
Application for Financial Assistance

County of Clinton Industrial Development Agency (CCIDA)
190 Banker Road, Suite 500
Plattsburgh, NY 12901
infoatIDAs@gmail.com

*A nonrefundable administrative application fee of \$1500 must be submitted at the time of the application, of which, \$750 will be applied to the project's closing cost. Checks may be made payable to: **The County of Clinton IDA.***

Please submit one (1) electronic copy and two (2) hard copies of the application (and any attachments) and SEQR (if applicable) to the address above. Include the check with the hard copies.

***ALL APPLICATIONS MUST BE SUBMITTED TWO WEEKS PRIOR TO THE
REGULAR SCHEDULED CCIDA MEETING***

*For a copy of the meeting schedule as well as the Uniform Tax Exempt Policy (UTEP) go to
www.clintoncountyida.com*

Application Updated: 7/2016

Note to Applicant:

The information requested by this application is necessary to determine the eligibility of your project for Clinton County Industrial Development Agency (CCIDA) benefits. Please answer all questions, inserting “none” or “not applicable” where appropriate. If you are providing an estimate, please indicate by inserting “est.” after the figure. Attach additional sheets if more space is needed for a response than provided.

Please submit two (2) hard copies of the application (and any attachments) and SEQR (if applicable) to **CCIDA, 190 Banker Road, Suite 500, Plattsburgh, NY 12901 ATTN: Executive Director**. In addition, please send an electronic version of the entire application and SEQR (if applicable) as well as all attachments to infoatIDAs@gmail.com. Include within the hardcopy, a check made payable to the County of Clinton Industrial Development Agency in the amount of \$1500. **Submissions must be made two (2) weeks prior to the regular scheduled meetings of the CCIDA (2nd Monday of each month unless otherwise noted).**

Upon submission of this application to the CCIDA, the application becomes a public document. Be advised that any action brought before the CCIDA is public information. All agendas are issued and posted on the CCIDA’s website seven (7) days prior to Board meetings. If there is information that the applicant feels is of a proprietary nature, please identify as such, and that information will be treated confidentially to the extent permitted by the law.

By signing and submitting this application, the Applicant acknowledges that it has received a copy of the CCIDA’s Uniform Tax Exempt Policy (UTEP) and all other policies mentioned. Policies can be obtained at www.clintoncountyyida.com.

A project financed through the CCIDA involves the preparation and execution of significant legal documents. These documents not only comply with New York State law but also conform to CCIDA policies in effect at time of closing (all policies are posted on the website). Please consult with an attorney before signing any documents in connection with the proposed project.

The applicant will receive an engagement letter from the CCIDA’s legal counsel. The applicant will then be asked to sign the engagement letter acknowledging it understands that the project is responsible for **all** CCIDA legal costs related to the project, including when the project is re-conveyed. In addition, should the project not close and legal services have been rendered by the CCIDA legal counsel, the applicant will still be responsible for those costs.

If the project requires a public hearing, a representative from the applicant’s organization is required to be present. A date will be coordinated by the CCIDA’s legal counsel and/or Executive Director. If you have any questions regarding the application or the process, feel free to contact the CCIDA’s Executive Director at (518) 324-2122 or infoatIDAs@gamil.com.

PART I: Project Information

PROJECT'S CCIDA APPLICATION # _____ (Official Use)

Section A: Assistance

Type of Financial Assistance Requested - [Check One]

Straight Lease - ☒ Bond Financing - ☐ Both - ☐ Other – ☐

If "Other," Explain:

Type of Benefits Project is Seeking – [Check All that Apply]

Real Estate Mortgage
Exemption/ Sales Tax Exemption – Recording Tax Tax-Exempt Other – ☐
PILOT - ☒ ☒ Exemption- ☒ Bonds – ☐

**Note: If applicant is seeking bonds, a PILOT and/or exemption from sales and/or mortgage recording tax additional information will be required in Part II of this application.*

If Other, Explain:

Section B: Background

1.)

| |
|--|
| Company Name: NY Mooers III, LLC |
| Company Point of Contact: Richard Chun |
| Address: 33 Irving Place, Suite 1090, New York, NY 10003 |
| Phone Number: (646) 998-6449 |
| Point of Contact's e-mail: rchun@rwc-legal.com |
| Company Website: delawareriversolar.com |
| Company NAICS Code: |
| Employer Identification Number (EIN): [TBP] |

2.) Business Type [Check One]:

☐ Private or Public Corporation

If Public, on what exchange is it listed? _____

☐ Subchapter S

☐ Sole Proprietorship

☐ General Partnership

☐ Limited Partnership

☒ Limited Liability Company/Partnership

☐ DISC

☐ Not-for-profit

☐ Other: _____

State of Incorporation (if applicable): _____

3.) Describe the nature of your business and its principal products and/or services:

Delaware River Solar, LLC ("DRS") is a community solar farm developer in New York State. DRS develops, construct and maintains solar farms and sells the power generated by the facility to local residents and businesses.

3a.) Will the project move its facility from another location in New York to Clinton County? Yes ☐ or No ☒

3b.) Will the project result in the abandonment of an existing facility in New York? Yes ☐ or No ☒

3c.) If "Yes" to 3a and/or 3b, is the reason for moving to another location in the state to remain competitive in your industry or the state? Yes ☐ or No ☐

If "Yes," please explain N/A

4.) Applicant's Stockholders, Directors and Officers (or Partners):

| Stockholders/Directors/Officers | Name | Address | Business Affiliation/Percentage Ownership |
|---------------------------------|----------------|--|---|
| CEO / Owner | Richard Winter | 33 Irving Place, Ste 1090, New York NY 10003 | 80% |
| President / Owner | Patrick Doyle | 33 Irving Place, Ste 1090, New York NY 10003 | 20% |
| | | | |
| | | | |
| | | | |

4a.) Has anyone on this list been convicted of a Felony? Yes [] or No ☒

If "Yes," Explain:

4b.) Has anyone on this list filed Bankruptcy? Yes [] or No ☒

If "Yes," Explain:

5.) Applicant's Counsel, Accountant and Bank References:

| Applicant's Counsel | |
|---------------------|---|
| Name: | Richard Chun |
| Firm: | Law Office of Richard W. Chun |
| Address: | 33 Irving Place, Suite 1090, New York, NY 10003 |
| Phone: | 646-998-6403 |
| E-mail: | rchun@rwc-legal.com |

| Applicant's Accountant | |
|------------------------|---|
| Name: | Stefanie Pervez, Managing Director |
| Firm: | Andersen Tax |
| Address: | 1177 Avenue of the Americas, 18 Floor, New York, NY 10036 |
| Phone: | 646-213-5171 |
| E-mail: | prevez@AndersenTax.com |

| Applicant's Bank Reference(s) | |
|-------------------------------|--|
| Bank Name: | First Republic Bank |
| Address: | 101 Pine Street, San Francisco, CA 94111 |
| Phone: | 415-288-7503 |
| Website: | www.firstrepublic.com |

6.) Project Type [Check All that Apply]:

- | | | | |
|--|--|--|---|
| <input type="checkbox"/> Manufacturing | <input type="checkbox"/> Warehousing | <input type="checkbox"/> R & D | <input type="checkbox"/> Tax-Exempt |
| <input type="checkbox"/> Wind Farm | <input type="checkbox"/> Commercial | <input type="checkbox"/> Retail | <input type="checkbox"/> Medical |
| <input type="checkbox"/> Residential | <input type="checkbox"/> Recreation | <input type="checkbox"/> Adaptive Reuse | <input checked="" type="checkbox"/> Other |
| <input type="checkbox"/> Small Alternative Energy | <input type="checkbox"/> Distributive Service | <input type="checkbox"/> Tourism Destination Facility | <input type="checkbox"/> Industrial (includes pollution control) |

**See CCIDA Eligible Project Policy for definitions www.clintoncountynyida.com*

If "Other," please explain: Solar Energy Farm

*For Retail and Tourism Projects **ONLY** – All others Skip to Question 7*

6a.) Retail Projects:

- Will the project's facility be used in making retail sales of physical goods to customers who visit the proposed facility? Yes ☐ or No ☐
- Will the project's facility be used in providing services to customers who physically visit the facility? Yes ☐ or No ☐
 - If "Yes" to either of the above, how much of the project's facility will be devoted to said use?
- Is the project a critical part of a larger, planned development in the community? Yes ☐ or ☐ No
- Has the project been endorsed by the local municipal chief executive officer or the local municipal governing body? Yes ☐ or No ☐
- Is the project located in a former Empire Zone? Yes ☐ or No ☐
- Is the project located in a Distressed Census track (based on the latest decennial Census)? Yes ☐ or No ☐

(*Census Track Data Available at www.census.gov)

6b.) Tourism Destination Facility Projects:

- Will the project attract and/or service a significant number of Tourists that come from outside the economic development region (ED Region Includes: Clinton, Essex, Franklin, Hamilton, St. Lawrence, Jefferson and Lewis Counties)? Yes ☐ or No ☐
 - If Yes, attach market analysis that demonstrates said attraction
- Is the project linked to other Tourism Facility Destinations in Clinton County? Yes ☐ or No ☐
- Will the project agree to pay sales tax and occupancy taxes related to the operation of the facility? Yes ☐ or No ☐

- If not operated by a not-for-profit, will the project agree to pay real estate taxes and/or PILOT payments on said facility? Yes ☐ or No ☐

7.) Scope of Project [Check All that Apply]:

- ☐ Construction of a new building
- ☐ Acquisition of land
- ☐ Acquisition of existing building
- ☐ Renovations to existing building
- ☐ Construction of addition to existing building
- ☐ Acquisition of machinery and/or equipment
- ☒ Installation of machinery and/or equipment
- ☒ Other (specify) Installation of solar panels and related wiring equipments

7a.) Have you filled out any environmental assessment forms with other government entities? Yes ☐ or No ☒ (If “yes,” attach) In process

7b.) Has SEQR already been commenced by a lead government agency? Yes ☐ or No ☒ (If yes, please attach) In process. (Please see attached lead agency letter signed by the Town of Mooers as Exhibit A.)

Note: All projects involving construction, expansion or modification of an existing site **must fill out **Part III - SEQR** of this application. If SEQR has already been determined and approved by the municipality please attached to Part III of this application.*

8.) Explain your proposed project in detail. This description should include explanation of all of the activities/operations which will occur due to this project; the location (address) and tax map data of the site; the dimensions of new/modifications building(s) & type of construction. Also attach photo of the site, preliminary plans, sketches and/or floor plans of proposed project:

A 2 MWAC solar farm will be constructed on 10 - 12 acres of open land. The project address is 297 Boas Road, Mooers, NY 12959. The Tax ID for the parcel of land is [58.-1-9] (to be subdivided. New tax ID numbers to be provided). Please see Project Summary attached hereto as Exhibit B.

Additional Information:

(8a) Estimated Start Date: 6/1/2017

(8b) Estimated Completion Date: 10/1/2017
(8c) Zoning Classification of the Project: Residential
(8d) Legal owner of the site or building: Larry Ashline
(8e) Most Recent use of the site and/or building: Agricultural
(8f) Municipality Project is located in: Mooers Forks
(8g) School District Project is located in: Northeastern Clinton

8(h) Is there an existing or proposed lease for this project? Yes ☒ or No ☐
(If yes, attach a copy) Please see the proposed lease on Exhibit C attached.

8(i) Is there a purchase option or other legal or common control in the project? Yes ☒ or No ☐
If yes, attach copy or describe participation:
there is an option to lease the land for the project.

8(j) List the major equipment to be acquired as part of the project. Please provide a detailed inventory of said equipment when one becomes available.

Solar PV panels, inverters, electrical wiring

8(k) Is there now or does the applicant believe there will be significant opposition to the proposed project? Yes ☐ or No ☒

If "Yes," Explain:

9.) On-site Utilities and Providers:

| Type: | Provider: |
|-----------|-----------|
| Water | — |
| Sewer | — |
| Electric | NYSEG |
| Gas | — |
| Broadband | — |

Section C : Project Costs

10.) What is the estimated Total Project Cost? (Note: More in-depth information will be required in Part II of this application)

| Category | Costs |
|-----------|--------------|
| Land | \$ — |
| Building | \$ — |
| Equipment | \$ 2,458,000 |
| Other | \$ 2,004,041 |
| Total: | \$ 4,462,041 |

If citing "Other," Explain: Utility interconnection costs, surveys, engineering, developments, EPC fees, financing costs, other soft costs.

10(a) Both Clinton County and the CCIDA have policies that encourage the use of local labor. Is the applicant willing to consider the use of local labor? Yes ☒ or No ☐

11.) Financing Sources:

11(a) 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:

| <u>Description of Sources</u> | <u>Amount</u> |
|--|---------------------|
| Private Sector Financing | \$ 1,650,000 |
| Public Sector | |
| Federal Programs | \$ |
| State Programs | \$ 1,116,378 |
| Local Programs | \$ |
| Applicant Equity | \$ 180,838 |
| Other (specify, e.g., tax credits) | |
| Tax Equity Investors (private sector) | \$ 1,514,825 |
| | \$ |
| | \$ |
| TOTAL AMOUNT OF PROJECT FINANCING SOURCES | \$ 4,462,041 |

11(b) Have any of the above expenditures already been made by the applicant?
Yes x; No _____. If yes, indicate particulars.

Surveys, engineering, on site layouts, interconnection studies, interconnection upgrade cost deposit.

Total expenditures: \$20,000.

11(c) Amount of loan requested: \$ _____;
Maturity requested: _____ years.

11(d) Has a commitment for financing been received as of this application date, and if so, from whom? Finalizing agreements with lenders.

Yes ____; No x. Institution Name: _____

11(e) Provide name and telephone number of the person we may contact.

Name: _____ Phone: _____

11(f) The percentage of Project costs to be financed from public sector sources is estimated to equal the following: 23.7 %

11(g) The total amount estimated to be borrowed to finance the Project is equal to the following:
\$ 1,650,000

**Note: Attach an outline of the financing package that is expected to be utilized for this project including dollar amounts and funding sources*

Section D: Employment Information

12.) Employment Impact

12(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 | | | | | |
| 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 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 | | | | | |

| 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 North Country 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 | | | | |
| Estimated Number of Employees Residing in the North Country Economic Development Region ¹ | | | | |

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

* FTE: Any combination of (2) two or more part-time jobs that when combined together, constitute the equivalent of a job of at least 35 hours per week.

¹ The North Country Economic Development Region consists of the following counties: Clinton, Essex, Franklin, Hamilton, Jefferson, Lewis, and St. Lawrence.

Section E: Representations and Certification by Applicant

Richard Winter (name of authorized representative of the Applicant submitting application) deposes and says that he/she is CEO (Title) of NY Mooers III, LLC (hereinafter referred to as the "Applicant"), the corporation/partnership/limited liability company named in this Application; that he/she has read the foregoing Application and knows the content thereof, that the same is true to his/her knowledge.

Deponent further says that the reason this verification is made by the deponent and not by the Applicant is because the said Applicant is a legal entity - corporation/partnership/limited liability company - as opposed to an actual person. The grounds of the deponent's belief relative to all matters in said Application which are not upon his/her own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of the Application as well as acquired by the deponent in the course of his/her duties, as an officer and from the books and papers of the Applicant.

On behalf of said Applicant, deponent acknowledges and agrees that the Applicant shall be and is responsible for all costs incurred by the County of Clinton Industrial Development Agency (hereinafter referred to as the "Agency") acting on behalf of the attached application whether or not the application, the project it describes, the attendant negotiations and financial assistance is carried to successful conclusion. If, for any reason whatsoever, the Applicant fails to conclude or consummate necessary negotiations or fails to act within a reasonable or specified period of time to take reasonable, proper, or requested action or withdraws, abandons, cancels, or neglects that application (or if in cases of bonds the Agency or the Applicant are unable to find buyers willing to purchase the total bond issue requested), then, and in that event, upon presentation of invoice, the Applicant shall pay to the Agency, its agents or assigns all actual costs involved in conduct of the application, up to that date and time, including fees of Agency counsel. A non-refundable filing fee of \$1,500 is required with this application, of which, \$750 will be applied to the project closing costs (Make check payable to: County of Clinton IDA). Upon successful closing of the transaction and/or sale of the required bond issue, the Applicant shall pay to the Agency an administrative fee set by the Agency not to exceed an amount equal to .75% of the total benefited transaction. The cost incurred by the Agency and paid by the Applicant, including the Agency's counsel and the administrative fee, may be considered as a cost of the project and included as part of the resultant transaction. The Applicant should also be aware that the Applicant is responsible for all fees and legal costs incurred by the Agency for re-conveyance of titles at the end of the project. The Agency reserves the right to visit the project site on an annual basis during the benefit period.

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:

If the project is assessed at fair market value, the project is uneconomical or will not be built. We want a standard PILOT payment adopted that is economical for project while compensating the taxing jurisdictions. The sales tax abatement and mortgage tax exemption would further incentivize development of this project and additional projects in the county.

The proposed project will benefit the communities financially through PILOT payments, benefit the residents of the community through electricity bill discounts, and benefit the landowner through long-term income. The project will also provide numerous construction jobs.

Relocation or Abandonment. 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.

Compliance with Article 18-A of the New York General Municipal Law. 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 not limited to, the provision of Section 859-a and Section 862(1) thereof.

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.

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.

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:

Additional Information. Additional information regarding the requirements noted in this Application and other requirements of the Agency is included the Agency's Policy Manual which can be accessed at <http://www.clintoncountyida.com/>.

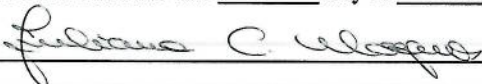
I affirm under penalty of perjury that all statements made on this application are true, accurate and complete to the best of my knowledge.



(CEO/President of Company)
SVP

NOTARY

Sworn to before me this 13th day of March, 2017

 (seal)

JULIANA C. MARQUES
Notary Public, State of New York
No. 01MA6338149
Qualified in New York County
Commission Expires March 7, 2020

Note to Applicant:

The 2013 New York State Budget, enacted on March 28, 2013, established new recordkeeping, reporting, and recapture requirements for industrial development agency projects that receive New York State ("NYS") sales tax exemptions, including projects granted assistance by County of Clinton Industrial Development Agency ("CCIDA").

These new NYS sales tax recording and reporting requirements for industrial development agency projects include the following requirements:

1. CCIDA must keep records of the amount of sales tax benefits provided to each project and make those records available to NYS upon request.
2. CCIDA must report to NYS, within 30 days after providing financial assistance to a particular project, the amount of sales tax benefits expected to be provided to such project.
3. CCIDA must post on the internet and make available without charge copies of its resolutions and project agreements.

The legislation now requires that CCIDA to recapture NYS sales tax benefits where:

1. The project is not entitled to receive those benefits;
2. The exemptions exceed the amount authorized by CCIDA, or are claimed for unauthorized property or services; or
3. The project operator failed to use property or services in the manner required by its agreements with CCIDA.

What this means for CCIDA Projects:

1. Companies requesting a sales tax exemption from CCIDA must include in their application the value of the savings they anticipate receiving. Note that the new regulations require that CCIDA must recapture any benefit that exceeds the amount listed in a company's application. Accordingly, please ensure that you provide a realistic estimate of the sales tax exemptions which you are requesting.
2. Projects subject to recapture must remit payment within 20 days of a request from CCIDA.
3. All project agreements and resolutions will now be publicly available on CCIDA's website.
4. CCIDA's policy has always been to allow project operators to request certain information be redacted if the project can demonstrate that its release would result in substantial harm to the project's competitive position.

**Note: Per the CCIDA UTEP, all Project receiving sales tax benefits are required to submit their ST-340s or risk losing said benefit.*

PART II: COST BENEFIT ANALYSIS

Please answer all questions either by filling in blanks or by attachment

SECTION F - FINANCING STRUCTURE:

1. Tax-Exempt Financing Requested [Check all that Apply]

☒

Straight Lease Transaction

☐

Tax-Exempt Bonds

☒

Sales Tax Exemption Until completion date

☒

Mortgage Tax Abatement

☒

Real Property Tax Abatement/PILOT

☐

Other – Explain:

2. Based on the CCIDA's UTEP PILOT Scoring Criteria (see attachment C); indicate the methodology used by the applicant to determine the Type of real property tax abatement the project is eligible for (if applicable):

Type I ☐ Type II ☐ Type III ☐ Deviation ☒ (check one)

Describe: DRS is seeking a standardized PILOT payment based on the generating capacity of the system expressed in a dollar per MWAC calculations.

SECTION G - PROJECT QUESTIONNAIRE:

| | |
|---|--|
| 1. Name of Project Beneficiary ("Company"): | NY Mooers III, LLC |
| 2. Municipality Project is Located | Mooers Forks |
| 3. School District Project is Located | Northeastern Clinton |
| 4. Estimated Amount of Project Benefits Sought: | 171,380 (year 1) Ongoing benefits are a property tax exemption replaced with a standard PILOT agreement |

| | | |
|----|--|---------------------|
| B. | Building-Related Costs | |
| 1. | Acquisition of existing structures | \$ _____ |
| 2. | Renovation of existing structures | \$ _____ |
| 3. | New construction costs | \$ _____ |
| 4. | Electrical systems | \$ _____ |
| 5. | Heating, ventilation and air conditioning | \$ _____ |
| 6. | Plumbing | \$ _____ |
| 7. | Other building-related costs (describe) | \$ _____ |
| | | |
| C. | Machinery and Equipment Costs | |
| 1. | Production and process equipment | \$ _____ |
| 2. | Packaging equipment | \$ _____ |
| 3. | Warehousing equipment | \$ _____ |
| 4. | Installation costs for various equipment <small>labor</small> | \$ <u>550,000</u> |
| 5. | Other equipment-related costs (describe) <small>Solar panel and related equipment</small> | \$ <u>2,458,000</u> |
| | | |
| D. | Furniture and Fixture Costs | |
| 1. | Office furniture | \$ _____ |
| 2. | Office equipment | \$ _____ |
| 3. | Computers | \$ _____ |
| 4. | Other furniture-related costs (describe) | \$ _____ |
| | | |

| | | |
|----|--|-------------------|
| E. | Working Capital Costs | |
| 1. | Operation costs | \$ _____ |
| 2. | Production costs | \$ _____ |
| 3. | Raw materials | \$ _____ |
| 4. | Debt service | \$ <u>127,874</u> |
| 5. | Relocation costs | \$ _____ |
| 6. | Skills training | \$ _____ |
| 7. | Other working capital-related costs (describe) | \$ _____ |
| | | |
| F. | Professional Service Costs | |
| 1. | Architecture and engineering | \$ <u>120,000</u> |
| 2. | Accounting/legal | \$ <u>50,000</u> |
| 3. | Other service-related costs (describe) Develops fees and EPC manager fees. | \$ <u>665,600</u> |
| | | |
| G. | Other Costs | |
| 1. | Mortgage Amount not included in above costs | \$ _____ |
| 2. | <u>Costumer acquisition costs</u> | \$ <u>326,400</u> |
| | | |
| | 3. Project Reserve costs (decommissioning) | \$ 60,000 |

| | |
|--|---------------------|
| H. Summary of Expenditures | |
| 1. Total Land Related Costs | \$ 104,167 |
| 2. Total Building Related Costs | \$ - |
| 3. Total Machinery and Equipment Costs | \$ 3,008,000 |
| 4. Total Furniture and Fixture Costs | \$ - |
| 5. Total Working Capital Costs | \$ 127,874 |
| 6. Total Professional Service Costs | \$ 835,600 |
| 7. Total Other Costs | \$ 386,400 |
| TOTAL PROJECT COSTS | \$ 4,462,041 |

SECTION I - PROJECTED CONSTRUCTION EMPLOYMENT IMPACT:

1. Please provide estimates of total construction jobs at the Project:

| Year | Construction Jobs (Annual wages and benefits \$40,000 and under) | Construction Jobs (Annual wages and benefits over \$40,000) |
|--------------|--|---|
| Current Year | - | 36 |
| Year 1 | - | - |
| Year 2 | - | - |
| Year 3 | - | - |
| Year 4 | - | - |
| Year 5 | - | - |

2. Please provide estimates of total annual wages and benefits of total construction jobs at the Project:

| Year | Total Annual Wages and Benefits | Estimated Additional NYS Income Tax |
|--------------|---------------------------------|-------------------------------------|
| Current Year | \$ 1,440,000 (Annualized) | \$ 57,600 |
| Year 1 | \$ | \$ |
| Year 2 | \$ | \$ |
| Year 3 | \$ | \$ |
| Year 4 | \$ | \$ |
| Year 5 | \$ | \$ |

SECTION J - PROJECTED PERMANENT EMPLOYMENT IMPACT:

1. Please provide estimates of total existing permanent jobs (FTE) to be preserved or retained as a result of the Project: FTE: Any combination of (2) two or more part-time jobs that when combined together, constitute the equivalent of a job of at least 35 hours per week.

| Year | Existing Jobs (Annual wages and benefits \$40,000 and under) | Existing Jobs (Annual wages and benefits over \$40,000) |
|--------------|---|--|
| Current Year | | |
| Year 1 | | |
| Year 2 | | |
| Year 3 | | |
| Year 4 | | |
| Year 5 | | |

2. Please provide estimates of total new permanent jobs (FTE) to be created at the Project:

| Year | New Jobs (Annual wages and benefits \$40,000 and under) | New Jobs (Annual wages and benefits over \$40,000) |
|--------------|---|--|
| Current Year | | |
| Year 1 | | |
| Year 2 | | |
| Year 3 | | |
| Year 4 | | |
| Year 5 | | |

3. Please provide estimates of total annual wages and benefits of total permanent construction jobs at the Project:

| Year | Total Annual Wages and Benefits | Estimated Additional NYS Income Tax |
|--------------|------------------------------------|--|
| Current Year | \$_____ | \$_____ |
| Year 1 | \$_____ | \$_____ |
| Year 2 | \$_____ | \$_____ |
| Year 3 | \$_____ | \$_____ |
| Year 4 | \$_____ | \$_____ |
| Year 5 | \$_____ | \$_____ |

4. Provide estimates for the Creation of New Job Skills relating to permanent jobs. List the projected new job skills for the new permanent jobs to be created as a result of the undertaking of the project by the applicant

| New Job Skills | Number of Positions Created | Wage Rate |
|----------------|-----------------------------|-----------|
| | | |
| | | |
| | | |
| | | |
| | | |

**Should you need additional space, please attach a separate sheet.*

SECTION K - PROJECTED OPERATING IMPACT:

1. Please provide estimates for the impact of Project operating purchases and sales:

| | |
|---|----------|
| Additional Purchases (1 st year following project completion) | \$ _____ |
| Additional Sales Tax Paid on Additional Purchases | \$ _____ |
| Estimated Additional Sales (1 st full year following project completion) | \$ _____ |
| Estimated Additional Sales Tax to be collected on additional sales (1 st full year following project completion) | \$ _____ |

2. Please provide estimates for impacts of other economic benefits expected to be produced as a result of the Project not mentioned in this application:

CBA QUESTIONNAIRE CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire.

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

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.

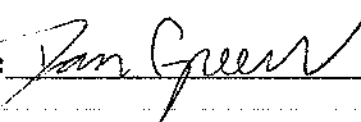
Date Signed: March 13, 2017.

Name of Person Completing Project Questionnaire on behalf of the Company.

Name: Daniel Green

Title: Analyst

Phone Number: 646-998-6493

Signature: 

APPLICATION ATTACHMENT A:

Acknowledgements and Yearly Filings

As a condition to issuing financial assistance to the applicant the County of Clinton Industrial Development Agency is required by the New York State Comptroller's office to obtain the following supplementary information yearly for the duration of the transaction:

1. Outstanding balance at beginning and end of year and principal payments made during year.
2. The current interest rate for bonds (for adjustable rate bonds the rate at the end of the year is needed).
3. Current year tax exemptions for county, local (towns) and school taxes.
4. PILOT (*Payment in lieu of taxes*) payments made each year to county, local and school taxing authorities.
5. Documentation and affidavits regarding the use of local construction workers in the construction phase of the Project. See Use of Local Labor Policy and Attachment D of this application.
6. Once project is authorized, report the number of full-time, part-time and seasonal workers employed in terms of FTE (as defined in this application).
7. Submit NY-45 Form (with employee identification blacked-out) showing 4Q monthly data regarding salary and employment levels. Also include an average salary.

In addition to the above, in reporting the first year the CCIDA need:

1. An amortization schedule showing the planned principal reduction each year for the life of the issue.
2. The amount exempted for:
 - (a) sales tax
 - (b) mortgage recording tax
3. Each year of construction – Sale tax and documents (ST-60, ST-340, ST-123, etc.).

This information is required by January 31st of each succeeding year and shall be submitted in writing to the County of Clinton Industrial Development Agency, 190 Banker Road, Suite 500, Plattsburgh, NY 12901. (Fax: 518-562-2232)

We have reviewed, understand and will comply with the above, as required by the New York State Comptroller's Office.

Name: Peter Dolgoz Title: Senior Vice President

Date: 3/13/07

APPLICATION ATTACHMENT B

County of Clinton IDA Fee Schedule:

Adopted: 5/13/13

| Type | Cost | Description |
|---|-----------------------------------|---|
| <i>Application Fee</i> | \$1500 | The Agency will charge a nonrefundable administrative application fee for finance transactions equal to \$1500 upon submission of an application by a project. \$750 is a non-refundable administrative fee. The remaining \$750 will be applied to the project's closing costs. |
| <i>Fee Issuances for Bonds or Straight Lease Transactions</i> | .75 of 1% | The Agency will charge said fee on the total benefited project costs. Such fee shall be payable upon the successful conclusion of the sale of obligations (bonds) or upon the execution and delivery of the documents providing financial assistance (straight lease not involving bonds). Fees are non-refundable. |
| <i>Issuance Fee for Refinancing</i> | ½ of the Current Bond Fees | The Agency will charge ½ of the current bond fees for the refinancing of a project. Fees shall be applied towards administrative costs to the Agency and are non-refundable. |
| <i>Modification/Amendment Transactions Fees</i> | \$500 | The Agency will charge a nonrefundable modification/amendment transaction fee per instance (post-closing) equal to \$500 upon the submission of a letter to the Agency explaining in detail the requested action to modify or amend existing documents previously executed by the Agency. Fees shall be applied towards administrative costs. |
| <i>Reconveyance of a Straight Lease Fees Not Involving New Financial Assistance</i> | \$500 | The Agency will charge a nonrefundable reconveyance administrative fee for straight lease transactions. The project is responsible for paying all legal costs and/or other third party costs incurred by the Agency on behalf of the project. Fees shall be applied towards administrative costs to the Agency and are non-refundable. |
| <i>Special Meeting Fee</i> | \$500 | The Agency will charge a nonrefundable administrative fee for a special meeting of the IDA held at the project's request. |
| <i>IDA Legal Fees</i> | Varies | The project is responsible for paying all legal costs and/or other third party costs incurred by the Agency on behalf of the project. Fees shall be applied towards administrative costs to the Agency and are non-refundable. |

*The Agency Board reserves the right to determine and impose other administrative fees on Agency projects in consideration for financial assistance being granted by the Agency and/or the costs incurred by the Agency. The Agency may provide for a different application fee and/or a different administrative fee for a particular project by resolution duly adopted by the Agency Board.

APPLICATION ATTACHMENT C

CCIDA UTEP PILOT Scoring Criteria

| Variable/ Threshold | Permanent Payroll Level in Terms of # of Jobs Created | % of Average County Wage | # of Potential Spin-off Jobs | Local Business Impact and/or Community Investment Reviewing appropriate level yearly | Educational Benefits Reviewing appropriate levels/year | Value of Real Property | Totals: |
|------------------------------|--|---|---|--|---|----------------------------------|---------|
| Level 1 (1 point) | Less than 100 jobs within 5 years | At least 75% for <u>new</u> jobs | Less than 100 verifiable Spin off jobs | Need for local industry/services is low e.g. insurance, banking, trucking Belong to Chamber | Low level such as school visits/ school-to-work | \$500k-\$1.5x10 ⁶ | |
| Level 2 (2 pts) | 100 - 300 jobs | At least 100% for <u>new</u> jobs | 100-300 verifiable Spin off jobs | Use local industrial suppliers & services/raw materials/parts Or Reuse abandoned facility | Limited Support/ Learn to Earn Internships underwrite facilities or programs | \$1.5 - 5.0 x 10 ⁶ | |
| Level 3 (3 pts) | 300+ jobs within 5 years | At least 150% for <u>new</u> jobs | 300+ verifiable Spin off jobs | Demonstrate synergy with local services, suppliers and manufacturers Or Reclaim brownfield/adaptive re-use of facilities. | Major support to schools and colleges Scholarships (NMSQT); internships; sponsorships underwrite faculty \$10,000 | \$5.0 x 10 ⁶ + | |
| Totals: | | | | | | | |

Scoring

6 points or less - Category 1 benefits
 7-11 points - Category 2 benefits
 12 points or more - Category 3 benefits

APPLICATION ATTACHMENT D

CONSTRUCTION EMPLOYMENT AGREEMENT

Recognizing the mission of County of Clinton Industrial Development Agency (the "Agency") to promote construction employment opportunities for residents of Clinton County, New York and in consideration of the extension of financial assistance by the Agency for the project which is the subject of this application (the "Project"), NY Mooers III, LLC (the "Company") understands that it is the Agency's policy that benefiting private entities should employ New York State residents and agrees to provide the information requested below as a way to provide local construction opportunities. The Company also agrees to provide an estimate of the number, type and duration of construction jobs to be created through Agency assistance, whether employment is gained directly through the Company, its general contractor, or individual vendors.

Upon completion of the Project, the Company shall, if requested by the Agency, submit to the Agency a Construction Completion Report in which is identified names and business addresses of the prime contractor, sub-contractors and vendors engaged in the construction of the Project.

| | |
|---|---|
| <u>Relevant Company Information:</u> Company: <u>NY Mooers III, LLC</u> Company representative for Contract Bids and Awards: <u>Peter Dolgos</u> Mailing Address: <u>33 Irving Place, Ste. 1090</u> <u>New York, NY 10003</u> Phone: <u>646-998-6457</u> Fax: <u>917-591-9441</u> Email: <u>Legal@delaware-riversolar.com</u> | <u>General Contractor, if determined:</u> Contractor: _____ Representative: _____ Mailing Address: _____ _____ Phone: _____ Fax: _____ Email: _____ |
|---|---|

Construction start date is estimated to be June 2017 with occupancy to be taken on _____ (estimated)?

| Construction Phase or Process | Duration of Construction Phase | # to be employed |
|-------------------------------|--------------------------------|------------------|
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| | | |

| Construction Phase or Process | Duration of Construction Phase | # to be employed |
|-------------------------------|--------------------------------|------------------|
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Dated 3/13/17

NY Mooers III, LLC
 Name of Applicant
Peter Dolgos
 Signed SUP
 Printed Name and Position