



Empowering Businesses. Inspiring Growth.

Mary Ellen Rogulski, Chairman • **John Steinberg, Jr.**, Vice Chairman • **Stephen Brescia**, Secretary
Edward A. Diana, Assistant Secretary • **Robert J. Schreibeis, Sr.** • **James DiSalvo** • **Michael Gaydos**
Laurie Villasuso, Chief Operating Officer & Executive Vice President • **Vincent Cozzolino**, Managing Director
Kevin Dowd, Attorney • **Russell E. Gaenzle**, Harris Beach • **Joel Kleiman**, Chief Financial Officer

Agenda

PLEASE TAKE NOTICE, The Orange County Industrial Development Agency will hold a regularly scheduled meeting on December 13, 2018 at 2:00 p.m. at the **Orange County Business Accelerator, 4 Crotty Lane, Suite 100, New Windsor, New York**, to consider and/or act upon the following:

Order of Business

- **Roll Call**
- **Approval of the minutes**
 - November 14, 2018 Board Meeting
 - November 14, 2018 Audit Committee Meeting
- **Financial Reports and/or Requests for Payments**
- **New and Unfinished Business**
 - Chairman's Report
 - Chief Operating Officer Report
 - Board Committee Reports (as needed)
 - Accelerator Report
 - Audit Committee
- **Applications/Resolutions**
 - 134 Jessup Switch Road, LLC
 - Initial Resolution
 - Airport Properties VIII, LLC
 - Initial Resolution
 - Gam Property Corp.
 - Initial Resolution
 - Heritage Trail
 - Resolution
- **Other Board Business**
- **Executive Session(s)**
- **Adjournment**

Dated: December 6, 2018

Stephen Brescia, Secretary

By: Laurie Villasuso, Chief Operating Officer & Executive Vice President

ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

MINUTES

November 14, 2018

A regular meeting of the Orange County Industrial Development Agency was convened in public session on November 14, 2018 at 2:12 P.M. at the Statutory Committee Room, 3rd Floor Government Center Building, 255 Main Street, Goshen, NY 10924.

The meeting was called to order by Chairman, Mary Ellen Rogulski, and upon roll being called, the following were:

PRESENT: Mary Ellen Rogulski, John Steinberg, Edward Diana, Robert Schreibeis, James DiSalvo, Stephen Brescia, Michael Gaydos

ABSENT: None

ALSO PRESENT: Laurie Villasuso – Chief Operating Officer
Kevin Dowd – IDA Attorney
Joel Kleiman – Chief Financial Officer
Vincent Cozzolino – Managing Director
Melanie Schouten – Program Director
Kelly Reilly – Project Manager
Martha Borrás – Executive Assistant
Christine Cordova – Focus Media
Lisa Sommers – Focus Media
Bill Fioravanti – Orange County
George Banta, Jr. – Holiday Inn Express New Windsor
Steve Densmore – Choice Words
Emily Vanston – Choice Words
Paul Ruskiewicz – OC Legislature
James Kulisek - OC Legislature

Chairman Rogulski calls to order the regular meeting of the Orange County IDA, November 14, 2018 (Pledge of Allegiance is recited). Board consists of seven members. There is a quorum.

Chairman Rogulski welcomes new board member Michael Gaydos.

Roll Call is taken.

Minutes

Review of the October 11, 2018 board meeting minutes. Motion to approve the minutes is made by Mr. Schreibeis, seconded by Mr. DiSalvo. Motion carries with all in favor.

Review of the October 11, 2018 Governance Committee meeting minutes. Motion to approve the minutes is made by Mr. Schreibeis, seconded by Mr. Diana. Motion carries with all in favor.

Financial Reports and/or Requests for Payment

Mr. Kleiman reviews the summary of IDA bank accounts, certificate of deposits, and money market accounts that reflect a total of \$11,438,404 as of October 31, 2018.

Mr. Kleiman reviews the income and expense summary, noting that YTD income is \$1,298,409 and YTD expenses are \$363,321, with revenues exceeding expenses by \$935,088.

Mr. Kleiman reviews the income and expense summary for the Business Accelerator, noting that revenues YTD are \$315,563, and expenses are \$1,928,924. Expenses, as anticipated, exceed revenues by \$1,613,361.

Chairman Rogulski asks for a motion to approve the vouchers and payments in the amount of \$398,538.04 for November. Motion made by Mr. Brescia, seconded by Mr. Schreiber, that the Board accept the financial reports and authorize IDA payments and vouchers. Open for discussion. Affirmative votes of all members present results in motion carried.

Chairman's Report

Chairman Rogulski informs the board with the departure of Mr. Armistead and the addition of Mr. Gaydos, there will be changes to committees. Going forward the OCIDA committees will consist of the following board members:

Governance Committee:
Edward Diana, Chair
Robert Schreiber
James DiSalvo
Alternate: John Steinberg

Audit Committee:
James DiSalvo, Chair
Edward Diana
John Steinberg
Alternate: Michael Gaydos

Accelerator Committee:
Edward Diana, Chair
Mary Ellen Rogulski
John Steinberg

Human Resources:
Mary Ellen Rogulski, Chair
James DiSalvo

Chief Operating Officer Report

Ms. Villasuso gives her report to the board.

IBM closed on their Sales and Use Tax Exemption.

Kraftify also closed on their incentives.

Crystal Run Village, an OCFC project, had their public hearing last week. The public hearing was only attended by IDA staff and staff from the project itself.

The Accelerator hosted its Women's Leadership conference on October 23rd. Five hundred plus people were in attendance. It was an incredible event with wonderful speakers and positive feedback.

BDL (USA) came before the board a few months ago to reinstate a Sales and Use Tax Exemption on its project. They had paused their construction and the STE had expired. Initial approval was given, and a public hearing was arranged, but due to the fact that some labor audit fees will be associated with this request, the project decided to put this request on hold and evaluate whether or not they want to proceed.

Management met with Ed Devitt of the Montgomery IDA. They discussed the anticipated Medline project, the practices of the OCIDA, and the possibility of a working relationship between the two IDAs.

Last year, the board authorized a 2018 marketing expenditure. With this expenditure a commercial was filmed. Management recently worked with Focus Media to film a second commercial utilizing the Middletown Accelerator

Campus highlighting the nurturing of local entrepreneurs. It is anticipated that this commercial will be released either the end of this year, or during the first quarter 2019.

Ms. Villasuso introduces the board to the new Executive Assistant, Martha Borra. Ms. Borrás will be replacing Ms. Bianco when she retires.

Ms. Villasuso informs the board that a part time Compliance Officer will also be added to the staff. The Compliance Officer will be a much welcome addition with all the new and pending regulations being issued by the State.

Mr. Kleiman informs the board that he has been working with Staff-line regarding compliance on the newly issued mandatory Sexual Harassment Prevention Plan. Included in the packet is a multi-page addendum to the OCIDA personnel policy. It is being requested that the board approve this addendum. In the first week of December a sexual harassment training will be held for all staff members by Staff-Line.

Motion made by Mr. Gaydos, seconded by Mr. Brescia, accepting the addendum to the OCIDA personnel policy. Open for discussion. Affirmative votes of all members present results in motion carried.

Accelerator Report

Ms. Villasuso informs the board that intern, Sarah Wilson, put together a 2018 Accelerator Successes Summary. From all three Accelerator Campuses, one Hundred jobs are projected by December 2018. 41% of The Accelerator companies are women owned. Management is still in talks with Port Jervis and Warwick to develop additional Accelerator locations. The Accelerator currently houses 24 companies. The cost per job for these resident companies is about \$8,000. This cost per job investment will lower in 2019. 2018 was heavy in fit-up costs for the newer locations.

Mr. Cozzolino informs the board the Accelerator Committee thought that it would be a good idea to have a full Accelerator presentation to the board covering all the recent companies and activities.

Mr. Cozzolino informs the board that there are three companies in the Newburgh location: Ziel, NYCe Blu, and Mackie Rondon. Two sewing training courses were hosted to help Ziel bring on sewing technicians. Five trainees were hired from the first course. Two have already been hired from the second course, with other hires anticipated after sewing tests are given.

Mr. Cozzolino informs the board that the New Windsor location Melo continues to grow. Melo currently has twenty-one employees and will be adding additional staff in the near future.

Mr. Cozzolino informs the board that a laser fabric cutter was acquired and is being housed at the New Windsor location. This equipment will be available to local companies. Management was able to acquire the fabric cutting machine for \$46,000 from Tukatech as a resale. This equipment typically costs about \$175,000. WDI helped by providing a grant to pay for this equipment.

Ms. Villasuso informs the board that after a long approval process from the Town, Seco is finally able to move into its New Windsor location and begin production.

Mr. Cozzolino informs the board that the Middletown Campus is full. With that being said, there was an underutilized area in the communal space. Management worked to install portable walls and create reinvigorated communal space for young up and coming generation Z owned businesses. There are typically SUNY Orange or New Paltz students with an early stage business that needs guidance. This new space is called the WEB: Workplace for Emerging Businesses.

Mr. Cozzolino informs the board that Generation Z consists of individuals who are 14-23 years of age. They make up 25% of the population. Studies say 55% are more likely to want to start a business than Millennials, and 72% of Generation Z High School students want to start a business. This generation is native to technology as it was present throughout their developing years and they are extreme multitaskers. The assistance provided by The Accelerator could tap into this newer generation and help to prevent youth flight. Management spoke to the SUNY Orange Business Club, and four business owners from that club are now taking advantage of the WEB space.

A video based on the WEB businesses is shown to the board.

Mr. Brescia states that he wishes that there was more buy-in from the cities. Preferential rent was provided by the Town of New Windsor, but other than that no other municipality has helped to support the subsequent Accelerator locations. These municipalities will take claim to supporting The Accelerator projects, but never financially contribute to the operation costs.

Applications/Resolutions

Banta Hospitality, LLC

Mr. Densmore, Choice Words, presents on behalf of Banta Hospitality, LCC.

The Banta family has been in the hospitality business in the Hudson Valley region for almost seventy years. The Banta family operates the Beekman Arms Inn in Rhinebeck and a Buffalo Wild wings restaurant among other establishments. This project consists of the demolition of the former Banta Steak & Stein in New Windsor. In its place a four story, 93 room Holiday Inn Express hotel would be constructed. To date, the property has not been operational for two years. The project is currently before the Town of New Windsor Planning Board. If approval is given the Banta family has an aggressive construction schedule to begin in March 2019. This construction of this hotel would produce an anticipated 24 jobs.

Mr. Banta informs the board that his family has been in this business for many years. He is the third generation of commercial developers in the region and they hope to continue to revitalize properties in need.

Initial Resolution

Mr. Dowd reads aloud the Banta Hospitality, LLC Initial Resolution. Motion is made by Mr. Brescia, seconded by Mr. Gaydos, accepting resolution to take action on certain matters pertaining to a proposed project for the benefit of Banta Hospitality, LLC. Roll call is taken. Affirmative votes of all board members results in motion carried.

The Castle

Ms. Villasuso reminds the board that in their packet is a letter from Mr. Leentjes, owner of The Castle, requesting a pause or delay in benefits. The project was granted a PILOT and STE, but due to a number of reasons they are requesting this pause. This project has undergone some recent difficulties. It was a rough construction season. The project was not able to make solid progress before the tourist season. They are asking that the board pause their benefits for one year for them to reevaluate if they can proceed with the initial incentivized project.

Resolution

Mr. Dowd reads aloud the Leentjes Amusement Corp. (dba The Castle) Resolution. Motion is made by Mr. Brescia, seconded by Mr. Schreibeis, authorizing the resolution to delay the partial real property tax abatement until 2021 pertaining to the proposed for the benefit of Leentjes Amusements Corp. Roll call is taken. Affirmative votes of all board members results in motion carried.

Airport Properties VIII

Ms. Villasuso reminds the board that the Airport Properties VIII project was approved about ten years ago for a PILOT. It was never constructed. It's been a vacant parcel since 2008. The project would like to move forward, but due to all the changes with the board, regulations, and processes, it is being asked that the board terminate the exiting agreement. The project will come before the board again with a new application to adhere to the current standards. The project will be asked to pay any difference between fees previously paid and difference for this second application.

The aboard agrees that should Airport Properties VIII come before the OCIDA with another application that no prior payments be carried over. The project will need to pay all fees associated with this new application.

Resolution

Mr. Dowd reads aloud the Airport Properties VIII Resolution. Motion is made by Mr. DiSalvo, seconded by Mr. Steinberg, authorizing the resolution to terminate all agreements pertaining to the Airport Properties VIII project. Roll call is taken. Affirmative votes of all board members results in motion carried.

Other Board Business

No other board business presented.

Adjournment

Meeting called for adjournment, motion made by Mr. DiSalvo, seconded by Mr. Schreibeis, the time being 3:06 p.m.

ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

AUDIT COMMITTEE MINUTES

November 14, 2018

Orange County Business Accelerator in New Windsor, New York.
3:00pm- 3:10pm

PRESENT: Edward Diana, Mary Ellen Rogulski, John Steinberg, Michael Gaydos

ALSO PRESENT: Laurie Villasuso – Chief Operating Office
Kelly Reilly

MedParc, LLC Waiver

The Audit Committee met about an IDA project MedParc, LLC that came to the IDA with a waiver request. The auditing firm Loewke Brill Consulting sent Ms. Reilly the data and recommended that this waiver be denied. Ms. Reilly read to the Audit Committee what the note from Header Construction, Inc. (MedParc, LLC General Contractor for framing) Ms. Reilly stated that they tried to hire local experts, but they were unavailable within the parameters required to meet contractual requirements. Ms. Reilly stated that with this contractor they are at zero percent local labor. Ms. Rogulski stated that this waiver should be denied. Mr. Steinberg asked what the claw back would be and Ms. Rogulski said 100%. Ms. Rogulski motioned to deny the waiver and Mr. Steinberg seconded the motion. Ms. Villasuso stated that we will need how to handle the recapture. Ms. Rogulski stated to claw back 100%. Ms. Villasuso stated that Ms. Reilly will send out a letter with the denial, and will work with Harris Beach to put together a recapture resolution.

Orange County IDA

DECEMBER 2018

Funds Received

Banta Management Services (application fee)	\$ 5,000.00
Kraftify (closing fee)	\$ 23,500.00
IBM (closing fee)	\$ 500,000.00
GAM Property Corp. (Labor Audit Escrow fee)	\$ 10,000.00
Total	\$ 538,500.00

Vouchers & Payments

Kevin Dowd (Legal Services Nov. 2018)	\$ 6,420.00
Brown Weinraub (NYS lobbying services Dec. 2018)	\$ 5,000.00
Loewke Brill Consulting Group, Inc. (Nov. 2018)	\$ 7,480.00
PKHB, CPAs (Bookkeeping Services Nov. 2018)	\$ 227.00
Orange Bank & Trust (Labor Escrow Audit for GAM Property Corp)	\$ 10,000.00
Orange County Citizens Foundation (Jan - Nov. 2018)	\$ 25,000.00
Total	\$ 54,127.00

Mary Ellen Rogulski,
Chairman
John J. Steinberg, Jr.,
Vice Chairman
Stephen Brescia,
Secretary
Edward A. Diana,
Assistant Secretary
Robert J. Schreibeis, Jr.
James DiSalvo
Michael Gaydos



Laurie Villasuso,
Chief Operating Officer
Vincent Cozzolino,
Managing Director
Joel Kleiman,
Chief Financial Officer
Kevin Dowd,
Attorney

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2019 Industrial Development Agency Meeting Schedule

Meetings are scheduled for the 2nd Thursday of every month unless otherwise noted, and will be held at the scheduled locations. Meeting date, time and/or location are subject to change with notice on the IDA website.

Date:	Time:	Location:
January 10th	2:00 pm	The Accelerator 4 Crotty Lane, New Windsor, NY 12553
February 14th	2:00 pm	The Accelerator 4 Crotty Lane, New Windsor, NY 12553
March 14th	2:00 pm	The Accelerator 4 Crotty Lane, New Windsor, NY 12553
April 11th	2:00 pm	The Accelerator 4 Crotty Lane, New Windsor, NY 12553
May 9th	2:00 pm	The Accelerator 4 Crotty Lane, New Windsor, NY 12553
June 13th	2:00 pm	The Accelerator 4 Crotty Lane, New Windsor, NY 12553
July 11th	2:00 pm	The Accelerator 4 Crotty Lane, New Windsor, NY 12553
August 8th	2:00 pm	The Accelerator 4 Crotty Lane, New Windsor, NY 12553
September 12th	2:00 pm	The Accelerator 4 Crotty Lane, New Windsor, NY 12553
October 10th	2:00 pm	The Accelerator 4 Crotty Lane, New Windsor, NY 12553
November 14th	2:00 pm	The Accelerator 4 Crotty Lane, New Windsor, NY 12553
December 12th	2:00 pm	The Accelerator 4 Crotty Lane, New Windsor, NY 12553

The Accelerator, Powered by the Orange County IDA
4 Crotty Lane, Suite 100
New Windsor, NY 12553
845-220-2208



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APPLICATION FOR FINANCIAL ASSISTANCE

134 Jessup Switch Road

(Applicant Name)

10/24/2018

(Date of Application)

**Robert T. Armistead
Chairman**

Orange County Business Accelerator
4 Crotty Lane, Suite 100
New Windsor, NY 12553

Phone: 845-234-4192 Fax: 845-220-2228

www.ocnyida.com

business@ocnyida.com

Updated June 1, 2018

ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

I. APPLICANT INFORMATION

Company Name: 134 Jessup Switch Road LLC

Mailing Address: 1751 State Rte 17A Florida, NY 10921

Phone No.: 845-651-4431

Fax No.: 845-651-4438

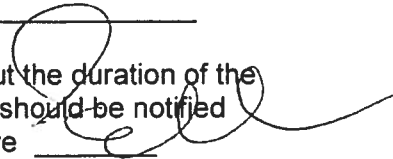
Fed Id. No.: 26-2673484

Contact Person: Elias (AI) Muhlrاد

Title: Managing Director

Contact Phone No.: 845-651-4431

Contact Email: a.muhrad@remee.com

IDA Management must be able to reach the Applicant's Contact throughout the duration of the Agreement. Should this information change at any time IDA Management should be notified immediately. Please initial stating you understand and consent to the above 

APPLICANT'S COUNSEL

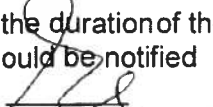
Name: Robert Dickover

Address: 28 Bruen Place Goshen, NY 10924

Phone No.: 845-294-9447

Fax No.: 845-294-6553

Counsel Email: Robert.dickover@dddllplaw.com

IDA Management must be able to reach the Applicant's Counsel throughout the duration of the Agreement. Should this information change at any time IDA Management should be notified immediately. Please initial stating you understand and consent to the above 

APPLICANT'S AUDIT CONTACT

Name: Theresa Ryan

Address: 1751 State Rte 17A Florida, NY 10921

Phone No.: 845-651-4431 ext 267

Fax No.: 845-651-4438

Contact Email: t.ryan@remee.com

The IDA submits a mandatory annual PARIS report to the state that requires information from each project. Applicant participation is not optional, and all information must be submitted in a complete and timely manner. Please initial stating you understand and consent to the above

APPLICANT'S GENERAL CONTRACTOR/CONSTRUCTION MANAGER

Name/Contact: Al Muhlrاد

Address: 1751 State Rte. 17A Florida, NY 10921

Phone No.: 845-651-4431 ext.245

Fax No.: 845-651-4438

Email: a.muhrad@remee.com

Principal Owners/Officers/Directors (list owners with 15% or more in equity holdings with percentage ownership):

Elias (Al) Muhlrاد

Corporate Structure (*attach schematic if applicant is a subsidiary or otherwise affiliated with another entity*)

Form of Entity

Corporation

Date of Incorporation: _____

State of Incorporation: _____

Partnership

General _____ or Limited _____

Number of general partners _____

If applicable, number of limited partners _____

Date of formation _____

Jurisdiction of Formation _____

X Limited Liability Company/Partnership (number of members 1)

Date of organization: 7/1/2008

State of Organization: 7/1/2008

Sole Proprietorship

If a foreign organization, is the applicant authorized to do business in the State of New York?

If any of the above persons, or a group of them, owns more than a 50% interest in the company, list all other organizations which are related to the company by such persons having more than a 50% interest in such organizations.

Is the company related to any other organization by reason of more than 50% common ownership? If so, indicate name of related organization and relationship.

Has the company (or any related corporation or person) made a public offering or private placement of its stock within the last year? If so, please provide offering statement used.

II. PROJECT INFORMATION

A) Project Address: 134 Jessup Switch Road

Tax Map Number 20-1-48.21
(Section/Block/Lot)

Located in City of _____

Located in Town of Goshen

Located in Village of _____

School District of Florida

B) Are utilities on site?

Water Yes

Electric Yes

Gas No

Sanitary/Storm Sewer Yes

C) Present legal owner of the site 134 Jessup Switch Road
If other than from applicant, by what means will the site be acquired for this project? _____

D) Zoning of Project Site: Current: X PD Proposed: _____

E) Are any variances needed? No

F) Furnish a copy of any environmental application presently in process of completion concerning this project, providing name and address of the agency, and copy all pending or completed documentation and determinations. **ENCLOSED**

G) Statement describing project (i.e. land acquisition, construction of manufacturing facility, etc.):

Build flex buildings with office space and warehousing.

**Please attach narrative if space provided is not sufficient.

H) Anticipated Date of Operation: 4th Quarter 2019

I) Principal use of project upon completion:

<input type="checkbox"/> X manufacturing	<input checked="" type="checkbox"/> warehousing	<input type="checkbox"/> research	<input checked="" type="checkbox"/> offices
<input type="checkbox"/> industrial	<input type="checkbox"/> recreation	<input type="checkbox"/> retail	<input type="checkbox"/> residential
<input type="checkbox"/> training	<input type="checkbox"/> data process	<input type="checkbox"/> other	

If other, explain: _____

J) Estimated Project Costs, including:

Value of property to be acquired: \$ Land Already Owed

Value of improvements: \$ 3,500,000.00

Value of equipment to be purchased: \$ 3,500,000.00

Estimated cost of engineering/architectural services: \$ 50,000.00

Other: \$ 100,000.00

Total Capital Costs: \$ 7,150,000.00

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

Sources of Funds for Project Costs:

Bank Financing: \$ 2,500,000.00

Equity (excluding equity that is attributed to grants/tax credits) \$ 0.00

Tax Exempt Bond Issuance (if applicable) \$ 0.00

Taxable Bond Issuance (if applicable) \$ 0.00

Public Sources (Include sum total of all state and federal grants and tax credits) \$ 0.00

Identify each state and federal grant/credit:

_____	\$ <u>0.00</u>
_____	\$ <u>0.00</u>
_____	\$ <u>0.00</u>
_____	\$ <u>0.00</u>

Total Sources of Funds for Project Costs: \$ 2,500,000.00

K) Inter-Municipal Move Determination

Will the project result in the removal of a plant or facility of the applicant from one area of the State of New York to another?

Yes or No

Will the project result in the removal of a plant or facility of another proposed occupant of the project from one area of the State of New York to another area of the State of New York?

Yes or No

Will the project result in the abandonment of one or more plants or facilities located in the State of New York?

Yes or No

If Yes to any of the questions above, 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:

Project Data

1. Project site (land)

(a) Indicate approximate size (in acres or square feet) of project site.

19 Acres

(b) Are there buildings now on the project site? _____ Yes No

(c) Indicate the present use of the project site.

Vacant Land with some Agricultural use

(d) Indicate relationship to present user of project.

Owner

2. Does the project involve acquisition of an existing building or buildings? If yes, indicate number, size and approximate age of buildings:

No

3. Does the project consist of the construction of a new building or buildings? If yes, indicate number and size of new buildings:

Yes, Two buildings Bldg A: 60,000 Square Feet Bldg B: 70,000 Square feet

4. Does the project consist of additions and/or renovations to existing buildings? If yes, indicate nature of expansion and/or renovation:

No

5. Estimated Start Date of Construction: 1st Quarter 2019

6. Estimated End Date of Construction: 4th Quarter 2019

7. What will the building or buildings to be acquired, constructed or expanded be used for by the company? (Include description of products to be manufactured, assembled or processed, and services to be rendered. . .

Office space, warehousing, and manufacturing

. . . *including* the percentage of building(s) to be used for office space and an estimate of the percentage of the functions to be performed at such office not related to the day-to-day operations of the facilities being financed.)

15% Office space 85% warehousing and manufacturing

8. If any space in the project is to be leased to third parties, indicate total square footage of the project amount to be leased to each tenant and proposed use by each tenant.

10,000Sq FT for Remeo & New Copper Business. 20,000Sq FT for NFP & Montana Datacom. Also included on the File Named "IDA Employment Plan Final Application"

9. List principal items or categories of equipment to be acquired as part of the project.

Wire and Cable manufacturing equipment. Pharmaceutical Manufacturing equipment. Final packaging equipment for wire & cable distributor. Warehousing Racks. Forklifts. Other equipment necessary based on tenants needs.

10. Has construction work on this project begun?

Complete the following

(a) site clearance	—	Yes	<u>X</u>	No	—	75% complete
(b) foundation	—	Yes	—	No	<u>X</u>	% complete
(c) footings	—	Yes	<u>X</u>	No	—	30% complete
(d) steel	—	Yes	—	No	—	% complete
(e) masonry work	—	Yes	—	No	—	% complete
(f) other (describe below)	—	Yes	—	No	—	% complete

III. FINANCIAL ASSISTANCE REQUESTED

A) Benefits Requested:

X Sales Tax Exemption Industrial Revenue Bond

X Mortgage Recording Tax Exemption X Real Property Tax Agreement

B.) Value of Incentives:

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 for each year of the PILOT benefit year and the sum total of PILOT Benefit abatement amount for the term of the PILOT as depicted under the heading "Real Property Tax Benefit (Detailed)" of the Application.

Estimated duration of Property Tax exemption: 10 Years

Sales and Use Tax:

Estimated value of Sales Tax exemption for facility construction: \$285,000.00

Estimated Sales Tax exemption for fixtures and equipment: \$285,000.00

Estimated duration of Sales Tax exemption: 2 Years

Mortgage Recording Tax Exemption Benefit:

Estimated value of Mortgage: \$2,500,000.00

Estimated value of Mortgage Recording Tax exemption: \$26,500.00

Industrial Revenue Bond Benefit:

IRB inducement amount, if requested: \$ Not Requested at This Time

Is a purchaser for the Bonds in place?

Yes or No N/A

Percentage of Project Costs financed from Public Sector sources:

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

C.) Likelihood of Undertaking Project without Receiving Financial Assistance

Please confirm by checking the box below, if there is a likelihood that the Project will still be undertaken if Financial Assistance is not provided by the Agency?

Yes

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

Without IDA benefits, we will not be able to complete this project in a timely manner. This will cause the currently lined up tenants to seek facilities elsewhere. Thereby taking these quality jobs outside of Orange County. Additionally, it will delay the second building which will bring in even more jobs to Orange County. We have lined up qualified businesses to expand operations within Orange County. No IDA benefits and the delay that will be incurred, will jeopardize these additional well paying jobs.

IV. EMPLOYMENT PLAN

	Current # of jobs at proposed project location or to be relocated to project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be RETAINED	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be CREATED upon THREE Years after Project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PTE jobs to be created upon THREE Years after Project Completion **
Full time (FTE)	See Attached	Employment Plan		
Part Time (PTE)				
Total				

** For purposes of this question, please estimate the number of FTE and PTE 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 Orange County and the surrounding region (or six other contiguous counties, including Orange County, chosen at the Agency's discretion).

Salary and Fringe Benefits for Jobs to be Created:

Category of Jobs to be Retained and Created	Estimated Number of Jobs Per Category	Average Salary or Range of Salary	Average Fringe Benefits or Range of Fringe Benefits
Management			
Professional			
Administrative			
Production			
Independent Contractor			
Other			

Salary and Fringe Benefits for Jobs to be Retained:

Category of Jobs to be Retained and Created	Estimated Number of Jobs Per Category	Average Salary or Range of Salary	Average Fringe Benefits or Range of Fringe Benefits
Management			
Professional			
Administrative			
Production			
Independent Contractor			
Other			

III. REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Agency as follows:

- A. Job Listings In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the proposed 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 proposed project must 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 Entitle") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JPTA") in which the project is located.

- B. First Consideration for Employment In accordance with Section 858-b(2) of the General Municipal Law, the applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant must 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 proposed project.
- C. A liability and contract liability policy for a minimum of three million dollars will be furnished by the Applicant insuring the Agency.
- D. Annual Sales Tax Fillings In accordance with Section 874(8) of the General Municipal Law, the Applicant understands and agrees that, if the proposed 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.
- E. Annual Employment Reports: The applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, the applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site. The applicant will receive a request for information in the fourth quarter of each year that Financial Assistance is utilized and agrees to return the information by the end of January the following year.
- F. Compliance with N.Y. GML Sec. 862(1): 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.
- G. Compliance with Applicable Laws: 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.
- H. False and Misleading Information: 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.
- I. Recapture: Should the Applicant not expend or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic

performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.

J. Rescission of Benefits Conferred: Applicant understands and agrees that in the event that (a) the Applicant does not proceed to final Agency approval within six (6) months of the date the Agency adopts its initial approval resolution and/or (b) close with the Agency on the requested financial assistance within twelve (12) months of the date the Agency adopts its initial resolution, the Agency reserves its right to rescind and cancel all prior approvals. In the event the Agency rescinds its approvals and the Applicant re-applies to the Agency, the Applicant understands and agrees that its re-application will be subject to any and all changes in law, Agency policies or fees imposed by the Agency that are in effect as of the date of re-application.

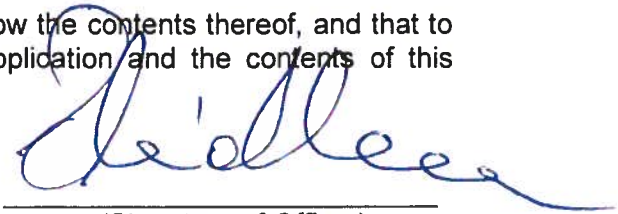
K. Absence of Conflicts of Interest: The applicant has received from the Agency a list of the members, officers, and employees of the Agency. No member, officers or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

The Applicant and the individual executing this Application on behalf of applicant acknowledge that the Agency and its counsel will rely on the representations 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 ORANGE) ss.:

Elias mukhrad, being first duly sworn, deposes and says:

1. That I am the OWNER (Corporate Office) of 134 Jessup Switch R.N.C. (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 14 day of November, 2018.


(Notary Public)



This Application should be submitted to the Orange County Industrial Development Agency, c/o Robert T. Armistead, Chairman, Orange County Business Accelerator, 4 Crotty Lane, Suite 100, New Windsor, NY 12553.

The Agency will collect an administrative fee at the time of closing.
SEE ATTACHED FEE SCHEDULE

Transaction Counsel
CHARLES SCHACHTER, ESQ./
RUSSELL GAENZLE, ESQ.
Harris Beach PLLC
99 Garnsey Road
Pittsford, New York 14534
Tel: (585) 419-8633
Fax: (585) 419-8817

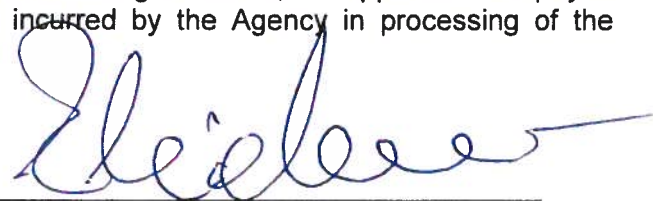
Attach copies of preliminary plans or sketches of proposed construction or rehabilitation or both.

Attach the following Financial Information of the Company

1. Financial statements for last two fiscal years (unless included in company's Annual Reports).
2. Company's annual reports (or Form 10-K's) for the two most recent fiscal years.
3. Quarterly reports (Form 10Q's) and current reports (Form 8-K's) since the most recent Annual Report, if any.
4. In addition, please attach the financial information described above in items 1, 2 and 3 of any expected Guarantor of the proposed bond issue, if different from the company.

HOLD HARMLESS AGREEMENT

Applicant hereby releases the ORANGE 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 causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions 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 processing of the Application, including attorneys' fees, if any.



(Applicant Signature)

By: _____

Name: Elias Muhrad

Title: Owner



(Notary Public)

Sworn to before me this 14th day
of November, 2018

[stamp]

VICTORIA L FRISZELL
Notary Public - State of New York
NO. 01FR6372813
Qualified in Suffolk County
My Commission Expires Mar 26, 2022

Real Property Tax Benefits (Detailed):

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

PILOT Estimate Table Worksheet

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

*Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
TOTAL							

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

Cost Benefit Analysis:

To be completed/calculated by AGENCY

	<u>Costs =</u> <u>Financial Assistance</u>	<u>Benefits =</u> <u>Economic Development</u>
*Estimated Sales Tax Exemption	\$ _____	New Jobs Created Permanent _____ Temporary _____
		Existing Jobs Retained Permanent _____ Temporary _____
Estimated Mortgage Tax Exemption	\$ _____	Expected Yearly Payroll \$ _____
Estimated Property Tax Abatement	\$ _____	Expected Gross Receipts \$ _____
		<u>Additional Revenues to School Districts</u> _____ _____
		<u>Additional Revenues to Municipalities</u> _____
		Other Benefits _____
Estimated Interest Savings IRB Issue	\$ _____	Private Funds invested \$ _____
		Likelihood of accomplishing proposed project within three (3) years <input type="checkbox"/> Likely or <input type="checkbox"/> Unlikely

* Estimated Value of Goods and Services to be exempt from sales and use tax as a result of the Agency's involvement in the Project. PLEASE NOTE: These amounts will be verified and there is a

\$ _____ (to be used on the NYS ST-60)

**FEE SCHEDULE FOR THE
ORANGE COUNTY IDA IS AS FOLLOWS:**

Application Fee:

\$5,000 non-refundable, due at application, broken down as follows:

IDA Administrative Fee: \$2,500

IDA Transaction Counsel Fee: \$2,500

Labor Policy Monitoring Fee, based on project cost, due before Final Resolution.

This fee will be deposited into a non-interest bearing escrow account and will fund the ongoing audit of Labor Policy compliance throughout construction. Any unused funds on deposit with the IDA will be returned to the company upon project completion.

Projects less than \$5M:	\$5,000.00
Projects greater than \$5M but less than \$15M:	\$10,000.00
Projects greater than \$15M but less than \$25M:	\$20,000.00
Projects greater than \$25M but less than \$50M:	\$30,000.00
Projects greater than \$50M but less than \$100M:	\$45,000.00
Projects greater than \$100M but less than \$500M:	\$55,000.00
Projects greater than \$500M:	To be determined

Closing Fee:

IDA Fee

One-percent of the first \$2,000,000 of the project cost (as identified on page 5 of this application), plus one-half percent of amount above that, due at closing (total project cost includes land acquisition costs).*

IDA Transaction Counsel Fee

One-third (1/3) of IDA fee (minimum of \$30,000 – to be reduced for smaller projects on case by case basis - plus out of pocket expenditures).

Local Labor Policy Monitoring

The IDA will use a third-party firm or firms to monitor compliance with the Local Labor Policy (attached hereto). All costs incurred by the IDA in connection with such monitoring, should they exceed the amount collected at application, shall be the responsibility of the Company.

NOTE: IDA reserves the right to seek additional IDA and Transaction Counsel fees for exceptionally complex/large transactions.

Please make all Checks payable to:

Orange County Industrial Development Agency

Mail to:

4 Crotty Lane
New Windsor, NY 12553

*In the event that an applicant does not seek or does not qualify for the IDA's enhanced PILOT or the equivalent of the State's 485-b program, the fee will be a straight one-half percent (0.5%) of the project cost (as identified on page 4 of this application).

The OCIDA Fee Schedule is the standard used when calculating all project fees. These fees are not open for negotiation. Please initial stating you understand and consent to the above

~~EM~~

Closing Fee:

Please be advised should the Orange County IDA act to adopt the Final Resolution for your project a fee will be due at closing.

Per the Capital Cost provided on the Applicants Pre-Application, the current estimated Closing Fee owed to the OCIDA will be: ___\$45,750.00___, in addition to legal fees due and payable to Harris Beach.

If at any time the project costs change prior to the Final Resolution, please inform management immediately for closing fee recalculation purposes.

Please initial stating you understand the foregoing, have provided accurate project costs, and consent to the estimated closing fee provided above

~~EM~~

LABOR POLICY
ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
Adopted 01-12-17

The Orange County Industrial Development Agency (IDA) was established for the purpose of creating employment opportunities for, and to promote the general prosperity and economic welfare of the residents of Orange County. The IDA offers economic incentives and benefits to qualified applicants who wish to locate or expand their businesses or facilities in Orange County. When the IDA approves a project, it enters into agreements to extend these incentives and benefits to the applicant.

Construction jobs, though limited in time duration, are vital to the overall employment opportunities and economic growth in Orange County. The IDA believes that companies benefiting from its incentive programs should employ local laborers, mechanics, craft persons, journey workers, equipment operators, truck drivers and apprentices (hereinafter "construction workers"), including those who have returned from military service, during the construction phase of projects. In this way, the IDA can generate significant benefits to advance the County's general prosperity. It is, therefore, the policy of the IDA that firms benefiting from its programs shall employ workers from Orange County and the "local labor" market during all project phases, including the construction phase.

For the purpose of this policy, the "local labor" market for construction workers shall be defined as those individuals living in Orange, Ulster, Sullivan, Dutchess, Putnam, Rockland and Westchester Counties. Applicants receiving IDA benefits shall ensure the contractor/developer hire at least 85% from the "local labor" market for their approved projects. The 85% shall be by contractor and in total at the time of completion of the project. The contractor/developer is mandated to keep daily log sheets of all field workers, commencing on the date of application. Any work performed after application shall be included in the determination of overall compliance with the 85% hiring requirements of this policy. A third-party auditing firm will be engaged to monitor construction work commencing on the date benefits are granted by resolution of the IDA Board.

However, the IDA recognizes that the use of local labor may not be possible for the following reasons and the applicant may request an exemption on a particular contract or trade scope for the following reasons:

1. Warranty issues related to installation of specialized equipment whereby the manufacturer requires installation by only approved installers;
2. Specialized construction is required and no local contractors or local construction workers have the required skills, certifications or training to perform the work;
3. Cost Differentials:
 - a. For projects whose project cost exceeds \$15M, significant cost differentials in bid prices whereby the use of local labor and materials significantly increases the sub contract or contract of a particular trade or work scope by at least 20%. Every reasonable effort should be made by the applicant and or the applicant's contractor to get below the 20% cost differential including, but not limited to, communicating and meeting with local construction trade organizations, such as the Hudson Valley Building and Construction Trades Council and other local Contractor Associations;

- b. For projects whose project cost is less than \$15M, significant cost differentials in bid prices whereby the use of local labor and materials significantly increases the sub contract or contract of a particular trade or work scope by 10% or more. Every reasonable effort should be made by the applicant and or the applicant's contractor to get below the 10% cost differential including, but not limited to, communicating and meeting with local construction trade organizations, such as the Hudson Valley Building and Construction Trades Council and other local Contractor Associations;
4. No labor is available for the project; and
5. The contractor requires key or core persons such as supervisors, foreman or "construction workers" having special skills that are not available in the "local labor" market.

The request to secure an exemption for the use of non-local labor must be received from the applicant on the exemption form provided by the IDA or the 3rd party monitor and received in advance of work commencing. The request will be reviewed by the 3rd party monitor and forwarded to the IDA, at which time the IDA's Audit Committee shall have the authority to approve or disapprove the exemption. The 3rd party monitor shall report each authorized exemption to the Board of Directors at its monthly meeting.

In addition, applicants receiving IDA benefits and Contractors on the project shall make every reasonable effort to utilize vendors, material suppliers, subcontractors and professional services from Orange County and the surrounding counties. Applicants and contractors shall be required to keep records of those local vendors, material suppliers, contractors and professional services whom they have solicited and with whom they have contracted with or awarded. This shall be stored in a binder on site and shall be easily available for review by an authorized representative of the IDA, such as the IDA's 3rd party monitor. It shall include any documents for solicitation and contracts. It is the goal of the County of Orange and the IDA to promote the use of local veterans on projects receiving IDA benefits. By partnering with local contractors, local contractor groups, local trade unions and contractors awarded work on IDA projects, there are opportunities for veterans to gain both short-term and long-term careers in the construction industry.

Once approved for IDA benefits, all applicants will be required to provide to IDA staff the following information:

1. Contact information for the applicant's representative who will be responsible and accountable for providing information about the bidding and awarding of construction contracts relative to the applicant's project;
2. Description of the nature of construction jobs created by the project, including in as much detail as possible, the number, type and duration of construction positions;
3. The names, contact information, certificate of authorization to do business in the State of New York and copies of current Certificates of NYS Workers' Compensation Insurance, NYS Disability Insurance, General Liability Insurance and proof of current OSHA training certification from all contractors' employees performing work on the site; and
4. A Construction Completion Report listing the names and business locations of prime contractors, subcontractors and vendors who have been engaged in the construction phase of the project.

All Orange County IDA projects are subject to local monitoring by the IDA and any 3rd party monitor. The applicant and/or the Construction Manager or General Contractor acting as agent

for the applicant on the project, shall keep a log book on site detailing the number of workers, hours worked and counties and states in which they reside. Proof of residency or copy of drivers' license shall be included in the log book, along with evidence of necessary OSHA certifications. Reports will be on forms provided by the IDA or weekly payroll reports which contain the same information as required on the IDA issued form. The applicant and contractors are subject to periodic inspection or monitoring by the IDA or 3rd party monitor.

The 3rd party monitor shall issue a report to the IDA staff immediately when an applicant or applicant's contractor is not in compliance with this labor policy. IDA staff shall advise the Audit Committee and/or IDA Board of non-compliance by email or at the next scheduled meeting. If a violation of policy has occurred, IDA staff shall notify the applicant and contractor in writing of non-compliance and give applicant a warning of violation and 72 hours in which to correct such violation. Upon evidence of continued non-compliance or additional violations, the IDA and/or its 3rd party monitor shall notify the applicant that the project is in violation of the Orange County IDA Labor Policy and is subject to IDA Board action which may result in the revocation, termination and/or recapture of any or all benefits conferred by the IDA.

The IDA will use a third party firm or firms to monitor and audit compliance with this local labor policy, the cost of which shall be paid for by the Company in advance of the audits and held in a non-interest bearing escrow account until audits are complete.

The applicant of an IDA approved project shall be required to maintain a 4' X 8' bulletin board on the project site containing the following information:

1. Contact information of the applicant;
2. Summary of the IDA benefits received;
3. Contractors names and contact information on IDA provided form;
4. Copies of proof of exemption from labor policy;
5. Copies of any warnings or violations of policy;
6. Copy of the Executed Labor Policy.

The bulletin board shall be located in an area that is accessible to onsite workers and visitors, which should be clear and legible at least 10 feet from said board.

The applicant has read the OCIDA Labor Policy and agrees to adhere to it without changes and shall require its construction manager, general contractor and sub-contractors who are not exempt to acknowledge the same. The Applicant understands and agrees that it is responsible for all third-party auditing and monitoring costs.

[Handwritten signature]

Applicant Signature

134 Jessup Street, LLC

Company Name

Elias Mehra

Print Name of above signer

845 651-4431 x224

Email/phone of Applicant

Nov. 14, 2018

Date

Signature of CM, GC or SC

Mehrad Construction

Company Name

Elias Mehra

Print Name of above signer

845 651 4431 x224

Email/phone of CM/GC/SC

11/3/18

Date

BUSINESS SUMMARIES

Montana Datacom:

Montana is a distributor of datacom and power cables, plus accessories. They are located in Long Island City. They currently have offices and warehousing located in Orange County. They need to expand as their operations are growing. Montana is entering the custom cable business. They need this space in order to accomplish that goal. In addition to the extra warehousing, they will twist cables together, a process called paralleling, in this new space. While the business has been around for 25+ years, the recent performance shows how this continues to trend upward.

NFP:

NFP is a pharmaceutical manufacturer. After just a few years in business, they are experiencing growth as well. In order to meet their customers' demands, they need more equipment and machines. This can only be accomplished if there is more space. The management team running this business has over 75 years of experience. This is the third company they have begun in this industry after selling their two. Their track record of success is an excellent model to copy.

New Copper Business:

This is a brand-new business. The goal of this business is to collect copper scrap and recycle it so it can be used again. Once the copper has been recycled, it will ship from the main plant in Georgia to here for final preparation. If we cannot provide them a location in Orange County, NY, they will focus preparations in Georgia. Orange County, NY is attractive because 70% of the potential customers are located in the Northeast.

Remee Wire & Cable:

Remee has been in business since 1974. Remee has always been in Orange County, NY. Remee is looking to expand again. With the evolution of the wire and cable industry, it is crucial that Remee continue to react to these changes. This can only be done with new machines and more space.

Potential Renter	Space Required	Number of Potential Employees	Alternative Location Option	Number of Potential Employees w/Assistance	Residents in the area	Total Space To Be Leased
Montana Datacom	20,000 Square Feet	10	New Jersey	15	70,000	
NFP	20,000 Square Feet	10	Connecticut	20	70,000	
New Copper Business	20,000 Square Feet	15	Georgia	15	70,000	
Remees Wire & Cable	20,000 Square Feet	10	Texas	20	70,000	
		All jobs will be full time unless otherwise mentioned				
Potential Renter	Category of Jobs	Estimated Number of Jobs per Category	Average Salary	Average Fringe Benefits or Range of Fringe Benefits (Value of benefits to vary based on employee)		
Montana Datacom	Management	5	\$50,000.00	\$17,000 to \$20,000	Health Insurance/401K	20,000 Square Feet
	Professional					
	Administrative					
	Production	5	\$40,000.00	\$12,000 to \$15,000	Health Insurance/401K	
	Independent Contractor					
	Other					
NFP	Management	2	\$65,000.00	\$14,000 to \$16,000	Health Insurance/401K	20,000 Square Feet
	Professional					
	Administrative					
	Production	8	\$40,000.00	\$10,000 to \$12,000	Health Insurance/401K	
	Independent Contractor					
	Other					
New Copper Business	Management	1	\$75,000.00	\$14,000 to \$16,000	Health Insurance/401K	10,000 Square Feet
	Professional					
	Administrative					
	Production	14	\$40,000.00	\$10,000 to \$12,000	Health Insurance/401K	
	Independent Contractor					
	Other					
Remees Wire & Cable	Management	1	\$75,000.00	\$17,000 to \$20,000	Health Insurance/401K	10,000 Square Feet
	Professional					
	Administrative					
	Production	9	\$40,000.00	\$12,000 to \$15,000	Health Insurance/401K	
	Independent Contractor					
	Other					



LETTER OF LEASE COMMITMENT


Date: 9/12/2018

Montana Datacom
351511thStreet
LongIslandCity,NY11106

This letter serves as a formal commitment between Montana Datacom and Elias Muhlrud (Landlord). Montana Datacom is in need of additional space. Elias Muhlrud is building additional space located at 134 Jessup Switch Road in Florida, NY. Montana Datacom is extremely interested in this space for expansion purposes.

Montana Datacom is executing this agreement in order to show that it is willing to commit to this space once it is ready. The terms of the lease must still be signed off on but the minimum term will be 10 years.

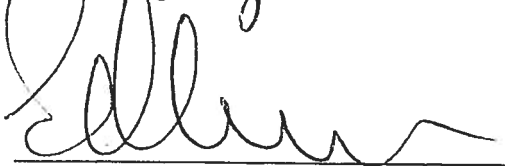
By signing the below, there is a commitment from both parties to lease additional space from the landlord in Florida, NY.



Tenant's Signature

9-12-18

Date



Landlord's Signature

9/12/18

Date

LETTER OF LEASE COMMITMENT

Date: 9/12/2018

NFP
1723 State Rte. 17A
Florida, NY 10921

This letter serves as a formal commitment between NFP and Elias Muhlrud (Landlord). NFP is in need of additional space. Elias Muhlrud is building additional space located at 134 Jessup Switch Road in Florida, NY. NFP is extremely interested in this space for expansion purposes.

NFP is executing this agreement in order to show that it is willing to commit to this space once it is ready. The terms of the lease must still be signed off on but the minimum term will be 10 years.

By signing the below, there is a commitment from both parties to lease additional space from the landlord in Florida, NY.



Tenant's Signature

Date

Landlord's Signature

Date

LETTER OF LEASE COMMITMENT

Date 9/12/2018

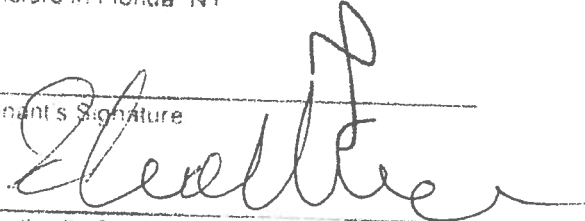
Copper Consulting and Recycling

This letter serves as a formal commitment between Copper Consulting and Recycling (CCR) and Elias Muhrad (Landlord) CCR is in need of additional space Elias Muhrad is building additional space located at 134 Jessup Switch Road in Florida NY CCR is extremely interested in this space for expansion purposes

CCR is executing this agreement in order to show that it is willing to commit to this space once it is ready The terms of the lease must still be sighted off on but the minimum term will be 10 years

By signing the below there is a commitment from both parties to lease additional space from the landlord in Florida NY

Tenant's Signature



Landlord's Signature

Sept 12, 2018

Date



Date

LETTER OF LEASE COMMITMENT

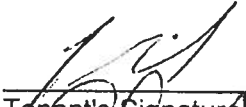
Date: 9/12/2018

Remeo Products Corp
1751 State Rte. 17A
Florida, NY 10921


This letter serves as a formal commitment between Remeo Products Corp and Elias Muhlrud (Landlord). Remeo is in need of additional space. Elias Muhlrud is building additional space located at 134 Jessup Switch Road in Florida, NY. Remeo is extremely interested in this space for expansion purposes.

Remeo is executing this agreement in order to show that it is willing to commit to this space once it is ready. The terms of the lease must still be signed off on but the minimum term will be 10 years.

By signing the below, there is a commitment from both parties to lease additional space from the landlord in Florida, NY.


Carmelo G. de CFO

Tenant's Signature



Landlord's Signature

9/12/18

Date

9/12/18

Date

State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Date: October 5, 2017

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Goshen Planning Board, as lead agency, has determined that the proposed action described below will not have a significant adverse effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Lead Agency: Town of Goshen Planning Board
Town Hall
41 Webster Avenue
Goshen, New York 10924
Phone: 845-294-6250
Contact: Lee Bergus, Chairman

Name of Action: 17A Warehouse (aka 134 Jessup Switch Road/Elias Muhlrads) – Major Site Plan Application

SEQR Status: Type I

Conditioned
Negative Declaration: No

Description of the
Action: This action proposes to construct two warehouses totaling 130,000 square feet, with up to 24,000 square feet of the buildings permitted to be used for office space on 23.98 acres of land with frontage along Jessup Switch Road.

Location: Town of Goshen, Orange County, New York.

Reasons Supporting
this Determination:

The Applicant, Elias Muhlrads, is proposing to construct two warehouses totaling 130,000 square feet, with up to 24,000 square feet of those warehouses permitted to be used for office space. The proposed buildings will be located along Jessup Switch Road, with access onto Jessup Switch Road on property containing approximately 23.98 acres. The property is in the Commercial/Office Mixed-Use (CO) district, within the AQ-3 and Flood Plain and Ponding Overlay districts.

Impacts on Land: The proposed action may involve construction on land where depth to water table is less than 3 feet; however, the disturbance proposed is located close to the surface and above the water table. Additionally, the proposed action is scheduled to continue for approximately 36 months. The proposed action may also result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides). The

proposed project is disturbing only a limited area of land that may result in increased erosion (*i.e.*, slopes greater than 15%). Therefore, no significant adverse impacts on land are anticipated.

Impacts on Surface Water: The proposed action may create a new water body, and may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body. The proposed action may also create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies, and the proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action. Per the Department of Environmental Conservation SPDES General Permit for construction activities, the Applicant will need to prepare a Stormwater Pollution Prevention Plan (SWPPP) and will need a Notice of Intent for coverage under the permit, as the proposed area of disturbance exceeds the one (1) acre threshold for coverage. As a result, and assuming compliance with the SPDES General Permit and the SWPPP, no significant adverse impacts to surface water are anticipated.

Impacts on Ground Water: The proposed action will create additional demand on supplies from existing water supply wells; however, the project will be serviced by water from the Village of Florida. No significant adverse impacts to the ground water are anticipated from this proposed action. See Pawliczek letter, 6/7/17.

Impacts on Flooding: The proposed action may result in development in a designated floodway, within a 100-year floodplain or within a 500-year floodplain. The proposed action may result in, or require, modification of existing drainage patterns, and may change floodwater flows that contribute to flooding. The proposed action is located within the Town's Flood Plain and Ponding Area (FP) Overlay District, which is defined on the National Flood Insurance Mapping Program Flood Insurance Rate Maps (FIRM) as "A" Zones ("Special Flood Hazard Areas") for the one-hundred-year floodplain. The proposed action depicts the proposed access drive to Jessup Switch Road and the stormwater pond discharge located within the floodplain. The Applicant is required to demonstrate to the Planning Board that the area is safe from flooding, using engineering surveys and reports, in accordance with the Town Code. As a result, no significant adverse impacts are anticipated.

Impacts on Plants and Animals: The proposed action may cause reduction in the population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over or near the site. The proposed action may also result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the Federal government. In connection with the Applicant's prior warehouse project on the same property, the Applicant identified the Fairy Wand and the Dragon's Mouth Orchid as rare plants that have been seen in the general area of the proposed action. The Fairy Wand is often found in habitat consisting of "oak woodlands, mesic woodlands, oak barrens, mixed young mesophytic woods, old pastures with red cedars, moist thickets, calcareous seeps in red maple-tamarack swamps; calcareous wet meadows within old successional woods, calcareous rocky summits, and rich sloping fens." See New York Natural Heritage Program. The Dragon's Mouth Orchid is typically found in "rich graminoid fens and medium fens." *Id.* However, the location of the proposed action, specifically the disturbance necessary for the warehouse and office structure consists mostly of open fields. Therefore, no significant adverse impacts on plants or animals are anticipated.

Impacts on Agricultural Resources: The proposed action is located within Orange County's Agricultural District No. 2 ("ORAN002") and will irreversibly convert more than 2.5 acres of the

land to non-agricultural uses. The property has not been used for agricultural purposes in many years, and therefore no significant adverse impacts on agricultural resources are anticipated.

Impacts on Aesthetic Resources: The proposed action may be visible from publicly accessible vantage points seasonally, during routine travel by residents, including travel to and from work. The proposed action will construct two new buildings, totaling 130,000 square feet, where no buildings currently exist. The Applicant is required to comply with § 97-14(D) of the Town Code, which concerns the architectural design of the structure, as well as landscaping requirements. No significant adverse environmental impacts to these resources are anticipated.

Impacts on Historic and Archaeological Resources: The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory. The Planning Board received correspondence from the New York State Office of Parks, Recreation and Historic Preservation dated March 20, 2017, which stated that no historic properties will be affected by this undertaking. Therefore, no significant adverse environmental impacts to these resources are anticipated.

Impacts on Transportation: The proposed action may result in a change to existing transportation systems, such that the projected traffic increase may exceed the capacity of the existing road network. The Applicant performed a traffic analysis evaluating existing and future operating conditions at the signalized intersection of NYS Route 17A/NYS Route 94 and Meadow Road. Based upon the information provided, the Planning Board concluded that so long as the bridge can accommodate the project's trucks and that the Applicant can remove existing vegetation to provide adequate sight distances, no significant adverse environmental traffic impacts are anticipated.

Impact on Energy: The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed. As the proposed action does not require new, upgraded, or an extension of substations or energy transmission supply systems, and each building is individually less than 100,000 square feet, there are no significant adverse environmental impacts to energy resources anticipated.

Impact on Human Health: The proposed action is located within 1500 feet of a licensed day care facility; however, there are no significant adverse impacts on human health anticipated from the proposed action.

Consistency with Community Plans: The Town of Goshen has adopted a comprehensive land use plan that includes the site where the proposed action is located. This action may induce secondary development impacts such as residential or commercial development not included in the proposed action. The property is located within the Town's Commercial/Office Mixed-Use (CO) district, and the action is appropriate for its location. The Planning Board does not anticipate any significant adverse environmental impacts related to the consistency with community plans or community character from the development of the proposed action.

The Town of Goshen Planning Board finds that the proposed action will not result in any significant adverse environmental impacts by its approval, and therefore no further environmental review is necessary.

A copy of this Notice has been sent to:
Lee Bergus, Chairman

Planning Board, Lead Agency
Town of Goshen Town Hall
41 Webster Avenue
Goshen, New York 10924

Douglas Bloomfield, Supervisor
Town of Goshen Town Hall
41 Webster Avenue
Goshen, New York 10924

A copy of this Notice has been filed with:

Village of Florida
33 South Main Street
P.O. Box 505
Florida, New York 10921

New York State Department of Environmental Conservation
Division of Environmental Permits, Region 3
21 South Putt Corners Road
New Paltz, New York 12561

New York State Office of Parks, Recreation and Historic Preservation (via CRIS system)
P.O. Box 189, Peebles Island
Waterford, New York 12188

U.S. Army Corps of Engineers
26 Federal Plaza
Jacob Javits Building
New York, New York 10278

Neal Halloran, Building Inspector
Town of Goshen Town Hall
41 Webster Avenue
Goshen, New York 10924

Orange County Department of Public Works
P.O. Box 509
Goshen, New York 10924

Orange County Division of Planning and Development
1887 County Building
124 Main Street
Goshen, New York 10924

Environmental Notice Bulletin
625 Broadway, Room 538
Albany, NY 12233-1750
enb@gw.dec.state.ny.us

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Muhlrad Twin Warehouse Buildings		
Project Location (describe, and attach a general location map): 134 Jessup Switch Road, Florida, NY 10921		
Brief Description of Proposed Action (include purpose or need): The proposed action is the construct one 60,000 s.f. and one 70,000 s.f. warehouse building totaling 130,000 square feet. Up to 26,000 square feet of the buildings could be used for office space and the remaining 96,000 square feet warehouse space or similar approved use.		
Name of Applicant/Sponsor: Elias Muhlrad		Telephone: 845-651-4431
		E-Mail: a.muhlrad@remee.com
Address: PO Box 488		
City/PO: Florida	State: NY	Zip Code: 10921
Project Contact (if not same as sponsor; give name and title/role): Engineering & Surveying Properties, PC		Telephone: 845-457-7727
		E-Mail: ross@ep-pc.com
Address: 71 Clinton Street		
City/PO: Montgomery	State: NY	Zip Code: 12549
Property Owner (if not same as sponsor): 134 Jessup Switch Road, LLC		Telephone:
		E-Mail: same
Address: 1751 State Route 17A, Suite		
City/PO: Florida	State: NY	Zip Code: 10921

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Site Plan	January 2017
c. City Council, Town or <input type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s):	
OPN30-Open Space _____	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
 If Yes, what is the zoning classification(s) including any applicable overlay district?
CO- Commercial/Office Mixed Use

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No
 If Yes,
 i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Florida

b. What police or other public protection forces serve the project site?
Goshen Town Police Department

c. Which fire protection and emergency medical services serve the project site?
Florida Fire Department

d. What parks serve the project site?
Town of Goshen Parks

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?
Commercial offices and warehouse space.

b. a. Total acreage of the site of the proposed action? +/- 24 acres
 b. Total acreage to be physically disturbed? +/- 10.6 acres
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 39.1 acres

c. Is the proposed action an expansion of an existing project or use? Yes No
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
 If Yes,
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
Commercial
 ii. Is a cluster/conservation layout proposed? Yes No
 iii. Number of lots proposed? 3
 iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? Yes No
 i. If No, anticipated period of construction: 36 months
 ii. If Yes:
 • Total number of phases anticipated 2
 • Anticipated commencement date of phase 1 (including demolition) 6 month 2017 year
 • Anticipated completion date of final phase 6 month 2020 year
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____
Common Driveway will be constructed from Jessup Switch Rd to existing warehouse, first building will be constructed once occupied second building will be constructed.

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures 2

ii. Dimensions (in feet) of largest proposed structure: <35' height; 167' width; and 420' length

iii. Approximate extent of building space to be heated or cooled: 130,000 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: Stormwater Management

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: Stormwater

iii. If other than water, identify the type of impounded/contained liquids and their source.
N/A

iv. Approximate size of the proposed impoundment. Volume: TBD million gallons; surface area: TBD acres

v. Dimensions of the proposed dam or impounding structure: TBD height; TBD length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):
Excavation into native soils

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? Yes No
 If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No
 If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No
 If Yes:

i. Total anticipated water usage/demand per day: _____ 10,400 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No
 If Yes:

- Name of district or service area: Village of Florida
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
 The water main will need to be extended to the new buildings from its current terminus on the south side of the existing 40,000 s.f. warehouse
- Source(s) of supply for the district: Glenmere Reservoir

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No
 If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No
 If Yes:

i. Total anticipated liquid waste generation per day: _____ 10,400 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____
Sanitary Wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No
 If Yes:

- Name of wastewater treatment plant to be used: Remeo Products Sewer Treatment Plant
- Name of district: n/a
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

Yes No
 Yes No

• Do existing sewer lines serve the project site?
 • Will line extension within an existing district be necessary to serve the project?
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____
 A new sewer service to the sewer plant will be necessary. _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ 8.8 acres (impervious surface)
 _____ Square feet or _____ 24.0 acres (parcel size)
 ii. Describe types of new point sources. Stormwater

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?
The stormwater will be conveyed through on-site stormwater structures to a stormwater management facility which will discharge to a nearby stream.

• If to surface waters, identify receiving water bodies or wetlands: _____
Quaker Creek

• Will stormwater runoff flow to adjacent properties? Yes No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)
Construction Equipment

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)
Generator, heating equipment

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:

- _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
- _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

- i. Estimate methane generation in tons/year (metric): _____
- ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

- i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.
- ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____
- iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____
- iv. Does the proposed action include any shared use parking? Yes No
- v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

- vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? Yes No
- vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No
- viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

- i. Estimate annual electricity demand during operation of the proposed action: _____
TBD
- ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
Orange and Rockland
- iii. Will the proposed action require a new, or an upgrade to, an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: _____ 7am - 7pm
- Saturday: _____ 9am - 7pm
- Sunday: _____ Closed
- Holidays: _____ Closed

ii. During Operations:

- Monday - Friday: _____ 7am - 11pm
- Saturday: _____ 7am - 7pm
- Sunday: _____ 7am - 7pm
- Holidays: _____ 7am - 7pm

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No

If yes:

i. Provide details including sources, time of day and duration: _____

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
Describe: _____

n. Will the proposed action have outdoor lighting? Yes No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
Wall mounted and pole mounted lights will be used to luminate the parking and loading areas.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No

If Yes:

i. Describe proposed treatment(s): _____

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ 21 tons per _____ 1 year (unit of time)
- Operation : _____ 1 tons per _____ 1 month (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: Recycle per NYS law
- Operation: Recycle per NYS law

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: Orange County Transfer Station
- Operation: Orange Country Transfer Station

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban Industrial Commercial Residential (suburban) Rural (non-farm)

Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	2.85	11.65	+ 8.8
• Forested	0.5	0.5	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	18.77	7.07	- 10.7
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: <u>Lawn/Landscape</u>	1.86	3.8	+1.94

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities:
Day care facility on Lempka Lane

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ > 5 feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

Silt	_____	93 %
Silty Loam	_____	7 %
_____	_____	_____ %

d. What is the average depth to the water table on the project site? Average: _____ <2 feet

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: 7 % of site
 Poorly Drained 93 % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: 100 % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No
 If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 855.5-203 Classification C _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters, ... Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired:
 Name - Pollutants - Uses/Quaker Creek and tribs – D.O./Oxygen Demand, Water Level/Flow – Aquatic Life

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100 year Floodplain? Yes No

k. Is the project site in the 500 year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: Principal Aquifer _____

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____ Deer _____ _____</p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: <i>i.</i> Describe the habitat/community (composition, function, and basis for designation): _____ _____ <i>ii.</i> Source(s) of description or evaluation: _____ <i>iii.</i> Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres</p>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Fairy Wand (Rare Plant) and Dragon's Mouth Orchid (Rare Plant) have been spotted in the general area, however the proposed project site consists mostly of open fields.</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, give a brief description of how the proposed action may affect that use: _____ _____</p>	
E.3. Designated Public Resources On or Near Project Site	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, provide county plus district name/number: <u>ORAN002</u></p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>i.</i> If Yes: acreage(s) on project site? _____ <i>ii.</i> Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: <i>i.</i> Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature <i>ii.</i> Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: <i>i.</i> CEA name: _____ <i>ii.</i> Basis for designation: _____ <i>iii.</i> Designating agency and date: _____</p>	

<p>e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?</p> <p>If Yes:</p> <p>i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District</p> <p>ii. Name: _____</p> <p>iii. Brief description of attributes on which listing is based: _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>f. 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?</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>g. Have additional archaeological or historic site(s) or resources been identified on the project site?</p> <p>If Yes:</p> <p>i. Describe possible resource(s): _____</p> <p>ii. Basis for identification: _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?</p> <p>If Yes:</p> <p>i. Identify resource: _____</p> <p>ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____</p> <p>iii. Distance between project and resource: _____ miles.</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?</p> <p>If Yes:</p> <p>i. Identify the name of the river and its designation: _____</p> <p>ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? _____</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

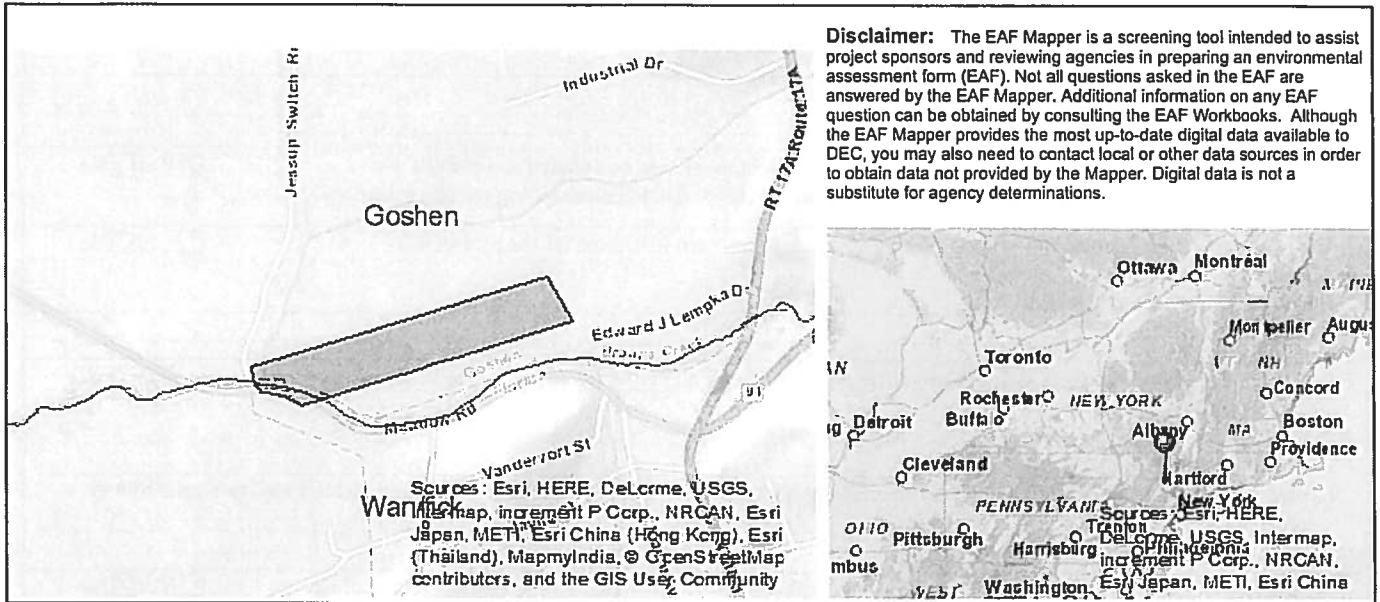
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Elias Muhrad Date 1/7/2017

Signature  Title _____



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	855.5-203
E.2.h.iv [Surface Water Features - Stream Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	Yes
E.2.h.v [Impaired Water Bodies - Name and Basis for Listing]	Name - Pollutants - Uses:Quaker Creek and tribs – D.O./Oxygen Demand;Water Level/Flow – Aquatic Life
E.2.i. [Floodway]	Yes



**TRUE NORTH
DEVELOPMENT GROUP, LLC.**

**1002 D STREET
NEW WINDSOR, NY 12553
TEL: (845) 567-0463**

12/5/2018

To The Chairman, Staff, and Board of Directors at the Orange County Industrial Development Agency:

Attached is the Application For Financial Assistance submitted by Airport Properties VIII, LLC (APVIII LLC) for an approximately 80 room Fairfield Inn & Suites by Marriott.

While reviewing this application, please consider the following:

Airport Properties II, LLC (APII LLC) and APVIII LLC are made up of three owners, with two primary owners being local residents and long standing local business owners. Airport Properties II, LLC, which does business as the Homewood Suites By Hilton, applied for OCIDA assistance and received approval in October of 2006. In December of 2008, shortly after the country started a plunge into recession, APVIII LLC received a similar package of benefits for a second hotel from the OCIDA, planned as a Marriott Fairfield Inn & Suites. Due to the recession, the second hotel project was delayed.

By constructing this Marriott hotel, APVIII LLC would be removing a contaminated, blighted site and converting it to a tax revenue producing property while also creating substantial jobs on a location which presently employs zero people.

The building is intended to be a sustainably designed structure or 'green building', which will reduce the negative impacts on human health and the environment through better siting, design, and construction. The design philosophy focuses on increasing the efficiency of construction methods while creating a long term better use of resources through technology and sustainably sourced materials and operations systems.

The new Fairfield Inn & Suites will be managed by True North Development Group, LLC (TNDG) which has managed the Homewood Suites by Hilton on the adjacent property since 2008. TNDG anticipates similar success to that of the Homewood Suites, which has achieved market dominance in all categories of performance. The Homewood Suites has received numerous Hilton awards for exceeding brand expectations, including extended stay occupancy, customer service, and building cleanliness & condition. This success can be attributed to APII LLC's unwavering commitment throughout times of severe economic hardship to creating and maintaining professional level jobs for local aspiring leaders.

HOTEL MANAGEMENT SERVICES



With common ownership, and by applying the same training, philosophy, and commitment to excellent compensation packages, TNDG and APVIII expect to exceed all performance goals for the Fairfield Inn & Suites by Marriott, including, but not limited to, the number of jobs created and the salaries/wages associated with each.

Please see the attached salary/wage survey. Kindly notice the number of management positions created at the Homewood Suites over the past 11 years in operation. APVIII LLC expects that over time, the Fairfield Inn will enjoy the same level of top line success. APVIII LLC will continue to develop and retain local talent, not just with salaries that far exceed the market industry standard, but by including a 401K plan, medical, vision and dental benefits. These current salaries are not typical of the industry, but a priority to the owners of APVIII LLC. Please see highlighted the approximate \$122,000 difference in professional positions, comparing the earnings of salaried managers at the Homewood Suites to the competitive set of hotels in Orange County. This total does not include the difference in wages of the hourly associates but the analysis highlights these rates as well. APVIII and TNDG will also continue to cross train associates and develop their skills so that they remain working where they live.

TNDG will be working on behalf of both hotels with local colleges and Universities to develop a paid and accredited Internship Program so that local students don't have to travel to NYC to garner reputable field experience.

As seen by the engagement of the Homewood Suites staff, the Marriott team will work just as hard to promote tourism in the Orange County. This new property will continue to support all local economic development agencies, New York Stewart International Airport, Orange County Tourism and all local Emergency Response Teams, to name a few. The Homewood Suites by Hilton has been a great example of being a community neighbor, sponsoring events, donating time & money, enrolling in any county travel programs, and extending complimentary meeting room use and overnight stays to promote the area. This past September, 2018, the hotel accommodated six International Travel Writers in complimentary suites so that they could return to Scotland, Norway, and Ireland to promote Orange County, NY. There have been many similar examples of support from the Homewood Suites and it's owners over 11 years.

The county is visibly growing and developing at a rapid pace, but please consider the risk and investment that these owners made at a time of stifled growth and economic uncertainty. As you will see in the attached letters of support, The Homewood Suites was an asset to New York Stewart International's Airport marketing program, a substantial revenue stream for the Town of New Windsor, as well as a Community Partner in the Tourism efforts of Orange County. This was all possible due to the Financial Assistance extended from the Orange County Industrial Development Agency.

I have read with great interest the number of prospective hotel developers with a particular interest in our growing community and although this is another positive sign of growth, I ask you to consider how AP8 has set themselves apart. Please consider granting financial assistance to a known and proven successful entity who has already made considerable investments for the growth of Orange County, NY.

Respectfully,



Kathy Russo
Managing Member

Industry Standard

Orange County NY
Surveyed market area:
Newburgh/New Windsor NY
2018-2019

Homewood Suites by Hilton

180 Breunig Road, New Windsor, NY 12553

Job Position - wage			Difference
General Manager	\$57,000.00	\$107,000.00	\$50,000.00
Assist. Gen. Manager	\$46,000.00	\$56,000.00	\$10,000.00
Front Office Manager	\$41,000.00	\$48,000.00	\$7,000.00
Maintenance Engineer (C.E.)	\$34,000.00	\$61,000.00	\$27,000.00
Executive Housekeeper	\$40,000.00	\$48,000.00	\$8,000.00
Sales Manager/DOS	\$45,000.00	\$65,000.00	\$20,000.00
Sales Secretary/Coordinator	\$13.13	\$15.00	\$1.87
Front Desk Agent	\$10.83	\$13.00	\$2.17
Front Desk Night Auditor	\$10.88	\$14.00	\$3.12
Housekeeper	\$10.40	\$12.00	\$1.60
Janitor	\$10.58	\$13.00	\$2.42
Maintenance worker	\$12.00	\$16.00	\$4.00
Food & Beverage Server	\$10.40	\$12.50	\$2.10
Total Salary Wage:	\$263,000.00	\$385,000.00	\$122,000.00



Empowering Businesses. Inspiring Growth.

APPLICATION FOR FINANCIAL ASSISTANCE

AIRPORT PROPERTIES VIII, LLC

(Applicant Name)

12/13/2018

(Date of Application)

Mary Ellen Rogulski
Chairman

Orange County Business Accelerator
4 Crotty Lane, Suite 100
New Windsor, NY 12553

Phone: 845-234-4192 Fax: 845-220-2228

www.ocnyida.com
business@ocnyida.com

Updated June 1, 2018

ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

I. APPLICANT INFORMATION

Company Name: AIRPORT PROPERTIES VIII, LLC
Mailing Address: 1010 D STREET- NEW WINDSOR- NY- 12553
Phone No.: 631 275 7128
Fax No.: _____
Fed Id. No.: 20-3461772
Contact Person: LEE BROWNING JR
Title: MEMBER
Contact Phone No.: 631 275 7128
Contact Email: BROWNINGWORK@OUTLOOK.COM

IDA Management must be able to reach the Applicant's Contact throughout the duration of the Agreement. Should this information change at any time IDA Management should be notified Immediately. Please initial stating you understand and consent to the above RL

APPLICANT'S COUNSEL

Name: PAUL REICHEL- BOND SCHOENECK & KING PLLC
Address: ONE LINCOLN CENTER- SYRACUSE- NY - 13202
Phone No.: 315 218 8135
Fax No.: 315 218 8100
Counsel Email: REICHEP@BSK.COM

IDA Management must be able to reach the Applicant's Counsel throughout the duration of the Agreement. Should this information change at any time IDA Management should be notified Immediately. Please initial stating you understand and consent to the above RL

APPLICANT'S AUDIT CONTACT

Name: STEVEN HOWELL- RBT CPA LLC

Address: 11 RACQUET ROAD- NEWBURGH- NY- 12550

Phone No.: 845 567 9000

Fax No.: 845 567 9228

Contact Email: SHOWELL@RBTCPAS.COM

The IDA submits a mandatory annual PARIS ^{SPRING 2020} Report to the state that requires information from each project. Applicant participation is not optional, and all information must be submitted in a complete and timely manner. Please initial stating you understand and consent to the above

SH

APPLICANT'S GENERAL CONTRACTOR/CONSTRUCTION MANAGER

Name/Contact: COMMERCIAL INDUSTRIAL CONSTRUCTION CORP.

Address: 9 WEYANTS LANE- NEWBURGH- NY- 12550

Phone No.: 845 564 8800

Fax No.: 845 564 8801

Email: _____

Principal Owners/Officers/Directors (list owners with 15% or more in equity holdings with percentage ownership):

CHARLES TALLARDY III- 60.38%
ROBERT T. ARMISTEAD- 30.49%

Corporate Structure (*attach schematic if applicant is a subsidiary or otherwise affiliated with another entity*)

Form of Entity

Corporation

Date of Incorporation: _____

State of Incorporation: _____

Partnership

General _____ or Limited _____

Number of general partners _____

If applicable, number of limited partners _____

Date of formation _____

Jurisdiction of Formation _____

Limited Liability Company/Partnership (number of members 3)

Date of organization: AUGUST 19, 2005

State of Organization: NYS

Sole Proprietorship

If a foreign organization, is the applicant authorized to do business in the State of New York?

If any of the above persons, or a group of them, owns more than a 50% interest in the company, list all other organizations which are related to the company by such persons having more than a 50% interest in such organizations.

Charles Tallardy III- Perreca Electric Inc. 100%, Woods Electric Co. LLC 50%, Airport Properties I, LLC 60%, Airport Properties II, LLC 60%

Is the company related to any other organization by reason of more than 50% common ownership? If so, indicate name of related organization and relationship.

AIRPORT PROPERTIES I, LLC AND AIRPORT PROPERTIES II, LLC

Has the company (or any related corporation or person) made a public offering or private placement of its stock within the last year? If so, please provide offering statement used.

NO

II. PROJECT INFORMATION

A) Project Address: 1010 D STREET- NEW WINDSOR- NY- 12553

Tax Map Number PART OF SECTION 3- BLOCK 63
(Section/Block/Lot)

Located in City of _____

Located in Town of NEW WINDSOR

Located in Village of _____

School District of NEWBURGH ENLARGED SCHOOL DISTRICT

B) Are utilities on site?

Water YES

Electric YES

Gas YES

Sanitary/Storm Sewer YES

C) Present legal owner of the site NYS DOT

If other than from applicant, by what means will the site be acquired for this project? LEASE

D) Zoning of Project Site: Current: AIRPORT & Proposed: NO CHANGE

RELATED USES

E) Are any variances needed? NO

F) Furnish a copy of any environmental application presently in process of completion concerning this project, providing name and address of the agency, and copy all pending or completed documentation and determinations.

G) Statement describing project (i.e. land acquisition, construction of manufacturing facility, etc.):

CONSTRUCTION OF HOTEL/ DEMOLITION OF EXISTING BUILDINGS

**Please attach narrative if space provided is not sufficient.

H) Anticipated Date of Operation: SPRING 2020

I) Principal use of project upon completion:

- | | | | |
|--|---------------------------------------|-----------------------------------|--------------------------------------|
| <input type="checkbox"/> manufacturing | <input type="checkbox"/> warehousing | <input type="checkbox"/> research | <input type="checkbox"/> offices |
| <input type="checkbox"/> industrial | <input type="checkbox"/> recreation | <input type="checkbox"/> retail | <input type="checkbox"/> residential |
| <input type="checkbox"/> training | <input type="checkbox"/> data process | <input type="checkbox"/> other | |

If other, explain: HOTEL

J) Estimated Project Costs, including:

Value of property to be acquired: \$ N/A

Value of improvements: \$ 7,279,607

Value of equipment to be purchased: \$ 1,583,715

Estimated cost of engineering/architectural services: \$ 341,026

Other: \$ 2,086,915

Total Capital Costs: \$ 11,291,263

Project refinancing; estimated amount
(for refinancing of existing debt only) \$ N/A

Sources of Funds for Project Costs:

Bank Financing: ESTIMATED \$ 7,339,321

Equity (excluding equity that is attributed to grants/tax credits) \$ 3,951,942

Tax Exempt Bond Issuance (if applicable) \$ _____

Taxable Bond Issuance (if applicable) \$ _____

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

Identify each state and federal grant/credit:

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

Total Sources of Funds for Project Costs: \$ 11,291,263

K) Inter-Municipal Move Determination ^S PRING 2020

Will the project result in the removal of a plant or facility of the applicant from one area of the State of New York to another?

Yes or No

Will the project result in the removal of a plant or facility of another proposed occupant of the project from one area of the State of New York to another area of the State of New York?

Yes or No

Will the project result in the abandonment of one or more plants or facilities located in the State of New York?

Yes or No

If Yes to any of the questions above, 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:

Project Data

1. Project site (land)

(a) Indicate approximate size (in acres or square feet) of project site.

3.5 ACRES _____

(b) Are there buildings now on the project site? x Yes No

(c) Indicate the present use of the project site.

VACANT BUILDINGS/ NO USE _____

(d) Indicate relationship to present user of project.

NO PRESENT USER

2. Does the project involve acquisition of an existing building or buildings? If yes, indicate number, size and approximate age of buildings:

NO

3. Does the project consist of the construction of a new building or buildings? If yes, indicate number and size of new buildings:

YES- ONE BUILDING- +-43,000

4. Does the project consist of additions and/or renovations to existing buildings? If yes, indicate nature of expansion and/or renovation:

NO

5. Estimated Start Date of Construction: SPRING 2019

6. Estimated End Date of Construction: SPRING 2020

7. What will the building or buildings to be acquired, constructed or expanded be used for by the company? (Include description of products to be manufactured, assembled or processed, and services to be rendered. . .

HOTEL

. . . *including* the percentage of building(s) to be used for office space and an estimate of the percentage of the functions to be performed at such office not related to the day-to-day operations of the facilities being financed.)

0%

8. If any space in the project is to be leased to third parties, indicate total square footage of the project amount to be leased to each tenant and proposed use by each tenant.

N/A

9. List principal items or categories of equipment to be acquired as part of the project.

FURNITURE, FIXTURES, HVAC EQUIPMENT, TELEVISIONS, GENERAL HOTEL EQUIPMENT
COMPUTER SYSTEMS, PBX SYSTEM, FIRE ALARM SYSTEM

10. Has construction work on this project begun? NO

Complete the following

(a) site clearance	_____ Yes	<u>X</u> No	<u>0</u> % complete
(b) foundation	_____ Yes	<u>X</u> No	<u>0</u> % complete
(c) footings	_____ Yes	<u>X</u> No	<u>0</u> % complete
(d) steel	_____ Yes	<u>X</u> No	<u>0</u> % complete
(e) masonry work	_____ Yes	<u>X</u> No	<u>0</u> % complete
(f) other (describe below)	_____ Yes	<u>X</u> No	_____ % complete

III. FINANCIAL ASSISTANCE REQUESTED

A) Benefits Requested:

Sales Tax Exemption Industrial Revenue Bond

Mortgage Recording Tax Exemption Real Property Tax Agreement

B.) Value of Incentives:

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 for each year of the PILOT benefit year and the sum total of PILOT Benefit abatement amount for the term of the PILOT as depicted under the heading "Real Property Tax Benefit (Detailed)" of the Application.

Estimated duration of Property Tax exemption: 10 YEARS

Sales and Use Tax:

Estimated value of Sales Tax exemption for facility construction: \$ 295,734

Estimated Sales Tax exemption for fixtures and equipment: \$ 128,677

Estimated duration of Sales Tax exemption: 2 YEARS

Mortgage Recording Tax Exemption Benefit:

Estimated value of Mortgage: \$ 7,339,321

Estimated value of Mortgage Recording Tax exemption: \$ 73,063

Industrial Revenue Bond Benefit:

IRB inducement amount, if requested: \$ _____

Is a purchaser for the Bonds in place?

Yes or No

Percentage of Project Costs financed from Public Sector sources:

Agency staff will calculate the percentage of Project Costs financed from Public Sector sources based upon Sources of Funds for Project Costs as depicted above under the heading "Estimated Project Costs" (Section II(l)) of the Application.

C.) Likelihood of Undertaking Project without Receiving Financial Assistance

Please confirm by checking the box below, if there is a likelihood that the Project will still be undertaken if Financial Assistance is not provided by the Agency?

Yes or No

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

IV. EMPLOYMENT PLAN

	Current # of jobs at proposed project location or to be relocated to project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be RETAINED	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be CREATED upon THREE Years after Project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PTE jobs to be created upon THREE Years after Project Completion **
Full time (FTE)	0	N/A	19	19
Part Time (PTE)	0	N/A	4	4
Total	0	N/A	23	23

** For purposes of this question, please estimate the number of FTE and PTE 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 Orange County and the surrounding region (or six other contiguous counties, including Orange County, chosen at the Agency's discretion).

Salary and Fringe Benefits for Jobs to be Created:

Category of Jobs to be Retained and Created	Estimated Number of Jobs Per Category	Average Salary or Range of Salary	Average Fringe Benefits or Range of Fringe Benefits
Management	4	\$51,250	\$10,250
Professional			
Administrative			
Production			
Independent Contractor			
Other	15	\$25,480	\$5,096

Salary and Fringe Benefits for Jobs to be Retained:

Category of Jobs to be Retained and Created	Estimated Number of Jobs Per Category	Average Salary or Range of Salary	Average Fringe Benefits or Range of Fringe Benefits
Management			
Professional			
Administrative			
Production			
Independent Contractor			
Other			

III. REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Agency as follows:

- A. Job Listings In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the proposed 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 proposed project must 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 Entitle") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JPTA") in which the project is located.

- B. First Consideration for Employment In accordance with Section 858-b(2) of the General Municipal Law, the applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant must 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 proposed project.
- C. A liability and contract liability policy for a minimum of three million dollars will be furnished by the Applicant insuring the Agency.
- D. Annual Sales Tax Filings In accordance with Section 874(8) of the General Municipal Law, the Applicant understands and agrees that, if the proposed 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.
- E. Annual Employment Reports: The applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, the applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site. The applicant will receive a request for information in the fourth quarter of each year that Financial Assistance is utilized and agrees to return the information by the end of January the following year.
- F. Compliance with N.Y. GML Sec. 862(1): 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.
- G. Compliance with Applicable Laws: 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.
- H. False and Misleading Information: 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.
- I. Recapture: Should the Applicant not expend or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic

performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.

J. Rescission of Benefits Conferred: Applicant understands and agrees that in the event that (a) the Applicant does not proceed to final Agency approval within six (6) months of the date the Agency adopts its initial approval resolution and/or (b) close with the Agency on the requested financial assistance within twelve (12) months of the date the Agency adopts its initial resolution, the Agency reserves its right to rescind and cancel all prior approvals. In the event the Agency rescinds its approvals and the Applicant re-applies to the Agency, the Applicant understands and agrees that its re-application will be subject to any and all changes in law, Agency policies or fees imposed by the Agency that are in effect as of the date of re-application.

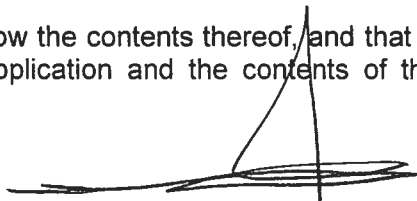
K. Absence of Conflicts of Interest: The applicant has received from the Agency a list of the members, officers, and employees of the Agency. No member, officers or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

The Applicant and the individual executing this Application on behalf of applicant acknowledge that the Agency and its counsel will rely on the representations 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 ORANGE) ss.:

Lee Browning Jr, being first duly sworn, deposes and says:

1. That I am the A MEMBER (Corporate Office) of AIRPORT PROPERTIES VIII LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete.



(Signature of Officer)


Subscribed and affirmed to me under penalties of perjury
this 4 day of December, 2018.

Julie Forman
(Notary Public)

JULIE FORMAN
Notary Public, State of New York
Qualified in Dutchess County
Registration No. 01F06175736
Commission Expires October 15, 2019

HOLD HARMLESS AGREEMENT

Applicant hereby releases the ORANGE 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 causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions 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 processing of the Application, including attorneys' fees, if any.



(Applicant Signature)

By: AIRPORT PROPERTIES VIII LLC

Name: LEE BROWNING JR

Title: MEMBER



(Notary Public)

Sworn to before me this 4 day
of December, 2018

JULIE FORMAN
Notary Public, State of New York
Qualified in Dutchess County
Registration No. 01F06175736
Commission Expires October 15, 2019

Real Property Tax Benefits (Detailed):

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

PILOT Estimate Table Worksheet

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

*Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
TOTAL							

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

Cost Benefit Analysis:

To be completed/calculated by AGENCY

	<u>Costs =</u> <u>Financial Assistance</u>	<u>Benefits =</u> <u>Economic Development</u>
*Estimated Sales Tax Exemption	\$ _____	New Jobs Created Permanent _____ Temporary _____
		Existing Jobs Retained Permanent _____ Temporary _____
Estimated Mortgage Tax Exemption	\$ _____	Expected Yearly Payroll \$ _____
Estimated Property Tax Abatement	\$ _____	Expected Gross Receipts \$ _____
		Additional Revenues to School Districts _____ _____
		Additional Revenues to Municipalities _____ _____
		Other Benefits _____
Estimated Interest Savings IRB Issue	\$ _____	Private Funds invested \$ _____
		Likelihood of accomplishing proposed project within three (3) years <input type="checkbox"/> Likely or <input type="checkbox"/> Unlikely

* Estimated Value of Goods and Services to be exempt from sales and use tax as a result of the Agency's involvement in the Project. PLEASE NOTE: These amounts will be verified and there is a potential for a recapture of sales tax exemptions (see "Recapture" on page 10).

\$ _____ (to be used on the NYS ST-60)

**FEE SCHEDULE FOR THE
ORANGE COUNTY IDA IS AS FOLLOWS:**

Application Fee:

\$5,000 non-refundable, due at application, broken down as follows:

IDA Administrative Fee: \$2,500

IDA Transaction Counsel Fee: \$2,500

Labor Policy Monitoring Fee, based on project cost, due before Final Resolution.

This fee will be deposited into a non-interest bearing escrow account and will fund the ongoing audit of Labor Policy compliance throughout construction. Any unused funds on deposit with the IDA will be returned to the company upon project completion.

Projects less than \$5M:	\$5,000.00
Projects greater than \$5M but less than \$15M:	\$10,000.00
Projects greater than \$15M but less than \$25M:	\$20,000.00
Projects greater than \$25M but less than \$50M:	\$30,000.00
Projects greater than \$50M but less than \$100M:	\$45,000.00
Projects greater than \$100M but less than \$500M:	\$55,000.00
Projects greater than \$500M:	To be determined

Closing Fee:

IDA Fee

One-percent of the first \$2,000,000 of the project cost (as identified on page 5 of this application), plus one-half percent of amount above that, due at closing (total project cost includes land acquisition costs).*

IDA Transaction Counsel Fee

One-third (1/3) of IDA fee (minimum of \$30,000 – to be reduced for smaller projects on case by case basis - plus out of pocket expenditures).

Local Labor Policy Monitoring

The IDA will use a third-party firm or firms to monitor compliance with the Local Labor Policy (attached hereto). All costs incurred by the IDA in connection with such monitoring, should they exceed the amount collected at application, shall be the responsibility of the Company.

NOTE: IDA reserves the right to seek additional IDA and Transaction Counsel fees for exceptionally complex/large transactions.

Please make all Checks payable to:

Orange County Industrial Development Agency

Mail to:

4 Crotty Lane
New Windsor, NY 12553

*In the event that an applicant does not seek or does not qualify for the IDA's enhanced PILOT or the equivalent of the State's 485-b program, the fee will be a straight one-half percent (0.5%) of the project cost (as identified on page 4 of this application).

The OCIDA Fee Schedule is the standard used when calculating all project fees. These fees are not open for negotiation. Please initial stating you understand and consent to the above

RD

Closing Fee:

Please be advised should the Orange County IDA act to adopt the Final Resolution for your project a fee will be due at closing.

Per the Capital Cost provided on the Applicants Pre-Application, the current estimated Closing Fee owed to the OCIDA will be: \$ 66,456.32, in addition to legal fees due and payable to Harris Beach.

If at any time the project costs change prior to the Final Resolution, please inform management immediately for closing fee recalculation purposes.

Please initial stating you understand the foregoing, have provided accurate project costs, and consent to the estimated closing fee provided above RD

LABOR POLICY
ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
Adopted 01-12-17

The Orange County Industrial Development Agency (IDA) was established for the purpose of creating employment opportunities for, and to promote the general prosperity and economic welfare of the residents of Orange County. The IDA offers economic incentives and benefits to qualified applicants who wish to locate or expand their businesses or facilities in Orange County. When the IDA approves a project, it enters into agreements to extend these incentives and benefits to the applicant.

Construction jobs, though limited in time duration, are vital to the overall employment opportunities and economic growth in Orange County. The IDA believes that companies benefiting from its incentive programs should employ local laborers, mechanics, craft persons, journey workers, equipment operators, truck drivers and apprentices (hereinafter "construction workers"), including those who have returned from military service, during the construction phase of projects. In this way, the IDA can generate significant benefits to advance the County's general prosperity. It is, therefore, the policy of the IDA that firms benefiting from its programs shall employ workers from Orange County and the "local labor" market during all project phases, including the construction phase.

For the purpose of this policy, the "local labor" market for construction workers shall be defined as those individuals living in Orange, Ulster, Sullivan, Dutchess, Putnam, Rockland and Westchester Counties. Applicants receiving IDA benefits shall ensure the contractor/developer hire at least 85% from the "local labor" market for their approved projects. The 85% shall be by contractor and in total at the time of completion of the project. The contractor/developer is mandated to keep daily log sheets of all field workers, commencing on the date of application. Any work performed after application shall be included in the determination of overall compliance with the 85% hiring requirements of this policy. A third-party auditing firm will be engaged to monitor construction work commencing on the date benefits are granted by resolution of the IDA Board.

However, the IDA recognizes that the use of local labor may not be possible for the following reasons and the applicant may request an exemption on a particular contract or trade scope for the following reasons:

1. Warranty issues related to installation of specialized equipment whereby the manufacturer requires installation by only approved installers;
2. Specialized construction is required and no local contractors or local construction workers have the required skills, certifications or training to perform the work;
3. Cost Differentials:
 - a. For projects whose project cost exceeds \$15M, significant cost differentials in bid prices whereby the use of local labor and materials significantly increases the sub contract or contract of a particular trade or work scope by at least 20%. Every reasonable effort should be made by the applicant and or the applicant's contractor to get below the 20% cost differential including, but not limited to, communicating and meeting with local construction trade organizations, such as the Hudson Valley Building and Construction Trades Council and other local Contractor Associations;

- b. For projects whose project cost is less than \$15M, significant cost differentials in bid prices whereby the use of local labor and materials significantly increases the sub contract or contract of a particular trade or work scope by 10% or more. Every reasonable effort should be made by the applicant and or the applicant's contractor to get below the 10% cost differential including, but not limited to, communicating and meeting with local construction trade organizations, such as the Hudson Valley Building and Construction Trades Council and other local Contractor Associations;
4. No labor is available for the project; and
5. The contractor requires key or core persons such as supervisors, foreman or "construction workers" having special skills that are not available in the "local labor" market.

The request to secure an exemption for the use of non-local labor must be received from the applicant on the exemption form provided by the IDA or the 3rd party monitor and received in advance of work commencing. The request will be reviewed by the 3rd party monitor and forwarded to the IDA, at which time the IDA's Audit Committee shall have the authority to approve or disapprove the exemption. The 3rd party monitor shall report each authorized exemption to the Board of Directors at its monthly meeting.

In addition, applicants receiving IDA benefits and Contractors on the project shall make every reasonable effort to utilize vendors, material suppliers, subcontractors and professional services from Orange County and the surrounding counties. Applicants and contractors shall be required to keep records of those local vendors, material suppliers, contractors and professional services whom they have solicited and with whom they have contracted with or awarded. This shall be stored in a binder on site and shall be easily available for review by an authorized representative of the IDA, such as the IDA's 3rd party monitor. It shall include any documents for solicitation and contracts. It is the goal of the County of Orange and the IDA to promote the use of local veterans on projects receiving IDA benefits. By partnering with local contractors, local contractor groups, local trade unions and contractors awarded work on IDA projects, there are opportunities for veterans to gain both short-term and long-term careers in the construction industry.

Once approved for IDA benefits, all applicants will be required to provide to IDA staff the following information:

1. Contact information for the applicant's representative who will be responsible and accountable for providing information about the bidding and awarding of construction contracts relative to the applicant's project;
2. Description of the nature of construction jobs created by the project, including in as much detail as possible, the number, type and duration of construction positions;
3. The names, contact information, certificate of authorization to do business in the State of New York and copies of current Certificates of NYS Workers' Compensation Insurance, NYS Disability Insurance, General Liability Insurance and proof of current OSHA training certification from all contractors' employees performing work on the site; and
4. A Construction Completion Report listing the names and business locations of prime contractors, subcontractors and vendors who have been engaged in the construction phase of the project.

All Orange County IDA projects are subject to local monitoring by the IDA and any 3rd party monitor. The applicant and/or the Construction Manager or General Contractor acting as agent

for the applicant on the project, shall keep a log book on site detailing the number of workers, hours worked and counties and states in which they reside. Proof of residency or copy of drivers' license shall be included in the log book, along with evidence of necessary OSHA certifications. Reports will be on forms provided by the IDA or weekly payroll reports which contain the same information as required on the IDA issued form. The applicant and contractors are subject to periodic inspection or monitoring by the IDA or 3rd party monitor.

The 3rd party monitor shall issue a report to the IDA staff immediately when an applicant or applicant's contractor is not in compliance with this labor policy. IDA staff shall advise the Audit Committee and/or IDA Board of non-compliance by email or at the next scheduled meeting. If a violation of policy has occurred, IDA staff shall notify the applicant and contractor in writing of non-compliance and give applicant a warning of violation and 72 hours in which to correct such violation. Upon evidence of continued non-compliance or additional violations, the IDA and/or its 3rd party monitor shall notify the applicant that the project is in violation of the Orange County IDA Labor Policy and is subject to IDA Board action which may result in the revocation, termination and/or recapture of any or all benefits conferred by the IDA.

The IDA will use a third party firm or firms to monitor and audit compliance with this local labor policy, the cost of which shall be paid for by the Company in advance of the audits and held in a non-interest bearing escrow account until audits are complete.

The applicant of an IDA approved project shall be required to maintain a 4' X 8' bulletin board on the project site containing the following information:

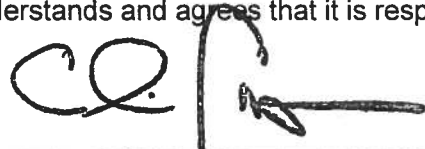
1. Contact information of the applicant;
2. Summary of the IDA benefits received;
3. Contractors names and contact information on IDA provided form;
4. Copies of proof of exemption from labor policy;
5. Copies of any warnings or violations of policy;
6. Copy of the Executed Labor Policy.

The bulletin board shall be located in an area that is accessible to onsite workers and visitors, which should be clear and legible at least 10 feet from said board.

The applicant has read the OCIDA Labor Policy and agrees to adhere to it without changes and shall require its construction manager, general contractor and sub-contractors who are not exempt to acknowledge the same. The Applicant understands and agrees that it is responsible for all third-party auditing and monitoring costs.



Applicant Signature
AIRPORT PROPERTIES VIII, LLC
Company Name
LEE Browning Jr
Print Name of above signer
651 275 7128
Email/phone of Applicant
12/4/2018
Date



Signature of CM, GC or SC
COMMERCIAL INDUSTRIAL CONSTRUCTION CORP
Company Name
CHRIS CARFORA
Print Name of above signer
845 564 8800
Email/phone of CM/GC/SC
12/4/18
Date



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
PHONE/EFAX 845.563.4610

Office of the Town Supervisor George A. Green

November 29, 2018

Ms. Laurie Villasuso
Orange County Industrial Development Agency
4 Crotty Lane, Suite 100
New Windsor, New York 12553

Dear Ms. Villasuso:

I am writing regarding the proposed Fairfield Inn by Marriott.

It is my opinion as Supervisor of the Town of New Windsor that for the purpose of Orange County IDA's application of Payment in Lieu of Tax policy, this facility should be considered as a "Tourism Related" destination.

The hotel is conveniently located to regional destinations such as the United States Military Academy at West Point and the Woodbury Commons as well as other historical tourist destinations.

Thank you for your consideration and should you wish to discuss this matter further, please feel free to contact me at the number provided above.

Sincerely,

George A. Green
Town Supervisor



Steven M. Neuhaus
County Executive

Amanda Dana
Director of Tourism

December 5, 2018

Kathleen Russo
Homewood Suites by Hilton / True North Development Group, LLC
Hospitality Management Services
180 Breunig Rd
New Windsor, NY 12553

Dear Kathy,

On behalf of Orange County Tourism, I support True North Development Group's planned expansion to build a new lodging property at the New York Stewart International airport campus.

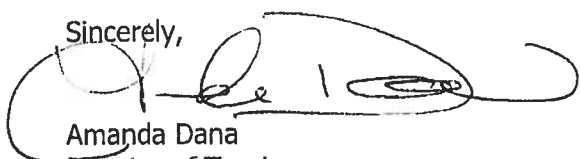
International and domestic tourism growth has transformed Orange County and the Hudson Valley, stimulating the economy and creating jobs. I am very proud that New York Stewart International Airport (NYSI) is and will remain an invaluable economic driver to this growth. Following this, the inventory for lodging rooms in Orange County is at a deficit comparatively to the visitor growth and increased tourism spending. The proposed Fairfield Inn by Marriott is a much-needed project that will contribute to our low inventory of hotel rooms and offer high-quality accommodations.

Additionally, the local owners are committed to spend an excess of \$12 million on this project that will ultimately lead to 23 full-time hospitality positions upon opening.

True North Development Group has been a valued partner to our tourism department and has continuously assisted with our growth initiatives. Most recently, they were incredibly generous, helping our office and I Love NY with accommodating an international FAM tour. The international travel writers had a wonderful experience and will spread the word about how Orange County is "ready" for international visitors.

Please accept this endorsement for True North Development Group/ Fairfield Inn by Marriott project and feel free to contact me with any questions.

Sincerely,



Amanda Dana
Director of Tourism

THE PORT AUTHORITY OF NY & NJ

Edmond J. Harrison, General Manager
New York Stewart International Airport

December 4, 2018

Ms. Lauric Villasuso
Orange County Industrial Development Agency
4 Crotty Lane, Suite 100
New Windsor, NY 12553

Dear Ms. Villasuso,

I would like to take this opportunity to write to you about the proposed development of a Fairfield Inn by Marriott at New York Stewart International Airport (SWF).

SWF is undergoing extraordinary growth. Year-to-date, passenger traffic rose by over 61% over 2017. I've been told that we are the fastest growing airport on a passenger basis in the United States. This development will also enhance our airport as a destination in and of itself and support our considerable growth. Hence it should be considered a 'Tourism Related' destination and be provided all the benefits associated with that assignment. Also, the hotel is located near several tourist destinations as well as the United States Military Academy at West Point and the Woodbury Premium Outlets.

Please feel free to call me at 845-838-8212 if you wish to discuss this matter. Thank you in advance for your consideration.

Sincerely,



Edmond J. Harrison
General Manager
New York Stewart International Airport

EJH/dam

*1180 First Street, Building 138
New Windsor, NY 12553
T: 845 838 8212 F: 845 567 1321
eharriso@panynj.gov*



Empowering Businesses. Inspiring Growth.

APPLICATION FOR FINANCIAL ASSISTANCE

GAM Propery Corp./King Zak Industries, Inc./3PD Transport

(Applicant Name)

August 28, 2018 Updated September 10, 2018

(Date of Application)

**Robert T. Armistead
Chairman**

Orange County Business Accelerator
4 Crotty Lane, Suite 100
New Windsor, NY 12553

Phone: 845-234-4192 Fax: 845-220-2228

www.ocnyida.com
business@ocnyida.com

Updated June 1, 2018

**ORANGE COUNTY
INDUSTRIAL DEVELOPMENT AGENCY**

APPLICATION FOR FINANCIAL ASSISTANCE

I. APPLICANT INFORMATION

Company Name: GAM Property Corp.
Mailing Address: 3 Police Drive, PO Box 1029, Goshen, NY 10924
Phone No.: 845-291-1200
Fax No.: _____
Fed Id. No.: 06-1238589
Contact Person: Herb Zakarin
Title: President
Contact Phone No.: 845-291-1200
Contact Email: hzakarin@kingzak.com

IDA Management must be able to reach the Applicant's Contact throughout the duration of the Agreement. Should this information change at any time IDA Management should be notified immediately. Please initial stating you understand and consent to the above

APPLICANT'S COUNSEL

Name: Isidor Friedenber
Address: 2 Cara Drive, Suffern, NY 10901
Phone No.: 845-362-0123
Fax No.: 845-362-0168
Counsel Email: sbenar@aol.com

IDA Management must be able to reach the Applicant's Counsel throughout the duration of the Agreement. Should this information change at any time IDA Management should be notified immediately. Please initial stating you understand and consent to the above

APPLICANT'S AUDIT CONTACT

Name: Michael Waschitz
Address: 3 Hatfield Lane, Suite 2C, Goshen, NY 10924
Phone No.: (845) 782-0013 x645
Fax No.: (845) 360-5352
Contact Email: mikew@wpcpany.com

The IDA submits a mandatory annual PARIS report to the state that requires information from each project. Applicant participation is not optional, and all information must be submitted in a complete and timely manner. Please initial stating you understand and consent to the above

APPLICANT'S GENERAL CONTRACTOR/CONSTRUCTION MANAGER

Name/Contact: Steve Esposito
Address: 262 Greenwich Avenue, Suite B, Goshen, NY 10924
Phone No.: 845-294-0558
Fax No.: 845-294-0580
Email: eanda@espositoandassociates.net

Principal Owners/Officers/Directors (list owners with 15% or more in equity holdings with percentage ownership):

Corporate Structure (*attach schematic if applicant is a subsidiary or otherwise affiliated with another entity*)

Form of Entity

- Corporation
Date of Incorporation: May 15, 1997
State of Incorporation: New York
- Partnership
General _____ or Limited _____
Number of general partners _____
If applicable, number of limited partners _____
Date of formation _____

Jurisdiction of Formation _____

- Limited Liability Company/Partnership (number of members _____)

Date of organization: _____

State of Organization: _____

- Sole Proprietorship

If a foreign organization, is the applicant authorized to do business in the State of New York?

If any of the above persons, or a group of them, owns more than a 50% interest in the company, list all other organizations which are related to the company by such persons having more than a 50% interest in such organizations.

Is the company related to any other organization by reason of more than 50% common ownership? If so, indicate name of related organization and relationship.

Has the company (or any related corporation or person) made a public offering or private placement of its stock within the last year? If so, please provide offering statement used.

II. PROJECT INFORMATION

- A) Project Address: 3 Police Drive Goshen

Tax Map Number 122-1-11

(Section/Block/Lot)

Located in City of _____

Located in Town of _____

Located in Village of Goshen

School District of Goshen

- B) Are utilities on site?

Water Yes

Electric Yes

Gas Yes

Sanitary/Storm Sewer Yes

- C) Present legal owner of the site GAM Property Corp
If other than from applicant, by what means will the site be acquired for this project? N/A

- D) Zoning of Project Site: Current: IP Proposed: IP

- E) Are any variances needed? All variances are approved

F) Furnish a copy of any environmental application presently in process of completion concerning this project, providing name and address of the agency, and copy all pending or completed documentation and determinations.

G) Statement describing project (i.e. land acquisition, construction of manufacturing facility, etc.):

A proposed 70,000 sf extension to an existing 130,000 sf distribution center.

**Please attach narrative if space provided is not sufficient.

H) Anticipated Date of Operation: October 1, 2019

I) Principal use of project upon completion:

- | | | | |
|--|---|-----------------------------------|--------------------------------------|
| <input type="checkbox"/> manufacturing | <input checked="" type="checkbox"/> warehousing | <input type="checkbox"/> research | <input type="checkbox"/> offices |
| <input type="checkbox"/> industrial | <input type="checkbox"/> recreation | <input type="checkbox"/> retail | <input type="checkbox"/> residential |
| <input type="checkbox"/> training | <input type="checkbox"/> data process | <input type="checkbox"/> other | |

If other, explain: _____

J) Estimated Project Costs, including:

Value of property to be acquired: \$ N/A

Value of improvements: \$ 5,000,000.00

Value of equipment to be purchased: \$ 2,000,000.00

Estimated cost of engineering/architectural services: \$ 325,000.00

Other: \$ 35,350.00

Total Capital Costs: \$ 7,360,350.00

Project refinancing; estimated amount
(for refinancing of existing debt only) \$ 6,363,000.00

Sources of Funds for Project Costs:

Bank Financing: \$ 7,000,000.00

Equity (excluding equity that is attributed to grants/tax credits) \$ 0

Tax Exempt Bond Issuance (if applicable) \$ 0

Taxable Bond Issuance (if applicable) \$ 0

Public Sources (Include sum total of all state and federal grants and tax credits) \$ 0

Identify each state and federal grant/credit:

_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
Total Sources of Funds for Project Costs:	\$ _____

K) Inter-Municipal Move Determination

Will the project result in the removal of a plant or facility of the applicant from one area of the State of New York to another?

Yes or No

Will the project result in the removal of a plant or facility of another proposed occupant of the project from one area of the State of New York to another area of the State of New York?

Yes or No

Will the project result in the abandonment of one or more plants or facilities located in the State of New York?

Yes or No

If Yes to any of the questions above, 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:

Project Data

1. Project site (land)

(a) Indicate approximate size (in acres or square feet) of project site

12.52 acres _____

(b) Are there buildings now on the project site? x Yes No

(c) Indicate the present use of the project site.

Existing 130,000 sf distribution center, offices, sales and showroom _____

(d) Indicate relationship to present user of project.

King Zak Industries, Inc. is a tenant of the existing facility which is owned by GAM Property Corp.

2. Does the project involve acquisition of an existing building or buildings? If yes, indicate number, size and approximate age of buildings:

No

3. Does the project consist of the construction of a new building or buildings? If yes, indicate number and size of new buildings:

No

4. Does the project consist of additions and/or renovations to existing buildings? If yes, indicate nature of expansion and/or renovation:

Project includes 70,000 sf addition including 6 additional loading docks,

acquisition of racking, and site improvements.

5. Estimated Start Date of Construction: March 2019

6. Estimated End Date of Construction: October 2019

7. What will the building or buildings to be acquired, constructed or expanded be used for by the company? (Include description of products to be manufactured, assembled or processed, and services to be rendered. . .

Warehousing & distribution of party/paper products to retailers in the metropolitan area.

. . . *including* the percentage of building(s) to be used for office space and an estimate of the percentage of the functions to be performed at such office not related to the day-to-day operations of the facilities being financed.)

The proposed expansion does not include any additional office space. Current

office space will be adequate to support the proposed expansion.

8. If any space in the project is to be leased to third parties, indicate total square footage of the project amount to be leased to each tenant and proposed use by each tenant.

N/A

9. List principal items or categories of equipment to be acquired as part of the project.

Racking, forklift, forklift charging station, surveillance equipment, packaging equipment.

10. Has construction work on this project begun?

Complete the following

(a) site clearance	_____ Yes	<u> X </u> No	_____ % complete
(b) foundation	_____ Yes	<u> X </u> No	_____ % complete
(c) footings	_____ Yes	<u> X </u> No	_____ % complete
(d) steel	_____ Yes	<u> X </u> No	_____ % complete
(e) masonry work	_____ Yes	<u> X </u> No	_____ % complete
(f) other (describe below)	_____ Yes	<u> X </u> No	_____ % complete

III. FINANCIAL ASSISTANCE REQUESTED

A) Benefits Requested:

Sales Tax Exemption Industrial Revenue Bond

Mortgage Recording Tax Exemption Real Property Tax Agreement

B.) Value of Incentives:

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 for each year of the PILOT benefit year and the sum total of PILOT Benefit abatement amount for the term of the PILOT as depicted under the heading "Real Property Tax Benefit (Detailed)" of the Application.

Estimated duration of Property Tax exemption: 10 years

Sales and Use Tax:

Estimated value of Sales Tax exemption for facility construction: \$ 138,000.00

Estimated Sales Tax exemption for fixtures and equipment: \$ 162,500.00

Estimated duration of Sales Tax exemption: 18 months

Mortgage Recording Tax Exemption Benefit:

Estimated value of Mortgage: \$ 7,000,000.00

Estimated value of Mortgage Recording Tax exemption: \$ 73,500.00

Industrial Revenue Bond Benefit:

IRB inducement amount, if requested: \$ N/A

Is a purchaser for the Bonds in place?

Yes or No

Percentage of Project Costs financed from Public Sector sources:

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

C.) Likelihood of Undertaking Project without Receiving Financial Assistance

Please confirm by checking the box below, if there is a likelihood that the Project will still be undertaken if Financial Assistance is not provided by the Agency?

Yes or No

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

N/A

IV. EMPLOYMENT PLAN

	Current # of jobs at proposed project location or to be relocated to project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be RETAINED	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PTE jobs to be CREATED upon THREE Years after Project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PTE jobs to be created upon THREE Years after Project Completion **
Full time (FTE)	65	90	25	25
Part Time (PTE)	N/A	N/A		
Total	65	90	25	25

** For purposes of this question, please estimate the number of FTE and PTE 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 Orange County and the surrounding region (or six other contiguous counties, including Orange County, chosen at the Agency's discretion).

Salary and Fringe Benefits for Jobs to be Created:

Category of Jobs to be Retained and Created	Estimated Number of Jobs Per Category	Average Salary or Range of Salary	Average Fringe Benefits or Range of Fringe Benefits
Management	2	\$65,000.00	\$6,500.00
Professional			
Administrative	2	\$55,000.00	\$5,500.00
Production			
Independent Contractor			
Other	21	\$50,000.00	\$5,000.00

Salary and Fringe Benefits for Jobs to be Retained:

Category of Jobs to be Retained and Created	Estimated Number of Jobs Per Category	Average Salary or Range of Salary	Average Fringe Benefits or Range of Fringe Benefits
Management	13	\$284,750.94	\$10,834.74
Professional			
Administrative	9	\$35,454.22	\$8,403.72
Production	33	\$31,919.70	\$8,403.72
Independent Contractor	5	\$58,234.67	0
Other	16	\$196,901.65	\$40,246.84

III. REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Agency as follows:

- A. Job Listings In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the proposed 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 proposed project must 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 Entitle") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JPTA") in which the project is located.

- B. First Consideration for Employment In accordance with Section 858-b(2) of the General Municipal Law, the applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant must 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 proposed project.
- C. A liability and contract liability policy for a minimum of three million dollars will be furnished by the Applicant insuring the Agency.
- D. Annual Sales Tax Filings In accordance with Section 874(8) of the General Municipal Law, the Applicant understands and agrees that, if the proposed 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.
- E. Annual Employment Reports: The applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, the applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site. The applicant will receive a request for information in the fourth quarter of each year that Financial Assistance is utilized and agrees to return the information by the end of January the following year.
- F. Compliance with N.Y. GML Sec. 862(1): 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
- G. Compliance with Applicable Laws: 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.
- H. False and Misleading Information: 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.
- I. Recapture: Should the Applicant not expend or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic

performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.

J. Rescission of Benefits Conferred: Applicant understands and agrees that in the event that (a) the Applicant does not proceed to final Agency approval within six (6) months of the date the Agency adopts its initial approval resolution and/or (b) close with the Agency on the requested financial assistance within twelve (12) months of the date the Agency adopts its initial resolution, the Agency reserves its right to rescind and cancel all prior approvals. In the event the Agency rescinds its approvals and the Applicant re-applies to the Agency, the Applicant understands and agrees that its re-application will be subject to any and all changes in law, Agency policies or fees imposed by the Agency that are in effect as of the date of re-application.

K. 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, officers or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

The Applicant and the individual executing this Application on behalf of applicant acknowledge that the Agency and its counsel will rely on the representations 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 ORANGE) ss.:

Herb Zakarin, being first duly sworn, deposes and says:

1. That I am the President (Corporate Office) of GAM Property Corp. & King Zak Ind. (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 13th day of September, 2018.


(Notary Public)

BRUCE C. THOMPSON
Notary Public, State Of New York
No. 01TH6055498
Qualified In Orange County
Commission Expires February 26, 2019

This Application should be submitted to the Orange County Industrial Development Agency, c/o Robert T. Armistead, Chairman, Orange County Business Accelerator, 4 Crotty Lane, Suite 100, New Windsor, NY 12553.

The Agency will collect an administrative fee at the time of closing.
SEE ATTACHED FEE SCHEDULE

Transaction Counsel
CHARLES SCHACHTER, ESQ./
RUSSELL GAENZLE, ESQ.
Harris Beach PLLC
99 Garnsey Road
Pittsford, New York 14534
Tel: (585) 419-8633
Fax: (585) 419-8817

Attach copies of preliminary plans or sketches of proposed construction or rehabilitation or both.

Attach the following Financial Information of the Company

1. Financial statements for last two fiscal years (unless included in company's Annual Reports).
2. Company's annual reports (or Form 10-K's) for the two most recent fiscal years.
3. Quarterly reports (Form 10Q's) and current reports (Form 8-K's) since the most recent Annual Report, if any.
4. In addition, please attach the financial information described above in items 1, 2 and 3 of any expected Guarantor of the proposed bond issue, if different from the company.

HOLD HARMLESS AGREEMENT

Applicant hereby releases the ORANGE 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 causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions 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 processing of the Application, including attorneys' fees, if any.



(Applicant Signature)

By: Herb Zakarin

Name: Herb Zakarin

Title: President



(Notary Public)

Sworn to before me this 13th day
of September, 2018

BRUCE C. THOMPSON
Notary Public, State Of New York
No. 01TI16055498
Qualified In Orange County
Commission Expires February 26, 2019

Real Property Tax Benefits (Detailed)

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

PILOT Estimate Table Worksheet

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

*Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
TOTAL							

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

Cost/Benefit Analysis

To be completed/calculated by AGENCY

	<u>Costs =</u> <u>Financial Assistance</u>	<u>Benefits =</u> <u>Economic Development</u>
*Estimated Sales Tax Exemption	\$ _____	New Jobs Created Permanent ____ Temporary ____
		Existing Jobs Retained Permanent ____ Temporary ____
Estimated Mortgage Tax Exemption	\$ _____	Expected Yearly Payroll \$ _____
Estimated Property Tax Abatement	\$ _____	Expected Gross Receipts \$ _____
		Additional Revenues to School Districts _____ _____ _____
		Additional Revenues to Municipalities _____ _____ _____
		Other Benefits _____
Estimated Interest Savings IRB Issue	\$ _____	Private Funds invested \$ _____
		Likelihood of accomplishing proposed project within three (3) years <input type="checkbox"/> Likely or <input type="checkbox"/> Unlikely

* Estimated Value of Goods and Services to be exempt from sales and use tax as a result of the Agency's involvement in the Project. PLEASE NOTE: These amounts will be verified and there is a potential for a recapture of sales tax exemptions (see "Recapture" on page 10).

\$ _____ (to be used on the NYS ST-60)

**FEE SCHEDULE FOR THE
ORANGE COUNTY IDA IS AS FOLLOWS:**

Application Fee:

\$5,000 non-refundable, due at application, broken down as follows:

IDA Administrative Fee: \$2,500

IDA Transaction Counsel Fee: \$2,500

Labor Policy Monitoring Fee, based on project cost, due before Final Resolution.

This fee will be deposited into a non-interest bearing escrow account and will fund the ongoing audit of Labor Policy compliance throughout construction. Any unused funds on deposit with the IDA will be returned to the company upon project completion.

Projects less than \$5M:	\$5,000.00
Projects greater than \$5M but less than \$15M:	\$10,000.00
Projects greater than \$15M but less than \$25M:	\$20,000.00
Projects greater than \$25M but less than \$50M:	\$30,000.00
Projects greater than \$50M but less than \$100M:	\$45,000.00
Projects greater than \$100M but less than \$500M:	\$55,000.00
Projects greater than \$500M:	To be determined

Closing Fee:

IDA Fee

One-percent of the first \$2,000,000 of the project cost (as identified on page 5 of this application), plus one-half percent of amount above that, due at closing (total project cost includes land acquisition costs).*

IDA Transaction Counsel Fee

One-third (1/3) of IDA fee (minimum of \$30,000 – to be reduced for smaller projects on case by case basis - plus out of pocket expenditures).

Local Labor Policy Monitoring

The IDA will use a third-party firm or firms to monitor compliance with the Local Labor Policy (attached hereto). All costs incurred by the IDA in connection with such monitoring, should they exceed the amount collected at application, shall be the responsibility of the Company.

NOTE: IDA reserves the right to seek additional IDA and Transaction Counsel fees for exceptionally complex/large transactions.

Please make all Checks payable to:

Orange County Industrial Development Agency

Mail to:

*In the event that an applicant does not seek or does not qualify for the IDA's enhanced PILOT or the equivalent of the State's 485-b program, the fee will be a straight one-half percent (0.5%) of the project cost (as identified on page 4 of this application).

The OCIDA Fee Schedule is the standard used when calculating all project fees. These fees are not open for negotiation. Please initial stating you understand and consent to the above

Closing Fee:

Please be advised should the Orange County IDA act to adopt the Final Resolution for your project a fee will be due at closing.

Per the Capital Cost provided on the Applicants Pre-Application, the current estimated Closing Fee owed to the OCIDA will be: _____ \$46,801.75 _____, in addition to legal fees due and payable to Harris Beach.

If at any time the project costs change prior to the Final Resolution, please inform management immediately for closing fee recalculation purposes.

Please initial stating you understand the foregoing, have provided accurate project costs, and consent to the estimated closing fee provided above

LABOR POLICY
ORANGE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
Adopted 01-12-17

The Orange County Industrial Development Agency (IDA) was established for the purpose of creating employment opportunities for, and to promote the general prosperity and economic welfare of the residents of Orange County. The IDA offers economic incentives and benefits to qualified applicants who wish to locate or expand their businesses or facilities in Orange County. When the IDA approves a project, it enters into agreements to extend these incentives and benefits to the applicant.

Construction jobs, though limited in time duration, are vital to the overall employment opportunities and economic growth in Orange County. The IDA believes that companies benefiting from its incentive programs should employ local laborers, mechanics, craft persons, journey workers, equipment operators, truck drivers and apprentices (hereinafter "construction workers"), including those who have returned from military service, during the construction phase of projects. In this way, the IDA can generate significant benefits to advance the County's general prosperity. It is, therefore, the policy of the IDA that firms benefiting from its programs shall employ workers from Orange County and the "local labor" market during all project phases, including the construction phase.

For the purpose of this policy, the "local labor" market for construction workers shall be defined as those individuals living in Orange, Ulster, Sullivan, Dutchess, Putnam, Rockland and Westchester Counties. Applicants receiving IDA benefits shall ensure the contractor/developer hire at least 85% from the "local labor" market for their approved projects. The 85% shall be by contractor and in total at the time of completion of the project. The contractor/developer is mandated to keep daily log sheets of all field workers, commencing on the date of application. Any work performed after application shall be included in the determination of overall compliance with the 85% hiring requirements of this policy. A third-party auditing firm will be engaged to monitor construction work commencing on the date benefits are granted by resolution of the IDA Board.

However, the IDA recognizes that the use of local labor may not be possible for the following reasons and the applicant may request an exemption on a particular contract or trade scope for the following reasons:

1. Warranty issues related to installation of specialized equipment whereby the manufacturer requires installation by only approved installers;
2. Specialized construction is required and no local contractors or local construction workers have the required skills, certifications or training to perform the work;
3. Cost Differentials:
 - a. For projects whose project cost exceeds \$15M, significant cost differentials in bid prices whereby the use of local labor and materials significantly increases the sub contract or contract of a particular trade or work scope by at least 20%. Every reasonable effort should be made by the applicant and or the applicant's contractor to get below the 20% cost differential including, but not limited to, communicating and meeting with local construction trade organizations, such as the Hudson Valley Building and Construction Trades Council and other local Contractor Associations;

- b. For projects whose project cost is less than \$15M, significant cost differentials in bid prices whereby the use of local labor and materials significantly increases the sub contract or contract of a particular trade or work scope by 10% or more. Every reasonable effort should be made by the applicant and or the applicant's contractor to get below the 10% cost differential including, but not limited to, communicating and meeting with local construction trade organizations, such as the Hudson Valley Building and Construction Trades Council and other local Contractor Associations;
4. No labor is available for the project; and
5. The contractor requires key or core persons such as supervisors, foreman or "construction workers" having special skills that are not available in the "local labor" market.

The request to secure an exemption for the use of non-local labor must be received from the applicant on the exemption form provided by the IDA or the 3rd party monitor and received in advance of work commencing. The request will be reviewed by the 3rd party monitor and forwarded to the IDA, at which time the IDA's Audit Committee shall have the authority to approve or disapprove the exemption. The 3rd party monitor shall report each authorized exemption to the Board of Directors at its monthly meeting.

In addition, applicants receiving IDA benefits and Contractors on the project shall make every reasonable effort to utilize vendors, material suppliers, subcontractors and professional services from Orange County and the surrounding counties. Applicants and contractors shall be required to keep records of those local vendors, material suppliers, contractors and professional services whom they have solicited and with whom they have contracted with or awarded. This shall be stored in a binder on site and shall be easily available for review by an authorized representative of the IDA, such as the IDA's 3rd party monitor. It shall include any documents for solicitation and contracts. It is the goal of the County of Orange and the IDA to promote the use of local veterans on projects receiving IDA benefits. By partnering with local contractors, local contractor groups, local trade unions and contractors awarded work on IDA projects, there are opportunities for veterans to gain both short-term and long-term careers in the construction industry.

Once approved for IDA benefits, all applicants will be required to provide to IDA staff the following information:

1. Contact information for the applicant's representative who will be responsible and accountable for providing information about the bidding and awarding of construction contracts relative to the applicant's project;
2. Description of the nature of construction jobs created by the project, including in as much detail as possible, the number, type and duration of construction positions;
3. The names, contact information, certificate of authorization to do business in the State of New York and copies of current Certificates of NYS Workers' Compensation Insurance, NYS Disability Insurance, General Liability Insurance and proof of current OSHA training certification from all contractors' employees performing work on the site; and
4. A Construction Completion Report listing the names and business locations of prime contractors, subcontractors and vendors who have been engaged in the construction phase of the project.

All Orange County IDA projects are subject to local monitoring by the IDA and any 3rd party monitor. The applicant and/or the Construction Manager or General Contractor acting as agent

for the applicant on the project, shall keep a log book on site detailing the number of workers, hours worked and counties and states in which they reside. Proof of residency or copy of drivers' license shall be included in the log book, along with evidence of necessary OSHA certifications. Reports will be on forms provided by the IDA or weekly payroll reports which contain the same information as required on the IDA issued form. The applicant and contractors are subject to periodic inspection or monitoring by the IDA or 3rd party monitor.

The 3rd party monitor shall issue a report to the IDA staff immediately when an applicant or applicant's contractor is not in compliance with this labor policy. IDA staff shall advise the Audit Committee and/or IDA Board of non-compliance by email or at the next scheduled meeting. If a violation of policy has occurred, IDA staff shall notify the applicant and contractor in writing of non-compliance and give applicant a warning of violation and 72 hours in which to correct such violation. Upon evidence of continued non-compliance or additional violations, the IDA and/or its 3rd party monitor shall notify the applicant that the project is in violation of the Orange County IDA Labor Policy and is subject to IDA Board action which may result in the revocation, termination and/or recapture of any or all benefits conferred by the IDA.

The IDA will use a third party firm or firms to monitor and audit compliance with this local labor policy, the cost of which shall be paid for by the Company in advance of the audits and held in a non-interest bearing escrow account until audits are complete.

The applicant of an IDA approved project shall be required to maintain a 4' X 8' bulletin board on the project site containing the following information:

1. Contact information of the applicant;
2. Summary of the IDA benefits received;
3. Contractors names and contact information on IDA provided form;
4. Copies of proof of exemption from labor policy;
5. Copies of any warnings or violations of policy;
6. Copy of the Executed Labor Policy.

The bulletin board shall be located in an area that is accessible to onsite workers and visitors, which should be clear and legible at least 10 feet from said board.

The applicant has read the OCIDA Labor Policy and agrees to adhere to it without changes and shall require its construction manager, general contractor and sub-contractors who are not exempt to acknowledge the same. The Applicant understands and agrees that it is responsible for all third-party auditing and monitoring costs.



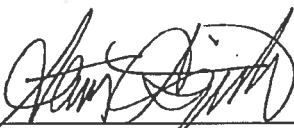
Applicant Signature
GAM Property Corp & King Zak Industries, Inc

Company Name
Herb Zakarin

Print Name of above signer
hzakarin@kingzak.com

Email/phone of Applicant
8/28/18 Updated 9/10/18

Date



Signature of CM/GC or SC
Esposito & Associates

Company Name
Steven T. Esposito

Print Name of above signer
eanda@espositoandassociates.net

Email/phone of CM/GC/SC
8/28/18 Updated 9/10/18

Date



STEVEN M. NEUHAUS

COUNTY EXECUTIVE

December 3, 2018

Ms. Laurie Villasuso
Chief Operating Officer
Executive Vice President of Economic Development
Orange County IDA
4 Crotty Lane #100
New Windsor, NY 12553

Dear Ms. Villasuso:

I write today to request an extension of the expiration date of the Project Agreement between the IDA and Orange County relative to the Heritage Trail Extension from Hartley Road (Town of Goshen) to East Main Street (City of Middletown). Currently, the expiration date of the County's authority to act/ability to spend the funds authorized by the IDA expires on December 31, 2018. I respectfully request that this expiration date be extended to December 31, 2019.

The work has begun but unfortunately weather and construction delays have pushed completion back further than anticipated. The extension is expected to be completed as expeditiously as possible, hopefully allowing residents of and visitors to Orange County to fully utilize the Heritage Trail in the spring/summer of 2019.

If you require further information, please contact my office.

Sincerely,

Harold J. Porr, III
Acting County Executive

cc: Erik Denega, Commissioner of Public Works
Dave Church, Commissioner of Planning
Jim Brooks, Commissioner of Parks and Recreation

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OFFICER

Kevin T. Dowd
- ATTORNEY

November 15, 2018

Mr. Marc Devitt
MedParc, LLC
PO Box 688
Montgomery, NY 12549

Dear Mr. Devitt:

Please be advised our independent auditor, Loewke Brill Consulting Group, has reviewed the Local Labor Verified Exemption Request you submitted related to the MedParc, LLC application for framing by Header Construction at the 599 E. Main St. Wallkill NY project site.

Based on our independent auditor's findings on information you supplied them and related to the Exemption Request, as well as the criteria established by the Orange County Industrial Development Agency, your Local Verified Exemption Request has been denied.

A copy of this letter denying the exemption from the local labor requirement must be kept on site for the inspector to see when making site visits to monitor for compliance with the local labor requirements.

Should you have any further questions or concerns or would like to discuss in greater detail I can be reached at 845-220-2208.

Sincerely,



Laurie Villasuso
Chief Operating Officer &
Executive Vice President



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
PHONE/EFAX 845.563.4610

Office of the Town Supervisor George A. Green

November 30, 2018

Ms. Laurie Villasuso
Orange County Industrial Development Agency
4 Crotty Lane, Suite 100
New Windsor, New York 12553

Dear Ms. Villasuso:

I am writing to express my enthusiastic support of Orange County IDA benefits for Banta Hospitality's Holiday Inn Express project in the Town of New Windsor. A third-generation family owned and operated company, Banta Hospitality, has been doing business in the Hudson Valley since 1948. The latest development will demolish a former Banta Steak & Stein restaurant at 935 Union Avenue, and construct a 4-story, 93 room Holiday Inn Express hotel in its place.

In addition to returning a vacant, unused property to productive commercial use, this development is projected to generate more than \$400,000 each year in sales and occupancy taxes for the community. Furthermore, it will create up to 24 well-paying jobs, including both professional and entry-level positions. Holiday Inn Express is one of the fastest growing hotel brands in the US, and we look forward to the benefits this project will bring to the Town of New Windsor.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads 'George A. Green'.

George A. Green
Town Supervisor



JAMES SKOUFIS
Member of Assembly
99th District

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

CHAIR
Task Force on
People with Disabilities

COMMITTEES
Agriculture
Insurance
Labor
Local Governments
Transportation
Veterans' Affairs

November 15, 2018

Orange County IDA
4 Crotty Lane, Suite 100
New Windsor, NY 12553

Dear Board Members:

It has been brought to my attention that a number of hotel developers have submitted applications to the Orange County IDA seeking payments-in-lieu-of-taxes (PILOTs) as well as mortgage and sales tax exemptions in the Assembly District I represent. I write to you with broad, significant concerns regarding these proposals.

The hotel industry in Orange County is booming, particularly given the major tourist attractions located here or planned for the near future: Woodbury Common Premium Outlets, West Point, Storm King Arts Center, and Legoland, to name a few. Increased passenger traffic at New York Stewart International Airport is also contributing to the high demand for rooms. For these reasons, the hotel industry is a lucrative one in Orange County, further evidenced by the sheer number of proposals looking to take part in the favorable environment; in the Village of Woodbury alone, five hotels have been proposed in just the past year.

In my opinion, any hotel applications before the IDA - particularly PILOT requests - should be viewed with considerable skepticism. In fact, given the local circumstances, I do not believe any hotel in eastern or central Orange County ought to receive a PILOT. If a hotel developer claims they cannot proceed without a PILOT, so be it: there are many more proposals in the pipeline that can.

I strongly encourage the Orange County IDA and its board to reject the two pending hotel PILOTs as well as any future hotel PILOTs in eastern or central Orange County. These subsidies are unnecessary, provide an unfair competitive advantage, and would only act to pad the profits of hotel owners. Our local taxpayers should not be subsidizing this sort of greed-driven behavior.

Thank you for considering my request as well as your service to our county.

Sincerely,

James Skoufis
Member of Assembly

Shawn Cahill
34 Marvelle Lane
Westtown, NY 10998

10/18/18

Melanie Schouten
Foil Officer
Program Director
4 Crotty Lane, Suite 100
New Windsor, NY 12553

Dear Ms. Schouten,

I would like to make a FOIL request for documents related to the IDA PILOT program for CPV Valley Energy Center. I am specifically looking for information regarding the amounts and timelines of payments that are to be made to the Minisink Valley Central School District.

It is my understanding that the amounts advertised and marketed by CPV Valley Energy Center and the IDA are nowhere near what has been paid to the MVCSD.

Sincerely,

A handwritten signature in blue ink that reads "Shawn Cahill". The signature is written in a cursive style.

Shawn Cahill
smcahill@gmail.com
H (845) 683-1366
C (646) 229-2058

November 16, 2018

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Robert J. Schreiber, Sr.

James DiSalvo

Michael Gaydos

Shawn Cahill
34 Marvelle Lane
Westtown, NY 10998

Re: Freedom of Information Request
CPV Valley, LLC

Dear Mr. Cahill:

This letter will acknowledge receipt of your request received on November 13, 2018, made pursuant to the Freedom of Information Law.

Please be advised that it could take approximately 10 business days to locate the records you seek if indeed they are available and subject to disclosure under NY Public Officers Law Article VI.

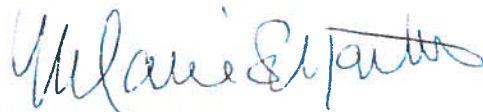
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Joel Kleiman
- CHIEF FINANCIAL OFFICER

Kevin T. Dowd
- ATTORNEY

Sincerely,



Melanie Schouten

FOIL Officer

Orange County Industrial Development Agency

November 20, 2018

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Shawn Cahill
34 Marvelle Lane
Westtown, NY 10998

John Steinberg, Jr.
- VICE CHAIRMAN

Stephen Brescia
- SECRETARY

Re: Freedom of Information Request
CPV Valley, LLC

Edward A. Diana
- ASSISTANT SECRETARY

Dear Mr. Cahill:

Robert J. Schreibeis, Sr.

This letter will acknowledge receipt of your request received on November 13, 2018, made pursuant to the Freedom of Information Law.

James DiSalvo

Michael Gaydos

Please be advised that your request for Payment in Lieu of Tax Agreements (PILOTS) for an OCIDA project is granted as those Agreements are public documents. Per your request, the PILOT for CPV Valley, LLC is attached.

OPERATIONS STAFF

Laurie Villasuso
- CHIEF OPERATING
OFFICER &
EXECUTIVE VICE
PRESIDENT

Sincerely,



Joel Kleiman
- CHIEF FINANCIAL OFFICER

Melanie Schouten

Kevin T. Dowd
- ATTORNEY

FOIL Officer

Orange County Industrial Development Agency



11 Taft Place
Cornwall on Hudson, NY 12520
Office: 845 565 0088
Cell: 845 863 3828
www.donnacornell.com

Mary Ellen Ruglski
Board of Trustees
Orange County Industrial Development Agency
4 Crotty Lane, Suite 100
New Windsor, NY 12553

November 20, 2018

Dear Mary Ellen Ruglski and the Board of the Orange County Industrial Development Agency,

I recently attended the Accelerator's Hudson Valley Women's Leadership Conference on October 23rd, 2018 at The Culinary Institute of America and I wanted to take a moment to tell you how impressed I was with the event. By putting together this event, the Accelerator showed not only a keen understanding of the value of such a networking event for business leaders in our community but also the power of educating and empowering women to succeed. I have heard from a great many people that they really enjoyed the conference as well and they were most impressed with how smoothly everything seemed to flow, thanks in no small part to the leadership and organization of Laurie Villasuso, Vinnie Cozzolino and their support team.

Thank you for allowing me to participate in this noteworthy event. I feel it truly reflected the vision and mission of the IDA and I look forward to working with your organization on future endeavors.

Sincerely,

Donna Cornell

December 5, 2018

Dear Orange County Industrial Development Board;

On behalf of the Orange County libraries, I want to thank you for supporting the Emerging Leaders Youth Conference and applaud you for assisting the development of a program that provides high school students with an alternative learning platform.

The conference brought together professionals that are committed to enhancing young people educational opportunities and enriching their minds by providing career advice that will secure a more accessible path for them to follow as they explore their career goals.

It was a pleasure to teach students the best way to brand and present themselves to a potential employer via a resume and share the library resources. The sessions were enhanced by the students' participation and the teachers' questions.

We also had the opportunity to meet the students in a one-on-one setting during the mock interviews. Each student I met was nervous and anxious at the beginning of the interview. Two minutes in, you could physically see each student letting their nervous go and talking to you. I was very impressed with the quality of students and their excellent communication skills.

This event was a success due to your partnership with the Orange County Youth Bureau and other local non-profit and for-profit organizations across the county. Thank you for providing public libraries with a venue for sharing our resources, meeting caring professionals and outstanding students.

Sincerely,



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EXT. 233

www.rcls.org

Grace Riario
Deputy Director
griario@rcls.org

New Windsor joins list of proposed hotel sites

By Daniel Axelrod

Times Herald-Record

Posted Nov 15, 2018 at 7:44 PM

Updated Nov 15, 2018 at 8:45 PM

NEW WINDSOR — The Orange County Industrial Development Agency's board voted on Wednesday to consider tax breaks for a \$14.35 million project to replace the former Steak & Stein restaurant on Union Avenue in New Windsor with a hotel.

Property owner Banta Hospitality hopes to knock down the defunct restaurant, open from 1967 to 2010, to make way for a four-story, 93-room Holiday Inn Express. Construction is slated for March 2019, with a Jan. 2020 completion date.

Banta Hospitality is seeking a yet-to-be-determined amount for a 10-year payment in lieu of taxes along with \$824,000 in sales-tax exemptions on constructing, equipping and furnishing the hotel, plus a \$24,000 mortgage recording tax exemption.

The hotel would be the latest among at least a half-dozen hotels at various stages of construction across Orange County, including in the Town of Walkkill, Goshen and Highland Falls, among other locations.

All the new hotels "say there's a lot going on in Orange County," said Laurie Villasuso, chief operating officer of the IDA, a public benefit corporation that considers tax breaks to boost the local economy. "Developers are anticipating tourism in Orange County."

Among several tourism attractions to make news, Legoland is set to open a children's amusement park in Goshen in 2020. And Great Wolf has floated the idea of an indoor waterpark at the former Camp LaGuardia in Chester and Blooming Grove.

At a Wednesday IDA meeting, the agency's board also voted to end approved tax breaks for an unbuilt Hilton Homewood Suites project that was proposed 10 years ago at New York Stewart International Airport.

Ending that previous approval clears the way for the holding company currently considering developing a new hotel at the airport to file a new IDA application for tax breaks, Villasuso said.

Villasuso added that she anticipates an imminent application for an unidentified hotel project, which will be proposed by a company called Airport Properties VIII.

daxelrod@th-record.com

recordonline.com

TIMES HERALD-RECORD

Gaydos joins Orange County IDA board

Posted Nov 15, 2018 at 8:19 PM

Updated Nov 15, 2018 at 8:19 PM

NEW WINDSOR — The Orange County Industrial Development Agency announced Wednesday that Michael Gaydos has been appointed as the newest member of the IDA's board.

Gaydos, of Newburgh, fills the vacancy following former chairman Robert Armistead's retirement last month.

The IDA is a public benefit corporation that considers tax breaks and other economic benefits to attract and retain Orange County businesses.

Gaydos is the business manager for the Town of Newburgh-based Ironworkers Local 417. He also serves as a member of the Hudson Valley Building & Construction Trades Council.

Gaydos joins IDA board members Mary Ellen Rogulski, the board's chairwoman; Second Vice Chairman John Steinberg Jr.; Secretary Stephen Brescia; Assistant Secretary Ed Diana; Robert Schreiber Sr. and James DiSalvo.

Daniel Axelrod

recordonline.com

TIMES HERALD-RECORD

Opinion

Editorial: It's our tax money so let us watch it

Posted Nov 20, 2018 at 11:36 AM

Updated Nov 20, 2018 at 11:36 AM

Our state senator, James Skoufis, newly elected in the 39th district, raised an issue last week that he really should pursue once he gets to Albany.

How should taxpayers subsidize business?

The inspiration for his intervention was the news that the Orange County Industrial Development Agency was getting requests for help from two developers who plan on adding hotels in the region. As he noted, we seem to have a lot of hotels already and it is no mystery why. Tourism is up, government spending to lure tourists is rising in tandem and the region is frequently being mentioned in national and international stories about great places to visit.

Those who plan on building more hotels know this. That's why they want to take advantage of a booming market. So Skoufis raises a good point when he wonders aloud whether taxpayers really need to become partners in this enterprise, contributing a hefty amount of tax dollars for a return on investment that is hard to quantify.

His criticism comes at a good time. The IDA already is under scrutiny for providing tax subsidies to a business that had begun construction and hired extra workers. And that project pales in comparison with what is most likely the largest tax subsidy of them all, the \$2 or \$3 billion that New York state and city are chipping in to lure Amazon's new half-a-headquarters to Long Island City in Queens.

In an era when transparency seems to be the promise and goal of many a politician and elected leader, there is nothing more opaque than the way businesses get subsidies from people who neither have a chance to weigh in on the transaction nor see any reliable accounting.

Consider Start-Up New York, Gov. Cuomo's signature program to trade tax breaks for jobs and investments. We know that the state spent at least \$50 million on promotions, especially the ads you could not help but see on television boosting the governor as much as his program. And the payback for that investment has been a few hundred jobs.

In most cases, we have no idea how many jobs these giveaways create because nobody keeps track. If Skoufis really wants to make a difference, that's where he should start.

True transparency on this issue would require two elements.

The first is a public and continuing accounting of the return on investment. Businesses know to the penny how much they take in from taxpayers, how many people they hire, how much those employees make. We, the unwilling silent partners, deserve to know what the owners know.

The second concerns the amount our officials are giving away on our behalf. If we are going to be on the hook for a few billion dollars, if Andrew Cuomo and Jeff Bezos know the estimates, then we should know as well.

Imagine if that figure had been common knowledge before the deal was made. Imagine if people in Orange Country had known that Legoland was getting \$25 million or more.

People still might support these expensive deals, but they would do so knowing what they involved before it is too late.

The Fray: Maloney in running to lead House Democrats' campaign arm

Posted Nov 17, 2018 at 6:51 PM

Updated Nov 17, 2018 at 6:51 PM

Rep. Sean Patrick Maloney is one of four House Democrats reportedly competing to become the next chairman of the Democratic Congressional Campaign Committee in an election their caucus is set to hold for leadership positions on Nov. 28.

Three publications — The Hill, Roll Call and The Atlantic — all have reported that Maloney, who won a fourth term in New York's 18th Congressional District seat by 10 points last week, was courting support to run the House Democrats' campaign arm. In a letter to his colleagues that was posted on Twitter, Maloney outlined his strengths, including his having unseated a Republican incumbent (Nan Hayworth, in 2012), won re-election in a district that President Trump won in 2016 and led a five-month study of DCCC operations after the 2016 election that led to "dozens of reforms."

"No other candidate has a more extensive knowledge of the DCCC, its \$250 million budget, personnel structure and national operations than I do," Maloney wrote. "Nor would any other candidate better understand the next generation of reforms we must implement."

Maloney also stressed his fund-raising prowess. "In just the last two years, I have personally raised more than \$6 million into multiple political committees," he said, referring to his congressional campaign account and the donations he collected for his unsuccessful bid for state attorney general this year. "I will be relentless and out-raise the Republicans."

Maloney is reportedly competing for the DCCC chairmanship with Suzan DelBene and Denny Heck of Washington; and Cheri Bustos of Illinois. Rep. Ben Ray Lujan of New Mexico led the DCCC for the past four years and is said to be vying now to be the next assistant Democratic leader.

Chris McKenna

State raise panel makes no proposals in first meeting

The four state appointees set to award New York lawmakers their first raises in 20 years finally held their first public meeting on Tuesday, less than four weeks before they must make their decision, and did little more than give perfunctory remarks about their task.

In a webcast meeting held in New York City, the chairmen of the SUNY and CUNY boards and the comptrollers for the state and city talked a little about the description of their mission in this year's state budget, and showed some comparisons of the salaries of New York's legislators and other elected and appointed officials with those of peers in other states and New York City. New York City Comptroller Scott Stringer showed charts projecting how much the state salaries would have grown today if they had matched the inflation rate and private-sector salary growth since 1999.

But they proposed no actual raises, and have no plans to do so before holding public hearings in Nov. 28 in Albany and on Nov. 30 in New York City. That means the public is being invited to comment in the abstract on raises without knowing how much the panel plans to award.

The panel, known as the New York State Compensation Committee, must decide on raises for legislators, the comptroller, attorney general, lieutenant general and top administration officials by Dec. 10, and may give them pay increases for the next three years.

New York's 63 senators and 150 Assembly members currently get a \$79,500 base pay, the third highest in the U.S., plus stipends for party and committee leadership positions that range from \$9,000 to \$41,500.

A similar raise panel broke up two years ago without increasing pay after clashing over a proposal to give 43 percent raises.

Chris McKenna

Skoufis opposes tax abatement for New Windsor hotels

Assemblyman and state senator-elect James Skoufis shot off a letter to the Orange County Industrial Development Agency on Friday to question the need for tax breaks for two proposed hotels in New Windsor and to outright oppose granting them property-tax cuts through what are known as payments-in-lieu-of-taxes, or PILOT agreements.

The Woodbury Democrat, who has served three terms as an assemblyman and was just elected to succeed retiring Sen. Bill Larkin, appeared to be reacting to a Times Herald-Record article reporting that the IDA board had voted on Wednesday to consider tax breaks for a four-story Holiday Inn Express that will be built on the site of the closed Steak & Stein on Union Avenue. The developer, Banta Hospitality, is seeking a 10-year PILOT, \$824,000 in sales-tax exemptions on construction costs, equipment and furniture, and a \$24,000 mortgage tax exemption. Construction is set to start in March.

IDA officials said at the same meeting that they expect a developer to apply soon for tax breaks for a proposed hotel at Stewart Airport in New Windsor.

Skoufis, who represents New Windsor as an assemblyman and will do so in the Senate as well, noted in his letter to the IDA board that Orange County's hotel industry is booming thanks to tourist sites such as Woodbury Common Premium Outlets and the future Legoland theme park, a major attraction being built in Goshen. He pointed to the five hotels proposed in Woodbury alone in the past year as a sign that building hotels in Orange is lucrative without taxpayer assistance.

He urged the IDA to reject PILOTs for the two New Windsor hotels and any others proposed in eastern or central Orange County.

"These subsidies are unnecessary, provide an unfair competitive advantage, and would only act to pad the profits of hotel owners," Skoufis wrote. "Our local taxpayers should not be subsidizing this sort of greed-driven behavior."

Chris McKenna

recordonline.com

TIMES HERALD-RECORD

Huge warehouse proposed for Goshen

By Hema Easley

Posted Nov 20, 2018 at 7:15 PM

Updated Nov 20, 2018 at 7:15 PM

GOSHEN – A Monsey firm is seeking to build a 491,824-square-foot warehouse and a 24,900-square-foot office building at the site of the proposed but never built Kikkerfrosch brewery in the village.

Yidel Realty Warehouse came before the Village of Goshen Planning Board in the summer for the speculative warehouse and office to be built on the 83-acre property off Route 17M. The project is expected to create 300 jobs, said Steve Esposito, the engineer for Yidel.

According to Esposito, the applicant intends to have two or three tenants in the warehouse.

Kikkerfrosch had been approved to build on the site and had applied to the Orange County IDA for tax breaks before it decided to terminate the project in September 2016. The company said the decision resulted from the dissolution of the partnership backing the project. The property was then put up for sale.

At 491,824 square feet, the warehouse would be one of a handful of this size in Orange County. Many developers have chosen to build warehouses in the county because of access to major highways like the state Thruway, Interstate 84 and Route 17.

The Yidel Realty project is in its early phase. Preliminary site plans and engineering studies for the project have been submitted along with a storm-water pollution prevention plan. Because the warehouse will run 24-hours-a-day, the developer is expected to present an in-depth lighting plan.

A traffic study has also been conducted to evaluate five intersections in the area. As compared to the Kikkerfrosch project, more traffic is expected, with more trucks but less employee traffic, according to Esposito.

The project has come before the Zoning Board of Appeals for two variances for building height and parking. The applicant is seeking the parking-space requirement to be lowered from 920 to 440 and the height of the building to be 40 feet instead of the prescribed 35 feet.

The ZBA will address the variance request once the SEQRA process is complete. The planning board will be the lead agency.

heasley@th-record.com