

Application to

**County of Lewis Industrial
Development Agency (LCIDA)**

For

Tax Exempt Bond Financing

and/or

Sale Leaseback Transaction

And

Fee Schedule

Please contact the agency for more information regarding project eligibility and application process.

County of Lewis Industrial Development Agency (LCIDA)

PO Box 106, 7642 N. State Street

Lowville, New York 13367

www.lcida.org

Updated as of September 08, 2015

Taxable and Tax Exempt Industrial Development Revenue Bonds

Application Fee: A non-refundable fee of \$250.00 is payable to the LCIDA at the time the application is submitted. This fee will be credited towards the total fee at closing.

Fee: First \$10 million – 2% of the principal amount of the bond series.
\$10 million - \$20 million – 1% of the bond series.
Any amount over \$20 million – 0.5% of the bond series.

Annual Fee - \$1,500.00

Point of Contact: Eric Virkler, 315-376-3014

Tax Exempt Civic Facility Bonds

Application Fee: A non-refundable fee of \$250.00 is payable to the LCIDA at the time the application is submitted. This fee will be credited towards the total fee at closing.

Fee: First \$10 million - 2% of the bond series.
Second \$10 million- 0.5% of the bond series.

Point of Contact: Eric Virkler, 315-376-3014

Sale Leaseback Transactions

Application Fee: A non-refundable fee of \$250.00 is payable to the LCIDA at the time the application is submitted. This fee will be credited towards the total fee at closing.

Fee: The LCIDA will collect a 1% fee at the time of closing for the administration of a PILOT Agreement.

The LCIDA will collect a 10% fee on the savings resulting from the exemption of Sales/Use Tax or Mortgage Recording Tax per transaction for the life of the project.

Point of Contact: Eric Virkler, 315-376-3014

INSTRUCTIONS

1. The Agency will not approve any applications unless, in the judgment of the Agency, said application contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
2. Fill in all blanks, using "none" or "not applicable" or "N/A" where the question is not appropriate to the project which is the subject of this application (the "Project").
3. If an estimate is given as the answer to a question, put "(est)" after the figure or answer, which is estimated.
4. If more space is needed to answer any specific question, attach a separate sheet.
5. When completed, return this application to the Agency at the address indicated on the first page of this application.
6. The Agency will not give final approval to this application until the Agency receives a completed environmental assessment form concerning the Project.
7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Agency (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant's competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of Public Officers Law.
8. The applicant will be required to pay to the Agency all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Agency's bonds issued to finance the project. The applicant will also be expected to pay all costs incurred by general counsel and bond counsel to the Agency. The costs incurred by the Agency, including the Agency's general counsel and bond counsel, may be considered a part of the project and included as a part of the resultant bond issue.
9. The Agency has established an application fee of \$250.00 to cover the anticipated costs of the Agency in processing this application. A check or money order made payable to the Agency must accompany each application. THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS ACCOMPANIED BY THE APPLICATION FEE.
10. The Agency has established a project fee for each project in which the Agency participates. UNLESS THE AGENCY AGREES IN WRITING TO THE CONTRARY, THIS PROJECT FEE IS REQUIRED TO BE PAID BY THE APPLICANT AT OR PRIOR TO THE GRANTING OF ANY FINANCIAL ASSISTANCE BY THE AGENCY.

**This application should be submitted to the County of Lewis Industrial Development Agency, PO Box 106,
7642 N. State Street, Lowville, New York 13367.**

STAFF USE ONLY		Staff Initials
1.	OSC Project Number Assigned _____	_____
2.	Retail Determination (Y/N) Retail Exception used: _____, 20_____	_____
3.	Date Application Assigned to Agency Counsel _____, 20_____	_____
4.	UTEP Deviation (Y/N) _____, 20_____	_____
5.	IRB – Volume Cap Needed (Y/N) _____, 20_____	_____
6.	IRB/501c3 – TEFRA Required (Y/N) _____, 20_____	_____
7.	Date of Agency adoption of Initial Resolution _____, 20_____	_____
8.	Date set for Public Hearing: _____, 20_____	_____
9.	Public Hearing Notice - Publication Date/ATJ Mailings _____, 20_____	_____
10.	Date of Agency adoption of Inducement Resolution _____, 20_____	_____
11.	Date of Agency adoption of Closing Resolution _____, 20_____	_____
12.	Date of final approval of application _____, 20_____	_____

County of Lewis Industrial Development Agency (LCIDA) Application for Tax Exempt Bond Financing and/or Sale Leaseback Transactions

I. APPLICANT INFORMATION

Company Name: Johnson Lumber Company, LLC

Address: 10972 State Route 26 / PO Box 469
Carthage, New York 13619

Phone No.: 315-493-1774

Fax No.: 315-493-9663

Federal Tax ID: 68-0512034

Contact Person: Robert Johnson

E-Mail: robert@johnsonlumberllc.com

Date: May 18th, 2017

a. Form of Entity:

Corporation

Partnership (General ___ or Limited ___; Number of General Partners ___ and, if applicable, Number of Limited Partners ___, List Partners in section below.)

Limited Liability Company, Number of Members 2

Sole Proprietorship

b. Principal Owners/Officers/Directors: (List owners with 5% or more in equity holdings with percentage of ownership)

Name	Address	Percentage Ownership/Office
Robert P. Johnson	10984 State Route 26, Carthage, NY 13619	50%
Ronald J. Johnson	10880 State Route 26, Carthage, NY 13619	50%

(Use attachments if necessary)

c. If a corporation, partnership, limited liability company:

What is the date of establishment? 1977 Place of organization Carthage, NY

If a foreign organization, is the Applicant authorized to do business in the State of New York? N/A

(Attach organizational chart or other description if applicant is a subsidiary or otherwise affiliated with another entity)

d. Attach certified financial statements for the company's last three complete fiscal years. If the company is publicly held, attach the latest Form 10K as well.

II. APPLICANT'S COUNSEL

Name/Firm: Timothy A. Farley PC
Address: 514 State Street
Carthage, NY 13619
Phone No.: 315-493-9373
Fax No.: 315-493-9390
E-Mail: farleyca@cnyemail.com

III. PROJECT INFORMATION:

- a. Please provide a brief narrative description of the Project (attach additional sheets or documentation as necessary).

This project is an expansion and update of the current Pre-Finishing division at Johnson Lumber. The project includes a new building that is 20,000 square feet (100x200) that will house a new production line for Pre-Finishing and a new line for End Matching and Molding. The new equipment will significantly increase efficiency and create economies of scale for production. The expected outcome is that the increasing demand in the market will be met, creating higher production/sales and approximately 5 new jobs at Johnson Lumber in five years (1 per year). In addition, approximately 50 construction jobs will be created during the project. Without proceeding with this expansion, 6 jobs are at risk of being lost.

- b. Location of Project

Project Address: 10960 & 10972 State Route 26, Carthage, NY 13619
Town/Village of: Town of Denmark
Name of School District: Carthage Central School District
Tax Map No.: 084.00-01-19.200 & 084.00-01-19.130 & 084.00-01-19.130
& 084.00-01-26.110 & 084.00-01-21.100

- c. Are Utilities on Site? Water: _____ Electric: X Gas: _____ Sanitary/Storm Sewer: _____ Telecom: _____

- d. Present legal owner of the site if other than Applicant and by what means will the site be acquired for this Project:

Johnson Lumber is purchasing this property from Reginald Farney using mortgage funds.

- e. Zoning of Project Site:

Current: Commercial Proposed: Commercial

- f. Are any zoning approvals needed? Identify: No

- g. Local Permitting and Approvals – Does the project require local planning or permitting approvals? If so, please explain. As Required Will a site plan application need to be filed? Yes If so, please include copy if prepared.

- h. Has another entity been designated lead agent under the State Environmental Quality Review Act ("SEQRA")? _____; If yes, please explain: No.

i. Will the Project result in the removal of a plant or facility of the Applicant or a proposed Project occupant from one area of the State of New York to another area of the State of New York? No; If yes, please explain:

j. Will the Project result in the abandonment of one or more plants or facilities of the Applicant or a proposed Project occupant located in the State of New York? No; If yes, explain:

k. If the answer to either question i. or j. is yes, indicate whether any of the following apply to the Project:

1. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes____; No____. If yes, please provide detail:

2. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes____; No____. If yes, please provide detail: _____

l. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities? No; If yes, please explain:

m. If the answer to l. is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project? _____%

n. If more than 33.33%, indicate whether any of the following apply to the Project:

1. Will the Project be operated by a not-for-profit corporation? Yes ____; No____. If yes, please explain:

2. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes____; No _____. If yes, please explain:

3. Would the Project occupant, but for the contemplated financial assistance from the Agency, locate the Project and related jobs outside of New York State? Yes ____; No _____. If yes, please explain:

4. 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 City, Town or Village within which the Project will be located because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes____; No____. If yes, please explain:

5. Will the Project be located in one of the following: (i) an area designated as an Empire Zone pursuant to Article 18-B of the General Municipal Law; or (ii) a census tract or block numbering area (or census tract or block number area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes____; No____. If yes, please explain:

o. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes____; No X. If yes, please complete the following for EACH existing or proposed tenant or subtenant:

Sub lessee name: _____

Present Address: _____

City: _____ State: _____ Zip: _____

Employer's ID No.: _____

Sub lessee is a: _____ (Corporation, LLC, Partnership, Sole Proprietorship)

Relationship to Company: _____

Percentage of Project to be leased or subleased: _____

Use of Project intended by Sub lessee: _____

Date and Term of lease or sublease to Sub lessee: _____

Will any portion of the space leased by this sub lessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes____; No____. If yes, please provide on a separate attachment (a) details and (b) the answers to questions l. 1-5 with respect to such sub lessee.

p. Project Costs (Estimates):

Category	Amount
Land-acquisition	\$175,000
Buildings-Construction/Renovation	\$1,002,000
Utilities, roads and appurtenant costs	Not Applicable
Machinery and Equipment	\$1,836,206
Soft Costs (Architect and Engineering Fees)	
Costs of Bond issue	Not Applicable
Construction Loan Fees and interest	
Other (specify)	
Total Project Costs	\$3,013.206

q. Job Creation:

Construction jobs created by the Project: 50 Anticipated Dates of Construction: 07/01/2017-12/31/2017

Permanent jobs created by the Project

- Column A:** Insert the job titles that exist within the company at the time of application, as well as any job titles that will be established as a result of the Project.
- Column B:** Indicate the entry level wage for each listed job title either in terms of hourly pay or annual salary.
- Column C:** For each listed job title insert the number of positions that exist at the time of application.
- Column D:** Insert the number of jobs to be created during year one of the Project for each listed job title.
- Column E:** Insert the number of jobs to be created during year two of the Project for each listed job title.
- Column F:** Insert the number of jobs to be created during year three of the Project for each listed job title.
- Column G:** Indicate the total number of jobs to be created for each listed title as a result of the Project. (Column D + Column E + Column F = Column G)

(A) Job Title	(B) Annual or Hourly Wages	(C) Current Number of Positions	(D) Jobs Created: Year One	(E) Jobs Created: Year Two	(F) Jobs Created: Year Three	(G) Total Jobs Created
Pre-Finished Laborer	\$12.00/hour	5	1	1	1	3
TOTALS:						

Use of Local Workforce Policy

The use of 'local labor' will be a factor in evaluating this application. Answers to the following questions will assist us in that evaluation.

'Local labor' for the purpose of this application is defined as residents from Lewis, Oneida, Jefferson, St. Lawrence, and Oswego Counties. If a 'labor workforce plan' has been designed, please include that plan as an addendum to this application. Questions below are applicable for both a construction project and for the operations of a sustaining project.

Please check which best describes your project scope:

() Construction Project () Long-term Operations Project (X) Both

1. How will the project developer seek out and use the local workforce. (If your workforce is already 'local' by definition, please explain)

The contractor, DC Construction, is a local contractor located 20 miles away. All of their labor force is local and located within an estimated 50 mile radius of Johnson Lumber.

2. What is your total expected workforce during the construction phase of the project? What percentage of those are expected to be local? What is the total expected workforce during the operations phase of the project? What percentage of these do you estimate will be local:

Total construction workforce 50
 Percentage of total construction workforce will be 'local' 100%
 Total workforce once project is in 'operation' 35
 Percentage of the total 'operational' workforce will be local 100%

3. What specific approaches are to be used in your efforts to identify local workforce candidates if additional project workers are necessary?

If additional project workers are necessary, Johnson Lumber will require that the local contractor hire locally.

4. If additional contractors or subcontractors are to be hired, will you request their use of local labor? If so, give examples of how that request is to be made.

If additional contractors or subcontractors are to be hired, Johnson Lumber will request their use of local labor. If the contractors are not favorable to this request, an alternate local contractor will be found.

The Agency acknowledges that the extensive use of local labor is not always possible. Are there circumstances such as those used in the examples below that will affect the percentage of local labor for your project?

1. Is there is a warrantee issue involved.
2. The work is so highly specialized that local labor cannot be found.
3. You identified a significant cost differential when using local labor.
4. No local labor is available.

There are very few, if any, examples of why Johnson Lumber would not use local workforce. Johnson Lumber always strives to keep projects and labor local.

It is the intention of LCIDA to randomly verify the use of the local workforce, using whatever method it determines is most effective. This verification may occur throughout the term of any incentive programs or loans granted.

Potential LCIDA Financial Assistance

A.	Estimated Project Costs eligible for Industrial Development Agency Financial Assistance	
1.	Sales and Use Tax	
	A. Amount of Project Cost Subject to Sales and Use Tax:	\$ <u>100,000</u>
	Sales and Use Tax Rate:	<u>8.0 %</u>
	B. Estimated Sales Tax (A X .08):	\$ <u>8,000</u>
2.	Mortgage Recording Tax Exemption	
	A. Projected Amount of Mortgage:	\$ <u>1,142,000</u>
	Mortgage Recording Tax Rate:	<u>1.0%</u>
	B. Estimated Mortgage Recording Tax (A X .0075):	\$ <u>11,420.00</u>
3.	Real Property Tax Exemption	
	A. Projected Increase in Assessed Value on Project:	\$ _____
	B. Total Applicable Tax Rates Per \$1000:	\$ _____
	C. Estimated Annual Taxes without PILOT (A X B)/1,000:	\$ _____
4.	Interest Exemption (Bond transactions only)	
	a. Total Estimated Interest Expense Assuming Taxable Interest:	\$ _____
	b. Total Estimated Interest Expense Assuming Tax-exempt Interest Rate:	\$ _____
B.	Estimated Benefits of Industrial Development Agency Financial Assistance	
1.	Current Company employment in Lewis County	<u>30 Jobs</u>
2.	Current Company payroll in Lewis County	\$ <u>1,200,000</u>
3.	Project Jobs to be Created over 3 years	<u>3 Jobs</u>

r. **For Industrial Revenue Bonds ONLY, including this project,** list capital expenditures of the company at Project location:

Category	Last Three Years	Next Three Years
Land		
Building		
Equipment		
Soft Costs		
Other		
Total		

- s. List any other positive impacts that the Project may have on Lewis County:

This project will have many positive impacts on Lewis county including increased short term construction jobs, increased long term production jobs and increased business flowing into Lewis County. This project is crucial to the survival and success of Johnson Lumber in the growing and competitive lumber market, thereby making it crucial to complete in order to retain the existing positions and create new positions to support the increased output. This "value added" portion of the business will have the opportunity to meet the existing demand in the market while keeping quality of product high. This project is good for Johnson Lumber, for Lewis County and for the community as a whole.

V. REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Agency as follows:

- A. Job Listings:** In accordance with Section 858-b (2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA") in which the Project is located.
- B. First Consideration for Employment:** In accordance with Section 858-b (2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.
- C. Annual Sales Tax Filings:** In accordance with Section 874 (8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874 (8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.
- D. 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.
- E. Confirmation Documentation:** The applicant understands and agrees that if the Project receives assistance from the Agency/Corporation---either tax incentives or loans---the applicant agrees to provide the Agency/Corporation, if requested, with a copy of their 'Annual Report' , their 'Annual Audit Report', their corporate or personal tax returns and/or their New York State Form 'NYS-45' (Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return), as appropriate, throughout the period that benefits are provided the company. These reporting requirements---specifically identified in Closing Documents, Loan Documents or other project specific agreements---may be used by the Agency/Corporation to assist us in verifying that commitments made as part of this application--- regarding stated goals for employment or capital investment in the project---are being achieved.
- F. Absence of Conflicts of Interest:** The applicant has received from the Agency a list of the members, officers, employees and Counsel of the Agency. No member, officer, employee, or Counsel of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

- G. Claw-back Provision:** The applicant is making certain representations in this request for assistance. Based on these representations, a decision will be rendered as to whether our organization will extend those benefits. If benefits are extended---particularly as regards to property tax benefits, sales tax benefits and/or mortgage recording tax savings---and representations made in this application are not achieved--- this organization reserves the right to seek the return of those benefits, in whole or in part, on behalf of the

impacted taxing jurisdictions. The decision to seek a return of any provided benefit will follow a process that will include an investigation of the reasons surrounding the failure to achieve the promised benefits. In all cases, whatever decision is made and action taken those actions will remain the sole determination of our organization. If a recall of these benefits is warranted, notice will be made to the applicant, in writing, and the applicant shall have thirty days to bring to this organization all circumstances which may bear on the recall of these benefits. The recall of benefits (claw-back) will be authorized by formal resolution of our governing Board.

HOLD HARMLESS AGREEMENT and APPLICATION DISCLAIMER AND CERTIFICATION PURSUANT TO NEW YORK STATE FREEDOM OF INFORMATION LAW ("FOIL")

Applicant hereby releases the Lewis 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 exemption 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 suites 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 the 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.

Through submission of this Application for Financial Assistance (this "Application"), the Company acknowledges that the Agency, as a public benefit corporation, is subject to the New York State Freedom of Information Law ("FOIL") and Open Meetings Law ("OML"), as codified pursuant to the Public Officers Law ("POL") of the State of New York (the "State"). Accordingly, unless portions hereof are otherwise protected in accordance with this Certification, this Application, including all Company-specific information contained herein, is subject to public disclosure in accordance with applicable provisions of the POL, Article 18-A of the General Municipal Law ("GML") and the Public Authorities Accountability Act of 2005, as codified within the Public Authorities Law ("PAL") of the State. Specifically, this Application may be disclosed by the Agency to any member of the public pursuant to a properly submitted request under FOIL and the Agency is further required to affirmatively disclose certain provisions contained herein pursuant to the GML and PAL, including the identification of the Company, general project description, location proposed capital investment and job estimates.

Notwithstanding the foregoing, the Company, pursuant to this Certification, may formally request that the Agency consider certain information contained within this Application and other applicable supporting materials proprietary information and "trade secrets", as defined within POL Section 87(2)(d). To the extent that any such information should qualify as trade secrets, the Company hereby requests that the Agency redact same in the event that formal disclosure is requested by any party pursuant to FOIL. Application Sections or information requested by Company for Redaction*:

(* - Please indicate specific sections within Application that the Company seeks to qualify as "trade secrets". Additional correspondence or supporting information may be attached hereto. Please also note that notwithstanding the Company's request, the Agency shall make an independent determination of the extent to which any information contained herein may be considered as such). Please also make specific reference to any data or information, which if disclosed, would cause substantial injury to the competitive position of your business enterprise.

In the event that the Agency is served with or receives any subpoena, request for production, discovery request, or information request in any forum that calls for the disclosure of the Application, in entirety, specifically including but not limited to any demand or request for production or review of Company-designated trade secrets, the Agency agrees to notify the Company as promptly as is reasonably possible, and to utilize its best efforts to: oppose or decline any such request; preserve the confidentiality and non-disclosure of such requested confidential material; and maintain such information and prevent inadvertent disclosure in responding to any such discovery or information request. The Company understands and agrees that all reasonable costs, including attorney's fees, associated with any such formal undertaking by the Agency to protect the trade secrets from disclosure shall be reimbursed by the Company to the Agency.

By executing and submitting this Application, the applicant covenants and agrees to pay the following fees to the Agency, the same to be paid at the times indicated:

- (a) The sum of \$2,500 as a non-refundable processing fee, plus the sum of \$500 if Agency assistance in retaining professionals is requested, to be paid upon submission of the Application;
- (b) An amount equal to ___% of the total project costs for projects with bond financing, and an amount equal to ___% of the total project costs for all other projects for which the Agency provides financial assistance, to be paid at transaction closing;
- (c) An amount equal to \$_____ payable to the Agency's bond/transaction counsel for the preparation and review of the inducement resolution, the environmental compliance resolution, TEFRA hearing proceedings and the tax questionnaire assuming no further activity occurs after the completion of the inducement proceedings, to be paid within ten (10) business days of the receipt of bond/transaction counsel's invoice;

- (d) All fees, costs and expenses incurred by the Agency for (1) legal services, including but not limited to those provided by the Agency's general counsel or bond/transaction counsel, and (2) other consultants retained by the Agency in connection with the proposed project; with all such charges to be paid by the applicant at the closing or, if the closing does not occur, within ten (10) business days of receipt of the Agency's invoices therefore please note that the applicant is entitled to receive a written estimate of fees and costs of the Agency's bond/transaction counsel;
- (e) The cost incurred by the Agency and paid by the applicant, including bond/transaction counsel and the Agency's general counsel's fees and the processing fees, may be considered as a cost of the project and included in the financing of costs of the proposed project, except as limited by the applicable provisions of the Internal Revenue Code with respect to tax-exempt bond financing.

The applicant further covenants and agrees that the applicant is liable for payment to the Agency of all charges referred to above, as well as all other actual costs and expenses incurred by the Agency in handling the application and pursuing the proposed project notwithstanding the occurrence of any of the following:

- (a) The applicant's withdrawal, abandonment, cancellation or failure to pursue the Application;
- (b) The inability of the Agency or the applicant to procure the services of one or more financial institutions to provide financing for the proposed project;
- (c) The applicant's failure, for whatever reason, to undertake and/or successfully complete the proposed project; or
- (d) The Agency's failure, for whatever reason, to issue tax-exempt revenue bonds in lieu of conventional financing.

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

Company Acknowledgment and Certification:

By: _____
Name: _____
Title: _____

Sworn to before me this _____ day of _____, _____.

Notary Public

617.20
Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR	2. PROJECT NAME
3. PROJECT LOCATION: Municipality _____ County _____	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)	
5. PROPOSED ACTION IS: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY:	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: _____	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: _____ Date: _____ Signature: _____	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

<p>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF. <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)</p> <p>C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:</p> <p>C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:</p> <p>C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:</p> <p>C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:</p> <p>C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:</p> <p>C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:</p> <p>C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:</p>
<p>D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly:</p>
<p>E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly:</p>

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide, on attachments as necessary, the reasons supporting this determination.	
<hr/> <p style="text-align: center;">Name of Lead Agency</p>	<hr/> <p style="text-align: center;">Date</p>
<hr/> <p style="text-align: center;">Print or Type Name of Responsible Officer in Lead Agency</p>	<hr/> <p style="text-align: center;">Title of Responsible Officer</p>
<hr/> <p style="text-align: center;">Signature of Responsible Officer in Lead Agency</p>	<hr/> <p style="text-align: center;">Signature of Preparer (If different from responsible officer)</p>

County of Lewis Industrial Development Agency Project Summary and Financial Assistance Cost Benefit Analysis

(This page to be completed by LCIDA Staff)

Company Name: _____

Project Description: _____

Project Location: _____

Town/Village: _____

School District: _____

Estimated Cost of Industrial Development Agency Financial Assistance

1. Sales and Use Tax Exemption
 - A. Amount of Project Cost Subject to Sales and Use Tax: \$ _____
Sales and Use Tax Rate: 8.0 % _____
 - B. Estimated Exemption (A X .0775): \$ _____

2. Mortgage Recording Tax Exemption
 - A. Projected Amount of Mortgage: \$ _____
Mortgage Recording Tax Rate: 1.0% _____
 - B. Estimated Exemption (A X .0075): \$ _____

3. Real Property Tax Exemption
 - A. Projected Increase in Assessed Value on Project: \$ _____
 - B. Total Applicable Tax Rates Per \$1000: \$ _____
 - C. Total Annual Taxes without PILOT (A X B)/1,000: \$ _____
 - D. PILOT Exemption Rate (see LCIDA Uniform Tax Exemption Policy): % _____
 - E. Average Annual PILOT Payment (C X D): \$ _____
 - F. Net Exemption over PILOT term ((C-E) x 7, 10 or 15): \$ _____

4. Interest Exemption (Bond transactions only)
 - A. Estimated Interest Expense Assuming Taxable Interest: \$ _____
 - B. Estimated Interest Expense with tax-exempt Interest Rate: \$ _____
 - C. Interest Exemption (a - b): \$ _____

Estimated Benefits of Industrial Development Agency Financial Assistance

1. Jobs to be retained in Lewis County _____
2. Current Company payroll in Lewis County \$ _____
3. Project Jobs to be Created over 3 years _____
4. Total Project Investment \$ _____
5. Non IDA financing leveraged \$ _____
6. Other project benefits: _____

Applicant Signature: _____ Date: _____