CRNC leases the facility from LNH Operating Company, LLC, a related party. Terms of the lease are for 25 years and commences on 5/1/2012. For the first ten years rent is set at $550,000, next 10 years at $675,000, and the last five years at $725,000.

Select the type of incentives being requested (select all that apply):

- ☐ Tax-Exempt Bonds
- ☐ Taxable Bonds
- ☐ Real Property Tax Exemption
  - ☐ Standard Tax Exemption (7-year)
  - ☐ Other (attach justification)
  - ☐ CIITAP: ☐ 7-year
  - ☐ CIITAP: ☒ 10-year (requires determination of financial need – see CIITAP for details)
- ☒ Sales Tax Exemption
- ☐ Mortgage Recording Tax Exemption
Cayuga Nursing and Rehabilitation is currently a 160 bed long term care facility under license from the State of New York. We provide long term quality of life living and health care services, primarily for residents of Tompkins County, for acute and sub-acute care residents and residents with memory loss challenges. We provide occupational and physical therapy services for residents and non residents, nutrition services, medical services, multiple daily activities that change every day and encourage residents to participate. We have onsite barber and beauty services, dental services, respite care and a social daycare program.

Major Customers: Residents in need of short-term rehabilitation services and long-term nursing care.
Major Suppliers: Omnicare Pharmacy; Medline Industries; US Foods, Inc.; Airgas East; Johnston Food Svc & Cleaning Solutions

Has your business ever received incentives tied to job creation? □ Yes □ No

If yes, please describe: ____________________________

Were the goals met? □ Yes □ No

If no, why were the goals not met? ____________________________

Annual sales to customers in Tompkins County: $11,000,000

Percent of annual sales subject to local sales tax: 0%

Value of annual supplies, raw materials and vendor services are that purchased from firms in Tompkins County: $224,856

III. PROJECT DESCRIPTION AND DETAILS

Project Location (all addresses and tax parcels): 1229 Trumansburg Road, Ithaca New York 14850

Property Size (acres): existing: 5.675 proposed: 5.675

Building Size (square feet): existing: 139,017 proposed: 139,017

Proposed Dates: start: January 2018 end: March 2019

Please provide a narrative of the Project and the purpose of the Project (new build, renovations, and/or equipment purchases, etc.). Identify specific uses occurring within the Project. Describe any and all tenants and end users: The proposed project is primarily interior renovations for the purpose of providing skilled nursing facilities to a long term resident population as is being mandated by the NYS DOH to comply with current IBCNY, NFPA and NYSDOH guidelines. The facility is being reduced to 144 beds as mandated by DOH. All resident rooms and private bathrooms will be reconfigured for accessibility compliance. Nursing units will be reconfigured to provide decentralized resident dining and activity space. New Physical Therapy suite, medical and wellness facilities, social services, admissions and central reception parlor. Replace or upgrade aged building systems including HVAC, electric, plumbing, fire/smoke systems, nurse call systems and wander control systems. Interior finishes upgrades to all floors, walls, ceilings and lighting, relocate the main kitchen and provide 4 satellite kitchens (one at each nursing station). Construct laundry facilities and staff service areas and upgrade completely, 2 elevators

Improve resident, visitor and staff facility access and life safety doing the following:

a. Reconstruct 2 resident courtyards providing secure outside activity to the residents on floors 1-3
b. Provide sidewalks from all exit doors a public way
c. Reconfigure 2nd floor loading dock to provide safer access for delivery vehicles
d. Modify the south parking lot to provide a resident drop-off at the main first floor entry
e. Re-surface the existing entry drive and east and south parking lots
The financial assistance is being requested as Cayuga Ridge is being evaluated by DOH to determine if the operating license should be revoked due to the prior ownership not maintaining the facility to DOH requirements and quality of life standards. If the facility is to remain open, the bed count must be reduced from 160 to 144 per DOH mandate. We are under a temporary operating agreement until we can design, budget and evaluate the feasibility of investing many millions of dollars into this project. The projected renovation costs far exceed what is economical so we are respectfully requesting assistance to help in closing the gap between projected cost and proforma revenue.

If financial assistance becomes unobtainable, the feasibility of the project is in significant jeopardy. Should that occur, CNRC will likely choose to conclude the temporary operating agreement with the DOH and the facility will be closed. The resident population we serve, which is not served by other facilities in the area, will be forced to find alternative long term living and healthcare services. Our employees will lose their employment and local providers of services will no longer serve Cayuga Ridge.

Describe what green building practices you plan to use: The project is replacing the 50+ year old boiler systems and adding an EMS to manage the system. Considerable expense has been undertaken to replace existing lighting and ballasts, all new lighting will be energy efficient LED where possible, New windows have been installed to replace single-pane units. Solar panel are being explored but are contingent upon initial cost and payback.

Will this project result in a regular increase in overnight visitors to your facility (e.g. for training programs)? ☒ Yes   ☐ No

If yes, number of visitors per year: __________

Average duration of stays (days): __________

Occupancy

Select Project type for all end users at Project site (select all that apply):

☒ Industrial  ☒ Service*, **
☒ Acquisition of existing facility  ☒ Back office
☒ Housing  ☒ Mixed use
☒ Multi-tenant  ☒ Facility for aging
☒ Commercial  ☒ Civic facility (not for profit)
☒ Retail*, **  ☒ Other

* For Purposes of this question, the term “retail sales” means (1) sales by a registered vendor under Article 28 of the Tax Law 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 (2) sales of a service to customers who personally visit the project location.

** If Applicant checked “retail” or “service,” complete the Retail Questionnaire contained in Section X.
List the name(s), nature of business of proposed tenant(s), and percentage of total square footage to be used for each tenant (additional sheets may be attached, if necessary):

**Business** | **Nature of Business** | **% of total square footage**
--- | --- | ---
1. The existing facility purpose will remain unchanged and existing occupancy and use will remain the same. The facility is not intended to provide space for tenant or other uses.

**IV. PROJECT COSTS AND FINANCING**

**Project Costs**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land and/or Building Acquisition:</td>
<td>$</td>
</tr>
<tr>
<td>New Building Construction:</td>
<td>$</td>
</tr>
<tr>
<td>Building Addition(s):</td>
<td>$</td>
</tr>
<tr>
<td>Infrastructure Work:</td>
<td>$</td>
</tr>
<tr>
<td>Reconstruction/Renovation:</td>
<td>$</td>
</tr>
<tr>
<td>Manufacturing Equipment:</td>
<td>$</td>
</tr>
<tr>
<td>Non-Manufacturing Equipment (furniture, fixtures, etc.):</td>
<td>$</td>
</tr>
<tr>
<td>Soft Costs (professional services, etc.):</td>
<td>$</td>
</tr>
<tr>
<td>Other (Specify):</td>
<td>$</td>
</tr>
<tr>
<td><strong>TOTAL:</strong></td>
<td><strong>$ 21,027,176</strong></td>
</tr>
</tbody>
</table>

Have any of the above costs been paid or incurred as of the date of this application?  [X] Yes  [ ] No

If yes, describe particulars: Cayuga Ridge has incurred costs of $544,613 to date including Architect and Engineering services to prepare preliminary design documents for budgeting and feasibility, we have replaced 60% of the existing windows that were either broken or had plywood covering, with windows that meet energy code requirements, we have replace 74% of light ballasts and lamps in an effort to reduce energy costs, materials and furniture long past their useful life, left behind by prior owners, disposed of, inoperable elevators have been put back into service until permanent renovation can be considered. We have added staff in nearly every department. The costs incurred to date are not included in the above Total Project Costs of $21,027,176.

**Sources of Funds for Project Costs**

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bank Financing</td>
<td>$14,000,000</td>
</tr>
<tr>
<td>Equity</td>
<td>$7,027,176</td>
</tr>
<tr>
<td>Tax Exempt Bond Issuance (if applicable)</td>
<td>$</td>
</tr>
<tr>
<td>Taxable Bond Issuance (if applicable)</td>
<td>$</td>
</tr>
<tr>
<td>Public Sources (Include sum total of all state and federal grants and tax credits)</td>
<td>$</td>
</tr>
</tbody>
</table>

Identify each State and federal grant/credit:

<table>
<thead>
<tr>
<th>State or Federal Grant</th>
<th>Amount ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$</td>
</tr>
<tr>
<td></td>
<td>$</td>
</tr>
<tr>
<td></td>
<td>$</td>
</tr>
</tbody>
</table>

Total sources of funds for Project costs: $21,027,176
Project refinancing of existing debt only (estimated):

$ 0

Amount of anticipated financing from a lending institution:

$ 21,027,176

Note: The applicant must inform the TCIDA/TCDC at the time of issuance of commitment letter if the financing will exceed the amount stated here.

V. VALUE OF INCENTIVES

Property Tax Exemption: (Agency staff will fill out property tax exemption information based on information submitted by the applicant).

Assumptions: $ _____ Value of increase in assessment

4% Annual increase in assessment and tax rate

<table>
<thead>
<tr>
<th>New taxes paid:</th>
<th>$ ____________</th>
<th>Taxes Abated:</th>
<th>$ ____________</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year</td>
<td>County</td>
<td>School</td>
<td>City/Town</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>4</td>
<td></td>
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<td></td>
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<tr>
<td>5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Totals</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

If the applicant is requesting incentives that are greater than the Agency’s Standard Tax Exemption (7 years), please provide a description of the incentive and a justification:

An exemption of state and local sales tax is being requested for the purpose of assisting us in closing the gap between projected renovation hard and soft costs, and our operating budget. The facility has been unattended to for decades and the cost to renovate are significantly higher because of the long term decline. If the sales tax exemption being requested becomes unavailable the current facility ownership must reevaluate the viability of continuing operations.

Sales and Use Tax Benefit:

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:

$ 9,234,000

Estimated State and local sales and use tax benefit (product of sales and use tax amount as indicated above multiplied by 8%)

$ 738,720

Note: The estimate provided above will be provided to the New York State Department of Taxation and Finance and represents the maximum amount of sales and use tax benefit that the Agency may authorize with respect to the application.
Mortgage Recording Tax Benefit:

Mortgage Amount (include construction/permanent/bridge financing/refinancing): $N/A

Estimated mortgage recording tax exemption benefit
(product of mortgage amount as indicated above multiplied by .0025%): $N/A

Complete for bond applicants only: (Projected 25 year borrowing term)

<table>
<thead>
<tr>
<th>Without Bonds</th>
<th>With Bonds</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Year Debt Service</td>
<td>$N/A</td>
</tr>
<tr>
<td>Total Debt Service</td>
<td>$N/A</td>
</tr>
</tbody>
</table>

Percentage of Project costs financed from public sector:

A. Total Project Cost: $21,027,176
B. Estimated Value of PILOT: $0
C. Estimated Value of Sales Tax Incentive: $738,720
D. Estimated Value of Mortgage Tax Incentive: $0
E. Total Other Public Incentives (tax credits, grants, ESD incentives, etc.): $0

Calculation of percentage of Project costs financed from public sector: 3.5%
(Total B + C + D + E above / Total Project Cost)

VI. EMPLOYMENT INFORMATION

Note: Annual employment reporting will be required during the course of the abatement.

Describe the benefits you offer to your employees:

Union: health and dental insurance, employer pension contribution, education fund, paid benefit and holiday time off.
Non-Union: health, vision & dental insurance, vacation, holiday, sick and personal time off.
Common: employer statutory (workers compensation, and short-term disability insurances).

Describe the internal training and advancement opportunities you offer to your employees:
### Employment Plan
Source: 2016 RHCF-4

<table>
<thead>
<tr>
<th>Occupation in Company</th>
<th>Current (Retained) Permanent Full Time Jobs</th>
<th>Projected New Permanent Full-Time Jobs</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Average Annual Salary Ranges/ Hourly Wage</td>
<td>Number of Employees</td>
</tr>
<tr>
<td>Administrative</td>
<td>$ 26.17</td>
<td>13</td>
</tr>
<tr>
<td>Medical</td>
<td>$ 35.52</td>
<td>14</td>
</tr>
<tr>
<td>Clerical</td>
<td>$ 13.04</td>
<td>8</td>
</tr>
<tr>
<td>Services</td>
<td>$ 11.34</td>
<td>23</td>
</tr>
<tr>
<td>Food Service</td>
<td>N / A</td>
<td>N / A</td>
</tr>
<tr>
<td>Construction</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>High Skilled</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Medium Skilled</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Basic Skilled</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Other (describe)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>RN</td>
<td>$ 25.38</td>
<td>9</td>
</tr>
<tr>
<td>LPN</td>
<td>$ 18.97</td>
<td>15</td>
</tr>
<tr>
<td>CNA</td>
<td>$ 13.62</td>
<td>59</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

What percentage of your current positions are occupied by women? 84%  
What percentage of your current positions are occupied by minorities? 23%  
Estimated percentage of new hires who would be unemployed at time of hire: 20%  

Estimate the number of residents of the labor market area in which the Project is located that will fill the projected new jobs to be created. *(The Agency defines the labor market area as Tompkins County and the contiguous counties: Cayuga, Seneca, Schuyler, Chemung, Tioga, and Cortland Counties)* 100%  

Are you willing to pay a livable wage, as defined by the Alternatives Federal Credit union (AFCU) of Ithaca, NY *(http://www.alternatives.org/pdf/AFCU-2015-1055_FINAL2.pdf)* to all employees for the duration of the abatements? Yes ☐ No ☑

If no, estimate the percentage of the current workforce whose wages meet or exceed the livable wage, as defined by AFCU. 78%
When recruiting CRNC uses a three step process to include 1. Recruiting Process 2. Interview Process, and 3. Hiring Process. Step one includes posting the open position both internally and externally on job boards, in our job posting we promote being an EEO employer. Step 2 includes having both human resources and the director of the open position both available for the interview process, usually the director of the department will interview and then human resources will complete the process. During this process we review job functions of the position and ask questions regarding communication with the residents and interaction with co-workers. We will also ask them about attendance in previous positions, this allows to see if they have attendance issues in the past. Step 3 involves human resources and the director of the position reviewing notes and determining based on answers if we will offer them employment with CRNC.

VII. CONSTRUCTION LABOR

Note: Applicants will be required to comply with the Agency’s Local Labor Utilization Policy.

Will you use contractors who:

- Have a certified apprenticeship program
  - Yes ________ %
  - No
- Pay a prevailing wage
  - Yes ________ %
  - No
- Use local labor
  - Yes ________ %
  - No

VIII. ENVIRONMENTAL REVIEW AND PERMITTING

Environmental Assessment Form – □ Short Form □ Long Form

Submitted to: N/A
Agency Name: ____________________________
Agency Address: ____________________________
City: __________ State: __________ Zip: __________
Date of submission: _________________ Status of submission: __________________

The Applicant must comply with the State Environmental Quality Review Act (SEQRA) before the Agency can vote on proposed financial incentives. It is the applicant’s responsibility to provide a copy of the SEQRA determination by another entity.

Permits: Describe other permits required and status of approval process.

<table>
<thead>
<tr>
<th>Permit</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Town of Ithaca: Planning Board Approval</td>
<td>Recently approved</td>
</tr>
<tr>
<td>2. Town of Ithaca: Building Permit</td>
<td>Submission pending project feasibility analysis</td>
</tr>
<tr>
<td>3. NYS DOH: Certificate of Need</td>
<td>Approved</td>
</tr>
<tr>
<td>4.</td>
<td></td>
</tr>
</tbody>
</table>
IX. OTHER

Do you have anything else you would like to tell the TCIDA regarding this project? Cayuga Nursing and Rehabilitation purchased this facility in the later half of 2015 at the request of the NYSDOH, as prior operators had failed to meet the DOH criteria for living standards and Life Safety requirements. We have invested significant resources into this facility to date, we have negotiated at our insistence, above requested labor wages to provide a higher wage to our staff, to date we have invested heavily in this facility and this community.

X. RETAIL QUESTIONNAIRE (Fill out if end users are “retail” or “service” as identified in Section III)

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.

A. Will any portion of the Project (including that portion of the cost to be financed from equity or other sources) 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 ☐ No

If yes, please continue. If no, do not complete the remainder of the retail questionnaire and proceed to the next section of the application.

For Purposes of this question, the term “retail sales” means (1) sales by a registered vendor under Article 28 of the Tax Law 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 (2) sales of a service to customers who personally visit the project location.

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 site?

_____ %

If the answer is less than 33.33% do not complete the remainder of the retail determination and proceed to the next section of the application.

If the answer to Question 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 ☐ No

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

☐ Yes ☐ No

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

3. Will the Project make available goods or services which are not currently reasonably accessible to the residents of the municipality within which the proposed Project would be located?

☐ Yes ☐ 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 ☐ No

If yes, explain: _____
XI. INTER-MUNICIPAL MOVE DETERMINATION

The Agency is required by State law to make a determination that, if completion of a Project benefiting from the Agency financial assistance results 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, Agency financial assistance is required to prevent the Project occupant from relocating out of the State, or is reasonably necessary to preserve the Project occupant’s competitive position in its respective industry.

Will the Project 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? □ Yes  □ No

Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the State? □ Yes  □ No

If yes to either question explain how notwithstanding the aforementioned closing or activity reduction the Agency’s financial assistance is required to prevent the Project from relocating out of the State or is reasonably necessary to preserve the Project occupant’s competitive position in its respective industry:

Does the Project involve relocation or consolidation of a Project occupant from another municipality:

  - Within New York State: □ Yes  □ No
  - Within County/City/Town/Village: □ Yes  □ No

If yes to either question above, please explain: _____
REPRESENTATIONS, CERTIFICATIONS AND INDEMNIFICATION

Shalom Braunstein
(name of CEO or other authorized representative of Applicant)
confirms and says that he/she is the Owner (title) of CNRC, (name of corporation or other entity) named in the attached Application (the "Applicant"), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and as follows:

A. Job Listings. In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the proposed Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the proposed Project must be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entitle") of the service delivery area created by the Federal Job Training Partnership Act (Public Law 97-300) ("JTPA") in which the proposed Project is located.

B. First Consideration for Employment. In accordance with Section 858-b(2) of the General Municipal Law, the applicant understands and agrees that, if the proposed Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant must first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the proposed Project.

C. Employment Reports. The Applicant understands and agrees that, if the proposed Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the Agency, at least annually or as otherwise required by the Agency, reports regarding the number of people employed at the project site, salary levels, contractor utilization, local construction labor utilization and such other information (collectively, "Employment Reports") that may be required from time to time on such appropriate forms as designated by the Agency. Failure to provide Employment Reports within 30 days of an Agency request shall be an Event of Default under the PILOT Agreement between the Agency and Applicant and, if applicable, an Event of Default under the Project Agreement between the Agency and Applicant.

D. Labor Utilization Reporting. The Applicant understands and agrees that, if the proposed Project receives any Financial Assistance from the Agency, the Applicant agrees to comply with the Labor Utilization Policy, which requires providing documentation that construction bids were solicited from local firms and monthly construction labor reporting as outlined in the Policy.

E. Hold Harmless Provision. The Applicant acknowledges and agrees that the Applicant shall be and is responsible for all costs of the Agency incurred in connection with any actions required to be taken by the Agency in furtherance of the Application including the Agency's costs of general counsel and/or the Agency's bond/transaction counsel whether or not the Application, the proposed Project it describes, the attendant negotiations, or the issue of bonds or other transaction or agreement are ultimately ever carried to successful conclusion and 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: (i) 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, (ii) the Agency's acquisition, construction and/or installation of the Project described therein and (iii) 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.
F. **Sales Tax.** In accordance with Section 874(8) of the General Municipal Law, the Applicant understands and agrees that, if the proposed 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. Copies of all filings shall be provided to the Agency.

Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law and the policies of the Agency that any New York State and local sales and use tax exemption claimed by the Applicant and approved by the Agency in connection with the Project, may be subject to recapture and/or termination by the Agency under such terms and conditions as will be established by the Agency and set forth in transaction documents to be entered into by and between the Agency and the Applicant.

G. **Fees.** By executing and submitting this Application, the applicant covenants and agrees to pay the following fees:

(i) An Administrative Fee in accordance with the Administrative Fee Policy effective as of the date of this application, to be paid at transaction closing (unless otherwise outlined in the Project Agreement or authorizing resolution). This fee will be equal to 1% of the total value of expenses that are positively impacted by the Agency incentives. The Agency may reduce the administrative fees from 1% to .50% of project costs if the total project cost is less than $1 million. For total project costs greater than $1 million but less than $2 million, the fees may be reduced from 1% to .75% of project costs;

(ii) All fees, costs and expenses incurred by the Agency for (1) legal services, including but not limited to those provided by the Agency's general counsel or bond/transaction counsel, and (2) other consultants retained by the Agency in connection with the proposed Project; with all such charges to be paid by the Applicant at the closing or, if the closing does not occur, within ten (10) business days of receipt of the Agency’s invoices therefore please note that the Applicant is entitled to receive a written estimate of fees and costs of the Agency’s bond/transaction counsel;

(iii) The cost incurred by the Agency and paid by the Applicant, including bond/transaction counsel and the Agency's general counsel’s fees and the processing fees, may be considered as a cost of the Project and included in the financing of costs of the proposed Project, except as limited by the applicable provisions of the Internal Revenue Code with respect to tax-exempt bond financing.

If 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 Applicant is unable to find buyers willing to purchase the bond issue requested, or if the Applicant is unable to facilitate the sale/leaseback or lease/leaseback transaction, then, upon presentation of an invoice, 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.

H. **FOIL.** 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.

I. **Financial Review.** The Applicant acknowledges that the Agency shall undertake an assessment of all material information included in connection with the Application for Financial Assistance as necessary to afford a reasonable basis for the decision by the Agency to provide Financial Assistance for the Project, including, but not limited to qualification of the proposed project under the GML (including any retail analysis, as applicable), conducting a full application review, review of applicant financial history and project pro-formas, and consideration of all local development priorities.
J. The Applicant represents and warrants that the information contained in this Application, to the best of the Applicant's knowledge, is true, accurate and complete.

K. 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.

L. 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 provisions of Section 859-a(5) and Section 862(1) of the New York General Municipal Law.

M. 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 in the Project.

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

Name: Shalom Braunstein
Title: Owner
Company: 
Date: November 1, 2017

STATE OF NEW YORK
COUNTY OF TOMPKINS

On the 6th day of November in the year 20_, before me, the undersigned, personally appeared Shalom Braunstein, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signatures on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

INNA KUPCHENKO
Notary Public - State of New York
NO. 01KU6132782
Qualified in Queens County
My Commission Expires 08/09/21
NEW YORK STATE FINANCIAL REPORTING
REQUIREMENTS FOR INDUSTRIAL DEVELOPMENT AGENCIES

Please be advised that the New York General Municipal Law imposes certain reporting requirements on IDAs and recipients of IDA financial assistance. Of particular importance to IDA applicants is Section 859 (copy attached). This section requires IDAs to transmit financial statements within 90 days following the end of an Agency's fiscal year ending December 31, prepared by an independent, certified public accountant, to the New York State Comptroller, the Commissioner of the New York State Department of Economic Development. These audited financial statements shall include supplemental schedules listing the following information:

1. All straight-lease ("sale-leaseback") transactions and whether or not they are obligations of the Agency.
2. All bonds and notes issued, outstanding or retired during the period and whether or not they are obligations of the Agency.
3. All new bond issues shall be listed and for each new bond issue, the following information is required:
   a. Name of the project financed with the bond proceeds.
   b. Whether the project occupant is a not-for-profit corporation.
   c. Name and address of each owner of the project.
   d. The estimated amount of tax exemptions authorized for each project.
   e. Purpose for which the bond was issued.
   f. Bond interest rate at issuance and, if variable, the range of interest rates applicable.
   g. Bond maturity date.
   h. Federal tax status of the bond issue.
   i. Estimate of the number of jobs created and retained for the project.
4. All new straight lease transactions shall be listed and for each new straight lease transaction, the following information is required:
   a. Name of the project.
   b. Whether the project occupant is a not-for-profit corporation.
   c. Name and address of each owner of the project.
   d. The estimated amount of tax exemptions authorized for each project.
   e. Purpose for which each transaction was made.
   f. Method of financial assistance utilized for each project, other than the tax exemptions claimed by the project.
   g. Estimate of the number of jobs created and retained for the project.

Please sign below to indicate that you have read and understood the above.

Name: _____
Title: _____
Company: _____
Date: _____