ULSTER COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR SALE/LEASEBACK OR BOND TRANSACTION

IMPORTANT NOTICE: The answers to the questions contained in this application are necessary to deter mine your firm's eligibility for tax incentives or other assistance from the Ulster County Industrial Development Agency. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to the acceptance of the Agency.

RECEIVED

AUG 3 2016

ULSTER COUNTY OFFICE OF ECONOMIC DEVELOPMENT

COVER SHEET

TO: ULSTER COUNTY INDUSTRIAL DEVELOPMENT AGENCY
P.O. BOX 4265
KINGSTON, NY 12402-4265

APPLICANT: 2007 Route 9W LLC

APPLICANT'S STREET ADDRESS: 10 Lumen Lane, Highland, NY 12528

APPLICANT'S MAILING ADDRESS: P.O. Box 118

CITY: Montgomery STATE: NY ZIP: 12549 PHONE: 845-831-3600

FAX: 845-831-2626 EMAIL: gil@servprowdc.com EMPLOYER'S ID NO.: _____

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION:
Gilbert Morrissey (owner)

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF FIRM: Rosenwasser Law

NAME OF ATTORNEY: Stewart Rosenwasser

ATTORNEY'S STREET ADDRESS: 201 Ward Street #2B

ATTORNEY'S MAILING ADDRESS: _____

CITY: Montgomery STATE: NY ZIP: 12549 PHONE: 845-457-4646

FAX: _____ EMAIL: _____

NOTE: Please read the instructions on page 2 before completing this application.

INSTRUCTIONS

1. The Agency will not approve any application 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 that it is estimated.
4. If more space is needed to answer any specific question, attach a separate sheet.
5. When completed, return two (2) copies of this application to the Agency at the address indicated on the first page of this application. We also request that a digital version of the complete application be emailed to the UCIDA (oed@co.ulster.ny.us).
6. The Agency will not give final approval until the Agency receives a completed environmental assessment form (Appendix A) concerning the Project which is the subject of this application.
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 the 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. The applicant will also be expected to pay all costs incurred by general counsel and special counsel to the Agency.
9. The Agency has established an application fee of Five Hundred Dollars ($500) 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. Post-Closing Modification/Amendment Transactions. The amount of the administrative fee for Post- Closing Modification/Amendment Transactions shall be determined by the staff of the Agency, with the review and approval by the Agency. The minimum administrative fee for such transactions shall equal Five Hundred Dollars ($500).
11. The Agency has established a project fee for each project in which the Agency participates. Unless the agency agrees in writing to the contrary, the project fee is required to be paid by the applicant at or prior to the granting of any financial assistance by the Agency. This project fee is equal to 1% of the total projectcost. If there is no closing, there is no such fee charged.
12. The Agency requires that each application be accompanied by the most recent (3) years of audited financial statements of the applicant and **a written business plan** concerning the project described in the application. The Agency reserves the right to reject any application, which fails to contain the foregoing information.
13. Please be as accurate as possible in completing this application as the consequences for misstatements could include loss and/or recapture of UCIDA benefits.

Applicant has read the above. Please initial your acceptance. GM _____

APPLICANT CHECKLIST

1. Date *Draft* Application emailed to Agency staff for analysis and feedback:	
2. Date of Meeting with Agency Staff for Review of Application:	
3. Date *Final* Application Completed and Digital Version Emailed to Agency:	
4. Date **Two** Hard Copies of Application Signed and Notarized:	
5. Date **Two** Copies of Application Delivered with $500 Application Fee:	
6. Approval of Inducement/Public Hearing Resolution:	
7. Date Scheduled for Public Hearing:	
8. Date of Approval of SEQRA Resolution:	
9. Date of Final Approval of Application:	
10. Date of Closing:	

TABLE OF CONTENTS

PROPOSED OCCUPANT **1**

IDENTITY OF COMPANY 1
MANAGEMENT OF COMPANY 2
PRINCIPAL OWNERS OF COMPANY 2
COMPANY'S PRINCIPAL BANK(S) ACCOUNT(S) 3

PROJECT ELEMENTS **3**

DESCRIPTION OF THE PROJECT 3
LOCATION OF THE PROJECT 3
DESCRIPTION OF THE PROJECT SITE 3
DESCRIPTION OF PROPOSED CONSTRUCTION 4
DESCRIPTION OF THE EQUIPMENT 5
PROJECT USE 6
SALES AND USE TAX EXEMPTION 9
CONSTRUCTION STATUS 9

LEASES OR SUBLEASES **10**

EMPLOYMENT IMPACT **12**

PROJECT COST **15**

ANTICIPATED PROJECT COSTS 15
ANTICIPATED PROJECT FINANCING SOURCES 15
EXPENDITURES 16
AMOUNT OF LOAN REQUESTED 16
FINANCING COMMITMENT 16
PERCENTAGE OF COSTS FINANCED FROM PUBLIC SECTOR 17
TOTAL ESTIMATED AMOUNT TO BE BORROWED 17

FINANCIAL ASSISTANCE EXPECTED FROM THE AGENCY **17**

FINANCING 17
TAX BENEFITS 18

COMMUNITY COSTS AND BENEFITS **19**

ANTICIPATED COMMUNITY BENEFITS 19
ANTICIPATED COMMUNITY COSTS 22

REPRESENTATIONS BY THE APPLICANT **23**

JOB LISTINGS 23
FIRST CONSIDERATION FOR EMPLOYMENT 23
ANNUAL SALES TAX FILINGS 23
ANNUAL EMPLOYMENT REPORTS 24
AGENCY ENFORCEMENT POLICY 24
UNIFORM AGENCY PROJECT AGREEMENT 24
REPRESENTATION OF FINANCIAL INFORMATION 24
AGENCY FINANCIAL ASSISTANCE REQUIRED FOR PROJECT 25
COMPLIANCE WITH ARTICLE 18-A OF THE GENERAL MUNICIPAL LAW 25
COMPLIANCE WITH FEDERAL, STATE, AND LOCAL LAWS 25
FALSE OR MISLEADING INFORMATION 25
ABSENCE OF CONFLICTS OF INTEREST 25
ADDITIONAL INFORMATION 26

CERTIFICATION AND SIGNATURE **27**

VERIFICATION **28**

IF APPLICANT IS A CORPORATION 28
IF APPLICANT IS A PARTNERSHIP 29
IF APPLICANT IS A LIMITED LIABILITY COMPANY 30
IF APPLICANT IS A SOLE PROPRIETOR 31
HOLD HARMLESS AGREEMENT 32
CERTIFICATION 33

I. PROPOSED OCCUPANT (HEREINAFTER, THE "COMPANY")

A. Identity of Company:

1. Indicate type of business organization of Company:

a. ☑ Corporation.

If so, incorporated in what country? USA

What State? NY

Date Incorporated: 06/93

Type of Corporation: S

Authorized to do business in New York? ☑ Yes ☐ No

b. ☐ Partnership.

If so, indicate type of partnership: _____

Number of general partners: _____

Number of limited partners: _____

c. ☐ Limited liability company.

If so, formed in what state? _____

Date formed: _____

Authorized to do business in New York? ☐ Yes ☐ No

d. ☐ Sole proprietorship.

2. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)? If so, indicate name of related organization(s) and relationship:

No

3. If the Company differs from the Applicant, as stated on Page 1, (e.g. If there will be a real estate holding company and a related operating company or an unrelated tenant company) give details of relationship and contact information if different:

n/a

B. Management of Company:

1. List all owners, members, officers, directors and partners (complete all columns for each person):

Name and Home Address	Office Held	Other Principal Business
Gilbert Morrissey, 88 White Birch Lane, Montgomery, NY 12549	President	SERVPRO
Sheryl Morrissey, 88 White Birch Lane, Montgomery, NY 12549	Vice President	SERVPRO

2. ☐ Yes ☑ No Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation?
3. ☐ Yes ☑ No Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)?
4. ☐ Yes ☑ No Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt?
5. If the answer to any of questions 2 through 4 is yes, please furnish details in a separate attachment.

C. Principal Owners of Company:

1. ☐ Yes ☑ No Is the Company publicly held?

   If yes, please list exchanges where stocks are traded:

n/a

2. If no, list all stockholders having a 5% or more interest in the Company:

Name	Address	Percentage of Holding
Gilbert Morrissey	88 White Birch Lane, Montgomery, NY 12549	50%
Sheryl Morrissey	88 White Birch Lane, Montgomery, NY 12549	50%

D. Company's principal bank(s) account(s):

Walden Savings Bank

II. PROJECT ELEMENTS

A. Description of the Project. (Please provide a brief narrative description of the Project.)

Build a 17,600 sq. ft. building to support office and warehouse for our business.

B. Location of the Project:

1. Street Address: 10 Lumen Lane, Highland, NY 12528
2. SBL Numbers: 88.1-6-1.100
3. City: _____
4. Town: Lloyd
5. Village of: Highland
6. County of: Ulster

C. Description of the Project Site:

1. Approximate size (in acres or square feet) of the Project site:
   ☑ Yes ☐ No Is a map, survey or sketch of the Project site attached?
2. ☐ Yes ☑ No Are there existing buildings on the Project site?
   a. If yes, indicate the number of buildings on the site:
   Also, please briefly identify each existing building and indicate the approximate size (in square feet) of each such building:

n/a

b. ☐ Yes ☑ No Are the existing buildings in operation?
If yes, describe the present use of the existing buildings:

n/a

c. ☐ Yes ☑ No Are the existing buildings abandoned?

d. ☐ Yes ☑ No About to be abandoned?
If yes, describe:

n/a

3. Utilities serving the Project site:
Water – Municipal: Town of Lloyd
Other (describe): _____
Sewer – Municipal: Private
Other (describe): _____
Electric – Utility: Central Hudson
Other (describe): _____
Heat – Utility: Central Hudson
Other (describe): Natural Gas

4. Present legal owner of the Project site: 2007 Rte 9W, LLC.

a. If the Company owns the Project site:
Date of Purchase: 10/14/14
Purchase Price: $200,000

b. ☐ Yes ☐ No If the Company does not own the Project site, does the Company have an option signed with the owner to purchase the Project Site?

If yes,

Date option signed with owner: _____

Date option expires: _____

c. ☐ Yes ☐ No If the Company does not own the Project site, is there a relationship legally or by common control between the Company and the present owner of the Project site?

If yes, describe:

n/a

5. Zoning District in which the Project is located:

a. ☐ Yes ☑ No Are there any variances or special permits affecting the Project site?

If yes, list below and attach copies of all such variances or special permits:

n/a

D. Description of Proposed Construction:

1. ☑ Yes ☐ No Does part of the Project consist of the acquisition or construction of a new building or buildings?

If yes, indicate number and size of new buildings:

One building equaling 17,600 sq. ft. in size.

2. ☐ Yes ☑ No Does part of the Project consist of additions and/or renovations to existing buildings located on the Project site?

If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovations:

n/a

3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed or expanded:

To conduct office and warehouse operations.

4. ☐ Yes ☑ No If the Project involves the construction or reconstruction of any building or other improvement, has construction or reconstruction work on any such building or improvement begun?

If yes, please discuss in detail the approximate extent of construction or reconstruction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations, installation of footings; etc.:

n/a

E. Description of the Equipment:

1. ☐ Yes ☑ No Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")?

If yes, describe the Equipment:

Potential in the future.

2. ☐ Yes ☑ No With respect to the Equipment to be acquired, will any of the Equipment have been used?

If yes, please provide detail:

n/a

3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed:

n/a

4. Please give the specific status of any equipment acquisition that is already in process:

n/a

F. Project Use

1. What are the principal products to be produced at the Project?

Personal content cleaning and storage.

2. What are the principal activities to be conducted at the Project?

Office operations.

3. ☐ Yes ☑ No 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?

If yes, please provide detail:

n/a

4. If the answer to question 3 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?_____%.

5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the Project:

   a. ☐ Yes ☐ No Will the Project be operated by a not-for-profit corporation?

   If yes, please explain:

n/a

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

n/a

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

n/a

   d. ☐ Yes ☐ No 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? If yes, please provide detail:

n/a

e. ☐ Yes ☑ No Will the Project be located in one of the following: (i) the City of New York; (ii) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (iii) a census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (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?

If yes, please explain:

n/a

6. ☐ Yes ☑ No If the answers to any of subdivisions c. through e. of question 5 is yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York?

If yes, please explain:

n/a

7. ☑ Yes ☐ No Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York?

If yes, please explain:

Yes, a move from Beacon (Dutchess County) to Highland (Ulster County).

8. ☑ Yes ☐ No Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York?

If yes, please explain:

The location in Beacon will be vacated.

9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project:

a. ☑ Yes ☐ No Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry?

If yes, please provide detail:

We are undertaking the Project in Ulster County because the new project site provides us with better access to our customer base, and further opportunity to increase the number of our customers. In addition, we have outgrown our existing project site and it was no longer adequate to meet our business needs. Accordingly, the undertaking of the Project is necessary in order to preserve (and actually increase) our competitive position in our industry.

b. ☐ Yes ☑ No 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?

If yes, please provide detail:

n/a

G. Sales and Use Tax Exemption (See also question B.3 in Part VI following):

1. ☑ Yes ☐ No Do you wish to apply for sales and use tax exemptions on project materials, equipment and furnishing?

H. Construction Status:

1. Has construction work on this project begun? Yes ☐; No ☑. If yes, please discuss in detail the approximate extent of construction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations; installation of footings; etc.:

n/a

2. Please indicate amount of funds expended on this Project by the Company in the past three (3) years and the purposes of such expenditures:

n/a

3. Please indicate the date the applicant estimates the Project will be completed: 12/2016.

III. LEASES OR SUBLEASES

A. ☑ Yes ☐ No Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project?

If yes, please complete the following for each existing or proposed tenant or subtenant:

1. Sublessee Name: To be determined

Present Address: _____

City: _____ State: _____ Zip: _____

Employer's ID No.:

Sublessee Is: ☐ Corporation ☐ Partnership ☐ Sole Proprietorship

Relationship to Company: _____

Percentage of Project to be leased or subleased: _____

Use of Project intended by Sublessee: _____

Date of lease or sublease to Sublessee: _____

Term of lease or sublease to Sublessee: _____

☐ Yes ☐ No Will any portion of the space leased by this Sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project?

If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such Sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such Sublessee.

2. Sublessee Name: _____

Present Address: _____

City: _____ State: _____ Zip: _____

Employer's ID No.: _____

Sublessee Is: ☐ Corporation ☐ Partnership ☐ Sole Proprietorship

Relationship to Company: _____

Percentage of Project to be leased or subleased: _____

Use of Project intended by Sublessee: _____

Date of lease or sublease to Sublessee: _____

Term of lease or sublease to Sublessee: _____

☐ Yes ☐ No Will any portion of the space leased by this Sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project?

If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such Sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such Sublessee.

3. Sublessee Name:_____
Present Address:_____
City:_____ State:_____ Zip:_____
Employer's ID No.:_____
Sublessee Is: ☐ Corporation ☐ Partnership ☐ Sole Proprietorship
Relationship to Company:_____
Percentage of Project to be leased or subleased:_____
Use of Project intended by Sublessee:_____
Date of lease or sublease to Sublessee:_____
Term of lease or sublease to Sublessee:_____
☐ Yes ☐ No Will any portion of the space leased by this Sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project?

If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such Sublessee.

Please provide on a separate attachment answers to questions II(F)(7) and (8) with respect to such Sublessee.

B. What percentage of space intended to be leased or subleased is now subject to a binding written lease or sublease?

None

IV. EMPLOYMENT IMPACT.

A. Indicate the number of people presently employed at the Project site and the **additional** number that will be employed at the Project site at the end of the first and second years after the Project has been completed, using the tables below for (1) employees of the Applicant, (2) independent contractors, and (3) employees of independent contractors. (Do not include construction workers). Also indicate below the number of workers employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the applicant. Such information regarding relocated positions should also indicate whether such positions are relocated from other project sites financed by obligations previously issued by the Agency.

TYPE OF EMPLOYMENT **Employees of Applicant**					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present Full Time	8	10			18
Present Part Time					
Present Seasonal					
First Year Full Time	8	12			20
First Year Part Time					
First Year Seasonal					
Second Year Full Time	8	14			22
Second Year Part Time					
Second Year Seasonal					

TYPE OF EMPLOYMENT Independent Contractors					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present Full Time	2	12			14
Present Part Time					
Present Seasonal					
First Year Full Time					
First Year Part Time					
First Year Seasonal					
Second Year Full Time					
Second Year Part Time					
Second Year Seasonal					

TYPE OF EMPLOYMENT Employees of Independent Contractors					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present Full Time					
Present Part Time					
Present Seasonal					

First Year Full Time					
First Year Part Time					
First Year Seasonal					
Second Year Full Time					
Second Year Part Time					
Second Year Seasonal					

B. Indicate below (1) the estimated salary and fringe benefit averages or ranges and (2) the estimated number of employees residing in the Mid-Hudson Economic Development Region for all the jobs at the Project site, both retained and created, listed in the tables described in subsection A above for each of the categories of positions listed in the chart below.

RELATED EMPLOYMENT INFORMATION				
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled
Estimated Salary and Fringe Benefit Averages or Ranges	$65,000	$48,000		
Estimated Number of Employees Residing in the Mid-Hudson Economic Development Region[1]	8	14		

C. Please describe the projected timeframe for the creation of any new jobs with respect to the undertaking of the Project:

My projection for the new employees is as follows: YEAR 1 - 2 skilled employees; YEAR 2 - 2 skilled employees.

[1] The Mid-Hudson Economic Development Region consists of the following counties: Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, Westchester.

D. Please prepare a separate attachment describing in detail the types of employment at the Project site. Such attachment should describe the activities or work performed for each type of employment.

V. PROJECT COST AND FINANCING SOURCES

A. Anticipated Project Costs. State the costs reasonably necessary for the acquisition of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

Description of Cost	**Amount**
Land	$ 200,000
Buildings	$ 650,000
Machinery and equipment costs	$ 0
Utilities, roads and appurtenant costs	$ 130,000
Architects and engineering fees	$ 10,000
Costs of financing	$ Included within "prior line items"
Construction loan fees and interest (if applicable)	$ Included within "prior line items"
Other (specify)	
_____	$ _____
_____	$ _____
_____	$ _____
TOTAL PROJECT COSTS	$ 990,000

B. Anticipated Project Financing Sources. State the sources reasonably necessary for the financing of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

Description of Sources	Amount
Private Sector Financing	$ 937,000
Public Sector	$
Federal Programs	$
State Programs	$
Local Programs	$
Applicant Equity	$ 53,000
Other (specify, e.g., tax credits)	
	$
	$
	$
TOTAL AMOUNT OF PROJECT FINANCING SOURCES	$ 990,000

C. Have any of the above expenditures already been made by the applicant? Yes [ ]; No [✔]. If yes, indicate particulars.

n/a

D. Amount of loan requested: $ 937,000;

Maturity requested: 20 years.

E. Has a commitment for financing been received as of this application date, and if so, from whom?

Yes [✔]; No [ ]. Institution Name: Walden Savings Bank

Provide name and telephone number of the person we may contact.

Name: Gregg Roe Phone: 845-457-7700

F. The percentage of Project costs to be financed from public sector sources is estimated to equal the following: 0 %

G. The total amount estimated to be borrowed to finance the Project is equal to the following: $ 937,000

VI. FINANCIAL ASSISTANCE EXPECTED FROM THE AGENCY.

A. Financing.

1. ☐ Yes ☑ No Is the applicant requesting that the Agency issue bonds to assist in financing the Project?

   If yes, indicate:

   a. Amount of loan requested: $_____ ; and b.

   Maturity Requested:_____ Years.

2. ☐ Yes ☐ No If the answer to question 1 is yes, is the interest on such bonds intended to be exempt from federal income taxation?

3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes?

a.	Retail food and beverage services:	☐ Yes	☐ No
b.	Automobile sales or service:	☐ Yes	☐ No
c.	Recreation or entertainment:	☐ Yes	☐ No
d.	Golf course:	☐ Yes	☐ No
e.	Country club:	☐ Yes	☐ No
f.	Massage parlor:	☐ Yes	☐ No
g.	Tennis club:	☐ Yes	☐ No
h.	Skating facility (including roller skating, skateboard and ice skating):	☐ Yes	☐ No
i.	Racquet sports facility:	☐ Yes	☐ No
j.	Handball and racquetball court:	☐ Yes	☐ No
k.	Hot tub facility:	☐ Yes	☐ No
l.	Suntan facility:	☐ Yes	☐ No

m. Racetrack: ☐ Yes ☐ No

n. Airplane: ☐ Yes ☐ No

o. Skybox or private luxury box: ☐ Yes ☐ No

p. Health club facility: ☐ Yes ☐ No

q. Gambling: ☐ Yes ☐ No

r. Sale of alcoholic beverages for consumption off premises: ☐ Yes ☐ No

4. NAICS Code(s): 624230

B. Tax Benefits.

1. ☑ Yes ☐ No Is the applicant requesting any real property tax exemption in connection with the Project that would not be available to a project that did not involve the Agency?
   ☑ Yes ☐ No If yes, is the real property tax exemption being sought consistent with the Agency's Uniform Tax Exemption Policy?
2. ☑ Yes ☐ No Is the applicant expecting that the financing for the Project will be secured by one or more mortgages?

   If yes, what is the approximate amount of financing to be secured by mortgages? $ 937,000
3. If the answer to question G in Part II previous is yes, what is the approximate amount of purchases which the applicant expects to be exempt from the NYS Sales and Compensating Use Taxes?
   $ 200,000
4. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of each exemption. NOTE: The Agency will assist you in calculating these estimates:

   a. NYS Sales and Compensating Use Taxes: $ $16,000
   b. Mortgage Recording Taxes: $ 7,027.50
   c. Real Property Tax Exemptions: $ 130,330
   d. Amount of bonds sought: $ 0
      Estimated interest savings over life of bond: $ 0
   e. Other (please specify): $ 0

5. Please list the affected taxing jurisdictions for the Project:

   a. Village (if any): Highland
   b. Town (if any): Lloyd

c. City (if any):_____

d. School District: Highland

6. ☐ Yes ☑ No Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Agency's Uniform Tax- Exemption Policy?

If yes, please explain how the request of the applicant differs from the Agency's Uniform Tax-Exemption Policy:

n/a

VII. COMMUNITY COSTS AND BENEFITS. Provide the Agency with information on costs and benefits to the community accruing from the project, in the following categories, checking or entering information as applicable:

A. Anticipated Community Benefits

1. Jobs retained and created by the project (covered in Part IV above)
2. New payroll generated by the project (covered in Part IV above)
3. New capital investment made or leveraged by the project (covered in Part V above)
4. Total new taxes generated and ***not exempted or abated*** (must be consistent with Parts IV and VI above), as applicable:
   a. Estimated new mortgage recording taxes: $ 0
   b. Estimated new sales and use taxes:$ 0

Additional Purchases (1st year following project completion)	$ 0
Additional Sales Tax Paid on Additional Purchases	$ 0
Estimated Additional Sales (1st year following project completion)	$ 3,100,000
Estimated Additional Sales Tax to be collected on additional sales (1st full year following project completion)	$ 248,000

c. New PILOT payments projected for this project and new property taxes projected for this project. (Please discuss eligibility for PILOT schedules with UCIDA staff)

Year	Existing Real Property Taxes	New Real Property Taxes	New PILOT Payments	Total
Current Year	$1,018	$0	$0	$1,018
Year 1	$1,018	$0	$0	$1,018
Year 2	$1,018	$0	$0	$1,018
Year 3	$1,018	$0	$0	$1,018
Year 4	$1,018	$0	$4,999	$6,017
Year 5	$1,018	$0	$4,999	$6,017
Year 6	$1,018	$0	$9,997	$11,015
Year 7	$1,018	$0	$9,997	$11,015
Year 8	$1,018	$0	$9,997	$11,015
Year 9	$1,018	$0	$9,997	$11,015
Year 10	$1,018	$0	$9,997	$11,015
Year 11				
Year 12				
Year 13				
Year 14				
Year 15				

5. Exceptional wages and benefits

a. At least 80% of FTE's (Full-Time Equivalent) will receive the following hourly wage (including benefits) or better: (Check highest applicable)

- ☐ $16.26
- ☑ $20.00
- ☐ $25.00

b. ☑ Yes ☐ No During the construction phase 90% of employment will be regional labor (i.e. from Ulster, Sullivan, Greene, Columbia, Dutchess, and/or Orange Counties)? Or

☑ Yes ☐ No Applicant will make best efforts to use regional labor during construction phase.

If yes, Applicant is required to provide monthly documentation to support this claim.

c. Of the construction workforce:

☐ At least 50%

☐ At least 75%

will be paid prevailing wages. (See definitions of prevailing wages for Ulster County posted at: www.labor.ny.gov/home.). Applicant is required to submit to the UCIDA monthly certified construction payroll to support this claim.

6. Improvements to the community or the property:

Develop vacant land by building a 17,600 sqft building.

7. New useful products or services:

Fire and water services following a disaster.

8. Secondary business generated or attracted for local or new Ulster County vendors, contractors, suppliers, or customers:

Generate construction work.

9. Environmental sustainability benchmarks:

a. ☑ Yes ☐ No Reuse/rehabilitation of existing industrial site or construction in a shovel-ready site/designated business park

b. ☐ Yes ☑ No LEEDS certified (www.usgbc.org) or significant renewable energy utilization through the use of photovoltaic energy array

c. ☐ Yes ☑ No Reclaim a brownfield

d. ☐ Yes ☑ No LEEDS certified silver or higher

10. Community investment benchmarks:

a. ☑ Yes ☐ No Project easily accessible using public transportation (bus stop within 1/4 mile)

b. ☐ Yes ☑ No Development in economically distressed area of Ulster County, as defined by the US Economic Development Administration

c. ☑ Yes ☐ No Needed industry or service in the local economy as defined by Ulster County or local comprehensive or economic development plan

11. Education and workforce development benchmarks?

a. ☑ Yes ☐ No Post employment openings and collaborate with the Ulster County Workforce Investment Board/ One-Stop Job Center

b. ☐ Yes ☑ No At least 50% of your workforce required to have advanced education credential (technical degree from an Accredited Technical College, approved NYS Apprenticeship Program, or Associate degree or higher)

12. ☐ Yes ☑ No Project includes a workforce housing component, i.e., supportive housing for seniors or the disabled or moderately priced dwelling units that families earning 60% to 120% of the area median income can purchase or rent.

13. Other benefits to the Ulster County community:

Bringing new employees to the area who will be buying locally.

B. Anticipated Community Costs

1. Potential taxes forgone (covered in Part VI above)

$153,357.50

2. Buildings vacated

n/a

3. Publicly funded infrastructure required

Type of infrastructure required	Estimated cost
n/a	$
	$
	$
	$

4. Cost of new anticipated municipal services required by the project (for the same period used in A.4.c. above)

New municipal service	Estimated cumulative cost
n/a	$
	$
	$
	$

5. Environmental costs (please fill out, separate Environmental Assessment Form)
6. Other costs to the community:

n/a

VIII. 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 the collective bargaining agreements, new employment opportunities created as a result of the Project (including any tenants located in the Project) will be listed with the New York State Department of Labor Community Services Division (the "DOL") and the Ulster County Office of Employment and Training (collectively with the DOL, the "OET Entities"), the administrative entity of the service delivery area created by the Federal Job Training Partnership Act (Public Law 97-300)(the "OET Law"), as supplanted by the Workplace Investment Act of 1998 (P.L. No. 105-220), 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 under stands 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 (and any tenants located in the Project) will first consider persons eligible to participate in OET Law programs who shall be referred by the OET Entities for new employment opportunities created as a result of the 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, including (1) the NYS-45 – Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return – for the quarter ending December 31 (the "NYS-45"), and (2) the US Dept. of Labor BLS 3020 Multiple Worksite report if applicable.

E. Agency Enforcement Policy. The applicant acknowledges that it has read and understands the Agency's Enforcement of Agency Projects Policy and recognizes that in connection the assistance by the Agency in the undertaking by the applicant of the Project, the Agency will require the applicant to execute and deliver a Project Benefits Agreement (or equivalent agreement) that will provide, among other things, that upon the failure by the applicant to meet certain agreed upon job creation and retention levels and other requirements, the documents providing for assistance to the applicant, including the PILOT Agreement, will be subject to possible termination and the applicant will be subject to possible "claw-back" provisions relating to the tax abatements provided by the Agency.

F. Uniform Agency Project Agreement. The applicant agrees to enter into a project benefits agreement with the Agency where the applicant agrees that (1) the amount of Financial Assistance to be received shall be contingent upon, and shall bear a direct relationship to the success or lack of success of such project in delivering certain described public benefits (the "Public Benefits") and (2) the Agency will be entitled to recapture some or all of the Financial Assistance granted to the applicant if the project is unsuccessful in whole or in part in delivering the promised Public Benefits.

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

H. Agency Financial Assistance Required for Project. The Project would not be undertaken but for the Financial Assistance provided by the Agency or, if the Project could be undertaken without the Financial Assistance provided by the Agency, then the Project should be undertaken by the Agency for the following reasons:

n/a

I. Compliance with Article 18-A of the General Municipal Law: The Project, as of the date of this Application, is in substantial compliance with all provisions of article 18-A of the General Municipal including, but not limited to, the provisions of Section 859-a and subdivision one of Section 862; and the provisions of subdivision one of Section 862 of the General Municipal Law will not be violated if Financial Assistance is provided for the Project.

J. Compliance with Federal, State, and Local Laws. The applicant is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.

K. False or Misleading Information. The applicant understands 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 exemptions claimed by reason of Agency involvement in the Project.

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

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

I affirm under penalty of perjury that all statements made on this application are true, accurate and complete to the best of my knowledge.

RT 2007 RT9W LLC
Applicant

By: Gilberto Monnissey

Title: President

NOTE: APPLICANT MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 32.

VERIFICATION

(If Applicant is a Corporation)

STATE OF _____)
) SS.:
COUNTY OF _____)

_____deposes and says that he is the
(Name of chief executive of applicant)
_____ of _____,
(Title) (Company Name)
the corporation named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said company is because the said company is a corporation. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said corporation.

_____
(officer of applicant)

Sworn to before me this
____day of _____, 20__.

_____
(Notary Public)

VERIFICATION

(If applicant is sole proprietor)

STATE OF _____)
) SS.:
COUNTY OF _____)

_____, deposes and says
(Name of Individual)
that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application.

_____

Sworn to before me this
___day of _____, 20__.

_____
(Notary Public)

VERIFICATION

(If applicant is partnership)

STATE OF _____)
) SS.:
COUNTY OF _____)

_____, deposes and says
(Name of Individual)
that he is one of the members of the firm of _____,
(Partnership Name)
the partnership named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said partnership.

_____

Sworn to before me this
___day of _____, 20__.

_____
(Notary Public)

VERIFICATION

(If applicant is limited liability company)

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

GILBERT MORRISSEY, deposes and says
(Name of Individual)
that he is one of the members of the firm of 2007 RTGW LLC,
(Limited Liability Company)
the limit liability company named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said limited liability company.

Sworn to before me this
2nd day of AUGUST, 2016.

Flora C Rocco
(Notary Public)

FLORA C ROCCO
Notary Public - State of New York
NO. 01RO6182504
Qualified in Dutchess County
My Commission Expires 2/25/20

NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 32 IS SIGNED BY THE APPLICANT.

HOLD HARMLESS AGREEMENT

Applicant hereby releases Ulster County Industrial Development Agency and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as 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 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 that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all actual costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

(Applicant)

BY: _____

Sworn to before me this
2nd day of AUGUST, 2016.

_____
(Notary Public)

FLORA C ROCCO
Notary Public - State of New York
NO. 01RO6182504
Qualified in Dutchess County
My Commission Expires 2/25/20

CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge; such responses are true, correct, and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Agency in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Agency of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

I affirm under penalty of perjury that all statements made on this application are true, accurate and complete to the best of my knowledge.

Date Signed: August 2nd, 2016 FLORA C ROCCO Notary Public - State of New York NO. 01RO6182504 Qualified in Dutchess County My Commission Expires 2/25/20	**Name of Person Completing Project Questionnaire on behalf of the Company.** Name: GILBERT MORRISSEY Title: President Phone Number: 845-831-3600 Address: 5 Henry St, Beacon NY **Signature:**