

ONEIDA COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

OCIDA



APPLICATION FOR FINANCIAL ASSISTANCE

Oneida County Industrial Development Agency

584 Phoenix Drive
Rome, New York 13441-1405
(315) 338-0393 telephone
(315) 338-5694 fax

Shawna M. Papale, Executive Director

A non-refundable application fee of \$500.00 must be submitted at the time of application along with a \$1,000 commitment fee; the \$1,000 commitment fee will be applied to closing fees.

*Please submit the original and two (2) copies of the **signed and notarized** application, and **signed** SEQR form with the above fees. Cost benefit will be completed based on information from this application.*

Please also deliver an electronic copy of all.

All applications must be submitted at least 10 days prior to meeting.

Engler Electric Inc - new offices, warehouse and storage

Project Name

Project Number (to be provided by the agency)

Date of Submission

11/19/19

Note to Applicant:

The information requested by this application is necessary to determine the eligibility of your project for Agency benefits. Please answer **all** questions, inserting “none” or “not applicable” where appropriate. If you are providing an estimate, please indicate by inserting “est” after the figure. Attach additional sheets if more space is needed for a response than is provided.

Return the original signed and notarized application and two copies with a check in the amount of \$1500.00 made payable to: **Oneida County Industrial Development Agency (OCIDA)**, 584 Phoenix Drive, Rome, New York 13441-1405, Attn.: Shawna M. Papale, Executive Director. \$1000 will be applied at closing against the IDA legal fees. In addition, an electronic version of the application (signed), and SEQR form (signed), to spapale@mvedge.org.

Upon the submission of this application to OCIDA, this applicant becomes a public document. Be advised that any action brought before the OCIDA is public information. All agendas for OCIDA are issued prior to full agency meetings and posted in public domain. **If there is information that the applicant feels is proprietary, please identify as such and that information will be treated confidentially to the extent permitted by law.**

By signing and submitting this Application, the Applicant acknowledges that it received a copy of the Uniform Tax Exemption Policy and the Oneida County IDA Penalty for Failure to Meet Employment Levels as adopted by the Agency and Agency Memorandums pertaining to the benefits of projects financed through the Agency.

A project financed through the Agency involves the preparation and execution of significant legal documents. Please consult with an attorney before signing any documents in connection with the proposed project. You will receive an engagement letter from the OCIDA legal counsel. You will be asked to sign the engagement letter acknowledging you will be responsible for all legal fees of OCIDA legal counsel and that you understand the process. Should you not close and legal services have been rendered by the OCIDA legal counsel, your company will be responsible for those costs.

If your project requires a public hearing, a representative of the applicant is required to be present. A date will be coordinated by the OCIDA legal counsel.

If you have questions how to calculate your company's IDA application fee please consult with the Memorandum to Companies Sale – Leaseback Transactions or please contact the IDA Executive Director.

Part I: Applicant Information

Note: In responding to the following questions, please keep in mind that the Applicant will be party to all of the documents and is the individual or if entity will be formed which will receive the actual financial assistance from the Agency.

Applicant

1(a) Applicant's Legal Name: Engler Electric Inc.

1(b) Principal Address: 609 Columbia Street
Utica, New York

1(c) Telephone/Facsimile Numbers: 315-724-0135
315-734-1615

1(d) Email Address: jengler@engler-electric.com

1(e) Federal Identification Number: 16-1385675

1(f) Contact Person: James Engler Jr

1(g) Is the Applicant a Corporation:
If yes, Public Private
If public, on which exchange is it listed?

- Subchapter S
- Sole Proprietorship
- General Partnership
- Limited Partnership
- Limited Liability Corporation/Partnership
- Single-Member LLC (name and EIN below):

Name: _____

EIN: _____
 DISC
 Other(specify) _____

1(h) State of Organization (if applicable) New York

Applicant's Stockholders, Directors and Officers (or Partners)

2(a) Provide the following information with respect to parties with 15% or more in equity holdings:

<u>Name</u>	<u>Address</u>	Percentage of <u>Ownership</u>
James Engler Jr owns 100%		

2(b) Is the Applicant, or any of the individuals listed in 2(a) above, related directly or indirectly to any other entity by more than 50% common ownership? If so, indicate name of such entity and the relationship.

Golden Properties LLC is 100% owned by James Engler Jr

2(c) Is the Applicant affiliated with any other entity, directly or indirectly, other than as listed in the response to 2(a) above? If yes, please indicate name and relationship of such other entity and the address thereof:

No

Applicant's Counsel and Accountant

3(a). Applicant's Attorney

Name/Title: William Borrill
Firm: William Borrill, Attorney
Address: 23 Oxford Road, New Hartford, 13413

Telephone/Fax: (315) 223-3084 / 315-735-7924
Email: wmborrill@attorneyborrill.com

3(b) Applicant's Accountant

Name/Title: Elizabeth Gilroy Kearns CPA
Firm: Same as above
Address: 2810 Genesee St Utica, NY 13502

Telephone/Fax: (315) 733-8125 / (315) 733-8766
Email: egkcpa@aol.com

Business Description

4(a) Describe the nature of your business and principal products and/or services. Attach additional sheets if necessary.

Engler Electric Inc. is an electrical construction company offering services to the residential, commercial, industrial, and institutional markets of Central New York. Makeup of services per market: 10% residential, 30% commercial, 40% industrial, 20% institutional.

We typically purchase electrical materials, hardware, and miscellaneous materials from suppliers in CNY. We then provide installation labor along with these purchased materials to customers on construction projects.

Part II: Project Information

5(a) Explain your project in detail. This description should include explanation of all activities which will occur due to this project. Attach additional sheets if necessary.

Engler Electric is constructing a new office and warehouse facility at 1020 Erie Street, Utica, NY.

- 1) The lot will be leveled by a site contractor and prepared for the installation of a concrete foundation.
- 2) The concrete foundations will be installed as to support the steel frame of the building.
- 3) A steel structure will be erected on the foundation. The roof deck and steel panels will follow.
- 4) Exterior windows and doors shall be installed.
- 5) Underslab utilities will be installed and then the concrete floors shall be poured.
- 6) Interior walls and partitions will be framed, and finishes with added.
- 7) Plumbing, HVAC, drainage and electrical systems will be installed.
- 8) Finished grading and landscaping will installed.
- 9) Paving and fencing will be installed.

Reasons for Project

6(a) Please explain in detail why you want to undertake this project.

As a result of the Arterial Project of 2012-2017, 60% of our existing office and warehouse properties were claimed by New York State. This represented a hardship due to the fact that the adjacent properties were unavailable for purchase. Although some property was purchased it was not adequate to meet the needs of the company for: employee parking, equipment parking, staging and lay down area, etc.

Engler Electric's sales for the period from 2016-2019 have risen 250%. We are in need of a larger facility to support our increased number of employees. This facility will help us support our local construction boom that is anticipated in the next five years. There is adjacent property that can be purchased to expand in the future. The assistance will allow us to grow in workforce and develop new opportunities to hire.

6(b) Why are you requesting the involvement of the Agency in your project?

Engler Electric has been in business since 1924. We have had an office and warehouse in Oneida County for every year we have been in business. We would like the agency to allow us to use the IDA program to help us relocate to a building that will meet all of our current and future needs. The savings will allow us to reinvest in our workforce to help meet the regions growing demand for skilled trades, such as electricians.

6(c) Please confirm by checking the box, below, if there is likelihood that the Project would not be undertaken but for the Financial Assistance provided by the Agency?

Yes No

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

Engler Electric will have to scale down the project. The agency's participation will allow us to complete the building without extending the construction to multiple years.

How will the Applicant's plans be affected or scaled back if Agency approval is not granted?

Engler Electric will have to build a smaller building or not finish part of it until more funds are available.

6(d) Is the proposed project reasonably necessary to discourage the Applicant from removing such other plant or facility to a location outside the State of New York?

Yes No **If yes, please explain briefly.**

6(e) Will financing by the Agency result in the removal or abandonment of a plant or other facility of the applicant or any related entity presently located in another area of New York State?

Yes No

If yes, is the proposed project reasonably necessary to preserve the competitive position of the Applicant in its respective industry? Yes No

If yes, please provide a statement and evidence supporting the same. Include the name of all taxing jurisdictions in which the abandoned facility or plant lies, and whether Applicant has had any discussions with said taxing jurisdictions regarding the abandonment. Please provide as much detail as possible.

6(f) Has the Applicant or any related entity previously secured financial assistance in Oneida County (whether through the Agency, the Empire State Development Corporation, or any other entity) ? Yes No

If yes, please explain (indicate date of benefit, location of facility and outstanding balance).

We are not aware of any other programs that may be utilized by Engler Electric

6(g) Has the Applicant or any related entity secured financial assistance anywhere within the United States within the last 90 days or does the Applicant or any related entity anticipate receiving financial assistance within the next 90 days? Yes No
If yes, please explain.

6(h) Check all categories best describing the type of project for all end users at project site (you may check more than one; if checking more than one indicate percentage of square footage the use represents):

		Please provide percentage of sq. footage for each use (if more than one category):	
<input type="checkbox"/>	Manufacturing	%	<input type="text"/>
<input checked="" type="checkbox"/>	Industrial Assembly or Service	%	15
<input checked="" type="checkbox"/>	Back office operations	%	35
<input type="checkbox"/>	Research and Development	%	<input type="text"/>
<input type="checkbox"/>	Technology/Cybersecurity	%	<input type="text"/>
<input checked="" type="checkbox"/>	Warehousing	%	30
<input type="checkbox"/>	Commercial or Recreational	%	<input type="text"/>
<input type="checkbox"/>	Retail	%	<input type="text"/>
<input type="checkbox"/>	Residential housing (specify) _____	%	<input type="text"/>
<input type="checkbox"/>	Pollution Control (specify) _____	%	<input type="text"/>
<input type="checkbox"/>	Environmental (e.g., Brownfield) (specify) _____	%	<input type="text"/>
<input checked="" type="checkbox"/>	Other (specify) <u>Equipment Storage, trade skills training</u>	%	20

6(i) Check all categories best describing the **scope of the project**:

- Acquisition of land
- Acquisition of existing building
- Renovations to existing building
- Construction of addition to existing building
- Demolition of existing building or part of building
- Construction of a new building
- Acquisition of machinery and/or equipment
- Installation of machinery and/or equipment
- Other (specify) _____

6(j) Please indicate the financial assistance you are requesting of the Agency, and provide the estimated value of said assistance. Attach a sheet labeled Annual PILOT that shows the annual utilization of the Real Property Tax Abatement by year and by taxing jurisdiction.

<u>Assistance Requested</u>	<u>Estimated Values</u>
<input type="checkbox"/> Real Property Tax Abatement (value of PILOT savings)	\$ _____
<input type="checkbox"/> Mortgage Tax Exemption (.75%)	\$ _____
Amount of mortgage: \$ _____	
<input type="checkbox"/> Sales and Use Tax Exemption ** (8.75%)	\$ _____
Value of goods/services to be exempted from sales tax: \$ _____	
<input type="checkbox"/> Issuance by the Agency of Tax Exempt Bonds(bond dollar value)	\$ _____

TOTAL EXEMPTION ASSISTANCE REQUESTED:

Is the financial assistance requested by the Applicant consistent with the IDA's Uniform Tax Exemption Policy? Yes No

If no, please provide a written statement describing the financial assistance being requested and detailing the reasons the IDA should consider deviating from its Policy.

**** Note that the estimate provided above will be provided to the New York State Department of Taxation and Finance. The Applicant acknowledges that the transaction documents will include a covenant by the Applicant that the estimate, above, represents the maximum amount of sales and use tax benefit currently authorized by the Agency with respect to this Application. The Agency may utilize the estimate, above, as well as the proposed total Project Costs as contained within this Application, to determine the Financial Assistance that will be offered. It is the responsibility of the applicant to inform the IDA within 10 days if the project amount changes.**

Part III: Facility Information (if project that you are applying for is a housing project please also complete questions 7(l) through 7(p))

Attach copies of the most recent real property tax bills. Include copies for all taxing jurisdictions for the site/ facility that IDA assistance is being sought.

Facility (Physical Information) If multiple locations please provide information on all.

7(a) Street Address of Facility:

1020 Erie Street

7(b) City, Town and/or Village (list ALL incorporated municipalities):

Utica

7(c) School District:

Utica CSD

7(d) For what purpose was the facility site most recently used (i.e., light manufacturing, heavy manufacturing, assembly, etc.)?

7(e) Zoning Classification of location of the project:

CC - Community Commercial

7(f) Please describe in detail the facility to be acquired, constructed or renovated (including number of buildings, square footage, number of floors, type of construction,) and attach plot plans, photos or renderings, if available. If there are infrastructure improvements (water, sewer, gas, electrical, etc.) please provide details along with who will carry out those improvements and who will fund them. ***Please be as specific as possible.***

This new structure will become the headquarters for Engler Electric Inc. We propose to build a single story metal building, on land now vacant. The building will be 9,630 SF, approximately 20 feet tall and house the companies offices, parts, warehouse, vehicle and equipment storage, and employee training area. The parking is mostly located in the rear of the building (10) spots, and (1) handicapped and (1) visitor space located in the front of the building. The driveway and parking areas shall be paved. Service vehicles and equipment will be able to enter in the rear of the building and exit through the front of the building. The site utility construction will include storm water structures, utility connections, and landscaping.

7(g) Has construction or renovation commenced? Yes No

If yes, please describe the work in detail that has been undertaken to date, including the date of commencement.

If no, indicate the estimated dates of commencement and completion:

Construction commencement: December 2019

Construction completion: June 2020

7(h) Will the construction or operation of the facility or any activity which will occur at the site require any local ordinance or variance to be obtained or require a permit or prior approval of any state or federal agency or body (other than normal occupancy and/or construction permits)?

Yes No

If yes, please describe.

- 1) City of Utica Planning Board approval including SEQR at the October 17th meeting. Awaiting a written letter of approval, to be forwarded when received
- 2) City of Utica Building Permit (obtained)

Has the Project received site plan approval from the planning department?

Yes No N/A

If Yes, please provide the Agency with a copy of the planning department approval along with the related State Environmental Quality Review (SEQR) determination. If no, please provide the status of approval:

7(i) Will the project have a significant effect on the environment? Yes No

Important: please attach and sign Part 1 of either the the long or short Environmental Assessment Form to this Application.

7(j) What is the useful life of the facility? 39 years

7(k) Is the site in a former Empire Zone? Yes No

If yes, which Empire Zone: _____

Is project located in a Federal HUB Zone or distressed area: Yes No
Provide detail.

Part IV: Housing Project Questionnaire

Complete the following questions only if your project is a Housing Project. **Please reference the Oneida County Industrial Development Agency Uniform Tax Exemption and Agency Benefits Policy Market Rate Rental Housing Development Initiatives. (Add additional pages as needed).**

7(l) Describe the housing project to be constructed or renovated in detail (type of housing, number of units, etc.):

7 (m) Describe how you will change the current use of the facility or property being utilized for the project. To assist the IDA in their determination of an eligible vacant urban infill site project please provide an extensive explanation as well as photos of what is being removed or replaced with the new construction.

7 (n) Will the project have any impact on the existing infrastructure or upgrades to the current infrastructure (water, sewer, electrical, gas, etc.)? If yes please provide detail and who you are working with at the applicable organization.

7 (o) If your project is a multi-use facility please provide details of the project, project square footage breakdown of non-housing to housing usage, detail the job creation and retention associated with the non-housing component.

7 (p) Does the project provide a community benefit? If yes provide detail substantiating (reference the IDA policy).

ALL APPLICANTS ANSWER THE FOLLOWING

Part V: Retail Project Questionnaire

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

- A. Will any portion of the project (including that portion of the cost to be financed from equity or other sources) consist of facilities or property that are or will be primarily used in making sales of goods or services to customers who personally visit the project site?

Yes or No. If the answer is yes, please continue. **If no, proceed to next section Part VI Facility (Pg 14).**

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

- B. What percentage of the cost of the Project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the project? _____%. **If the answer is less than 33% do not complete the remainder of the retail determination and proceed to next section Part VI Facility (Pg 14).**

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

1. Will the project be operated by a not-for-profit corporation Yes or No.
2. Is the Project location or facility likely to attract a significant number of visitors from outside Oneida County?

Yes or No

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

3. Is the predominant purpose of the project to make available goods or services which would not, but for the project, be reasonably accessible to the residents of the municipality within which the proposed project would be located because of a lack of reasonably accessible retail trade facilities offering such goods or services?

Yes or No

If yes, please provide a third party market analysis that demonstrates that a majority of the project's customers are expected to come from outside of Oneida County and the project will not directly compete with existing businesses located in Oneida County.

Part VI: Facility (Legal Information)

8(a) With respect to the **present owner** of the facility, please give the following information and provide a brief statement regarding the status of the acquisition.:

(Note: the present owner is not necessarily the user of the facility, but that party which holds legal title to the facility.)

Legal Name: Applicant

Address: 609 Columbia Street
Utica, NY 13502

Telephone: 3157240135

Balance of Mortgage: N/A

Holder of Mortgage: _____

If the Applicant is not the present owner of the facility, please attach any written agreements and contracts concerning the acquisition of the real property and/or equipment.

8(b) Is there a legal relationship, directly or indirectly, by virtue of common control or through related persons, between the Applicant and the present owner of the facility?
 Yes No. If yes, please explain.

8(c) Will a related real estate holding company, partnership or other entity, be involved in the ownership structure of the transaction?
 Yes No. If yes, please explain.

8(d) Will the title owner of the facility/property also be the user of the facility?
 Yes No. If no, please explain.

8(e) Is the Applicant currently a tenant in the facility? Yes No

8(f) Are you planning to use the entire proposed facility?
 Yes No

If no, please give the following information with respect to tenant(s) which will remain in the facility after the completion of the project, including the square footage the Applicant will occupy:

<u>Name of Tenant</u>	<u>Floors Occupied</u>	<u>Square Feet Occupied</u>	<u>Nature of Business</u>
-----------------------	------------------------	-----------------------------	---------------------------

8(g) Are any of the tenants related to the owner of the facility?
 Yes No
If yes, please explain.

N/A

8(h) Will there be any other users utilizing the facility?
 Yes No
If yes, please explain. Provide detail of the contractual arrangement including any financial exchange for the use of the site or property.

Part VII: Equipment

9(a) List the principal items or categories of equipment to be acquired as part of the project. If you are requesting sales tax exemption it is important to be as detailed as possible. (If a complete list is not available at time of application, as soon as one is available but prior to final authorizing resolution, please submit a detailed inventory of said equipment to be covered.) Attach a sheet if needed. *To be determined*

9(b) Please provide a brief description of any equipment which has already been purchased or ordered, attach all invoices and purchase orders, list amounts paid and dates of expected delivery. Attach a sheet if needed. *To be determined*

9(c) What is the useful life of the equipment? 10-15 years

Part VIII: Employment Information

"FTE" shall mean a full time employee that has a minimum of thirty-five (35) scheduled hours per week, or any combination of two or more part-time employees that work a minimum of fifteen (15) scheduled hours per week, when combined together, constitute the equivalent of a minimum of thirty-five (35) scheduled hours per week, and whose workplace location is the project facility. For this purpose an employee shall include a leased employee regularly retained by the company.

10(a) Estimate how many construction jobs will be created or retained as a result of this project.

Construction Jobs: 20

10(b) 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 or No.

If yes, explain It will allow Engler Electric to grow

10 (c) Have you experienced any employment changes (+ or -) in the last three (3) years?

Yes or No.

If yes, explain increased from 24 to 47 at peak times

10(c) Job Information related to project ***

Estimate below how many jobs will be created and retained as a result of this project, if OCIDA assistance is granted.

Number of Jobs BEFORE Project	Location 1	Location 2	Location 3	Location 4	Location 5	Total
Address in NYS						
Full-Time Company	33					
Full-Time Independent Contractors						
Full-Time Leased						
A. Total Full-Time BEFORE	33					
Part-Time Company	4					
Part-Time Independent Contractors						
Part-Time Leased						
B. Total Part-Time BEFORE	2					
Total FTE BEFORE*	35					

*For Total FTE BEFORE add full-time employees (line A) plus part-time employees that have been converted to FTE (line B).

	Location 1	Location 2	Location 3	Location 4	Location 5	Total
Number of Jobs AFTER Project (within 3 years of project completion)						
Full-time Company		45				
Full-Time Independent Contractors						
Full-Time Leased						
A. Total Full-Time AFTER		45				
Part-Time Company		4				
Part-Time Independent Contractors						
Part-Time Leased						
B. Total Part-Time AFTER		2				
Total FTE AFTER *		47				

**For Total FTE AFTER add full-time employees (line A) plus part-time employees that have been converted to FTE (line B).*

Estimate the number of residents from the Labor Market Area** in which the Project is located that will fill the jobs created within three years of project completion	Location 1	Location 2	Location 3	Location 4	Location 5	Total
Full-Time		45				
Part-Time		4				
Total AFTER		49				

** Labor Market Area includes Oneida, Lewis, Herkimer, and Madison Counties

Continued on next page

SALARY AND BENEFITS	Retained Jobs		Created Jobs	
	Average Annual Salary per employee	Average Fringe Benefits (as a percentage of wages)	Average Annual Salary per employee	Average Fringe Benefits (as a percentage of wages)
Management	\$ 137,000 1	33 %	\$ 0 0	33 %
Administrative	\$ 42,000.00 5	10 %	\$ 0 0	10 %
Production	\$ 70,000.00 31	70 %	\$ 70,000 12	70 %
Independent Contractor	\$	%	\$	%
Other	\$	%	\$	%
Overall Weighted Average	\$ 68,038.00	%	\$ 70000.00	%

*** By statute, Agency staff must project the number of Full-Time Jobs that would be retained and created if the request for Financial Assistance is granted. "FTE" shall mean a full time employee that has a minimum of thirty-five (35) scheduled hours per week, or any combination of two or more part-time employees that work a minimum of fifteen (15) scheduled hours per week, when combined together, constitute the equivalent of a minimum of thirty-five (35) scheduled hours per week, and whose workplace location is the project facility. For this purpose an employee shall include a leased employee regularly retained by the company.

10(c) Please list NAICS codes for the jobs affiliated with this project:

238210

Part IX: Estimated Project Cost and Financing

11(a) List the costs necessary for preparing the facility.

LAND Acquisition	\$	80000	+
Existing Building(s) ACQUISITION	\$		
Existing Building(s) RENOVATION	\$	0	
NEW Building(s) CONSTRUCTION	\$	750000	
Installation costs	\$	50000	
Site preparation/parking lot construction	\$	225000	
Machinery & Equipment (other than furniture)	\$	25000	
Furniture & Fixtures	\$	30000	
Architectural & Engineering	\$	38000	
Legal Fees (applicant, IDA, bank, other counsel)	\$	10000	+
Financial (all costs related to project financing)*	\$	2500	
Permits (describe below)	\$	2000	
Other (describe below)	\$		
Subtotal	\$	1212500	+
Agency Fee¹	\$	6062.50	
Total Project Cost	\$	1218562.50	+

* *Bank fees, title insurance, appraisals, interest, environmental reviews, etc.*

¹ *See Attached Fee Schedule (Page 25) for Agency Fee amount to be placed on this line.*

Permit Information

City of Utica Building Permit

Other Information

11(b) **Sources of Funds for Project Costs**

Bank Financing:	\$ <u>900,000</u>
Equity (excluding equity that is attributed to grants/tax credits)	\$ <u>500,000</u>
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:	\$ <u>1,400,000</u>

Real Estate Taxes

12(a) For each tax parcel which comprises the facility, please provide the following information, using figures from the most recent tax year.

Tax Map Parcel #	Current Assessed Value (Land)	Current Assessed Value (Building)	Current Total Assessment	Current Real Estate Taxes
318.24-2-18	28400	480,000 est	508400 est	27450 est

Attach copies of the most recent real property tax bills. Include copies for all taxing jurisdictions for the site/ facility that IDA assistance is being sought.

12(b) Address of Receiver of Town and/or Village Taxes (include all jurisdictions):

City of Utica

12(c) Address of Receiver of School Taxes:

City of Utica

12(d) Will the completion of the proposed project result in the increase of the assessment of any of the parcels named above? Yes No

If yes, please indicate which tax map parcel # will be affected and estimate of increase.

318.24-2-18

Financial Information

13(a) Has the Applicant contacted any bank, financial/lending institution or private investor with respect to the financing of the proposed project?

Yes No

If yes, please provide details.

M & T bank

13(b) Has the Applicant received a commitment letter for said financing?

Yes No

If yes, please submit a copy of said commitment letter along with this Application.

13(c) Please complete the Cost/Benefit Analysis form and attach to this Application. As you begin completing the form and have questions, please call the IDA office.

REPRESENTATIONS AND CERTIFICATION BY APPLICANT

The undersigned requests that this Application be submitted for review to the Oneida County Industrial Development Agency (the "Agency") and its Board of Directors.

Approval of the Application can be granted solely by this Agency's Board of Directors. The undersigned acknowledges that Applicant shall be responsible for all costs incurred by the Agency and its counsel in connection with the attendant negotiations whether or not the transaction is carried to a successful conclusion.

The Applicant further understands and agrees with the Agency as follows:

1. **Annual Sales Tax Filings.** In accordance with Section 858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any 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.
2. **Annual Employment, Tax Exemption & Bond Status Reports.** The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site as well as tax exemption benefits received with the action of the Agency. For Applicants not responding to the Agency's request for reports by the stated due date, a \$500 late fee will be charged to the Applicant for each 30-day period the report is late beyond the due date, up until the time the report is submitted. Failure to provide such reports as provided in the transaction documents will be an Event of Default under the Lease (or Leaseback) Agreement between the Agency and Applicant. In addition, a Notice of Failure to provide the Agency with an Annual Employment, Tax Exemption & Bond Status Report may be reported to Agency board members, said report being an agenda item subject to the Open Meetings Law.
3. **Absence of Conflict of Interest.** The Applicant has consulted the Agency website of the list of the Agency members, officers and employees of the Agency. No member, officer, or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as herein after described (if none, state "none"):
4. **Hold Harmless.** Applicant hereby releases the Agency and its members, officers, servants, agents and employees 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 the processing of the Application, including attorneys' fees, if any.

5. The Applicant acknowledges that the Agency has disclosed that the actions and activities of the Agency are subject to the Public Authorities Accountability Act signed into law January 13, 2006 as Chapter 766 of the 2005 Laws of the State of New York.
6. 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.**
7. The Applicant acknowledges that it has been provided with a copy of the Agency's recapture policy (the "Recapture Policy"). The Applicant covenants and agrees that it fully understands that the Recapture Policy is applicable to the Project that is the subject of this Application, and that the Agency will implement the Recapture Policy if and when it is so required to do so. The Applicant further covenants and agrees that its Project is potentially subject to termination of Agency financial assistance and/or recapture of Agency financial assistance so provided and/or previously granted.
8. The Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:

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

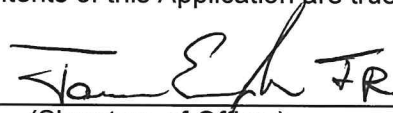
9. The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
10. The Applicant confirms 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.
11. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.
12. The Applicant and the individual executing this Application on behalf of the Applicant acknowledge that the Agency will rely on the representations made herein when acting on this Application and hereby represent 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 ONEIDA) ss.:

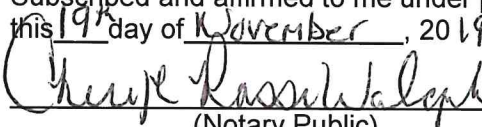
James A Engler Jr _____, being first duly sworn, deposes and says:

1. That I am the President _____ (Corporate Office) of Engler Electric Inc. _____ (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 19th day of November, 2019.



(Notary Public)

CHERYL ROSSI-WALCZAK
NOTARY PUBLIC - STATE OF NEW YORK
QUALIFIED IN ONEIDA CO. NO. 01R05091758
MY COMMISSION EXPIRES JULY 7, 2023

If the application has been completed by or in part by other than the person signing this application for the applicant please indicate who and in what capacity:

By: _____

Name: _____

Title: _____

Date: _____

Return the original signed and notarized application and two copies with a check in the amount of \$1500.00 made payable to: **Oneida County Industrial Development Agency (OCIDA)**, 584 Phoenix Drive, Rome, New York 13441-1405, Attn.: Shawna M. Papale, Executive Director. \$1000 will be applied at closing against the IDA closing fee. In addition, please send an electronic version of the application (signed), and SEQR form (signed), to spapale@mvedge.org.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

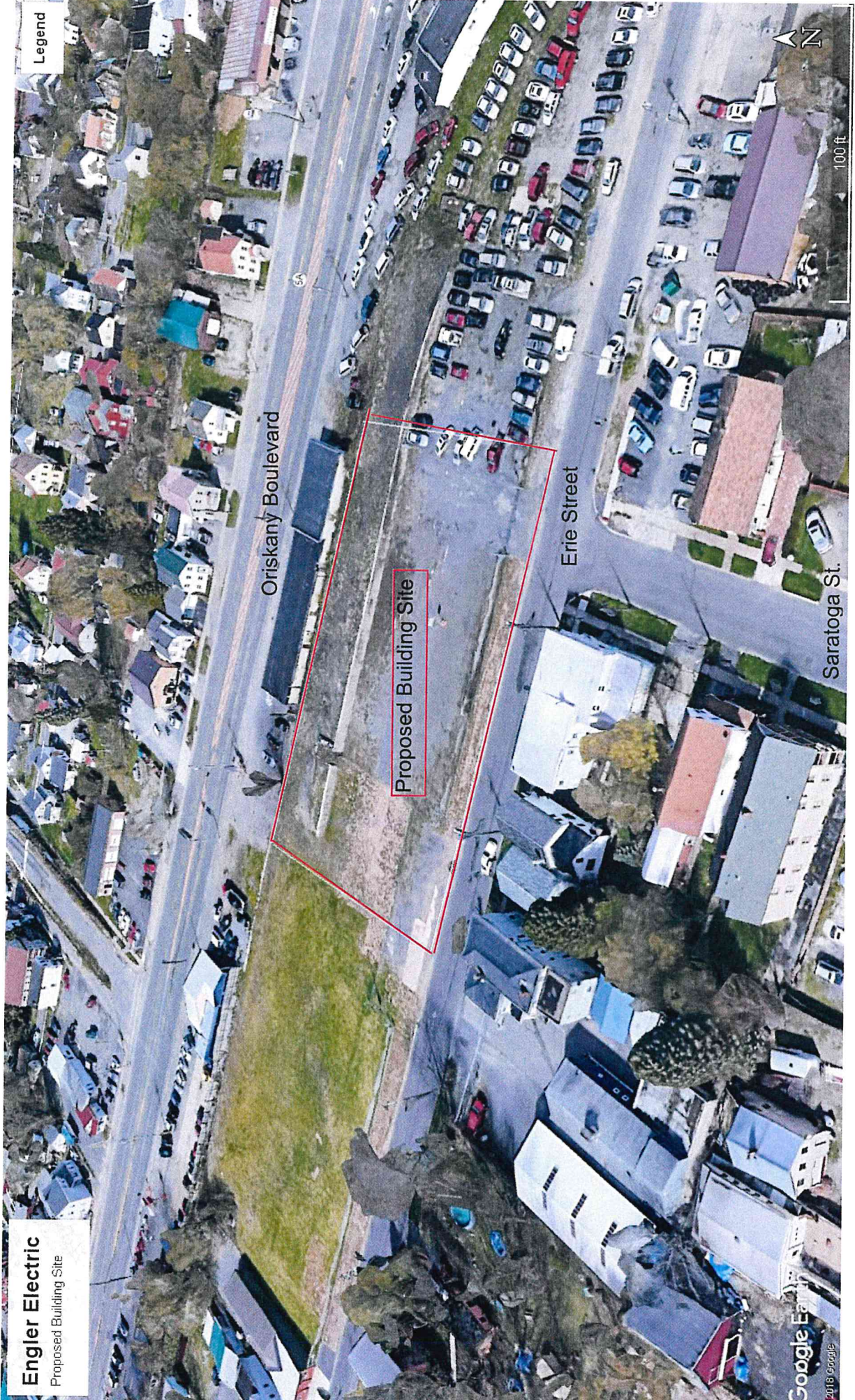
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: New Building for Engler Electric, Inc.			
Project Location (describe, and attach a location map): 1004 Erie Street, Utica, New York 13502 (tax map 318.24-2-18)			
Brief Description of Proposed Action: We propose the construction of a new 9,630 S.F. building that will become the headquarters for Engler Electric. The proposed building is planned to be approximately 20 feet tall and house the companies offices, parts warehouse and vehicle storage			
Name of Applicant or Sponsor: Dale J. Meszler, P.E., 260 Structural Engineering		Telephone: 315-939-1740	
Address: 124 East Main Street		E-Mail: dmeszler@260engineering.com	
City/PO: Waterville		State: New York	Zip Code: 13480
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 0.82 acres			<input checked="" type="checkbox"/>
b. Total acreage to be physically disturbed? _____ 0.82 acres			<input type="checkbox"/>
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 0.82 acres			<input type="checkbox"/>
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____ The site falls in area of the NYS Environmental Resource Mapper as "Rare Plants or Animals"	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Engler Electric
Proposed Building Site

Legend



Oriskany Boulevard

Proposed Building Site

Erie Street

Saratoga St.



100 ft



ROBERT M. PALMIERI
MAYOR

CITY OF UTICA

URBAN & ECONOMIC DEVELOPMENT

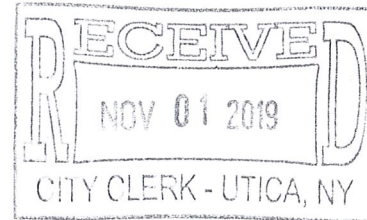
1 KENNEDY PLAZA, UTICA, NEW YORK 13502

PH.315-792-0181 FAX. 315-797-6607

BRIAN THOMAS, AICP
COMMISSIONER

PLANNING BOARD RESOLUTION

October 17th 2019



PB Case No.: 16-19
Address: 1004 Erie Street
Applicant: 260 Structural Engineering
Owner: Engler Electric

Zone: Community Commercial
Site Plan Review

WHEREAS: Pursuant to City of Utica Zoning Code Section 2-29-274, the applicant is seeking Site Plan Approval for a project to be located at the aforementioned address; and

WHEREAS: The applicant has proposed the construction of a new 9,630 square foot building that will become the headquarters for Engler Electric, housing the company's offices, parts warehouse and vehicle storage. The proposed site plan included ten (10) on-site parking spaces (including 1 handicapped). The majority of the parking is located in a proposed lot behind the new building with 2 visitor's spaces in the front. The back lot is to be accessed via a paved driveway along the east side of the proposed building. The driveway will allow access to a front paved area that is large enough to allow for parked vans in front of the building during the day without extending into the roadway; and

WHEREAS: Site lighting will be handled using wall mounted lights designed to provide adequate security lighting with minimal impact to the residential building on the opposite side of Erie Street; and

WHEREAS: At the last meeting, the Planning Board declared itself as Lead Agency, Identified this as an Unlisted Action and initiated 239-M Review with Oneida County as it is located within 500 feet of a State Road; and

WHEREAS: Oneida County issued a notice of no recommendation regarding the project; and

WHEREAS: The City of Utica Engineering Department is agreement with the submitted responses to their review dated September 18th, 2019 with the exception of the following:

- (1.) A variance will be required for the proposed 85' wide driveway entrance on Erie Street.
- (2.) On sheet C5 detail 8 change mortar to non-shrink grout ;and

WHEREAS: The applicant asked the Board to consider approving their request for an 85' wide driveway by way of a Curb Cut Variance at in addition to Final Site Plan Approval, to which the Board obliged.

NOW THEREFORE BE IT RESOLVED THAT on a motion made by Mr. Matrulli, seconded by Mr. Mitchell and unanimously approved by all voting members (Mr. Colon and Mr. Priore were absent), the board granted a Curb Cut Variance of 85 feet.

BE IT FURTHER RESOLVED THAT on a motion made by Mr. Matrulli, seconded by Mr. Mitchell and unanimously approved by all voting members (Mr. Colon and Mr. Priore were absent), the board granted Final Site Plan Approval contingent upon provision of a construction schedule.

Fred Matrulli
Fred Matrulli, Chair

10-31-19
Date

ONEIDA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
COST/BENEFIT ANALYSIS
Required by §859-a(3) of the
New York General Municipal Law

Dec 6 2019

Name of Applicant: Engler Electric

Description of Project: New Headquarters

Name of All Sublessees or Other Occupants of Facility:

Principals or Parent of Applicant: Jim Engler Jr.

Products or Services of Applicant to be produced or carried out at facility: Electrical Contractor

Estimated Date of Completion of Project: Jun-20

Type of Financing/ Structure:
_____ Tax-Exempt Financing
_____ Taxable Financing
 Sale/ Leaseback
_____ Other

Type of Benefits being Sought by Applicant:
_____ Taxable Financing
_____ Tax-Exempt Bonds
 Sales Tax Exemption on Eligible Expenses Until Completion
 Mortgage Recording Tax Abatement
 Real Property Tax Abatement

Project Costs

Land Acquisition	\$ 80,000
Existing Building(s) ACQUISITION	
Existing Building(S) RENOVATION	
NEW Building(s) CONSTRUCTION	\$ 750,000
Installation Costs	\$ 50,000
Site Preparation/Parking Lot Construction	\$ 225,000
Machinery & Equipment (other than furniture)	\$ 25,000
Furniture & Fixtures	\$ 30,000
Architectural & Engineering	\$ 38,000
Legal Fees (applicant, IDA, bank, other counsel)	\$ 10,000
Financial (all costs related to project financing)	\$ 2,500
Permits	\$ 2,000
Other	
Agency Fee	\$ 6,062
TOTAL COST OF PROJECT	\$ 1,218,562

Assistance Provided by the Following:

EDGE Loan:	
MVEDD Loan:	
Grants - Please indicate source & Amount:	
Other Loans - Please indicate source & Amount:	

Company Information

		Average Salary of these Positions
Existing Jobs	35	\$ 68,038
Created Jobs FTE (over three years)	12	\$ 70,000
Retained Jobs	35	\$ 68,038

Earnings Information for Oneida County

Average Salary of Direct Jobs for Applicant	\$ 68,038
Average of County Indirect Jobs	\$ 25,000
Average of Construction Jobs	\$ 32,000

Note: \$1,000,000 in construction expenditures generates 15 person - years of employment
Construction Person Years of Employment:

Calculation of Benefits (3 Year Period)

	Total Earnings	Revenues
Direct Jobs		
Created	\$ 2,449,368	\$ 104,098
Existing	\$ 7,143,990.00	\$ 303,619.58
Indirect Jobs		
Created	\$ 2,250,000	\$ 95,625
Existing	6562500	278906.25
Construction - only one year		
Person Years	\$ 164,000	\$ 6,970
TOTALS Calculation of Benefits (3 Yr Period)	\$ 18,569,858	\$ 789,219

TAXABLE GOODS & SERVICES

		Spending Rate	Expenditures	State & Local Sales Tax Revenues
Direct Jobs	Created	36%	\$ 881,772	\$ 85,973
	Existing	0.36	\$ 2,571,836.40	\$ 250,754
Indirect Jobs	Created	0.36	\$ 810,000	\$ 78,975
	Existing	0.36	\$ 2,362,500.00	\$ 230,344
Construction - only one year	Person Years	0.36	\$ 59,040	\$ 5,756
TOTAL TAXABLE GOODS & SERVICES			\$ 6,685,149	\$ 651,802

Local (3 year) real property tax benefit (assuming 60% of jobs existing and created own a residence) with an average assessment of \$80,000 and the remainder of jobs existing created pay real property taxes through rent based on an average assessment per apartment of \$50,000.

Tax Rate for School District where facility is located:	\$ 27.0900000
Tax Rate for Municipality where facility is located:	\$ 26.7400000
Tax Rate for County:	\$ 12.0170930
Total Rate:	\$ 65.8470930
Real Property Taxes Paid:	\$ 210,447

Municipality

Utica 18-19
Utica 19
Oneida - 19

COSTS: IDA BENEFITS

Real Property Taxes Abatement	\$ -
Mortgage Tax Abated (.75%)	\$ 6,750
Estimated Sales Tax Abated During Construction Period (8.75%)	\$ 77,000
Total:	\$ 83,750

NOTE: If there is a tax-exempt financing of all or a portion of the project cost, there is a neutral cost/benefit because of lower interest rates by reason of exclusion of interest from gross income of bondholders for purposes of Federal and State income taxes. Taxable financing carries the same cost/benefit for State Income Tax purposes. Such cost/benefits cannot be quantified.