

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

Notice of Board Meeting

Date: January 18, 2024

To: William Johnson
David Converse
W. Edward Walldroff
Paul Warneck
Lisa L'Huillier
John Condino

From: Chairman Robert Aliasso

Re: Notice of Board of Directors' Meeting

The Jefferson County Industrial Development Agency will hold their Board Meeting on **Thursday, February 1, 2024 at 8:30 a.m.** in the board room at 800 Starbuck Avenue, Watertown, NY.

The live stream link will be available at www.jcida.com.

Zoom:
<https://us02web.zoom.us/j/84355250468?pwd=R0t4VjRPdGJBZDJrL2JQYVVVjKytDdz09>
Meeting ID: 843 5525 0468
Passcode: 011440
1-929-205-6099 US (New York)

Please confirm your attendance with Peggy Sampson pssampson@jcida.com at your earliest convenience.

pss

c: David Zembiec, CEO
Marshall Weir
Lyle Eaton
Jay Matteson
Joy Nuffer
Robin Stephenson
Christine Powers
Greg Gardner
Kent Burto
Rob Aiken
Justin S. Miller, Esq.
Joseph V. Frateschi, Esq.
Media

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BOARD MEETING AGENDA
Thursday, February 1, 2024 - 8:30 a.m.

- I. Call to Order**
- II. Pledge of Allegiance**
- III. Privilege of the Floor**
- IV. Minutes – January 4, 2024**
- V. Treasurer’s Report – January 31, 2024**
- VI. Committee Reports**
 - a. Alternative Energy Ad Hoc Committee**
 - b. Corporate Park Ad Hoc Committee**
 - c. Loan Review Committee**
- VII. Unfinished Business**
- VIII. New Business**
 - 1. New LDC for Deferiet Site**
- IX. Counsel**
 - 1. Project Authorizing Resolution No. 02.01.2024.01 for Hale’s Bus Garage, LLC**
- X. Adjournment**

**Jefferson County Industrial Development Agency
Annual Board Meeting Minutes
January 4, 2024**

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The Jefferson County Industrial Development Agency held their annual board meeting on Thursday, January 4, 2024 in the board room at 800 Starbuck Avenue, Watertown, NY.

Present: Robert E. Aliasso, Jr., Paul Warneck, W. Edward Walldroff, John Condino, William Johnson, Lisa L'Huillier, David Converse

Excused: None

Absent: None

Also Present: Christine Powers, Joseph Frateschi (Harris Beach)

Zoom: Justin Miller, Esq. (Harris Beach), Craig Fox (Watertown Daily Times)

Staff Present: David Zembiec, Marshall Weir, Lyle Eaton, Peggy Sampson, Joy Nuffer, Robin Stephenson

- I. Call to Order:** Chairman Aliasso called the meeting to order at 8:58 a.m.
- II. Privilege of the Floor:** Guests were invited to speak. No one spoke.
- III. Minutes:** Minutes of the meeting held December 7, 2023 were presented. A motion to approve the minutes as presented was made by Ms. L'Huillier, seconded by Mr. Johnson. All in favor. Carried.
- IV. Treasurer's Report:** Mr. Warneck reviewed the financials for the period ending December 31, 2023. He said that we are at the end of the year, but indicated that there may be changes. He reported that the L2, LLC (4XL, LLC) PILOT closed at the end of December and the fee was collected. He reviewed the delinquent loans. After discussion, a motion was made by Mr. Warneck to accept the financial statement as presented, seconded by Mr. Walldroff. All in favor. Carried.
- V. Committee Reports:**
 - a. Audit Committee –**
 - i. Resolution No. 01.04.2024.01 to Engage Auditors for Annual Audit –** The Audit Committee met on December 15, 2023 and recommended approval of the engagement letter presented by Bowers & Company. The fee will be \$12,500 for the audit, \$4,800 for the single audit and \$1,000 for information returns (JCCFDC) for a total of \$18,300. Mr. Warneck noted that there will be a new audit team starting with the 2023 audit. A motion was made by Mr. Warneck to approve the resolution, seconded by Mr. Converse. All in favor. Carried.
 - b. Governance Committee –**
 - i. Resolution No. 01.04.2024.02 for Annual Internal Policy and Procedure Review –** The Governance Committee met on December 15, 2023 to review the bylaws, mission statement/performance measurements, the disposition of real property guidelines, investment policy with internal controls and the procurement

Jefferson County Industrial Development Agency
Board Meeting Minutes
January 4, 2024

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policies. There were no changes. A motion was made by Mr. Walldroff to approve the resolution, seconded by Mr. Warneck. All in favor. Carried.

- ii. **Summary Results of Confidential Evaluation of Board Performance** – The Governance Committee reviewed the board evaluations. Mr. Walldroff said that Attorney Miller will address question number 10 (The Board knows the statutory obligations of the Authority and if the Authority is in compliance with state law) at a future meeting. The summary will be sent to the ABO.

- c. **Alternative Energy Ad Hoc Committee** – Mr. Warneck said the state released their new preliminary evaluation model. He said it will be interesting to see comments from the industry users.

Mr. Walldroff handed out an educational document provided by the Tug Hill Commission related to solar.

Executive Session

At 9:11 a.m., a motion was made by Mr. Condino to enter into executive session to discuss the personal financials of a particular person or corporation, seconded by Mr. Walldroff. All in favor. Board Members including LDC Board Member Powers, Staff, and Counsel remained.

At 9:37 a.m., a motion was made by Mr. Condino to leave executive session, seconded by Ms. L'Huillier. All in favor. No action was taken.

- d. **Corporate Park Ad Hoc Committee** – No report.

VI. Unfinished Business:

- 1. **Resolution No. 01.04.2024.03 to Revise RLF Loan Commitment to Sackets Harbor Brew Pub d/b/a 1812 Brewing Company** – A modification request to remove the contingency for the North Country Alliance \$100,000 loan, contingent upon Thomas Scozzafava providing proof of an additional \$100,000 equity cash contribution. A motion was made by Ms. L'Huillier to approve the resolution, seconded by Mr. Condino. Discussion ensued. Mr. Warneck asked if our security position will change since the additional \$100,000 will come from a bank for a commercial loan. Board members indicated that they are not willing to change our co-proportional second position and amended the resolution to reflect their decision. Ms. L'Huillier amended her motion to include the modification, seconded by Mr. Condino. All in favor. Carried.

VII. New Business:

- 1. **Proposed Committee Structure for 2024** – A motion was made by Mr. Warneck to approve the committee structure, seconded by Mr. Converse. All in favor. Carried.

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2. Proposed Amendment to the Administrative Services Agreement with JCLDC –
Proposed changes:

- Section 3b. Automatic Renewal – change from October to January to reflect the change to a calendar year.
- Section 4a. Compensation – the service fee was changed to \$713,700 payable in equal monthly installments of \$59,475.
- Section 4d. – was removed.

A motion was made by Mr. Converse to approve the proposed changes to the Administrative Services Agreement between JCIDA and JCLDC, seconded by Mr. Walldroff. All in favor. Carried.

Three Mile Bay Ventures, LLC – It was noted that the ST-60 will be extended until December 31, 2024.

VIII. Counsel: None.

IX. Adjournment: With no further business before the board, a motion to adjourn was made by Mr. Warneck, seconded by Mr. Condino. All in favor. The meeting was adjourned at 9:44 a.m.

Respectfully submitted,

Peggy Sampson

JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT AGENCY
Income Statement for the One Month Period Ending January 31, 2024
 Prepared by Lyle Eaton, January 25, 2024

UNRECONCILED

	Current Year Budget	Year-to-Dat e Total	Current Month	Previous Month	Balance Remaining
Revenues					
Application & Process Fees	\$ 12,000.00	2,502.00	\$ 2,502.00	46,950.00	9,498.00
Bond Admin Fee	3,000.00	0.00	0.00	0.00	3,000.00
PILOT/Sale Leaseback Fees	1,079,306.00	0.00	0.00	73,425.00	1,079,306.00
Fee Income - RLF Program	43,422.00	3,618.50	3,618.50	3,618.50	39,803.50
Fee Income - Micro Program	24,087.00	2,007.25	2,007.25	2,007.25	22,079.75
DASNY Airport Grant	0.00	0.00	0.00	389,329.08	0.00
Interest Income	500.00	0.00	0.00	22.28	500.00
Interest Income - RLF Program	40,000.00	3,522.33	3,522.33	4,971.34	36,477.67
Interest Income - Micro Prog.	5,000.00	582.30	582.30	407.28	4,417.70
Late Payment Penalty - Micro	700.00	31.69	31.69	0.00	668.31
Miscellaneous Income	5,000.00	0.00	0.00	0.00	5,000.00
YMCA Income	0.00	9,619.19	9,619.19	0.00	(9,619.19)
Total Revenues	1,213,015.00	21,883.26	21,883.26	520,730.73	1,191,131.74
Operations					
Office Expense	2,000.00	405.75	405.75	1,000.00	1,594.25
Admin Services Exp	713,694.00	59,475.00	59,475.00	58,939.58	654,219.00
Depreciation Expense - Siding	16,296.00	1,357.96	1,357.96	1,357.96	14,938.04
D&O Insurance	16,500.00	1,334.25	1,334.25	1,334.25	15,165.75
Commercial Insurance	8,500.00	811.85	811.85	811.85	7,688.15
FTZ Expense	1,250.00	0.00	0.00	1,250.00	1,250.00
Legal- Retainer	18,000.00	0.00	0.00	1,500.00	18,000.00
Legal - Unrestricted	5,000.00	0.00	0.00	3,000.00	5,000.00
Legal YMCA	1,000.00	0.00	0.00	0.00	1,000.00
Accounting & Auditing	23,000.00	0.00	0.00	0.00	23,000.00
Coffeen Park Taxes	2,500.00	2,361.69	2,361.69	0.00	138.31
Airport Park Taxes	1,100.00	1,100.61	1,100.61	0.00	(0.61)
Fees Expense	500.00	0.00	0.00	0.00	500.00
Bad Debt--RLF	190,000.00	0.00	0.00	0.00	190,000.00
Bad Debt--Micro	35,000.00	0.00	0.00	(10,779.90)	35,000.00
RLF Program Expense	43,422.00	3,618.50	3,618.50	3,618.50	39,803.50
Microenterprise Program Exp	24,087.00	2,007.25	2,007.25	2,007.25	22,079.75
RLF Audit Expense	800.00	0.00	0.00	0.00	800.00
Building Depreciation- 146 Ars	109,166.00	8,076.64	8,076.64	8,076.64	101,089.36
146 Arsenal Electric	0.00	0.00	0.00	6,125.54	0.00
Miscellaneous - Unrestricted	1,200.00	0.00	0.00	0.00	1,200.00
Total Operations	1,213,015.00	80,549.50	80,549.50	78,241.67	1,132,465.50
Total Revenue	1,213,015.00	21,883.26	21,883.26	520,730.73	1,191,131.74
Total Expenses	1,213,015.00	80,549.50	80,549.50	78,241.67	1,132,465.50
Net Income Over Expenditures	\$ 0.00	(58,666.24)	\$ (58,666.24)	442,489.06	58,666.24

For Internal Use Only

Jefferson County IDA
Balance Sheet
January 31, 2024

ASSETS

Current Assets		
General Checking	\$	1,457,078.03
Savings Account		258,733.89
PILOT Checking Account		78,206.21
Microenterprise Account		95,773.74
City Loan Account		287,870.14
Revolving Loan Fund Account		2,162,594.95
PILOT Monies Receivable		600,828.49
Miscellaneous Receivable		71,059.37
Acct Receivable - Rogers		17,519.31
RLF Loans Receivable		2,136,447.90
DASNY Airport Grant		389,329.08
Microenterprise Loans Rec.		128,492.10
Allowance for Bad Debt-RLF		(190,000.00)
Allow. for Bad Debts-MICRO		(35,000.00)
Prepaid Expense		17,619.04
		<hr/>
Total Current Assets		7,476,552.25
Property and Equipment		
Accum Depr - Building	(1,179,980.76)	
Accum Depr. Equipment	(52,269.66)	
Accumulated Depreciation Sidin	(44,812.68)	
		<hr/>
Total Property and Equipment		(1,277,063.10)
Other Assets		
IT Server	6,050.00	
Equipment	13,366.00	
Corp. Park Improvements	209,995.14	
Airport Property	884,326.02	
Intangible Asset	53,195.00	
WIP Airport	397,941.58	
WIP Intersection	244,973.52	
Woolworth Building	505,000.00	
Rail Siding CCIP	244,434.00	
Land 146 Arsenal	126,577.50	
146 Ars Building Improvements	3,264,556.08	
		<hr/>
Total Other Assets		5,950,414.84
Total Assets	\$	<u><u>12,149,903.99</u></u>

LIABILITIES AND CAPITAL

Current Liabilities		
Accounts Payable - Unrestricte	\$	354,172.90
PILOT Monies Payable		741,352.87
RLF Loan Payable		700,000.00
ARPA Airport Sewer	1,208,000.00	
Car Freshner Signage	11,000.00	
		<hr/>
Total Current Liabilities		3,014,525.77
Long-Term Liabilities		
Due NYS/IAP L.T.	180,159.78	
Deferred Revenue - Rogers	18,000.51	
		<hr/>
Unaudited - For Mana-7 - ent Purposes Only		

Jefferson County IDA
Balance Sheet
January 31, 2024

Total Long-Term Liabilities		<u>198,160.29</u>
Total Liabilities		3,212,686.06
Capital		
General Fund Bal - Unrestrict.	2,919,674.59	
Fund Bal - RLF Restricted	4,419,309.27	
Fund Bal - Micro Restricted	414,850.76	
Fund Bal - City Restricted	262,489.22	
Cap. Impr. Convergys	979,560.33	
Net Income	<u>(58,666.24)</u>	
Total Capital		<u>8,937,217.93</u>
Total Liabilities & Capital		<u>\$ 12,149,903.99</u>

Jefferson County IDA
General Checking Cash Receipts Journal
For the Period From Jan 1, 2024 to Jan 31, 2024

Filter Criteria includes: Report order is by Check Date. Report is printed in Detail Format.

Date	Account ID	Transaction	Line Description	Debit Amnt	Credit Amnt
1/5/24	205602 202702 100001	ACH	DUE SHLDC DUE RLF CONVALT ENERGY, LLC	2,625.00	500.00 2,125.00
1/8/24	200001 100001	4402	Invoice: 3926 THREE MILE BAY VENTURES, LLC	3,750.00	3,750.00
1/8/24	200001 100001	34	Invoice: 3927 GSPP 24658 CR 47 NORTH	1.00	1.00
1/8/24	200001 100001	34	Invoice: 3928 GSPP 24658 CR 47 SOUTH LLC	1.00	1.00
1/11/24	121001 100001	ACH	Invoice: 3918 MORGAN WATERTOWN TOWNHOMES, LLC	62,799.60	62,799.60
1/16/24	202704 202702 100001	48184	DUE NCA DUE JCIDA LCO DESTINY, LLC	7,178.24	2,460.43 4,717.81
1/19/24	121001 100001	ach	Invoice: 3902 ADAMS RENEWABLES, LLC	23,692.41	23,692.41
1/24/24	200001 100001	0903	Invoice: 3929 YMCA	9,619.19	9,619.19
1/24/24	200001 100001	2215	Invoice: RLF ADMIN24-1 JEFFERSON COUNTY INDUSTRIAL	3,618.50	3,618.50
1/24/24	200001 100001	1266	Invoice: MICRO ADMIN24-1 JEFFERSON COUNTY INDUSTRIAL	2,007.25	2,007.25
1/24/24	125001 100001	8352	Invoice: 3930 HALE'S BUS GARAGE, LLC	2,500.00	2,500.00
1/24/24	207005 205602 100001	3782	DUE MICRO DUE SHLDC PAINFULL ACRES	989.07	565.05 424.02
				118,781.26	118,781.26

Jefferson County IDA
Miscellaneous Receivables
As of Jan 31, 2024

Filter Criteria includes: 1) Includes Drop Shipments. Report order is by ID. Report is printed in Detail Format.

Customer ID Customer Bill To Contact Telephone 1	Invoice/CM	0 - 30	31 - 60	61 - 90	Over 90 days	Amount Due
CONVALT	3669				27,486.30	27,486.30
CONVALT ENERGY. LLC	3911			11,230.50		11,230.50
CONVALT				11,230.50	27,486.30	38,716.80
CONVALT ENERGY. LLC						
THREE MILE BAY	7-10-2020		41,400.00			41,400.00
THREE MILE BAY VENTURES, LLC						
THREE MILE BAY			41,400.00			41,400.00
THREE MILE BAY VENTURES, LLC						
Report Total			41,400.00	11,230.50	27,486.30	80,116.80

Jefferson County Industrial Development Agency
Revolving Loan Fund Receivables
January 31, 2024

	Recipient	Date Issued	Loan Amount	Current Balance	Payment Amount	Current Status	Purpose of Loan
1	Convalt	07/13/22	850,000.00	850,000.00	\$2,625.00	Current	Participation (SHLDC) Bridge loan
2	JCIDA	08/01/21	2,000,000.00	700,000.00	\$0.00	Current	146 Arsenal Remediation
3	LCO Destiny	02/06/23	250,000.00	216,357.90	\$2,438.52	Current	Working Capital
4	Marzano Excavating		\$120,000.00	120,000.00	\$1,012.60	Current	Working Capital
5	Three Mile Bay Ventures		\$250,000.00	\$250,000.00	\$1,250.00	Current	Working Capital
	Total RLF Receivables		\$3,470,000.00	\$2,136,357.90	\$7,326.12	-	

Jefferson County Industrial Development Agency

MICRO Loan Fund Receivables

January 31, 2024

Recipient	Date Issued	Loan Amount	Current Balance	Payment Amount	Current Status	Purpose of Loan
Colleens Cherry Tree inn	5/1/2019	\$40,000.00	21,610.38	\$250.60	4 Months	Expand Restaurant - Ice Ceram Shop
R. L. Gould & Son, LLC	3/1/2019	\$40,000.00	4,436.71	\$750.30	Current	Open UPS Store
Clayton Island Tours	3/31/2023	\$40,000.00	34,735.79	\$773.31	Current	Working Capital
Painfull Acres	3/1/2018	\$40,000.00	10,280.22	\$565.35	Current	Amish Furniture Store
Pink Kettle	2/23/2022	\$24,800.00	16,416.16	\$468.01	Current	Retail Beverages
Taste of Design	4/1/2007	\$40,000.00	11,156.48	\$277.54	2 Months	Coffee Shop
Therartpy	7/1/2021	\$10,102.00	5,365.51	\$190.64	Current	Art Therapy
Willowbrook	7/28/2021	\$40,000.00	24,490.85	\$754.85	Current	Purchase Golf Club
Total MICRO Receivables		274,902.00	128,492.10	4,030.60	-	

Jefferson County IDA
Unrestricted Aged Payables
As of Jan 31, 2024

Filter Criteria includes: 1) Includes Drop Shipments. Report order is by ID. Report is printed in Detail Format.

Vendor	Invoice/CM #	Date	Net To Pay
JEFF COUNTY LDC	2389	8/1/23	58,939.58
	2390	9/1/23	58,939.58
	2391	10/1/23	58,939.58
	2392	11/1/23	58,939.58
	2393	12/1/23	58,939.58
	ADMIN1	1/1/24	59,475.00
JEFF COUNTY LDC			<u>354,172.90</u>
			<u><u>354,172.90</u></u>

Jefferson County IDA
Cash Disbursements Journal
For the Period From Jan 1, 2024 to Jan 31, 2024

Filter Criteria includes: Report order is by Date. Report is printed in Detail Format.

Date	Check #	Account ID	Line Description	Debit Amount	Credit Amount
1/8/24	1266	200001	Invoice: MICRO	2,007.25	
		103003	ADMIN24-1 JEFFERSON COUNTY INDUSTRIAL		2,007.25
1/8/24	2215	200001	Invoice: RLF	3,618.50	
		120202	ADMIN24-1 JEFFERSON COUNTY INDUSTRIAL		3,618.50
1/9/24	8039	200001	Invoice: 12183JI	205.75	
		100001	COUGHLIN PRINTING		205.75
1/9/24	8040	200001	Invoice: 53461	1,000.00	
		100001	MRB GROUP		1,000.00
1/16/24	8041	200001	Invoice: 12/23 LCO	4,717.81	
		100001	JEFFERSON COUNTY INDUSTRIAL		4,717.81
1/16/24	8042	200001	Invoice: 12/23 LCO	2,460.43	
		100001	NORTH COUNTRY ALLIANCE		2,460.43
1/17/24	8043	200001	Invoice: 23-1491	5,240.40	
		100001	BERNIER, CARR & ASSOCIATES, P.C.		5,240.40
1/17/24	8044	200001	Invoice: 2024 TAXES	1,100.61	
		100001	TOWN OF HOUNSFIELD		1,100.61
1/17/24	8045	200001	Invoice: 1/24	2,125.00	
		100001	CONVALT JEFFERSON COUNTY INDUSTRIAL		2,125.00
1/17/24	8046	200001	Invoice: 1/24	500.00	
		100001	CONVALT SACKETS HARBOR LDC		500.00
1/17/24	8047	200001	Invoice: 2024 TAX	2,361.69	
		100001	TOWN OF WATERTOWN		2,361.69
1/18/24	1267	207003	4TH QTR FCTR	2.29	
		103003	MICRO JEFFERSON COUNTY TREASURER		2.29
1/18/24	1555	207004	4th QTR FCTR CITY	7.26	
		104004	CITY OF WATERTOWN COMPTROLLER		7.26
1/18/24	2216	207002	4TH QTR FCTR RLF	613.49	
		120202	JEFFERSON -14- COUNTY		613.49

Jefferson County IDA
Cash Disbursements Journal
For the Period From Jan 1, 2024 to Jan 31, 2024

Filter Criteria includes: Report order is by Date. Report is printed in Detail Format.

Date	Check #	Account ID	Line Description	Debit Amount	Credit Amount
			COUNTY TREASURER		
1/22/24	8048	200001	Invoice: 12/23 PAINFULL	565.05	
		100001	JEFFERSON COUNTY INDUSTRIAL		565.05
1/22/24	8049	200001	Invoice: 17024-12/23	5,559.18	
		100001	NATIONAL GRID		5,559.18
1/22/24	8050	200001	Invoice: 12/23 PAINFULL	424.02	
		100001	SACKETS HARBOR LDC		424.02
Total				32,508.73	32,508.73

**Jefferson County Industrial Development Agency
Loan Review Committee Meeting Minutes
January 24, 2024**

Present: David Converse (Chair), Kent Burto, John Condino
Zoom: Christine Powers, Rob Aliasso

Excused: None

Also Present: Paul Warneck, Bill Johnson, Lisa L'Huillier, David Zembiec, Marshall Weir, Lyle Eaton, Peggy Sampson, Joy Nuffer, Robin Stephenson, Jay Matteson, Joseph Frateschi, Esq.
Zoom: Justin Miller, Esq.

- I. Call to Order:** Chair Converse called the meeting to order at 8:00 a.m.
- II. Pledge of Allegiance**
- III. Other/Unfinished Business –**
 - 1. Hale's Bus Garage, LLC – Sales Tax Abatement Application –** A request for a sales tax exemption transaction. The project will consist of renovations to the current bus garage/repair shop and a two-bay addition for working on heavy vehicles. Renovations will include replacing overhead doors, a new roof, and new lighting.

Mr. Zembiec said that Hale's Bus Garage, LLC bought the former Freeman Bus facility and was referred to the IDA by Don Rutherford at the WLDC. Mr. Condino asked if the renovations will be financed by a bank. Mr. Zembiec said yes.

Mr. Converse said that retail sales was marked no on the application, but believes there will be retail sales available. Mr. Burto said there is a sign out front of the facility offering maintenance service. Ms. Powers said that Watertown Savings Bank (WSB) is considering financing the renovations and already approved financing for the purchase of the facility. She said that Hale's will have contracts with NYSDOT and local municipalities for repairs.

Ms. Powers asked about the mortgage recording tax exemption since it was marked as yes in the application. Attorney Miller said the cost may deter that process since a full straight lease transaction would occur. He noted that the retail aspect may not be triggered since we weigh 1/3 of the total cost. Mr. Zembiec will follow up with Hale's for clarification to see if they will utilize the exemption.

Mr. Converse said there is a typo for the estimated completion date listed as 10/1/23.

Ms. Powers said a Phase I Environmental Assessment was completed and was provided to Hale's.

**Jefferson County Industrial Development Agency
Loan Review Committee Meeting Minutes
January 24, 2024**

A motion was made by Mr. Condino to move the application to the full board of directors for further review, seconded by Mr. Aliasso. All in favor.

- IV. Adjournment:** With no further business before the committee, Mr. Condino made a motion to adjourn the meeting, seconded by Mr. Burto. The meeting was adjourned at 8:13 a.m.

Respectfully submitted,

Peggy Sampson

Jefferson County Industrial Development Agency

MRB Cost Benefit Calculator

Date January 31, 2024
 Project Title HALES BUS GARAGE
 Project Location 1067 Marble St. Watertown, NY 13601



Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

Project Total Investment

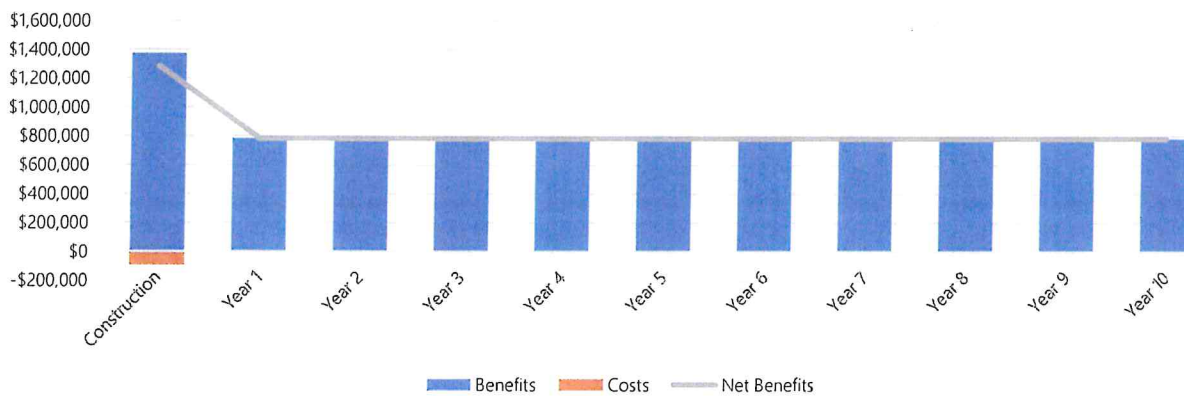
\$2,557,568

Temporary (Construction)			
	Direct	Indirect	Total
Jobs	10	5	15
Earnings	\$1,057,648	\$241,603	\$1,299,252
Local Spend	\$2,557,568	\$867,604	\$3,425,172

Ongoing (Operations)			
Aggregate over life of the PILOT			
	Direct	Indirect	Total
Jobs	10	2	12
Earnings	\$8,766,000	\$2,240,330	\$11,006,330

Figure 1

Net Benefits



Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2

Total Jobs

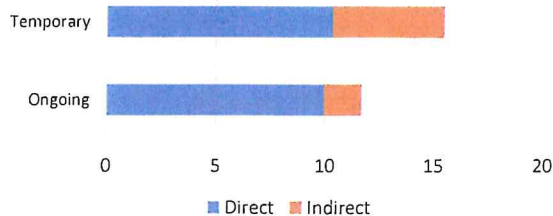
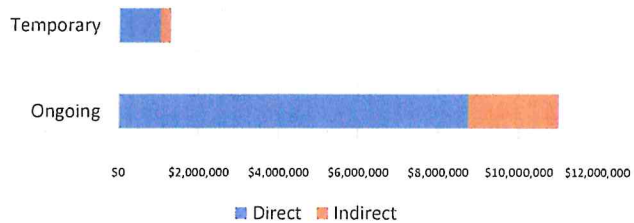


Figure 3

Total Earnings



Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$0	\$0
Sales Tax Exemption	\$89,346	\$89,346
Local Sales Tax Exemption	\$44,673	\$44,673
State Sales Tax Exemption	\$44,673	\$44,673
Mortgage Recording Tax Exemption	\$0	\$0
Local Mortgage Recording Tax Exemption	\$0	\$0
State Mortgage Recording Tax Exemption	\$0	\$0
Total Costs	\$89,346	\$89,346

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$12,528,296	\$10,919,552
To Private Individuals	<u>\$12,305,582</u>	<u>\$10,727,468</u>
Temporary Payroll	\$1,299,252	\$1,299,252
Ongoing Payroll	\$11,006,330	\$9,428,216
Other Payments to Private Individuals	\$0	\$0
To the Public	<u>\$222,714</u>	<u>\$192,085</u>
Increase in Property Tax Revenue	\$136,575	\$116,993
Temporary Jobs - Sales Tax Revenue	\$9,095	\$9,095
Ongoing Jobs - Sales Tax Revenue	\$77,044	\$65,998
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$639,890	\$557,828
To the Public	<u>\$639,890</u>	<u>\$557,828</u>
Temporary Income Tax Revenue	\$58,466	\$58,466
Ongoing Income Tax Revenue	\$495,285	\$424,270
Temporary Jobs - Sales Tax Revenue	\$9,095	\$9,095
Ongoing Jobs - Sales Tax Revenue	\$77,044	\$65,998
Total Benefits to State & Region	\$13,168,186	\$11,477,381

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$10,919,552	\$44,673	244:1
State	\$557,828	\$44,673	12:1
Grand Total	\$11,477,381	\$89,346	128:1

*Discounted at 2%

Additional Comments from IDA

Does the IDA believe that the project can be accomplished in a timely fashion? Yes

Application to

Jefferson County Industrial Development Agency (JCIDA)

- ☐ Tax Exempt Bond Financing
- ☐ Taxable Bond Financing
- ☐ Lease Leaseback Transaction

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

Applicant (Company) Name:
HALE'S BUS GARAGE, LLC

Applicant Address:
1067 MARBLE STREET, WATERTOWN, NY 13323

Phone:
315-624-7407

E-mail:
STEPHEN@HALETRANSPORTATIONGROUP.COM

Application Date: _____

Internal Use Only

Staff Signature and Date of Submission: David Zambardo
Completed Application Date: _____ Staff Initial DJZ

Revised Date: 1/31/24, Revision #: 1

Document Date: April 10, 2023

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 – 1.5% 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:	David Zembiec – 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 – 1.5% Second \$10-\$20 million - 0.5% Any amount over \$20 million - 0.25% No PILOT – 25% of the abatement value Annual Fee - \$1,000.00 Application for Re-Assignment of benefits to new ownership - \$2,000.00
Renewable Energy Projects:	Annual Administrative Fee - \$1,500.00
Point of Contact:	David Zembiec - CEO JCIDA +1 (315)782-5865

Revised Date: _____, Revision #: _____

Document Date: 4/10/2023

**HOLD HARMLESS AGREEMENT AND APPLICATION DISCLAIMER
CERTIFICATION PURSUANT TO NEW YORK STATE
FREEDOM OF INFORMATION LAW ("FOIL")**

Through submission of this Application for Financial Assistance (this "Application"), the Company acknowledges that the Agency, as a public benefit corporation, is subject to the New York State Freedom of Information Law ("FOIL") and Open Meetings Law ("OML"), as codified pursuant to the Public Officers Law ("POL") of the State of New York (the "State"). Accordingly, unless portions hereof are otherwise protected in accordance with this Certification, this Application, including all Company-specific information contained herein, is subject to public disclosure in accordance with applicable provisions of the POL, Article 18-A of the General Municipal Law ("GML") and the Public Authorities Accountability Act of 2005, as codified within the Public Authorities Law ("PAL") of the State. Specifically, this Application may be disclosed by the Agency to any member of the public pursuant to a properly submitted request under FOIL and the Agency is further required to affirmatively disclose certain provisions contained herein pursuant to the GML and PAL, including the identification of the Company, general project description, location proposed capital investment and job estimates.

Notwithstanding the foregoing, the Company, pursuant to this Certification, may formally request that the Agency consider certain information contained within this Application and other applicable supporting materials proprietary information and "trade secrets", as defined within POL Section 87(2)(d). To the extent that any such information should qualify as trade secrets, the Company hereby requests that the Agency redact same in the event that formal disclosure is requested by any party pursuant to FOIL. Application Sections or information requested by Company for Redaction*:

(* - Please indicate specific sections within Application that the Company seeks to qualify as "trade secrets". Additional correspondence or supporting information may be attached hereto. Please also note that notwithstanding the Company's request, the Agency shall make an independent determination of the extent to which any information contained herein may be considered as such)

In the event that the Agency is served with or receives any subpoena, request for production, discovery request, or information request in any forum that calls for the disclosure of the Application, in entirety, specifically including but not limited to any demand or request for production or review of Company-designated trade secrets, the Agency agrees to notify the Company as promptly as is reasonably possible, and to utilize its best efforts to: oppose or decline any such request; preserve the confidentiality and non-disclosure of such requested confidential material; and maintain such information and prevent inadvertent disclosure in responding to any such discovery or information request. The Company understands and agrees that all reasonable costs, including attorney's fees, associated with any such formal undertaking by the Agency to protect the trade secrets from disclosure shall be reimbursed by the Company to the Agency.

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Section I: Applicant Information

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

A) Applicant Information-company receiving benefit:

Applicant Name: HALE'S BUS GARAGE, LLC

Applicant Address: 37 KIRKLAND AVE, CLINTON, NY 13323

Phone: 315-624-7407 Fax: 315-853-5708

Website: WWW.HALETRANSPORTATIONGROUP.COM E-mail: STEPHEN@HALETRANSPORTATIONGROUP.COM

Federal ID#: 39-2067004 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: _____

Federal ID#: _____

State and Year of Incorporation/Organization: _____

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

Renewable Energy Projects: Attach ownership chart and indicate companies that will eventually own and operate project N/A

B) Individual Completing Application:

Name: STEPHEN E HALE

Title: MANAGING MEMBER

Address: 37 KIRKLAND AVE, CLINTON, NY 13323

Phone: 315-624-7407 Fax: 315-853-5708

E-Mail: STEPHEN@HALETRANSPORTATIONGROUP.COM

C) Company Contact (if different from Section B above):

Name: _____

Title: _____

Address: _____

Phone: _____ Fax: _____

E-Mail: _____

D) Company Counsel:

Revised Date: _____, Revision #: _____

Document Date: 4/10/2023

Name of Attorney: ANTHONY HALLAKFirm Name: FELT-EVANS, LLPAddress: 4-6 NORTH PARK ROW, CLINTON, NY 13323Phone: 315-965-1426

Fax: _____

E-mail: AHallak@felt-evans.com**E) Identify the assistance being requested of the Agency (select all that apply):**

- | | |
|-------------------------------------|--|
| 1. Exemption from Sales Tax | <input checked="" type="checkbox"/> Yes or <input type="checkbox"/> No |
| 2. Exemption from Mortgage Tax | <input type="checkbox"/> Yes or <input checked="" type="checkbox"/> No |
| 3. Exemption from Real Property Tax | <input type="checkbox"/> Yes or <input checked="" type="checkbox"/> No |
| 4. Tax Exempt Financing * | <input type="checkbox"/> Yes or <input checked="" type="checkbox"/> No |

* (typically for not-for-profits and qualified small manufacturers)

F) Applicant Business Information (check appropriate category):

- | | | | |
|---------------------|--------------------------|---------------------------|-------------------------------------|
| Corporation | <input type="checkbox"/> | Partnership | <input type="checkbox"/> |
| Public Corporation | <input type="checkbox"/> | Joint Venture | <input type="checkbox"/> |
| Sole Proprietorship | <input type="checkbox"/> | Limited Liability Company | <input checked="" type="checkbox"/> |

Other (please specify) _____

Year Established: 2006State in which Organization is established: NEW YORK**G) List all applicant stockholders, members or partners with % of ownership greater than 5% (including all parent entities) [INCLUDE CHART]**

NOTE: All applicants must include a current ownership chart reflecting equity ownership. Applications will not be accepted or deemed complete without this information.

The Agency's acceptance of this application will be specific to the existing equity ownership of the applicant and the Agency's ultimate approval is likewise specific to the applicant equity ownership (the taxpayer beneficiaries of the Agency's financial assistance). The Agency's approval of any proposed project shall be specific to the equity ownership of the Company at the time of application to the Agency. The Agency's approval of any financial assistance, including real property tax exemptions, is non-transferrable and may not be assigned or assumed without the Agency's prior written consent. Any transfer in excess of fifty percent (50%) of the equity voting interests of the Company (including all parent companies of the Company through and including the ultimate taxpayer(s) owning or controlling

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the Company), other than to a Related Person of the Company, shall be deemed an assignment and require the prior written consent of the Agency. Any proposed assignment shall require the prior written consent of the Agency upon written application no less than 45 days prior to a regularly scheduled meeting of the Agency.

<u>Name</u>	<u>% of ownership</u>
STEPHEN E HALE	100
_____	_____
_____	_____

H) Applicant Business Description:

Describe in detail company background, products, customers, goods and services. Description is critical in determining eligibility: TRANSPORTATION PROVIDER, HEAVY AND LIGHT DUTY REPAIR SHOP

Estimated % of sales within Jefferson County: 8

Estimated % of sales outside Jefferson County, but within New York State: 92

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

Estimated % of sales outside the U.S. 0

(*Percentage to equal 100%)

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.

10

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Section II: Project Description & Details

A) Project Location:

List your current operation(s) locations in Jefferson County:

1067 MARBLE STREET, WATERTOWN, NY 13601

List your current operation(s) locations in New York State:

37 KIRKLAND AVE, CLINTON, NY

Provide the Property Address of the proposed Project:

1067 MARBLE STREET, WATERTOWN, NY 13601

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 ☒

If Yes, please provide details _____

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 ☒

If Yes, please provide details _____

Will the Proposed Project cause Applicant's 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 IV of this Application.

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Will the completion of the Project result in the abandonment, removal, or reduction of an industrial or manufacturing plant of a closely aligned competitor from one area of New York State or Jefferson County?

☐ Yes or ☒ No

If Yes, please provide details _____

SBL Number for Property upon which proposed Project will be located: _____

What are the current real estate taxes on the proposed Project Site? _____

If amount of current taxes is not available, provide assessed value for each:

Land: \$ 1563735 Buildings(s): \$ _____

**** If available please include a copy of current tax bill.**

Are Real Property Taxes current? ☒ Yes or ☐ No. If no, please explain _____

Town/City/Village: WATERTOWN School District: WATERTOWN

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): _____

Renovations to the current bus garage/repair shop and a two bay addition for working on heavy vehicles.

We took over a business that was on the brink of insolvency and the building suffers from severe neglect.

These repairs will make the building look very attractive and take care of the roof leaks.

New energy efficient lighting throughout the building.

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): _____

It will allow us to grow the business and generate more tax revenue for the area.

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Is there 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: We need this assistance to make this work for our budget.

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: _____

If the Applicant is unable to obtain Financial Assistance for the Project, what will be the impact on the Applicant? We will be unable to grow the business.

C) Will Project include leasing any equipment ☐ Yes or ☒ No

If Yes, please describe: _____

D) Site Characteristics:

Describe the present use of the proposed Project site: Auto and heavy repairs and transportation company.

Will the Project meet zoning/land use requirements at the proposed location? ☒ Yes or ☐ No

If Yes, please provide local zoning reference that applies: _____

For Renewable Energy Projects – provide acres ☐ leased or ☐ owned: _____

Describe the present zoning/land use: _____

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Describe required zoning/land use, if different: _____

If a change in zoning/land use is required, please provide details/status of any request for change of zoning/land use requirements: _____

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: _____

Have site plans been submitted to the appropriate planning board or 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 with the status with respect to any required planning department approval: _____

Has the Project received site plan approval from the planning department? ☒ Yes or ☐ No.

If Yes, please provide the Agency with a copy of the planning department approval along with the related SEQR determination.

E) Has a Phase I Environmental Assessment been prepared, or will one be prepared with respect to the proposed project site? ☐ Yes or ☒ No If yes, please provide a copy.

F) Have any other studies or assessments been undertaken with respect to the proposed project site that indicate the known or suspected presence of contamination that would complicate the site's development?

☐ Yes or ☒ No. If yes, please provide copies of the study

G) Provide any additional information or details: _____

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

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

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

** Will customers personally visit the Project site for either of the following economic activities? If yes with respect to either economic activity indicated below, complete the Retail Questionnaire contained in Section III of the Application.

Retail Sales: ☐ Yes or ☒ No

Services: ☒ Yes or ☐ No

For purposes of this question, the term "retail sales" means (i) sales by a registered vendor under Article 28 of the Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

D) Project Information:

Estimated costs in connection with Project:

Renewable Energy Projects use Cost Section on page 11.

1. Land and/or Building Acquisition:	\$ _____
_____ acres _____ square feet	
2. New Building Construction: <u>N/A</u> square feet	\$ <u>N/A</u>
3. New Building Addition(s): <u>4500</u> square feet	\$ <u>1,150,106.50</u>
4. Infrastructure Work	\$ <u>239,094.00</u>
5. Reconstruction/Renovation: <u>26,300</u> square feet	\$ <u>1,038,899.5</u>
6. Manufacturing Equipment:	\$ <u>N/A</u>
7. Non-Manufacturing Equipment (furniture, fixtures, etc.):	\$ <u>54066.97</u>
8. Soft Costs: (professional services, etc.):	\$ <u>75,400</u>
9. Other, Specify: <u>N/A</u>	\$ <u>N/A</u>

ESTIMATED (W/TAX + FEE)

TOTAL Capital Costs: \$ 2,557,566.97

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Renewable Energy Project: Project Costs

1. Project size _____ MWac _____ MWdc
2. Solar equipment costs
(panels, racking, all solar equipment to inverters) \$ _____
3. Site equipment and FF&E costs
(on-production equipment from inverter to interconnection,
including site fencing, security and other equipment) \$ _____
4. Site work and land preparation costs
(earthwork, roadways, landscaping, and site plan
improvements, highway cuts, wetland mitigation and
other onsite infrastructure costs) \$ _____
5. All interconnection costs whether direct or indirect
expense through utility \$ _____
6. All pre-development costs, including planning, engineering,
site plan and permitting \$ _____
7. Battery storage costs \$ _____
8. Battery storage capacity _____ MWac _____ MWdc
9. All other soft costs including legal, planning and permitting \$ _____
10. Community benefit payments or impact fees \$ _____
11. Community adder \$ _____
12. Community or market transition credit \$ _____
13. Total annual lease amount for project \$ _____
14. Other (please identify): \$ _____

- Total: \$ _____

Have any of the above costs been paid or incurred as of the date of this Application? ☐ Yes or ☐ No

If Yes, describe particulars: _____

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Project refinancing; estimated amount

(for refinancing of existing debt only)

\$ _____

Sources of Funds for Project Costs:

Bank Financing:

\$ 1750000

Equity (excluding equity that is attributed to grants/tax credits)

\$ 753500

Tax Exempt Bond Issuance (if applicable)

\$ 0

Taxable Bond Issuance (if applicable)

\$ 0

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

\$ 0

Identify each state and federal grant/credit:

\$ 0

\$ 0

\$ 0

Total Sources of Funds for Project Costs:

\$ 2,557,566.97Have any of the above costs been paid or incurred as of the date of this Application? ☐ Yes or ☒ NoIf Yes, describe particulars: _____
_____Revised Date: 1/31/24, Revision #: 1

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 \$2,503,500 (sum of 2,3,4,5, and/or 7 in Question I, above)

Cost for materials: \$1,116,819

% sourced in Jefferson County: unknown %

% sourced in New York State unknown % (including Jefferson County)

List major material suppliers if known See attached Material Suppliers (Email Attachment)

Cost for labor: \$1,386,861

Expected Full-Time Equivalent Jobs during construction 50+-

Expected Total Labor Hours during construction 11,040 +-

List major subcontractors, if known See attached Subcontractor List (Email Attachment)

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:

\$1,091,241

Estimated State and local Sales and Use Tax Benefit (product of ____% multiplied by the figure, above):

\$87,705

*** 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.*

Real Property Tax Benefit:

Identify and describe if the Project will utilize a real property tax exemption benefit OTHER THAN the Agency's PILOT benefit: _____

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JCIDA PILOT Benefit: Agency staff will indicate the amount of PILOT Benefit based on estimated Project Costs as contained herein and anticipated tax rates and assessed valuation, including the annual PILOT Benefit abatement amount for each year of the PILOT benefit year and the sum total of PILOT Benefit abatement amount for the term of the PILOT as depicted in Section II(I) of the Application.

Percentage of Project Costs financed from Public Sector sources: Agency staff will calculate the percentage of Project Costs financed from Public Sector sources based upon Sources of Funds for Project Costs as depicted above in Section II(I) of the Application.

J) For the proposed facility, please indicate the square footage for each of the uses outlined below:

*If company is paying for FFE for tenants, please include in cost breakdown **ESTIMATED W/TAX & FEE**

	Square Footage	Cost	% of Total Cost of Project
Manufacturing/Processing			
Warehouse			
Research & Development			
Commercial New Build	4,500	\$1,426,900.50	57%
Retail (see section K)	450	10,900.00	10%
Office			
Specify Other Existing Renovation	25,850	\$1,065,699.5	43%

K) What is your project timetable (Provide dates):

1. Start date: acquisition of equipment or construction of facilities: 4/1/2024
2. Estimated completion date of project: 10/1/2024
3. Project occupancy – estimated starting date of operations: 10/1/2024
4. Have construction contracts been signed? ☒ Yes or ☐ No
5. Has Financing been finalized? ☒ Yes or ☐ No

****** *If constructions contracts have been signed, please provide copies of executed construction contracts and a complete project budget. The complete project budget should include all related construction costs totaling the amount of the new building construction, and/or new building addition(s), and/or renovation.*

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L) Is the proposed Project necessary to expand Applicant employment: ☒ Yes or ☐ No

Is the proposed Project necessary to retain existing employment: ☒ Yes or ☐ No

M) Employment Plan (Specific to the proposed project location):

	Current # of jobs at proposed project location or to be relocated at project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE jobs to be RETAINED	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE jobs to be CREATED upon THREE Years after Project completion
**Full time (FTE)	15	20	30

** By statute, Agency staff must project the number of FTE jobs that would be retained and created if the request for Financial Assistance is granted. Agency staff will project such jobs over the Three-Year time period following Project completion. convert part-time jobs into FTE jobs by dividing the number of part-time jobs by two (2). A FTE job is one that works the equivalent of a 40-hour week for 48 weeks. A part-time job is one that works the equivalent of a 20-hour week for 24 weeks.

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

Category of Jobs to be Retained and Created	FTE	Average Salary or Range of Salary	Average Fringe Benefits or Range of Fringe Benefits
Management	3	62400	15000
Professional	1	69000	15000
Administrative	0	0	0
Production	0	0	0
Transportation/Logistics	15	52000	11000
Warehousing	0	0	0
Other	6	71000	15000
TOTAL	25	254400	56000

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Employment at other locations in County/City/Town/Village: (provide address and number of employees at each location):

Location Address	37 KIRKLAND AVE, CLINTON, NY	
Full time	14	
Part Time	110	
Total	124	

N) Will any of the facilities described above be closed or subject to reduced activity? ☐ Yes or ☒ No

**** If any of the facilities described above are located within the State of New York, and you answered Yes to the question, above, you must complete Section IV of this Application.**

**** Please note that the Agency may utilize the foregoing employment projections, among other items, to determine the Financial Assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to retain the number of jobs and create the number of jobs with respect to the Project as set forth in this Application.**

O) Is the proposed Project reasonably necessary to prevent the Applicant from moving out of New York State? ☐ Yes or ☒ No. Out of Jefferson County? ☐ Yes or ☒ No.

If yes, please explain and identify the other locations being investigated, type of assistance offered and provide supporting documentation if available: _____

P) What competitive factors led you to inquire about sites outside of Jefferson County or New York State? _____

Q) Have you contacted or been contacted by other Local, State and/or Federal Economic Development Agencies? ☐ Yes or ☒ No.

Have you applied, or intend 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 dollar amount that is anticipated to be received: _____

Revised Date: _____, Revision #: _____

Section III Retail Questionnaire

To ensure compliance with Section 862 of the New York General Municipal Law, the Agency requires additional information if the proposed Project is one where customers personally visit the Project site to undertake either a retail sale transaction or to purchase services.

Please answer the following:

- A. Will any portion of the Project (including that portion of the cost to be financed from equity or other sources) consist of facilities or property that are or will be primarily used in making sales of goods or services to customers who personally visit the project site?

☒ Yes or ☐ No. If the answer is yes, please continue. If no, proceed to section V

For purposes of Question A, the term "retail sales" means (i) sales by a registered vendor under Article 28 of the Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

- B. What percentage of the cost of the Project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the project?
10 %. If the answer is less than 33% do not complete the remainder of the retail determination and proceed to section V.

If the answer to A is Yes AND the answer to Question B is greater than 33.33%, indicate which of the following questions below apply to the project:

1. Will the Project be operated by a not-for-profit corporation ☐ 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?

☐ 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.

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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: _____

Section V Adaptive Reuse Determination

(Adaptive Reuse is the process of adapting old structures or sites for new purposes)

Are you applying for a tax incentive under the Adaptive Reuse Program? ☐ Yes or ☒ No

If No, please proceed to next Section

- A) What is the age of the structure (in years) _____
- B) Has the structure been vacant or underutilized for a minimum of 3 years? (Underutilized is defined as a minimum of 50% of the rentable square footage of the structure being utilized for a use for which the structure was not designed or intended) ☐ Yes or ☐ No. How many years? _____
- C) Is the structure currently generating insignificant income? (Insignificant income is defined as income that is 50% or less than the market rate income average for that property class) ☐ Yes or ☐ No
If yes, please provide dollar amount of income being generated, if any _____

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- D) Does the site have historical significance? ☐ Yes or ☐ No
- E) Are you applying for either State/Federal Historical Tax Credit Programs? ☐ Yes or ☐ No. If yes, provide estimated value of tax credits _____
- F) Summarize the financial obstacles to development that this project faces without Agency or other public assistance. Please provide the Agency with documentation to support the financial obstacles to development (you will be asked to provide cash flow projections, documenting costs, expenses and revenues with and without IDA and other tax credits included indicating below average return on investment rates compared to regional industry averages): _____

- G) Briefly summarize the demonstrated support that you intend to receive from local government entities. Please provide the Agency documentation of this support in the form of signed letters from these entities:

- H) Please indicate other factors that you would like the Agency to consider such as: structure or site presents significant public safety hazard and or environmental remediation costs, site or structure is located in distressed census tract, structure presents significant costs associated with building code compliance, site has historical significance, site or structure is presently delinquent in property tax payments:

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Section VI: 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

*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							
4							
5							
6							
7							
8							
9							
10							
TOTAL							

*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 Sales Tax Incentive	Estimated Value of Mortgage Tax Incentive	Total of Other Public Incentives (Tax Credits, Grants, ESD Incentives, etc.)

Calculate %

(Est. PILOT + Est. Sales Tax+ Est. Mortgage Tax+ Other)/Total Project Costs: _____ %

JCIDA will also complete a Cost-Benefit analysis using information contained within this Application, and available to the Public.

Section VII Representations, Certifications and Indemnification

STEPHEN E HALE (name of CEO or other authorized representative of Applicant) confirms and says that he/she is the MANAGING MEMBER (title) of HALE'S BUS GARAGE, LLC (name of corporation or other entity) named in the attached Application (the "Applicant"), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and as follows:

- A. **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 "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA") 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 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

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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 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

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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 (_____%) 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's general counsel and/or the Agency's bond/transaction 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

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

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

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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.

- R. 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 JEFFERSON) ss.:

Stephen E Hale, being first duly sworn, deposes and says:

1. That I am the Member (Corporate Office) of Hale's Bus Garage, 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.

Stephen E Hale
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury
this 31st day of January, 2024.

Patricia K. Maxam
(Notary Public)

PATRICIA K. MAXAM
Reg. #01MA5044653
Notary Public, State of New York
Appointed in Oneida County
My Commission Expires June 5, 2027

Revised Date: 1/31/24, Revision #: 1

Document Date: 4/10/2023

PROJECT AUTHORIZING RESOLUTION
(Hale's Bus Garage, LLC Project)

A regular meeting of Jefferson County Industrial Development Agency was convened on Thursday, February 1, 2024.

The following resolution was duly offered and seconded, to wit:

Resolution No. 02.01.2024.01

RESOLUTION OF THE JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF HALE'S BUS GARAGE, LLC (THE "COMPANY") WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW); (ii) AUTHORIZING THE UNDERTAKING OF THE PROJECT AND APPOINTING THE COMPANY AS ITS AGENT TO UNDERTAKE SAME; (iii) AUTHORIZING THE PROVISION OF FINANCIAL ASSISTANCE (AS MORE FULLY DEFINED BELOW) TO THE COMPANY; (iv) MAKING FINDINGS WITH RESPECT TO THE PROJECT PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT; AND (v) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF AN AGENT AND FINANCIAL ASSISTANCE AND PROJECT AGREEMENT, AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 369 of the Laws of 1971 of the State of New York, as amended (hereinafter collectively called the "Act"), the **JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT AGENCY** (the "Agency") was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping industrial, manufacturing and commercial facilities as authorized by the Act; and

WHEREAS, **HALE'S BUS GARAGE, LLC**, for itself or on behalf of an entity or entities to be formed (collectively, the "Company"), has submitted an application (the "Application") to the Agency requesting that the Agency appoint the Company as agent to undertake a certain Project (the "Project") consisting of: (A) the redevelopment certain parcels of land comprising approximately 13 acres located at 1067, VL-1 and VL-8 Marble Street, City of Watertown, New York (the "Land", being more particularly identified as TMID No. 4-27-330.000, 4-27-331.000 and 4-27-330.000) along with the existing improvements located thereon consisting of an approximately 26,300 square foot commercial building and related site and parking improvements (collectively, the "Existing Improvements"), (B) the renovation and reconstruction of the Existing Improvements and the planning, design, engineering, and construction of an approximately 4,500 square foot, two (2) garage bay addition all for operation as a heavy duty truck repair/service garage, along with various parking improvements, utility improvements, curbage, site work, signage, landscaping and stormwater retention improvements (collectively, the "Improvements"); and (C) the acquisition and installation in and around the Land, the Existing Improvements and Improvements of certain machinery, equipment and other

items of tangible personal property (the "Equipment", and collectively with the Land, the Existing Improvements and Improvements, the "Facility"); and

WHEREAS, it is contemplated that the Agency will (i) designate the Company as its agent for the purpose of acquiring, reconstructing, renovating and equipping the Project, (ii) negotiate and enter into an Agent and Financial Assistance and Project Agreement (the "Agent Agreement"), and (iii) provide financial assistance (the "Financial Assistance") to the Company in the form of a sales and use tax exemption for purchases and rentals related to the acquisition, construction, reconstruction, renovation and equipping of the Project; and

WHEREAS, pursuant to Article 18-A of the Act, the Agency desires to adopt a resolution describing the Project and the Financial Assistance, with such Financial Assistance to not exceed \$100,000; and

WHEREAS, the Planning Commission of the City of Watertown (the "Planning Commission") previously reviewed the proposed Project pursuant to the State Environmental Quality Review Act, as codified under Article 8 of the Environmental Conservation Law and Regulations adopted pursuant thereto by the Department of Environmental Conservation of the State (collectively, "SEQRA") and related Short Environmental Assessment Form ("EAF") and issued a negative declaration (the "Negative Declaration") a copy of which along with the EAF are attached hereto as **Exhibit A**; and

WHEREAS, in furtherance of the foregoing, the Agency desires to authorize (i) the undertaking of the Project and the appointment of the Company as agent of the Agency to undertake same; (ii) the execution and delivery of the Agent Agreement and related documents; and (iii) the provision of the Financial Assistance to the Company, which shall include an exemption from all state and local sales and use taxes with respect to the qualifying personal property included in or incorporated into the Facility or used in the construction and equipping of the Facility.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. The Company has presented the Application and related information in a form acceptable to the Agency. Based upon the representations made by the Company to the Agency, the Agency hereby finds and determines that:

(A) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and

(B) It is desirable and in the public interest for the Agency to appoint the Company as its agent for purposes of acquiring, constructing, reconstructing, renovating and equipping the Project; and

(C) The Agency has the authority to take the actions contemplated herein under the Act, that the Financial Assistance shall not exceed \$100,000, and that no public hearing is required to be conducted pursuant to the Act; and

(D) The action to be taken by the Agency will induce the Company to develop the Project, thereby increasing employment opportunities in Jefferson County and otherwise furthering the purposes of the Agency as set forth in the Act; and

(E) The Project will not result in the removal of a facility or plant of the Company or any other proposed occupant of the Project from one area of the State of New York (the "State") to another area of the State or result in the abandonment of one or more plants or facilities of the Company or any other proposed occupant of the Project located within the State; and the Agency hereby finds that, based on the Company's Application, to the extent occupants are relocating from one plant or facility to another, the Project is reasonably necessary to discourage the Project occupants from removing such other facility or plant to a location outside the State and/or is reasonably necessary to preserve the competitive position of the Project occupants in their respective industries; and

(F) Based upon a review of the Application, the EAF and the Negative Declaration issued by the Planning Board submitted to the Agency, the Agency hereby:

(i) consents to and affirms the status of Planning Commission as Lead Agency for review of the Facility, within the meaning of, and for all purposes of complying with SEQRA;

(ii) ratifies the proceedings undertaken by the Planning Commission as Lead Agency under SEQRA with respect to the acquisition, construction and equipping of the Facility pursuant to SEQRA, including the adoption of the Negative Declaration; and

(iii) finds that the Project involves an "Unlisted Action" (as such quoted term is defined under SEQRA) for which the Agency is an involved agency (as such quoted term is defined under SEQRA). Based upon the review by the Agency of the EAF and related documents delivered by the Company to the Agency and other representations made by the Company to the Agency in connection with the Project, the Agency hereby finds that (i) the Project will result in no major impacts and, therefore, is one which may not cause significant damage to the environment; (ii) the Project will not have a "significant effect on the environment" (as such quoted term is defined under SEQRA); and (iii) no "environmental impact statement" (as such quoted term is defined under SEQRA) need be prepared for this action. This determination constitutes ratification of the Planning Commission's negative declaration" (as such quoted terms are defined under SEQRA) for purposes of SEQRA. No further review or action is required pursuant to SEQRA with respect to the Project.

Section 2. The Agency hereby accepts the Application and authorizes the undertaking of the Project, including the provision of the Financial Assistance to the Company. The Chairman, Vice Chairman, and/or the Chief Executive Officer of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the Agent Agreement with such changes as shall be approved by the Chairman, Vice Chairman and/or the Chief Executive Officer upon execution; provided, the Agent Agreement includes payments of all costs incurred

by the Agency arising out of or related to the Project and indemnification of the Agency by the Company for actions taken by the Company and/or claims arising out of or related to the Project.

Section 3. Subject to (i) the Company executing the Agent Agreement, and (ii) the delivery to the Agency of a binder, certificate or other evidence of liability insurance policy for the Project satisfactory to the Agency, the Agency hereby authorizes the Company to proceed with the acquisition, renovation, construction, reconstruction, rehabilitation and equipping of the Project and hereby appoints the Company as the true and lawful agent of the Agency: (i) to acquire, construct and equip the Project; (ii) to make, execute, acknowledge and deliver any contracts, orders, receipts, writings and instructions, as the stated agent for the Agency with the authority to delegate such agency, in whole or in part, to agents, subagents, contractors, and subcontractors of such agents and subagents and to such other parties as the Company chooses; and (iii) in general, to do all things which may be requisite or proper for completing the Project, all with the same powers and the same validity that the Agency could do if acting in its own behalf; *provided, however*, the Agent Agreement shall expire on December 31, 2024 (*unless extended for good cause by the Chief Executive Officer of the Agency*).

Section 4. Based upon the representation and warranties made by the Company the Application, the Agency hereby authorizes and approves the Company, as its agent, to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use tax in an amount up to approximately \$1,250,000.00, which result in New York State and local sales and use tax exemption benefits ("sales and use tax exemption benefits") not to exceed \$100,000.00. The Agency agrees to consider any requests by the Company for increase to the amount of sales and use tax exemption benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services, and, to the extent required, the Agency authorizes and conducts any supplemental public hearing(s).

Section 5. Pursuant to Section 875(3) of the Act, the Agency may recover or recapture from the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, any sales and use tax exemption benefits taken or purported to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, if it is determined that: (i) the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, is not entitled to the sales and use tax exemption benefits; (ii) the sales and use tax exemption benefits are in excess of the amounts authorized to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project; (iii) the sales and use tax exemption benefits are for property or services not authorized by the Agency as part of the Project; (iv) the Company has made a material false statement on its application for financial assistance; (v) the sales and use tax exemption benefits are taken in cases where the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project fails to comply with a material term or condition to use property or services in the manner approved by the Agency in connection with the Project; and/or (vi) the Company obtains mortgage recording tax benefits and/or real property tax abatements and fails to comply with a material term or condition to use property or services in the manner approved by the Agency in

connection with the Project (collectively, items (i) through (vi) hereby defined as a "Recapture Event").

As a condition precedent of receiving sales and use tax exemption benefits and real property tax abatement benefits, the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, must (i) if a Recapture Event determination is made by the Agency, cooperate with the Agency in its efforts to recover or recapture any sales and use tax exemption benefits, mortgage recording tax benefits and/or real property tax abatements abatement benefits, and (ii) promptly pay over any such amounts to the Agency that the Agency demands, if and as so required to be paid over as determined by the Agency.

Section 6. The Chairman, Vice Chairman and/or Chief Executive Officer of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the Agent Agreement and related documents with such changes as shall be approved by the Chairman, Vice Chairman, the Chief Executive Officer and counsel to the Agency upon execution.

Section 7. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 8. These Resolutions shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Robert E. Aliasso, Jr.	[]	[]	[]	[]
David J. Converse	[]	[]	[]	[]
John Condino	[]	[]	[]	[]
William W. Johnson	[]	[]	[]	[]
Lisa L'Huillier	[]	[]	[]	[]
W. Edward Walldroff	[]	[]	[]	[]
Paul J. Warneck	[]	[]	[]	[]

The Resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF JEFFERSON)

I, the undersigned, Secretary of the JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT AGENCY, DO HEREBY CERTIFY:

That I have compared the annexed extract of minutes of the regular meeting of the Jefferson County Industrial Development Agency (the "Agency"), including the resolution contained therein, held on February 1, 2024, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY, that all members of the Agency had due notice of said special meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with such Article 7.

I FURTHER CERTIFY that there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY, that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency this _____ day of _____, 2024.

W. Edward Walldroff, Secretary

EXHIBIT A

SEQRA MATERIALS

NOV 14 2023

RECEIVED
CITY OF WATERTOWN, NY

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Hale's Transportation Building Addition			
Project Location (describe, and attach a location map): 1067 Marble Street (Tax Parcel 4-27-330.000)			
Brief Description of Proposed Action: The proposed action includes the permitting, design, and construction of a +/- 4,500 SF addition to the existing Hale's Bus Garage facility at 1067 Marble Street. Two Area Variances would be required for the project. The parking lot / driveway would be expanded slightly to allow for traffic circulation around the expanded facility, a new holding tank would be installed for collection of floor-drain water in both the existing building and addition, and a new stormwater management area would be constructed on the neighboring parcel (also owned by Hale's Bus Garage, LLC) for the collection and attenuation of water from the new and existing building roof drains, and runoff from the new parking lot and driveway areas. Improvements to the existing building include the installation of new exterior lighting and installation of new overhead shop doors.			
Name of Applicant or Sponsor: Hale's Bus Garage, LLC. (Contact Stephen Hale)		Telephone: 315-853-8670 E-Mail: stephen@haletransportationgroup.com	
Address: 37 Kirkland Ave			
City/PO: Clinton		State: NY	Zip Code: 13323
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: City of Watertown Site Plan Approval		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		12.85 acres	
b. Total acreage to be physically disturbed?		+/- 0.8 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		13.08 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

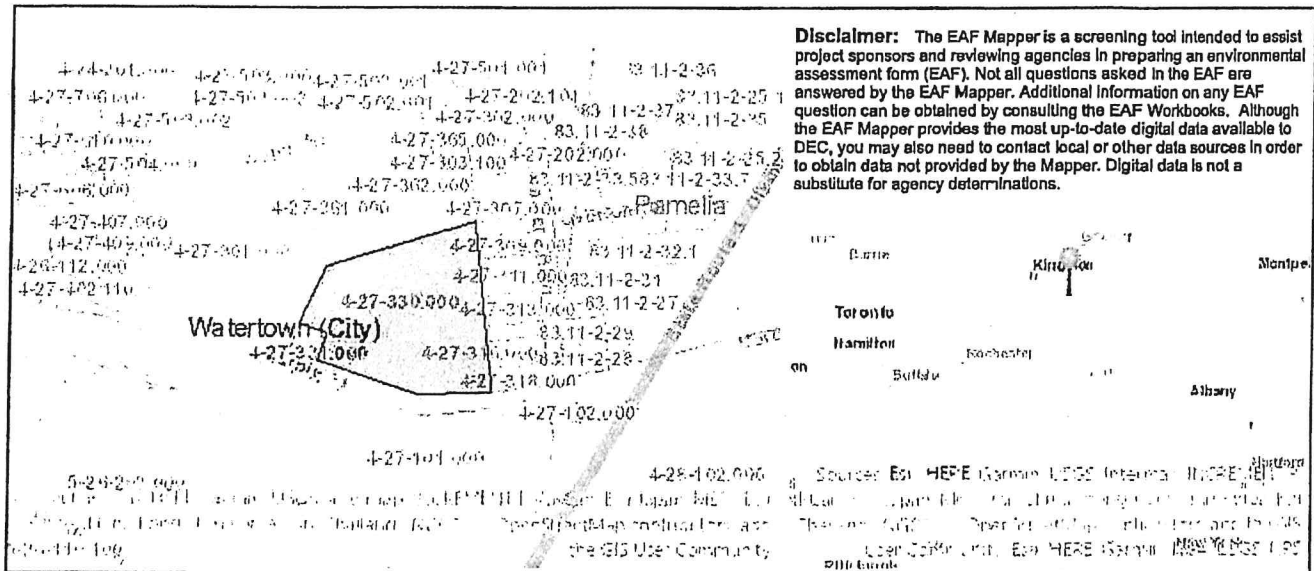
5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:			
<u>Proposed building addition will meet energy code requirements</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<u>The proposed building addition will connect to the existing water service from City of Watertown water infrastructure.</u>			
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<u>The proposed building addition will connect to the existing onsite septic system.</u>			
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Northern Long-eared Bat	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plain?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, briefly describe: <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> The proposed project would involve the construction of swales and stormwater dry ponds to treat stormwater and attenuate flows. The proposed stormwater dry pond will be located on the neighboring parcel, which is in the process of being sold to the applicant. The outfall of the dry pond will direct stormwater to the adjacent roadside ditch, and eventually flow to the Black River. </div>		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
<div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> The proposed project would involve the construction of stormwater swales and stormwater dry ponds. The dry pond may fill up with stormwater during a rain event, however the pond will be designed to infiltrate and/or release stormwater at a controlled rate so that after rain events the pond holds no water. </div>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor/name: <u>Hale's Bus Garage, LLC. (Contact Stephen Hale)</u> Date: <u>10-18-23</u></p> <p>Signature: <u>Stephen E Hale</u> Title: <u>Member</u></p>		

PRINT FORM

EAF Mapper Summary Report

Wednesday, October 11, 2023 9:21 AM



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Northern Long-eared Bat
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No

Project: _____

Date: _____

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: _____

Date: _____

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
<u>Planning Commission, City of Watertown</u>	<u>12/5/23</u>
Name of Lead Agency	Date
<u>Larry Coburn</u>	<u>Planning Commission Chair</u>
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
<u>Larry Coburn</u>	<u>[Signature]</u>
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM



CITY OF WATERTOWN, NEW YORK
PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

SUITE 305, CITY HALL
245 WASHINGTON STREET
WATERTOWN, NEW YORK 13601-3362
TEL. (315) 785-7741
FAX (315) 785-7829

MICHAEL A. LUMBIS
PLANNING & COMMUNITY
DEVELOPMENT DIRECTOR

January 4, 2024

Mark Tompkins, Project Engineer
GYMO Architecture, Engineering and Land Surveying, D.P.C.
18969 U.S. Route 11
Watertown, NY 13601

Re: Site Plan Approval – 1067 Marble Street, VL-1 Marble Street and VL-8 Water Street

Dear Mr. Tompkins:

At its January 3, 2024 meeting, the City of Watertown Planning Commission considered your request for Site Plan Approval to construct a 4,500 SF building addition and associated site improvements at 1067 Marble Street, VL-1 Marble Street and VL-8 Water Street, Parcel Numbers 4-27-330.000, 4-27-331.000 and 4-27-301.000.

At that meeting, the Planning Commission voted to grant Site Plan Approval for the project, based on the drawing set submitted to the Planning and Community Development Department on December 18, 2023, contingent upon the following:

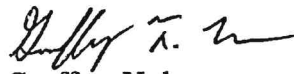
1. The applicant shall assemble either assemble VL-8 Water Street, or a portion thereof containing the paved drive aisle, with 1067 Mable Street, by way of a new metes and bounds description filed with the County Clerk or record an access easement guaranteeing access across the lands of VL-8 Water Street to the parking area on 1067 Marble Street.
2. The applicant should strongly consider including VL-1 Water Street in any parcel assemblage.
3. If the subject parcels are not combined by way of a new metes and bounds description, the applicant shall modify the lighting plan so that there is no more than 0.5 footcandles of light spillage across the property line.
4. The property owner shall hire a third party to perform annual inspections of the holding tank and submit an annual report to the City Engineering Department.

5. The applicant must obtain the following permits and other documentation, minimally, prior to construction: Building Permit, Water Permit, Sanitary Sewer Permit, Storm Sewer Permit, a Zoning Compliance Certificate and potentially an Outside Source Permit.

Please submit the Zoning Compliance Certificate application form to the Planning and Community Development Department. Please contact the City Engineering Department to obtain your Sanitary and Storm Sewer Permits. Please contact the Water Department to obtain a Water Permit. Please contact the City Code Enforcement Bureau to obtain a Building Permit and for all other needs.

If you have any questions, please feel free to contact me anytime at (315) 785-7741.

Sincerely,



Geoffrey Urda,
Planner

cc: Stephen Hale, Hale's Bus Garage, LLC, 37 Kirkland Avenue, Clinton, NY 13323



CITY OF WATERTOWN, NEW YORK

CITY PLANNING COMMISSION

ROOM 305, WATERTOWN CITY HALL

245 WASHINGTON STREET

WATERTOWN, NEW YORK 13601-3380

(315) 785-7741

MEETING: January 3, 2024

PRESENT:

Larry Coburn, Chairperson

Michelle Capone

TJ Babcock

Maryellen Blevins

Peter Monaco

Lynn Godek

ALSO:

Michael A. Lumbis, Planning and Community

Development Director

Geoffrey Urda, Planner

Meredith Griffin, Civil Engineer II

ABSENT:

Linda Fields

Planning Commission member and Acting Chairperson Michelle Capone called the January 3, 2024, Planning Commission meeting to order at 6:08 p.m. Ms. Capone then asked for a motion regarding the minutes from the December 5, 2023 meeting. Peter Monaco made a motion to accept the minutes as written, TJ Babcock seconded the motion, and all voted in favor.

SKETCH PLAN APPROVAL – 312 GOTHAM ST

PARCEL NUMBER 11-02-224.000

The Planning Commission then considered a request for Sketch Plan Approval submitted by Michael J. Contryman, to construct a two-story, 1,113 square-foot (SF) gross floor area building addition at 312 Gotham Street, Parcel Number 11-02-224.000.

Ms. Capone stated that the applicant had satisfied some of the summary items since the Planning Commission tabled this application at its last meeting on December 5, 2023. Ms. Capone then said the Zoning Board of Appeals granted the related Use Variance at its meeting earlier on January 3, 2024 and that there were no remaining concerns from Engineering.

Ms. Godek then asked about the status of the City's recommendation to reorient the garage doors. Ms. Capone replied that the Planning Commission discussed this topic at its previous meeting and stated that after a discussion with Mr. Urda, the applicant agreed with Staff's recommendation to change the location of the garage doors. Ms. Capone reiterated that changing the location of the garage doors was a Staff recommendation and not a requirement.

Hearing no further discussion, Ms. Capone asked for a motion for approval. T.J. Babcock made a motion to grant Sketch Plan Approval, waiving any further requirements of full Site Plan Review, for the request submitted by Michael J. Countryman to construct a two-story, 1,113

square-foot (SF) gross floor area building addition at 312 Gotham Street, Parcel Number 11-02-224.000, contingent upon the following requirements:

1. The applicant must fire-rate the northern exterior and eastern interior walls of the proposed addition and meet all other applicable building codes as a condition of obtaining a Building Permit.
2. The applicant must obtain a Building Permit prior to construction.

Ms. Godek seconded the motion, all voted in favor.

**SITE PLAN APPROVAL – 1067 MARBLE STREET,
VL-1 MARBLE STREET & VL-8 WATER STREET
PARCEL NUMBERS 4-27-330.000, 4-27-331.000 & 4-27-301.000**

The Planning Commission then considered a request for Site Plan Approval submitted by Mark Tompkins of G.Y.M.O. Architecture, Engineering and Land Surveying, D.P.C. (GYMO) on behalf of Stephen Hale of Hale's Bus Garage, LLC to construct a 4,500 square-foot (SF) building addition and associated site improvements at 1067 Marble Street, VL-1 Marble Street and VL-8 Water Street, Parcel Numbers 4-27-330.000, 4-27-331.000 and 4-27-301.000.

Ms. Capone stated that several of the items requested to be changed or added by the Planning Commission have been addressed by the applicant since the previous meeting. Ms. Capone said that the Zoning Board of Appeals granted Area Variances for reduced ground-floor transparency and increased façade length at its December 20, 2023 meeting. Ms. Capone then said that based on Planning Staff's updated memorandum, the applicant had satisfied 7 of the 12 original summary items, and identified the remaining five, which the applicant has acknowledged and pledged to adhere to but must remain as summary items.

Mr. Babcock made a motion to grant Site Plan Approval for the request submitted by Mark Tompkins of G.Y.M.O. Architecture, Engineering and Land Surveying, D.P.C. (GYMO) on behalf of Stephen Hale of Hale's Bus Garage, LLC to construct a 4,500 square-foot (SF) building addition and associated site improvements at 1067 Marble Street, VL-1 Marble Street and VL-8 Water Street, Parcel Numbers 4-27-330.000, 4-27-331.000 and 4-27-301.000, contingent upon the following requirements:

1. The applicant shall either assemble VL-8 Water Street, or a portion thereof containing the paved drive aisle, with 1067 Marble Street, by way of a new metes and bounds description filed with the County Clerk or record an access easement guaranteeing access across the lands of VL-8 Water Street to the parking area on 1067 Marble Street.
2. The applicant should strongly consider including VL-1 Water Street in any parcel assemblage.
3. If the subject parcels are not combined by way of a new metes and bounds description, the applicant shall modify the lighting plan so that there is no more than 0.5 footcandles of light spillage across the property line.

4. The property owner shall hire a third party to perform annual inspections of the holding tank and submit an annual report to the City Engineering Department.
5. The applicant must obtain the following permits and other documentation, minimally, prior to construction: Building Permit, Water Permit, Sanitary Sewer Permit, Storm Sewer Permit, a Zoning Compliance Certificate and potentially an Outside Source Permit.

Ms. Blevins seconded the motion, all voted in favor.

**SPECIAL USE PERMIT APPROVAL – 812 STATE STREET,
PARCEL NUMBER 12-06-323.000**

The Planning Commission then considered a request for Special Use Permit Approval submitted by Jie He of HSS RE Ventures, LLC, to allow an office in a Neighborhood Mixed Use District at 812 State Street, Parcel Number 12-06-323.000.

Mr. He began by saying that prior to acquiring the property, the property was vacant but that an accounting office had previously occupied the first floor and there was a residential rental use the second floor. Mr. He said that he proposes to use the first floor as a primary care physicians' office with five-to-six exam rooms that will accommodate two-to-three providers and the second floor will be used as a staff break room. Mr. He mentioned that there is an existing ramp for ADA accessibility in the front of the building.

Mr. He then said he would repurpose the previous sign for the accounting office for his requested use, but change the text to state the physicians names. Mr. He stated that there will be no change to the parking lot or front of the building and the interior renovations will help make the interior space more functional, as shown on the sketch.

Ms. Blevins observed that there are five-to-six exam rooms and two-to-three physicians, but Staff's memorandum stated that there were only eight parking spaces. She raised a concern about the amount of available parking for both staff and patients. Mr. He also clarified that there will also be one nurse for every two physicians and one receptionist, making a total of about four staff.

Ms. Blevins asked if each physician would have their own schedule and said that it would likely be a conflict for the nurse since the nurse will be tied up with one patient and not be able to bring another patient back. Mr. He clarified that the nurse will take a patient back, take their vitals, and then bring them to the exam room where they will wait for the physician while the nurse is working with the next patient, working their vitals. Mr. He stated that once a patient finished their appointment with the physician, the patient will check out with the receptionist, at which point the physician would then see the next patient waiting in the next exam room.

Ms. Capone then explained all office uses in a Neighborhood Mixed Use District require a Special Use Permit when being established under the City's new Zoning Ordinance. Mr. Urda then explained that the purpose of a Special Use Permit is to allow Staff and the Planning

Commission to have a little extra oversight for such requests, particularly because the NMU District typically backs up to Residential parcels. Mr. Urda then added that the NMU districts are typically found on the radial streets that radiate out like spokes from Public Square; for example, streets like Washington Street, State Street, Mill Street, etc.

Ms. Capone then reflected on and reviewed each of the Special Use Permit standards that Staff commented on and agreed with Staff's comments. Ms. Capone stopped at standard D. in the staff report and asked if Ms. Blevins was concerned with the applicant meeting the following standard:

"The overall impact on the site and its surroundings, considering environmental, social, and economic impacts of traffic, noise, dust, odors, release of harmful substances, solid waste disposal, glare, or any other nuisances."

Ms. Blevins stated that she felt the applicant was not going to have enough parking for the use when considering the number of staff and patients being on the property at any given time.

Mr. Lumbis then clarified that the applicant did not report the number of spaces, but rather a site visit that Staff conducted revealed that there are possibly eight parking spaces, as some of the parking space lines were clear and others were faded. Mr. Lumbis explained there could be a chance for one more parking space in the front of the building and possibly a few spaces along the western property line. Mr. Lumbis suggested that if the Planning Commission wanted more information on a definitive plan, they should request that information from the applicant.

Ms. Blevins stated her concern with snow storage and how the narrowed driveway could be problematic when there is snow and cars are entering and exiting out of the same driveway.

Mr. Lumbis noted that the applicant provided a sketch of the building interior, but it was not a sketch of the full property (site). Mr. Lumbis then explained that the NMU District is very similar to the Neighborhood Business District under the previous Zoning Ordinance. Mr. Lumbis stated that the number of uses that require Special Use Permits has expanded since the adoption of the current Zoning Ordinance and explained that when a business abuts a Residential District, conflicts typically arise, so by having Special Use Permit Approval as a requirement, it triggers the requirement to have letters sent to property owners within a 200-foot radius of the site location as well as a Public Hearing at which neighbors and the general public could voice their concerns.

Ms. Capone asked if the Planning Commission would need to table application, since it requires a Public Hearing. Mr. Lumbis explained that the new Special Use Permit process requires the Planning Commission to deem the application complete or substantially complete, at which point the Planning Commission should adopt a motion to schedule a Public Hearing for February 6, 2024.

Ms. Capone then read through the summary items and Mr. He acknowledged each summary item, and specifically discussed medical waste. Mr. He explained that after discussion with a colleague, he will create a contract with Samaritan Medical Center for medical waste and take the medical waste to Samaritan Medical Center. Mr. He stated that for regular waste, there will be a dumpster at the rear of the parcel and he will hire a contractor to pick up the waste.

The Planning Commission unanimously agreed that the applicant would need to provide a detailed drawing of the entire property, and that the drawing must provide details on the proposed location(s) of any dumpster, property lines, where the building is located on the parcel, existing and proposed parking spaces, car circulation including larger vehicles like emergency vehicles and trash pickup vehicles, snow storage, and the additional tree plantings in the buffer zone in the southwest end of the parcel. Ms. Capone asked the applicant if there were any ADA accessible parking spaces and if so, to mark them on the new drawing.

Ms. Griffin asked the applicant if he could provide what water and sewer flow rates will be once the business is operational. Mr. He responded that less water and sewer will be used once the business is operational since there will no longer be a residential unit on the second floor. Ms. Griffin asked the applicant if he could provide the City with an estimated volume number. Mr. He replied that he would provide the numbers.

Ms. Godek made a motion to deem the application substantially complete and to direct Staff to schedule a Public Hearing for Tuesday, February 6, 2024, at 6:05 p.m. to hear public comments on the request for Special Use Permit Approval for the request submitted by Jie He of HSS RE Ventures, LLC to allow an office in the Neighborhood Mixed Use District at 812 State Street, Parcel Number 12-06-323.000. Mr. Babcock seconded the motion and all voted in favor.

In addition it was noted that the following Summary Items must be addressed by the applicant:

1. The applicant should consider installing two signs, one on the western and one on the eastern side of the parcel for entering and exiting traffic that alerts motorists of two-way traffic with a narrow driveway.
2. The applicant shall provide a sketch of the entire parcel that depicts the following: details on the proposed location(s) of any dumpster, property lines, where the building is located on the parcel, existing and proposed parking spaces, snow storage areas, and the additional tree plantings in the buffer zone in the southwest end of the parcel.
3. The applicant shall plant 3-4 additional trees within the rear buffer area to supplement the existing tree and provide additional screening and protection for the abutting residential properties.
4. The size and composition of the existing buffer zone along the south side of the property must be maintained as a condition of approval.
5. The applicant shall obtain a Building Permit and a Sign Permit prior to any construction from the Bureau of Code Enforcement.
6. The applicant shall provide the expected flow rates for water and sewer when the structure is operational.

At 6:34 p.m., Mr. Babcock moved to adjourn the meeting. Ms. Blevins seconded the motion, and all voted in favor.

Respectfully submitted,

Sharlice Bonello
Planner

Jefferson County Industrial Development Agency
800 Starbuck Avenue, Suite 800
Watertown, NY 13601
(315) 782-5865

2024 Board Attendance

[illegible]