency general counsel and/or the Agency bond/transaction

Revised Date:	, Revision #:		
57/17(1/11/0753):11.47(3.2011) - 0.04(4.5).			

counsel, thus note that the Applicant is entitled to receive a written estimate of fees and costs of the Agency sequence general counsel and the Agency bond/transaction counsel; and (2) other consultants retained by the Agency in connection with the proposed project, with all such charges to be paid by the Applicant at the closing.

- J. If the Applicant fails to conclude or consummate the 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 Applicant is unable to find buyers willing to purchase the bond issue requested, or if the Applicant is unable to facilitate the sale/leaseback or lease/leaseback transaction, then, upon the presentation of an invoice, Applicant shall pay to the Agency, its agents, or assigns all actual costs incurred by the Agency in furtherance of the Application, up to that date and time, including but not necessarily limited to, fees of the Agency general counsel and/or the Agency bond/transaction counsel.
- K. The Applicant acknowledges and agrees that all payment liabilities to the Agency and the Agency general counsel and/or the Agency bond and/or transaction counsel as expressed in Sections H and I are obligations that are not dependent on final documentation of the transaction contemplated by this Application.
- L. The cost incurred by the Agency and paid by the Applicant, the Agency general counsel and/or bond/transaction counsel fees and the processing fees, may be considered as a cost of the Project and included in the financing of costs of the proposed Project, except as limited by the applicable provisions of the Internal Revenue Code with respect to tax-exempt bond financing.
- M. The Applicant acknowledges that the Agency is subject to New York State Freedom of Information Law (FOIL). Applicant understands that all Project information and records related to this application are potentially subject to disclosure under FOIL subject to limited statutory exclusions.
- N. The Applicant acknowledges that it has been provided with a copy of the Agency Policy for Termination of Agency Benefits and Recapture of Agency Benefits Previously Granted (the Termination and Recapture Policy). The Applicant covenants and agrees that it fully understands that the Termination and Recapture Policy is applicable to the Project that is the subject of this Application, and that the Agency will implement the Termination and Recapture Policy if and when it is so required to do so. The Applicant further covenants and agrees that its Project is potentially subject to termination of Agency financial assistance and/or recapture of Agency financial assistance so provided and/or previously granted.
- O. 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

Revised Date:	Revision #:		

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.

- P. 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.
- Q. 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 involvement the Project.
- R. 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.
- S. 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 statements contained herein not misleading.

STATE OF NEW YORK

COUNTY	OF ) ss.:
	Joshua J. Feldman , being first duly sworn, deposes and says:
1.	That I am the Authorized Signatory (Corporate Office) of NY USLE Carthage SR26 A LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2.	That I have read the 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.
	Joshua J. Feldman (Signature of Officer)
Subscribed this Drylay	and affirmed to me under penalties of perjury of
	GARY M. LYMAN  NOTARY PUBLIC, STATE OF NEW YORK  Registration No. 02LY4643328  Qualified in Queens County  Commission Expires June 30, 20 23
Revised Date	, Revision #:
	Document Date: 11/1/2018

# Cost-Benefit Analysis for NY USLE Carthage B

Prepared by Jefferson County LDC using InformAnalytics

# **Executive Summary**

**INVESTOR** 

**TOTAL INVESTED** 

LOCATION

TIMELINE

USLE

\$6.6 Million

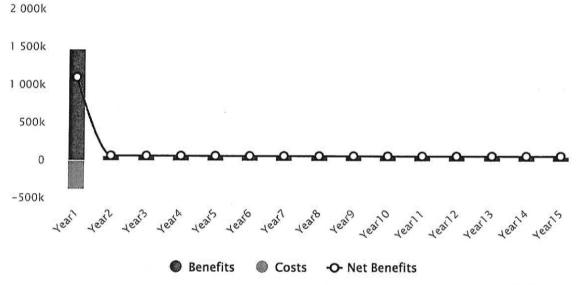
35890 State Route 26, Carthage, NY

15 Years

F1 FIGURE 1

## Discounted\* Net Benefits for NY USLE Carthage B by Year

Total Net Benefits: \$1,945,000



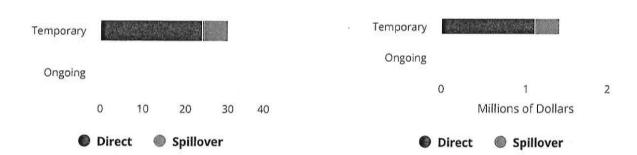
Discounted at 2%

F2 FIGURE 2

F3 FIGURE 3

## **Total Jobs**

## **Total Payroll**



# Proposed Investment

USLE proposes to invest \$6.6 million at 35890 State Route 26, Carthage, NY over 15 years. Jefferson County LDC staff summarize the proposed with the following: 3.3 MW Solar array located at SR 26, Town of Champion

T1 TABLE 1

F4 FIGURE 4

**Proposed Investments** 

Location of Investment

Description

Amount

**CONSTRUCTION SPENDING** 

22.4 Acres

\$3,075,000

OTHER SPENDING

Equipment

\$3,525,000

**Total Investments** 

\$6,599,000

Discounted Total (2%)

\$6,599,000

# Cost-Benefit Analysis

A cost-benefit analysis of this proposed investment was conducted using InformAnalytics, an economic impact model developed by CGR. The report estimates the impact that a potential project will have on the local economy based on information provided by Jefferson County LDC. The report calculates the costs and benefits for specified local taxing districts over the first 15 years, with future returns discounted at a 2% rate.

T2 TABLE 2

#### **Estimated Costs or Incentives**

Jefferson County LDC is considering the following incentive package for USLE.

Description	Nominal Value	Discounted Value*
Sales Tax Exemption	\$380,000	\$380,000
Total Costs	\$380,000	\$380,000

<sup>\*</sup> Discounted at 2%

T3 TABLE 3

State & Regional Impact (Life of Project)

The following table estimates the total benefits from the project over its lifetime.

Description	Direct	Spillover	Total
REGIONAL BENEFITS	\$1,985,000	\$265,000	\$2,249,000
To Private Individuals	\$1,062,000	\$261,000	\$1,323,000
Temporary Payroll	\$1,062,000	\$261,000	\$1,323,000
To the Public	\$923,000	\$3,000	\$927,000
Property Tax Revenue	\$910,000	N/A	\$910,000
Temporary Sales Tax Revenue	\$14,000	\$3,000	\$17,000
STATE BENEFITS	\$61,000	\$15,000	\$76,000
To the Public	\$61,000	\$15,000	\$76,000
Temporary Income Tax Revenue	\$47,000	\$12,000	\$59,000
Temporary Sales Tax Revenue	\$14,000	\$3,000	\$17,000
Total Benefits to State & Region	\$2,045,000	\$280,000	\$2,325,000
Discounted Total Benefits (2%)	\$2,045,000	\$280,000	\$2,325,000

T4 TABLE 4

#### Benefit to Cost Ratio

The following benefit to cost ratios were calculated using the discounted totals.

Description	Benefit*	Cost*	Ratio
Region	\$2,249,000	\$190,000	12:1
State	\$76,000	\$190,000	0:1
Grand Total	\$2,325,000	\$380,000	6:1

### May not sum to total due to rounding.

CGR has exercised reasonable professional care and diligence in the production and design of the InformAnalytics™ tool. However, the data used is provided by users. InformAnalytics does not independently verify, validate or audit the data supplied by users. CGR makes no representations or warranties with respect to the accuracy of the data supplied by users.

<sup>\*</sup> Discounted at 2%

## Application to

# Jefferson County Industrial Development Agency (JCIDA)

	Tax	Exe	mpt !	Bond	Financing	5
	Tax	able	Bono	d Fina	ancing	
$\square$	Leas	se L	easeb	ack ]	Transactio	n

Please contact the agency for more information regarding project eligibility and application process.

Applicant (Company) Name:		
NY USLE Carthage SR26 B LLC		
Applicant Address:		
600 Third Ave. 38th Floor, NY 10016		
Phone:		
(740) 721-6199		
E-mail:		
scott@magpie.energy		
Application Date: November 2, 2020	K.	
Internal Use Only		
Staff Signature and Date of Submission:		
Revised Date: , Revision #:		
Completed Application Date:	Staff Initial	W

Document Date: November 1, 2018

### Fee Schedule

Updated as of the date of the document

### Taxable and Tax Exempt Industrial Development Revenue Bonds

Y \$40 (2.5)		44	***	
ΑD	Diica	ation	Fee:	

A non-refundable fee of \$2,500.00 is payable to the JCIDA at the time the

application is submitted. This fee will be credited towards the total fee at closing.

Fee:

First \$10 million □ 2% of the principal amount of the bond series.

\$10 million - \$20 million □1% of the bond series. Any amount over \$20 million □0.5% of the bond series.

Annual Fee - \$1,500.00

Point of Contact:

Donald Alexander ☐ CEO JCIDA+1 (315) 782-5865

#### **Lease Leaseback Transactions**

**Application Fee:** 

A non-refundable fee of \$2,500.00 is payable to the JCIDA at the time the

application is submitted. This fee will be credited towards the total fee at closing.

Fee:

With a PILOT:

First \$10 million □2%

Second \$10-\$20 million - 0.5% Any amount over \$20 million - 0.25%

No PILOT □25% of the abatement value

**Point of Contact:** 

Donald Alexander - CEO JCIDA +1 (315)782-5865

Revised Date:	, Revision #:	
1 (1) 2 (1) (1) (1) (1) (1) (1) (1) (1) (1) (1)		

### Section I: Applicant Information

Please answer all questions. Use □None□or □Not Applicable□where necessary. The applicant is a special purpose entity wholly owned by CSG PV I A) Applicant Information-company receiving benefit: LLC. To secure financing of the project through tax equity partners or otherwise, the project may be sold, transferred and/or assigned to a new entity. In the event any proposed transfer of interest, we will notify Applicant Name: NY USLE Carthage SR26 B LLC the IDA thirty (30) days in advance and provide the identity of the purchaser and the type of transaction contemplated. Applicant Address: 600 Third Ave. 38th Floor, NY 10016 Phone: (740) 721-6199 Fax: E-mail: scott@magpie.energy Website: Federal ID#: 85-2661436 NAICS: Will a Real Estate Holding Company be utilized to own the Project property/facility? Yes or X No What is the name of the Real Estate Holding Company: N/A Federal ID#: State and Year or Incorporation/Organization: List of stockholders, members, or partners of Real Estate Holding Company: B) Individual Completing Application: Name: Daniel Gulick Title: Authorized Representative Address: 600 Third Avenue, 38th Floor, New York, NY 10017 Phone: 917 405-8046 Fax: \_\_\_\_\_ E-Mail: dan@magpie.energy C) Company Contact (if different from Section B above): Name: Mark D. Richardson Title: CEO Address: 830 Loudon Rd. Latham NY 12110 Phone: 518-288-7800 Fax: \_\_\_\_\_ E-Mail: mrichardson@uslightenergy.com , Revision #: Revised Date:

D) Company Counsel:		
Name of Attorney: Genevieve M. Trigg		
Firm Name: Barclay Damon LLP		
Address: 80 State Street, Albany NY 1220	7	
Phone: 518-429-4265	Fax: 518-427-34	84
E-mail: gtrigg@barclaydamon.com		
E) Identify the assistance being requested of	the Agency (select all that a	ipply):
1. Exemption from Sales Tax	X Yes or	☐ No
2. Exemption from Mortgage Tax	☐ Yes or	X No
3. Exemption from Real Property Tax	X Yes or	□ No
4. Tax Exempt Financing *	☐ Yes or	X No
* (typically for not-for-profits and quali	fied small manufacturers)	
F) Applicant Business Information (check a	ppropriate category):	
Corporation	Partnership	П
Public Corporation	Joint Venture	
Sole Proprietorship	Limited Liability Company	$\overline{\mathbf{X}}$
Other (please specify)	50 G 5	22
Year Established: 2020		
State in which Organization is established	ed: NY	
State in which organization is establish		
G) List all Applicant stockholders, members.	or partners with % of own	ership greater than 20%:
Name	% of owner	
CSG PV I LLC	100%	
٨		
H) Applicant Business Description:		
Describe in detail company background, produc	ts, customers, goods and serv	vices. Description is critical
in determining eligibility:	.,	
The company is developing a community solar phouseholds will be the customers of this facility,	hotovoltaic facility, which it w	ill own and operate. Individual
households will be the customers of this facility, in savings on their monthly electricity utility bills.	purchasing a pro-rata amoun	t of the energy generated, resulting
Revised Date: I	Revision #:	

	Estimated % of sales within Jefferson County :
	Estimated % of sales outside Jefferson 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.S0%
	(*Percentage to equal 100%)
I) Wha	t percentage of your total annual supplies, raw materials and vendor services are purchased from
firms in	Jefferson County. Include list of vendors, raw material suppliers and percentages for each
Provide TBD	supporting documentation including estimated percentage of local purchases.
	Section II: Project Description & Details
A) Proj	ect Location:
List your	current operation(s) locations in Jefferson County:
List your	current operation(s) locations in New York State:
List the F	Proposed Project location(s): 35890 State Route 26 Carthage
	he Property Address of the proposed Project: State Route 26 Carthage
Will the	completion of the Project result in the removal, or reduction of an industrial or manufacturing
plant of th	ne Applicant from: one area of New York State to Jefferson County; or within Jefferson County?
5000	Yes or No X
If	Yes, please provide details
	*
Revised Da	ite: Revision #:

Will the completion of the Project result in the abandonment of one or more plants or facilities of the Applicant located within New York State?
Yes or No X
If Yes, please provide details
Will the Proposed Project affect Applicant current operations within Jefferson County to be closed or be subjected to reduced activity?
☐ Yes or No ☒
If Yes, please provide details
If Yes to any of the above three (3) questions, Applicant must complete Section II (Q) and Section IV of this Application.
Will the completion of the Project result in the abandonment, removal, or reduction of an industrial or nanufacturing plant of a closely aligned competitor from one area of New York State or Jefferson County?
Yes or No X
If Yes, please provide details
SBL Number for Property upon which proposed Project will be located: 76.00-2-42.1  What are the current real estate taxes on the proposed Project Site? For 2020: School \$4,316.27; County \$13.
f amount of current taxes is not available, provide assessed value for each:  Land: \$\( \frac{431,900}{\} \)  ** If available please include a copy of current tax bill.  Note that there are 2 solar are units proposed on this proper
are Real Property Taxes current? X Yes or No. If no, please explain
fown/City/Village: Champion School District: Carthage

-42-

provide a statement in	e undertaken without Financial Assistance provided by the Agency, the the space provided below indicating why the Project should be undertaked
provide a statement in	the space provided below indicating why the Project should be undertake
provide a statement in	the space provided below indicating why the Project should be undertake
provide a statement in	the space provided below indicating why the Project should be undertake
provide a statement in	the space provided below indicating why the Project should be undertake
Without Financial Assist	stance, the project may no longer be financially viable, and may need to be cancel
If Yes, please provide de	etails:
	cking the box, below, if there is a strong possibility that the Project would n the Financial Assistance provided by the Agency? No
savings. Without the Age	ency's Financial Assistance, the project may need to be canceled.
Construction of the proje	ect would directly benefit community residents and businesses through energy co
will have on the App shortfalls, etc Your	why the Agency's Financial Assistance is necessary, and the effect the Projection of the Project of
Program.	
consumption by their cu	ustomers, and will directly benefit customers enrolled in the Community Solar
from the proposed facili	ity will be exported to the National Grid distribution network for daily electrical
The facility will interco	onnect with the local electrical grid owned by National Grid. The energy generate
and/or equipment pur all tenants and any/all	arrative of project and the purpose of the project (new build, renovation chases). Identify specific uses occurring within the project. Describe any a lend users: (This information is critical in determining project eligibility):truction of a community solar photovoltaic facility in the Town of Champion
	is a civily in the unioption continue to purchase the ring content.
Does Applicant or relate	ted entity have an option/contract to purchase the Project site?   Yes or   No
	f present owner of the Project Site: <u>Uhlinger Capital Company LLC</u> ted entity have an ontion/contract to purchase the Project site?  Yes or  N

Project may ne	ed to be canceled. Investment would be lost.
. 7 400 May 64 40	t include leasing any equipment  Yes or  No
D) Site Charact	teristics:
Describe the pre	esent use of the proposed Project site: Undeveloped land
Will the Project	meet zoning/land use requirements at the proposed location?  Yes or  No
If Yes, please pr	ovide local zoning reference that applies: Project has received site plan approval
from the Town	of Champion on 08/11/2019
	sent zoning/land use: Mine/quarry
	d zoning/land use, if different: N/A
	zoning/land use is required, please provide details/status of any request for change of requirements: N/A
	project located on a site where the known or potential presence of contaminants the development/use of the property? If yes, please explain: No
is complicating t	the development use of the property? If yes, please explain. No
Have site plans b	een submitted to the appropriate planning department?
** If v	es, please provide the Agency with a copy of the related State Environmental Quality
140181 (#168	EQR") Environmental Assessment Form that may have been required to be submitted
150	te plan application to the appropriate planning department. Please provide the Agency

with the status with respect to any required plan	nning department approval:
Has the Project received site plan approval from If Yes, please provide the Agency wit the related SEQR determination.	n the planning department?  Yes or  No.  h a copy of the planning department approval along with
E) Has a Phase I Environmental Assessment by proposed project site? ✓ Yes or ☐ No If y	een prepared, or will one be prepared with respect to the yes, please provide a copy.
	undertaken with respect to the proposed project site that stamination that would complicate the site's development? de copies of the study
G) Provide any additional information or detail	s:
	567 C.
Retail Sales: Yes or No	Services: ☐ Yes or ☑ No
Article 28 of the Tax Law of the State of New !	"retail sales" means (i) sales by a registered vendor under York (the "Tax Law") primarily engaged in the retail sale ection 1101(b)(4)(i) of the Tax Law), or (ii) sales of a pject.
Industrial Acquisition of Existing Facility Housing Equipment Purchase Multi-Tenant Commercial	Back Office  Retail  Mixed Use  Facility for Aging  Civic Facility (not for profit)  Other Photovoltaic Facility
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### I) Project Information:

1.	Land and/or Building Acquisition:		\$
	acres	square feet	
2.		square feet	\$
3.	New Building Addition(s): N/A	square feet	\$
4.	Infrastructure Work		\$
5.	Reconstruction/Renovation:	square feet	\$
6.	Manufacturing Equipment:		\$3,524,384
7.	Non-Manufacturing Equipment (furniture	e, fixtures, etc.):	
8.	Soft Costs: (professional services, etc.):		\$3,074,631
9.	Other, Specify:		
		TOTAL Capital Costs:	\$_6.599.015
	t refinancing; estimated amount financing of existing debt only)		\$
ırce	s of Funds for Project Costs:		
Bar	nk Financing:		\$
	nk Financing:		\$
	nk Financing: nity (excluding equity that is attributed to g	rants/tax credits)	GEORGE CONTRACTOR CONTRACTOR
Equ	W	rants/tax credits)	\$ <u>2,985,907</u>
Equ Tax	nity (excluding equity that is attributed to g	rants/tax credits)	\$ <u>2,98</u> 5,907
Equ Tax Tax Pub	aity (excluding equity that is attributed to go	9	\$ <u>2,98</u> 5,907
Equ Tax Tax Pub gran	aity (excluding equity that is attributed to go Exempt Bond Issuance (if applicable) Table Bond Issuance (if applicable) Thic Sources (Include sum total of all state a	nd federal	\$ <u>2,985,907</u> \$\$
Equ Tax Tax Pub gran	aity (excluding equity that is attributed to go Exempt Bond Issuance (if applicable) table Bond Issuance (if applicable) lic Sources (Include sum total of all state a atts and tax credits)	nd federal	\$ <u>2,985,907</u> \$\$
Equ Tax Tax Pub gran	aity (excluding equity that is attributed to go Exempt Bond Issuance (if applicable) table Bond Issuance (if applicable) lic Sources (Include sum total of all state a atts and tax credits)	nd federal	\$ <u>2,985,907</u> \$ \$
Equ Tax Tax Pub gran	aity (excluding equity that is attributed to go Exempt Bond Issuance (if applicable) able Bond Issuance (if applicable) lic Sources (Include sum total of all state ants and tax credits)  Identify each state and federal grant/credit:	nd federal	\$ <u>2,985,907</u> \$ \$ \$ \$ \$ 1,979,705
Equ Tax Tax Pub gran	aity (excluding equity that is attributed to go Exempt Bond Issuance (if applicable) able Bond Issuance (if applicable) lic Sources (Include sum total of all state ants and tax credits)  Identify each state and federal grant/credit:	nd federal	\$ 2,985,907 \$ \$ \$ \$ 1,979,705 \$ 1,633,403

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If Yes, describe particulars: Utility application and study costs, engineering costs  Mortgage Recording Tax Exemption Benefit: Amount of mortgage that would be subject to mortgage recording tax:
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%):  \$
Construction Cost Breakdown:
Total Cost of Construction \$ 6,599,015 (sum of 2,3,4,5, and/or 7 in Question I, above)
Cost for materials:  % sourced in Jefferson County:  % sourced in New York State List major material suppliers if known  \$3,524,384  % (including Jefferson County)
Cost for labor: \$_\$3,074,631  Expected Full-Time Equivalent Jobs during construction  Expected Total Labor Hours during construction  List major subcontractors, if knownSignal Energy Constructors  Sales and Use Tax: Gross amount of costs for goods and services that are subject to State and local Sales
and Use tax - said amount to benefit from the Agency S Sales and Use Tax exemption benefit:
\$
Estimated State and local Sales and Use Tax Benefit (product of% multiplied by the figure, above)
\$
** Note that the estimate provided above will be provided to the New York State Department of Taxatic and Finance. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to undertake the total amount of investment as proposed within this Application, and that the estimate, above, represents the maximum amount of sales and use tax benefit that the Agency may utilize with respect to this Application. The Agency may utilize the estimate, above, as well as the proposed total Project Costs as contained within this Application, to determine the Financial Assistant that will be offered.
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Real Property Tax Benef	<u>īt:</u>		
Identify and descr THAN the Agency IS PILC		vill utilize a re	al property tax exemption benefit OTHER
Project Costs as contained PILOT Benefit abatement Benefit abatement amount  Percentage of Project Copercentage of Project Costs Costs as depicted above in	herein and anticipal amount for each ye for the term of the Posts financed from s financed from Public Section II(I) of the Aug, please indicate the	ated tax rates and ar of the PILO PILOT as depict Public Sector Source Application.	nount of PILOT Benefit based on estimated and assessed valuation, including the annual T benefit year and the sum total of PILOT ed in Section II(I) of the Application.  Sources: Agency staff will calculate the ses based upon Sources of Funds for Project e for each of the uses outlined below:
- company - paying assis	Square Footage	Cost	% of Total Cost of Project
Manufacturing/Processing		ACCUSANCE OF THE PROPERTY OF T	3
Warehouse			
Research & Development			
Commercial	200		
Retail (see section K)			
Office			
Specify Other			
K) What is your project time	netable (Provide date	es):	labor/vendors for O&M such as mowing.
			of facilities: November 1, 2020
277/	etion date of project:	Charles Charles Carlotte	Takana in the same and the same in the sam
			ions: March 1, 2021
	n contracts been sign		r ☑ No
5. Has Financing be	en finalized? 🔲 Ye	es or 🛛 No	
Revised Date:	, I	Revision #:	
	,	TO PADAGLA III	

** If const	ructions contracts ha	ve been signed, please j	provide copies of exect	uted construction contract
and a comp	lete project budget.	The complete project bu	dget should include al	l related construction cost
totaling the	amount of the new bu	uilding construction, and	d/or new building addi	tion(s), and/or renovation.
L) Is the pro	oposed Project necess	ary to expand Applican	t employment: Ye	es or 🛛 No
Is the propo	osed Project necessary	to retain existing empl	oyment: Ye	s or 🛛 No
M) Employ	ment Plan (Specific t	o the proposed project I	ocation):	
	Current # of jobs at proposed project location or to be relocated at project location	IF FINANCIAL ASSISTANCE IS GRANTED □project the number of FTE and PTE jobs to be RETAINED	the number of FTE and PTE jobs to be CREATED upon	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PTE jobs to be created upon TWO Years after Project Completion **
Full time (FTE)	0 FTEs			
Part Time (PTE)				
Total ***				
	1.3.1 2.1.2. 1. 1.1.1.1.1.1.1.1.1.1.1.1.1.1.1		AND STATE OF	jobs that will be filled, as ourth column. The Labor
Market A	rea includes Je	efferson County	as well as th	e following Areas:
the request for time period for number of P	or Financial Assistance of Fin	ce is granted. Agency pletion. Agency staff of	staff will project such converts PTE jobs into works the equivalent of	be retained and created if jobs over the TWO-Year FTE jobs by dividing the of a 40-hour week for 48 eks.
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Salar	v and	Fringe	Benefits	for .	Jobs	to be	Retained	and	Created:

	Average bulary or Ra	nge of Salary	Average Fringe of Fringe Bene	Benefits or Range fits
Management				
Professional				
Administrative			- 40000	
Production				
Other				
Employment at other location):	Address	Town/Village: (		Address
Full time				
Part Time				
l'otal				
	scribed above are loc	مالم مناطقت علم	C	the and was annuaged Va
f any of the facilities de he question, above, you we will be assented that the determine the Financial acknowledges that the number of jobs and creater that the sumber of jobs and creater that the sumber of jobs and creater that the sumber of jobs and creater than the sum that the sum than the sum than the sum than the sum than the sum th	must complete Section  Agency may utilize  Assistance that will  transaction document	IV of this Application the foregoing entire the offered by the same of the sam	cation.  nployment projethe Agency to the a covenant by	ctions, among other iten he Applicant. The App the Applicant to retai
the question, above, you is  Please note that the letermine the Financial acknowledges that the number of jobs and created.  Is the proposed Proje	must complete Section  Agency may utilize to Assistance that will transaction document to the number of jobs where the nu	IV of this Application of the foregoing ended by the offered by the second of the second of the offerson County?	cation.  Inployment project the Agency to the a covenant by the Project as set for Applicant from the X Yes or [	ctions, among other iter the Applicant. The Applicant to retain orth in this Application.  moving out of New York  No.  ssistance offered and

P) What competitive	
State?	factors led you to inquire about sites outside of Jefferson County or New York
We are developing project abatements, which make customers, a jurisdiction	cts in other counties throughout New York state some localities provide sales tax exemptions and property tax them attractive for further development activities. Because projects in surrounding counties compete for the same with unfavorable tax regimes will be at a disadvantage in a commodity market, which is based mainly on price.
Q) Have you contacte	d or been contacted by other Local, State and/or Federal Economic Development
Agencies?  Yes or	☑ No.
Have you applied, or in	ntend to apply for additional Grant Funding, or tax incentives? 🗹 Yes or 🗌 No.
f yes, please identify	which agencies and what other Local, State and/or Federal assistance and the
ssistance sought and of Grant \$1,633,403	dollar amount that is anticipated to be received: NYSERDA funding
	Section III Retail Questionnaire
equires additional in	re with Section 862 of the New York General Municipal Law, the Agency formation if the proposed Project is one where customers personally visit the ake either a retail sale transaction or to purchase services.
lease answer the follo	owing:
	on of the Project (including that portion of the cost to be financed from equity or consist of facilities or property that are or will be primarily used in making sales of
	es to customers who personally visit the project site?
goods or servic	
goods or service Yes or X 1 For purposes of Article 28 of the retail sale of tar	es to customers who personally visit the project site?
goods or service  Yes or X 1  For purposes of Article 28 of the retail sale of tar (ii) sales of a set  B. What percentage primarily used in the control of	es to customers who personally visit the project site?  No. If the answer is yes, please continue. If no, proceed to section V  f Question A, the term □retail sales□means (i) sales by a registered vendor under the Tax Law of the State of New York (the □Γax Law□) primarily engaged in the ngible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or
goods or service  Yes or X 1  For purposes of Article 28 of the retail sale of tar (ii) sales of a set  B. What percentage primarily used in the retail definition of the retail definition.	No. If the answer is yes, please continue. If no, proceed to section V  f Question A, the term retail sales means (i) sales by a registered vendor under the Tax Law of the State of New York (the Tax Law primarily engaged in the negible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or revice to customers who personally visit the Project.  ge of the cost of the Project will be expended on such facilities or property in making sales of goods or services to customers who personally visit the project?  %. If the answer is less than 33% do not complete the remainder
goods or service  Yes or X 1  For purposes of Article 28 of the retail sale of tar (ii) sales of a set  B. What percentage primarily used in the following quantum of the f	No. If the answer is yes, please continue. If no, proceed to section V  f Question A, the term retail sales means (i) sales by a registered vendor under the Tax Law of the State of New York (the Tax Law) primarily engaged in the negible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or revice to customers who personally visit the Project.  ge of the cost of the Project will be expended on such facilities or property n making sales of goods or services to customers who personally visit the project?

	e Project location or facility likely to attract a significant number of visitors from outside nomic development region (list specific County or ED region) in which the project will be
150000	☐ Yes or ☐ No
If yes, response	please provide a third party market analysis or other documentation supporting your
not, but the prop	the predominant purpose of the Project to make available goods or services which would for the Project, be reasonably accessible to the residents of the municipality within which bosed Project would be located because of a lack of reasonably accessible retail trade to offering such goods or services?
	Yes or No
If yes, presponse	please provide a third party market analysis or other documentation supporting your
	Will the Project preserve permanent, private sector jobs or increase the overall number of nt, private sector jobs in the State of New York?
	☐ Yes or ☐ No.
I	f yes, explain
5. Is the	e Project located in a Highly Distressed Area?    Yes or    No
	Section IV Inter-Municipal Move Determination
from Agency Fin Applicant from or more plants or d Assistance is rec	equired by State law to make a determination that, if completion of a Project benefiting ancial Assistance results in the removal of an industrial or manufacturing plant of the ne area of New York State to another area of the State; or in the abandonment of one or facilities of the Applicant located within the New York State, Agency Financial quired to prevent the Applicant from relocating out of the New York State, or is early to preserve the Applicant competitive position in its respective industry.
New York State, respective industr	Agency Financial Assistance is required to prevent the Project from relocating out of or is reasonably necessary to preserve the Project occupant competitive position in its y:
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	\$100 (CO) (CO) (CO) (CO) (CO) (CO) (CO) (CO)

# Section V: Estimate of Real Property Tax Abatement Benefits and Percentage of Project Costs financed from Public Sector sources

\*\* Section V 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.

#### **PILOT Estimate Table Worksheet**

Dollar Value of New Construction and Renovation Costs	Estimated New Assessed Value of Property Subject to IDA*	County Tax Rate/1000	Local Tax Rate (Town/City/Village)/1000	School Tax Rate/1000

<sup>\*</sup>Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1		7///					
2							
3							
4							AND AND ADDRESS OF THE REAL PROPERTY.
5							
6							
7							
8							
9							
10							
TOTAL							

<sup>\*</sup>Estimates provided are based on current property tax rates and assessment values

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### Percentage of Project Costs financed from Public Sector Table Worksheet:

Total Project Cost	Estimated Value of PILOT	Estimated Value of Mortgage Tax Incentive	Total of Other Public Incentives (Tax Credits, Grants, ESD Incentives, etc.)
			cic.)

			<u> </u>			etc.)	
Calcula	te %						
(Est. PI)	LOT + E	st. Sales Tax-	+ Est. Mortgage	Tax+ Other)/To	otal Projec	ct Costs: _	%
		complete a Co available to		ysis using inforn	nation con	ntained withi	n this
		Section VI	Representation	s, Certifications	and Inder	nnification	
complete	ed after t	5.50	receives, JCID	completed upor A Staff confirma			
		*					
Applicati	anusLE Carth		that he/she (name o that he/she has	of CEO or other is the f corporation or read the foregoir otherwise agrees	Authorized other en	Signatory tity) named ation and kno	(title) of in the attached ows the contents
A.	the Ap from the employ State I admini- area cr	plicant under ne Agency, e ment opportu Department of strative entity	estands and agree except as otherwanities created as of Labor Common (collectively win federal job trai	etion 858-b(2) of es that, if the Pro- rise provided by a result of the P- nunity Services th the DOL, the ning partnership	oject recei collective roject will Division □TPA Ent	ives any Fina bargaining a be listed wit (the DOLD tities) of the	ncial Assistance agreements, new the the New York and with the service delivery
В.	Genera	l Municipal L	aw, the Applica	: In accordance want understands an y, except as other	d agrees th	nat, if the Proj	ject receives any
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agreements, where practicable, the Applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.

- C. Annual Sales Tax Filings: In accordance with Section 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, in accordance with Section 874(8) of the General Municipal Law, 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. Copies of all filings shall be provided to the Agency.
- D. Employment Reports: The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, 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, said report being an agenda item subject to the Open Meetings Law.
- E. The Applicant acknowledges that certain-environmental representations will be required at closing. The Applicant shall provide with this Representation, Certification and Indemnification Form copies of any known environmental reports, including any existing Phase I Environmental Site Assessment Report(s) and/or Phase II Environmental Investigations. The Agency may require the Company and/or owner of the premises to prepare and submit an environmental assessment and audit report, including but not necessarily limited to, a Phase I Environmental Site Assessment Report and a Phase II Environmental Investigation, with respect to the Premises at the sole cost and expense of the owner and/or the Applicant. All environmental assessment and audit reports shall be completed in accordance with ASTM Standard Practice E1527-05, and shall be conformed over to the Agency so that the Agency is authorized to use and rely on the reports. The Agency, however, does not adopt, ratify, confirm or assume any representation made within reports required herein.
- F. The Applicant and/or the owner, and their successors and assigns, hereby release, defend and indemnify the Agency from any and all suits, causes of action, litigations, damages, losses, liabilities, obligations, penalties, claims, demands, judgments, costs, disbursements, fees or expenses of any kind or nature whatsoever (including, without limitation, attorneys consultants and experts fees) which may at any time be imposed upon, incurred by or asserted or awarded against the Agency, resulting from or arising out of any inquiries and/or environmental assessments, investigations and audits performed on behalf of the Applicant and/or the owner pursuant hereto, including the scope, level of detail, contents or accuracy of any environmental assessment, audit, inspection or investigation report completed hereunder

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and/or the selection of the environmental consultant, engineer or other qualified person to perform such assessments, investigations, and audits.

- G. Hold Harmless Provision: The Applicant acknowledges and agrees that the Applicant shall be and is responsible for all costs of the Agency incurred in connection with any actions required to be taken by the Agency in furtherance of the Application including the Agency costs of general counsel and/or the Agency bond/transaction counsel whether or not the Application, the proposed Project it describes, the attendant negotiations, or the issue of bonds or other transaction or agreement are ultimately ever carried to successful conclusion and 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: (i) the Agency's examination and processing of, and action pursuant to or upon, the Application. regardless of whether or not the Application or the proposed Project described herein or the tax exemptions and other assistance requested herein are favorably acted upon by the Agency; (ii) the Agency's acquisition, construction and/or installation of the proposed Project described herein; and (iii) any further action taken by the Agency with respect to the proposed Project including, without limiting the generality of the foregoing, all causes of action and attorney's fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law and the policies of the Agency that any New York State and local sales and use tax exemption claimed by the Applicant and approved by the Agency, any mortgage recording tax exemption claimed by the Applicant and approved by the Agency, and/or any real property tax abatement claimed by the Applicant and approved by the Agency, in connection with the Project, may be subject to recapture and/or termination by the Agency under such terms and conditions as will be established by the Agency and set forth in transaction documents to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this Application, including without limitation information regarding the amount of the New York State and local sales and use tax exemption benefit, the amount of the mortgage recording tax exemption benefit, and the amount of the real property tax abatement, if and as applicable, to the best of the Applicant knowledge, is true, accurate and complete.
- H. This obligation includes an obligation to submit an Agency Fee Payment to the Agency in accordance with the Agency Fee policy effective as of the date of this Application
- I. By executing and submitting this Application, the Applicant covenants and agrees to pay the following fees to the Agency and the Agency general counsel and/or the Agency bond/transaction counsel, the same to be paid at the times indicated:

(i)	a non-refundable \$ application and publication fee (the □Application Fee□);
(ii)	a \$ expense deposit for the Agency Counsel Fee Deposit
(iii)	Unless otherwise agreed to by the Agency, an amount equal to percent %) of the total project costs.

(iv) All fees, costs and expenses incurred by the Agency for (1) legal services, including but not limited to those provided by the Agency general counsel and/or the Agency bond/transaction

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counsel, thus note that the Applicant is entitled to receive a written estimate of fees and costs of the Agency general counsel and the Agency bond/transaction counsel; and (2) other consultants retained by the Agency in connection with the proposed project, with all such charges to be paid by the Applicant at the closing.

- J. If the Applicant fails to conclude or consummate the 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 Applicant is unable to find buyers willing to purchase the bond issue requested, or if the Applicant is unable to facilitate the sale/leaseback or lease/leaseback transaction, then, upon the presentation of an invoice, Applicant shall pay to the Agency, its agents, or assigns all actual costs incurred by the Agency in furtherance of the Application, up to that date and time, including but not necessarily limited to, fees of the Agency general counsel and/or the Agency bond/transaction counsel.
- K. The Applicant acknowledges and agrees that all payment liabilities to the Agency and the Agency general counsel and/or the Agency bond and/or transaction counsel as expressed in Sections H and I are obligations that are not dependent on final documentation of the transaction contemplated by this Application.
- L. The cost incurred by the Agency and paid by the Applicant, the Agency general counsel and/or bond/transaction counsel fees and the processing fees, may be considered as a cost of the Project and included in the financing of costs of the proposed Project, except as limited by the applicable provisions of the Internal Revenue Code with respect to tax-exempt bond financing.
- M. The Applicant acknowledges that the Agency is subject to New York State Freedom of Information Law (FOIL). Applicant understands that all Project information and records related to this application are potentially subject to disclosure under FOIL subject to limited statutory exclusions.
- N. The Applicant acknowledges that it has been provided with a copy of the Agency Policy for Termination of Agency Benefits and Recapture of Agency Benefits Previously Granted (the Termination and Recapture Policy). The Applicant covenants and agrees that it fully understands that the Termination and Recapture Policy is applicable to the Project that is the subject of this Application, and that the Agency will implement the Termination and Recapture Policy if and when it is so required to do so. The Applicant further covenants and agrees that its Project is potentially subject to termination of Agency financial assistance and/or recapture of Agency financial assistance so provided and/or previously granted.
- O. 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

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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.

- P. 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.
- Q. 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 involvement the Project.
- R. 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.
- S. 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 statements contained herein not misleading.

STATE OF NEW YORK

1

COUNTY	OF	) ss.:		
Jos	shua J. Feldman	, being t	īrst duly sworn, deposes a	and says:
1.				NY USLE Carthage SR26 B LLC licant to bind the Applicant.
2.		nd belief, this App		s thereof, and that to the best of s of this Application are true,
			Joshu (5	Signature of Officer)
	and affirmed to m	e under penalties of , 20 <u>10</u> .	perjury	
4	Notary Publi	(c)	GARY M. LYM NOTARY PUBLIC, STATE C Registration No. 02LY Qualified in Queens Commission Expires	OF NEW YORK 4643328
Revised Date	V e:	Ro	evision #:	

### Cost-Benefit Analysis for ROTH EXPANSION 2021

Prepared by Jefferson County LDC using InformAnalytics

### **Executive Summary**

**INVESTOR** 

**TOTAL INVESTED** 

LOCATION

TIMELINE

Roth Industries Inc.

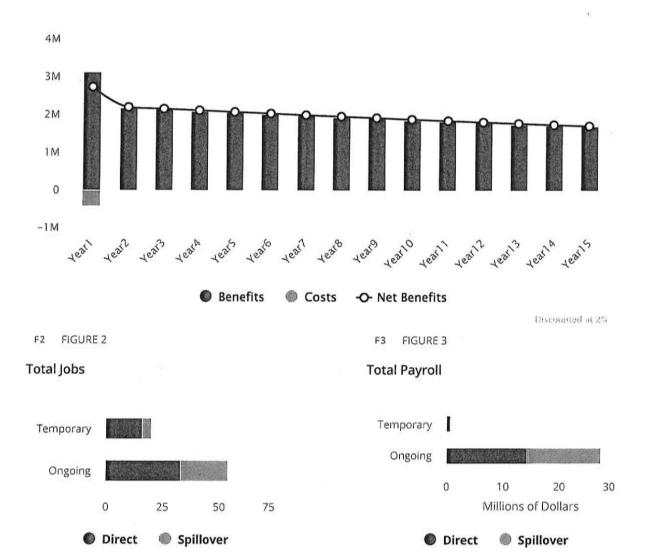
\$6.0 Million

268 Bellew Ave. Watertown, NY 13601 15 Years

F1 FIGURE 1

Discounted\* Net Benefits for ROTH EXPANSION 2021 by Year

Total Net Benefits: \$29,885,000



## Proposed Investment

Roth Industries Inc. proposes to invest \$6.0 million at 268 Bellew Ave. Watertown, NY 13601 over 15 years.

Jefferson County LDC staff summarize the proposed with the following: Expansion of existing factory located in Watertown, NY

T1 TABLE 1

F4 FIGURE 4

Proposed Investments

Location of Investment

Description

Amount

CONSTRUCTION SPENDING

16,700 Square Foot

Addition

\$1,960,000

OTHER SPENDING

Manufacturing Equip

\$4,040,000

**Total Investments** 

\$6,000,000

Discounted Total (2%)

\$6,000,000

May not sum to total due to rounding.

### Cost-Benefit Analysis

A cost-benefit analysis of this proposed investment was conducted using InformAnalytics, an economic impact model developed by CGR. The report estimates the impact that a potential project will have on the local economy based on information provided by Jefferson County LDC. The report calculates the costs and benefits for specified local taxing districts over the first 15 years, with future returns discounted at a 2% rate.

T2 TABLE 2

#### **Estimated Costs or Incentives**

Jefferson County LDC is considering the following incentive package for Roth Industries Inc..

Description	Nominal Value	Discounted Value*
Sales Tax Exemption	\$386,000	\$386,000
Mortage Recording Tax Exemption	\$30,000	\$30,000
Total Costs	\$416,000	\$416,000

May not sum to total due to rounding.

<sup>\*</sup> Discounted at 2%

T3 TABLE 3

State & Regional Impact (Life of Project)

The following table estimates the total benefits from the project over its lifetime.

Description	Direct	Spillover	Total
REGIONAL BENEFITS	\$17,607,000	\$15,236,000	\$32,843,000
To Private Individuals	\$17,012,000	\$15,043,000	\$32,054,000
Temporary Payroll	\$677,000	\$167,000	\$843,000
Ongoing Payroll	\$16,335,000	\$14,876,000	\$31,211,000
To the Public	\$595,000	\$193,000	\$788,000
Property Tax Revenue	\$377,000	N/A	\$377,000
Temporary Sales Tax Revenue	\$9,000	\$2,000	\$11,000
Ongoing Sales Tax Revenue	\$209,000	\$191,000	\$400,000
STATE BENEFITS	\$803,000	\$848,000	\$1,651,000
To the Public	\$803,000	\$848,000	\$1,651,000
Temporary Income Tax Revenue	\$30,000	\$7,000	\$37,000
Ongoing Income Tax Revenue	\$555,000	\$648,000	\$1,203,000
Temporary Sales Tax Revenue	\$9,000	\$2,000	\$11,000
Ongoing Sales Tax Revenue	\$209,000	\$191,000	\$400,000
Total Benefits to State & Region	\$18,410,000	\$16,084,000	\$34,494,000
Discounted Total Benefits (2%)	\$16,225,000	\$14,076,000	\$30,300,000

May not sum to total due to rounding.

#### T4 TABLE 4

#### Benefit to Cost Ratio

The following benefit to cost ratios were calculated using the discounted totals.

Description	Benefit*	Cost*	Ratio
Region	\$28,852,000	\$203,000	142:1
State	\$1,449,000	\$213,000	7:1
Grand Total	\$30,300,000	\$416,000	73:1

### May not sum to total due to rounding.

CGR has exercised reasonable professional care and diligence in the production and design of the InformAnalytics™ tool. However, the data used is provided by users. InformAnalytics does not independently verify, validate or audit the data supplied by users. CGR makes no representations or warranties with respect to the accuracy of the data supplied by users.

<sup>\*</sup> Discounted at 2%

## Application to

# Jefferson County Industrial Development Agency (JCIDA)

Tax	Exe	mpt I	Bond	l Financing	
Tax	able	Bond	l Fin	ancing	
Lea	se L	easeb	ack	Transaction	l

Please contact the agency for more information regarding project eligibility and application process.

Applicant (Company) Name: Roth	Industries Inc.
Applicant Address: 268 Bellew Ave Watertown Nev	eneue w York 13601
Phone: 315-952 2627	
E-mail:johnp@roth-usa.com	
Application Date: January 6, 2021	
Internal Use Only Staff Signature and Date of Submission:	
Revised Date:	_, Revision #:
Completed Application Date:	Staff Initial

Document Date: November 1, 2018

### Fee Schedule

Updated as of the date of the document

### Taxable and Tax Exempt Industrial Development Revenue Bonds

Application Fee:

A non-refundable fee of \$2,500.00 is payable to the JCIDA at the time the

application is submitted. This fee will be credited towards the total fee at closing.

Fee:

First \$10 million - 2% of the principal amount of the bond series.

10 million - 20 million - 1% of the bond series. Any amount over 20 million - 0.5% of the bond series.

Annual Fee - \$1,500.00

Point of Contact:

Donald Alexander - CEO JCIDA+1 (315) 782-5865

### Lease Leaseback Transactions

Application Fee:

A non-refundable fee of \$2,500.00 is payable to the JCIDA at the time the

application is submitted. This fee will be credited towards the total fee at closing.

Fee:

With a PILOT:

First \$10 million - 2%

Second \$10-\$20 million - 0.5% Any amount over \$20 million - 0.25%

No PILOT - 25% of the abatement value

Point of Contact:

Donald Alexander - CEO JCIDA +1 (315)782-5865

Revised Date:\_\_\_\_\_\_, Revision #:\_\_\_\_\_

# Section I: Applicant Information

Please answer all questions. Use "None" or "Not Applicable" where necessary.

A) Applicant Information-company receiving bene	nt:
Applicant Name: Roth Industries Inc.	
Applicant Address: 268 Bellew Aveneue Waterto	own New York 13601
Phone: 315 952 2627	
	E-mail: johnp@roth-usa.com
Federal ID#: 36-4119046	NAICS:
Will a Real Estate Holding Company be utilized to own	
What is the name of the Real Estate Holding Company:	
Federal ID#:	
State and Year or Incorporation/Organization:	
List of stockholders, members, or partners of Real Estat	e Holding Company:
B) Individual Completing Application:	
John Bozzi	
Title: Vice President of Operations	UV 12206
Address: One General Motors Drive Syracuse I	AMPLICATE AND AMPLICATION OF THE PROPERTY OF T
Phone: 315 952 2627	Fax: 315 475 0200
E-Mail: johnp@roth-usa.com	Type text hara
C) Company Contact (if different from Section B ab	304
C) Company Contact (n unterent from Section B and	<u> </u>
Name:	
Title:	
Address:	
Phone:	Fax:
E-Mail:	
Revised Date:, Revision	#:

D) <u>Co</u>	ompany Counsel:	4
	of Attorney: Robert Germain	
Firm N	Jame: Germain and Germain	N The state of the
Addres	ss: 314 East Fayette Street	
Phone:	315 422 0314	Fax:
E-mail:	:Robert@germainlaw.com	
E) <u>Ide</u>	entify the assistance being requested o	f the Agency (select all that apply):
1.	Exemption from Sales Tax	✓ Yes or ☐ No
2.	Exemption from Mortgage Tax	✓ Yes or ☐ No
3.	Exemption from Real Property Tax	✓ Yes or ☐ No
4.	Tax Exempt Financing *	Yes or No
	* (typically for not-for-profits and qual	ified small manufacturers)
F) Арг	plicant Business Information (check a	ppropriate category):
	Corporation	Partnership
	Public Corporation	Joint Venture
	Sole Proprietorship	Limited Liability Company
	Year Established: July 3rd, 1996	
	State in which Organization is establish	ed: Delaware
G) List	t all Applicant stockholders, members	, or partners with % of ownership greater than 20%:
	Name	% of ownership
	ine Roth-Jager	32%
Claus-	-Hinrich Roth	32%
Anne-	Katrin Roth	32%
H) <u>App</u>	licant Business Description:	
Describ	e in detail company background, produ	cts, customers, goods and services. Description is critical
in deteri	mining eligibility:_Roth Industries I	nc. manufactures non-metalic dual wall tanks used in
		stry and the automotive lubricant industry. Roth also
	ges in contract blow molding for a way crash protection products.	number of industrial clients which include Federal

Revised Date:\_\_\_\_\_\_, Revision #:\_\_\_\_\_\_

If Yes, please provide de	etails
Yes or No	<del></del>
	area of New York State to Jefferson County; or within Jefferson County?
Will the completion of the Proj	ect result in the removal, or reduction of an industrial or manufacturing
268 Bellew Aveneue Watertown New York 13601	THE STATE OF THE S
Provide the Property Address of	the proposed Project:
List the Proposed Project location	On(S): 268 Bellew Aveneue Watertown New York 13601
One General Motors Drive Syracuse N	
List your current operation(s) lo	cations in New York State:
List your current operation(s) lo 268 Bellow Aveneue Watertown New York 13601	cations in Jefferson County:
A) Project Location:	
Sec	ction II: Project Description & Details
<u> </u>	
See Attached	
	ion including estimated percentage of local purchases.
	tal annual supplies, raw materials and vendor services are purchased from clude list of vendors, raw material suppliers and percentages for each.
D. What name at a constant	
(*Percentage to equal 1	
Estimated % of sales or	
	utside New York State but within the U.S.: 78%
	utside Jefferson County, but within New York State: 15%
Estimated 70 of sales w	rithin Jefferson County : _2%

Will the completion of the Proj	ect result in the abandonment of one or more plants or facilities of the
Applicant located within New Y	ork State?
Yes or No	
If Yes, please provide de	etails
Will the Proposed Project affect	et Applicant's current operations within Jefferson County to be closed or
be subjected to reduced activity?	
Yes or No	
If Yes, please provide de	etails
If Yes to any of the above three (this Application.	3) questions, Applicant must complete Section II (Q) and Section IV of
C SSC 2	
860 W 02 C WOV 025 VOT 73	et result in the abandonment, removal, or reduction of an industrial or
AND COMPANY OF THE PROPERTY OF	aligned competitor from one area of New York State or Jefferson
County?	
Yes or No	
If Yes, please provide det	tails
SBL Number for Property upon v	which proposed Project will be located: 9-43-105.000
	ixes on the proposed Project Site? See Attached
	available, provide assessed value for each:
Land: \$	
** If available please include a c	
Are Real Property Taxes current?	✓ Yes or ☐ No. If no, please explain
Town/City/Village:	School District:
	, Revision #:
	The Court with the record of the

Does the Applicant or any related entity currently hold fee title to the Project site?   Yes or   No	
If No, indicate name of present owner of the Project Site:	
Does Applicant or related entity have an option/contract to purchase the Project site?   Yes or   No.	
B) Please provide narrative of project and the purpose of the project (new build, renovations, and/or equipment purchases). Identify specific uses occurring within the project. Describe any and all tenants and any/all end users: (This information is critical in determining project eligibility): This project will include and adddition to the existing manufacturing facility of approximately 6700square feet and a seperate 10,000 square.	are
feet storage warehouse building. The addition to the existing manufacturing building will house a state of the art blow molding machine an	nd support equi
The new machine and storage facility is necessary to support increase contract blow molding operations as well as propritory products.	
Describe the reasons why the Agency's Financial Assistance is necessary, and the effect the Project will have on the Applicant's business or operations. Focus on competitiveness issues, project shortfalls, etc Your eligibility determination will be based in part on your answer (attach additional pages if necessary): As previously noted, the majority of Roths's business is outside of NYS. As such we incur greater	ır
costs to ship our finished products to their desitnation. A second plant in an alternate location outside of NYS would cost n	othing
more than what we are proposing. In addition, the direct labor market in Watertown is very competitive, even compared to	Syracuse.
A PIOLT award would help to mitigate both of these costs.	
Please confirm by checking the box, below, if there is a strong possibility that the Project would not be undertaken but for the Financial Assistance provided by the Agency?   Yes or No	
If Yes, please provide details:	
If res, prease provide details.	
If the Project could be undertaken without Financial Assistance provided by the Agency, then provide a statement in the space provided below indicating why the Project should be undertaken by the Agency:  Jefferson County has enjoyed great expansion over the past 20 or more years largely due to Fort Drum. Its public into	formation
that most of these expansions have been supprted with PIOLT programs and/or NYS tax credits. Roth is only seekeing ass	sistance to
keep a level playing field with businesses that we compete with for labor resources. Without financial assistance Roth with	II be at a
disavantage for labor as stated in the previous two answers. Without assistance, we would look again at keeping the project	ot in Syracuse
Revised Date:, Revision #:	

Potentialy less jobs if projects are lost due to increased operational costs.	-
C) Will Project include leasing any equipment  Yes or  No  If Yes, please describe: A new blow mold machine will be installed to meet production demands, the machine cost and the second secon	- approxinmately 3,2
D) Site Characteristics:	
Describe the present use of the proposed Project site:	21
Existing manufacturing and storage facility	
Will the Project meet zoning/land use requirements at the proposed location? ☑ Yes er ☐ No	•
If Yes, please provide local zoning reference that applies: Light Industry	
Describe the present zoning/land use:  Light Industry  Describe required zoning/land use, if different: N/A  If a change in zoning/land use is required, please provide details/status of any request for change of zoning/land use requirements:  N/A	
Is the proposed project located on a site where the known or potential presence of contaminants is complicating the development/use of the property? If yes, please explain: N/A	
Have site plans been submitted to the appropriate planning department?  Yes or No  ** If yes, please provide the Agency with a copy of the related State Environmental Quality Review Act ("SEQR") Environmental Assessment Form that may have been required to be submitted along with the site plan application to the appropriate planning department. Please provide the Agency Revised Date:, Revision #:	

with the status with respect to any required pla	anning department approval:
All approvals are in place	*
	m the planning department?  Yes or  No. ith a copy of the planning department approval along with
E) Has a Phase I Environmental Assessment proposed project site? ✓ Yes or ☐ No II	been prepared, or will one be prepared with respect to the yes, please provide a copy.
	en undertaken with respect to the proposed project site that contamination that would complicate the site's development?
G) Provide any additional information or deta N/A	ils:
H) Select Project Type for all end users at pro	ject site (you may check more than one):
	ified below. site for either of the following economic activities? If yes ated below, complete the Retail Questionnaire contained in
Retail Sales: Yes or No	Services: ☐ Yes or ☑ No
Article 28 of the Tax Law of the State of New	"retail sales" means (i) sales by a registered vendor under York (the "Tax Law") primarily engaged in the retail sale Section 1101(b)(4)(i) of the Tax Law), or (ii) sales of a roject.
Industrial Acquisition of Existing Facility Housing Equipment Purchase Multi-Tenant Commercial	Back Office Retail Mixed Use Facility for Aging Civic Facility (not for profit) Other
Revised Date:	, Revision #:

### I) Project Information:

### Estimated costs in connection with Project: s N/A 1. Land and/or Building Acquisition: \_ acres square feet \$ 660,000 2. New Building Construction: 10,000 square feet 3. New Building Addition(s): 6700 \$1,300,000 square feet 4. Infrastructure Work Reconstruction/Renovation: \_\_\_\_\_ square feet \$3,840,000 6. Manufacturing Equipment: 7. Non-Manufacturing Equipment (furniture, fixtures, etc.): \$\$200,000 8. Soft Costs: (professional services, etc.): 9. Other, Specify: \$6,000,000 TOTAL Capital Costs: Project refinancing; estimated amount (for refinancing of existing debt only) Sources of Funds for Project Costs: \$4,000,000 Bank Financing: \$ 2,000,000 Equity (excluding equity that is attributed to grants/tax credits) Tax Exempt Bond Issuance (if applicable) Taxable Bond Issuance (if applicable) Public Sources (Include sum total of all state and federal grants and tax credits) Identify each state and federal grant/credit:

Document Date: 11/1/2018

\$ 6,000,000

Total Sources of Funds for Project Costs:

Revised Date: , Revision #:

Have any of the above costs b	een paid or incurr	red as of the da	ate of this Application	on? ☑ Yes or ☐ No
If Yes, describe particulars:	ngineering and	l planning a	pproval fees	
Mortgage Recording Tax Exrecording tax:	semption Benefit	: Amount of 1	nortgage that would	d be subject to mortgage
Mortgage Amount (in	clude sum total of	f construction/	permanent/bridge fi	inancing): \$
Estimated Mortgage R Amount as indicated a			fit (product of mort	gage \$
Construction Cost Breakdov	vn:			*
Total Cost of Construction	1,960,000	(sum of 2,	3,4,5, and/or 7 in Q	uestion I, above)
Cost for materials: % sourced in Jefferson % sourced in New Yo List major material su	n County: rk State ppliers if known	\$%	% (including Jet	fferson County)
Cost for labor: Expected Full-Time E Expected Total Labor List major subcontract  Sales and Use Tax: Gross am and Use tax - said amount to b	Hours during con ors, if known D.C.	struction  Builders is General  Boods and services	eral contractor	
\$	Secondario in the establishmental - markaria - antices	series a cures	and ood ran onemp	Alon colletti
Estimated State and local Sales	and Use Tax Ber	nefit (product	of% multiplie	ed by the figure, above):
\$	_			
** Note that the estimate prove and Finance. The Applicant ac Applicant to undertake the tota estimate, above, represents the authorize with respect to this proposed total Project Costs a that will be offered.	cknowledges that al amount of inve ne maximum amo Application. The	the transaction estment as propunt of sales of Agency may	on documents may in oposed within this A and use tax benef outilize the estimate	nclude a covenant by the Application, and that the fit that the Agency may te, above, as well as the
Revised Date:	, I	Revision #:		

Real Property Tax Benef	<u>īt:</u>		
Identify and descr THAN the Agency's PILO	하면 이 아이는 아이는 그를 하는데 하는데 하는데 하면 하는데 하는데 그렇게 하는데	II utilize a real pr	roperty tax exemption benefit OTHER
Project Costs as contained PILOT Benefit abatement	herein and anticipat amount for each yea	ed tax rates and as r of the PILOT be	of PILOT Benefit based on estimated ssessed valuation, including the annual enefit year and the sum total of PILOT Section II(I) of the Application.
Percentage of Project Co	osts financed from	Public Sector sou	rces: Agency staff will calculate the
percentage of Project Costs Costs as depicted above in			ased upon Sources of Funds for Project
J) For the proposed facility	y, please indicate the	square footage for	each of the uses outlined below:
*If company is paying for I	FFE for tenants, pleas	e include in cost bi	reakdown
	Square Footage	Cost	% of Total Cost of Project
Manufacturing/Processing	6,700	\$1,300,000	66%
Warehouse	10,000	\$660,000	34%
Research & Development	2000		
Commercial			
Retail (see section K)			
Office			
Specify Other			
<ol> <li>Estimated complete</li> <li>Project occupance</li> <li>Have construction</li> <li>Has Financing be</li> </ol>	eition of equipment or etion date of project: y – estimated starting n contracts been signeren finalized?	construction of factorizations and the constructions and the constructions are constructed?	
Revised Date:	D D	evision #	

** If con	structions contracts ha	ve been signed, please j	provide copies of exect	ted construction contracts
and a con	nplete project budget. T	The complete project bu	idget should include all	l related construction costs
totaling th	he amount of the new bu	uilding construction, and	d/or new building addi	tion(s), and/or renovation.
L) Is the p	proposed Project necess	ary to expand Applican	t employment: 🛛 Ye	es or No
Is the pro	posed Project necessary	to retain existing empl	oyment: \( \sqrt{Y} \)	es or Dy No
M) Empl	oyment Plan (Specific t	o the proposed project l	location):	8
	Current # of jobs at proposed project location or to be relocated at project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be RETAINED	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be CREATED upon TWO Years after Project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PTE jobs to be created upon TWO Years after Project Completion **
Full time (FTE)	25	25	8	8
Part Tim (PTE)	e 0			
Total ***	* 25	25	8	8
	n the third column, by	residents of the Labor	Market Area, in the fo	jobs that will be filled, as ourth column. The Labor ne following Areas:
the request time period number of weeks. A I	for Financial Assistant following Project com PTE jobs by two (2). PTE job is one that wor	ce is granted. Agency spletion. Agency staff of A FTE job is one that ks the equivalent of a 2	staff will project such converts PTE jobs into works the equivalent 0-hour week for 24 we	be retained and created if jobs over the TWO-Year FTE jobs by dividing the of a 40-hour week for 48 eks.
	AN			ent Date: 11/1/2018

### Salary and Fringe Benefits for Jobs to be Retained and Created:

Market and the Server and Delivery and the Server	e Average	Average Salary or Range of Salary		Average Fringe Benefits or Range of Fringe Benefits	
Management					
Professional					
Administrative	-				
Production	\$15.80	per hour		26%	
Other	7				
Employment at other at each location):	locations in			*	and number of employees
		Address	Addres	S	Address
Full time	*				
Part Time					
Total	1//-				
N) Will any of the fac	ilities 'descı	ribed above be c	losed or subje	ct to reduced act	ivity? ☐ Yes or ☑ No
** If any of the facil Yes to the question, ab  ** Please note that the determine the Financi acknowledges that the	ities descri bove, you m he Agency i ial Assistar e transacti	bed above are lawst complete Secondary utilize the fact will be to documents in	ocated within ction IV of this pregoing emp offered by the nay include a	the State of News Application.  loyment projection  Agency to the covenant by the	ivity? Yes or No  w York, and you answered  ons, among other items, to Applicant. The Applicant  ne Applicant to retain the forth in this Application.
** If any of the facil Yes to the question, ab  ** Please note that the determine the Finance acknowledges that the number of jobs and cre  O) Is the proposed Pr State?	ities descri	thed above are lawst complete Secondary utilize the face that will be not documents in the mber of jobs with mably necessary to. Out of Jeff by the other local	ocated within ction IV of this oregoing employed by the nay include as to prevent the ferson County ations being in	the State of News Application.  Ioyment projection of the acovenant by the project as set of the project as se	w York, and you answered ons, among other items, to Applicant. The Applicant to retain the forth in this Application.  moving out of New York  No.

PROPERTY OF THE PROPERTY OF TH	actors led you to inquire about sites outside of Jefferson County or New York
State? Factors leading to inquiring abou	— t sites outside NYS are, taxes, labor costs, utility costs and proximityto customers. Our road barrier customer principally distributes
there products in the Southeast, basis to locate this project in TN	South and Southwest. This customer is responsible for utilizing one entire machine. We would be better served on a cost and logic GA or SC to better serve them.
	or been contacted by other Local, State and/or Federal Economic Development
Agencies?  Yes or	✓ No.
Have you applied, or in	tend to apply for additional Grant Funding, or tax incentives?  Yes or  No.
If yes, please identify	which agencies and what other Local, State and/or Federal assistance and the
assistance sought and d	ollar amount that is anticipated to be received:
新疆中部2世纪和中国中国 (1937年)。2010年(1937年) 2017年 東京日本 (1937年) 2017年 (1937年)	Section III Retail Questionnaire
requires additional in	e with Section 862 of the New York General Municipal Law, the Agency formation if the proposed Project is one where customers personally visit the ke either a retail sale transaction or to purchase services.
Please answer the follo	owing:
other sources) c	n of the Project (including that portion of the cost to be financed from equity or onsist of facilities or property that are or will be primarily used in making sales of es to customers who personally visit the project site?
Yes or I	No. If the answer is yes, please continue. If no, proceed to section V
Article 28 of the retail sale of tar	Question A, the term "retail sales" means (i) sales by a registered vendor under the Tax Law of the State of New York (the "Tax Law") primarily engaged in the negible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or twice to customers who personally visit the Project.
	ge of the cost of the Project will be expended on such facilities or property in making sales of goods or services to customers who personally visit the project?
of the retail det	ermination and proceed to section V.
	is Yes AND the answer to Question B is greater than 33.33%, indicate which estions below apply to the project:
1. Will the Proj	ect be operated by a not-for-profit corporation \( \subseteq \text{Yes or } \subseteq \text{No.} \)
Levised Date:	, Revision #:
	Document Date: 11/1/2018

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2. Is the Project location or facility likely to attract a significant number of visitors from outside the economic development region (list specific County or ED region) in which the project will be located?
☐ Yes or ☐ No
If yes, please provide a third party market analysis or other documentation supporting your response.
3. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonably accessible to the residents of the municipality within which the proposed Project would be located because of a lack of reasonably accessible retail trade facilities offering such goods or services?
☐ Yes or ☐ No
If yes, please provide a third party market analysis or other documentation supporting your response.
4. Will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York?
☐ Yes or ☐ No.
If yes, explain
5. Is the Project located in a Highly Distressed Area?   Yes or   No
Section IV Inter-Municipal Move Determination
The Agency is required by State law to make a determination that, if completion of a Project benefiting from Agency Financial Assistance results in the removal of an industrial or manufacturing plant of the Applicant from one area of New York State to another area of the State; or in the abandonment of one or more plants or facilities of the Applicant located within the New York State , Agency Financial Assistance is required to prevent the Applicant from relocating out of the New York State, or is reasonably necessary to preserve the Applicant's competitive position in its respective industry.
Explain how the Agency's Financial Assistance is required to prevent the Project from relocating out of New York State, or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry:  N/A
Revised Date:, Revision #:
Document Date: 11/1/2018

# Section V: Estimate of Real Property Tax Abatement Benefits and Percentage of Project Costs financed from Public Sector sources

\*\* Section V 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.

#### PILOT Estimate Table Worksheet

Dollar Value of New Construction and Renovation Costs	Estimated New Assessed Value of Property Subject to IDA*	County Tax Rate/1000	Local Tax Rate (Town/City/Village)/1000	School Tax Rate/1000
--	--	-------------------------	--	-------------------------

<sup>\*</sup>Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1			3-24		1		
2							
3					1 11 11 11 11 11		
4							
5							
6					1		
7							
8							
9							
10							
TOTAL							

<sup>\*</sup>Estimates provided are based on current property tax rates and assessment values

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## Percentage of Project Costs financed from Public Sector Table Worksheet:

Total Project Cost	Estimated Value of PILOT	Mortgage Tax	Total of Other Public Incentives (Tax Credits, Grants, ESD Incentives, etc.)

Calculate	0.9/	
Calculate	e %	
(Est. PIL	OT + Est. Sales Tax+ Est. Mortgage Tax+ Other)/Total Project Costs:	%
JCIDA w	vill also complete a Cost-Benefit analysis using information contained within t	his
Applicati	ion, and available to the Public.	
46	Section VI Representations, Certifications and Indemnification	
5005520V-10	Representation of the contract	TELEFORM TO
	Section of the Application <u>can only</u> be completed upon the Applicant receiving	
13,72,375	d after the Applicant receives, JCIDA Staff confirmation that Section I throu	gh Section V
of the Ap	plication are complete.	
	(name of CEO or other authorized representative	of Applicant)
confirms	and says that he/she is the	(title) of
Take the second state of t	(name of corporation or other entity) named in	the attached
	on (the "Applicant"), that he/she has read the foregoing Application and know	
thereof, ar	nd hereby represents, understands, and otherwise agrees with the Agency and as fo	llows:
A.	Job Listings: In accordance with Section 858-b(2) of the New York General M	
	the Applicant understands and agrees that, if the Project receives any Finance	
	from the Agency, except as otherwise provided by collective bargaining agr employment opportunities created as a result of the Project will be listed with	
	State Department of Labor Community Services Division (the "DOL")	
	administrative entity (collectively with the DOL, the "JTPA Entities") of the se	ervice delivery
	area created by the federal job training partnership act (Public Law 97-300)	) ("JTPA") in
_	which the Project is located.	
В.	First Consideration for Employment: In accordance with Section 858-b(2) of a General Municipal Law, the Applicant understands and agrees that, if the Project	
	Financial Assistance from the Agency, except as otherwise provided by collect	
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agreements, where practicable, the Applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.

- C. Annual Sales Tax Filings: In accordance with Section 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, in accordance with Section 874(8) of the General Municipal Law, 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. Copies of all filings shall be provided to the Agency.
- D. Employment Reports: The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, 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, said report being an agenda item subject to the Open Meetings Law.
- E. The Applicant acknowledges that certain environmental representations will be required at closing. The Applicant shall provide with this Representation, Certification and Indemnification Form copies of any known environmental reports, including any existing Phase I Environmental Site Assessment Report(s) and/or Phase II Environmental Investigations. The Agency may require the Company and/or owner of the premises to prepare and submit an environmental assessment and audit report, including but not necessarily limited to, a Phase I Environmental Site Assessment Report and a Phase II Environmental Investigation, with respect to the Premises at the sole cost and expense of the owner and/or the Applicant. All environmental assessment and audit reports shall be completed in accordance with ASTM Standard Practice E1527-05, and shall be conformed over to the Agency so that the Agency is authorized to use and rely on the reports. The Agency, however, does not adopt, ratify, confirm or assume any representation made within reports required herein.
- F. The Applicant and/or the owner, and their successors and assigns, hereby release, defend and indemnify the Agency from any and all suits, causes of action, litigations, damages, losses, liabilities, obligations, penalties, claims, demands, judgments, costs, disbursements, fees or expenses of any kind or nature whatsoever (including, without limitation, attorneys', consultants' and experts' fees) which may at any time be imposed upon, incurred by or asserted or awarded against the Agency, resulting from or arising out of any inquiries and/or environmental assessments, investigations and audits performed on behalf of the Applicant and/or the owner pursuant hereto, including the scope, level of detail, contents or accuracy of any environmental assessment, audit, inspection or investigation report completed hereunder

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and/or the selection of the environmental consultant, engineer or other qualified person to perform such assessments, investigations, and audits.

- G. Hold Harmless Provision: The Applicant acknowledges and agrees that the Applicant shall be and is responsible for all costs of the Agency incurred in connection with any actions required to be taken by the Agency in furtherance of the Application including the Agency's costs of general counsel and/or the Agency's bond/transaction counsel whether or not the Application, the proposed Project it describes, the attendant negotiations, or the issue of bonds or other transaction or agreement are ultimately ever carried to successful conclusion and 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: (i) the Agency's examination and processing of, and action pursuant to or upon, the Application, regardless of whether or not the Application or the proposed Project described herein or the tax exemptions and other assistance requested herein are favorably acted upon by the Agency; (ii) the Agency's acquisition, construction and/or installation of the proposed Project described herein; and (iii) any further action taken by the Agency with respect to the proposed Project including, without limiting the generality of the foregoing, all causes of action and attorney's fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law and the policies of the Agency that any New York State and local sales and use tax exemption claimed by the Applicant and approved by the Agency, any mortgage recording tax exemption claimed by the Applicant and approved by the Agency, and/or any real property tax abatement claimed by the Applicant and approved by the Agency, in connection with the Project, may be subject to recapture and/or termination by the Agency under such terms and conditions as will be established by the Agency and set forth in transaction documents to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this Application, including without limitation information regarding the amount of the New York State and local sales and use tax exemption benefit, the amount of the mortgage recording tax exemption benefit, and the amount of the real property tax abatement, if and as applicable, to the best of the Applicant's knowledge, is true, accurate and complete.
- H. This obligation includes an obligation to submit an Agency Fee Payment to the Agency in accordance with the Agency Fee policy effective as of the date of this Application
- I. By executing and submitting this Application, the Applicant covenants and agrees to pay the following fees to the Agency and the Agency's general counsel and/or the Agency's bond/transaction counsel, the same to be paid at the times indicated:

(i)	a non-refundable \$ application and publication fee (the "Application Fee");
(ii)	a \$ expense deposit for the Agency's Counsel Fee Deposit
(iii)	Unless otherwise agreed to by the Agency, an amount equal to percent

(iv) All fees, costs and expenses incurred by the Agency for (1) legal services, including but not limited to those provided by the Agency's general counsel and/or the Agency's bond/transaction

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counsel, thus note that the Applicant is entitled to receive a written estimate of fees and costs of the Agency's general counsel and the Agency's bond/transaction counsel; and (2) other consultants retained by the Agency in connection with the proposed project, with all such charges to be paid by the Applicant at the closing.

- J. If the Applicant fails to conclude or consummate the 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 Applicant is unable to find buyers willing to purchase the bond issue requested, or if the Applicant is unable to facilitate the sale/leaseback or lease/leaseback transaction, then, upon the presentation of an invoice, Applicant shall pay to the Agency, its agents, or assigns all actual costs incurred by the Agency in furtherance of the Application, up to that date and time, including but not necessarily limited to, fees of the Agency's general counsel and/or the Agency's bond/transaction counsel.
- K. The Applicant acknowledges and agrees that all payment liabilities to the Agency and the Agency's general counsel and/or the Agency's bond and/or transaction counsel as expressed in Sections H and I are obligations that are not dependent on final documentation of the transaction contemplated by this Application.
- L. The cost incurred by the Agency and paid by the Applicant, the Agency's general counsel and/or bond/transaction counsel fees and the processing fees, may be considered as a cost of the Project and included in the financing of costs of the proposed Project, except as limited by the applicable provisions of the Internal Revenue Code with respect to tax-exempt bond financing.
- M. The Applicant acknowledges that the Agency is subject to New York State's Freedom of Information Law (FOIL). Applicant understands that all Project information and records related to this application are potentially subject to disclosure under FOIL subject to limited statutory exclusions.
- N. The Applicant acknowledges that it has been provided with a copy of the Agency's Policy for Termination of Agency Benefits and Recapture of Agency Benefits Previously Granted (the "Termination and Recapture Policy"). The Applicant covenants and agrees that it fully understands that the Termination and Recapture Policy is applicable to the Project that is the subject of this Application, and that the Agency will implement the Termination and Recapture Policy if and when it is so required to do so. The Applicant further covenants and agrees that its Project is potentially subject to termination of Agency financial assistance and/or recapture of Agency financial assistance so provided and/or previously granted.
- O. 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

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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.

- P. 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.
- Q. 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 the Project.
- R. 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.
- S. 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 statements contained herein not misleading.

	F NEW YORK ) OF JEFFERSON ) ss.:		
	AND PARK	, being first duly sworn,	deposes and says:
1.	That I am the (Applicant) and that I am	(Corporate O	ffice) of of the Applicant to bind the Applicant.
2.			e contents thereof, and that to the best of e contents of this Application are true,
			(Signature of Officer)
	and affirmed to me under y of, 20		
	(Notary Public)	<u></u>	
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			Document Date: 11/1/2018