
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 \$1000 commitment fee that will be submitted at the time of application; the \$1000 commitment fee will be applied at closing.

Please submit the original application, SEQR form and Cost/ Benefit and two (2) copies along with an electronic copy of the application, SEQR form and Cost/ Benefit with the applicable fee.

All applications must be submitted 10 days prior to meeting.

GLDC Building 240

Name of Applicant

Number (to be provided by the agency)

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 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), SEQR form (signed), and Cost/benefit to spapale@mvedge.org.

Upon the submission of this application to the IDA, this applicant becomes a public document. Be advised that any action brought before the OCIDA is public information. All agenda’s for the 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 understand the legal fees you will be responsible for them and also acknowledge what the process is. 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 companies 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 entity which will receive the actual financial assistance from the Agency.

Applicant

- 1(a) Applicant's Legal Name: Griffiss Local Development Corporation
- 1(b) Principal Address: 584 Phoenix Drive
Rome, NY 13441
- 1(c) Telephone/Facsimile Numbers: Telephone: (315) 338-0393
Facsimile: (315) 338-5694
- 1(d) Email Address: sjdimeo@mvedge.org
- 1(e) Federal Identification Number: 16-1471446
- 1(f) Contact Person: Steven J. DiMeo, Authorized Representative
- 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
- DISC
- Other(specify) Not-For-Profit Local Development Corporation
- 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>Home Address</u>	<u>Social Security No.</u>	<u>Percentage of Ownership</u>
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Applicant is a not-for-profit local development corporation. There are no persons or entities which have “equity holdings” in Applicant. The members of Applicant are its voting directors. Applicant’s members have no interest in the earnings, assets or property of Applicant.

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.

Applicant holds a 99.99% membership interest in Cardinal Griffiss Realty, LLC (“CGR”), a New York limited liability company. Therefore, CGR is a subsidiary of Applicant. CGR’s address is 584 Phoenix Drive, Rome NY 13441.

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: Joseph E. Saunders , Esq.
Firm: Saunders Kahler, LLP
Address: 185 Genesee Street , Suite 1400
Utica, New York 13501-2194
Telephone/Fax: Telephone: (315) 733-0419; Facsimile: (315) 724-8522

3(b) Applicant’s Accountant

Name/Title: Maureen Carney
Firm: Mohawk Valley EDGE

Address: 584 Phoenix Drive
Rome, New York 13441

Telephone/Fax: Telephone: (315) 338-0393; Facsimile (315) 338-5694

Business Description

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

The Applicant is the entity primarily responsible for the re-development of the former Griffiss Air Force Base ("Griffiss AFB"), including that 1,600± acre portion thereof known as the Griffiss Business & Technology Park (the "Griffiss Business Park"). Applicant has developed, and is developing, the Griffiss Business Park in accordance with the Master Reuse Strategy for Griffiss AFB prepared by Hamilton, Rabinowitz & Alschuler, Inc. and others (circa 1995).

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.

In 1993, pursuant to the recommendations and/or decisions of the BRAC Commission, the Secretary of the Air Force issued a Record of Decision wherein he declared 1,562± acres of real property at Griffiss AFB to be excess or surplus property (the "BRACC 1993 Property") and ordered its closure and disposal. The BRAC 1993 Property consisted primarily of those facilities which were once used by the United States Air Force (the "Air Force") to support the overall operation of Griffiss AFB including base housing and dormitories, the commissary, the Post Exchange, administrative offices, machine shops, officers' quarters, weapons storage areas and the like.

In 1995, pursuant to the recommendations and/or decisions of the BRAC Commission, the Secretary issued a second Record of Decision wherein he declared an additional 1593± acres of property at Griffiss AFB to be excess or surplus property (the "BRACC 1995 Property") and ordered its closure and disposal. The BRACC 1995 Property consisted primarily of those facilities which were once used by the Air Force to directly support aircraft flight operations at the Griffiss AFB airfield such as the tower, the main runway, ancillary runways, various taxiways, aircraft apron and/or parking areas, hangar buildings and the like.

In December of 1998, Applicant, the Agency, the City, the Town and the County of Oneida (the "County") finalized the terms of a Memorandum of Understanding which they then signed on or about January 12, 1999. The MOU set forth the parties' intentions with respect to the future re-use and/or re-development of (a) the BRACC 1993 Property as a business park to be known as the Griffiss Business & Technology Park, and (b) the BRACC 1995 Property and certain related parcels located adjacent thereto as a public airport to be known as the Griffiss Airfield (and subsequently re-named as the Griffiss International Airport).

Under the MOU, the Agency agreed to act as the “local reuse authority” for the purpose of receiving title from the Secretary to the BRACC 1993 Property (pursuant to an Economic Development Conveyance Agreement) and the County agreed to serve as an eligible municipality for the purpose of receiving title from the Secretary to the BRACC 1995 Property (pursuant to a Public Benefit Conveyance Agreement). At the time, at least insofar as the BRACC 1993 Property was concerned, the MOU parties anticipated that the Secretary would convey all of said property to the Agency by the end of 1998. The Agency, in turn, was to lease said property to Applicant under a triple-net lease agreement which imposed all of the obligations typically associated with property ownership upon Applicant and obligated Applicant to acquire the underlying fee title for nominal consideration at the end of the lease (thereby making Applicant the beneficial owner of such property). Concurrently therewith, the Agency and the Applicant were to enter into a 10-year Payment-in-Lieu-of-Tax Agreement whereby Applicant would owe no PILOT payments (a “Zero PILOT Agreement”), but would owe payments to the City known as “Service Fee Payments” with respect to certain buildings.¹ Under this arrangement, the Agency was to act only as the legal title holder of the property; it was to have no responsibility to manage or develop such property. Rather, Applicant was the corporate entity responsible, financially and otherwise, to oversee, facilitate and promote the economic re-use and re-development of the BRACC 1993 Property and assist the County in its efforts to develop the Griffiss International Airport.

Contrary to the parties’ expectations as expressed in the MOU, the Secretary did not convey all of the BRACC 1993 Property to the Agency by the end of 1998. Instead, the Secretary began conveying various parts of the BRACC 1993 Property to the Agency in a piecemeal fashion.

Although the Air Force’s piecemeal conveyance of parcels to the Agency complicated Applicant’s re-development efforts at Griffiss, nonetheless Applicant was able to re-develop a significant portion of the BRACC 1993 Property as the Griffiss Business Park and help facilitate the County’s efforts to redevelop the BRAC 1995 Property as the Griffiss International Airport. Due in no small part to the Existing Zero PILOT Agreements entered into by and between Applicant and the Agency, Applicant’s efforts have led to the creation and/or retention of nearly 6,000 jobs at Griffiss and have resulted in over \$4 million/year in tax revenues and/or PILOT Payments for the benefit of the City of Rome, the Rome City School District and the County of Oneida. Applicant is particularly proud of the success it has had over the years in retaining and/or growing the remaining Government operations at Griffiss including the Defense Finance Accounting Service (“DFAS”), the Eastern Air Defense Sector (“EADS”) and, most importantly, the Air Force Research Lab – Rome Research Site (the “AFRL-Rome”). In addition, largely due to Applicant’s efforts, the Mohawk Valley Region was able to fend-off attempts to down-size AFRL-Rome during the 2005 BRAC round. Since then, Applicant’s development strategy at Griffiss has focused on retaining and strengthening AFRL-Rome while simultaneously developing the Griffiss Business Park by, among other things, fostering synergistic relationships between AFRL-Rome and various defense contractors including, BAE, Exelis and AIS. Applicant, through its support of Griffiss Institute Inc., is also working hard to facilitate AFRL-

¹ Service Fee Payments are more particularly discussed in the certain Service Fee Payment Agreement dated as of October 1, 2003 by and among Applicant, the City, the County, Rome City School District and the Agency. To date, Applicant has made all Service Fee Payments to the City which it was obligated to make.

Rome/private sector business relationships in the fields of cyber-security and information assurance, all of which has contributed to the improvement of our area's economy.

The subject property (B240 et al) described in this application was retained by the United States Air Force, and is not, nor has it ever been, part of the economic development or BRACC 1993/1995 described above. Therefore, the subject property was publicly auctioned by the General Services Administration (GSA) as surplus federal property. As a result of that auction, the Applicant was the winning bidder in the amount of \$520,000.

Because Applicant is a not-for-profit local development corporation exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), and will utilize the property in furtherance of its exempt purposes, Applicant believes that the property would be exempt from real property tax under Section 420-a of the Real Property Tax Law in its own right. However, based on the fact that the Rome City Assessor has denied the application of Griffiss Utility Services Corporation (which, like Applicant, is also a not-for-profit local development corporation exempt from federal income taxation under Section 501(c)(3) of the Code, and uses its property at Griffiss in furtherance of its exempt purposes), for a tax exemption pursuant to Section 420-a of the Real Property Tax Law, and has publicly indicated that he does not believe that Applicant would qualify for a Section 420-a tax exemption as to its property (thereby, in effect, pre-judging the merits of any application for a Section 420-a exemption that Applicant might choose to file), Applicant hereby requests that the Agency (a) lease the subject property to Applicant pursuant to a lease agreement, having a term of at least ten (10) years, and (b) enter into a PILOT Agreement with Applicant, with a term which is coterminous with the proposed Lease Agreement, under which Applicant would make no PILOT payments in lieu of taxes (the "Master Zero PILOT Agreement"). Applicant also requests that it be granted exemptions from sales tax and mortgage recording tax. Applicant makes this request, among other things, to eliminate any uncertainty as to whether the subject property is, in fact, tax-exempt, to facilitate its continued re-development of Griffiss, to assist in its efforts to retain and/or strengthen AFRL-Rome and the defense contractor community associated with it, and to maintain existing facilities at Griffiss.

Applicant understands that if the Agency were to grant Applicant's request herein, it would be deviating from its Uniform Tax Exemption Policy ("UTEP"). In considering whether to deviate from its UTEP, Applicant requests that the Agency consider the following:

The Nature of the Proposed Facility

Vacant Air Force surplus office building

The Nature of the Facility Before the Project Begins

Building 240 is located at the Former Griffiss Air Force Base on Hill Road near the intersection with Brooks Road. The property consists of 7.897 acres of land improved with the main building known as Building 240 (117,323 sq ft) along with two support buildings known as Building 247 (13,199 sq ft) and Building 248 (4,000 sq ft).

The Economic Condition of the Area of the Time of the Application

All of the land inside the Griffiss Business Park (including the subject property) is in a HUB zone, New Market Tax Credit Eligible zone and an Empire Zone. Therefore, it constitutes a “highly distressed area” as defined in Section 854(18) of the New York General Municipal Law.

The Extent to Which the Facility Will Retain Permanent, Private Sector Jobs

As previously noted, there are nearly 6,000 jobs at Griffiss today of which approximately 3,756 are permanent, private sector jobs. If the Agency were to grant Applicant’s request that the subject property be exempted from real property tax, sales tax and mortgage recording tax for at least the next ten (10) years, Applicant will be able to use the monies it thereby saves to fund its economic development activities which include job retention and creation, infrastructure development within the Griffiss Business Park, efforts to protect AFRL-Rome and the permanent, private-sector defense contractor community at Griffiss which is associated with it.

The Estimated Value of the Tax Exemptions to be Provided

As noted above, as a not-for-profit local development corporation exempt from federal income taxation under Section 501(c)(3), the Applicant believes that the subject property would be exempt from real property tax under Section 420-a of the Real Property Tax Law in its own right. If Applicant’s interpretation of Section 420-a of the Real Property Tax Law is correct, then the value the real property tax exemption requested by Applicant from the Agency would be zero (except for the value of the legal costs that Applicant would avoid in the event that the Rome City Assessor were to deny its application for a tax exemption under Section 420-a of the Real Property Tax Law thereby necessitating that Applicant litigate the issue).

If, on the other hand, Applicant’s interpretation of Section 420-a of the Real Property Tax Law is incorrect and the subject property would ordinarily be subject to real property tax, the value of the real property tax exemption requested by Applicant from the Agency would depend on the subject property’s fair market value. Applicant has not had occasion to have the subject property appraised and would not want to hazard a guess as to the subject property’s fair market value without having such an appraisal in hand. If one were to use the purchase price of the property, and multiply by the current City of Rome tax rate, the resulting value of the tax exemption would be approximately \$30,212 per annum.

As for the estimated value of the sales tax exemption and mortgage tax exemption requested by Applicant, such values cannot be quantified at present. Instead, if, as and when Applicant is able to bring a specific commercial and/or industrial project to fruition on some portion of the subject property which necessitates such exemptions, presumably the values thereof can then be determined.

The Impact of the Facility and the Proposed Tax Exemptions on Affected Tax Jurisdictions

The subject property has always been tax exempt. Given that the property has historically been tax-exempt, the continuation of such tax-exempt status would not have an adverse impact on the affected tax jurisdictions; it would merely be a continuation of the status quo.

The Impact of the Proposed Facility on Existing and Proposed Businesses and Economic Development Projects in the Vicinity

If recent history is any guide, the impact that developing the subject property will have on existing and proposed businesses and economic development projects in the vicinity will be substantial. Such development will enable the long-term build out of the Griffiss Business Park to move forward. This long-term build out will not only attract new business and investment to the Griffiss Business Park, but will also help existing businesses located at and in the vicinity of the Griffiss Business Park to grow and prosper.

The Amount of Private Sector Investment Generated or Likely to be Generated by the Proposed Facility

Although it is difficult to estimate the amount of private sector investment generated or likely to be generated by the subject property over the next ten (10) years, some guidance can be drawn from previous development, which has occurred in the Griffiss Business Park. Since 1995, nearly \$458 million in investment has been made in the Griffiss Business Park, much of which is private-sector investment.

The Extent to Which the Proposed Facility will Provide Additional Services of Revenue for Municipalities and School Districts in which the Project is Located

As noted above, Applicant's development of the Griffiss Business Park to date is currently generating over \$4 million/year in tax revenues and/or PILOT payments for the benefit of the County of Oneida, the City of Rome and the Rome City School District. Applicant submits that its development of the property will likely generate additional tax revenues and/or PILOT payments for the benefit of the affected tax jurisdictions.

The Extent to Which the Proposed Facility Will Provide a Benefit (Economic or Otherwise) Not Otherwise Available Within the Municipality in Which the Project is Located

Applicant's development of the subject property will not only provide economic benefits to the City of Rome and the other affected tax jurisdictions (for all of the reasons outlined above) but will also enable the continued aesthetic development of the Griffiss Business Park (e.g., the Sculpture Park, hiking, jogging and bike trails, and other amenities of a cultural nature). Such development will enhance the area's quality of life – an important component of any economic development plan.

Reasons for Project

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

Since its formation in 1994, Applicant's mission and corporate purposes have been to oversee and promote the full re-development of the former Griffiss AFB and, during the 17+ years of its existence, Applicant has worked hard to achieve that goal. However, Applicant's efforts to fully redevelop the former Griffiss AFB, particularly that portion thereof known as the Griffiss Business Park, are far from being complete. Among other things, the project will enable Applicant to maintain and strengthen existing facilities located in the Griffiss Business Park and continue its efforts to assist the County in developing the Griffiss International Airport.

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

The Agency's involvement is necessary in order for Applicant to obtain sales tax and mortgage recording tax exemptions, and to assure that the project will be exempt from real property taxes.

6(c) How will the Applicant's plans be affected if Agency approval is not granted?

The possibility exists that the Applicant will be unable to successfully continue the economic re-use and re-development of the former Griffiss AFB, including the Griffiss Business Park, which economic re-use and re-development is desired by the leadership of the affected tax jurisdictions, most members of the Rome Chamber of Commerce and other regional business leaders, most of the area's federal, state and local elected representatives, and most of the area's citizenry.

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.

Is the proposed project reasonably necessary to preserve the competitive position of the Applicant in its respective industry? 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**, please explain briefly the reason for the move.

N/A

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).

Since its formation in 1994, the Applicant has secured financial assistance in terms of its funding from various sources including the Federal Government and the State of New York to assist it with its mission of redeveloping Griffiss.

- 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**:

- Manufacturing
 Industrial Assembly or Service
 Research and Development
 Warehousing
 Commercial or Recreational
 Pollution Control (specify) _____
 Other (specify)

Re-development of a former USAF Facility. General economic re-use and re-development of former Griffiss AFB.

- 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
 Construction of a new building
 Acquisition of machinery and/or equipment
 Installation of machinery and/or equipment
 Other (specify)

Re-development of former USAF Facility. General economic re-use and re-development of former Griffiss AFB.

- 6(j) Please indicate the financial assistance you are requesting of the Agency, and provide the estimated value of said assistance.

Assistance	Estimated Value
[X] Real Property Tax Abatement	<u>\$30,212 per annum (100% exemption)</u>
[X] Mortgage Tax Exemption	\$____unknown_____
[X] Sales and Use Tax Exemption	\$____unknown_____
[X] Issuance by the Agency of Tax Exempt Bonds	\$____unknown_____

Part III: Facility Information

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

7(a) Street Address of Facility

Property is located in the City of Rome and is bounded by Hill Road on the North and East, Floyd Avenue on the South, and Broadway on the West.

7(b) City, Town and/or Village: Rome, NY

*(Note: It is important that you list **all** incorporated municipalities in which the facility lies. This information will be used in scheduling a public hearing as required by statute.)*

7(c) School District: Rome City School District

7(d) Tax Account Number(s):

243.000-0001-001.001

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

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

Property is a vacant Air Force office building.

7(f) Zoning Classification of location of the project: Planned Development

7(g) 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. ***Please be as specific as possible.***

Building 240 is located at the Former Griffiss Air Force Base on Hill Road near the intersection with Brook Road. The property consists of 7.897 acres of land improved with the main building known as Building 240 (117,323 sq ft) along with two support buildings known as Building 247 (13,199 sq ft) and Building 248 (4,000 sq ft).

- 7(h) Has construction or renovation commenced? [] Yes [] No
N/A

If yes, please describe the work in detail, including the date of commencement.
N/A

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

Construction commencement: _____

Construction completion: _____

- 7(i) 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 [X] No
If yes, please describe.

- 7(j) Will the project have a significant effect on the environment? [] Yes [X] No

Important: please attach Environmental Assessment Form to this Application.

- 7(k) What is the useful life of the facility? unknown

- 7(l) Is the site in an Empire Zone? [] Yes [X] No
If yes, which Empire Zone: _____
Is the business Empire Zone certified at this location: [] Yes [] No
Attached a copy of the last Business Annual Report filed. If not certified, explain why not:

Facility (Legal Information)

- 8(a) With respect to the **present owner** of the facility, please give the following information:
(Note: the present owner is not necessarily the user of the facility, but that party which holds legal title to the facility.)

Legal Name: United States Air Force

Address: New England Region Real Estate Office
10 Causeway Street

10th Floor
Boston , MA 02222

Telephone: 617-565-5709

Balance of Mortgage: N/A

Holder of Mortgage: N/A

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.

Please refer to Applicant's answer to Question 5(a) above.

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:

<u>Name of Tenant</u>	<u>Floors Occupied</u>	<u>Square Feet Occupied</u>	<u>Nature of Business</u>
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8(g) Are any of the tenants related to the owner of the facility?
 Yes No
If yes, please explain

8(h) Will there be any other users other than the applicant to the IDA be 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.

Equipment

9(a) List the principal items or categories of equipment to be acquired as part of the project. (As soon as one is available but prior to final authorizing resolution, please submit a detailed inventory of said equipment.)

N/A

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.

N/A

9(c) What is the useful life of the equipment? N/A

Part IV: Employment Information

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

Construction Jobs ___unknown_____

Permanent Jobs to be created by Project at Applicant's facility ___ unknown _____

Permanent Jobs to be retained by Project at Applicant's facility___ unknown _____

Due in large part to Applicant's job creation and or job retention efforts at Griffiss there are nearly 6,000 jobs at Griffiss today.

10 (b) What is the applicant entity's current level of employment in Oneida County at the time of application.

At location to be assisted with the requested IDA benefits ___N/A_____

Other locations in Oneida County ___N/A_____

Part V: Estimated Project Cost and Financing

11(a) List the costs necessary for the construction, acquisition or renovation of the facility. Do **not** include working capital needs, moving expenses, work in progress, stock in trade, Applicant's debt repayment, real estate broker fees or your legal fees.

Acquisition of Land 0

Acquisition of Building(s) \$520,000

Renovation Costs	unknown
New Construction of Buildings	unknown
Machinery and Equipment (other than furniture costs)	unknown
Fixtures	unknown
Installation Costs	unknown
Fees (other than your own broker and legal fees)	unknown
Legal Fees (IDA legal fees, Applicant legal fees)	unknown
Architectural/Engineering	unknown
Interest on Interim Financing	unknown
Other (specify)	unknown
Subtotal	unknown
Agency Fee¹	unknown
Commitment Fee	_____ \$
Total Project Cost	<u>\$520,000</u>

¹See Attached Fee Schedule (Page 19) for Agency Fee amount to be placed on this line

11(b) What amount of the Total Project Cost is the Applicant requesting financing by the Agency?
none

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 Acct #	Current Assessed Value (Land)	Current Assessed Value (Building)	Purchase Price (Building and Land)	Estimated Real Estate Taxes
243.000-0001-001.001	\$0	\$0	\$520,000	\$30,212

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

City of Rome
Receiver of Taxes, Rome City Hall,
198 North Washington Street, Rome NY 13440
Attn: City Treasurer

12(c) Address of Receiver of School Taxes:

Rome City School District
District Treasurer
409 Bell Road
Rome, NY 13440

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 account numbers will be affected.

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.

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.

REPRESENTATIONS AND CERTIFICATION BY APPLICANT

The undersigned requests that this Application be submitted for review to the Oneida County Industrial Development Agency's 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 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 benefits received with the action of the OCIDA.
3. **Absence of Conflict of Interest.** The Applicant has consulted the OCIDA 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:
4. **Hold Harmless.** Applicant hereby releases Oneida County Industrial Development Agency and the members, officers, servants, agents and employees thereof (the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Agency, (B) the Agency's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects

the Application, or if the Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

- 5. The applicant acknowledges that the OCIDA has disclosed that the actions and activities of the OCIDA 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.

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.

(Applicant)

By:  _____

Name: Steve J. DiMeo _____

Title: Authorized Representative _____

Date: 4/7/14 _____

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 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), SEQR form (signed), and Cost/benefit to spapale@mvedge.org.

Agency Fee Schedule

Commitment Fee: \$1,000 – due following the initial inducement but prior to scheduling of the public hearing; this amount is non-refundable if the applicant fails to close on the project before the IDA. Upon closing with the IDA this amount is applied to the legal closing fees.

Bond Fees: ½ of 1% of total bond amount

IDA Agency Fee: PILOT, Mortgage Recording Exemption, Sales Tax Exemption:

- Up to a \$1.0 Million project - \$5,000
- Above \$1.0 Million project up to \$10.0 Million project – ½ of 1% of total project cost.
- Above \$10.0 Million project – ½ of 1% of total project cost up to \$10.0 Million plus incremental increase of ¼ of 1% of total project above \$10.0 Million.

Agency Counsel fee:

Set by Bond/Transaction Counsel based upon the nature and complexity of the transaction. This applies to bond and non-bond transactions (leasebacks, sale-leasebacks, etc).

Agency Counsel fees in Bond and non bond transactions will not normally exceed the greater of (a) 2% of the Bond amount or project costs or (b) a minimum is in customary transactions \$8,500 to \$10,000.

Annual Fee:

For the term in which the property remains in the IDA's name, an annual lease payment is due in the amount of \$500. The first payment is due at closing. This amount is due on the anniversary date of the first date of the month in which the IDA documents were executed. For annual fees not paid and delinquent, a late charge of \$50 per month will be levied until such time the fee plus late charges are paid.

Other fees:

For an IDA property which requires follow up action – a 1/8 of one percent of the total reissuance, redemption, new or revised mortgage, refinancing, spreading agreement or other transaction requiring action of the IDA shall be 1/8 of one percent of total project amount for a minimum payment to the IDA of \$500.