Ulster County Industrial Development Agency

Project Summary Cover Page

Project Title: Enter the name of your project here

Applicant/Company Name: Enter the full legal name of the entity applying

Project Location: Include address, town/city, and any relevant site info

Contact Person: - Name:
- Title:
- Email:
- Phone:

Type of Application:

☐ Tax Incentives (PILOT)
☐ Bond Financing
☐ Sales Tax Exemption
☐ Mortgage Recording Tax Exemption
☐ Other: Specify

Project Description (1–2 sentences): A concise summary describing the nature, purpose, and goals of the project.

Estimated Project Cost: $ [Insert amount]

Estimated Start Date: MM/YYYY

Estimated Completion Date: MM/YYYY

Jobs to Be Created (estimate): - Construction Jobs: [#]
- Permanent Jobs: [#]

Alignment with UCIDA Mission (1 sentence): Briefly describe how this project supports sustainable economic growth in Ulster County.

Ulster County Industrial Development Agency / Ulster County Capital Resource Corporation

Application for Incentives

Date: _____

Answer all questions. Use "None" or "Not Applicable" where necessary.

I. APPLICANT INFORMATION

A) Applicant:

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Federal ID/EIN: _____ Website: _____

Primary Contact: _____

Title: _____

Phone: ( ) - Email: _____

B) Real Estate Holding Company (if different from Applicant):

Will a separate company will hold title to/own the property related to this Project? If yes:

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Federal ID/EIN: _____ Website: _____

Primary Contact: _____

Title: _____

Phone: Email: _____

Describe the terms and conditions of the lease between the Applicant and the Real Estate Holding Company. If there is an option to purchase the property, provide the date option was signed and the date the option expires:

C) Current Project Site Owner (if different from Applicant or Real Estate Holding Company):

Name: _____

Title: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

D) Holding Company of Applicant:

Is the Applicant a subsidiary, direct, or indirect affiliate of another organization? If yes, attach an organizational chart:

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Federal ID/EIN: _____ Website: _____

Primary Contact: _____

Title: _____

Phone: _____ Email: _____

E) Attorney:

Name: _____

Firm Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

F) General Contractor:

Name: _____

Firm Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

II. APPLICANT'S COMPANY OWNERSHIP & HISTORY

A) Company Organization:

Year founded: _____ NAICS Code: _____

Type of ownership (e.g., C-Corp, LLC): _____

B) Company Ownership:

List all stockholders, members, or partners with ownership of greater than 5% and attach an organizational ownership chart with complete name, TIN, DOB, home address, office held, and other principal businesses (if applicable).

Name	Office Held	% of Ownership	% of Voting Rights

Is the Applicant now a plaintiff or a defendant in any civil or criminal litigation? ☐ Yes ☐ No

If yes, describe: _____

Is a member(s) of the Applicant's management now a plaintiff or a defendant in any civil or criminal litigation? ☐ Yes ☐ No

If yes, describe: _____

Has any person listed above ever been charged with a crime other than a minor traffic violation? ☐ Yes ☐ No

If yes, describe: _____

Has any person listed above ever been convicted of a crime other than a minor traffic violation? Yes ☐ No ☐

If yes, describe: _____

Has any person listed above, any concern that such person is related to, or any person related to this Project ever been in receivership or been adjudicated as bankrupt? ☐ Yes ☐ No

If yes, describe: _____

C) <u>Company Description</u>:

Describe in detail the Company's background, products, customers, goods and services:

Major Customers:

Major Suppliers:

Existing Banking Relationship(s):

Has the Company ever received incentives tied to job creation? ☐ Yes ☐ No

If yes, describe: _____

Were the goals met? ☐ Yes ☐ No

If no, why not? _____

Additional sheets may be attached, if necessary.

Provide estimates in either dollar amount or percentage based on your existing Company's business. If this is a new Company, provide estimates based on proforma financial projections:

Estimated annual sales to customers in Ulster County:	$	%
Estimated annual sales outside of Ulster County but within New York State:	$	%
Estimated annual sales outside of New York State but within the U.S.:	$	%
Estimated annual sales outside the U.S.:	$	%
Total	$	100%

Estimated annual sales subject to local sales tax:	$	%
Estimated value of annual supplies, raw materials, or vendor services that are expected to be purchased from firms in the Mid-Hudson Economic Development Region (i.e., Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, and Westchester counties):	$	%

III. PROJECT DESCRIPTION AND DETAILS

A) <u>Assistance requested from the Agency</u>:
Select all that apply:

- ☐ Exemption from Sales Tax
- ☐ Exemption from Mortgage Tax
- ☐ Exemption from Real Property Tax
- ☐ Taxable Bonds
- ☐ Tax-exempt Bonds (typically for non-for-profits or qualified manufacturers)
- ☐ Other, specify: _____

B) <u>Project Description</u>:
Attach a map, survey or sketch of the Project site, identifying all existing or new buildings/structures.

Project Location (address/SBL): _____

Property Size (acres): existing: _____ proposed: _____

Building Size (square feet): existing: _____ proposed: _____

Proposed Project Time Table: start: _____ end: _____

Is the Applicant the present legal owner of the Project site? ☐ Yes ☐ No

If yes: Date of Purchase: _____ Purchase Price: $_____

If no:

1. Present legal owner of the Project site:
2. Is there a relationship, legally or by common control, between the Applicant and the present owner of the Project site? ☐ Yes ☐ No

   If yes:

3. Does the Applicant have a signed option to purchase the site? ☐ Yes ☐ No

   If yes: Date option signed: _____ Date option expires: _____

Is the Project site subject to any property tax certiorari? ☐ Yes ☐ No

If yes:

Describe the Project including, scope, purpose (e.g., new build, renovations, and/or equipment purchases, equipment leases, etc.), timeline, and milestones. The Project scope must entail only future work, as the Agency's benefits are not retroactive:

Would this Project be undertaken **but for** the Agency's financial assistance? ☐ Yes ☐ No

If no, describe why the Agency's financial assistance is necessary and the effect the Project will have on the Applicant's business or operations:

C) Project Site Occupancy

Select Project type for all end-users at Project site (choose all that apply):

- ☐ Industrial
- ☐ Acquisition of existing facility
- ☐ Housing
- ☐ Multi-tenant
- ☐ Commercial
- ☐ Retail*
- ☐ Service*
- ☐ Back-office
- ☐ Mixed use
- ☐ Facility for Aging
- ☐ Civic facility (not-for-profit)
- ☐ Other

** The term "retail sales" means (1) sales by a registered vendor under Article 28 of the Tax Law of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property, as defined in Section 1101(b)(4)(i) of the Tax Law), or (2) sales of a service to customers who personally visit the Project location. If "retail" or "service" is checked, complete the Retail Questionnaire contained in Section IV.*

List the name(s) of the expected tenant(s), nature of the business(es), and percentage of total square footage to be used by each tenant. Additional sheets may be attached, if necessary:

Company:	Nature of Business:	% of total square footage:
1.		
2. _____	_____	_____
_____	_____	_____
3. _____	_____	_____

IV. RETAIL QUESTIONNAIRE
(Fill out if end users are "retail" or "service" as identified in Section III)

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

A) Will any portion of the Project consist of facilities or property that will be primarily used in making sales of goods or services to customers who personally visit the Project site? ☐ Yes ☐ No

If yes, continue with the remainder of the Retail Questionnaire. If no, do not complete the remainder of the Retail Questionnaire.

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

If the answer is less than 33.33% do not complete the remainder of the Retail Questionnaire.

If the answer to Question A is Yes and the answer to Question B is greater than 33.33%, complete the remainder of the Retail Questionnaire:

1. Is the Project location or facility likely to attract a significant number of visitors from outside the Mid-Hudson Economic Development Region (i.e., Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, and Westchester counties)? ☐ Yes ☐ No

2. Will the Project make available goods or services which are not currently reasonably accessible to the residents of the municipality within which the proposed Project would be located? ☐ Yes ☐ No

3. Will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? ☐ Yes ☐ No

   If yes, explain:

4. Will the Project be located in an area designated as an economic development zone pursuant to Article 18-B of the General Municipal Law (Source: https://esd.ny.gov/empire-zones-program)? ☐ Yes ☐ No

   If yes, explain:

5. Will the Project be in a census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (i) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (ii) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? (Source: United States Census Bureau https://factfinder.census.gov/) ☐ Yes ☐ No

   If yes, explain:

V. ENVIRONMENTAL REVIEW AND PERMITTING

The Applicant must comply with the State Environmental Quality Review Act (SEQRA) before the Agency can vote on proposed financial incentives. It is the Applicant's responsibility to provide a copy of the final SEQRA determination to the Agency.

Environmental Assessment Form: ☐ Short Form ☐ Long Form

Lead Agency: _____

Agency Contact: _____

Date of submission: _____

Status of submission: _____

Final SEQRA determination: _____

A) Site Characteristics:

Will the Project meet zoning and land use regulations for the proposed location? Yes ☐ No ☐

Describe the present zoning and land use regulation:

Is a change in zoning and land use regulation is required? If yes, specify the required change and status of the change request:

If the proposed Project is located on a site where the known or potential presence of contaminants is complicating the development/use of the property, describe the potential Project challenge:

B) Permits:

Describe other permits required and the status of the approval process. Attach copies of variances and special permits to this Application.

	Permit:	Status:
1.		
2.		
3.		
4.		

VI. INTER-MUNICIPAL MOVE DETERMINATION

The Agency is required by State law to make a determination that, if completion of a Project benefiting from the Agency's financial assistance results in the removal of a plant of the Project occupant from one area of the State to another area of the State or in the abandonment of one or more plants or facilities of the Project occupant located within the State, Agency financial assistance is required to prevent the Project occupant from relocating out of the State, or it is reasonably necessary to preserve the Project occupant's competitive position in its respective industry.

Will the Project result in the removal of a plant of the Project occupant from one area of the State to another area of the State? ☐ Yes ☐ No

Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the State? ☐ Yes ☐ No

If yes to either question 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:

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

Within New York State: ☐ Yes ☐ No

Within Ulster County: ☐ Yes ☐ No

If yes, explain: _____

VII. EMPLOYMENT INFORMATION

A) Current and Projected Employee Headcount

		Projected Headcount			
	Current Headcount	New Year 1	New Year 2	New Year 3	Total by Year 3
Full-time					
Part-time					
Seasonal					

B) Employment Plan in FTE

Estimate the number of full-time equivalent (FTE) jobs that are expected to be retained and created as part of this Project. One FTE is equivalent to 35 hours of work per week or 1,820 hours per year. Convert part-time jobs into FTE by dividing the total number of hours for all part-time resources by 35 hours per week or 1,820 hours per year.

Attach a list that describes in detail the types of employment for this Project, including the types of activities or work performed and the projected timeframe for creating new jobs.

Occupation in Company	Current (Retained) Permanent FTE		Projected New Permanent FTE			
	Average Annual Salary or Hourly Wage	Number of Current FTE	FTE in Year 1	FTE in Year 2	FTE in Year 3	Total New FTE by Year 3
Professional/ Management						
Administrative						
Sales						
Services						
Manufacturing						
High-Skilled						
Medium-Skilled						
Basic-Skilled						
Other (specify)						
Total						

[1] Wages are defined as all remuneration paid to an employee. Remuneration means every form of compensation for employment paid by an employer to an employee; whether paid directly or indirectly by the employer, including salaries, commissions, bonuses, and the reasonable money value of board, rent, housing, lodging, or similar advantage received. Where gratuities are received from a person other than the employer, the value of such gratuities shall be included as part of the remuneration paid by the employer. Source: https://labor.ny.gov.

C) Estimated Wages and Incentives

What is the estimated percentage of FTEs (retained and new) will receive the following hourly wage[2] and benefits or more?

$minimum-15.99	%
$16.00-24.96	%
$24.97 - 37.45	%
$37.45-49.93	%
$49.94 or above	%
Total	100%

Estimate the percentage of the current workforce whose wages meet or exceed the livable wage for Ulster County as defined by the Living Wage Calculator, Massachusetts Institute of Technology, Updated 2025 NY (http://livingwage.mit.edu/counties/36111 for 1 adult): _____ %

Will the Applicant pay a livable wage for Ulster County, as defined by the Living Wage Calculator for 1 adult, to all employees for the duration of the Agency's incentives? ☐ Yes ☐ No

Estimate the percentage of residents of the Mid-Hudson Region (Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, and Westchester counties) who are expected to fill the projected new jobs at the end of year three (3) years after Project completion: _____ %

Describe the benefits you offer or plan to offer to your employees.

Describe the internal training and advancement opportunities you offer or plan to offer to your employees:

[2] The wages are based on most recently available data annualized by multiplying quarterly wages by four (4) and adjusting for 35 hours of work per week. Source: Quarterly Census of Employment and Wages (QCEW) for Ulster County for All Industries.

VIII. INDEPENDENT CONTRACTOR RESOURCES

Estimate the number of full-time equivalent (FTE) jobs that are contracted to independent contractors (e.g., contractors or subcontractors) that would be retained and created as part of this Project.

Attach a list that describes in detail the types of contract resources for this Project, including the types of activities or work performed and the projected timeframe for creating new contractor positions.

	Current Headcount	Projected			
		New Year 1	New Year 2	New Year 3	Total by Year 3
Full-time					
Part-time					
Seasonal					

IX. CONSTRUCTION LABOR

Number of construction workers expected to be hired for this Project: _____

Does the Applicant utilize contractors who:

Have a certified apprenticeship program?	☐ Yes	_____ %	☐ No
Pay a prevailing wage?	☐ Yes	_____ %	☐ No
Pay a living wage as defined by the Living Wage Calculator for 1 adult?	☐ Yes	_____ %	☐ No
Use construction labor from Ulster, Greene, Delaware, Sullivan, Orange, Dutchess or Columbia counties?	☐ Yes	_____ %	☐ No

Describe the general contractor's plans and selection process for using regional construction labor or regional sub-contractors:

X. PROJECT COSTS AND FINANCING

Attach additional

A) Project Costs

		Estimated Amount
Land Acquisition:	acres	$
Building Acquisition:	square feet	$
New Building Construction:	square feet	$
Building Addition(s):	square feet	$
Infrastructure Work:		$
Reconstruction/Renovation:	square feet	$
Manufacturing Equipment:		$
Non-Manufacturing Equipment (furniture, fixtures, etc.):		$
Soft Costs (professional services, labor, etc.):		$
Other (specify):		$
TOTAL:		**$**

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

If yes, describe: _____

B) Sources of Funds for Project Costs

Equity:	$
Bank Financing:	$
Tax Exempt Bond Issuance:	$
Taxable Bond Issuance	$
Public Sources (Include total of all State and Federal grants and tax credits):	$

Identify each State and Federal program:

_____	$
_____	$
_____	$
Additional sheets may be attached, as necessary.	**TOTAL:** **$**

Amount of total financing requested from lending institutions: $_____

Amount of total financing related to existing debt refinancing: $_____

Has a commitment for financing been received? ☐ Yes ☐ No

If yes:

Lending Institution: _____

Contact: _____ Phone: _____

XI. UCIDA UNIFORM TAX POLICY MATRIX – PILOT POINTS CALCULATION

UCIDA's Uniform Tax Policy Matrix is applicable to Uniform Tax Exemption Policy ('UTEP') Categories 1-4.

Projected New FTE Jobs[3] to be Created – ONLY CHOOSE ONE. IF ANY _____# of FTE

- 5-9 – *(1 point)*
- 10-49 – *(2 points)* ____
- 50+ - *(3 points plus 1 point for every additional 15 jobs)*

Current (Retained) FTE Jobs – ONLY CHOOSE ONE, IF ANY _____ # of FTE

- 5-29 – *(1 point)*
- 30-99 – *(2 points)* ____
- 100+ - *(3 points)*

Projected Wages[4] - ONLY CHOOSE ONE, IF ANY Enter Point Value

- All jobs over LW – *(1 point)*
- 25% of FTE earn over 150% LW plus benefits – *(2 points)* ____
- 25% of FTE earn over between 150% LW and 200% LW plus 25%FTE earn over 200% LW plus benefits – *(3 points)*

Construction Workforce – ONLY CHOOSE ONE, IF ANY Enter Point Value

- 75% regional workforce[5] (Ulster County & neighbors) – *(1 point)*
- 50% paid prevailing wages – *(2 points)*
- 75% paid prevailing wage – *(3 points)* ____

Environmental Sustainability – *(If any of the following apply, 2 points)* Enter Point Value

- Use of existing industrial site or brownfield
- Construction at a shovel-ready site or in a designated business park ____
- Use of energy-efficient technology
- Use of significant renewable energy

Community Investment – CHOOSE AS MANY AS APPLICABLE Enter Point Value

- Use of 3 vendors as specified in the community investment policy– *(1 point)*
- Use of 5 vendors as specified in the community investment policy- *(2 Points)*
- Use of 8 vendors as specified in the community investment policy- (*3 points)*
- Area is in "special condition" from severe short or long term economic conditions *(2 points)* ____
- In economically distressed area of County[6] - *(2 points)*

Educational/ Workforce Investment – CHOOSE AS MANY AS APPLICABLE Enter Point Value

- At least 50% of workforce has advanced educational credential – *(2 points)*

- Workforce housing or senior/disabled housing – *(3 points)* _____

Total Points _____

[3] One FTE is equivalent to 35 hours of work per week or 1,820 hours per year.

[4] The wages for each PILOT point level are based on most recently available data annualized by multiplying quarterly wages by four (4) and adjusting for 35 hours of work per week. Source: Quarterly Census of Employment and Wages (QCEW) for Ulster County for All Industries.

[5] Regional labor refers to workers residing in Ulster, Greene, Delaware, Sullivan, Orange, Dutchess, and Columbia counties.

[6] Economic distress applies if one or more of the following criteria is met: 1) The unemployment rate is, for the most recent 24-month period for which data are available, at least one percentage point higher than the national average unemployment rate; 2) Per capita income is, for the most recent period for which data are available, 80 percent or less of the national average per capita income; or 3) The area is subject to a "special condition" resulting from severe short- or long-term changes in economic conditions, such as the shutdown of a major employer or the loss of a

XI. UCIDA UNIFORM TAX POLICY MATRIX – PILOT POINTS CALCULATION- Housing Project

UCIDA's Uniform Tax Policy Matrix is applicable to Uniform Tax Exemption Policy ('UTEP') Categories 1-4.

Projected FTE Jobs[3] to be Created or Retained– ONLY CHOOSE ONE. IF ANY _____# of FTE

- 2-5 – *(1 point)*
- 6-10 – *(2 points)* ____
- 11+ - *(3 points plus 1 point for every additional 7 jobs)*

Projected Wages[4] - ONLY CHOOSE ONE, IF ANY Enter Point Value

- All jobs over LW – *(1 point)*
- 25% of FTE earn over 150% LW plus benefits – *(2 points)* ____
- 25% of FTE earn over between 150% LW and 200% LW plus 25%FTE earn over 200% LW plus benefits – *(3 points)*

Construction Workforce – ONLY CHOOSE ONE, IF ANY Enter Point Value

- 75% regional workforce[5] (Ulster County & neighbors) – *(1 point)*
- 50% paid prevailing wages – *(2 points)*
- 75% paid prevailing wage – *(3 points)* ____

Environmental Sustainability – *(Choose as many as applicable)* Enter Point Value

- Infill or adaptive re-use of an existing industrial site, brownfield, shovel ready, or designated business park (2 points) ____
- Sourcing of at least 75% of raw materials directly from Ulster County (1point)
- Use of energy-efficient technology or use of renewable energy (2 points)
- Use of HCR (Homes and Community Renewal) Environmental Building Standards (*3 Points*)

Community Investment – CHOOSE AS MANY AS APPLICABLE Enter Point Value

- Use of 3 vendors as specified in the community investment policy– *(1 point)*
- Use of 5 vendors as specified in the community investment policy- *(2 Points)*
- Use of 8 vendors as specified in the community investment policy- (*3 points)*
- Mixed Use Development in is in an economically distressed area including a vacancy rate below 5% *(2 points)* ____
- Project creates infrastructure with a community benefit - *(3 points)*
- *Within 1/4 mile of public transportation (1 point)* Enter Point Value

Affordable Units Set Aside – CHOOSE ONE

- At least 15% of the Units are affordable (1 Point)
- Mixed Use retail space are rented below market rate per sq foot (1point) _____
- At least 16% -19% of the Units are affordable (2 Points)
- At least 20% of the Units are affordable (3 Points)

Total Points ____

[3] One FTE is equivalent to 35 hours of work per week or 1,820 hours per year.

[4] The wages for each PILOT point level are based on most recently available data annualized by multiplying quarterly wages by four (4) and adjusting for 35 hours of work per week. Source: Quarterly Census of Employment and Wages (QCEW) for Ulster County for All Industries.

[5] Regional labor refers to workers residing in Ulster, Greene, Delaware, Sullivan, Orange, Dutchess, and Columbia counties.

[6] Economic distress applies if one or more of the following criteria is met: 1) The unemployment rate is, for the most recent 24-month period for which data are available, at least one percentage point higher than the national average unemployment rate; 2) Per capita income is, for the most recent period for which data are available, 80 percent or less of the national average per capita income; or 3) The area is subject to a "special condition" resulting from severe short- or long-term changes in economic conditions, such as the shutdown of a major employer or the loss of a

significant industry. See US Economic Development Adminitration,13 CFR 301.3 (www.eda.gov)

XII. ESTIMATED VALUE OF INCENTIVES

A) Property Tax Exemption:

Agency staff will complete this section with the Applicant based on information submitted by the Applicant and the local taxing jurisdiction's Assessor.

Current assessed full value of the property **before** Project improvements: $_____

Estimated assessed value of Project improvements (i.e., increase in value of the property's assessment with the Project improvements) $_____

Estimated new assessed full value of property **after** Project improvements $_

Estimated real property tax rate per dollar of full assessment $_

Assumed annual increase in assessment and tax rate %

Abatement schedule based on PILOT Points Calculation results _____

Estimated PILOT property tax abatements over _____ years $____

	A	B	C = A + B	D	E = B x (1-D)	F = A + E
PILOT Year	Existing Real Property Taxes	Estimated Real Property Taxes **Without** PILOT[7]	Estimated Total **Without** PILOT	% of PILOT Exemption, according to Abatement Schedule	Estimated PILOT Payments **With** PILOT	Estimated Total **With** PILOT
1						
2				%		
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
Total				**--**		

[7] The figures in this column assume that the Project is completed as described in the Application and without the involvement of the Agency and, therefore, subject to real property taxes. However, as provided in this Application, the Applicant has certified that it would not undertake the Project without the financial assistance granted by the Agency. Accordingly, this column is prepared solely for the purpose of determining the estimated amount of the real property tax abatement being granted by the Agency.

If the Applicant is requesting incentives that are greater than the Agency's standard tax exemptions, describe the incentives and provide a justification for this Deviated PILOT request[8]:

B) Sales and Use Tax Benefit:

Note: The figures below will be provided to the New York State Department of Taxation and Finance and represents the maximum amount of sales and use tax benefit that the Agency may authorize with respect to the application.

Costs for goods and services that are subject to State and local sales and use tax[9]: $_

Estimated State and local sales and use tax benefit (sales tax amount multiplied by 8.0% plus additional use tax amounts): $_

C) Mortgage Recording Tax Benefit:

Mortgage amount (include construction, permanent, bridge financing or refinancing): $_

Estimated mortgage recording tax exemption benefit (mortgage amount multiplied by %): $_

D) For bond applicants only: (Projected _____ year borrowing term)

	Without Bonds	With Bonds
First Year Debt Service:	$_____	$_
Total Debt Service:	$_____	$_

E) Percentage of Project Costs Financed from Public Sector:

Percentage of Project costs financed from public sector: _____%
(Total B + C + D + E below / A Total Project Cost)

A. Total Project Cost: $_
B. Estimated Value of PILOT: $_
C. Estimated Value of Sales Tax Incentive: $_
D. Estimated Value of Mortgage Tax Incentive: $_
E. Total Other Public Incentives (tax credits, grants, ESD incentives, etc.): $_

[8] Historically, the Agency has required consent from all local taxing jurisdictions before approving a Deviated PILOT.

[9] Sales and use tax (sales tax) is applied to: tangible personal property (unless specifically exempt); gas, electricity, refrigeration and steam, and telephone service; selected services; food and beverages sold by restaurants, taverns, and caterers; hotel occupancy; and certain admission charges and dues. For a definition of products, services, and transactions subject to sales tax see the following links: https://www.tax.ny.gov/bus/st/subject.htm and https://www.tax.ny.gov/pubs_and_bulls/tg_bulletins/st/quick_reference_guide_for_taxable_and_exempt_property_and_services.htm.

XIII. OTHER

Is there anything else the Agency's board should know regarding this Project?

REPRESENTATIONS, CERTIFICATIONS AND INDEMNIFICATION

_____(name of CEO or another authorized representative of Applicant)

confirms and says that he/she is the ____ (title) of ____ (name of corporation or other entity) named in the attached Application (the "Applicant"), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and as follows:

A. Job Listings. In accordance with Section 858-b(2) of the New York General Municipal Law ("GML"), 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 the Ulster County Office of Employment and Training (collectively with the DOL, the "OET Entities"), the administrative entity of the service delivery area created by the Federal Job Training Partnership Act (Public Law 97-300) ("OET LAW"), as supplanted by the Workplace Investment Act of 1998 (P.L. No. 105-220), in which the proposed Project is located.

B. First Consideration for Employment. In accordance with Section 858-b(2) of the GML, 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 OET LAW programs who shall be referred by the OET Entities for new employment opportunities created as a result of the proposed Project.

C. 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, at least annually or as otherwise required by the Agency, reports regarding the number of people employed at the project site, and salary levels, including (1) the NYS-45–Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return – for the quarter ending December 31 (the "NYS-45"), and (2) the US Dept. of Labor BLS 3020 Multiple Worksite report if applicable. Failure to provide Employment Reports within 30 days of an Agency request shall be an Event of Default under the PILOT Agreement between the Agency and Applicant and, if applicable, an Event of Default under the Project Agreement between the Agency and Applicant.

D. Sales Tax. In accordance with Section 874(8) of the GML, 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 GML, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant. Copies of all filings shall be provided to the Agency.

   Applicant hereby understands and agrees, in accordance with Section 875(3) of the GML and the policies of the Agency that any New York State and local sales and use tax exemption claimed by the Applicant and approved by the Agency in connection with the Project, may be subject to recapture and/or termination by the Agency under such terms and conditions as will be established by the Agency and set forth in transaction documents to be entered into by and between the Agency and the Applicant.

E. Agency Enforcement Policy. The applicant acknowledges that it has read and understands the Agency's Enforcement of Agency Projects Policy and recognizes that in connection the assistance by the Agency in the undertaking by the applicant of the Project, the Agency will require the applicant to execute and deliver a Uniform Agency Project Agreement outlined in Section F below.

F. Uniform Agency Project Agreement. The applicant agrees to enter into a uniform agency project agreement with the Agency where the applicant agrees that (1) the amount of Financial Assistance to be received shall be contingent upon, and shall bear a direct relationship to the success or lack of

success of such project in delivering certain described public benefits (the "Public Benefits") and (2) the Agency will be entitled to recapture some or all of the Financial Assistance granted to the applicant if the project is unsuccessful in whole or in part in delivering the promised Public Benefits.

G. Assignment of Agency Abatements. In connection with any Agency Straight Lease Transaction or Agency Bond Transaction, the Agency may grant to the applicant certain exemptions from mortgage recording taxes, sales and use taxes and real property taxes. The applicant understands that the grant of such exemptions by the Agency is intended to benefit the applicant. Subsequently, if the applicant determines to convey the Project and, in connection with such conveyance to assign such exemptions to the purchaser, the applicant understands that any such assignment is subject to review and consent by the Agency, together with the satisfaction of any conditions that may be imposed by the Agency.

H. Post-Closing Cost Verification. The applicant agrees (1) the scope of the Project will not vary significantly from the description in the public hearing resolution for the project and (2) to deliver to the Agency within sixty (60) days following the completion date of a project an affidavit providing the total costs of the project. In the event that the amount of the total project costs described in the affidavit at the completion date exceeds the amount described in an affidavit provided by the applicant on the closing date of the project, the applicant agrees to adjust the amounts payable by the applicant to the Agency by such larger amount and to pay to the Agency such additional amounts. In the event that the amount described is less, there shall not be any adjustment to the Agency fees.

I. Hold Harmless Provision. The Applicant acknowledges and agrees that the Applicant shall be and is responsible for all costs of the Agency incurred in connection with any actions required to be taken by the Agency in furtherance of the Application including the Agency's costs of general counsel and/or the Agency's bond/transaction counsel whether or not the Application, the proposed Project it describes, the attendant negotiations, or the issue of bonds or other transaction or agreement are ultimately ever carried to successful conclusion and hereby releases the Agency, including the members, officers, servants, agents and employees thereof, from and agrees that the Agency shall not be liable for and agrees to indemnify, defend, and hold the Agency harmless from and against any and all liability arising from or expense incurred by: (i) the Agency's examination and processing of, and action pursuant to or upon, the 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, (ii) the Agency's acquisition, construction and/or installation of the Project described therein and (iii) 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.

J. Fees. By executing and submitting this Application, the applicant covenants and agrees to pay the following fees:

(i) A non-refundable Application Fee of $1,000 per application;

(ii) Expenses associated with Applicant background check;

(iii) Expenses associated with Public Hearing(s), including stenographers' fees;

(iv) A Closing Fee in accordance with the Fee Policy effective as of the date of this application, to be paid at transaction closing (unless otherwise outlined in the Project Agreement or authorizing resolution). This fee will be equal to 1% of the total value of expenses that are positively impacted by the Agency incentives.

(v) All fees, costs, and expenses incurred by the Agency for (1) legal services, including but not limited to those provided by the Agency's general counsel or bond/transaction counsel, and (2) other consultants retained by the Agency in connection with the proposed Project; with all such charges to be paid by the Applicant at the closing or, if the closing does not occur, within ten (10) business days of receipt of the Agency's invoices therefor (please note that the Applicant is entitled to receive a written estimate of fees and costs of the Agency's bond/transaction counsel);

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

If 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 Applicant is unable to find buyers willing to purchase the bond issue requested, or if the Applicant is unable to facilitate the sale/leaseback or lease/leaseback transaction, then, upon presentation of an invoice, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

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

L. Financial Review. The Applicant acknowledges that the Agency shall undertake an assessment of all material information included in connection with the Application for Financial Assistance as necessary to afford a reasonable basis for the decision by the Agency to provide Financial Assistance for the Project, including, but not limited to qualification of the proposed project under the GML (including any retail analysis, as applicable), conducting a full application review, review of applicant financial history and project pro-formas, and consideration of all local development priorities.

M. Background Check. The Applicant acknowledges that the Agency shall undertake a background check on the Applicant, including but not limited to the Applicant's related business entities and stockholders, members or partners with a % ownership greater than 5%. The Applicant shall furnish the Agency with a Certificate of Standing from the Department of State or personal tax reports and police records as outlined in the Agency's Background Check Policy.

N. Compliance with Article 18-A of the GML. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the GML, including, but not limited to, the provisions of Section 859-a and subdivision one of Section 862of the GML, and the provisions of subdivision one of Section 862 of the GML will not be violated if Financial Assistance is provided for the Project.

O. Compliance with Federal, State, and Local 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.

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

Q. Absence of Conflicts of Interest. The applicant acknowledges that the members, officers and employees of the Agency are listed on the Agency's website. No member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

R. Additional Information. Additional information regarding the requirements noted in this Application and other requirements of the Agency are included in the Agency's Policies which can be accessed at http://ulstercountyny.gov/economic-development/ulster-county-industrial-development-agency/policies.

S. Representation of Information. Neither this Application nor any other agreement, document, certificate, project financials, or written statement furnished to the Agency or by or on behalf of the applicant in connection with the project contemplated by this Application contains any untrue statement of a material fact or omits to state a material fact necessary in order to make the statements contained herein or therein not misleading. There is no fact within the special knowledge of any of the officers of the applicant which has not been disclosed herein or in writing by them to the Agency and which materially adversely affects or in the future in their opinion may, insofar as they can now reasonably foresee, materially adversely affect the business, properties, assets or condition, financial or otherwise, of the applicant.

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

_____, being first duly sworn, deposes and says:

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

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

_____
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury

This __ day of_____, 20__

_____
(Notary Public)

NEW YORK STATE FINANCIAL REPORTING

REQUIREMENTS FOR INDUSTRIAL DEVELOPMENT AGENCIES

Be advised that the New York General Municipal Law imposes certain reporting requirements on IDAs and recipients of IDA financial assistance. Of importance to IDA Applicants is Section 859 (https://www.nysenate.gov/legislation/laws/GMU/859). This section requires IDAs to transmit financial statements within 90 days following the end of an Agency's fiscal year ending December 31, prepared by an independent, certified public accountant, to the New York State Comptroller, and the Commissioner of the New York State Department of Economic Development. These audited financial statements shall include supplemental schedules listing the following information:

1. All straight-lease ("sale-leaseback") transactions and whether or not they are obligations of the Agency.

2. All bonds and notes issued, outstanding or retired during the period and whether or not they are obligations of the Agency.

3. All new bond issues shall be listed and for each new bond issue, the following information is required:

    a. Name of the Project financed with the bond proceeds.

    b. Whether the Project occupant is a not-for-profit corporation.

    c. Name and address of each owner of the Project.

    d. The estimated amount of tax exemptions authorized for each Project.

    e. The purpose for which the bond was issued.

    f. The bond interest rate at issuance and, if variable, the range of interest rates applicable.

    g. Bond maturity date.

    h. Federal tax status of the bond issue.

    i. Estimate of the number of jobs created and retained for the Project.

4. All new straight lease transactions shall be listed and for each new straight lease transaction, the following information is required:

    a. Name of the Project.

    b. Whether the Project occupant is a not-for-profit corporation.

    c. Name and address of each owner of the Project.

    d. The estimated amount of tax exemptions authorized for each Project.

e. The purpose for which each transaction was made.

f. Method of financial assistance utilized for each Project, other than the tax exemptions claimed by the Project.

g. Estimate of the number of jobs created and retained for the Project.

Sign below to indicate that you have read and understood the above.

Signature: _____

Name: _____

Title: _____

Company: _____

Date: _____

significant industry. See US Economic Development Adminitration,13 CFR 301.3 (www.eda.gov)