



ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

333 WEST WASHINGTON STREET, SUITE 130, SYRACUSE, NY 13202

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Regular Meeting Agenda

October 6, 2022

- 8:00 AM Call to Order the Audit Committee
- 8:10 AM Call to Order the Finance Committee
- 8:15 AM Call to Order the Meeting of the Agency

1. Approval of Minutes September 13, 2022 Regular Meeting & October 3, 2022 Special Meeting
2. Treasurer's Report
3. Payment of Bills
4. Conflict of Interest

1. **CVE US EI 4 Manlius North, LLC (3101-21-16A) Modification Meeting 2**
CVE US EI 4 Manlius North, LLC is proposing to modify its originally approved project and is now proposing to construct a 1.5 MW, 13.7-acre solar array on a 38.785-acre parcel of land in the Town of Manlius. The applicant is requesting additional exemptions from certain sales and use taxes and mortgage recording taxes.

Agency Action Requested:

- a. A resolution of the Board authorizing the additional financial assistance the agency will provide (and confirming the prior authorization of financial assistance).
Agency benefits requested include exemptions from certain sales and use taxes and mortgage recording taxes.

Representative: Carson Weinand, Senior Business Developer, CVE Group

2. **CVE US EI 5 Manlius East, LLC ((3101-21-17B) Modification Meeting 2**
CVE US EI 5 Manlius East, LLC is proposing to modify its originally approved project and is now proposing to construct a 5MW, 36.7-acre solar array on a 68.278 -acre parcel of land in the Town of Manlius. The applicant is requesting exemptions from certain sales and use taxes and mortgage recording taxes.

Agency Action Requested:

- a. A resolution of the Board authorizing the additional financial assistance the agency will provide (and confirming the prior authorization of financial assistance). Agency benefits requested include exemptions from certain sales and use taxes and mortgage recording taxes.

Representative: Carson Weinand, Senior Business Developer, CVE Group

3. **CVE US EI6 Manlius West, LLC (3101-21-18C) Modification Meeting 2**
CVE US EI 6 Manlius West, LLC is proposing to modify its originally approved project and is now proposing to construct a 5MW, 40.7-acre solar array on a 75-acre parcel of land in the Town of Manlius. The applicant is requesting exemptions from certain sales and use taxes and mortgage recording taxes.

Agency Action Requested:

- a. A resolution of the Board authorizing the additional financial assistance the agency will provide (and confirming the prior authorization of financial assistance).
Agency benefits requested include exemptions from certain sales and use taxes and mortgage recording taxes.

Representative: Carson Weinand, Senior Business Developer, CVE Group

4. **Cryomech, Inc. (3101-22-08A) Initial Meeting**
Cryomech, Inc. is proposing to acquire approximately 12.5 acres from parcels adjacent to their current location in the Town of Dewitt and to construct an expansion consisting of approximately 30,000 SF of manufacturing space and 4,000 SF of office space. The applicant is requesting exemptions from certain sales and use taxes, real property taxes and mortgage recording taxes.

Agency Action Requested:

- a. A resolution of the Board authorizing a public hearing.

Representative: Parminder Banga, Engineering Manager, Cryomech

5. **Hinsdale Road Group, LLC (3101-14-02B) (Hotel @ T5 LLC parcel) Modification Meeting**
Hinsdale Road Group, LLC / Hotel @ T5 LLC is requesting the Board to consent to the sale of Hotel @ T5 LLC's interest in the project facility.

Agency Action Requested:

- a. A resolution of the Board approving the assignment of the right, title and interest in a Project Facility by Hotel @ T5 LLC to tenants-in-common Eastern Shore Retirement Associates Limited Partnership, Shorewash of Annapolis LLC, CHJ New York, LLC and Camillus Ventures I LLC (and consent to the related master lease to Camillus Ventures MT LLC).

Representative: Bruce C. Armistead, Armistead, Lee, Rust & Wright, P.A.; Anthony J. D'Elia, Lynn D'Elia Temes & Stanczyk LLC; Suhail Partawi, Hill Hospital

6. Review of Agency Budget for 2023

Agency Action Requested:

- a. Approval of the Agency 2023 Budget

Representative: Nate Stevens, Treasurer, OCIDA

Adjourn

DRAFT
Onondaga County Industrial Development Agency
Regular Meeting Minutes
September 13, 2022

A regular meeting of the Onondaga County Industrial Development Agency was held on Tuesday, September 13, 2022 at 333 West Washington Street, Syracuse, New York in the large conference room on the first floor.

Patrick Hogan called the meeting to order at 8:04 am with the following:

PRESENT:

Patrick Hogan
Janice Herzog
Victor Ianno
Susan Stanczyk
Kevin Ryan

ABSENT:

Steve Morgan
Fanny Villarreal

ALSO PRESENT:

Robert M. Petrovich, Executive Director
Nate Stevens, Treasurer
Nancy Lowery, Secretary
Karen Doster, Recording Secretary
Alexis Rodriguez, Assistant Treasurer
Jeff Davis, Barclay Damon Law Firm
Brian Gerling, Barclay Damon Law Firm
Matthew Pelligra, Office of Economic Development
Doug Sutherland, Camillus Mills Redevelopment Company, Inc.
Christopher Andreucci, Harris Beach, PLLC
Kevin McAuliffe, Barclay Damon, PLLC
Norm Swanson, 1046 Old Seneca Turnpike
Thomas Fernandez, 1046 Old Seneca Turnpike
Sarah Stephens, SS Funding Sources
Carson Weinand, CVE Group
Joshua Sabo, CVE Group
Kevin Pole, Bond Schoeneck & King, PLLC
Andy Breuer, District East
Ryan Benz, District East
Steve Case, District East
Chris Bianchi, Syracuse School District

APPROVAL OF REGULAR MEETING MINUTES – AUGUST 18, 2022

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved the regular meeting minutes of August 18, 2022. Fanny Villarreal abstained. Motion was carried.

TREASURER'S REPORT

Nate Stevens gave a brief review of the Treasurer's Report for the month of August 2022.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved the Treasurer's Report for the month of August 2022. Motion was carried.

PAYMENT OF BILLS

Nate Stevens gave a brief review of the Payment of Bills Schedule #473

Upon a motion by Susan Stanczyk, seconded by Victor Ianno, the OCIDA Board approved the Payment of Bills Schedule #473 for \$36,129.11. Motion was carried.

CONFLICT OF INTEREST DISCLOSURE

The Conflict of Interest was circulated and there were no conflicts reported.

CAMILLUS MILLS REDEVELOPMENT COMPANY, INC./CAMILLUS MILLS PHSE II, LLC (3101-21-08A) MODIFICATION MEETING

Doug Sutherland stated the Phase 2 project was before the Board about 18 months. He stated they were working with an approximately 60,000 sq. ft. project with a budget that worked well. He stated they started the project but over the past 12 months construction costs have spiked and the project cost went up about \$3,000,000 which is more than they could make sense of. He stated they are before the Board today with a 45,000 sq. ft project. He stated the construction costs are nearly identical for a project a quarter smaller. He stated they are about \$175,000 under what they are looking to spend for 15,000 sq. ft. less. He stated they made a couple of adjustments on the project one being they reduced the residential count from 58 units to 46 units and removed the commercial square footage. He stated at this point the commercial market is extremely soft and it didn't make sense. He stated it is a great looking project just a bit smaller square footage. He stated it is being built on the site of the old Camillus Cutlery factory that burned in a fire in 2013. He stated it is built to somewhat resemble the project as it looked in the

1940's and it fills in a missing tooth in the middle of town. He stated they have done well with the first phase and hope to do a 3rd phase in addition to this. He stated the basic architectural bulk that used to be there will be returned. He stated the project is on a challenging site and it's on a NYS Brownfield site. He stated about 90% of it is in the 9 Mile Creek flood plain so the drawings show an open basement level exposed on its eastern side that will allow in the case of flooding conditions for water to go through without touching any of the habitable space above.

Pat Hogan asked if this is the 2nd phase. Doug Sutherland stated yes and there is a 3rd phase that will be further north on the site.

Jeff Davis stated looked there are two resolutions before the Board. He stated this is a type I action under SEQR and the Village Board has been lead agency. He stated they relooked at the project again in its smaller footprint and reissued a SEQR negative declaration on July 28, 2022. He stated they did not send out the lead agency notification letter for a Type I action and had we received the letter we would have just consented to them being lead agency. He stated counsel has looked at the EAF that was prepared as well as the materials reviewed by the Village Board and they agree it is a Type I action. He stated in essence the Agency is adopting the SEQR determination by the Village Board in recognition of its lead agency status and the fact that the Agency would have consented. He stated the resolution is affirming, accepting and adopting the Negative Declaration issued by the Village Board.

Upon a motion by Victor Ianno, seconded by Susan Stanczyk, the OCIDA Board approved a resolution authorizing the adoption of SEQRA determination for the Camillus Mills Redevelopment Company, Inc./Camillus Mills Phase II, LLC project. Motion was carried.

Upon a motion by Janice Herzog, seconded by Susan Stanczyk, the OCIDA Board approved a resolution consenting to modification of the Camillus Mills Redevelopment Company, Inc./Camillus Mills Phase II, LLC project. Motion was carried.

1046 OLD SENECA TURNPIKE, INC. SECOND MEETING

Robert Petrovich stated Christopher Andrucci from Harris Beach is conflict counsel for the Agency.

Kevin McAuliffe stated he believes there is sufficient background for the Agency to act on what otherwise would be defined as a retail project under the GML which is the vast majority of the people coming to this facility are coming from well outside the region. He stated people having events like weddings and event venues have said they welcome 88 more rooms to the area so they can have more things there because there is a shortage. He stated that is of course on top of people that would be coming to the Finger Lakes region and staying in Skaneateles.

Patrick Hogan stated some of the Board members are aware of this and the lack of places to stay in the areas of Central New York especially, in particular, this area. He stated Mr. Swanson has done some great things for the City of Syracuse and he is very supportive of this.

Chris Andreucci stated the feasibility study submitted confirmed that the project itself will attract a number of visitors from outside of the region so it qualifies as a tourism destination under the GML. He stated in addition to that the feasibility study made it clear there is a lack of accessible units to stay so this project in and of itself will provide services that are not reasonably available to folks in the region. He stated the project qualifies on both prongs of the retail exemptions.

Victor Ianno stated when projects want to build in Skaneateles they are worried about how it is going to infiltrate the lake and this is well positioned away from the lake. He stated it is a piece of property that would have never got used. He stated he thinks it is a great project.

Nancy Lowery stated a public hearing was held. She stated Supervisor Aaron from the Town of Skaneateles was present and she voiced her support on behalf of the Board for this project.

Upon a motion by Victor Ianno, seconded by Susan Stanczyk, the OCIDA Board approved a resolution authorizing adoption of SEQRA determination and authorizing the Agency to provide financial assistance in support of the 1046 Old Seneca Turnpike project in the form of an exemption from New York State sales and use taxes and a partial exemption from New York mortgage recording taxes. Motion was carried.

SYRACUSE HAULERS WASTE REMOVAL, INC. (3101-22-05A) INITIAL MEETING

Sarah Stevens stated Syracuse Haulers and Haulers Facility LLC are looking to add on and expand to their existing facility in DeWitt. She stated since Covid started the cost of materials

has escalated and increasing the cost of the construction of the facility. She stated there is a need for them to expand because their business has been expanding. She stated Covid also created some complications with labor shortages. She stated the project includes the purchase and acquisition of a baler. She stated one of things Syracuse Haulers prides themselves on is recycling most of their material. She stated when a construction project is Leed Certified there are certain specific regulations that need to be required in order for them to be Lead Certified. She stated Syracuse Haulers is a Leed Certified waste removal institution. She stated they have done over 25 projects being able to withhold about 84% of the materials from going to a traditional landfill. She stated investing in newer technology with this baler will help them continue that endeavor. She stated the owner is very committed to that. She stated at the moment he is looking into putting alternative energy into the building to try and offset the overall carbon footprint. She stated it is not included in the description yet because it hasn't been vetted but it is something being looked at. She stated they are looking for assistance for the construction project which will add over the next 3 years 10 jobs. She stated they are requesting a PILOT, sales and use tax and mortgage recording exemption to help them in this endeavor.

Kevin Ryan asked if the facility is for Syracuse Haulers use only or open to third parties. Sarah Stephens stated it is just for Syracuse Haulers to utilize.

Kevin Ryan asked if this is for construction debris and recycling or just garbage. Sarah Stephens stated both.

Kevin Ryan asked how big it is in terms of the estimated capacity of the facility. Sarah Stephens stated that Rocco Grosso owns 3 parcels and the existing facility is on one of the parcels. She stated this is going to be constructed encroaching onto one of the 2nd parcels. She stated Syracuse Haulers is offset from the road on Thompson so aesthetically it is not going to be affected by street traffic. She stated one of the things the Town of DeWitt is requesting, due to their lot coverage, subdividing the 3 parcels.

Kevin Ryan asked about the capacity of the materials being brought in once they expand and how big will it be at that point. Sarah Stevens stated she does not know. She stated she knows the existing facility they have now they don't have enough capacity for additional materials.

Upon a motion by Janice Herzog, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing a public hearing for the Syracuse Haulers Waste Removal, Inc. project. Motion was carried.

CVE US EI 4 MANLIUS NORTH, LLC (3101-21-16A) MODIFICATION MEETING

Carson Weinand stated before the Board are 3 co-located community solar farms in the Town of Manlius. He stated CVE EI4, CVE EI5 and CVE EI6 are all co-located and they are subdividing the 230 acre into separate lots for these projects. He stated they originally received sales tax and mortgage recording tax benefits from the Agency in January and since then construction costs have gone up 25%. He stated they are reapplying for benefits to get the project costs correct and they hope to start construction in next month or so. He stated it is a total of about 11.5 megawatts with 2 projects being 5 megawatts and the third project is 1.5 megawatts. He stated they are in process of purchasing the property. He stated once they purchase they will record the subdivision and close with the IDA.

Pat Hogan asked if it is the same company but 3 different sites because of state regulations. Jeff Davis agreed. He stated the community solar designation has to be under 5 megawatts and that is why it is being done this way. He stated this was previously approved and these are modifications that require the IDA to come back and hold a public hearing. He stated a public hearing will be held on all 3 projects. He stated they will be back before the Board next month after the public hearing for consideration by the Board for the modification.

Pat Hogan asked if the towns are comfortable with the changes and received all approvals.

Nancy Lowery stated yes. Carson Weinand stated all town approvals are in place.

Pat Hogan asked Carson Weinand if he is aware of the local labor provisions. Carson Weinand stated yes. He stated they are trying to be proactive and should be able to meet all the local labor requirements. He stated if there is any portion of the work that requires a waiver they will make sure it is documented and presented to the Agency. Robert Petrovich stated it is better to come in early in that regard as opposed late in the process.

Carson Weinand stated the contractor, Green Smart Solar, is out of Rochester. He stated they talked with Nancy Lowery and discussed the policy and they are on board. Nancy Lowery stated

the contractor is aware of the requirements and what they need to provide in order to be considered for a waiver.

Upon a motion by Susan Stanczyk, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing an additional public hearing for the CVE US EI4 Manlius North, LLC project. Motion was carried.

CVE US EI 5 MANLIUS EAST, LLC (3101-21-16A) MODIFICATION MEETING

Upon a motion by Victor Ianno, seconded by Susan Stanczyk, the OCIDA Board approved a resolution authorizing an additional public hearing for the CVE US EI5 Manlius East, LLC project. Motion was carried.

CVE US EI 6 MANLIUS WEST, LLC (3101-21-18C) MODIFICATION MEETING

Upon a motion by Susan Stanczyk, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing an additional public hearing for the CVE US EI6 Manlius West, LLC project. Motion was carried.

ICM CONTROLS CORP. (3101-04-05B) MODIFICATION MEETING

Jeff Davis stated this project goes back to 2004 and 2007 where the Agency issued bonds for ICM Controls Corp. project. He stated in 2009 a PILOT was entered into. He stated this past spring ICM requested to redeem the outstanding bonds and requested to enter into documentation so they can keep the PILOT in place for the remaining term of the PILOT which is about 4 years. He stated what is before the Board now is they are requesting to sell the real property to a 3rd party real estate holding company and ICM will remain in the facility as the tenant. He stated under the Agency's lease agreement through the PILOT arrangement that was put in place requires the Agency to consent to any change like this. He stated there are no additional benefits being requested and is just consent to the resolution authorizing the Agency to effectuate transaction and complete the appropriate documents.

Victor Ianno stated they are paying as they are supposed to, there are no problems and nothing is going to change. Jeff Davis agreed and stated the Agency and counsel will charge a nominal fee for this transaction.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board approved a resolution approving the assignment of certain rights, title and interest in a project facility by ICM Controls Corp. to William Barry Blvd North Syracuse NY LLC. Motion was carried.

DISTRICT EAST INITIAL MEETING

Andy Breuer stated they are a few days in to the Agency review process of SEQR and September 18 is when the 30 day timeline is up. He stated hopefully they will soon be advancing the SEQR review to the IDA as lead agency. He stated the ask is to begin the discussion on the use of eminent domain. He stated they have two island parcels within the site, the former Macy's owned by Benderson Corporation and Sear's owned by a holding company called Transformco. He stated they have negotiated extensively with both entities. He stated they are going to provide the Board with history of all the communication with both entities so the Agency can weigh the outreach thus far. He stated ultimately they feel they are going to need the Agency to exercise their eminent domain authority to advance this project. He stated he doesn't think they are much further along with either of the parcels and they are absolutely a necessity for the future of the project because the existing restrictive agreement says they cannot alter the mall.

Patrick Hogan stated the Board can only consider the request today.

Robert Petrovich stated staff and District East has been working extensively with both the applicants counsel and IDA counsel. He stated at this time he understands the desire to move forward with SEQR and it will be considered once the Agency status is determined on September 18. He stated the request is to acknowledge eminent domain and he thinks that needs to be considered at a later time.

Jeff Davis stated as the applicant laid out it is on the table and something the Agency may need to utilize as the project advances. He stated at the moment it is a request for this Board to consider and his recommendation would be that there be no action on that request at this

meeting. He stated what is laid out in the agenda is what the Board will discuss which is the process for proceeding with SEQR.

Patrick Hogan stated he doesn't think there should be discussion. He stated we have the request and he does not think it should be discussed publicly at this time because we don't know what we have to do as far as the request goes. Jeff Davis stated if the Board has questions they can certainly ask questions.

Victor Ianno asked if OCIDA will be the lead going into negotiations with eminent domain. He asked if the Agency is successful OHB Redev will buy it. Jeff Davis stated yes and this is how the process works.

Victor Ianno asked if OCIDA is at risk. Jeff Davis stated as part of this process and getting into the SEQR process the applicant has agreed to reimburse the Agency for all of its costs in performing SEQR and should eminent domain be utilized any amount from the eminent domain process. He stated the Agency is the only Agency that has the authority to proceed with eminent domain for economic development purposes so if the Board were to proceed down that road we would be the Agency taking that action and undertaking costs to do that. He stated at the end of the day the Agency would be doing that in support of the project so there would be a reimbursement to the Agency.

Victor Ianno asked if any of the entities can come back at this Agency. Jeff Davis stated it is a litigation type process to utilize eminent domain so the Agency would be in front of the court and they have the ability to object. He stated it is a two prong process. He stated the first step is the process of taking title and the second step is the process of evaluating the land and the rights taken. He stated the first step is generally quicker and the second step is an evaluation process that can last a little bit longer.

Victor Ianno asked if the evaluation is higher does OHB have to buy it for whatever the court determines. Jeff Davis stated they would have to agree to the evaluation and purchase the land and that is the risk.

Victor Ianno asked if the Agency is at risk or is it on OHB. Jeff Davis stated if the applicant was unwilling to purchase it at that price from the Agency then we would probably not proceed with

eminent domain. He stated there is an agreement in place that protects the Agency for the Agency costs and protects the Agency for litigation.

Victor Ianno stated this is a great project but he is concerned about lawsuits. Jeff Davis stated that is why his recommendation is that the Board doesn't consider a vote at this meeting based upon the request because it is something the Board members need to review.

Kevin Ryan asked who owns the properties that would be the defendants in this eminent domain action. Ryan Benz stated Benderson and Transformco.

OCIDA BOARD SEQRA WORKING GROUP FOR DISTRICT EAST

Robert Petrovich stated consistent with past practice and supportive of moving the SEQR review for the old Shoppingtown Mall on behalf of the applicant, District East, we should put together a working group from this Board to work through the SEQR issues with counsel and review documents provided by the applicant under the SEQR requirements. He stated he would suggest to constitute a group in support of that to hold workshop sessions not unlike what the Agency did with the Amazon project. He stated his recommendation would be having the same group involved used on the Amazon project because they are familiar with the process of what needs to happen in that regard. He stated group consisted of Chairman Patrick Hogan, Susan Stanczyk and Janice Herzog.

Robert Petrovich asked if we need to codify that in some way. Jeff Davis stated discussion in the minutes is appropriate and no formal resolution is needed. He stated of all the parties agree then a working group will be established as well as with other involved agencies.

Patrick Hogan, Susan Stanczyk and Janice Herzog all agreed to be on the working group.

RAMBOLL SUPPLEMENTAL AUTHORIZATION

Robert Petrovich stated Ramboll has been working with us since almost the beginning providing technical support on the advancement of the White Pine Commerce Park for development and hopefully landing a project in the semiconductor advanced manufacturing space. He stated we

have some additional engineering work that needs to be completed and he thinks it would be prudent to increase their contract authorization by \$50,000 to accomplish that going forward.

Susan Stanczyk asked what the original contract amount was. Robert Petrovich stated he believes the original was \$80,000 but there was a subsequent authorization of \$35,000 and this will be another \$50,000 so total would be \$165,000

Kevin Ryan asked if staff anticipates more beyond this for additional supplementation. Robert Petrovich stated it is hard to say. He stated there are folks interested in this site and they are in that space. He stated they are always asking for additional information on site related issues and having Ramboll available to facilitate the answers to some of these questions is prudent.

Upon a motion by Susan Stanczyk, seconded by Kevin Ryan, the OCIDA Board approved a resolution authorizing \$50,000 of additional funds to Ramboll for continued engineering support at White Pine. Motion was carried.

EXECUTIVE SESSION

Upon a motion by Susan Stanczyk, seconded by Victor Ianno, the OCIDA Board went into executive session at 8:44 am to discuss the acquisition of real property. Motion was carried.

Upon a motion by Victor Ianno, seconded by Janice Herzog, the OCIDA Board adjourned executive session at 9:08 am. Motion was carried.

PURCHASE CONTRACT EXECUTION

Jeff Davis stated based upon the actions of executive session it is his recommendation that the Board consider and counsel will prepare resolutions to authorize a settlement of litigation claim and notice of claim that was filed against the Agency. He stated the action of the underlying litigation was previously reviewed under SEQR and there is no change to the SEQR determination based upon entering into a settlement provision. He stated there will be one resolution before the board. He stated the resolution is the Board authorizing the Executive

Director to enter into a settlement agreement of anticipated litigation with regard to a piece of property currently under contract.

Upon a motion by Susan Stanczyk, seconded by Janice Herzog, the OCIDA Board approved a resolution authorizing the Executive Director to enter into a settlement agreement of anticipated litigation. Motion was carried.

Jeff Davis stated it would be his recommendation that the Board also consider a resolution of the Board authorizing the Executive Director to enter into settlement discussions for an increase in a contract amount.

Upon a motion by Janice Herzog, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing the Executive Director to enter into settlement discussions for an increase in a contract amount. Motion was carried.

ADJOURN

Upon a motion by Victor Ianno, seconded by Susan Stanczyk, the OCIDA Board adjourned the meeting at 9:11 am. Motion was carried.

Nancy Lowery, Secretary

Onondaga County Industrial Development Agency
Special Meeting Minutes
October 3 2022

A Special meeting of the Onondaga County Industrial Development Agency was held on Monday, October 3, 2022 at 333 West Washington Street, Syracuse, New York in the large conference room on the first floor.

Patrick Hogan called the meeting to order at 4:00 pm with the following:

PRESENT:

Patrick Hogan
Janice Herzog
Victor Ianno
Susan Stanczyk
Kevin Ryan
Fanny Villarreal

ABSENT:

Steve Morgan

ALSO PRESENT:

Robert M. Petrovich, Executive Director
Nate Stevens, Treasurer
Nancy Lowery, Secretary
Karen Doster, Recording Secretary
Alexis Rodriguez, Assistant Treasurer
Jeff Davis, Barclay Damon Law Firm
Len Rauch, Office of Economic Development

EXECUTIVE SESSION

Jeff Davis stated he would like to take a motion by the Board to go into Executive Session under the New York Public Office's Law Section 105 for the purpose of discussing a potential purchase and sale contract.

Upon a motion by Susan Stanczyk, seconded by Victor Ianno, the OCIDA Board went into Executive Session at 4:02 pm to discuss the acquisition of real property. Motion was carried.

Upon a motion by Janice Herzog, seconded by Susan Stanczyk, the OCIDA Board adjourned Executive Session at 4:13 pm. Motion was carried.

PURCHASE CONTRACTS EXECUTION

Jeff Davis stated before the Board is a SEQR resolution and authorization resolution for the purchase of land. He stated regarding the SEQR resolution similar to other purchases within the White Pine Commerce Park was subject to a Generic Environmental Impact Statement and then the Board undertook the process to study expansion of the park which expansion already included the subject property. He stated they completed that review under SEQR through a draft Supplemental Generic Environmental Impact Statement, a Final Supplemental Generic Environmental Impact Statement and ultimately a Findings Statement that was completed in 2001. He stated before the Board for SEQR purposes is the project which is the acquisition of these lands including the acquisition of the subject property and such acquisition was included in the Agency SEQR review of the project including the evaluation of relevant impacts, facts and conclusions associated with the expansion of the Commerce Park, the draft Supplemental GEIS, the Final Supplemental GEIS and the Findings Statement adopted by the Agency evaluated the relevant impacts, facts and conclusions associated with the acquisition of additional acreage including the subject property to accommodate the expansion of the park. He stated this Agency determined that the project, from all reasonable alternatives, is one which minimizes or avoids adverse environmental effects to the maximum extent practical and the acquisition of the property will be carried out in accordance with the condition and thresholds established in the Final Supplemental Generic Environmental Impact Statement and the Findings Statement thus avoiding, minimizing or mitigating as reasonably practical adverse environmental impacts.

Upon a motion by Susan Stanczyk, seconded by Janice Herzog, the OCIDA Board approved a resolution authorizing the adoption of SEQRA determination. Motion was carried.

Upon a motion by Janice Herzog, seconded by Victor Ianno, the OCIDA Board approved a resolution authorizing the Executive Director to enter into purchase contracts and any related documents with respect to parcels of property.

ADJOURN

Upon a motion by Susan Stanczyk, seconded by Fanny Villarreal, the OCIDA Board adjourned the meeting at 4:16 pm. Motion was carried.

Nancy Lowery, Secretary



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

September 30, 2022

Revenue / Expense / Income	Current Period	Current YTD	2022 Budget Amount	Current YTD Change to Budget
Operating Revenue	111,894	2,262,225	1,444,000	818,225
Operating Expense	61,747	448,907	800,000	(351,093)
Program Expense	113,229	971,128	644,000	327,128
Net Ordinary Income	(63,082)	842,191	-	842,191

Current Assets	Current YTD	Prior YTD
Total Cash	6,565,940	5,178,465
Less Pass Through Received	2,494,286	2,420,941
Available Cash	4,071,654	3,047,733
Receivables (less pass through rec.)	256,848	157,968
Grant Reimbursements	-	-
Total	4,328,502	3,205,701

Receivables	
0-120 days	256,848
> 120 days	-
Total	256,848

Onondaga County Industrial Development Agency

Profit and Loss

September 2022

	TOTAL
Income	
500 Operating Revenue	
2116 Fees	
2116.1 Agency Fees	108,893.00
2116.2 Application Fees	2,000.00
Total 2116 Fees	110,893.00
2410 Lease Income	750.00
Total 500 Operating Revenue	111,643.00
501 Non-Operating Revenue	
2401 Interest Income	210.96
501.2 Other Non-Operating Revenue	40.00
Total 501 Non-Operating Revenue	250.96
534 Pilot & Pass Thru Revenue	
529 PILOT Income	1,456,861.93
Total 534 Pilot & Pass Thru Revenue	1,456,861.93
Total Income	\$1,568,755.89
GROSS PROFIT	\$1,568,755.89
Expenses	
6400 Operating Expense	
6406 Other Professional Services	
6406.50 Consulting Services	2,500.00
Total 6406 Other Professional Services	2,500.00
6407 Administrative Expense	61,747.21
6408 Meeting Expenses	493.35
6409 Conference Attendance	2,259.70
6410 Office Expense	2,131.25
6411 Memberships / Sponsorships	1,060.00
Total 6400 Operating Expense	70,191.51
6500 Agency Program Expenses	
6510 White Pine Commerce Park	
6510.2 Site Analysis	31,357.50
6510.5 Insurance	3,721.18
6510.6 Taxes/SDC	69,705.70
Total 6510 White Pine Commerce Park	104,784.38
Total 6500 Agency Program Expenses	104,784.38

Onondaga County Industrial Development Agency

Profit and Loss

September 2022

	TOTAL
6600 Non-Operating Expenses	
6605 Pilot & Pass Thru Expenses	
6605.2 PILOT Expense	1,456,861.93
Total 6605 Pilot & Pass Thru Expenses	1,456,861.93
Total 6600 Non-Operating Expenses	1,456,861.93
Total Expenses	\$1,631,837.82
NET OPERATING INCOME	\$ -63,081.93
NET INCOME	\$ -63,081.93

Onondaga County Industrial Development Agency

Balance Sheet

As of September 30, 2022

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
200 Cash	0.00
200.1 Cash - M & T Checking	5,684,307.98
200.2 Cash - M & T Money Maker Savings	890,540.33
200.4 Destiny USA Restricted Cash	-8,957.82
210 Petty Cash	50.00
Total 200 Cash	6,565,940.49
Total Bank Accounts	\$6,565,940.49
Accounts Receivable	
380 Accounts Rec.	
380.6 A/R Fees, Lease & PILOT	256,848.00
Total 380 Accounts Rec.	256,848.00
Total Accounts Receivable	\$256,848.00
Total Current Assets	\$6,822,788.49
Fixed Assets	
100 Land	
101 White Pines Commerce Park	17,402,537.32
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
101.6 WPCP Marketing	1,264.20
Total 101 White Pines Commerce Park	19,210,546.05
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

Onondaga County Industrial Development Agency

Balance Sheet

As of September 30, 2022

	TOTAL
Total 100 Land	20,466,891.55
104 Machinery & Equipment	
104.1 Office Furniture	1,429.00
104.2 Equipment	4,589.00
Total 104 Machinery & Equipment	6,018.00
211 A/D Office Furniture	-3,493.00
213 A/D Buildings	-97,603.00
250 Investment in Real Property	6,180,006.00
Total Fixed Assets	\$26,551,819.55
Other Assets	
240 Blue Sky Redevelopment	1,641.76
Total Other Assets	\$1,641.76
TOTAL ASSETS	\$33,376,249.80
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
600 Accounts Payable	0.00
600.1 Due to Related Party - OED	448,906.40
600.102 Due to BD WPCP	42,216.66
600.204 OHB Redev LLC Funds	400,000.00
600.205 Exp Pay Prev Period	133.14
600.206 Mileage Reimbursement	92.34
600.208 BlueRock Energy Agreement Deposit	25,000.00
600.209 Syracuse Rail Overpayment	500.00
600.3 Onondaga County Loan	17,659,596.04
600.31 Accrued Interest - OC Note Payable	2,129.00
Total 600.3 Onondaga County Loan	17,661,725.04
Total 600 Accounts Payable	18,578,573.58
601 PILOT and Pass Thru Payable	
602 Pass Thru Payable	-525,000.00
603 PILOT Pass Thru	3,019,286.39
604 Other Pass Thrus	-0.30
Total 601 PILOT and Pass Thru Payable	2,494,286.09
631 Due to Other Governments	
631.3 Schools	
631.356 Syracuse	0.01
Total 631.3 Schools	0.01
631.5 City of Syracuse	0.01

Onondaga County Industrial Development Agency

Balance Sheet

As of September 30, 2022

	TOTAL
Total 631 Due to Other Governments	0.02
Total Other Current Liabilities	\$21,072,859.69
Total Current Liabilities	\$21,072,859.69
Total Liabilities	\$21,072,859.69
Equity	
3900 Equity Unreserved	8,742,531.91
3901 Equity-Investment Fixed Assets	2,345,838.63
463 Reserve For Contracts	585,595.31
465 Equity - Unreserved	-212,766.31
Net Income	842,190.57
Total Equity	\$12,303,390.11
TOTAL LIABILITIES AND EQUITY	\$33,376,249.80

ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
PAYMENT OF BILLS - SCHEDULE #474
October 6, 2022

GENERAL EXPENSES

1.	<u>BRIAN R. HALL, RECEIVER OF TAXES*</u> WPCP School Taxes 2022-2023	\$ 69,705.70
2.	<u>ADVANCE MEDIA NEW YORK**</u> 1046 Old Seneca Turnpike Public Hearing, Inv#0002913957	\$ 102.20
3.	<u>PARK STRATEGIES, LLC**</u> Monthly Consulting Services September 2022, Inv#16587067	\$ 2,500.00
4.	<u>BARCLAY DAMON LLP***</u> Purchase of Land	\$ 653,379.10
5.	<u>BARCLAY DAMON LLP***</u> Purchase of Land	\$ 533,552.35
6.	<u>BARCLAY DAMON LLP***</u> Purchase of Land	\$ 244,646.55
7.	<u>BARCLAY DAMON LLP***</u> Purchase of Land	\$ 1,683,639.57
8.	<u>MACNY****</u> Inv#'s 44956, 45054, 11208	\$ 1,175.00
9.	<u>MACNY*****</u> Inv#45053	\$ 80.00
10.	<u>NATIONWIDE*****</u> Commercial Liability Insurance Premium, Policy #7J2551	\$ 1,878.49
11.	<u>ROBERT PETROVICH</u> Albany Meeting Mileage	\$ 197.97

12. <u>FEDEX</u>	\$	24.68
Inv#'s 7-865-60398, 7-873-57169, 7-894-34574		
13. <u>DUSTY'S OUTDOOR SERVICE</u>	\$	1,500.00
WPCP Mowing		
14. <u>LEONARD RAUCH</u>	\$	<u>1,080.29</u>
Meeting Reimbursement		
TOTAL		\$ 3,193,461.90

- *Ratification of Check dated September 13, 2022
- **Ratification of Checks dated September 15, 2022
- ***Ratification of Checks dated September 16, 2022
- ****Ratification of Check dated September 23, 2022
- *****Ratification of Check dated September 26, 2022
- *****Ratification of Checks dated September 30, 2022

**ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
PAYMENT OF BILL - SCHEDULE #474
October 6, 2022**

PILOT Payments

1.	<u>HINSDALE ROAD GROUP LLC*</u> 2022 Infrastructure Payment	\$	525,000.00
2.	<u>ONONDAGA COUNTY</u> COR Inner Harbor 3rd Q and Hinsdale Road 2022 PILOT Payments	\$	138,561.81
3.	<u>CITY OF SYRACUSE</u> COR Inner Harbor 3rd Q 2022 PILOT Payment	\$	8,493.64
4.	<u>WEST GENESEE CSD</u> Hinsdale Road 2022 PILOT Payment	\$	559,575.90
5.	<u>CITY OF SYRACUSE CSD</u> COR Inner Harbor 3rd Q 2022 PILOT Payment	\$	14,547.90
6.	<u>EAST SYRACUSE MINOA CSD</u> Bristol-Myers Squibb 2022 PILOT Payment	\$	49,403.29
7.	<u>TOWN OF CAMILLUS</u> Hinsdale Road 2022 PILOT Payment	\$	172,177.20
8.	<u>VILLAGE OF EAST SYRACUSE</u> Bristol-Myers Squibb 2022 PILOT Payment	\$	21,572.64
9.	<u>BALDWINSVILLE CSD</u> Anheuser-Busch 2022 PILOT Payment	\$	<u>1,529,954.00</u>
	TOTAL	\$	3,019,286.38

*Ratification of Check dated September 19, 2022



ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPLICATION FOR BENEFITS

1. Fill in all blanks using “none”, “not applicable” or “not available”. If you have any questions about the way to respond, please call the Onondaga County Industrial Development Agency (the “Agency” or “OCIDA”) at 315-435-3770.
2. If providing an estimate put “(est.)” after the figure or answer. If more space is needed to answer any specific question, attach a separate sheet.
3. If the OCIDA Board approves benefits, it is the company’s responsibility to obtain and submit all necessary forms and documents.
4. When completed, return this Application by mail or fax to the Agency at the address indicated below. A signed application may also be submitted electronically in PDF format to Nancy Lowery at nancylowery@ongov.net. **An Application will not be considered by the Agency until the Application fee has been received.**
5. The Agency will not give final approval for this Application until the Agency receives a completed NYS Full Environmental Assessment Form concerning the project which is the subject of this Application. The form is available at <http://www.dec.ny.gov/permits/6191.html>.
6. Please note the Public Officers Law declares all records in the possession of the OCIDA (with certain limited exceptions) are open to public inspection and copying. If the Applicant is of the opinion that there are elements of the project which are in the nature of trade secrets which, if disclosed to the public or otherwise widely disseminated, would cause substantial injury to the Applicant’s competitive position, this Applicant must identify such elements in writing and request that such elements be kept confidential. In accordance with Article 6 of the Public Officer’s Law, the OCIDA may also redact personal, private, and/or proprietary information from publicly disseminated documents.
7. The Applicant will be required to pay the Agency Application fee and, if accepted as a project of the Agency, all administrative and legal fees as stated in Section VI of the Application.
8. A complete Application consists of the following 9 items:
 - This Application
 - Local Access Agreement
 - Employment Plan
 - Conflict of Interest
 - A feasibility statement indicating the need for the requested benefits
 - Description of Project, Site Plans/Sketches, and Maps
 - NYS Full Environmental Assessment Form
 - A check payable to the Agency in the amount of \$1,000
 - A check payable to Barclay Damon LLP in the amount of \$2,500
9. This Application was adopted by the OCIDA Board on September 14, 2021.

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: Nancy Lowery
333 W. Washington Street, Suite 130
Syracuse, NY 13202
Phone: 315-435-3770 | Fax: 315-435-3669
nancylowery@ongov.net

Section I: Applicant Information

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

Submittal Date: _____

A) Applicant/Project Operator information (company receiving benefits):

Applicant/Project Operator: _____

Applicant/ Project Operator Address: _____

Phone: _____ Fax: _____

Website: _____ E-mail: _____

Federal ID#: _____ NAICS: _____

State and Year of Incorporation/Organization: _____

Owner (if different from Applicant/Project Owner): _____

Owner Address: _____

Federal ID#: _____

State and Year of Incorporation/Organization: _____

List of stockholders, members, or partners of Owner:

B) Individual Completing Application:

Name: _____

Title: _____

Address: _____

Phone: _____ Fax: _____

E-mail: _____

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

Name: _____
Title: _____
Address: _____
Phone: _____ Cell Phone: _____
E-mail: _____

D) Company Counsel:

Name of Attorney: _____
Firm Name: _____
Address: _____
Phone: _____ Cell Phone: _____
E-mail: _____

E) Business Organization (check appropriate category):

- Corporation Partnership
 Public Corporation Joint Venture
 Sole Proprietorship Limited Liability Company
 Other (please specify): _____

Year Established: _____
State in which Organization is established: _____

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

Name	% of ownership
_____	_____
_____	_____
_____	_____
_____	_____

G) Applicant Business Description:

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

Estimated % of sales within Onondaga County: _____

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

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

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

(*Percentage to equal 100%)

H) 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? Please attach any explanations. Yes No

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

Yes No

Section II: Project and Site Information

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

Address: _____

Legal Address (if different): _____

City: _____ Village/Town: _____

Zip Code: _____ School District: _____

Tax Map Parcel ID(s): _____

Current Assessed Value: _____ Footage of Existing Building: _____

Census Tract: _____

B) Type (Check all that apply):

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

C) Project Narrative: A statement that there is a likelihood that the project would not be undertaken but for the financial assistance provided by the Agency or, if the project could be undertaken without financial assistance provided by the Agency, a statement indicating why the project should be undertaken by the agency.

* For a Retail Project (also see page 14)

* For a Renewable Energy Project (also see page 15)

* For a Housing Project (also see page 17)

D) Description of Project: Please provide a detailed narrative of the proposed Project. Please separately attach the description and any copies of site plans, sketches or maps. 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;
- (v) please describe your method for site control (Own, lease, other).

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 (see page 14) |
| <input type="checkbox"/> Housing Project (see page 17) | <input type="checkbox"/> Mixed Use |
| <input type="checkbox"/> Equipment Purchase | <input type="checkbox"/> Facility for Aging |
| <input type="checkbox"/> Multi-Use Tenant | <input type="checkbox"/> Civic Facility (not for profit) |
| <input type="checkbox"/> Renewable Energy Project (see page 15) | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Commercial | |

F) If applicant will not occupy 100% of the building in a real estate transaction, provide information on tenant(s) that includes name, present address, and percentage of project to be leased, type of business organization, relationship to applicant, date and term of lease.

G) 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

H) 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

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

J) Local Approvals (Site Plan and Environmental Review)

1. Have site plans been submitted to the appropriate town or local planning department?
 Yes. What is the status? No. When will the plans be submitted?
-

2. Has the project received site plan approval from the town or local planning board?
 Yes No

3. If no, what is the anticipated approval date? _____

4. If yes, provide the Agency with a copy of the Planning Board's approval resolution along with the related SEQR determination. (NOTE: SEQR determination is required for final approval and sales tax agency appointment.)

5. Environmental Information

- a. Please attach the appropriate Environmental Impact Forms to your application. Here is a link to the SEQR forms: <http://www.dec.ny.gov/permits/6191.html>

- b. Have any environmental issues been identified on the property?

Yes No

If yes, please attach an explanation.

Section III: Construction

A) Project Costs and Finances

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

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

B) TOTAL Capital Costs \$ _____

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) \$ _____

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

D) New Employment Benefits

- i. Complete the following chart indicating the number of FTE jobs presently employed at the Project and the number of FTE jobs that will be created at the Project site at the end of the first, second, and third, 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.

Please use this chart to illustrate the current employment:

Job Title/Category	Current Annual Pay	Current Employment (FTE)

Please use this chart to illustrate the projected employment growth:

Job Title/Category	Current Annual Pay	Jobs Created Year 1	Jobs Created Year 2	Jobs Created Year 3

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

E) Financial Assistance sought (estimated values):

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

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

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

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

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

\$ _____

Estimated State and local Sales and Use Tax Benefit (product of 8% multiplied by the figure, above) (This should match the amount in section “E” on page 9, this calculation only exists to help you with your estimate):

\$ _____

Section IV: Estimate of Real Property Tax Abatement Benefits

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

A) PILOTS Estimate Table Worksheet

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

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

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

SECTION: V For Retail Projects Only

1. Will the cost of the retail portion of the Project exceed one-third of the total project cost?
Yes No

2. Is the Project located in a distressed area? A distressed area is a census tract that has
a) a poverty rate of a least 20% or at least 20% of households receiving public
assistance, and (b) an unemployment rate of least 1.25 times the statewide
unemployment rate for the year to which the date relates.
Yes No

3. Is the Project likely to attract a significant number of visitors from outside of the
economic development region?
Yes No

4. Is the predominate 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
Town, City, County or Village of where the Project will be located.
Yes No

SECTION VI: For Solar Projects Only

Please complete the following as an addendum:

1. Describe the reasons why the Agency's financial assistance is necessary. Describe how the Project would be affected if these benefits were not provided. [see Section II (C)]
2. Is the applicant leasing the property?
 - Yes, please provide a copy of the lease
 - No, purchased the property. Please provide documentation.
3. Has the applicant provided written communication to the affected taxing jurisdictions notifying them of its intent to construct a renewable energy project?
 - Yes
 - No
4. Has the applicant received a letter of support for the megawatt cost to be used as a basis for the PILOT from the town, city or village where the Project is located?
 - Yes. Please provide copy.
 - No
5. Has the applicant received a letter of support for the megawatt cost to be used as a basis for PILOT from the school district?
 - Yes. Please provide copy.
 - No
6. Is the entire parcel being used for the solar project?
 - Yes
 - No, if not, have you reached out to the town assessor to discuss a subdivision or slash parcel? Explain: _____
7. Will the applicant enter into a decommissioning plan with the host community, including financial assurance the plan can be executed?
 - Yes, explain.
 - No

**PLEASE SEE FOLLOWING PAGE FOR OCIDA SOLAR BEST PRACTICES*

OCIDA SOLAR PILOTs GUIDANCE AND BEST PRACTICE

To be placed on the OCIDA meeting agenda, proposed solar projects must provide OCIDA with the following in advance of the Project's first OCIDA meeting:

1. Fully completed OCIDA application.
2. Copy of Environmental Assessment Form.
3. A SEQR resolution approved by a local municipality indicating municipality will be lead agency, the type of action (I, II, or unlisted) and, if completed, the SEQR determination made by the municipality.
4. Copies of your zoning applications submitted to the local municipality.
5. Verification of parcel subdivision process with the town (if the entire parcel will not be used for the solar project).
6. A statement clarifying whether the applicant will lease or purchase the real property on which the Project is situated. If leased, provide a copy of the proposed or executed lease. If lease parcel is less than entire parcel then see 5 above.
7. A supporting document from the School District and the Town Board outlining the agreed upon cost per megawatt to be used as a basis for the PILOT. OCIDA cannot create the PILOT schedule without this information.

You will receive a draft Cost Benefit Analysis and a Draft PILOT schedule from this office. You may use these documents as your Project progresses through the OCIDA approval process. OCIDA staff are available to update these two documents as needed.

SECTION VII: For Housing Projects Only

Please complete the following as an addendum:

1. Describe the reasons why the Agency's financial assistance is necessary. Describe how the project would be impacted if these benefits were not provided. [see Section II (C)]
2. Is the Project being built in a blighted area? Please describe.
3. Is the Project fulfilling an unmet need in the area? Please explain.
4. Please provide a market study documenting a need for such housing.
5. Is there support from local government officials for the Project and for the financial assistance being requested from the Agency? Please provide written documentation.
6. Is the Project considered infill in a populated area? Please explain.
7. Does the Project provide walkability?
8. Is there additional county infrastructure necessary to service the Project? If, yes, please explain.
9. Is the Project part of a larger mixed-use development? Please describe.

Section VIII: 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 CVE US E14 Manlius North LLC (the Company) understands the Local Access Policy and agrees to complete Appendix C of the Agency's application at the time of the application to the Agency and as part of a request to extend the valid date of the Agency's tax-exempt certificate for the Project. The Company understands that an Agency tax-exempt certificate is typically valid for 12 months from the effective date of the project inducement and extended thereafter upon request by the Company. The Company further understands that any request for a waiver to this policy must be submitted in writing and approved by the Agency.

I agree to the conditions of this agreement and certify all information provided regarding the construction and employment activities for the project as of 01/03/22 (date).

Company: CVE US E14 Manlius North LLC

Representative for Contract: David Froelich

Address: 109 W 27th St City: New York State: NY Zip: 10001

Phone: 914-847-0043 Email: david.froelich@cvegroup.com

Project Address: 8107 East Seneca Turnpike City: Manlius State: NY Zip: 13104

General Contractor: TBD

Contact Person: TBD

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

Phone: _____ Email: _____

Authorized Representative: David Froelich Title: Director of Business Development

Signature: David Froelich

Section IX: Agency Fee Schedule

* Minimum Fee to be applied to all project receiving OCIDA benefits is 1% of the Total Project Cost (TPC)

ACTIVITY	FEES	COMMENTS
Non- refundable Application Fee	\$1,000	Due at time of application
Legal Deposit	\$2,500	Due at time of application
Minimum Fee of 1% of TPC		
1. Sales and Use Tax Exemption	.01 X TPC	Due at closing
2. Mortgage Recording Tax		
3. PILOT is an additional fee	.0025 X TPC (total .0125)	
Bonds Bond refinancing and refunding	.0025 of TPC	Due at closing
Agency Legal Fees		
Fee for first \$20 million	.0025 X of the project cost or bond amount	Due at closing
Fee for expenses above \$20 million	.00125 X of project cost or bond amount	

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 X: 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.

Please refer to the OCIDA Uniform Tax Exemption Policy. (add hyperlink)

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

CVE US EI4 Manlius North, LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

David Froelich, Director, Business Development

Date: 01/03/22

Section XI: Conflict of Interest

Agency Board Members

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

Agency Officers/Staff

1. Robert M. Petrovich, Executive Director
2. Nathaniel Stevens, Treasurer
3. Nancy Lowery, Secretary
4. Karen Doster, Recording Secretary
5. Christopher Cox, Assistant Treasurer

Agency Legal Counsel & Auditor

1. Jeffrey Davis, Esq., Barclay Damon LLP
2. Amanda Fitzgerald, 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

CVE US E14 Manlius North, LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

David Froelich, Director, Business Development

Date: 01/03/22

Section XII: Representations, Certifications, and Indemnification

_____ (Name of CEO or other authorized representative of Applicant) confirms and says that he/she is the _____ (title) of _____ (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:

CVE US E14 Manlius North, LLC

Signature of Officer or Authorized Representative:

David Froelich

Name & Title of Officer or Authorized Representative:

David Froelich, Director, Business Development

Date: 01/03/22

STATE OF ~~NEW YORK~~ CONNECTICUT)

COUNTY OF ~~ONONDAGA~~ FAIRFIELD) ss.;

DAVID FROELICH, being first duly sworn, deposes and says:

1. That I am the Director (Corporate Officer) of CVE US E14 MANLIUS ~~WEST~~ ^{NORTH} LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant. DF
2. That I have read and attached Application, I Know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete

(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury this 13th day of 1, 20 22.

[Signature]

(Notary Public)



End of Application

exp- 6/30/2024

August 6th, 2022

Onondaga County IDA
333 W. Washington St, Suite 130
Syracuse, NY 13202

RE: OCIDA Benefits Application - Section II, D: Description of Project

Dear OCIDA,

Please see the response from CVE US E14 Manlius North, LLC regarding Section II, D: Description of Project of the OCIDA Application.

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

- 13.7 acres, 1.5MWac

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

- 38.785 acres (per final subdivision map; to be subdivided from existing 230.854 acre parcel)

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

- Current use of the site is an agricultural farm. The intended use of the site is solar renewable energy facility.

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

- The generation of solar electricity.

(v) please describe your method for site control (Own, lease, other).

- Purchase and Sale Agreement.

Sincerely,
Carson Weinand
Senior Business Developer
Carson.weinand@cvegroup.com
239-784-8080

Onondaga County Industrial Development Agency



Project Summary DRAFT

9/1/2022

1. Project	CVE US15 Manlius East, LLC	2. Project Number	3101-21-17B
3. Location	Manlius	4. School District	Fayetteville-Manlius School District
5. Tax Parcel(s)	099.-01-03.0	6. Project Type	Solar new construction

7. Total Project Cost	\$	16,500,000	8. Total Jobs	0
Land	\$	750,000	8A. Job Retention	0
Site Work	\$	4,500,000	8B: Job Creation	0
Building	\$		(Next 5 Years)	
Furniture & Fixtures	\$	-		
Equipment	\$			
Equipment Subject to NYS Production Exemption	\$	5,500,000		
Engineering/Architecture Fees	\$	450,000		
Financial Charges	\$	1,200,000		
Legal Fees	\$	100,000		
Other- Solar Installation Labor	\$	3,000,000		

Cost Benefit Analysis

CVE US15 Manlius East, LLC

Fiscal Impact (\$)

Abatement Cost	\$	771,375
Sales Tax	\$	660,000
Mortgage Tax	\$	111,375
Property Tax Relief (PILOT)	\$	-
New Investment	\$	16,391,500
PILOT Payments	\$	-
Project Wages (10 years)	\$	-
Construction Wages	\$	725,500
Employee Benefits (10 years)	\$	-
Project Capital Investment	\$	15,500,000
Agency Fees	\$	166,000

Project Description

CVE US15 Manlius West, LLC are proposing to construct a 5MW solar array on 36.7 acres of land in the Town of Manlius.

Benefit:Cost Ratio

21 :1



ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPLICATION FOR BENEFITS

1. Fill in all blanks using “none”, “not applicable” or “not available”. If you have any questions about the way to respond, please call the Onondaga County Industrial Development Agency (the “Agency” or “OCIDA”) at 315-435-3770.
2. If providing an estimate put “(est.)” after the figure or answer. If more space is needed to answer any specific question, attach a separate sheet.
3. If the OCIDA Board approves benefits, it is the company’s responsibility to obtain and submit all necessary forms and documents.
4. When completed, return this Application by mail or fax to the Agency at the address indicated below. A signed application may also be submitted electronically in PDF format to Nancy Lowery at nancylowery@ongov.net. **An Application will not be considered by the Agency until the Application fee has been received.**
5. The Agency will not give final approval for this Application until the Agency receives a completed NYS Full Environmental Assessment Form concerning the project which is the subject of this Application. The form is available at <http://www.dec.ny.gov/permits/6191.html>.
6. Please note the Public Officers Law declares all records in the possession of the OCIDA (with certain limited exceptions) are open to public inspection and copying. If the Applicant is of the opinion that there are elements of the project which are in the nature of trade secrets which, if disclosed to the public or otherwise widely disseminated, would cause substantial injury to the Applicant’s competitive position, this Applicant must identify such elements in writing and request that such elements be kept confidential. In accordance with Article 6 of the Public Officer’s Law, the OCIDA may also redact personal, private, and/or proprietary information from publicly disseminated documents.
7. The Applicant will be required to pay the Agency Application fee and, if accepted as a project of the Agency, all administrative and legal fees as stated in Section VI of the Application.
8. A complete Application consists of the following 9 items:
 - This Application
 - Local Access Agreement
 - Employment Plan
 - Conflict of Interest
 - A feasibility statement indicating the need for the requested benefits
 - Description of Project, Site Plans/Sketches, and Maps
 - NYS Full Environmental Assessment Form
 - A check payable to the Agency in the amount of \$1,000
 - A check payable to Barclay Damon LLP in the amount of \$2,500
9. This Application was adopted by the OCIDA Board on September 14, 2021.

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: Nancy Lowery
333 W. Washington Street, Suite 130
Syracuse, NY 13202
Phone: 315-435-3770 | Fax: 315-435-3669
nancylowery@ongov.net

Section I: Applicant Information

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

Submittal Date: _____

A) Applicant/Project Operator information (company receiving benefits):

Applicant/Project Operator: _____

Applicant/ Project Operator Address: _____

Phone: _____ Fax: _____

Website: _____ E-mail: _____

Federal ID#: _____ NAICS: _____

State and Year of Incorporation/Organization: _____

Owner (if different from Applicant/Project Owner): _____

Owner Address: _____

Federal ID#: _____

State and Year of Incorporation/Organization: _____

List of stockholders, members, or partners of Owner:

B) Individual Completing Application:

Name: _____

Title: _____

Address: _____

Phone: _____ Fax: _____

E-mail: _____

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

Name: _____
Title: _____
Address: _____
Phone: _____ Cell Phone: _____
E-mail: _____

D) Company Counsel:

Name of Attorney: _____
Firm Name: _____
Address: _____
Phone: _____ Cell Phone: _____
E-mail: _____

E) Business Organization (check appropriate category):

- Corporation Partnership
 Public Corporation Joint Venture
 Sole Proprietorship Limited Liability Company
 Other (please specify): _____

Year Established: _____
State in which Organization is established: _____

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

Name	% of ownership
_____	_____
_____	_____
_____	_____
_____	_____

G) Applicant Business Description:

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

Estimated % of sales within Onondaga County: _____

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

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

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

(*Percentage to equal 100%)

H) 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? Please attach any explanations. Yes No

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

Yes No

Section II: Project and Site Information

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

Address: _____

Legal Address (if different): _____

City: _____ Village/Town: _____

Zip Code: _____ School District: _____

Tax Map Parcel ID(s): _____

Current Assessed Value: _____ Footage of Existing Building: _____

Census Tract: _____

B) Type (Check all that apply):

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

C) Project Narrative: A statement that there is a likelihood that the project would not be undertaken but for the financial assistance provided by the Agency or, if the project could be undertaken without financial assistance provided by the Agency, a statement indicating why the project should be undertaken by the agency.

* For a Retail Project (also see page 14)

* For a Renewable Energy Project (also see page 15)

* For a Housing Project (also see page 17)

D) Description of Project: Please provide a detailed narrative of the proposed Project. Please separately attach the description and any copies of site plans, sketches or maps. 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;
- (v) please describe your method for site control (Own, lease, other).

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 (see page 14) |
| <input type="checkbox"/> Housing Project (see page 17) | <input type="checkbox"/> Mixed Use |
| <input type="checkbox"/> Equipment Purchase | <input type="checkbox"/> Facility for Aging |
| <input type="checkbox"/> Multi-Use Tenant | <input type="checkbox"/> Civic Facility (not for profit) |
| <input type="checkbox"/> Renewable Energy Project (see page 15) | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Commercial | |

F) If applicant will not occupy 100% of the building in a real estate transaction, provide information on tenant(s) that includes name, present address, and percentage of project to be leased, type of business organization, relationship to applicant, date and term of lease.

G) 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

H) 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

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

J) Local Approvals (Site Plan and Environmental Review)

1. Have site plans been submitted to the appropriate town or local planning department?
 Yes. What is the status? No. When will the plans be submitted?
-

2. Has the project received site plan approval from the town or local planning board?
 Yes No

3. If no, what is the anticipated approval date? _____

4. If yes, provide the Agency with a copy of the Planning Board's approval resolution along with the related SEQR determination. (NOTE: SEQR determination is required for final approval and sales tax agency appointment.)

5. Environmental Information

- a. Please attach the appropriate Environmental Impact Forms to your application. Here is a link to the SEQR forms: <http://www.dec.ny.gov/permits/6191.html>

- b. Have any environmental issues been identified on the property?
 Yes No

If yes, please attach an explanation.

Section III: Construction

A) Project Costs and Finances

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

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

B) TOTAL Capital Costs \$ _____

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) \$ _____

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

D) New Employment Benefits

- i. Complete the following chart indicating the number of FTE jobs presently employed at the Project and the number of FTE jobs that will be created at the Project site at the end of the first, second, and third, 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.

Please use this chart to illustrate the current employment:

Job Title/Category	Current Annual Pay	Current Employment (FTE)

Please use this chart to illustrate the projected employment growth:

Job Title/Category	Current Annual Pay	Jobs Created Year 1	Jobs Created Year 2	Jobs Created Year 3

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

E) Financial Assistance sought (estimated values):

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

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

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

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

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

\$ _____

Estimated State and local Sales and Use Tax Benefit (product of 8% multiplied by the figure, above) (This should match the amount in section “E” on page 9, this calculation only exists to help you with your estimate):

\$ _____

Section IV: Estimate of Real Property Tax Abatement Benefits

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

A) PILOTS Estimate Table Worksheet

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

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

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

SECTION: V For Retail Projects Only

1. Will the cost of the retail portion of the Project exceed one-third of the total project cost?
Yes No

2. Is the Project located in a distressed area? A distressed area is a census tract that has
a) a poverty rate of a least 20% or at least 20% of households receiving public assistance, and (b) an unemployment rate of least 1.25 times the statewide unemployment rate for the year to which the date relates.
Yes No

3. Is the Project likely to attract a significant number of visitors from outside of the economic development region?
Yes No

4. Is the predominate 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 Town, City, County or Village of where the Project will be located.
Yes No

SECTION VI: For Solar Projects Only

Please complete the following as an addendum:

1. Describe the reasons why the Agency's financial assistance is necessary. Describe how the Project would be affected if these benefits were not provided. [see Section II (C)]
2. Is the applicant leasing the property?
 - Yes, please provide a copy of the lease
 - No, purchased the property. Please provide documentation.
3. Has the applicant provided written communication to the affected taxing jurisdictions notifying them of its intent to construct a renewable energy project?
 - Yes
 - No
4. Has the applicant received a letter of support for the megawatt cost to be used as a basis for the PILOT from the town, city or village where the Project is located?
 - Yes. Please provide copy.
 - No
5. Has the applicant received a letter of support for the megawatt cost to be used as a basis for PILOT from the school district?
 - Yes. Please provide copy.
 - No
6. Is the entire parcel being used for the solar project?
 - Yes
 - No, if not, have you reached out to the town assessor to discuss a subdivision or slash parcel? Explain: _____
7. Will the applicant enter into a decommissioning plan with the host community, including financial assurance the plan can be executed?
 - Yes, explain.
 - No

**PLEASE SEE FOLLOWING PAGE FOR OCIDA SOLAR BEST PRACTICES*

OCIDA SOLAR PILOTs GUIDANCE AND BEST PRACTICE

To be placed on the OCIDA meeting agenda, proposed solar projects must provide OCIDA with the following in advance of the Project's first OCIDA meeting:

1. Fully completed OCIDA application.
2. Copy of Environmental Assessment Form.
3. A SEQR resolution approved by a local municipality indicating municipality will be lead agency, the type of action (I, II, or unlisted) and, if completed, the SEQR determination made by the municipality.
4. Copies of your zoning applications submitted to the local municipality.
5. Verification of parcel subdivision process with the town (if the entire parcel will not be used for the solar project).
6. A statement clarifying whether the applicant will lease or purchase the real property on which the Project is situated. If leased, provide a copy of the proposed or executed lease. If lease parcel is less than entire parcel then see 5 above.
7. A supporting document from the School District and the Town Board outlining the agreed upon cost per megawatt to be used as a basis for the PILOT. OCIDA cannot create the PILOT schedule without this information.

You will receive a draft Cost Benefit Analysis and a Draft PILOT schedule from this office. You may use these documents as your Project progresses through the OCIDA approval process. OCIDA staff are available to update these two documents as needed.

SECTION VII: For Housing Projects Only

Please complete the following as an addendum:

1. Describe the reasons why the Agency's financial assistance is necessary. Describe how the project would be impacted if these benefits were not provided. [see Section II (C)]
2. Is the Project being built in a blighted area? Please describe.
3. Is the Project fulfilling an unmet need in the area? Please explain.
4. Please provide a market study documenting a need for such housing.
5. Is there support from local government officials for the Project and for the financial assistance being requested from the Agency? Please provide written documentation.
6. Is the Project considered infill in a populated area? Please explain.
7. Does the Project provide walkability?
8. Is there additional county infrastructure necessary to service the Project? If, yes, please explain.
9. Is the Project part of a larger mixed-use development? Please describe.

Section VIII: 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 CVE US E15 Manlius East LLC (the Company) understands the Local Access Policy and agrees to complete Appendix C of the Agency's application at the time of the application to the Agency and as part of a request to extend the valid date of the Agency's tax-exempt certificate for the Project. The Company understands that an Agency tax-exempt certificate is typically valid for 12 months from the effective date of the project inducement and extended thereafter upon request by the Company. The Company further understands that any request for a waiver to this policy must be submitted in writing and approved by the Agency.

I agree to the conditions of this agreement and certify all information provided regarding the construction and employment activities for the project as of 01/03/22 (date).

Company: CVE US E15 Manlius East LLC

Representative for Contract: David Froelich

Address: 109 W 27th St City: New York State: NY Zip: 10001

Phone: 914-847-0043 Email: david.froelich@cvegroup.com

Project Address: 8109 East Seneca Turnpike City: Manlius State: NY Zip: 13104

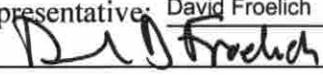
General Contractor: TBD

Contact Person: TBD

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

Phone: _____ Email: _____

Authorized Representative: David Froelich Title: Director of Business Development

Signature: 

Section IX: Agency Fee Schedule

* Minimum Fee to be applied to all project receiving OCIDA benefits is 1% of the Total Project Cost (TPC)

ACTIVITY	FEES	COMMENTS
Non- refundable Application Fee	\$1,000	Due at time of application
Legal Deposit	\$2,500	Due at time of application
Minimum Fee of 1% of TPC		
1. Sales and Use Tax Exemption	.01 X TPC	Due at closing
2. Mortgage Recording Tax		
3. PILOT is an additional fee	.0025 X TPC (total .0125)	
Bonds Bond refinancing and refunding	.0025 of TPC	Due at closing
Agency Legal Fees		
Fee for first \$20 million	.0025 X of the project cost or bond amount	Due at closing
Fee for expenses above \$20 million	.00125 X of project cost or bond amount	

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 X: 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.

Please refer to the OCIDA Uniform Tax Exemption Policy. (add hyperlink)

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

CVE US EI5 Manlius East, LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

David Froelich, Director, Business Development

Date: 01/03/22

Section XI: Conflict of Interest

Agency Board Members

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

Agency Officers/Staff

- 1. Robert M. Petrovich, Executive Director
- 2. Nathaniel Stevens, Treasurer
- 3. Nancy Lowery, Secretary
- 4. Karen Doster, Recording Secretary
- 5. Christopher Cox, Assistant Treasurer

Agency Legal Counsel & Auditor

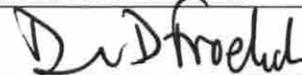
- 1. Jeffrey Davis, Esq., Barclay Damon LLP
- 2. Amanda Fitzgerald, Esq., Barclay Damon LLP
- 3. Michael G. Lisson, CPA, Grossman St. Amour Certified Public Accountants PLLC

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

CVE US EI5 Manlius East, LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

David Froelich, Director, Business Development

Date: 01/03/22

Section XII: Representations, Certifications, and Indemnification

_____ (Name of CEO or other authorized representative of Applicant) confirms and says that he/she is the _____ (title) of _____ (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:

CVE US E15 Manlius East, LLC

Signature of Officer or Authorized Representative:

David Froelich

Name & Title of Officer or Authorized Representative:

David Froelich, Director, Business Development

Date: 01/03/22

Connecticut
STATE OF ~~NEW YORK~~)

COUNTY OF ~~ONONDAGA~~ *Fairfield*) ss.;

DAVID FROELICH, being first duly sworn, deposes and says:

1. That I am the Director (Corporate Officer) of CVE US E15 Manlius East LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read and attached Application, I Know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete

(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury this 15th day of Jan, 20 22.

[Signature]

(Notary Public)



End of Application

exp. 6/30/2024

August 6th, 2022

Onondaga County IDA
333 W. Washington St, Suite 130
Syracuse, NY 13202

RE: OCIDA Benefits Application - Section II, D: Description of Project

Dear OCIDA,

Please see the response from CVE US EI5 Manlius East, LLC regarding Section II, D: Description of Project of the OCIDA Application.

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

- 36.7 acres, 5.0 MWac

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

- 68.278 acres (per final subdivision map; to be subdivided from existing 230.854 acre parcel)

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

- Current use of the site is an agricultural farm. The intended use of the site is solar renewable energy facility.

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

- The generation of solar electricity.

(v) please describe your method for site control (Own, lease, other).

- Purchase and Sale Agreement.

Sincerely,
Carson Weinand
Senior Business Developer
Carson.weinand@cvegroup.com
239-784-8080

Onondaga County Industrial Development Agency



Project Summary DRAFT

9/1/2022

1. Project	CVE USI6 Manlius West, LLC	2. Project Number	3101-21-18C
3. Location	Manlius	4. School District	Fayetteville-Manlius School District
5. Tax Parcel(s)	099.-01-03.0	6. Project Type	Solar new construction

7. Total Project Cost	\$	14,725,000	8. Total Jobs	0
Land	\$	750,000	8A. Job Retention	0
Site Work	\$	4,500,000	8B: Job Creation	0
Building	\$	-	(Next 5 Years)	
Furniture & Fixtures	\$	-		
Equipment	\$	-		
Equipment Subject to NYS Production Exemption	\$	5,500,000		
Engineering/Architecture Fees	\$	450,000		
Financial Charges	\$	1,150,000		
Legal Fees	\$	100,000		
Other- Solar Installation Labor	\$	1,275,000		

<u>Cost Benefit Analysis</u>	CVE USI6 Manlius West, LLC	
	Fiscal Impact (\$)	
Abatement Cost	\$	688,394
Sales Tax	\$	589,000
Mortgage Tax	\$	99,394
Property Tax Relief (PILOT)	\$	-
New Investment	\$	14,598,750
PILOT Payments	\$	-
Project Wages (10 years)	\$	-
Construction Wages	\$	725,500
Employee Benefits (10 years)	\$	-
Project Capital Investment	\$	13,725,000
Agency Fees	\$	148,250
Benefit:Cost Ratio		21 :1

Project Description

CVE USI6 Manlius West, LLC are proposing to construct a 5MW solar array on 40.7 acres of land in the Town of Manlius.

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ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPLICATION FOR BENEFITS

1. Fill in all blanks using “none”, “not applicable” or “not available”. If you have any questions about the way to respond, please call the Onondaga County Industrial Development Agency (the “Agency” or “OCIDA”) at 315-435-3770.
2. If providing an estimate put “(est.)” after the figure or answer. If more space is needed to answer any specific question, attach a separate sheet.
3. If the OCIDA Board approves benefits, it is the company’s responsibility to obtain and submit all necessary forms and documents.
4. When completed, return this Application by mail or fax to the Agency at the address indicated below. A signed application may also be submitted electronically in PDF format to Nancy Lowery at nancylowery@ongov.net. **An Application will not be considered by the Agency until the Application fee has been received.**
5. The Agency will not give final approval for this Application until the Agency receives a completed NYS Full Environmental Assessment Form concerning the project which is the subject of this Application. The form is available at <http://www.dec.ny.gov/permits/6191.html>.
6. Please note the Public Officers Law declares all records in the possession of the OCIDA (with certain limited exceptions) are open to public inspection and copying. If the Applicant is of the opinion that there are elements of the project which are in the nature of trade secrets which, if disclosed to the public or otherwise widely disseminated, would cause substantial injury to the Applicant’s competitive position, this Applicant must identify such elements in writing and request that such elements be kept confidential. In accordance with Article 6 of the Public Officer’s Law, the OCIDA may also redact personal, private, and/or proprietary information from publicly disseminated documents.
7. The Applicant will be required to pay the Agency Application fee and, if accepted as a project of the Agency, all administrative and legal fees as stated in Section VI of the Application.
8. A complete Application consists of the following 9 items:
 - This Application
 - Local Access Agreement
 - Employment Plan
 - Conflict of Interest
 - A feasibility statement indicating the need for the requested benefits
 - Description of Project, Site Plans/Sketches, and Maps
 - NYS Full Environmental Assessment Form
 - A check payable to the Agency in the amount of \$1,000
 - A check payable to Barclay Damon LLP in the amount of \$2,500
9. This Application was adopted by the OCIDA Board on September 14, 2021.

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: Nancy Lowery
333 W. Washington Street, Suite 130
Syracuse, NY 13202
Phone: 315-435-3770 | Fax: 315-435-3669
nancylowery@ongov.net

Section I: Applicant Information

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

Submittal Date: _____

A) Applicant/Project Operator information (company receiving benefits):

Applicant/Project Operator: _____

Applicant/ Project Operator Address: _____

Phone: _____ Fax: _____

Website: _____ E-mail: _____

Federal ID#: _____ NAICS: _____

State and Year of Incorporation/Organization: _____

Owner (if different from Applicant/Project Owner): _____

Owner Address: _____

Federal ID#: _____

State and Year of Incorporation/Organization: _____

List of stockholders, members, or partners of Owner:

B) Individual Completing Application:

Name: _____

Title: _____

Address: _____

Phone: _____ Fax: _____

E-mail: _____

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

Name: _____
Title: _____
Address: _____
Phone: _____ Cell Phone: _____
E-mail: _____

D) Company Counsel:

Name of Attorney: _____
Firm Name: _____
Address: _____
Phone: _____ Cell Phone: _____
E-mail: _____

E) Business Organization (check appropriate category):

- Corporation Partnership
 Public Corporation Joint Venture
 Sole Proprietorship Limited Liability Company
 Other (please specify): _____

Year Established: _____
State in which Organization is established: _____

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

Name	% of ownership
_____	_____
_____	_____
_____	_____
_____	_____

G) Applicant Business Description:

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

Estimated % of sales within Onondaga County: _____

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

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

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

(*Percentage to equal 100%)

H) 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? Please attach any explanations. Yes No

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

Yes No

Section II: Project and Site Information

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

Address: _____

Legal Address (if different): _____

City: _____ Village/Town: _____

Zip Code: _____ School District: _____

Tax Map Parcel ID(s): _____

Current Assessed Value: _____ Footage of Existing Building: _____

Census Tract: _____

B) Type (Check all that apply):

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

C) Project Narrative: A statement that there is a likelihood that the project would not be undertaken but for the financial assistance provided by the Agency or, if the project could be undertaken without financial assistance provided by the Agency, a statement indicating why the project should be undertaken by the agency.

* For a Retail Project (also see page 14)

* For a Renewable Energy Project (also see page 15)

* For a Housing Project (also see page 17)

D) Description of Project: Please provide a detailed narrative of the proposed Project. Please separately attach the description and any copies of site plans, sketches or maps. 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;
- (v) please describe your method for site control (Own, lease, other).

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 (see page 14) |
| <input type="checkbox"/> Housing Project (see page 17) | <input type="checkbox"/> Mixed Use |
| <input type="checkbox"/> Equipment Purchase | <input type="checkbox"/> Facility for Aging |
| <input type="checkbox"/> Multi-Use Tenant | <input type="checkbox"/> Civic Facility (not for profit) |
| <input type="checkbox"/> Renewable Energy Project (see page 15) | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Commercial | |

F) If applicant will not occupy 100% of the building in a real estate transaction, provide information on tenant(s) that includes name, present address, and percentage of project to be leased, type of business organization, relationship to applicant, date and term of lease.

G) 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

H) 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

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

J) Local Approvals (Site Plan and Environmental Review)

1. Have site plans been submitted to the appropriate town or local planning department?
 Yes. What is the status? No. When will the plans be submitted?
-

2. Has the project received site plan approval from the town or local planning board?
 Yes No

3. If no, what is the anticipated approval date? _____

4. If yes, provide the Agency with a copy of the Planning Board's approval resolution along with the related SEQR determination. (NOTE: SEQR determination is required for final approval and sales tax agency appointment.)

5. Environmental Information

- a. Please attach the appropriate Environmental Impact Forms to your application. Here is a link to the SEQR forms: <http://www.dec.ny.gov/permits/6191.html>

- b. Have any environmental issues been identified on the property?

Yes No

If yes, please attach an explanation.

Section III: Construction

A) Project Costs and Finances

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

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

B) TOTAL Capital Costs \$ _____

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) \$ _____

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

D) New Employment Benefits

- i. Complete the following chart indicating the number of FTE jobs presently employed at the Project and the number of FTE jobs that will be created at the Project site at the end of the first, second, and third, 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.

Please use this chart to illustrate the current employment:

Job Title/Category	Current Annual Pay	Current Employment (FTE)

Please use this chart to illustrate the projected employment growth:

Job Title/Category	Current Annual Pay	Jobs Created Year 1	Jobs Created Year 2	Jobs Created Year 3

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

E) Financial Assistance sought (estimated values):

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

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

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

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

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

\$ _____

Estimated State and local Sales and Use Tax Benefit (product of 8% multiplied by the figure, above) (This should match the amount in section “E” on page 9, this calculation only exists to help you with your estimate):

\$ _____

Section IV: Estimate of Real Property Tax Abatement Benefits

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

A) PILOTS Estimate Table Worksheet

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

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

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

SECTION: V For Retail Projects Only

1. Will the cost of the retail portion of the Project exceed one-third of the total project cost?
Yes No

2. Is the Project located in a distressed area? A distressed area is a census tract that has
a) a poverty rate of a least 20% or at least 20% of households receiving public
assistance, and (b) an unemployment rate of least 1.25 times the statewide
unemployment rate for the year to which the date relates.
Yes No

3. Is the Project likely to attract a significant number of visitors from outside of the
economic development region?
Yes No

4. Is the predominate 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
Town, City, County or Village of where the Project will be located.
Yes No

SECTION VI: For Solar Projects Only

Please complete the following as an addendum:

1. Describe the reasons why the Agency's financial assistance is necessary. Describe how the Project would be affected if these benefits were not provided. [see Section II (C)]
2. Is the applicant leasing the property?
 - Yes, please provide a copy of the lease
 - No, purchased the property. Please provide documentation.
3. Has the applicant provided written communication to the affected taxing jurisdictions notifying them of its intent to construct a renewable energy project?
 - Yes
 - No
4. Has the applicant received a letter of support for the megawatt cost to be used as a basis for the PILOT from the town, city or village where the Project is located?
 - Yes. Please provide copy.
 - No
5. Has the applicant received a letter of support for the megawatt cost to be used as a basis for PILOT from the school district?
 - Yes. Please provide copy.
 - No
6. Is the entire parcel being used for the solar project?
 - Yes
 - No, if not, have you reached out to the town assessor to discuss a subdivision or slash parcel? Explain: _____
7. Will the applicant enter into a decommissioning plan with the host community, including financial assurance the plan can be executed?
 - Yes, explain.
 - No

**PLEASE SEE FOLLOWING PAGE FOR OCIDA SOLAR BEST PRACTICES*

OCIDA SOLAR PILOTs GUIDANCE AND BEST PRACTICE

To be placed on the OCIDA meeting agenda, proposed solar projects must provide OCIDA with the following in advance of the Project's first OCIDA meeting:

1. Fully completed OCIDA application.
2. Copy of Environmental Assessment Form.
3. A SEQR resolution approved by a local municipality indicating municipality will be lead agency, the type of action (I, II, or unlisted) and, if completed, the SEQR determination made by the municipality.
4. Copies of your zoning applications submitted to the local municipality.
5. Verification of parcel subdivision process with the town (if the entire parcel will not be used for the solar project).
6. A statement clarifying whether the applicant will lease or purchase the real property on which the Project is situated. If leased, provide a copy of the proposed or executed lease. If lease parcel is less than entire parcel then see 5 above.
7. A supporting document from the School District and the Town Board outlining the agreed upon cost per megawatt to be used as a basis for the PILOT. OCIDA cannot create the PILOT schedule without this information.

You will receive a draft Cost Benefit Analysis and a Draft PILOT schedule from this office. You may use these documents as your Project progresses through the OCIDA approval process. OCIDA staff are available to update these two documents as needed.

SECTION VII: For Housing Projects Only

Please complete the following as an addendum:

1. Describe the reasons why the Agency's financial assistance is necessary. Describe how the project would be impacted if these benefits were not provided. [see Section II (C)]
2. Is the Project being built in a blighted area? Please describe.
3. Is the Project fulfilling an unmet need in the area? Please explain.
4. Please provide a market study documenting a need for such housing.
5. Is there support from local government officials for the Project and for the financial assistance being requested from the Agency? Please provide written documentation.
6. Is the Project considered infill in a populated area? Please explain.
7. Does the Project provide walkability?
8. Is there additional county infrastructure necessary to service the Project? If, yes, please explain.
9. Is the Project part of a larger mixed-use development? Please describe.

Section VIII: 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 CVE US E16 Manlius West LLC (the Company) understands the Local Access Policy and agrees to complete Appendix C of the Agency's application at the time of the application to the Agency and as part of a request to extend the valid date of the Agency's tax-exempt certificate for the Project. The Company understands that an Agency tax-exempt certificate is typically valid for 12 months from the effective date of the project inducement and extended thereafter upon request by the Company. The Company further understands that any request for a waiver to this policy must be submitted in writing and approved by the Agency.

I agree to the conditions of this agreement and certify all information provided regarding the construction and employment activities for the project as of 01/03/22 (date).

Company: CVE US E16 Manlius West LLC

Representative for Contract: David Froelich

Address: 109 W 27th St City: New York State: NY Zip: 10001

Phone: 914-847-0043 Email: david.froelich@cvegroup.com

Project Address: 8105 East Seneca Turnpike City: Manlius State: NY Zip: 13104

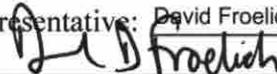
General Contractor: TBD

Contact Person: TBD

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

Phone: _____ Email: _____

Authorized Representative: David Froelich Title: Director of Business Development

Signature: 

Section IX: Agency Fee Schedule

* Minimum Fee to be applied to all project receiving OCIDA benefits is 1% of the Total Project Cost (TPC)

ACTIVITY	FEES	COMMENTS
Non- refundable Application Fee	\$1,000	Due at time of application
Legal Deposit	\$2,500	Due at time of application
Minimum Fee of 1% of TPC		
1. Sales and Use Tax Exemption	.01 X TPC	Due at closing
2. Mortgage Recording Tax		
3. PILOT is an additional fee	.0025 X TPC (total .0125)	
Bonds Bond refinancing and refunding	.0025 of TPC	Due at closing
Agency Legal Fees		
Fee for first \$20 million	.0025 X of the project cost or bond amount	Due at closing
Fee for expenses above \$20 million	.00125 X of project cost or bond amount	

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 X: 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.

Please refer to the OCIDA Uniform Tax Exemption Policy. (add hyperlink)

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

CVE US EI6 Manlius West, LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

David Froelich, Director, Business Development

Date: 01/03/22

Section XI: Conflict of Interest

Agency Board Members

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

Agency Officers/Staff

1. Robert M. Petrovich, Executive Director
2. Nathaniel Stevens, Treasurer
3. Nancy Lowery, Secretary
4. Karen Doster, Recording Secretary
5. Christopher Cox, Assistant Treasurer

Agency Legal Counsel & Auditor

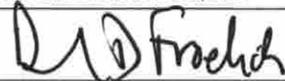
1. Jeffrey Davis, Esq., Barclay Damon LLP
2. Amanda Fitzgerald, Esq., Barclay Damon LLP
3. Michael G. Lisson, CPA, Grossman St. Amour Certified Public Accountants PLLC

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

CVE US EI6 Manlius West, LLC

Signature of Officer or Authorized Representative:



Name & Title of Officer or Authorized Representative:

David Froelich, Director, Business Development

Date: 01/03/22

Section XII: Representations, Certifications, and Indemnification

_____ (Name of CEO or other authorized representative of Applicant) confirms and says that he/she is the _____ (title) of _____ (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:

CVE US E16 Manlius West, LLC

Signature of Officer or Authorized Representative:

David Froelich

Name & Title of Officer or Authorized Representative:

David Froelich, Director, Business Development

Date: 01/03/22

STATE OF ~~NEW YORK~~ ^{Connecticut})

COUNTY OF ~~ONONDAGA~~ ^{Fairfield}) ss.;

DAVID FROELICH

, being first duly sworn, deposes and says:

1. That I am the Director (Corporate Officer) of CVE US E16 Manlius West LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read and attached Application, I Know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete

(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury this 15th day of 1. 2022.

[Signature]

(Notary Public)



End of Application

exp. 6/30/2024

August 6th, 2022

Onondaga County IDA
333 W. Washington St, Suite 130
Syracuse, NY 13202

RE: OCIDA Benefits Application - Section II, D: Description of Project

Dear OCIDA,

Please see the response from CVE US EI6 Manlius West, LLC regarding Section II, D: Description of Project of the OCIDA Application.

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

- 40.7 acres, 5.0 MWac

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

- 123.791 acres (per final subdivision; to be subdivided from existing 230.854 acre parcel)

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

- Current use of the site is an agricultural farm. The intended use of the site is solar renewable energy facility.

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

- The generation of solar electricity.

(v) please describe your method for site control (Own, lease, other).

- Purchase and Sale Agreement.

Sincerely,
Carson Weinand
Senior Business Developer
Carson.weinand@cvegroup.com
239-784-8080

Cryomech Expansion Project

10/4/2022

A) PILOTS Estimate Table Worksheet DRAFT
for 10 years

OCIDA estimate of current market value						\$ 101,217
Projected investment						\$ 12,426,000
OCIDA estimate of increase in value						\$ 1,634,537
OCIDA estimated value after project is completed						\$ 1,735,754
Taxes that would have been collected if the project did not occur						\$ 37,600
Scheduled PILOT payments						\$ 1,283,254

PILOT YEAR	Exemption %	Onondaga County	DeWitt	East Syracuse Minoa School District	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	100%	\$ 4,917.42	\$ 4,630.61	\$ 24,018.96	\$ 33,566.99	\$ 195,556.17	\$ 161,989.18
2	90%	\$ 7,844.63	\$ 7,441.80	\$ 38,191.48	\$ 53,477.91	\$ 199,467.30	\$ 145,989.39
3	80%	\$ 10,886.96	\$ 10,363.58	\$ 52,921.29	\$ 74,171.83	\$ 203,456.64	\$ 129,284.81
4	70%	\$ 14,047.85	\$ 13,399.26	\$ 68,225.02	\$ 95,672.12	\$ 207,525.77	\$ 111,853.65
5	60%	\$ 17,330.82	\$ 16,552.22	\$ 84,119.73	\$ 118,002.76	\$ 211,676.29	\$ 93,673.53
6	50%	\$ 20,739.49	\$ 19,825.93	\$ 100,622.93	\$ 141,188.35	\$ 215,909.82	\$ 74,721.46
7	40%	\$ 24,277.57	\$ 23,223.98	\$ 117,752.62	\$ 165,254.17	\$ 220,228.01	\$ 54,973.85
8	30%	\$ 27,948.88	\$ 26,750.01	\$ 135,527.24	\$ 190,226.14	\$ 224,632.57	\$ 34,406.43
9	20%	\$ 29,476.03	\$ 28,283.23	\$ 142,768.56	\$ 200,527.83	\$ 229,125.22	\$ 28,597.39
10	10%	\$ 31,053.09	\$ 29,867.08	\$ 150,245.32	\$ 211,165.50	\$ 233,707.73	\$ 22,542.23
TOTAL		\$ 188,523	\$ 180,338	\$ 914,393	\$ 1,283,254	\$ 2,141,286	\$ 858,032

	Year					
	0	1	2	3	4	5
Jobs						
Current/Actuals	166					
Creation Goals		8	4	3		
Total Employment Goals	166	174	178	181	181	181

Schedule January 2023 \$16,486.36

Schedule January 2024 \$ 33,566.99

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ONONDAGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPLICATION FOR BENEFITS

1. In accordance with Section 224-a(8)(d) of Article 8 of the New York Labor Law, the Agency has identified that any “financial assistance” (within the meaning of Section 858 of the General Municipal Law) granted by the Agency to the Applicant consisting of sales and use tax exemption benefits, mortgage recording tax exemption benefits and real property tax exemption benefits, constitutes “public funds” within the meaning of Section 224-a(2)(b) of Article 8 of the New York Labor Law and such funds are not excluded under Section 224-a(3) of Article 8 of the New York Labor Law. The Agency hereby notifies the Applicant of the Applicant’s obligations under Section 224-a (8)(a) of Article 8 of the New York Labor Law.
2. Fill in all blanks using “none”, “not applicable” or “not available”. If you have any questions about the way to respond, please call the Onondaga County Industrial Development Agency (the “Agency” or “OCIDA”) at 315-435-3770.
3. If providing an estimate put “(est.)” after the figure or answer. If more space is needed to answer any specific question, attach a separate sheet.
4. If the OCIDA Board approves benefits, it is the company’s responsibility to obtain and submit all necessary forms and documents.
5. All projects approved for benefits by the OCIDA Board will close with the Agency within 6-months of the inducement date. If this schedule cannot be met, the applicant will need to submit a closing schedule modification written request to the Executive Director that will be presented to OCIDA Board for consideration.
6. When completed, return this Application by mail or fax to the Agency at the address indicated below. A signed application may also be submitted electronically in PDF format to Nancy Lowery at nancylowery@ongov.net. **An Application will not be considered by the Agency until the Application fee has been received.**
7. The Agency will not give final approval for this Application until the Agency receives a completed NYS Full Environmental Assessment Form concerning the project which is the subject of this Application. The form is available at <http://www.dec.ny.gov/permits/6191.html>.
8. Please note the Public Officers Law declares all records in the possession of the OCIDA (with certain limited exceptions) are open to public inspection and copying. If the Applicant is of the opinion that there are elements of the project which are in the nature of trade secrets which, if disclosed to the public or otherwise widely disseminated, would cause substantial injury to the Applicant’s competitive position, this Applicant must identify such elements in writing and request that such elements be kept confidential. In accordance with Article 6 of the Public Officer’s Law, the OCIDA may also redact personal, private, and/or proprietary information from publicly disseminated documents.
9. The Applicant will be required to pay the Agency Application fee and, if accepted as a project of the Agency, all administrative and legal fees as stated in Section VI of the Application.

10. A complete Application consists of the following 9 items:

- This Application
- Local Access Agreement
- Employment Plan
- Conflict of Interest
- A feasibility statement indicating the need for the requested benefits
- Description of Project, Site Plans/Sketches, and Maps
- NYS Full Environmental Assessment Form
- A check payable to the Agency in the amount of \$1,000
- A check payable to Barclay Damon LLP in the amount of \$2,500

11. This Application was adopted by the OCIDA Board on January 18, 2022.

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: Nancy Lowery
333 W. Washington Street, Suite 130
Syracuse, NY 13202
Phone: 315-435-3770 | Fax: 315-435-3669
nancylowery@ongov.net

Section I: Applicant Information

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

Submittal Date: _____

A) Applicant/Project Operator information (company receiving benefits):

Applicant/Project Operator: [Click here to enter text.](#) _____

Applicant/ Project Operator Address: _____

Phone: _____ Fax: _____

Website: _____ E-mail: _____

Federal ID#: _____ NAICS: _____

State and Year of Incorporation/Organization: _____

Owner (if different from Applicant/Project Operator): _____

Owner Address: _____

Federal ID#: _____

State and Year of Incorporation/Organization: _____

List of stockholders, members, or partners of Owner:

B) Individual Completing Application:

Name: _____

Title: _____

Address: _____

Phone: _____ Fax: _____

E-mail: _____

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

Name: _____
Title: _____
Address: _____
Phone: _____ Cell Phone: _____
E-mail: _____

D) Company Counsel:

Name of Attorney: _____
Firm Name: _____
Address: _____
Phone: _____ Cell Phone: _____
E-mail: _____

E) Business Organization (check appropriate category):

- Corporation Partnership
 Public Corporation Joint Venture
 Sole Proprietorship Limited Liability Company
 Other (please specify): _____

Year Established: _____
State in which Organization is established: _____

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

Name	% of ownership
_____	_____
_____	_____
_____	_____
_____	_____

G) Applicant Business Description:

Estimated % of sales within Onondaga County: _____

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

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

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

(*Percentage to equal 100%)

H) 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? Please attach any explanations. Yes No

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

Yes No

Section II: Project and Site Information

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

Address: _____

Legal Address (if different): _____

City: _____ Village/Town: _____

Zip Code: _____ School District: _____

Tax Map Parcel ID(s): _____

Full Market Value: _____ Footage of Existing Building: _____

Census Tract: _____

B) Type (Check all that apply):

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

C) Project Narrative: A statement that there is a likelihood that the project would not be undertaken but for the financial assistance provided by the Agency or, if the project could be undertaken without financial assistance provided by the Agency, a statement indicating why the project should be undertaken by the agency.

* For a Retail Project (also see page 14)

* For a Renewable Energy Project (also see page 15)

* For a Housing Project (also see page 17)

D) Description of Project: Please provide a detailed narrative of the proposed Project. Please separately attach the description and any copies of site plans, sketches or maps. This narrative should include, but is not limited to:

- i) a description of your Company's background, customers, goods and services and the principal products to be produced and/or the principal activities that will occur on the Project site;
- (ii) the size of the Project in square feet and a breakdown of square footage per each intended use;
- (iii) the size of the lot upon which the Project sits or is to be constructed;
- (iv) the current use of the site and the intended use of the site upon completion of the Project;
- (vi) describe your method for site control (Own, lease, other).

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 (see page 14) |
| <input type="checkbox"/> Housing Project (see page 17) | <input type="checkbox"/> Mixed Use |
| <input type="checkbox"/> Equipment Purchase | <input type="checkbox"/> Facility for Aging |
| <input type="checkbox"/> Multi-Use Tenant | <input type="checkbox"/> Civic Facility (not for profit) |
| <input type="checkbox"/> Renewable Energy Project (see page 15) | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Commercial | |

F) If applicant will not occupy 100% of the building in a real estate transaction, provide information on tenant(s) that includes name, present address, and percentage of project to be leased, type of business organization, relationship to applicant, date and term of lease.

G) 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

H) 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

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

J) Local Approvals (Site Plan and Environmental Review)

1. Have site plans been submitted to the appropriate town or local planning department?
 Yes. What is the status? No. When will the plans be submitted?

2. Has the project received site plan approval from the town or local planning board?
 Yes No
3. If no, what is the anticipated approval date? _____
4. If yes, provide the Agency with a copy of the Planning Board's approval resolution along with the related SEQR determination. (NOTE: SEQR determination is required for final approval and sales tax agency appointment.)
5. Environmental Information
 - a. Please attach the appropriate Environmental Impact Forms to your application. Here is a link to the SEQR forms: <http://www.dec.ny.gov/permits/6191.html>
 - b. Have any environmental issues been identified on the property?
 Yes No
If yes, please attach an explanation.

Section III: Construction

A) Project Costs and Finances

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

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

B) TOTAL Capital Costs \$ _____

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

D) New Employment Benefits

- i. Complete the following chart indicating the number of FTE jobs presently employed at the Project and the number of FTE jobs that will be created at the Project site at the end of the first, second, and third, 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.

Please use this chart to illustrate the current employment:

Job Title/Category	Current Annual Pay	Current Employment (FTE)

Please use this chart to illustrate the projected employment growth:

Job Title/Category	Current Annual Pay	Jobs Created Year 1	Jobs Created Year 2	Jobs Created Year 3

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

E) Financial Assistance sought (estimated values):

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

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

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

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

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

\$ _____

Estimated State and local Sales and Use Tax Benefit (product of 8% multiplied by the figure, above) (This should match the amount in section “E” on page 9, this calculation only exists to help you with your estimate):

\$ _____

Section IV: Estimate of Real Property Tax Abatement Benefits

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

A) PILOTS Estimate Table Worksheet

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

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

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

SECTION: V For Retail Projects Only

1. Will the cost of the retail portion of the Project exceed one-third of the total project cost?
Yes No

2. Is the Project located in a distressed area? A distressed area is a census tract that has
a) a poverty rate of a least 20% or at least 20% of households receiving public
assistance, and (b) an unemployment rate of least 1.25 times the statewide
unemployment rate for the year to which the date relates.
Yes No

3. Is the Project likely to attract a significant number of visitors from outside of the
economic development region?
Yes No

4. Is the predominate 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
Town, City, County or Village of where the Project will be located.
Yes No

SECTION VI: For Solar Projects Only

Please complete the following as an addendum:

1. Describe the reasons why the Agency's financial assistance is necessary. Describe how the Project would be affected if these benefits were not provided. [see Section II (C)]
2. Is the applicant leasing the property?
 - Yes, please provide a copy of the lease
 - No, purchased the property. Please provide documentation.
3. Has the applicant provided written communication to the affected taxing jurisdictions notifying them of its intent to construct a renewable energy project?
 - Yes
 - No
4. Has the applicant received a letter of support for the megawatt cost to be used as a basis for the PILOT from the town, city or village where the Project is located?
 - Yes. Please provide copy.
 - No
5. Has the applicant received a letter of support for the megawatt cost to be used as a basis for PILOT from the school district?
 - Yes. Please provide copy.
 - No
6. Is the entire parcel being used for the solar project?
 - Yes
 - No, if not, have you reached out to the town assessor to discuss a subdivision or slash parcel? Explain: _____
7. Will the applicant enter into a decommissioning plan with the host community, including financial assurance the plan can be executed?
 - Yes, explain.
 - No

**PLEASE SEE FOLLOWING PAGE FOR OCIDA SOLAR GUIDANCE & BEST PRACTICE*

OCIDA SOLAR PILOTs GUIDANCE AND BEST PRACTICE

To be placed on the OCIDA meeting agenda, proposed solar projects must provide OCIDA with the following in advance of the Project's first OCIDA meeting:

1. Fully completed OCIDA application.
2. Copy of Environmental Assessment Form.
3. A SEQR resolution approved by a local municipality indicating municipality will be lead agency, the type of action (I, II, or unlisted) and, if completed, the SEQR determination made by the municipality.
4. Copies of your zoning applications submitted to the local municipality.
5. Verification of parcel subdivision process with the town (if the entire parcel will not be used for the solar project).
6. A statement clarifying whether the applicant will lease or purchase the real property on which the Project is situated. If leased, provide a copy of the proposed or executed lease. If lease parcel is less than entire parcel then see 5 above.
7. A supporting document from the School District and the Town Board outlining the agreed upon cost per megawatt to be used as a basis for the PILOT. OCIDA cannot create the PILOT schedule without this information.
8. Absent a showing otherwise by the Company, deemed acceptable by the Agency in the sole and absolute discretion, the Company must close with the Agency on a project prior to consideration of any requested organizational structure or project entity ownership changes.

You will receive a draft Cost Benefit Analysis and a Draft PILOT schedule from this office. You may use these documents as your Project progresses through the OCIDA approval process. OCIDA staff are available to update these two documents as needed.

SECTION VII: For Housing Projects Only

Please complete the following as an addendum:

1. Describe the reasons why the Agency's financial assistance is necessary. Describe how the project would be impacted if these benefits were not provided. [see Section II (C)]
2. Is the Project being built in a blighted area? Please describe.
3. Is the Project fulfilling an unmet need in the area? Please explain.
4. Please provide a market study documenting a need for such housing.
5. Is there support from local government officials for the Project and for the financial assistance being requested from the Agency? Please provide written documentation.
6. Is the Project considered infill in a populated area? Please explain.
7. Does the Project provide walkability?
8. Is there additional county infrastructure necessary to service the Project? If, yes, please explain.
9. Is the Project part of a larger mixed-use development? Please describe.

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

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

Company: _____

Representative for Contract: _____

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

Phone: _____ Email: _____

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

General Contractor: _____

Contact Person: _____

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

Phone: _____ Email: _____

Authorized Representative: _____ Title: _____

Signature: _____

Section IX: Agency Fee Schedule

* Minimum Fee to be applied to all project receiving OCIDA benefits is 1% of the Total Project Cost (TPC)

ACTIVITY	FEES	COMMENTS
Non- refundable Application Fee (All projects except Solar Projects)	\$1,000	Due at time of application
Non-refundable Application Fee (Solar Projects Only)	\$10,000	
Legal Deposit (All projects except Solar Projects)	\$2,500	Due at time of application
Legal Deposit (Solar Projects Only)	\$5,000	
Minimum Fee of 1% of TPC		
1. Sales and Use Tax Exemption	.01 X TPC	Due at closing
2. Mortgage Recording Tax		
3. PILOT is an additional fee	.0025 X TPC (total .0125)	
Bonds Bond refinancing and refunding	.0025 of TPC	Due at closing
Agency Legal Fees		
Fee for first \$20 million	.0025 X of the project cost or bond amount	Due at closing
Fee for expenses above \$20 million	.00125 X of project cost or bond amount	
Amendment or Modification of IDA documents, including but not limited to name or organization change, refinancing, etc. Consent to the amendment or modification of IDA documents prior to closing on the project shall be given at OCIDA's sole and absolute discretion.	Up to but not to exceed 5% of Agency Fee as noted on the Cost Benefit Analysis at time of project approval. Attorney fees determined by OCIDA Legal Representative.	Due at time of Request

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 X: 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.

Please refer to the OCIDA Uniform Tax Exemption Policy. (add hyperlink)

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 _____

Signature of Officer or Authorized Representative: _____

Name & Title of Officer or Authorized Representative: _____

Date: _____

Section XI: Conflict of Interest

Agency Board Members

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

Agency Officers/Staff

1. Robert M. Petrovich, Executive Director
2. Nathaniel Stevens, Treasurer
3. Nancy Lowery, Secretary
4. Karen Doster, Recording Secretary
5. Christopher Cox, Assistant Treasurer

Agency Legal Counsel & Auditor

1. Jeffrey Davis, Esq., Barclay Damon LLP
2. Amanda Fitzgerald, 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 _____

Signature of Officer or Authorized Representative: _____

Name & Title of Officer or Authorized Representative: _____

Date: _____

Section XII: Representations, Certifications, and Indemnification

_____ (Name of CEO or other authorized representative of Applicant) confirms and says that he/she is the _____ (title) of _____ (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. Prevailing Wage:** The Applicant understands and agrees that, if the Project receives any financial assistance from the Agency, the Applicant shall determine whether the Project is a “covered project” pursuant to Section 224-a of Article 8 of the New York Labor Law and, if applicable, the Applicant shall comply with Section 224-a of Article 8 of the New York Labor Law; and the Applicant further covenants that the Applicant shall provide such evidence of the foregoing as requested by the Agency.
- G. 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.
- H. 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.
- I.** 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.
- J.** 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.
- K.** 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.
- L.** 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.

- M. 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.
- N. The OCIDA has the right to request and inspect supporting documentation regarding attestations made on this application.
- O. **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: _____

Signature of Officer or Authorized Representative: _____

Name & Title of Officer or Authorized Representative: _____

Date: _____

STATE OF NEW YORK)

COUNTY OF ONONDAGA) ss.;

_____, being first duly sworn, deposes and says:

1. That I am the _____ (Corporate Officer) of _____ (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read and attached Application, I Know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete

(Signature of Officer)

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

(Notary Public)

End of Application

Project Description

Cryomech, Inc. (“Cryomech”) is requesting assistance from OCIDA in the form of a PILOT, sales and use exceptions as well as a mortgage recording exemption. Due to the increase in material costs as well as supply chain issues, this expansion is significantly higher in cost than it would have been prior to the COVID pandemic; therefore, Applicants are seeking the assistance from OCIDA to ensure this project can be carried out. If OCIDA is unable to assist with incentives for this project the Applicants would likely significantly decrease the size of the expansion resulting in less job creation. OCIDA’s assistance will enable Cryomech to expand its’ footprint, diversify its product line, acquire new equipment, and increase its workforce.

This project consists of the acquisition of approximately 12.5 additional acres from portions of the adjacent parcels; (tax ID [022.-05-03.1](#) and [022.-05-02.3](#)) to construct an expansion of roughly 30,000 SF of manufacturing space and 4,000 SF of office space at the existing 76,000 SF Cryomech, Inc, facility located at 6682 Moore Road in Dewitt, NY (tax ID 022.-05-19.0); it is assumed that all three parcels will be combined through a subdivision process at some point during the expansion.

Cryomech looks to invest almost \$17 million on acquisition, construction, design, site work and equipment. This added space will allow them to increase their Operations, Qualification, Warehouse, and Service departments, speeding up the delivery process for their manufactured and refurbished units. To support the expansion of production, Cryomech will be enhancing the technical side of the company with additional engineers and support staff, requiring an expansion of office space.]

Cryomech must keep up with the demands of its growing market as well as diversify; the added space will allow facilities to manufacture technology for new areas of business such as advancements in quantum information science, clean energy such as fusion and hydrogen fuel cells, life sciences such as nuclear magnetic resonance (NMR), and low temperature physics such as superconducting detectors. These will be new markets for Cryomech and allow them to diversify its offerings, while remaining competitive in the global market.

Cryomech has outgrown its current facility and requires additional space to increase its Operations, Qualification, and Warehouse departments as well as diversify its offerings by adding lines for hydrogen, fusion energy, and single photon detection products.

Additionally, due to the number of units it has already placed in the market, there is a need for a larger Service and Refurbishment department to continue to service the existing customers and fielded units; this cannot be accomplished at its current facility without an expansion.

There are several new needs in the manufacturing of medical equipment; in order for Cryomech to capture and build in these markets it must have additional manufacturing and warehouse space to respond to the demands for these products to stay relevant.

This project strengthens growth in advanced manufacturing, capitalizing on market opportunities in industries of the future. Cryomech will be able to increase production to meet demand of customers and strengthen the competitiveness in and connections to regional, national, and global economies.

Cryomech buys over \$10 million dollars of NYS goods and services annually. Three quarters of its sales are international exports. It is tied to the economy of the future; quantum computing (QC) and quantum information science (QIS), fusion energy, and hydrogen technology. Industries and governments around the world are investing billions to unleash its potential. CNY is a potential leader in this field.

Many of the employees hired by Cryomech have never worked in the field before and are trained by Cryomech. The expansion will create 15 new full-time jobs over the next three years to add to its existing workforce of 166 employees.

About Cryomech, Inc.

Cryomech, Inc., develops and manufactures high-performance cryogenic equipment, including cryocoolers and laboratory-scale helium management devices. Cryogenic equipment is crucial to scientific advancement. Since its founding in 1963, the company has been at the global forefront of research and innovation in its field. Its growth is attributable to its ability to develop products that cater to the specific needs of researchers and industries in a wide array of fields, including medical, agricultural, energy and aerospace. Half of its sales are custom-designed products; the other half are purchase of existing products.

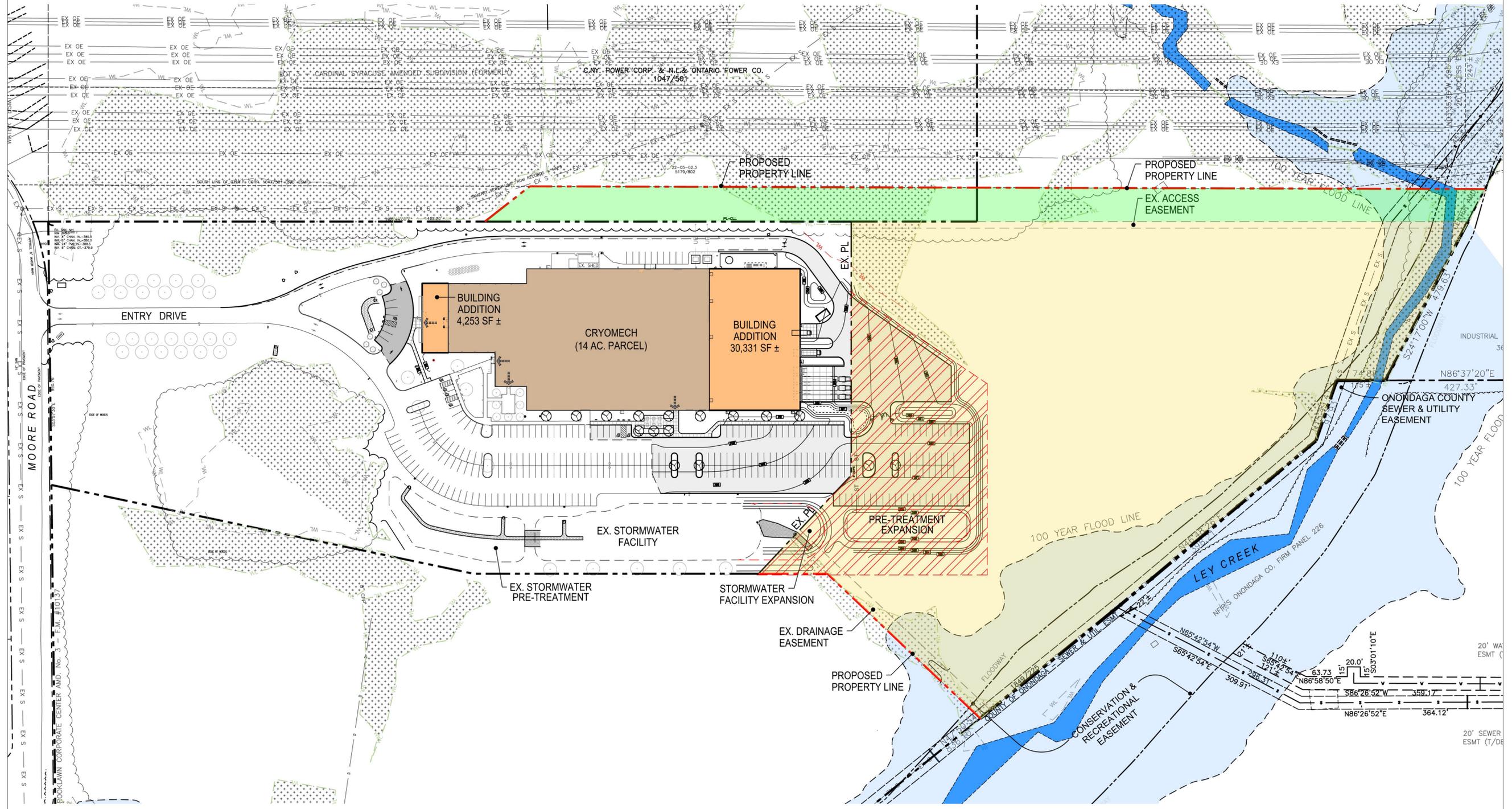
Cryomech manufactures the broadest, most comprehensive line of cryocoolers available, including the world's largest capacity Gifford-McMahon cryocoolers (a type of cryocooler invented in 1961 by the company founder, William Gifford, which revolutionized scientific research). It also manufactures the world's largest and most powerful 4K Pulse Tube cryocooler. This is one of its most exciting products, and one of its major drivers of growth. It is sold to OEM customers who use it to manufacture a dilution refrigerator used in quantum computing. It is 25% more powerful than any other product available on the planet, making it the obvious choice for specific OEM's in terms of results, cost, and convenience. (Meanwhile, Cryomech is currently developing a product even more advanced than the current one, ensuring that it will continue to outpace any attempted competitors.) Cryomech cryocoolers, sold to OEM's, are found at companies driving the world's advancement of quantum computing, such as IBM-Q, Google and Microsoft.

Cryomech products advance science, technology, and industry. Examples include:

- medicine and medical technologies such as CT scans, Magnetic Resonance Imaging (MRI), and Magnetoencephalography (MEG), a neuroimaging technique that maps brain activity. Researchers from Harvard Medical School and Boston Children's Hospital use a Cryomech helium recycler in a MEG that studies brain development and neurological disorders in babies.
- sensitive telescope systems for learning about the universe and for planning future space missions. These telescopes' optics and scientific instruments need to be cryogenically cooled to reduce the effects of vibration. The astronomers who recently created the world's first photograph of a black hole had Cryomech equipment in their telescopes. NASA uses a Cryomech compressor to cool the telescope on an airplane that studies the stratosphere.
- unmanned aerial vehicles (UAV's) and research on alternative ways to fuel them;
- particle research, condensed matter physics – advancing semiconductors, lasers, and nanotechnology.
- clean and renewable energy.

Cryomech is able to work collaboratively with its customers to develop products that meet their specific needs. The company continues to grow, and the pace of its growth is rising. An investment in Cryomech's future expansion is an investment in CNY's contribution to global scientific research and the emerging global economy.

- NORTHERN PROPERTY (1.77 ACRES± TOTAL)
 - approx. 1.18 useable acres
 - approx. .59 acres wetlands
- PERMANENT EASEMENT AREA (2 ACRES± TOTAL)
 - approx. 2 useable acres
- EASTERN PROPERTY (10.79 ACRES± TOTAL)
 - approx. 8.84 useable acres
 - approx. 1.95 acres wetlands, floodway, creek, and access / utilities easements



Facility Expansion

SHEET ISSUES		
MK	DATE	DESCRIPTION
A	08.15.22	MUNICIPAL CONCEPT REVIEW

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OVERALL PLAN



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: Cryomech Expansion			
Project Location (describe, and attach a location map): 6682 Moore Road, DeWitt, NY 13211			
Brief Description of Proposed Action: Project includes a 34,584 sf+/- building expansion, enlarged stormwater management facility and additional parking areas. A subdivision / lot line adjustment is also required to obtain approximately 10.8 acres to the east.			
Name of Applicant or Sponsor: Keplinger Freeman Associates - Scott Freeman		Telephone: 315-445-7980	
		E-Mail: sf@keplingerfreeman.com	
Address: 6320 Fly Road Suite 109			
City/PO: East Syracuse		State: NY	Zip Code: 13057
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 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: Town of DeWitt PB			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		24.8+/- acres	
b. Total acreage to be physically disturbed?		3+/- acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		24.8+/- 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 type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input 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 <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
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? 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?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input 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? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input type="checkbox"/> <input checked="" type="checkbox"/>	YES <input checked="" type="checkbox"/> <input type="checkbox"/>	

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 checked="" type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input 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?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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:		

Stormwater will be mitigated with DEC approved stormwater control devices (swales, wet pond).		

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)?	NO	YES
If Yes, explain the purpose and size of the impoundment: _____		
Detention pond will be enlarged to accommodate building and parking lot expansion. Size TBD.	<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?	NO	YES
If Yes, describe: _____	<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?	NO	YES
If Yes, describe: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Adjacent property spill incident (1102343)		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Scott Freeman - Keplinger Freeman Associates</u> Date: <u>7-25-22</u> Signature: <u></u> Title: <u>Landscape Architect</u>		



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



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]	No
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]	No
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	Yes



ARMISTEAD, LEE, RUST & WRIGHT, P.A.
ATTORNEYS AT LAW

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EASTON, MARYLAND 21601

TELEPHONE: (410) 819-8989
FACSIMILE: (410) 822-4787

EMAIL ADDRESS
ARMISTEAD@ALRWLAW.COM

September 7, 2022

Onondaga County Industrial Development Agency
333 West Washington Street, Suite 130
Syracuse, New York 13202

**Re: Hotel @ T5, LLC Sale of 116 Township Boulevard (the "Property");
Tax Parcel Number 017.-05-75.0**

Ladies and Gentlemen:

This office represents W. David Hill and all of the entities (the "Acquiring Entities") which will acquire the above referenced Property and who seek the consent of Onondaga County Industrial Development Agency (the "Agency") to the acquisition of the Property and the assumption of all of the pertinent agreements between Hinsdale Road Group LLC and/or Hotel @ T5, LLC and the Agency.

David Hill and certain related individuals (as assignees) will be acquiring the Property through four (4) separate tenancy-in-common interests (the "Tenants-In-Common"). Three (3) of the Tenants-in-Common will be acquiring an interest in the Property as part of a like-kind exchange under Section 1031 of the Internal Revenue Code. For tax reasons related to the exchange transactions, the Tenants-In-Common owners will execute a master lease of the Property to a master tenant (the "Master Tenant"). Although the Master Tenant will hold the leasehold interest in the Property, the hotel located on the Property (the "Hotel") will be operated by Caulk Management Company, d/b/a Hill Hospitality (the "Management Company"), an experienced hotel development and management company owned by the Hill Family. The ownership and master lease structure are necessitated by the nature of the capital invested to acquire and operate the Property through the like-kind exchange transactions by some of the Tenants-in-Common.

For the Agency's consideration, we provide the below information related to the Tenants-In-Common owners, the Master Tenant and the Management Company:

Tenant-In-Common #1

- Eastern Shore Retirement Associates Limited Partnership
- Address: 402 Marvel Court, 2nd Floor, Easton, MD 21601
- Contact information: W. David Hill, General Partner, c/o Sheila Wainwright; Phone Number (410) 829-4368
- EIN: 52-1187959
- NAICS: 531120
- A Maryland limited partnership formed February 8, 1980
- 99% owner is W. David Hill.
 - W. David Hill has never been convicted of a criminal offense
 - W. David Hill has never been in receivership or declared bankruptcy
- This entity has not received IDA benefits, and merely seeks to acquire the Property, and continue the existing PILOT.

Tenant-In-Common #2

- Shorewash of Annapolis LLC
- Address: 2804 Persimmon Place, Cambridge, MD 21613
- Contact information: Lynda M. Hill, Managing Member; Phone Number (410) 463-0426
- EIN: 52-1817569
- NAICS: 531120
- A Maryland limited liability company formed December 30, 1992
- 93.17% owned by Lynda M. Hill.
 - Above owner has never been convicted of a criminal offense
 - Above owner has never been in receivership or declared bankruptcy
- 6.83% owned by Cynda J. Hill.
 - Above owner has never been convicted of a criminal offense
 - Above owner has never been in receivership or declared bankruptcy
- This entity has not received IDA benefits, and merely seeks to acquire the Property, and continue the existing PILOT.

Tenant-In-Common #3

- CJH New York, LLC
- Address: 402 Marvel Court, 2nd Floor, Easton, MD 21601
- Contact information: Cynda J. Hill, Member; Phone Number (410) 493-3502
- SSN: 213-88-2994
- NAICS: 531120
- A Maryland limited liability company formed August 5, 2022
- 100% owned by Cynda J. Hill.
 - Above owner has never been convicted of a criminal offense

- Above owner has never been in receivership or declared bankruptcy
- This entity has not received IDA benefits, and merely seeks to acquire the Property, and continue the existing PILOT.

Tenant-In-Common #4

- CAMILLUS VENTURES I LLC
- Address: 402 Marvel Court, 2nd Floor, Easton, MD 21601
- Contact information: W. David Hill, Manager, c/o Sheila Wainwright; Phone Number (410) 829-4368
- EIN: 88-4047757
- NAICS: 531120
- A Maryland limited liability company formed August 2, 2022
- 56.71% owned by W. David Hill.
 - Above owner has never been convicted of a criminal offense
 - Above owner has never been in receivership or declared bankruptcy
- 12.37% owned by Cynda J. Hill.
 - Above owner has never been convicted of a criminal offense
 - Above owner has never been in receivership or declared bankruptcy
- 12.37% owned by Marian H. Shannahan.
 - Above owner has never been convicted of a criminal offense
 - Above owner has never been in receivership or declared bankruptcy
- 6.18% owned by David Chadwick Hill.
 - Above owner has never been convicted of a criminal offense
 - Above owner has never been in receivership or declared bankruptcy
- 6.18% owned by Suhail Partawi.
 - Above owner has never been convicted of a criminal offense
 - Above owner has never been in receivership or declared bankruptcy
- 6.18% owned by Collin MacKenzie & Antonietta MacKenzie, as tenants by the entirety.
 - Above owner has never been convicted of a criminal offense
 - Above owner has never been in receivership or declared bankruptcy
- This entity has not received IDA benefits, and merely seeks to acquire the Property, and continue the existing PILOT.

Master Tenant

- CAMILLUS VENTURES MT LLC
- Address: 402 Marvel Court, 2nd Floor, Easton, MD 21601
- Contact information: Lynda Wiggins, General Manager; Phone Number (410) 820-0120
- EIN: 88-4047959
- NAICS: 721110
- A Maryland limited liability company formed August 5, 2022

- 100% owned by Lynda Wiggins.
 - Above owner has never been convicted of a criminal offense
 - Above owner has never been in receivership or declared bankruptcy
- This entity has not received IDA benefits, and merely seeks to master lease the Property and operate the Hotel improvements.

Management Company

- CAULK MANAGEMENT COMPANY, D/B/A HILL HOSPITALITY
- Address: 402 Marvel Court, 2nd Floor, Easton, MD 21601
- Contact information: Lynda Wiggins, Phone Number (410) 820-0120
- EIN: 52-1630214
- NAICS: 721110
- A Maryland corporation formed March 22, 1989
- 100% owned by W. David Hill, Cynda J. Hill, Lynda M. Hill and David Chadwick Hill
 - Above owners have never been convicted of a criminal offense
 - Above owners have never been in receivership or declared bankruptcy

Narrative Regarding Operating History

- Caulk Management Company, d/b/a Hill Hospitality, owned by the Hill family, is an experienced hotel development and management company, and will be granted full power, authority and discretion and control in all matters relating to the management, operation and maintenance of the Hotel Property. Hill Hospitality manages other Hilton and Marriott properties, and Hill Hospitality managed properties have been recipients of prestigious awards, including the Hilton Connie Award and the Marriott Diamond Award. An application has been filed with Hilton Worldwide to permit the transfer of the franchise and to approve Hill Hospitality as the manager of the Hotel located on the Property. That application is presently in the final stages of review and approval by Hilton.
- The owner will be adding two management positions as well as providing wage increases to all salaried and hourly staff.
- The use of the improvements on the Property remains unchanged.

The Acquiring Entities respectfully request the Agency to consider this consent request at the Agency's September 13, 2022 Board meeting, or as soon thereafter as possible. Of course, if you have questions regarding the above or would like additional information, please let us know.

Very truly yours,



Bruce C. Armistead

OCIDA 2023 Draft Budget (As of September 30, 2022)

1. Operating Expenses/Program Expenses	2021 Actual	2022 Budget	2022 YTD	2023 Budget
Onondaga County - Contractual Support Services	\$ -	\$ 800,000	\$ 448,907	\$ 816,000
General & Administrative	\$ 215,680	\$ 529,700	\$ 923,915	\$ 540,294
Financial Assistance Grants	\$ 41,907	\$ 42,000	\$ -	\$ 42,840
Pass-through expense (PILOT Payments)	\$ 2,910	\$ 3,000	\$ 9,218,112	\$ 3,060
Depreciation Expense	\$ 16,898	\$ 17,000	\$ -	\$ 17,340
Professional Fees	\$ 33,546	\$ 34,000	\$ 23,220	\$ 34,680
Other Expenses	\$ 5,436	\$ 5,500	\$ -	\$ 5,610
Seminars & Meetings	\$ 10,546	\$ 10,600	\$ 23,993	\$ 10,812
Interest Expense	\$ 2,129	\$ 2,200	\$ -	\$ 2,244
Total Operating/Program Expenses	\$ 329,052	\$ 1,444,000	\$ 1,420,035	\$ 1,472,880

2. Revenue	2021 Actual	2022 Budget	2022 YTD	2023 Budget
Agency Revenues	\$ 1,345,756	\$ 1,401,000	\$ 1,738,515	\$ 1,429,020
Onondaga County Reimbursement	\$ 663,002	\$ -	\$ -	\$ -
Development Costs Reimbursement	\$ 165,552	\$ -	\$ -	\$ -
Pass-through Income (PILOT Payments)	\$ 2,910	\$ -	\$ 9,218,112	\$ -
Rent Income	\$ 11,500	\$ 12,000	\$ 10,000	\$ 12,240
Subsidies Grants Donations	\$ 134,116	\$ -	\$ 505,291	\$ -
Other Income	\$ 12,114	\$ 25,000	\$ 7,758	\$ 25,500
Interest Income	\$ 739	\$ 6,000	\$ 661	\$ 6,120
Total Revenue	\$ 2,335,689	\$ 1,444,000	\$ 2,262,225	\$ 1,472,880
<i>Revenue - Expenses</i>	<i>\$ 2,006,637</i>	<i>\$ -</i>	<i>\$ 842,191</i>	<i>\$ -</i>