County of Chenango Industrial Development Agency
Application for Incentives/Benefits Preamble

The following is a basic outline of the process for applying to the Chenango County Industrial Development Agency (CCIDA) for economic incentives. The primary mission of CCIDA is to offer economic incentives to County of Chenango businesses in order to create and retain quality employment opportunities and to strengthen the local tax base. The IDA defines "industrial" to include all traditional manufacturing businesses, computer software, agri-business, printing, publishing, and research and development. The IDA prefers to assist those businesses that have a market for products or services extending beyond County of Chenango. The IDA avoids offering incentives to businesses that will compete with or displace existing Chenango County businesses.

Each applicant will be asked to complete the following application that will be presented to the IDA Board.

- Please work with IDA contract staff in developing its application.
- The IDA Board, at its next scheduled meeting, will consider whether to move forward to the Public Hearing phase.
- Public Hearings are held in the taxing jurisdiction where the project is located. At least ten business days' prior notice of the date, time, location and topic of the Public Hearing must be given. If the CCIDA needs to declare Lead Agency for SEQR purposes, the process can take longer.
- After the Public Hearing is held, the IDA Board, at its next scheduled meeting, will consider if economic incentives will be granted.

If a resolution is passed that grants economic incentives, the applicant will become an appointed agent of the IDA for the purposes of the approved project, and thus be eligible for New York State sales and use tax exemption on purchases related to the project for one year (renewals may be granted upon request). The abatement applies to both the State and local portion of the sales tax. The affected taxing jurisdictions will be notified of the decision of the IDA.

At the appropriate time (project closing), the IDA will take title to or a leasehold interest in the project (the project closing) and thus will grant Property and Mortgage Recording tax incentives under a Payment-in-Lieu of Taxes (PILOT) agreement. The standard PILOT agreement is for ten (10) years and reduces the property taxes beginning at 95% in year one and ending at 5% in year ten. At the end of the PILOT agreement, title is returned to the project owners or the lease expires; from that point forward, full taxes are paid on property and any buildings. The IDA and IDA counsel will need to be notified as soon as bank financing is obtained and at least four weeks prior to the desired closing date of all bank financing and property closings. There will also be annual reporting requirements on finances and employment to comply with New York State law.

The applicant is responsible for paying the IDA closing cost fee at the time of closing. The fee will be equal to 1% of the project costs. Project cost is defined as the greater of the total value of the improvements involved in the project (including hard and soft costs) or the total value of the property to be owned by the IDA. The applicant may choose to pay all IDA administrative fees annually or at the time of closing. The applicant is also responsible for paying all legal costs such as IDA Counsel and Bond Counsel fees.

The following application will ask for information about the company and proposed project, including but not limited to: business history, estimated job creation, possible tenant information, employment information, projected costs, and the value of incentives sought.

Please note that the information supplied on the application will help the IDA Board to determine whether it will grant economic incentives. Your answers are not considered "pass or fail," but are informative to the IDA Board in making its decision. If an applicant agrees to certain conditions based on the information supplied, these conditions will become part of the legal and binding documents tied to the economic incentives. Economic incentives will be terminated if these agreed-upon conditions are not met.

SECTION I: APPLICANT INFORMATION

The information on this form is necessary to determine the eligibility of the project. Please answer **all** questions. Use "None" or "Not Applicable" where necessary.

A) Applicant Information – company receiving benefit:

Applicant Name	NSF Norwich Site 2, LLC	Federal ID#	86-1477534	NAICS:	221114		
Address	1241 University Avenue	City	Rochester	State	NY	Zip	14607
Phone	585-504-2200	E-mail Address	victor@norbutsolarfarms.com				
Website:	norbutsolarfarms.com						

B) Type of Business Organization (select only one):

Corporation	☐	Partnership	☐
Public Corporation	☐	Joint Venture	☐
Sole Proprietorship	☐	Limited Liability Company	☒
Other (please specify)	☐		

Is the business publicly or privately held? Public ☐ Private ☒

Year of Incorporation/Organization:	01/14/2021	State in which Organization is established	New York

Will a Real Estate Holding Company be utilized to own the Project property/facility? YES ☒ NO ☐

Name of Real Estate Holding Company:	Upper Ravine Road, LLC	Federal ID#	93-3391616
State and Year of Incorporation/Organization	New York / 2023	Website:	N/A
List of stockholders members, or partners of Real Estate Holding Company:	David Norbut		

C) Individual Completing Application

Name	Victor Ciaccia	Title:	Director of Development				
Address	1241 University Avenue	City	Rochester	State	NY	Zip	14607
Phone	585-504-2215	E-mail Address	victor@norbutsolarfarms.com				

D) Company Accountant

Name	Anthony Cicotta	Firm Name:	Norbut Solar Farms				
Address	1241 University Avenue	City	Rochester	State	NY	Zip	14607
Phone	585-504-2212	E-mail Address	acicotta@norbutsolarfarms.com				

E) Company Counsel:

Name of Attorney	Ashley Champion	Firm Name:	Norbut Solar Farms				
Address	1241 University Avenue	City	Rochester	State	NY	Zip	14607
Phone	585-504-2205	E-mail Address	achampion@norbutsolarfarms.com				

F) Identify the assistance being requested of the Agency (select all that apply):

1.	Exemption from Sales Tax	YES ☒	NO ☐
2.	Exemption from Mortgage Recording Tax	YES ☒	NO ☐
3.	Exemption from Real Property Tax	YES ☒	NO ☐
4.	Tax Exempt Financing*	YES ☐	NO ☒

**typically for not-for-profits & small, qualified manufacturers*

G) List all stockholders, members, or partners with % of ownership greater than 20%

Name	% of Ownership
Norbut Solar Farm, LLC	100% of NSF Norwich Site 2, LLC

H) Applicant Business Description:

Describe, in detail, company background, products, customers, goods and services. Description is critical in determining eligibility:

Norbut Solar Farms (the owner of NSF Norwich Site 2, LLC) is a solar development company located in Rochester, New York. We have more than 25 years' experience developing, constructing, operating, and maintaining assets for both local shops and businesses as well as Fortune 500 companies. We are an upstate and western New York company, locally owned and operated. Our company develops Community Distributed Generation (CDG) projects across NYS. These solar arrays power homes, schools, businesses and other institutions located in RG&E, NYSEG, and National Grid territory. We have successfully developed over 525 MWdc of solar generation in NYS.

Estimated % of sales within County/City/Town/Village:		TBD
Estimated % of sales outside County/City/Town/Village, but within New York State:		TBD
Estimate % of sales outside New York State, but within the U.S.:		TBD
Estimated % of sales outside the U.S.:		TBD
**percentage must equal 100*	**Total:**	**100%**

I) Source of Supplies, Services and Raw Materials:

What percentage of your total annual supplies, raw materials and vendor services are purchased from firms in County/City/Town/Village? Include list of vendors, raw material suppliers and percentages for each. Provide supporting documentation including estimate percentage of local purchases.

We source from Tier 1 local, national and global manufacturers and suppliers. Materials estimated at over $3mm will be sourced locally and within NYS whenever possible, especially for items such as wire/conduit, hardware, fencing, access road gravel and screening plantings There will also be local fuel purchases and heavy equipment rentals for backhoes, loaders, excavators, brush-hogs and more for site preparation and access road construction. Construction are anticipated for labor contracts for land preparation, perimeter fencing, and road construction.

SECTION II: PROJECT DESCRIPTION & DETAILS

A) Project Location:

Municipality, or Municipalities, of current operations: Rochester (main office)

Will the Proposed Project be located within a municipality listed above? YES ☐ NO ☒

If Yes, in which Municipality will the prosed project be located:

If No, in which Municipality will the prosed project be located: Town of Norwich, NY

Provide the Property Address of the proposed Project Location

Address	227 Upper Ravine Road	City	Norwich	State	NY	Zip	13815

Will the completion of the Project 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 YES ☐ NO ☒
- The abandonment of one or more plants or facilities of the project occupant located within the state? YES ☐ NO ☒

If the Proposed Project is located in a different Municipality than the Municipality in which the current operations are being undertaken, is it expected that any of the facilities in any other Municipality will be closed or be subject to reduced activity? YES ☐ NO ☒

If Yes, you will need to complete Section II (Q) and Section IV of this Application

Section Block Lot (SBL) Number for Property upon which Proposed Project will be located: 147.00-1-8.4

Provide current annual Real Property Taxes on the Proposed Project site: Total: $4,012.97

County	$1,200.36	Town/Village	$80.27	School District	$2,401.15

If amount of current annual Real Property Taxes is not available, provide assessed value for each:

Land	$50,000	Building(s)	$0

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

Are Real Property Taxes current? YES ☒ NO ☐ If no, please explain:

Does the Applicant, or any related entity, currently hold fee title to the Project site? YES ☒ NO ☐

If No, indicate name of present owner of the Project Site:

Does the Applicant, or any related entity, have an option/contract to purchase the Project site? YES ☐ NO ☒

Describe the present use of the proposed Project site:

Rural Vacant Land

B) Project Narrative:

Please provide a narrative of the project and the purpose of the project (new build, renovations, and/or equipment purchases). Identify specific uses occurring within the project. Describe any and all tenants and any/all end users: (This information is critical in determining project eligibility)

Norbut Solar Farms proposes the construction of a 9.1 MW AC solar facility consisting of two nominally distinct but contiguous sites. NSF Norwich Site 2, LLC will be a 4.1MW AC site located on a 143.9 acre project site parcel. Site currently consists of wooded areas with some agricultural fields. Improvements include a gravel access drive, perimeter fencing, stormwater management features, and the solar panels with supporting electrical and battery storage equipment. PV Panels will be mounted on racking systems and the facility will be connected to the electrical grid. The project will deliver clean, emission free, renewable energy to the adjacent high voltage electrical grid.

Describe the reasons why the Agency's Financial Assistance in necessary, and the effect the Project will have on the Applicant's business or operations. Focus on competitiveness issues, project shortfalls, etc. Your eligibility determination will be based, in part, on your answer. (attach additional pages, if necessary)

This project will not be built without a PILOT as the financial models simply do not work. A 30-year PILOT, like what has been awarded to other projects, is imperative for long term forecasting needs, financing and overall financial viability of the project. Applicant proposal is for a 30-year PILOT with 2% annual escalator beginning at $4,000/MW.

Is there a likelihood that the Project would not be undertaken but for the Financial Assistance provided by the Agency? YES ☒ NO ☐

If the Project could be undertaken without Financial Assistance provided by the Agency, then provide a statement indicating why the Project should be undertaken by the Agency:

N/A

If the Applicant is unable to obtain Financial Assistance for the Project, what will be the impact on the Applicant and County/City/Town/Village?

The Town, County, and School District will fail to receive any of the new revenue that would be generated by the Project. The Applicant would not be able to proceed with the development, which would have brought economic incentives and renewable power to the area.

C) Equipment:

Will Project include leasing any equipment? YES ☒ NO ☐ If Yes, please describe:

Backhoes, loaders, excavators, brush-hogs, etc. for site preparation and construction.

D) Site Characteristics:

Will the Project meet zoning/land use requirements at the proposed location? YES ☒ NO ☐

Describe the present zoning/land use:	Rural Vacant Land
Describe required zoning/land use, if different:	Commercial Solar Energy Production Facility

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

Project requires only a SEPF permit, site plan approval, and subdivision. All of these have been secured.

Is the proposed Project located on a site where the known or potential presence of contaminants is complicating the development/use of the property? YES ☐ NO ☒

If Yes, please explain:

E) Environmental Assessment:

Has a Phase I Environmental Assessment been prepared with respect to the proposed Project site? YES ☒ NO ☐

If not, will one be prepared? YES ☐ NO ☐

**If the answer to either question, above, is Yes, please provide a copy of the Phase I Assessment.*

F) Other Studies or Assessments:

Have any other studies or assessments been undertaken with respect to the proposed Project site that indicate the known or suspected presence of contamination that would complicate the site's development? YES ☐ NO ☒

**If Yes, please provide a copy of the Studies or Assessments.*

G) Additional Information or Details:

Provide any additional information or details about the Project

H) Project Type:

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

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

Will customers personally visit the Project site for either of the following economic activities?

Retail Sales YES ☐ NO ☒ Services: YES ☐ NO ☒

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

Industrial	☐	Back Office	☐
Acquisition of Existing Facility	☐	Retail	☐
Housing	☐	Mixed Use	☐
Equipment Purchase	☐	Facility for Aging	☐
Multi-Tenant	☐	Civic Facility (not-for-profit)	☐
Commercial	☐	Other: Elec. Pwr. Generation	☒

I) Project Information:

Estimated costs in connection with Project:

1.	Land and/or Building Acquisition:			$184,500.00
	33.2 acres	1,446,690 square feet		
2.	New Building Construction:	1,446,690	square feet	$1,968,000.00
3.	New Building Addition(s):	0	square feet	$0
4.	Infrastructure Work			$553,500.00
5.	Reconstruction/Renovation::	0	square feet	$0
6.	Manufacturing Equipment			$2,152,500.00
7.	Non-Manufacturing Equipment (furniture, fixtures, etc.):			$0
8.	Soft Costs (professional services, etc.):			$1,968,000.00
9.	Other, Specify: Interconnection			$307,500.00
			TOTAL Capital Costs:	**$7,134,000.00**

Construction Cost Breakdown:

Total Cost of Construction (sum of 2,3,4,5 and/or 7 in Project Information, above)	$2,521,500.00
Cost for materials:	$2,152,500.00
% sourced in County/City/Town/Village:	TBD%
% sourced in New York State (including County/City/Town/Village):	TBD%
Cost for Labor:	$1,968,000.00

Sales and Use Tax Exemption Benefit:

Gross amount of costs for goods and services that are subject to State and Local Sales and Use tax – said amount to benefit from Agency's Sales and Use Tax Exemption benefit:

Gross amount of costs for goods and services that are subject to Sales and Use tax	$2,398,500.00
Sales and Use Tax Rate	8%
Estimated State and Local Sales and Use Tax Exemption Benefit *(product of Gross Costs multiplied by Sales and Use Tax Rate)*	$191,880

***Note that the estimate provided above will be provided to the New York State Department of Taxation and Finance. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to undertake the total amount of investment as proposed within this Application, and that the estimate, above, represents the maximum amount of sales and use tax benefit that the AGENCY may authorize with respect to this Application. The AGENCY may utilize the estimate, above, as well as the proposed total Project Costs as contained within this Application, to determine the Financial Assistance that will be offered.*

Real Property Tax Benefit:

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

N/A

IDA PILOT Benefit:

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

Percentage of Project Costs financed from Public Sector sources:	37%

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

Project refinancing; estimate amount (for refinancing of existing debt only)	$0

Sources of Funds for Project Costs

Bank Financing:	$3,525,795.00
Equity (excluding equity that is attributed to grants/tax credits)	$1,007,370.00
Tax Exempt Bond Issuance (if applicable)	$0
Taxable Bond Issuance (if applicable)	$0
Public Sources (Include sum total of all state and federal grants and tax credits)	$2,662,335.00

Identify each state and federal grant/credit

NY-SUN Grant	$1,252,274.00
ITC	$1,410,061.00
	$
	$

Total Sources of Funds for Project Costs:	$7,195,500.00

Have any of the above costs been paid or incurred as of the date of this Application? YES ☒ NO ☐

If Yes, describe the particulars: Interconnection

Mortgage Recording Tax Exemption Benefit:

Amount of mortgage that would be subject to mortgage recording tax:

Mortgage Amount (include sum total of construction/permanent/bridge financing)	$5,972,265.00
Mortgage Recording Tax Rate	7.5%
Estimated Mortgage Recording Tax Exemption Benefit *(product of Mortgage Amount multiplied by Mortgage Recording Tax Rate)*	$447,919.88

J) Project Facility:

For the proposed facility, please indicate the square footage for each of the uses outlined below:
**If company is paying for FFE for tenants, please include in cost breakdown*

	Square Footage	Cost	% of Total Cost of Project
Manufacturing/Processing	N/A		
Warehouse			
Research & Development			
Commercial			
Retail (see section K)			
Office			
Other (Specify)			

K) Project Timetable:

Provide dates for your project timetable

1.	Start Date: acquisition of equipment or construction of facilities	~03/15/2025
2.	Estimated completion date of project:	~12/31/2025
3.	Project occupancy – estimate starting date of operations:	~03/29/2026
4.	Have construction contacts been signed?	YES ☐ NO ☒
5.	Has Financing been finalized?	YES ☐ NO ☒

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

L) Site Plans and SEQR:

Have site plans been submitted to the appropriate planning department? YES ☒ NO ☐

*** If Yes, please provide the Agency with a copy of the related State Environmental Quality Review Act ("SEQR") Environmental Assessment Form that may have been required to be submitted along with the site plan application to the appropriate planning department.*

Please provide the Agency with the status with respect to any require planning department approval:

Has the Project received site plan approval from the planning department? YES ☒ NO ☐

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

M) Project Employment:

Is the Project necessary to expand project employment? YES ☐ NO ☒

Is the Project necessary to retain existing employment? YES ☐ NO ☒

N) Employment and Wages:

Complete the following employment plan, specific to the proposed Project location:

Permanent Occupation in Company	Current Permanent Jobs		Employment Projection							
	Number of Employees		Jobs to be Retained		New Jobs to be CREATED at ONE year after Project Completion		Number of Jobs to be CREATED at TWO years after Project Completion		Estimate number of residents in Project LMA that will fill the FT and PT jobs to be created at TWO years after Project completion *	
	FT	PT	FT	PT	FT	PT	FT	PT	FT	PT
Executive										
Mgmt./Professional										
Clerical										
Sales										
Service										
Manufacturing:										
High Skilled										
Med. Skilled										
Basic Skilled										
Construction										
Other (describe):										
Total: 0	0	0	0	0	0	0	0	0	0	0

** For purposes of this question, please estimate the number of FT and PT jobs that will be filled, as indicated in the third column, by residents of the Labor Market Area, in the fourth column. The Labor Market Area includes the County/City/Town/Village as well as the following areas:*

*** By statute, Agency staff must project the number of FT jobs that would be retained and created if the request for Financial Assistance is granted.*

Document the Salary and Fringe Benefits for the Jobs to be Retained and Created with this Project:

Category of Jobs to be Retained and Created	Average FTE Salary or Range of Salary	Average Fringe Benefits or Range of Fringe Benefits
Executive	N/A	
Mgmt./Professional	N/A	
Clerical	N/A	
Sales	N/A	
Service	N/A	
Manufacturing:	N/A	
High Skilled	N/A	
Med. Skilled	N/A	
Basic Skilled	N/A	
Construction	N/A	

Other (describe):	N/A	

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

	Address 1	**Address 2**	**Address 3**
Management	0	0	0
Professional	0	0	0
Administrative	0	0	0

O) Facility Closure and/or Activity Reduction:

Will any of the facilities described above be closed or subject to reduced activity? YES ☐ NO ☒

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

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

P) Applicant Retention:

Is the Project reasonably necessary to prevent the project occupant from moving out of New York State? YES ☐ NO ☒

If Yes, please explain and identify out-of-state locations investigated, type of assistance offered and provide supporting documentation if available

What competitive factors led you to inquire about sites outside of New York State?

Have you contacted, or been contacted by, other Local, State and/or Federal Economic Development Agencies? YES ☐ NO ☒

If Yes, please identify which agencies and what other Local, State and/or Federal agencies and the assistance sought and dollar amount that is anticipated to be received:

SECTION III: RETAIL QUESTIONNAIRE

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

Please answer the following:

A. Will any portion of the project (including that portion of the cost to be financed from equity or other sources) consist of facilities or property that are, or will be, primarily used in making sales of goods or services to customers who personally visit the project site? YES ☐ NO ☒

If the answer is Yes, please continue. If the answer is No, proceed to Section V

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

B. What percentage of the cost of the Project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the project? ____ %

If the answer is less than 33%, do not complete the remainder of the determination. Proceed to Section V

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

1. Will the Project be operated by a not-for-profit corporation? YES ☐ NO ☐
2. Is the Project location or facility likely to attract a significant number of visitors from outside the economic development region (list specific County or ED Region) in which the project will be located? YES ☐ NO ☐

If Yes, please provide a third-party market analysis or other documentation supporting your response.

3. Is the predominant purpose of the project to make available goods or services which would not, but for the Project, be reasonably accessible to the residents of the municipality within which the proposed Project would be located because of a lack of reasonably accessible retail trade facilities offering such goods or services? YES ☐ NO ☐

If Yes, please provide a third-party market analysis or other documentation supporting your response.

4. Will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? YES ☐ NO ☐

   If Yes, explain:

5. Is the Project located in a Highly Distressed Area? YES ☐ NO ☐

SECTION IV: INTER-MUNICIPAL MOVE DETERMINATION

The Agency is required, by state law, to make a determination that, if completion of a Project benefiting from Agency Financial Assistance results in the removal of an industrial or manufacturing plant of the 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, Agency Financial Assistance is required to prevent the project occupant from relocating out of state, or is reasonably necessary to preserve the Project occupant's competitive position in is respective industry.

1. Will the Project result in the removal of an industrial or manufacturing plan of the Project occupant from one area of the state to another area of the state? YES ☐ NO ☐
2. Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the state? YES ☐ NO ☐

If Yes to either question, explain how, notwithstanding the aforementioned closing or activity reduction, the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry:

Does the Project involve relocation or consolidation of a project occupant from another municipality:

1. Within New York State? YES ☐ NO ☐
2. Within County/City/Town/Village? YES ☐ NO ☐

If Yes to either question, please explain:

SECTION V: ESTIMATE OF REAL PROPERTY TAX ABATEMENT BENEFITS AND PERCENTAGE OF PROJECT COSTS FINANCED FROM PUBLIC SECTOR SOURCES

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

PILOT Estimate Worksheet

Current Assessed Value of Property	Dollar Value of New Construction and Renovation Costs	Estimated New Assessed Value of Property Subject to IDA*	County Tax Rate/1,000	Local Tax Rate (Town/City/Village)/1,000	School Tax Rate/1,000

**Apply equalization rate to value*

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

*Estimate provided are based on current property tax rates and assessment values

Percentage of Project Costs financed from Public Sector Worksheet

1.	Estimated Value of PILOT	$
2.	Estimated Value of Sales Tax Incentive	$
3.	Estimated Value of Mortgage Tax Incentive	$
4.	Total of Other Public Incentives (Tax Credits, Grants, ESD Incentives, etc.)	$
	Total Value of Incentives (Sum of 1, 2, 3, 4)	**$**
5.	Total Project Cost	**$**
Percent of Project costs financed from Public Sector (Total Value of Incentives/Total Project Costs)		**%**

SECTION VI: REPRESENTATIONS, CERTIFICATIONS AND INVEMINIFICATION

This Section of the Application can only be completed upon the Applicant receiving approval, and must be completed after the Applicant receives IDA Staff Confirmation that Section I through Section V of the Application are complete.

	(name of CEO or other authorized representative of Applicant) confirms and says that s/he is the		
	(title) of		(name of corporation or other entity)

Named in the attached Application (the "Applicant"), that s/he has read the foregoing Application and knows the contents thereof, and hereby represents, understand and otherwise agrees with the Agency and as follows:

A. Job Listings: In accordance with Section 858-b(s) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entities") of the service delivery area created by the Federal job training partnership act (Public Law 97-300) ("JTPA") in which the Project is located.

B. First Consideration for Employment: In accordance with Section 858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the Applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project

C. Annual Sales Tax Filings: In accordance with Section 874(8) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant. Copies of all filings shall be provided to the Agency.

D. Employment Reports: The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the Agency, at least annually or as otherwise required by the Agency, reports regarding the number of people employed at the project site, salary levels, contractor utilization and such other information (collectively, "Employment Reports") that may be required from time to time on such appropriate forms as designated by the Agency. Failure to provide Employment Reports within 30 days of an Agency request shall be an Event of Default under the PILOT Agreement between the Agency and Applicant and, if applicable, an Event of Default under the Agent Agreement between the Agency and Applicant. In addition, a Notice of Failure to provide the Agency with an Employment Report may be reported to Agency board members, said report being an agenda item subject to the Open Meetings Law.

E. The Applicant acknowledges that certain environmental representations will be required at closing. The Applicant shall provide with this Representation, Certification and Indemnification Form copies of any known environmental reports, including any existing Phase I Environmental Site Assessment Report(s) and/or Phase II Environmental Investigations. The Agency may require the Company and/or owner of the premises to prepare and submit an environmental assessment and audit report, including but not necessarily limited to, a Phase I Environmental Site Assessment Report and a Phase II Environmental Investigation, with respect to the Premises at the sole cost and expense of the owner and/or the Applicant. All environmental assessment and audit reports shall be completed in accordance with ASTM Standard Practice E1527-05, and shall be conformed over to the Agency so that the Agency is authorized to use and rely on the reports. The Agency, however, does not adopt, ratify, confirm or assume any representation made within reports required herein.

F. The Applicant and/or the owner, and their successors and assigns, hereby release, defend and indemnify the Agency from any and all suits, causes of action, litigations, damages, losses, liabilities, obligations, penalties, claims, demands, judgments, costs, disbursements, fees or expenses of any kind or nature whatsoever (including, without limitation, attorneys', consultants' and experts' fees) which may at any time be imposed upon, incurred by or asserted or awarded against the Agency, resulting from or arising out of any inquiries and/or environmental assessments, investigations and audits performed on behalf of the Applicant and/or the owner pursuant hereto, including the scope, level of detail, contents or accuracy of any environmental assessment, audit, inspection or investigation report completed hereunder and/or the selection of the environmental consultant, engineer or other qualified person to perform such assessments, investigations, and audits.

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

H. This obligation includes an obligation to submit an Agency Fee Payment to the Agency in accordance with the Agency Fee policy effective as of the date of this Application

I. By executing and submitting this Application, the Applicant covenants and agrees to pay the following fees to the Agency and the Agency's general counsel and/or the Agency's bond/transaction counsel, the same to be paid at the times indicated:
(i) a non-refundable $750 application and publication fee (the "application Fee");

(ii) Unless otherwise agreed to by the Agency, an amount equal to one percent (1%) of the total Project costs, calculated from both hard and soft costs;

(iii) All fees, costs and expenses incurred by the Agency for (1) legal services, including but not limited to those provided by the Agency's general counsel and/or the Agency's bond/transaction counsel, thus note that the Applicant is entitled to receive a written estimate of fees and costs of the Agency's general counsel and the Agency's bond/transaction counsel; and (2) other consultants retained by the Agency in connection with the proposed project, with all such charges to be paid by the Applicant at the closing.

J. If the Applicant fails to conclude or consummate the necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable proper or requested action, or withdraws, abandons, cancels, or neglects the Application, or if the Applicant is unable to find buyers willing to purchase the bond issue requested, or if the Applicant is unable to facilitate the sale/leaseback or lease/leaseback transaction, t hen, upon the presentation of an invoice, Applicant shall pay to the Agency, its agents, or assigns all actual costs incurred by the Agency in furtherance of the Application, up to that date and time, including but not necessarily limited to, fees of the Agency's general counsel and/or the Agency's bond/transaction counsel.

K. The Applicant acknowledges and agrees that all payment liabilities to the Agency and the Agency's general counsel and/or the Agency's bond and/or transaction counsel as expressed in Sections H and I are obligations that are not dependent on final documentation of the transaction contemplated by this Application.

L. The cost incurred by the Agency and paid by the Applicant, the Agency's general counsel and/or bond/transaction counsel fees and the processing fees, may be considered as a cost of the Project and included in the financing of costs of the proposed Project, except as limited by the applicable provisions of the Internal Revenue Code with respect to tax-exempt bond financing.

M. The Applicant acknowledges that the Agency is subject to New York State's Freedom of Information Law (FOIL). **Applicant understands that all Project information and records related to this application are potentially subject to disclosure under FOIL subject to limited statutory exclusions.**

N. The Applicant acknowledges that it has been provided with a copy of the Agency's Policy for Termination of Agency Benefits and Recapture of Agency Benefits Previously Granted (the "Termination and Recapture Policy"). The Applicant covenants and agrees that it fully understands that the Termination and Recapture Policy is applicable to the Project that is the subject of this Application, and that the Agency will implement the Termination and Recapture Policy if and when it is so required to do so. The Applicant further covenants and agrees that its Project is potentially subject to termination of Agency financial assistance and/or recapture of Agency financial assistance so provided and/or previously granted.

0. The Applicant understands and agrees that the provisions of Section 862(l) 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 abandom11ent 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 detem1ine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

P. The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protect ion and environmental laws, rules and regulations.

Q. The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.

R. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal La w.

S. The Applicant and the individual executing this Application on behalf of Applicant acknowledges that the Agency and its counsel will rely on the representations and covenants made in this Application when acting hereon and hereby represents that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statements contained herein not misleading.

STATE OF NEW YORK)
COUNTY OF CHENANGO) ss.:

, being first duly sworn, deposes and says:

1. That I am the _____ (Corporate Office) of _____ (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.

2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete.

(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury

this _____ day of _____, 2016

(Printed Name of Officer)

(Notary Public)

ADAPTIVE REUSE DETERMINATION

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

Are you applying for a tax incentive under the Adaptive Reuse Program? YES ☐ NO ☒

If Yes, please continue with the rest of this form

A) What is the age of the structure (in years)

B) Has the structure been vacant or underutilized for a minimum of 3 years? YES ☐ NO ☐

(Underutilized is defined as a minimum of 50% of the rentable square footage of the structure being utilized for a use for which the structure was not designed or intended)

If Yes, how many years?

C) Is the structure currently generating insignificant income? YES ☐ NO ☐

Insignificant income is defined as income that is 50% or less than the market rate income average for that property class)

If Yes, please provide dollar amount of income being generated, if any:

D) Does the site have historical significance? YES ☐ NO ☐

E) Are you applying for either State or Federal Historical Tax Credit Programs? YES ☐ NO ☐

If Yes, please provide estimated value of tax credits:

F) Summarize the financial obstacles to development that this project faces without Agency or other public assistance. Please provide the Agency with documentation to support the financial obstacles to development (you will be asked to provide cash flow projections, documenting costs, expense and revenues with and without IDA and other Tax credits including indicating below average return on investments rates compared to regional industry average):

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

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