

**City of Utica
Industrial Development Agency
Application**

The information required by this form is necessary to determine the eligibility of your project for IDA benefits. Please answer all questions; insert "NONE", or "NOT APPLICABLE", where necessary. If an estimate is given, put "EST." after the figure. Attach additional sheets if more space is needed for a response than is provided. Return three copies of this application to the City of Utica Industrial Development Agency.

Once submitted with the IDA, this Application becomes public information and will be published on the IDA's website. If the applicant deems any information requested to be exempt from FOIL, please answer the question "CONFIDENTIAL" and submit the information on a separate attachment marked confidential and provide the statutory exemption

A project financed through this 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.

**PART I
Applicant**

Applicant's legal Name: _____

Principal Address: _____

Project Address: _____

Telephone Number(s): _____

Federal Identification Number: _____

Company IRS Filing Office Location: _____

Company Officer completing this application:

Name: _____

Title: _____

Phone: _____ cell _____ office

Email: _____

1. A. **Is the applicant a:**

() Corporation: If YES, Public () Private ()
If a PUBLIC Corporation, on which exchange is it listed?

- () Sole Proprietorship
- () Partnership
- () Subchapter S
- () DISC
- () Other (specify) _____

B. State of incorporation/organization, if applicable: _____

2. **Stockholders, Directors, Officers, Partners or Members**

A. Provide the following information in regard to principal stockholders or parties:

<u>Name</u>	<u>Home Address</u>	<u>Percentage of Ownership</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

B. Provide the following information in regard to officers and directors:

<u>Company Officer</u>	<u>Name and Home Address</u>	<u>Other Principal Business Affiliation</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

- C. Is the applicant or any of the persons listed in 2(A) above related, directly or indirectly, to any other entity by more than 50% common ownership? If also, indicate name of such entity and the relationship.

- D. Is the applicant affiliated with any other entity, directly or indirectly, other than as indicated in response to paragraph C above? If YES, please indicate name and relationship of such other entity and the address thereof:

3. **Applicant's accountant**

Name and Title: _____

Name of Firm: _____

Address: _____

Telephone Number: _____ Email: _____

4. **Applicant's attorney**

Name and Title: _____

Name of Firm: _____

Address: _____

Telephone: _____ Email: _____

5. **References** (Individuals and institutions in this section may be contacted)

A. Banking/Financial Institution:

<u>Name of Institution</u>	<u>Address and Phone Number</u>	<u>Account Officer/ Contact Person</u>
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B. Business suppliers (list three largest accounts)

<u>Name of Supplier</u>	<u>Address and Phone Number</u>	<u>Account Officer/ Contact Person</u>
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C. Major customers (list three largest)

<u>Name of Customer</u>	<u>Address and Phone Number</u>	<u>Account Officer/ Contact Person</u>
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6. **Business Description**

A. Describe nature of business and principal products and/or services:

B. Describe the geographical market(s) served:

7. **Present location(s) of business operations**

A. List present location(s):

1. _____

2. _____

3. _____

B. For what purpose is each of these used?

1. _____

2. _____

3. _____

C. For each of your present locations which are RENTED, provide the following information:

D. Name of Landlord Landlord's Address Landlord's
Telephone Number

1. _____

2. _____

3. _____

Amount of Space Annual Rental Lease Termination Date

1. _____

2. _____

3. _____

E. For each of your present locations which you OWN, provide the following information:

	<u>Location</u>	<u>Annual Mortgage Payment</u>	<u>Termination Date</u>
1.	_____		
2.	_____		
3.	_____		

F. List which of your present locations, if any, will be vacated if IDA approval for your project is given:

If any of these locations will be sublet or sold, provide information concerning your ability to do so:

PART II

Reasons for Project

Please explain in detail why you want to undertake this project and define scope of project:

Why are you requesting the involvement of the IDA in your project?

How will the applicant's plans be affected if IDA approval is not granted?

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

Yes or No

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

Identify the assistance being requested of the Agency (select all that apply):

1. Exemption from Sales Tax ____ Yes or ____ No
2. Exemption from Mortgage Tax ____ Yes or ____ No
3. Exemption from Real Property Tax ____ Yes or ____ No
4. Tax Exempt Financing * ____ Yes or ____ No

* (typically for not-for-profits & small qualified manufacturers)

A. **Type of Project**

Check category or categories best describing your project (O - Owner) and all end-users (T – Tenant(s)) and the square footage of each:

	Manufacturing	sf
	Industrial (Assembly or Service)	sf
	Research and Development	sf
	Warehousing	sf
	Commercial	sf
	Pollution Control	sf
	Housing	sf
	Back Office	sf
	Facility for Aging	sf
	Multi-Tenant	sf
	Retail	sf
	Recreational	sf
	Other (specify)	sf
	Total	sf

B. **Description of Proposed Project**

Check all appropriate categories which apply to the proposed project:

- | | | |
|--|--------|-------|
| 1. Acquisition of land | YES() | NO() |
| 2. Acquisition of existing building | YES() | NO() |
| 3. Renovations to existing building | YES() | NO() |
| 4. Construction of addition to existing building | YES() | NO() |
| 5. Demolition | YES() | NO() |
| 6. Construction of a new building | YES() | NO() |
| 7. Acquisition of machinery and/or equipment | YES() | NO() |
| 8. Installation of machinery and/or equipment | YES() | NO() |
| 9. Other (specify) _____ | YES() | NO() |

C. What is the zoning classification of the proposed site?

H. List the principal items or categories of equipment to be acquired as part of the project.

I. If any of this equipment has already been purchased or ordered, please attach all invoices and purchase orders and list amounts paid and dates of expected delivery as well as a brief description:

J. If the construction or operation of the proposed project will require any local ordinance or variance to be obtained or requires a permit or prior approval of any state or federal agency or body (other than normal occupancy/construction permits), please specify:

K. Will the project have a significant effect on the environment, YES () NO (). If YES, please describe the effect. **Important: please attach Environmental Assessment Form to this Application**

L. 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:

M. 1. With regard to the present owner of the project site, please give:

Name: _____

Address: _____

Telephone Number: _____

2. If the applicant already owns the project site, indicate:

a. date of purchase: _____

b. purchase price: _____

The applicant anticipates all approvals for tax credits by end of September 2023, and purchase by end of October 2023

3. If the project site is mortgaged, please indicate:

a. balance of mortgage: \$2,250,000_____

b. holder of mortgage: KeyBank_____

N. Is there a relationship, legally, by virtue of common control, or through related persons, directly or indirectly, between the applicant and the present owner of the project site?
YES () NO () If YES, please explain:

O. Is the company currently a tenant in the building to be occupied?

YES () NO ()

P. Are you planning to use/develop the entire proposed facility?

YES () NO ()

If NO, give the following information with respect to present tenants:

1. Present Tenant Information

a.	<u>Name of Business</u>	<u>Floors Occupied</u>	<u>Square Feet Occupied</u>	<u>Nature of Tenant's Business</u>
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b. Which of the above tenants will be vacating upon your initial use of the facility? How many jobs will be affected?

<u>Name of Firm</u>	<u>Jobs</u>	<u>Square Footage Now Occupied</u>
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c. For those tenants who will remain after your initial occupancy of the site, provide the following transaction:

<u>Name of Tenant</u>	<u>Term of Lease</u>	<u>Renewal Options</u>	<u>Square Footage Now Occupied</u>
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Are any of the above tenants related to the owner of the facility? YES () NO ()

d. If the applicant will be occupying the premises of any of the tenants listed in (c) when their lease expires, please list.

e. Please provide copies of all present lease(s) at the proposed project site.

f. Do you propose to lease part of the project facility to firms not presently tenants?

YES () NO () If YES, provide details of your proposals:

g. Will financing by the Agency for the Project result in the removal or abandonment of a plant or other facility of the applicant or any related entity presently located in another area in the State of New York? YES () NO ()

If the answer is YES, please explain briefly the reasons for the move.

Is the proposed project reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the State of New York?

YES () NO ()

Is the proposed project reasonably necessary to preserve the competitive position of the project occupant in its respective industry? YES () NO ()

h. If any of the parties who will be tenants in this project are related to or affiliated with the applicant, please identify them:

1. Please attach any written agreements (e.g., options, purchase contracts, invoices, etc.) concerning the acquisition of the real property or equipment for this proposed facility.

2. Employment *

- a. List your present employment in the City of Utica, if any, and an estimate of the employment at the proposed facility at the end of two years. NOTE: New York State considers Full Time employment as 35 hours or more. Full-time jobs, plus the combination of two or more part-time jobs that, when combined together, constitute the equivalent hours of a full-time position (35 or more hours).

Employment	Current # of applicant's jobs at/or to be located at proposed project location	Number of FTE jobs to be RETAINED	Number of FTE jobs to be CREATED two years after project completion	Estimate number of residents in Labor Market Area that will fill projected jobs two years after project completion
Full-Time (FTE)				

The Labor Market Area consists of the following counties: Oneida, Lewis, Herkimer, Otsego, Madison and Oswego

- b. Characterize the labor force to be associated with this project location according to the following categories:

Category	Current/ Anticipated	Avg Salary or Salary Range	Avg Fringe Benefits or Range
Officers			
Sales/Supervisory			
Clerical			
Plant/Production			
Other (specify)			

Notes:

- c. Estimate the Annual Payroll for the employees associated with the project location.

Currently	End of Year One	End of Year Two
\$	\$	\$

* **Company/Applicant will be required to submit Annual Project Monitoring Reports (attached) along with a copy of the NYS 45 (four quarters) for a minimum of five (5) years for any commercial project and ten (10) years for any industrial/manufacturing project, or for the length of UIDA involvement in the project. Annual Project Monitoring Reports will be compared to employment counts as stated above and companies whose reported counts fall below those levels above will be subject to the Agency's Recapture Provisions Policy.**

Sources of Funds for Project Costs:

**% of Total
project costs**

Bank Financing: \$ _____

Equity (excluding equity attributed to grants/tax credits) \$ _____

Tax Exempt Bond Issuance (if applicable) \$ _____

Taxable Bond Issuance (if applicable) \$ _____

Public Sources (Include sum total of all state and federal grants and tax credits) \$ _____

Identify each state and federal grant/credit:

_____ \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

Total Sources of Funds for Project Costs: \$ _____

Have any of the above costs been paid or incurred as of the date of this Application?

Yes No. If Yes, describe particulars:

Mortgage Recording Tax Exemption Benefit: Amount of mortgage that would be subject to mortgage recording tax:

Mortgage Amount (include sum total of construction/permanent/bridge financing): \$ _____

Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage \$ _____

Amount as indicated above multiplied by 0.75%):

Please Note: The New York State General Municipal Law was recently amended to reflect that industrial development agencies are not exempt from the additional mortgage recording tax of .25% that is assessed to properties that are located within a regional transportation district. Oneida County is located within the Central New York Regional Transportation District; as such, all UIDA projects will be exempt from .75% of mortgage recording tax, but must pay .25% of mortgage recording tax, which will be directed to the Transportation District.

3. Estimated Project Cost

Listed the costs necessary for the construction, acquisition or renovation of the project (this should 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	\$ _____
Acquisition of Building(s)	\$ _____
Renovation Costs	\$ _____
New Construction of Buildings	\$ _____
Machinery and Equipment (taxable) (other than furniture costs)	\$ _____
Machinery and Equipment (non-taxable)	\$ _____
Furniture and Fixtures	\$ _____
Installation Costs	\$ _____
Architectural/Engineering Fees	\$ _____
Fees (other than your own counsel and brokerage fees)	\$ _____
Interest on Interim Financings	\$ _____
Other (specify) _____	\$ 5,296,669
<u>Financing Costs</u>	1,337,175
Total Project Cost	\$ _____

Sales and Use Tax: Gross amount of costs for goods and services that are subject to State and local Sales and Use tax - said amount to benefit from the Agency's Sales and Use Tax exemption benefit:

\$ _____

Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above):

\$ _____

4. Real Estate Taxes

List separately the proposed project's Real Estate Taxes and/or Assessed Value as it applies to land and building:

Project's	Real Estate Taxes	Assessed Value
Land(s)	\$	\$
Building(s)	\$	\$
Total	\$	\$

Calculate the value of the PILOT exemption anticipated for the project described:

\$ _____

5. Project Schedule

Indicate the estimated dates for the following:

- a. Construction commencement: _____
- b. Construction completion: _____
- c. Project financing: List the dates and in what amounts the estimated funds will be required:

- d. Indicate the name of the incorporated municipality in which the facility will be located and the applicant's (or any related entity's) estimated capital expenditures in such municipality during the past three years:

- e. What do you expect the applicant's (or any related entities) capital expenditures to be in the above municipality during the next three years (including this project):

- f. If the applicant or any related entity has previously secured the benefit of tax exempt financing in the City of Utica, whether through IDA, the New York Job Development Authority or any other entity, please explain (indicate date, location of financed facility, and outstanding balance):

- g. Has the applicant or any related entity received the benefit of tax exempt financing anywhere within the United States within the past 90 days or is the applicant or any related entity contemplating the receipt of such financing assistance within the next 90 days? YES (X) NO () if YES, please explain.

6. Project Financing Efforts

IT IS THE APPLICANT'S RESPONSIBILITY TO SECURE A PURCHASER FOR IDA BONDS ISSUED IN CONJUNCTION WITH THIS PROJECT. Below are a series of questions relating to your efforts to secure financing for your project if IDA approval is granted.

- A. Has the applicant contacted any bank, financial/lending institution or private investor in regard to the financing for this project? YES () NO () If YES, please give details:

B. Have you obtained a financial commitment for this project? YES () NO ()

1. If YES, please briefly describe this commitment and attach related correspondence:

2. If NO, please explain how you will be able to finance this project:

C. Are there any other governmental agencies that you have contacted concerning financial assistance in regard to your proposed project? YES () NO () If YES, please explain:

D. 1. Will the applicant's obligations be guaranteed, and if so, by whom?

2. Is the guarantor related to or affiliated with the applicant?

11. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.

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

STATE OF MARYLAND)
COUNTY OF MONTGOMERY) ss.:

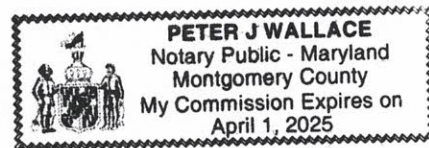
Matt Sisen, being first duly sworn, deposes and says:

1. That I am the Authorized Person (Corporate Office) of HP Utica Preservation LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete.

[Signature]
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury this 4th day of October, 2023

[Signature]
(Notary Public)



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 six copies with a check in the amount of \$250.00 made payable to: Utica Industrial Development Agency, 1 Kennedy Plaza, Utica, New York, Attn.: Jack N. Spaeth, Executive Director.

Historical Park Apts **UIDA** **Cost Benefit Analysis**

Tax Rate (2024)	67.74	100 Rutger	\$1,029,297
Total Project Costs	\$32,900,000		
Construction Costs	\$9,335,582		
Amount Subject to Sales Tax	\$3,734,233		
Amount Subject to Mortgage Recording Tax	\$21,200,000		
Land Value/ Existing Value*	\$117,200		
Value of Improvement*	\$912,097		
Final Assessed Value *	\$1,029,297		

Year	Tax Rate	Effective Gross Income	Estimated Full Taxes	Pre-development		PILOT Payment	PILOT Benefit
				Existing Value	Income		
2024	1	\$2,093,230	\$69,729	\$69,729	\$69,729	\$69,077	\$653
2025	2	\$2,135,095	\$71,124	\$71,124	\$71,124	\$70,458	\$666
2026	3	\$2,177,796	\$72,546	\$72,546	\$72,546	\$71,867	\$679
2027	4	\$2,221,352	\$73,997	\$73,997	\$73,997	\$73,305	\$693
2028	5	\$2,265,779	\$75,477	\$75,477	\$75,477	\$74,771	\$707
2029	6	\$2,311,095	\$76,987	\$76,987	\$76,987	\$76,266	\$721
2030	7	\$2,357,317	\$78,527	\$78,527	\$78,527	\$77,791	\$735
2031	8	\$2,404,463	\$80,097	\$80,097	\$80,097	\$79,347	\$750
2032	9	\$2,452,553	\$81,699	\$81,699	\$81,699	\$80,934	\$765
2033	10	\$2,501,604	\$83,333	\$83,333	\$83,333	\$82,553	\$780
2034	11	\$2,551,636	\$85,000	\$85,000	\$85,000	\$84,204	\$796
2035	12	\$2,602,668	\$86,700	\$86,700	\$86,700	\$85,888	\$812
2036	13	\$2,654,722	\$88,434	\$88,434	\$88,434	\$87,606	\$828
2037	14	\$2,707,816	\$90,202	\$90,202	\$90,202	\$89,358	\$844
2038	15	\$2,761,973	\$92,006	\$92,006	\$92,006	\$91,145	\$861
2039	16	\$2,817,212	\$93,847	\$93,847	\$93,847	\$92,968	\$879
2040	17	\$2,873,556	\$95,724	\$95,724	\$95,724	\$94,827	\$896
2041	18	\$2,931,027	\$97,638	\$97,638	\$97,638	\$96,724	\$914
2042	19	\$2,989,648	\$99,591	\$99,591	\$99,591	\$98,658	\$932
2043	20	\$3,049,441	\$101,583	\$101,583	\$101,583	\$100,632	\$951
2044	21	\$3,110,430	\$103,614	\$103,614	\$103,614	\$102,644	\$970
2045	22	\$3,172,638	\$105,687	\$105,687	\$105,687	\$104,697	\$989
2046	23	\$3,236,091	\$107,800	\$107,800	\$107,800	\$106,791	\$1,009
2047	24	\$3,300,813	\$109,956	\$109,956	\$109,956	\$108,927	\$1,029
2048	25	\$3,366,829	\$112,155	\$112,155	\$112,155	\$111,105	\$1,050
2049	26	\$3,434,166	\$114,398	\$114,398	\$114,398	\$113,327	\$1,071
2050	27	\$3,502,849	\$116,686	\$116,686	\$116,686	\$115,594	\$1,092
2051	28	\$3,572,906	\$119,020	\$119,020	\$119,020	\$117,906	\$1,114
2052	29	\$3,644,364	\$121,401	\$121,401	\$121,401	\$120,264	\$1,137
2053	30	\$3,717,251	\$123,829	\$123,829	\$123,829	\$122,669	\$1,159
				\$2,828,788	\$2,828,788	\$2,802,305	\$26,483

3.30%

	1	2	3	4	5	25						Difference
Post PILOT Taxes												
	122.71	125.16	127.67	130.22	132.83		\$3,717,251	\$126,305	\$126,305	\$122,669	\$3,636	
							\$3,717,251	\$128,831	\$128,831	\$122,669	\$6,162	
							\$3,717,251	\$131,408	\$131,408	\$122,669	\$8,739	
							\$3,717,251	\$134,036	\$134,036	\$122,669	\$11,367	
							\$3,717,251	\$136,717	\$136,717	\$122,669	\$14,047	
								\$657,297	\$657,297	\$613,346	\$43,951	

COSTS (of Benefits)

Full Taxes no PILOT	\$2,828,788
Total PILOT Payments	\$2,802,305
Real Property Tax Cost	\$26,483

	NY/LOCAL PORTION	LOCAL PORTION ONLY
Estimated Real Estate Tax Savings	\$26,483	\$26,483
Estimated Mortgages Tax Savings	\$159,000	
Estimated Sales Tax Savings	\$326,745	\$176,443
Total Benefits Provided	\$512,229	\$202,926

BENEFITS (of Project)

Employee Sales and Use Taxes		
Jobs Created/Retained (direct or indirect)	3	
Est. Average Employee Salary/Total	\$53,250	\$159,750
Eee Sales Tax Generated		\$125,803

Construction Jobs

Est. Average Salary	\$65,000	43	Const term (in months)	18
Construction Wages	\$4,201,012		Monthly wages	5416.67
Total Sales Tax Generated		\$132,332		
		\$258,135		

Residential Real Property Taxes

Number of Employees	1	Owners	2	Tenants
Assessed Values	75,000	1	75,000	25,000
Total	\$8,468	5,081	\$211,688	3,387

Increase in Taxes Generated

5 Year NET Post PILOT Property Tax Income	\$43,951
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30 Year Net Property Tax Increase	\$2,846,255	
Benefit of Project	\$513,773	\$513,773
Cost of Benefits	\$512,229	\$202,926
	NY/LOCAL	LOCAL
Ratio	1.00	2.53

*Land value and projected increased assessed value are estimates. The amount will be assigned by the assessor at the completion of the project.