



ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

333 WEST WASHINGTON STREET, SUITE 130, SYRACUSE, NY 13202
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Regular Meeting Agenda October 13, 2020

Call to Order the Finance (8:00 am), Governance (8:05 am) and Regular (8:10 am) Meeting of the Agency

- A. Approval of Minutes-September 15 & September 22, 2020
- B. Treasurers Report
- C. Payment of Bills
- D. Conflict of Interest
- E. Adopt 2021 Budget

Action Items

1. Empire Polymer Holdings LLC & Empire Polymer Solutions, LLC (3101-20-19A): Second Meeting

Empire Polymer Solutions is proposing to purchase, renovate and construct an existing 205,000 sq. ft. facility to be used to process and manufacture goods from recycled plastics. This project is in the Town of Van Buren at the former Syroco location. The applicant is requesting exemptions from certain sales and use taxes, mortgage recording taxes, real property taxes and real estate transfer taxes.

Agency Action Requested:

- a. A Resolution of the Board reaffirming the Board's prior SEQRA determination and authorizing the financial assistance the agency will provide. Agency benefits requested include exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes.

Representative: Amanda Mirabito, Legal Counsel, Barclay Damon LLP

2. Milton Real Properties of Massachusetts, LLC & Southworth-Milton, Inc (DBA Milton CAT) (3101-20-18A): Second Meeting

Milton CAT is proposing to construct a 75,000-85,000 square foot building in the Town of Cicero. The applicant is requesting exemptions from certain sales and use taxes.

Agency Action Requested:

- a. A SEQR Resolution
- b. A Resolution of the Board authorizing the financial assistance the Agency will provide. Agency benefits requested include exemptions from certain sales and use taxes.

Representative: Bradlee Farrin, Corporate Facilities Manager, Milton CAT

3. A Request for Proposal (RFP) for Legal Services

The Agency is proposing to issue a request for proposal for firms to provide the necessary legal services to enable the Agency to comply with all applicable laws and regulations; all Board policies, carry out the mission of the Agency and any other relevant work as directed by the Board.

Agency Action Requested:

- a. A Resolution of the Board to authorize the issuance of a RFP for legal services.

Representative: Robert Petrovich, Executive Director, OCIDA

4. A Request for Proposal (RFP) for Audit Services

The Agency is proposing to issue a request for proposal for firms to provide the necessary audit services to enable the Agency to comply with all applicable laws and regulations; all Board policies, carry out the mission of the Agency and any other relevant work as directed by the Board.

Agency Action Requested:

- a. A Resolution of the Board to authorize the issuance of a RFP for audit services.

Representative: Robert Petrovich, Executive Director, OCIDA

5. OCIDA COVID-19 Small Business Grant

OCIDA Board to approve grants to small businesses and not-for-profits to be used to reimburse costs incurred acquiring personal protective equipment or installing fixtures necessary to prevent the spread of COVID-19.

Agency Action Requested:

- a. A Resolution of the Board authorizing grants to qualified applicants pursuant to the COVID-19 Grant Legislation for authorized use up to the amount of \$10,000.

Representative: Robert Petrovich, Executive Director, OCIDA

Executive Session

Adjourn

SUBJECT TO BOARD APPROVAL

Onondaga County Industrial Development Agency
Regular Meeting Minutes
September 15, 2020

A regular meeting of the Onondaga County Industrial Development Agency was held on Tuesday, September 15, 2020 via Zoom Teleconference.

Janice Herzog called the meeting to order at 8:11 am with the following:

PRESENT VIA TELECONFERENCE:

Janice Herzog
Steve Morgan
Sue Stanczyk
Kevin Ryan
Victor Ianno
Fanny Villarreal

ABSENT:

Patrick Hogan

ALSO PRESENT:

Robert Petrovich, Executive Director
Nancy Lowery, Secretary
Nate Stevens, Treasurer
Karen Doster, Recording Secretary
Carolyn Evans-Dean, Office of Economic Development
Jeff Davis, Barclay Damon Law Firm
Amanda Mirabito, Barclay Damon Law Firm
Joseph Mendelsohn, GSPP Sentinel Heights Rd, LLC
Sarah Stephens, SS Funding & Procurement Resources, LLC
George Laigaie, TC Syracuse
Robert Murray, Harris Beach, PLLC
Timothy Pecci, CF Anaconda

(Janice Herzog shared information as to how the meeting will be conducted in light of COVID-19 at the start of the Governance Committee Meeting.)

APPROVAL OF REGULAR MEETING MINUTES–AUGUST 5, 2020

Upon a motion by Susan Stanczyk, seconded by Fanny Villarreal, the OCIDA Board approved the regular meeting minutes of August 5, 2020. Motion was carried.

APPROVAL OF REGULAR MEETING MINUTES - AUGUST 11, 2020

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved the regular meeting minutes of August 11, 2020. Motion was carried.

TREASURER'S REPORT

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

Upon a motion by Susan Stanczyk, seconded by Fanny Villarreal, the OCIDA Board approved the Treasurer's Report for the month of August 2020. Motion was carried.

PAYMENT OF BILLS

Nate Stevens gave a brief review of the Payment of Bills Schedule #447.

Susan Stanczyk asked who Hawley Studios is. Nate Stevens stated the office needed to update some of their materials and they are a local photographer.

Upon a motion by Fanny Villarreal, seconded by Susan Stanczyk, the OCIDA Board approved the Payment of Bills Schedule #447 for \$1,521.78 and PILOT payments to Hinsdale Road Group, LLC for \$525,000.00, and Town of Camillus for \$146,525.53, West Genesee Central School District for \$508,983.42 and Onondaga County for \$115,678.05. Motion was carried.

CONFLICT OF INTEREST DISCLOSURE

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

(Steve Morgan joined meeting.)

GREEN STREET POWER PARTNERS (GSPP) SENTINEL HEIGHTS ROAD, LLC SECOND MEETING

(Victor Ianno joined meeting.)

Joe Mendelsohn stated this is a 3.75 megawatt solar PV system positioned in the Town of Lafayette off Sentinel Heights Road. He stated they have gone through the approval process in

the Town of Lafayette and have received both the special use permit and site plan approval for the project. He stated they initiated the conversation with the Onondaga County IDA back in May and since then there were some minor changes. He stated it dropped from 5 megawatts down to 3.75 due to some feedback from National Grid. He stated they have received the interconnection agreement from National Grid. He stated that there are submitted letters of support from the Town and School District.

Janice Herzog asked why National Grid had asked to reduce the wattage on the project. Joe Mendelsohn stated it had to do with some line restrictions due to other projects already existing on Sentinel Heights. He stated this was the maximum they could hold without substantial upgrades to their infrastructure.

Sue Stanczyk stated the application says there is employment opportunity in retention of employees and in another spot it indicates zero. She stated assuming the employees indicated are strictly construction and maintenance on the facility and asked what the jobs are. Joe Mendelsohn stated it is the construction during construction period which is about 6 months and they will have ongoing operations and maintenance of the facility with about 900 annual work hours. He stated it is in Section 3 of the supplemental information on the application.

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

Jeff Davis stated this is a Type I Action. He stated at the time it was not known that the project would come before OCIDA so the Town of Lafayette was lead agency and is a Type I action issuing a negative declaration. He stated had OCIDA been an involved agency at the time we would have consented to the process and would have been bound by the decision. He stated counsel reviewed the Lafayette decision, prepared a resolution in which the Board is accepting the determination of the Lafayette ZBA and the issuance of a negative declaration in the same context had we been noticed of their Lead Agency status. He stated the recommendation is the adoption of the resolution identifying the Type I action and reaffirming and reissuing the negative declaration issued by the Town of Lafayette ZBA.

Upon a motion by Susan Stanczyk, seconded by Victor Ianno the OCIDA Board approved a resolution authorizing the adoption of the SEQR determination issued by the Town of Lafayette

as a Type I action for the Green Street Power Partners (GSPP Sentinel Heights Road, LLC project. Motion was carried.

Upon a motion by Victor Ianno, seconded by Susan Stanczyk, the OCIDA Board approved a resolution authorizing the financial assistance the Agency will provide including exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes for the Green Street Power Partners (GSPP Sentinel Heights Road, LLC project. Motion was carried.

TRACEY ROAD EQUIPMENT, INC. – SECOND MEETING

Sarah Stephens stated Tracey Road Equipment has outgrown their current space and is looking to add an expansion to their shop area by investing roughly \$4,500,000 in the expansion, site work and purchase of equipment. She stated there will be an additional 30 employees added to their current 140. She stated a majority of the new employees will be truck techs. She stated they have a partnership through BOCES to help with training that helps provide training for individuals they can then hire. She stated they have all of the Town of DeWitt approvals and have gone through all the processes and permitting. She stated they had to do a consolidation of the lots.

Victor Ianno asked if the expansion is being done on the back on Manlius Center Road. Sarah Stephens stated yes towards the back where the shop is.

Victor Ianno asked if they have all the room they need. Sarah Stevens stated yes. She stated they own about 12 parcels in that area and some of them are undeveloped.

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

Jeff Davis stated the EAF was provided and it is an unlisted action. He stated he is recommending a negative declaration and a resolution was prepared for the Board to that effect and it has been reviewed by staff. He stated recommendation is adoption of the resolution issuing a negative declaration under SEQR.

Upon a motion by Victor Ianno, seconded by Kevin Ryan, the OCIDA Board approved a resolution authorizing the adoption of the SEQR determination as an unlisted action for the Tracey Road Equipment, Inc. project. Steve Morgan abstained. Motion was carried.

Upon a motion by Fanny Villarreal, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing the financial assistance the Agency will provide including exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes for the Tracey Road Equipment, Inc. project. Steve Morgan abstained. Motion was carried.

UNIFORM TAX EXEMPTION POLICY 2020 (UTEP)

Robert Petrovich stated the Board has a modification to the UTEP which accomplishes a couple of key things driven somewhat by COVID. He stated what staff is looking at doing is making Onondaga County as attractive as we can for businesses that are here to expand and for businesses that want to locate here. He stated one of the major components of the UTEP is the creation of new PILOT schedules. He stated in addition to that staff focused on job retention and job creation PILOTs and the proposed PILOTs are very competitive PILOTs when measured against other IDAs across the state. He stated staff also included an MWBE component such that if local companies create a situation where they are enhancing their MWBE hiring they can come back to the Board upon demonstration and documentation of achieving those goals and objectives for an enhanced benefit from the PILOT program that they already sought. He stated those are the overarching and main new items included in the UTEP. He stated he has been working with staff and counsel on it and was circulated among various Board members for comment. He stated the UTEP has gone out to the taxing jurisdictions as was covered in the Governance Committee meeting. He stated the IDA Secretary has commented that there was only one comment on the UTEP and that comment was satisfactorily addressed. He stated we are in a position now to move this forward and thinks it is going to be a helpful tool in our tool box to be able to keep the businesses we have and attract businesses we are seeking in Onondaga County.

Upon a motion by Kevin Ryan, seconded by Victor Ianno, the OCIDA Board approved a resolution accepting the revised 2020 Uniform Tax Exemption Policy (UTEP). Motion was carried.

TC SYRACUSE ASSIGNMENT APPROVAL

Robert Murray stated TC Syracuse Development Associates, LLC was the developer, the initial applicant, site selector and conducted due diligence to get the project going ultimately for the purposes of housing tenant Amazon. He stated at this time TC Syracuse Development Associates, LLC was only the developer and not a landlord. He stated it does not want to own, operate and lease the facility. He stated as contemplated on day one we are now at the point in time where CF Anaconda SYR LLC, the investor entity, is going to be taking over the project. He stated CF Anaconda SYR LLC is going to be purchasing the facility and the land from TC Syracuse Development Associates, LLC and then it will be seeking the Agency's consent to lease the facility to Amazon. He stated CF Anaconda SYR LLC will be the new landlord entity and will be in contract directly with the IDA and sublease to Amazon. He stated TC Syracuse Development Associates, LLC, George Laigaie, his company and all the faces will stay the same. He stated TC Syracuse Development Associates, LLC Mr. Laigaie is staying on as the developer of the project seeing it through Certificate of Occupancy issuance.

Janice Herzog asked if CF Anaconda Syr LLC will assume all obligations and be responsible for all recordings/filings. Robert Murray stated yes. He stated CF Anaconda SYR LLC will be stepping into TC Syracuse Development Associates, LLC's shoes and will have all the obligations, liabilities and responsibilities going forward.

Victor Ianno asked if CF Anaconda SYR LLC is a local organization. Robert Murray stated it is a Delaware Corporation investment vehicle.

Victor Ianno asked if there are any local people involved. Robert Murray stated no local investors. He stated the project is not changing and they are still leasing to the tenant Amazon which is the job creator. He stated as far as CF Anaconda SYR LLC having management or site facility on the ground he is not sure of that piece of the transaction. He stated CF Anaconda SYR LLC is an investment entity which will own the project and lease it to Amazon. He stated this is just as contemplated but more typically this would have happened on day one where CF Anaconda SYR LLC would have been the applicant and not TC Syracuse Development Associates, LLC but based on the speed and the size of the project nothing was lined up perfectly

and TC Syracuse Development Associates, LLC found themselves the initial owner of the property.

Jeff Davis stated counsel worked with CF Anaconda SYR LLC on this matter. He stated they created a single purpose entity called CF Anaconda SYR LLC and it flows up to a parent company which is their investment arm; a significant entity with a lot of assets. He stated IDA counsel is comfortable that this is an appropriate entity to step into the shoes of TC Syracuse Development Associates, LLC.

Jeff Davis stated for SEQR purposes this is a Type II action and no further environmental review is needed for the transfer.

Upon a motion by Susan Stanczyk, seconded by Steve Morgan, the OCIDA Board approved a resolution approving an assignment transaction by TC Syracuse Development Associates to CF Anaconda SYR LLC and authorizing the execution and delivery of documents in connection therewith. Motion was carried.

EXECUTIVE SESSION

Jeff Davis stated counsel is recommending going into executive session for the purpose of discussing the potential acquisition of land by OCIDA. He stated a motion is needed to move into the executive session for that discussion.

Upon a motion by Janice Herzog, seconded by Kevin Ryan, the OCIDA Board went into Executive Session at 8:40 am. Motion was carried.

Upon a motion by Kevin Ryan, seconded by Victor Ianno, the OCIDA Board adjourned Executive Session at 8:57 am. Motion was carried.

PURCHASE CONTRACT EXECUTION

Jeff Davis stated there is no specific project and no actual land disturbances contemplated at this time, this is just a SEQR resolution for the purchase of property. He stated that to the extent there is a segmentation concern under SEQR that is addressed in the resolution by noting the fact that this is just a simple purchase of land and if there were any future development on the property that would be covered through a future SEQR determination for development. He stated the recommendation is to issue a negative declaration for this Type I action and noting the fact that to the extent necessary this is permissive segmentation under SEQR because there is no actual project and simply the purchase of the land and any SEQR review of potential environmental impacts would be speculative at this time.

Upon a motion by Victor Ianno, seconded by Susan Stanczyk, the OCIDA Board approved a resolution authorizing the adoption of the SEQR determination as a Type I action for purchase of property. Motion was carried.

Upon a motion by Kevin Ryan, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing the Executive Director to enter into a purchase contract and any related documents with respect to additional property. Motion was carried.

Upon a motion by Victor Ianno, seconded by Fanny Villarreal, the OCIDA Board adjourned the meeting at 9:00 am. Motion was carried.

Nancy Lowery, Secretary

SUBJECT TO BOARD APPROVAL

Onondaga County Industrial Development Agency
Special Meeting Minutes
September 22, 2020

A special meeting of the Onondaga County Industrial Development Agency was held on Tuesday, September 22, 2020 via Zoom Teleconference.

Patrick Hogan called the meeting to order at 8:02 am with the following:

PRESENT VIA TELECONFERENCE:

Patrick Hogan
Janice Herzog
Steve Morgan
Sue Stanczyk
Victor Ianno
Fanny Villarreal

DELAYED:

Kevin Ryan

ALSO PRESENT:

Robert Petrovich, Executive Director
Nancy Lowery, Secretary
Nate Stevens, Treasurer
Karen Doster, Recording Secretary
Carolyn Evans-Dean, Office of Economic Development
Jeff Davis, Barclay Damon Law Firm
Amanda Mirabito, Barclay Damon Law Firm
Tony Mancuso, Mancuso Commercial Realty
Brad Farrin, Milton CAT
Timothy Pecci, CF Anaconda
George Laigaie, TC Syracuse
Robert Murray, Harris Beach, PLLC
Marni Wright, Amazon
Jon Giokas, Amazon

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

CONFLICT OF INTEREST DISCLOSURE

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

EMPIRE POLYMER HOLDINGS LLC & EMPIRE POLYMER SOLUTIONS, LLC: INITIAL MEETING

Jeff Davis stated this project has been before the Board previously and a public hearing was held. He stated there have been no physical changes in the project but there are changes in the structure of the project from a company standpoint. He stated to comply with GML we are going to re-notice and re-hold the public holding and proceed with the project's potential inducement after the public hearing is held.

Robert Petrovich stated this has been reviewed with the applicant and they are fine with it in terms of the timing and the process relative to closing. He stated staff has been working with the County Law Department and the applicant is proceeding to closing on the real estate and acquiring property tomorrow or Thursday.

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

MILTON REAL PROPERTIES OF MASSACHUSETTS, LLC & SOUTHWORTH-MILTON, INC. (DBA MILTON CAT)

(Kevin Ryan joined meeting.)

Tony Mancuso stated Milton CAT is proposing a \$26,000,000 investment at 7285 Eastman Road in Cicero. He stated the proposed facility will be about a 75,000-85,000 sq. ft. building on 20 acres. He stated they are requesting sales tax exemption. He stated in their package submitted there is a narrative on what and why are they making the move to the Cicero location.

Robert Petrovich stated Milton CAT is located at a facility on Ainsley Drive in the City. He stated that facility will stay in use for some operations of Milton CAT. He stated staff has reached out to the SIDA and the City of Syracuse and they are aware of the project. He stated they have had communication with Milton CAT and understand the project. He stated they have no issues with this project moving forward.

Janice Herzog asked for a description of what the business does and is there other services or products they provide. Brad Farrin stated at this location it is an authorized dealer of Caterpillar in the northeast but they also do standby power generation for hospitals and things of that nature. He stated this will also be the headquarters for SiTech Northeast owned by the Milton family and is a GPS 3D modeling they do for the technology piece of the business. He stated it is exciting and is a new way a lot of contractors are building their sites and constructing their projects. He stated SiTech will be there as well as their standard service and sales and parts for Caterpillar equipment.

Janice Herzog asked if the new technology with SiTech will hire new people or train the existing employees. Brad Farrin stated they are a 3rd generation family owned business and want to be up front and they would not be making this kind of investment if they were not hopeful that the business piece would grow creating more market share and add jobs. He stated it is not one of those things they can guarantee when completing the application.

Sue Stanczyk asked if they are bringing people from other facilities into the area, is this a new headquarters or is it basically taking people from Ainsley Drive and moving to the facility in Cicero. Brad Farrin stated Milton CAT owns two properties on Ainsley Drive. He stated one property is the earth moving and power systems and the other is where SiTech is currently located. He stated their plan it to bring those employees to the Cicero facility and they have a new company they started called Milton Rents. He stated they plan to make one of the properties, most likely 335 Ainsley, a Milton Rents facility.

Patrick Hogan stated it seems like there is a strong desire to train people. Brad Farrin stated that workforce is one of the things they really try and work on and keeping up with some of the community colleges. He stated if they can get them in early and get them interested, it is a lot easier to bring that workforce along. He stated there are a number of different ways to team up and partner on that front.

Patrick Hogan stated it seems like there are a lot of openings across the nation as far as diesel technicians go. Brad Farrin stated it is really complicated now with the computer systems and emissions exhaust.

Sue Stanczyk asked if the new location in Cicero is a brand new build or an existing facility they are renovating. Brad Farrin stated it is a brand new build. He stated it is on a farm field. Tony Mancuso stated it hasn't been farmed in a couple years.

Upon a motion by Victor Ianno, seconded by Susan Stanczyk, the OCIDA Board approved a resolution authorizing a public hearing for the Milton Real Properties of Massachusetts, LLC & Southworth Milton Inc. (dba Milton Cat) project. Motion was carried.

TC SYRACUSE LEASE APPROVAL

Timothy Pecci stated the first part of this project was approved last week which was the transfer of property from TC Syracuse entity to CF Anaconda. He stated CF Anaconda is an investment vehicle that is partnering with Amazon fulfillment center to this site. He stated this is the second part that is contemplated in the original approval which is the subleasing of the site from CF Anaconda to Amazon under a long term sublease.

Robert Petrovich stated staff has been working with Counsel and asked Jeff Davis for commentary on this. Jeff Davis stated he confirmed the lease from Anaconda to Amazon is consistent with the requirements that were under the original project approval. He stated it meets with the insurance requirements required in the original project approval so it is a flow through lease that has the same conditions. He stated all of the conditions that were important to the Agency were discussed and in the lease. He stated in the original approval it was contemplated for SEQR purposes that this project would be leased. He stated the lease was also reviewed under the original SEQR Negative Declaration and there is nothing that needs to be done from a SEQR perspective. He stated the approval of the lease is consistent with the original project plan presented and consistent with what the IDA has in the lease originally to TC Syracuse but now to CF Anaconda Syracuse.

Patrick Hogan asked if all the entities are aware and agree to abide by everything that OCIDA has decided as far as the original agreement. Jeff Davis stated yes.

Patrick Hogan asked if Amazon does this type of changing over across the country. Tim Pecci stated he does not know no specifically but he knows they have partnered with Amazon on a

handful of projects. Marni Wright stated there are some transactions with Amazon partners similar to this but she would not say this is necessarily a template. She stated they are all different.

Upon a motion by Janice Herzog, seconded by Susan Stanczyk, the OCIDA Board approved a resolution approving a lease of a project facility from CF Anaconda Syr LLC to Amazon.com Services LLC. Motion was carried.

AUTHORIZATION FOR EXECUTIVE DIRECTOR TO EXECUTE LAND OPTIONS

Robert Petrovich stated as the Board is aware there may be opportunities to acquire parcels and this would be an opportunity to secure land options but not necessarily acquire property that is important for advancing some of the key projects that we are looking to secure for Onondaga County.

Patrick Hogan asked if everything being bought would come before the Board. Robert Petrovich stated if we were to exercise an option he would bring it to the Board for review and approval.

Jeff Davis stated the action that is being requested by the Board is an authorization for Robert Petrovich to negotiate and enter into the option agreements. He stated it is really to lock up the land for an option, allowing due diligence that needs to be done etc. but not to proceed to actual purchase. He stated it is exercising the option if the decision is that the land wants to be acquired and owned by OCIDA then it would come back to the Board for full authorization of the purchase and sale agreement similar to what was done at the last meeting.

Jeff Davis stated his recommendation for a motion would be a resolution of the Board authorizing the Executive Director to negotiate and enter into option agreements for an aggregate total of \$200,000 for the potential acquisition of land for the purposes of promoting attracting and developing commerce and industry to advance job opportunities, health, general prosperity and economic welfare, prevent unemployment and economic deterioration. He stated there is a cap of \$200,000, meaning that it is not carte blanche approval, to enter into option agreements but the total amount the Board is authorizing is up to \$200,000.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved a resolution authorizing the Executive Director to negotiate and enter into option agreements for an aggregate total of \$200,000 for the potential acquisition of land for the purposes of promoting attracting and developing commerce and industry to advance job opportunities, health, general prosperity and economic welfare, prevent unemployment and economic deterioration. Motion was carried.

OCIDA COVID-19 SMALL BUSINESS GRANT

Robert Petrovich stated as the Board is aware the State has approved the ability for IDA's to provide loans and grants to small businesses impacted by COVID-19 in particular the statute identifies the acquisition, purchase of PPE and those costs can be submitted to the IDA. He stated the IDA can provide loans or grants but in this instance we decided to provide grants as was authorized at the last meeting for an aggregate total of up to \$500,000. He stated Deputy Director, Carolyn Evans-Dean, has been working on the review of these applications in concert with Barclay Damon to make sure what has been put forward comports with the statute. He stated we have 14 applications ready for approval by the Board. He stated it is going to be a rolling process and the expectation is there will be additional ones in October.

Carolyn Evans-Dean stated we took a lot of applications in and working with Jeff and Amanda they established a criteria for being able to make sure each applicant had met the criteria the Board wanted. She stated we also had to stay in the parameters of the legislation itself. She stated they took their time going through the applications and worked with each applicant to make sure they complied with everything.

Sue Stanczyk stated the applicants on the list for approval are ok but in the Executive Office they get complaints and investigators are sent to look at businesses not complying with rules and regulations associated with COVID-19. She stated she would like to give consideration that in that we are not giving approval to businesses that are not following the rules. She stated if they are not following the rules because they can't afford to buy the PPE that is a different story but if they are blatantly not following rules like some are, she would want to make sure those we don't proceed with. She stated she appreciates getting the list a few days in advance and that helps but if there is an opportunity for the Board to have input on some of these prior to vote she would

appreciate that. She stated there is one on the conditional list that she is not comfortable with because of the complaints they have had up to this point.

Carolyn Evans-Dean stated it is only fair to provide assistance when businesses are doing their best to comply with the rules and regulations. She stated we will provide that information earlier and allow the Board to cross reference with the records they have.

Susan Stanczyk thanked Carolyn Evans-Dean and the work staff has done. She stated there are a lot of good businesses out there that really need some help. She stated she thinks this is a great step and really thinks it is going to benefit a lot of businesses. She stated there are a lot of small businesses that just could not qualify for some of the other loans. She asked how many applications were received. Carolyn Evans-Dean stated so far the office received about 70 applications.

Fanny Villarreal asked if the grants are open for the not for profits as well. Carolyn Evans-Dean stated yes it is open to not for profits as well.

Janice Herzog asked if the question “are you complying with all the requirements” and “are you aware of all the requirements” should be added to the application. Carolyn Evans-Dean stated it is on the application but she thinks people aren’t 100% clear what that means. She stated staff checks against the list of business affirmations and the gym inspections completion database.

Janice Herzog asked if air purifications systems are part of requirements for PPE. Carolyn Evans-Dean stated yes. She stated the way the funds can be distributed are for either PPE or for fixtures to mitigate COVID-19.

Steve Morgan asked if companies that are deemed essential and received the payroll protection are eligible for this grant money because it seems like a double dip. Sue Stanczyk stated yes and this is more for requirements to reopen. She stated when the State set up the guidelines they required certain sanitation protocol and PPE on hand but some of the facilities did not have it. She stated this grant is for that. She stated the payroll protection was more for employees. She stated that some of the businesses, even if they have been essential from the beginning still need to meet the same requirements as businesses reopening. She stated they may have had some PPE but now they are putting more employees on the payroll and have to provide PPE for the

employees and equipment. Carolyn Evans-Dean stated also funds are restricted for certain things whether it's just for payroll or for some other purpose and this is specifically for PPE.

Victor Ianno asked if there a way to monitor the money once it is given to them. Carolyn Evans-Dean stated it is a reimbursement based grant so all applicants have already spent the money. She stated we are simply reimbursing them once we see the completed application and receipts.

Jeff Davis stated to be in compliance with the ABO, each applicant approved will enter into a short grant agreement with the Agency. He stated they will receive a letter saying they have been approved and they need to attest to and reaffirm the provisions of their applications, primarily the recapture provisions that if any of the information is later found to be inaccurate or false in the application they submitted, the Agency could recapture the grant funds. He stated once they return the short grant agreement to the Agency, they will receive the grant funds.

Jeff Davis stated the resolution would be authorizing a grant under the Agency's COVID-19 Grant Program to the 14 applicants listed on the pending full approval schedule provided to the Board members in the amounts as listed on the schedule for the purpose of acquiring personal protective equipment and/or installing fixtures necessary to prevent the spread of COVIC-19.

Upon a motion by Janice Herzog, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing a grant under the Agency's COVID-19 Grant Program to the 14 applicants listed on the pending full approval scheduled provided to the Board members in the amounts as listed on the schedule for the purpose of acquiring personal protective equipment and/or installing fixtures necessary to prevent the spread of COVID-19. Motion was carried.

Upon a motion by Janice Herzog, seconded by Steve Morgan, the OCIDA Board adjourned the meeting at 8:41 am. Motion was carried.

Nancy Lowery, Secretary



ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
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September 30, 2020

Revenue / Expense / Income	Current Period	Current YTD	2020 Budget Amount	Current YTD Change to Budget
Operating Revenue	3,658	4,233,579	1,526,000	2,707,579
Administrative Expense	44,122	413,547	900,000	(486,453)
Operating/Program Exp.	3,241	714,303	626,000	88,303
Net Ordinary Income	(43,705)	3,105,729	-	3,105,729

Current Assets	Current YTD	Prior YTD
Total Cash	6,596,105	4,454,780
Less Pass Through Received	1,807,097	1,853,530
Available Cash	4,789,009	2,601,250
Receivables (less pass through rec.)	950,524	661,854
Grant Reimbursements	268,733	268,733
Total	6,008,266	3,531,837

Reserve for Contracts	
County Operations 2020	486,453
Professional Services	(121,365)
333 W. Washington St 2020 Rent	35,191
WPCP Sewer Design Engineering	108,151
OBG WPCP CO #4 Additional Studies	523,969
JMT 800 Hiawatha Engineering	25,000
National Grid WPCP Engineering Gas	-
National Grid WPCP Engineering Electric	-
CNYIBA Consulting Services Agreement	17,500
OC COVID Small Business Relief Fund	500,000
Total	1,574,900

Receivables	
0-120 days	728,500
> 120 days	490,757
Total	1,219,257

Onondaga County Industrial Development Agency

PROFIT AND LOSS

September 2020

	TOTAL
Income	
500 Operating Revenue	
2410 Lease Income	1,500.00
2655 Other Operating Revenue	2,008.56
Total 500 Operating Revenue	3,508.56
501 Non-Operating Revenue	
2401 Interest Income	149.31
Total 501 Non-Operating Revenue	149.31
534 Pilot & Pass Thru Revenue	
529 PILOT Income	3,103,283.88
Total 534 Pilot & Pass Thru Revenue	3,103,283.88
Total Income	\$3,106,941.75
GROSS PROFIT	\$3,106,941.75
Expenses	
6400 Operating Expense	
6407 Administrative Expense	44,122.48
6408 Board Mtg Exp	351.27
6409 Conference Attendance	1,125.00
6410 Office Expense	999.36
Total 6400 Operating Expense	46,598.11
6500 Agency Program Expenses	
6510 White Pine Commerce Park	
6510.7 WPCP Marketing	681.25
Total 6510 White Pine Commerce Park	681.25
Total 6500 Agency Program Expenses	681.25
6600 Non-Operating Expenses	
6601 Service Charges	83.73
6605 Pilot & Pass Thru Expenses	
6605.2 PILOT Expense	3,103,283.88
Total 6605 Pilot & Pass Thru Expenses	3,103,283.88
Total 6600 Non-Operating Expenses	3,103,367.61
Total Expenses	\$3,150,646.97
NET OPERATING INCOME	\$ -43,705.22
NET INCOME	\$ -43,705.22

Onondaga County Industrial Development Agency

BALANCE SHEET

As of September 30, 2020

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
200 Cash	0.00
200.1 Cash - M & T Checking	5,714,871.53
200.2 Cash - M & T Money Maker Savings	890,141.75
200.4 Destiny USA Restricted Cash	-8,957.82
210 Petty Cash	50.00
Total 200 Cash	6,596,105.46
Total Bank Accounts	\$6,596,105.46
Accounts Receivable	
380 Accounts Rec.	
380.6 A/R Agency Fees	814,437.58
Total 380 Accounts Rec.	814,437.58
Total Accounts Receivable	\$814,437.58
Other Current Assets	
391 Long Tern Receivable	222,024.00
393 Grant Reimbursements	
393.2 Nat Grid WPCP	268,733.32
Total 393 Grant Reimbursements	268,733.32
480 Prepaid Expenses	
480.4 Credit Balance on Card	131.83
Total 480 Prepaid Expenses	131.83
Total Other Current Assets	\$490,889.15
Total Current Assets	\$7,901,432.19

Onondaga County Industrial Development Agency

BALANCE SHEET

As of September 30, 2020

	TOTAL
Fixed Assets	
100 Land	
101 White Pines Commerce Park	1,520,401.50
101.1 WPCP GEIS	
101.101 CHA GEIS 1	267,452.05
101.102 CHA GEIS 2	219,439.36
101.104 GEIS Reg Plan Board Overview	19,797.74
Total 101.1 WPCP GEIS	506,689.15
101.2 WPCP Legal	69,774.25
101.3 Engineering Services	52,675.00
101.301 Temporary Access	4,055.44
101.4 Environmental/Demo Services	10,318.98
Total 101.3 Engineering Services	67,049.42
101.5 Land Acquisition Costs	
101.501 Land Purchases	1,160,063.57
101.502 Closing Costs	3,168.14
Total 101.5 Land Acquisition Costs	1,163,231.71
Total 101 White Pines Commerce Park	3,327,146.03
106 North Salina Properties	0.00
106.1 435 North Salina	17,083.55
106.3 435 North Salina Building	634,421.53
Total 106 North Salina Properties	651,505.08
107 800 Hiawatha	604,840.42
Total 100 Land	4,583,491.53
104 Machinery & Equipment	
104.1 Office Furniture	1,429.00
104.2 Equipment	1,432.40
Total 104 Machinery & Equipment	2,861.40
211 A/D Office Furniture	-2,861.00
213 A/D Buildings	-65,068.00
Total Fixed Assets	\$4,518,423.93
Other Assets	
240 Blue Sky Redevelopment	1,641.76
Total Other Assets	\$1,641.76
TOTAL ASSETS	\$12,421,497.88

Onondaga County Industrial Development Agency

BALANCE SHEET

As of September 30, 2020

	TOTAL
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
600 Accounts Payable	0.00
600.1 Due to Related Party - OED	135,914.11
600.206 Mileage Reimbursement	92.34
600.208 BlueRock Energy Agreement Deposit	25,000.00
Total 600 Accounts Payable	161,006.45
601 PILOT and Pass Thru Payable	
602 Pass Thru Payable	10,371.00
604 Other Pass Thrus	74,063.70
Total 601 PILOT and Pass Thru Payable	84,434.70
631 Due to Other Governments	
631.2 Villages	
631.22 East Syracuse	22,290.45
Total 631.2 Villages	22,290.45
631.3 Schools	
631.305 Baldwinsville	1,529,954.00
631.315 East Syracuse-Minoa	220,075.98
631.356 Syracuse	15,358.47
Total 631.3 Schools	1,765,388.45
631.4 Onondaga County	10,813.25
631.5 City of Syracuse	8,604.73
Total 631 Due to Other Governments	1,807,096.88
Total Other Current Liabilities	\$2,052,538.03
Total Current Liabilities	\$2,052,538.03
Total Liabilities	\$2,052,538.03
Equity	
3900 Equity Unreserved	4,544,563.05
3901 Equity-Investment Fixed Assets	2,345,838.63
463 Reserve For Contracts	1,574,899.67
465 Equity - Unreserved	-1,202,070.67
Net Income	3,105,729.17
Total Equity	\$10,368,959.85
TOTAL LIABILITIES AND EQUITY	\$12,421,497.88

**ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
PAYMENT OF BILL - SCHEDULE #448
October 13, 2020**

GENERAL EXPENSES

1. <u>ONONDAGA COUNTY</u>	\$ 135,914.13
3rd Quarter 2020 Administrative Expense Payment	
2. <u>JMT OF NEW YORK, INC.</u>	\$ 6,284.50
Inv#17-1019501, 19-102067, 20-102207 & 21-102302, 800 Hiawatha Engineering	
3. <u>O'BRIEN & GERE ENGINEERS, INC.</u>	\$ 34,035.37
Inv#1940001803, WPCP Engineering	
4. <u>ONONDAGA CIVIC DEVELOPMENT CORP.</u>	\$ 15,693.49
Inv#1109 & 1110, 3rd Quarter 2020 Rent & Office Machines	
5. <u>BARCLAY DAMON LLP</u>	\$ 8,681.25
Inv#5087876. Legal thru August 31, 2020	
6. <u>DUSTY'S OUTDOOR SERVICE</u>	\$ 4,900.00
2020 WPCP Mowing	
7. <u>MACNY</u>	\$ 990.00
Inv#10501, Annual Membership	
8. <u>COOK'S COFFEE</u>	\$ 126.87
Inv#20-292 & 20-309, Coffee Service	
9. <u>ADVANCE MEDIA NEW YORK</u>	\$ 228.52
Public Hearing Notice Tracey Road	
10. <u>FEDEX</u>	\$ <u>41.04</u>
Inv#7-134-99993 & 7-102-46747, Shipping	
TOTAL	\$ 206,895.17

**ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
PAYMENT OF BILL - SCHEDULE #448
October 13, 2020**

PILOT Payments

1. <u>VILLAGE OF EAST SYRACUSE</u>	\$	22,290.45
2020 PILOT Payment		
2. <u>BALDWINSVILLE CSD</u>	\$	1,529,954.00
2020 PILOT Payment		
3. <u>EAST SYRACUSE MINOA CSD</u>	\$	220,075.98
2020 FW Webb and Bristol-Myers Squibb PILOT Payments		
4. <u>SYRACUSE CSD</u>	\$	15,358.48
3rd Quarter 2020 COR Inner Harbor Master PILOT Payment		
5. <u>CITY OF SYRACUSE</u>	\$	8,604.73
3rd Quarter 2020 COR Inner Harbor Master PILOT Payment		
6. <u>ONONDAGA COUNTY</u>	\$	<u>10,813.25</u>
3rd Quarter 2020 COR Inner Harbor Master PILOT Payment		
	TOTAL	\$ 1,807,096.89

**ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
PAYMENT OF BILL - SCHEDULE #448
October 13, 2020**

CO-VID 19 Grant Payments

1.	<u>7-9 SALINA STREET, LLC</u>	\$	9,377.22
	1st and Final COVID 19 Grant Program Payment		
2.	<u>BJ SPORTS & FITNESS, LLC</u>	\$	3,215.00
	1st and Final COVID 19 Grant Program Payment		
3.	<u>BUCKLEY ROAD DEVELOPMENT COMPANY</u>	\$	1,062.16
	1st and Final COVID 19 Grant Program Payment		
4.	<u>EMMI COMMERCE PARK DEVELOPMENT LLC</u>	\$	7,432.31
	1st and Final COVID 19 Grant Program Payment		
5.	<u>ETNA DEVELOPMENT COMPANY LLC</u>	\$	2,622.86
	1st and Final COVID 19 Grant Program Payment		
6.	<u>MAXIMUM RETURN TAX PREPARATION, LLC</u>	\$	2,699.56
	1st and Final COVID 19 Grant Program Payment		
7.	<u>MR. YUM YUM INC. - SAMMY MALONE'S</u>	\$	700.00
	1st and Final COVID 19 Grant Program Payment		
8.	<u>NEW YORK DISTRICT ASSEMBLIES OF GOD</u>	\$	1,653.87
	1st and Final COVID 19 Grant Program Payment		
9.	<u>PRIMA TERRA PROPERTIES LLC</u>	\$	2,085.51
	1st and Final COVID 19 Grant Program Payment		
10.	<u>SYRACUSE NINJA FACTORY, INC. DBA THE WARRIOR FACTORY</u>	\$	1,956.83
	1st and Final COVID 19 Grant Program Payment		
11.	<u>SYRACUSE YOUTH GOLF DBA THE FIRST TEE OF SYRACUSE</u>	\$	<u>2,762.87</u>
	1st and Final COVID 19 Grant Program Payment		
	TOTAL	\$	35,568.19

**ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
RESERVE FOR CONTRACTS
9/30/2020**

	CONTRACT	TOTAL	PORTION	BALANCE
DESCRIPTION	TERM	CONTRACT	PAID	OUTSTANDING
ONONDAGA COUNTY OED 2020	1-1-20-12-31-20	\$900,000.00	\$413,546.63	\$486,453.37
PROFESSIONAL SERVICES	1-1-20-12-31-20	\$55,000.00	\$176,364.82	-\$121,364.82
333 W. WASHINGTON ST 2020 RENT	1-1-20-12-31-20	\$65,000.00	\$29,809.12	\$35,190.88
WPCP SEWER DESIGN ENGINEERING	1/31/16-1/31/17	\$268,628.00	\$160,476.55	\$108,151.45
OBG WPCP CO #4 ADDITIONAL STUDIES	11/30/18-11/30/19	\$800,000.00	\$276,031.21	\$523,968.79
JMT 800 HIAWATHA ENGINEERING	2/13/19-12-31-20	\$25,000.00	\$0.00	\$25,000.00
NATIONAL GRID WPCP ENGINEERING GAS	11/29/18-11/29/19	\$403,100.00	\$403,100.00	\$0.00
NATIONAL GRID WPCP ENGINEERING ELECTRIC	11/29/18-11/29/19	\$375,000.00	\$375,000.00	\$0.00
CNYIBA CONSULTING SERVICES AGREEMENT	4-14-20-4-14-21	\$35,000.00	\$17,500.00	\$17,500.00
OC COVID SMALL BUSINESS RELIEF FUND	8-31-20 - 8-31-21	\$500,000.00	\$0.00	\$500,000.00
		\$3,426,728.00	\$1,851,828.33	\$1,574,899.67

**ACCOUNTS RECEIVABLE
9/30/2020**

AGENCY FEES RECEIVABLE		\$718,750.00
ACCOUNTS RECEIVABLE GENERAL		\$9,750.00
QUASI-EQUITY LOAN RECEIVABLE		\$0.00
GRANTS RECEIVABLE		\$268,733.00
LONG TERM RECEIVABLE		\$222,024.00
TOTAL		\$1,219,257.00

OCIDA 2021 Budget Draft

1.a. Operational Expenses	2018 Actuals	2019 Actuals	2020 Budget	2020 YTD	2021 Budget
Onondaga County Office	\$ 551,834	\$ 655,749	\$ 900,000	\$ 277,633	\$ 1,008,000
Marketing	\$ -	\$ 2,220	\$ 15,000	\$ -	\$ -
Legal Services	\$ 28,782	\$ 220,106	\$ 20,000	\$ 57,644	\$ 50,000
Accounting Services	\$ 1,499	\$ 1,499	\$ 2,000	\$ 1,558	\$ 2,000
Annual Audit	\$ 13,000	\$ 13,000	\$ 13,000	\$ 13,000	\$ 13,000
Other Professional Services	\$ 1,980	\$ 1,260	\$ 20,000	\$ 11,088	\$ 20,000
Insurance	\$ 5,877	\$ 6,914	\$ 8,000	\$ 5,664	\$ 6,000
Office Expenses	\$ 4,454	\$ 8,201	\$ 3,000	\$ 2,797	\$ 5,000
Meetings	\$ 2,593	\$ 19,182	\$ 15,000	\$ 8,253	\$ 15,000
Rent	\$ 58,881	\$ 58,841	\$ 65,000	\$ 14,905	\$ 65,000
Other Operating Exp	\$ 27,067	\$ 55,402	\$ 25,000	\$ 1,098	\$ 25,000
Subtotal Operational Expenses	\$ 695,967	\$ 1,042,373	\$ 1,086,000	\$ 393,639	\$ 1,209,000

1.b. Agency Program Expenses	2018 Actuals	2019 Actuals	2020 Budget	2020 YTD	2021 Budget
Project Expenses	\$ 12,500	\$ 12,500	\$ -	\$ -	\$ -
Property Reserve	\$ -	\$ -	\$ 150,000	\$ -	\$ 150,000
WPCP Marketing	\$ 16,107	\$ 30,514	\$ 25,000	\$ 14,333	\$ 25,000
WPCP Development	\$ 468,975	\$ 277,993	\$ 200,000	\$ 25,157	\$ 200,000
North Salina	\$ 28,143	\$ 5,702	\$ 10,000	\$ 6,824	\$ 7,000
800 Hiawatha	\$ 699,722	\$ 90,508	\$ 55,000	\$ 4,550	\$ 55,000
Subtotal Program Expenses	\$ 1,225,447	\$ 417,217	\$ 440,000	\$ 50,864	\$ 437,000
Total Operational and Program Expenses	\$ 1,921,414	\$ 1,459,590	\$ 1,526,000	\$ 444,503	\$ 1,646,000

OCIDA 2021 Budget Draft

2. Revenue	2018 Actuals	2019 Actuals	2020 Budget	2020 YTD	2021 Budget
Agency Revenues	\$ 1,427,729	\$ 1,887,593	\$ 1,483,000	\$ 2,200,440	\$ 1,603,000
Interest Income	\$ 9,507	\$ 8,036	\$ 6,000	\$ 636	\$ 6,000
Lease Payments	\$ 12,250	\$ 13,750	\$ 12,000	\$ 6,500	\$ 12,000
Other Operating Income	\$ 14,159	\$ 179,622	\$ 25,000	\$ 1,337,870	\$ 25,000
Subsidies Grants Donations	\$ 277,209	\$ 130,119	\$ -	\$ 2,744	\$ -
Total Revenues	\$ 1,740,854	\$ 2,219,120	\$ 1,526,000	\$ 3,548,190	\$ 1,646,000
<i>Revenue - Expenses</i>	<i>\$ (180,560)</i>	<i>\$ 759,530</i>	<i>\$ -</i>	<i>\$ 3,103,687</i>	<i>\$ -</i>

Onondaga County Industrial Development Agency



9/8/2020

Project Summary

1. Project	Milton Cat 2020 Expansion	2. Project Number	3101-20-18A
3. Location	Town of Cicero	4. School District	North Syracuse (CNS)
5. Tax Parcel(s)	055.-03-01.0 & 055.-03-02.0	6. Project Type	-
		Village	-

7. Total Project Cost	\$	26,000,000.00	8. Total Jobs	109
Land	\$	950,000	8A. Job Retention	109
Site Work	\$	5,000,000	8B: Job Creation	0
Building	\$	13,000,000	(Next 5 Years)	
Furniture & Fixtures	\$	1,000,000		
Equipment	\$	3,500,000		
Equipment Subject to NYS Production Exemption	\$	-		
Engineering/Architecture Fees	\$	1,000,000		
Financial Charges	\$	-		
Legal Fees	\$	50,000		
Other	\$	-		

Cost Benefit Analysis

Milton Cat 2020 Expansion

Fiscal Impact (\$)

Abatement Cost	\$1,040,000
Sales Tax	\$1,040,000
Mortgage Tax	\$0
Property Tax Relief (PILOT)	\$0
New Investment	\$21,169,850
PILOT Payments	\$0
Project Wages (10 years)	\$0
Construction Wages	\$1,958,850
Employee Benefits (10 years)	\$0
Project Capital Investment	\$18,950,000
New Sales Tax Generated	\$0
Agency Fees	\$261,000

Benefit:Cost Ratio

20.36 :1

Project Description

Milton CAT is proposing to construct 75,000 - 85,000 square feet of new construction at 7285 Eastman Road in Cicero NY

Milton CAT – 7285 Eastman Road

The proposed project will be located at 7285 Eastman Road, Cicero and represents a \$26,000,000 investment by Milton Cat. The proposed facility will be between 75,000 – 85,000 sq. ft. of buildings on 20 acres of land. The proposed site is currently farm land that has not been used in a number of years. This location will be shared by Milton Cat and SITECH Northeast. It is driven by three factors – the space to allow for expansion, the need for a more modern, engaging customer experience environment, and the ability to create a best in class work space for employees.

While our current location at Ainsley Drive has served us well for the last 20 years, the accessibility and roadways to the 60+ year-old location create transportation challenges specific to our business, and the structure and layout no longer meet the levels of our other locations or the needs of the market. Our current and future infrastructure requirements will be more than satisfied with our Eastman Road facility and footprint. Please note, that some operations will remain at the Ainsley Drive location.

From our Cicero location we will be able to better serve a wide variety of industries from 14 counties. This location is an authorized dealer of Caterpillar in the northeast and do standby power generation for hospitals and things of this nature. Customers from our earthmoving side of the business include landscapers, farms, site developers, bridge, highway and utility contractors, paving firms, forestry companies, aggregate producers, a salt mine, town, village and county municipalities and Fort Drum. Our power systems side of the business serves an equally diverse base of customers with the common thread being that they require reliable, sometimes critical-demand power – hospitals, banks, data centers, municipalities, on-highway trucks and many rental applications.

The new facility will also serve as corporate headquarters for SITECH Northeast which is a GPS 3D modeling for the technology piece of the business. SITECH is a sister company to Milton CAT, that sells and supports the technology and automation side of our earthmoving business. SITECH Northeast has been experiencing double-digit sales growth over the last seven years and has been filling good-paying, technology-based positions at the same rate.

The Milton CAT Syracuse location has a strong relationship with the NY BOCES program and a number of Diesel technology schools, in particular SUNY Morrisville. Our company has a robust internship and cooperative program to train technicians, many of whom we hire. These programs and the ability to teach technicians and other job roles will improve tremendously with the Cicero facility.

Design and construction decisions for the Eastman Road site will be handled by our corporate facilities department and every effort will be made to hire local to the job site. The culture of Milton CAT is to have as many decisions made by local management as possible and this will result in the hiring of local vendors and suppliers after the Cicero facility is complete.

The successful completion of this project is critical to the continued financial success and associated employment for Milton CAT's CNY operations. The financial assistance detailed in this application enables this project to succeed.

Milton CAT provides unique goods and services for our customers. A substitute provider of these goods and services is not available in the Town of Cicero or Onondaga County. The successful completion of this project will make these goods and services available to the Town of Cicero and County of Onondaga that would not otherwise be available.

Milton CAT has a strong track record of being a good community member supporting numerous charities, causes and foundations. Milton CAT also prides itself on being a good equal opportunity employer, offering training, opportunity for growth, and a highly competitive health and benefits package.

Listed below is the breakdown square footage usage for the proposed Milton Cat facility.

Office	33,430 sq ft
Warehouse	17,145 sq ft
Service Bay	28,750 sq ft
Sitech	7,350 sq ft
Outbuildings	11,175 sq ft

Main Level	72,850 sq ft
<u>Upper Level</u>	<u>13,845 sq ft</u>
Bldg Total	86,695 sq ft

<u>Wash Bldg</u>	<u>11,175 sq ft</u>
Project Total	97,870 sq ft

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

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

Section I: Applicant Information

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

A) Applicant information-company receiving benefits:

Applicant Name: Southworth-Milton, Inc. (DBA Milton CAT)

Applicant Address: 100 Quarry Drive, Milford, MA 01757

Phone: 508-634-3400 Fax: _____

Website: www.miltoncat.com E-mail: _____

Federal ID#: 02-0258444 NAICS: 423810

State and Year of Incorporation/Organization: New Hampshire 1960

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

What is the name of the Real Estate Holding Company: Milton Real Properties of Massachusetts, LLC

Federal ID#: 04-3497603

State and Year of Incorporation/Organization: New Hampshire 1999

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

Christopher G. Milton, Laura E. Milton 2017 Irrevocable Trust, Anna Louise Milton 2017 Irrevocable Trust, Keith Culver Milton 2017 Irrevocable Trust

B) Individual Completing Application:

Name: Stephen A. Boyd

Title: Vice President - Chief Financial Officer

Address: 100 Quarry Drive, Milford, MA 01757

Phone: (508) 634 - 5570 Fax: _____

E-mail: steve_boyd@miltoncat.com

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

Name: Bradlee T. Farrin
Title: Corporate Facilities Manager
Address: 100 Quarry Drive, Milford, MA 01757
Phone: (508) 634 - 5830 Cell Phone: (508) 958 - 6111
E-mail: brad_farrin@miltoncat.com

D) Company Counsel:

Name of Attorney: Jeremy H. Speich, Esq.
Firm Name: Harris Beach PLLC
Address: 677 Broadway, Suite 1101, Albany, NY 12207
Phone: (518) 701 - 2737 Cell Phone: _____
E-mail: jspeich@HarrisBeach.com

E) Business Organization (check appropriate category):

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

Others (please specify): _____

Year Established: 1960

State in which Organization is established: New Hampshire

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

Name	% of ownership
<u>Christopher G. Milton</u> <u>51%</u>	<u>Keith Culver Milton 2017 Irrevocable Trust</u> <u>10%</u>
<u>William B. Swasey 2017 Irrevocable Trust</u> <u>19%</u>	_____
<u>Laura E. Milton 2017 Irrevocable Trust</u> <u>10%</u>	_____
<u>Anna Louise Milton 2017 Irrevocable Trust</u> <u>10%</u>	_____

G) Applicant Business Description:

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

Estimated % of sales within Onondaga County: 5%

Estimated % of sales outside Onondaga County but within New York State: 27%

Estimated % of sales outside New York State but within the U.S.: 68%

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

(*Percentage to equal 100%)

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

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

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

Please attach any explanations:

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

Yes No

Section II: Project Information

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

Address: 7285 & 7309 Eastman Road

Legal Address (if different): _____

City: _____

Village/Town: Cicero

Zip Code: 13039

School District: North Syracuse

Tax Map Parcel ID(s): 055-03-01 & 055-03-02

Current Assessed Value: \$115,000.00

Sq. Footage of Existing Building: N/A

Census Tract: 010321

- B) Type (Check all that apply):

New construction

Purchase of machinery and/or equipment

Expansion/Addition to current facilities

Brownfield/Remediated Brownfield

Renovation of existing facility

LEED Certification

Acquisition of existing facility/property

Other:

Demolition and Construction

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

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

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

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

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

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

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

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

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

- | | |
|---|--|
| <input type="checkbox"/> Industrial | <input type="checkbox"/> Bank Office |
| <input type="checkbox"/> Acquisition of Existing Facility | <input type="checkbox"/> Retail |
| <input type="checkbox"/> Housing | <input type="checkbox"/> Mixed Use |
| <input type="checkbox"/> Equipment Purchase | <input type="checkbox"/> Facility for Aging |
| <input type="checkbox"/> Multi-Tenant | <input type="checkbox"/> Civic Facility (not for profit) |
| <input type="checkbox"/> Commercial | <input checked="" type="checkbox"/> Other <u>Specialty Sales and Service of Heavy Construction Equipment</u> |

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

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

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

Yes No

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

I) Environmental Information

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

Section III: Construction

A) Project Costs and Finances

Description of Costs	Total Budget Amount	% of Total Budget to be Procured in Onondaga County	Total Private Expenditure (should be less than or equal to total budget amount)
Land Acquisition	950,000	100%	
Site Work/Demo	5,000,000	100%	
Building Construction & Renovation	13,000,000	100% (if available)	
Furniture & Fixtures	1,000,000	50%	
Equipment	3,500,000	50%	
Equipment Subject to NYS Production Sales Tax			
Engineering/Architect	1,000,000	25%	
Financial Charges			
Legal	50,000	0%	
Other			
Management/Developer Fees	1,500,000	50%	
Total Project Cost	26,000,000		

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

B) TOTAL Capital Costs \$ 26,000,000

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

Sources of Funds for Project Costs:

1. Bank Financing \$ _____
2. Equity (excluding equity that is attributed to grants/tax credits) \$ 100 % equity
3. Tax Exempt Bond Issuance (if applicable) \$ _____
4. Taxable Bond Issuance (if applicable) \$ _____

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

-Identify each state and federal grant/credit:

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

6. Total Sources of Funds for Project Costs \$ _____

C) Employment and Payroll Information

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

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

2. Complete the following:

Estimate the number of FTE jobs to be retained as a result of this Project:	109
Estimate the number of construction jobs to be created by this Project:	45
Estimate the average length of construction jobs to be created (months):	12 - 18 months
Current annual payroll at facility:	\$8,500,000
Average annual growth rate of wages:	3.5%
Please list, if any, benefits that will be available to either full and/or part time employees:	Medical, Dental, 401K, Pension Plan, Life Insurance, Long & Short Term Disability, Vacation, Paid Hc
Average annual benefit paid by the company (\$ or % salary) per FTE job:	Variable
Average growth rate of benefit cost:	5%
Amount or percent of wage employees pay for benefits:	Variable
Provide an estimate of the number of residents in the Economic Development Region (Onondaga, Madison, Cayuga, Oneida, Oswego, and Cortland Counties) to fill new FTE jobs:	N/A

D) New Employment Benefits

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

Current & Planned Full Time Occupations (Job Titles)	Salary (Annual or Hourly)	Current Number of FTEs	Estimated Number of FTE Jobs added each year after project				
			Year 1	Year 2	Year 3	Year 4	Year 5
Management	170,000	5					
Supervisors	80,000	12					
Sales People	91,000	29					
Service Technicians	85,000	39					
Warehouse	55,000	6					
Office Support-Salary	98,000	6					
Office-Support-Hourly	60,000	12					
Job Creation Subtotal		109					

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

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

E) Financial Assistance sought (estimated values):

- Real Property Tax Abatement (PILOT): _____
- Mortgage Recording Tax Exemption (.75% of amount mortgaged): _____
- Sales and Use Tax Exemption (4% Local, 4% State): 1,040,000
- Tax Exempt Bond Financing (Amount Requested): _____
- Taxable Bond Financing (Amount Requested): _____

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

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

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

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

\$ 13,000,000

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

\$ 1,040,000

Section IV: Estimate of Real Property Tax Abatement Benefits

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

A) PILOTS Estimate Table Worksheet

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

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

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

Section V: Local Access Policy Agreement

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

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

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

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

I agree to the conditions of this agreement and certify all information provided regarding the construction and employment activities for the project as of 8-28-2020 (date).

Company: Milton Cat

Representative for Contract: Bradlee T. Farrin

Address: 100 Quarry Dr City: Milford State: Mass Zip: 01757

Phone: (508) 634-5830 Email: brad_farrin@miltoncat.com

Project Address: 7285&7309 Eastman Rd City: Cicero State: NY Zip: 13039

General Contractor: To be determined

Contact Person: _____

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Authorized Representative: _____ Title: _____

Signature: _____

Section VI: Agency Fee Schedule

Payment Terms:

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

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

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

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

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

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

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

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

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

Section VII: Recapture of Tax Abatement/Exemptions

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

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

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

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

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

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

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

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

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

A "Full Time Permanent Employee" shall mean

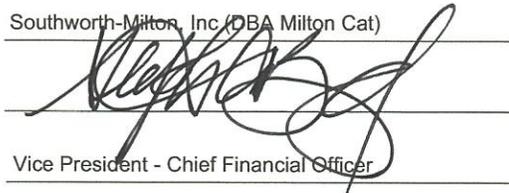
1. A full time, permanent, private sector employee on the Company's payroll, who has worked at the project location for a minimum of thirty hours per week for not less than four consecutive weeks and who is entitled to receive the usual and customary fringe benefits extended by Company to other employees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

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

Name of Applicant Company

Southworth-Milton, Inc (DBA Milton Cat)

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

Vice President - Chief Financial Officer

Date:

8/31/20

Section VIII: Employment Plan

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

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

Yes No

If yes, name and location: Operating Engineers Local 545

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

Yes No

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

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

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

Southworth-Milton, Inc. (DBA Milton CAT), project beneficiary, further agrees that, to the extent practicable and feasible, and subject to the requirements of any existing collective bargaining agreement, the project beneficiary shall fill at least 10% of new employment opportunities with persons eligible for service under the Workforce Innovation and Opportunity Act of 2014.

Name of Applicant Company: Southworth-Milton, Inc. (DBA Milton CAT)

Signature of Officer or Authorized Representative: 

Name & Title of Officer or Authorized Representative: Vice President - Chief Financial Officer

Date: 8/31/20

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

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

Section IX: Conflict of Interest

Agency Board Members

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

Agency Officers/Staff

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

Agency Legal Counsel & Auditor

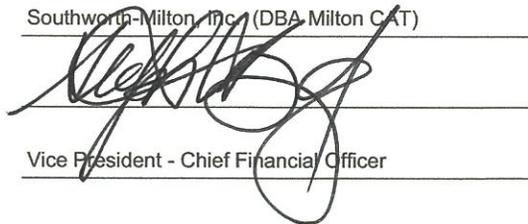
- 1. Jeffrey Davis, Esq., Barclay Damon LLP
- 2. Amanda Mirabito, Esq., Barclay Damon LLP
- 3. Michael G. Lisson, CPA, Grossman St. Amour Certified Public Accountants PLLC

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

Name of Applicant Company

Southworth-Milton, Inc. (DBA Milton CAT)

Signature of Officer or Authorized Representative:

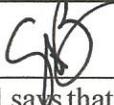


Name & Title of Officer or Authorized Representative:

Vice President - Chief Financial Officer

Date: 8/31/20

Section X: Representations, Certifications, and Indemnification

Stephen A. Boyd  (Name of CEO or other authorized representative of Applicant) confirms and says that he/she is the Vice President Chief Financial Officer (title) of Southworth-Milton, Inc. (DBA Milton CAT) (name of corporation or other entity) named in the attached Application (the "Applicant"), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and as follows:

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

meetings law.

- F. **Absence of Conflicts of Interest:** The Applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officer or employee of the Agency has an interest, whether direct or indirect in any transaction contemplated by this Application, except as hereinafter described in Section X.
- G. **Compliance:** The Applicant understands and agrees that it is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.
- H. The Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if financial assistance is provided for the proposed Project:

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

- I. The Applicant confirms and acknowledges that the owner, occupant or operator receiving financial assistance for the proposed Project is in substantial compliance with applicable local, state, and federal tax, worker protection and environmental laws, rules and regulations.
- J. The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any financial assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement in the Project.
- K. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.
- L. The Applicant and the individual executing this Application on behalf of Applicant acknowledge that the Agency and its counsel will rely on the representations and covenants made in this Application when acting hereon and hereby represents that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statement contained herein not misleading.

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

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

Name of Applicant Company

Southworth-Milton, Inc. (DBA Milton CAT)

Signature of Officer or Authorized Representative:

[Handwritten Signature]

Name & Title of Officer or Authorized Representative:

Stephen A. Boyd Vice President - Chief Financial Officer

Date: 8/31/20

STATE OF NEW YORK)

COUNTY OF ONONDAGA)ss.;

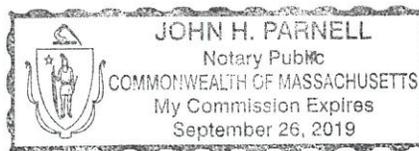
_____, being first duly sworn, deposes and says:

1. That I am the Vice President - Chief Financial Officer (Corporate Officer) of Southworth-Milton, Inc. (DBA Milton CAT) (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read and attached Application, I Know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete

[Handwritten Signature]
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury this _____ day of __, 20__.

(Notary Public)



End of Application

10-13-2020 SLATE OF APPROVALS

	Company	Application Number	Letter Received	Check Issued	Amount
1	SkinRejuve Esthetics	18			\$ 3,482.01
2	Gigi's Playhouse	47			\$ 983.76
3	Solo Events Group	54			\$ 10,000.00
4	Fleet Feet Syracuse	59			\$ 2,744.28
5	Aspen Dental of CNY	38			\$ 10,000.00
6	Solvay Geddes Community Youth Center	44			\$ 709.53
7	CNY Athletic Club	64			\$ 5,666.00
8	Sprout Therapy Group	63			\$ 2,261.64
9	Lysander Youth Hockey	36			\$ 10,000.00
10	Bpassionate Studio Dance & Fitness	31			\$ 5,920.00
11	Janice K Pliszczak DDS	29			\$ 10,000.00
12	Natur-Tyme	55			\$ 4,399.62
13	Linda Bell Dance Studio	57			\$ 6,586.00
14	Via Mondo Travel	58			\$ 400.00
15	Kathy Caiello's Fit Stop	76			\$ 2,808.98
16	Countertops of Syracuse	69			\$ 1,350.15
17	Country North Children's Center	46			\$ 3,462.22
18	NCL Group	70			\$ 8,825.00
					\$ 89,599.19