

**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: BG Warehouse, LLC

Principal Address: PO Box 4325  
Utica, NY 13504

Project Address: 2007 Beechgrove Place  
Utica, NY 13501

Telephone Number(s): 315-797-7534

Federal Identification Number: 46-1320065

Company IRS Filing Office Location: E-File

Company Officer completing this application:

Name: David Mazloom

Title: Manager

Phone: 315-797-7534 cell 315-723-6920 office

Email: davidmaz@yahoo.com

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

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

\_\_\_\_\_

- ( ) Sole Proprietorship
- ( ) Partnership
- ( ) Subchapter S
- ( ) DISC
- (x) Other (specify) LLC

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

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>
ECM-RE Trust	108 Hartford Place Utica 13	50%
ASM-BGW Trust	108 Hartford Place Utica 13	50%

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>
David Mazloom	PO Box 4325 Utica, NY 13504	Manager
Albert Mazloom III	PO Box 4325 Utica, NY 13504	Manager
Albert Mazloom	PO Box 4325 Utica, NY 13504	Manager

- 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.

no

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- 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:

no

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3. **Applicant's accountant**

Name and Title: Deborah Fitzgerald

Name of Firm: Dermondy, Burke, & Brown, CPA, LLC

Address: 443 N. Franklin Street  
Syracuse, NY 13204

Telephone Number: 315-471-9171 Email: \_\_\_\_\_

4. **Applicant's attorney**

Name and Title: Andrew S Kowalczyk III

Name of Firm: Kowalczyk, Deery, & Broadbent, LLP

Address: 185 Genesee Street  
Utica, NY 13501

Telephone: 315-724-3164 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>
NBT Bank	270 Genesee Street Utica, NY	Mary-Ann Serwatta

B. Business suppliers (list three largest accounts)

<u>Name of Supplier</u>	<u>Address and Phone Number</u>	<u>Account Officer/ Contact Person</u>
BGM	1400 Broad Street Utica Ny	Eric Owner
Anchor Heating	100 Matthews Ave	Vinnie Ficchi

C. Major customers (list three largest)

<u>Name of Customer</u>	<u>Address and Phone Number</u>	<u>Account Officer/ Contact Person</u>
Trenton Technology	2007 Beechgrove Place, Utica, NY	Alber S Mazloom III
International Paper	2007 Beechgrove Place, Utica, NY	Safet Spahic
Precise Kit	2007 Beechgrove Place, Utica, NY	Rich Nardi

6. **Business Description**

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

Redevelopment of 400,000 sf of industrail/manufacturing space .

Trenton Technology is main tenant, designing and manufacturing computer boards, alarm systems, and other technology for worldwide private and government use. Requiring custom HVAC, Semi-Clean rooms, anti-static environments, and humidity specific controls.

B. Describe the geographical market(s) served:  
Residential, commercial, industrial, governmental,  
Internet, trading platforms, aviation, military, etc

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

A. List present location(s):

1. 2007 Beechgrove Place, Utica, NY 13501  
\_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

B. For what purpose is each of these used?

1. Manufacturing, design, shipping, receiving etc  
\_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

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

<u>Name of Landlord</u>	<u>Landlord's Address</u>	<u>Landlord's Telephone Number</u>
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1. n/a  
\_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

<u>Amount of Space</u>	<u>Annual Rental</u>	<u>Lease Termination Date</u>
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1. n/a  
\_\_\_\_\_
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. 2007 Beechgrove Place, Uti	187,536	11/2028
2.		
3.		

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

n/a

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

n/a

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## PART II

### Reasons for Project

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

Expand Trenton Technology approximately 60,000 sf. This includes about 2.5 million in property upgrades for all tenants, plus an additional 3.5 million in equipment and manufacturing upgrades.

An estimated 1 million will be spent on other tenants in the next 3-5 years

Production lines need to be updated and expanded for new customers and product to be built in this facility

There are industry requirements with humidity and static control that are tested by customers and must be adhered too.

We have acquired additional space from a former tenant that need to be updated to our manufacturing standards and requirements.

It is not a building addition, it is an expansion into an area that was primarily storage for a previous tenant

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

We are requestion the property taxes be capped for 5 years at 125,000 per year. This is doubling the current rate of 75,000 per year.

We are also requesting a sales tax exemption for the project.

The last project we promised 22 FTEs and created 66 FTEs. Thanks in part to the assistance of the IDA.We hope to exceed the new FTEs with this project.

We expect to use the sales tax exemption for 18 months. An initial one year,and then, if needed a 6 month extension.

Most equipment is sale tax exempt under a manufacturing exemption

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

There will be significant delays, downsizing and possible cancellation of portions of the project

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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:

n/a

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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:

x	Manufacturing	25,000	sf
x	Industrial (Assembly or Service)	125,000	sf
x	Research and Development	15,000	sf
x	Warehousing	98,002	sf
	Commercial		sf
	Pollution Control		sf
	Housing		sf
x	Back Office	16,000	sf
	Facility for Aging		sf
x	Multi-Tenant	91,795	sf
	Retail		sf
	Recreational		sf
	Other (specify)		sf
	Total	370,797 sf +/-	sf

B. **Description of Proposed Project**

Check all appropriate categories which apply to the proposed project:

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

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

Light manufacturing

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

Manufacturing, assembly, research, development, warehousing and shipping

E. Location(s) Street Address Number of Floors/ SF/floor

Beechgrove 2007 Beechgrove Place, Uti 1

F. Is the site in an Empire Zone? (x) Yes ( ) No

Is the business Empire Zone certified at this location: ( ) Yes (x) No

Attach a copy of the last Business Annual Report filed.

Is the proposed project located within the boundary of a Central New York Regional Transportation (Centro) District? (x) Yes ( ) No

G. 1. Please describe in detail the facility to be acquired, constructed or renovated (including number of buildings and other existing structures or facilities) and attach plot plans, photos or renderings, if available.

60,000 +/- sf of space to be climate controlled, humidity controlled, static controlled  
and new electrical for manufacturing, assembly, research, development, shipping  
etc. office extension and construction, exterior upgrades and entrances

2. If construction or renovation work on this project has already begun, please describe the work in detail.

HVAC had been designed

3. What is the estimated useful life of the:

a. Facility: 25+ years

b. Equipment: undetermined in this industry as to upgrades

H. List the principal items or categories of equipment to be acquired as part of the project.  
Surface mount machines, assembly machines, workstations,  
cubicles, shipping machines, inventory control, etc

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:

n/a

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:

n/a

K. Will the project have a significant effect on the environment, YES ( ) NO (x). 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 (x) If YES, please explain:

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

Name: BG Warehouse LLC

Address: PO Box 4325

Utica, NY 13501

Telephone Number: 315-797-7534

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

a. date of purchase: 2/1/2013

b. purchase price: 2,900,000

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

a. balance of mortgage: 643,970

b. holder of mortgage: NBT Bank, NA

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 (x) If YES, please explain:

\_\_\_\_\_  
\_\_\_\_\_

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

YES (x) NO ( )

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

YES (x) 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>
	International Paper		62,942	Manufacturing/Assembly
	Precise Kit		41,500	Assembly/warehouse/shipping
	Trenton Technology		206,295	Manufacturing etc

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>
n/a		

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>
International Paper	5 Years	as Negotiated	62,942+/-
Precise Kit	5 years	5 Years	41,500 +/-

Are any of the above tenants related to the owner of the facility? YES ( ) NO (x)

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

n/a

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 (x) If YES, provide details of your proposals:

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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 (x)

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

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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 (x)

Is the proposed project reasonably necessary to preserve the competitive position of the project occupant in its respective industry? YES (x) 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:

**Albert Mazloom is founder of Trenton Technology**

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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)	254	254	25	25

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	4/4	\$48,921	\$16,032 - \$31,049
Sales/Supervisory	0/0		
Clerical	63/68	\$56,524	\$16,032 - \$31,049
Plant/Production	158/173	\$40,317	\$16,032 - \$31,049
Other (specify)	78/83	\$75,976	\$16,032 - \$31,049

Notes: Other includes Engineers, IT, Quality, Purchasing & 49 Tenant Jobs. Clerical includes Managers.

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

Currently	End of Year One	End of Year Two
\$ 12,486,000	\$ 13,780,000	\$ 15,135,000

\* 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.





**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	\$ <u>n/a</u>
Acquisition of Building(s)	\$ <u>n/a</u>
Renovation Costs	\$ <u>3,000,000</u>
New Construction of Buildings	\$ <u>n/a</u>
Machinery and Equipment (taxable) (other than furniture costs)	\$ <u>n/a</u>
Machinery and Equipment (non-taxable)	\$ <u>3,000,000</u>
Furniture and Fixtures	\$ <u>n/a</u>
Installation Costs	\$ <u>n/a</u>
Architectural/Engineering Fees	\$ <u>n/a</u>
Fees (other than your own counsel and brokerage fees)	\$ <u>n/a</u>
Interest on Interim Financings	\$ <u>n/a</u>
Other (specify) _____	\$ _____
_____	
<b>Total Project Cost</b>	<b>\$ <u>6,000,000</u></b>

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:

\$ 1,500,000

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

\$ 131,250

**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)	\$46,669	\$655,000
Building(s)	\$205,414	\$2,883,000
Total	\$252,083	\$3,538,000

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

\$ 687,002

**5. Project Schedule**

Indicate the estimated dates for the following:

- a. Construction commencement: January 2025
- b. Construction completion: const - July 2026 equip - 2029
- c. Project financing: List the dates and in what amounts the estimated funds will be required:

n/a  
\_\_\_\_\_  
\_\_\_\_\_

- 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:

Utica  
\_\_\_\_\_

- 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):

\$6,000,000+  
\_\_\_\_\_

- 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):

n/a

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- 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 ( ) NO () if YES, please explain.

No

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#### 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 (x) If YES, please give details:

N/A

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

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

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

**Pilot savings and private investment by applicant**

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

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

n/a

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

n/a

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E. Financial Information (Attach the Following).

1. Financial Statements for the last three fiscal years.
2. Pro forma Balance Sheet as at start of operations at project site.
3. Projected Profit and Loss Statements for first two years of operation at project site.
4. Projected "Cash Flow" Statement, by quarters, for first year of operation at project site.

### REPRESENTATIONS AND CERTIFICATION BY APPLICANT

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

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

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

1. **Annual Sales Tax Filings.** In accordance with Section 858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant.
2. **Annual Employment Reports.** The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site as well as tax benefits received with the action of the Agency. Failure to provide such reports as provided in the transaction documents will be an Event of Default under the Lease (or Leaseback) Agreement between the Agency and Applicant. In addition, a Notice of Failure to provide the Agency with an Employment Report may be reported to Agency board members, said report being an agenda item subject to the Open Meetings Law.
3. **Absence of Conflict of Interest.** The Applicant has consulted the Agency website of the list of the Agency members, officers and employees of the Agency. No member, officer, or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as herein after described (if none, state "none"):
4. **Hold Harmless.** Applicant hereby releases the Agency and its members, officers, servants, agents and employees from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax

exemptions and other assistance requested therein are favorably acted upon by the Agency, (B) the Agency's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

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

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

9. The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
10. The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.

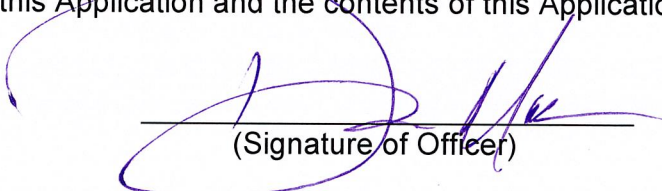
11. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New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

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

STATE OF NEW YORK )  
COUNTY OF ONEIDA ) ss.:

DAVID MAZLOOM, being first duly sworn, deposes and says:

1. That I am the MANAGER (Corporate Office) of BG Warehouse, 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 of Officer)

Subscribed and affirmed to me under penalties of perjury  
this 19<sup>th</sup> day of December, 2024

Megan E Houle  
(Notary Public)

MEGAN E. HOULE  
Notary Public in the State of New York  
Qualified in Oneida County 01HO6337240  
My Commission Expires Feb. 22, 2028

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.**

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

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**TO BE ATTACHED TO AND MADE PART OF APPLICATION TO THE AGENCY**

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**Name of Applicant:** BG Warehouse, LLC

**Address of Project:** 2007 Beechgrove Place  
Utica, NY 13501

**Description of Project:**

Expand Trenton Technology's manufacturing facility by about 60,000 sf. 3 million in upgrades, plus up to another 3 million in 3-5 years in the building and equipment.  
This cost does not include building upgrades that are to maintain the two tenants space and employees.

**Name of all Sublessees or Other Occupants of Facility:**

International Paper, Precise Kit, Trenton Technology

**Principals or Parent Company of Applicant:**

ECM RE-Trust, ASM-BGW Trust

**Principals of any Sublessee or Occupant:**

Albert, Albert III, Andrew, David Mazloom, (Trenton Technology)

**Product/Services of Applicant:**

Landlord and real estate developer

**Estimated Completion Date of Project:** 2029

**Type of Financing/Structure:**

- Tax-Exempt Financing  
 Taxable Financing  
 Lease/Leaseback, Sale/Leaseback  
 Other

**Explain:** \_\_\_\_\_





**BENEFITS**

**Taxable Goods and Services**

		Spending Rate	Wages	Expenditures	Sales Tax Rate	State/ Local Sales Tax Revenues
Direct Jobs						
<u>25</u>	Created	36.0%	x <u>2,666,180</u>	= <u>959,825</u>	x 8.75%	= <u>83,985</u>
<u>254</u>	Existing	36.0%	x <u>12,467,701</u>	= <u>4,488,372</u>	x 8.75%	= <u>392,733</u>
Indirect Jobs						
_____	Created	36.0%	x _____	= _____	x 8.75%	= _____
_____	Existing	36.0%	x _____	= _____	x 8.75%	= _____
<u>20</u>	Construction	36.0%	x <u>2,700,000</u>	= <u>972,000</u>	x 8.75%	= <u>85,050</u>
(see below)						
	Totals		<u>17,833,881</u>	<u>6,420,197</u>		<u>561,767</u>
					x 3 years =	<u>1,685,302</u>

**Real Property Taxes**

Local (3 year) real property tax benefit (assuming 50 % of jobs existing and created own a residence with an average assessment of \$ 75,000 and the remainder of jobs existing and created pay real property taxes through rent based on an average assessment per apartment of \$ 25,000)

Current tax rate = 67.25 per \$1000 of AV

Real Property Taxes Paid

\$ 2,981,813

**3 Yr Comparative Benefits**

\$ 4,667,114

**COSTS**

Real Property Taxes Abated on Improvements only (3-year period) \$ 396,564

Mortgage Tax Abated \$ 0

Estimated Sales Tax Abated During Construction Period \$ 131,250

**3 Yr Comparative Costs**

\$ 527,814

Calculation of Construction Jobs: Total project hard construction costs x .45 = Total Labor Costs / Construction term (in months) = Labor costs per month / \$3,750 (approx. average construction salary of \$45,000 per year / 12 months) = Number of construction employees. Use the Total Labor Costs as Construction Wages above.

**City of Utica Industrial Development Agency  
One Kennedy Plaza, Utica, New York 13502**

**RETAIL DETERMINATION**

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

Please answer the following:

- A. Will any portion of the project consist of facilities or property that are or will be primarily used in making sales of goods or services to customers who personally visit the project site?

Yes or  No. If the answer is yes, please continue.

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

- B. What percentage of the cost of the Project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the project? 0 %

**If the answer is less than 33% do not complete the remainder of the retail determination.**

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

1. Will the project be operated by a not-for-profit corporation  Yes or  No.

2. Is the Project location or facility likely to attract a significant number of visitors from outside the City of Utica?

Yes or  No

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

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

Yes or  No

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

4. Will the project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York?

Yes or  No.

If yes, explain It will allow us to retain the current jobs and increase high end manufactures and jobs pertaining to that and all levels

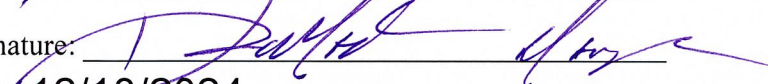
5. Is the project located in an area that has been designated an Empire Zone?  Yes or  No

**The undersigned hereby certifies that the information contained in this Retail Determination is true, accurate and complete.**

Print Name of Applicant: BG Warehouse, LLC

Print Name of Authorized Representative: David Mazloom

Title: Manager

Signature: 

Date: 12/18/2024