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**City of Syracuse**  
**Industrial Development Agency**  
201 East Washington Street, 6<sup>th</sup> Floor  
Syracuse, NY 13202  
Tel (315) 473-3275

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To: Board of Directors  
City of Syracuse Industrial Development Agency

From: Judith DeLaney

Date: July 17, 2020

Re: Board of Directors Meeting Agenda – July 21, 2020

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The City of Syracuse Industrial Development Agency will hold a Board of Directors Meeting on **Tuesday, July 21, 2020 at 8:00 a.m.** Members of the public may participate via; Meeting Link: <https://syrgov.webex.com/syrgov/j.php?MTID=mf7ec7d158c774619e0db785bbdfa73c7> Meeting Access Code: 129 282 2500 Password: SIDA; via Phone (408) 418-9388 Access Code: 129 282 2500

**I. Call Meeting to Order –**

**II. Roll Call –**

**III. Proof of Notice – 1**

**IV. Public Hearing –**

**Access Global Enterprise Inc./T&S Reid Real Estate Holdings LLC – 2**

*Attachment:*

*1. Public Hearing Notice.*

**IV. Minutes – 3**

Approval of Minutes from the June 16th, 2020 Board of Directors meeting.

**V. Committee Reports – 4**

Finance Committee Report – Kathy Murphy

**VI. New Business –**

**Access Global Enterprise Inc./T&S Reid Real Estate Holdings LLC – Sue Katzoff – 4**

Approval of resolutions authorizing the Agency to undertake the Project.

*Attachments:*

1. *Cost Benefit Analysis.*
2. *SEQRA Resolution.*
3. *Inducement Resolution.*
4. *PILOT Resolution.*
5. *Final Resolution.*

**Syracuse Build - Judy DeLaney – 5**

Approval of a request to request to amend terms of a proposed contract with Center State CEO relative to Syracuse Build.

*Attachments:*

1. *Correspondence.*
2. *Resolution.*

**JMA Tech Properties/Ranalli/Taylor St. LLC.– Sue Katzoff – 6**

Approval of a waiver of a conflict of interest relative to the Project.

*Attachment:*

1. *Correspondence.*

**Property Insurance – Judy DeLaney – 7**

Retroactive approval of a property insurance renewal premium for Agency property located at 327 Montgomery Street.

*Attachment:*

1. *Proposal.*

**COVID -19 Disaster Emergency Grant/Loan Program – Judy DeLaney/Sue Katzoff – 8**

Review and approval of a proposed Agency Grant/Loan program for the purpose of assisting small businesses and non –profit organizations with COVID -19 related expenses.

*Attachments:*

1. *Memorandum.*

**VI. Adjournment –**

**City of Syracuse**  
**Industrial Development Agency**  
201 East Washington Street, 6th Floor  
Syracuse, NY 13202 Tel (315) 473-3275

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**PLEASE POST**

**PLEASE POST**

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**PUBLIC MEETING NOTICE**

**THE SYRACUSE INDUSTRIAL DEVELOPMENT AGENCY**

**HAS SCHEDULED**

**A**

**BOARD OF DIRECTORS MEETING**

**ON**

**TUESDAY, JULY 21, 2020**

**At 8:00 a.m.**

**VIA WEBEX**

**Meeting Link:**

**<https://syrgov.webex.com/syrgov/j.php?MTID=mf7ec7d158c774619e0db785bbdfa73c7>**

**Meeting Access Code: 129 282 2500**

**Password: SIDA**

**VIA Phone**

**(408) 418-9388**

**Access Code: 129 282 2500**

**For More Information, Please Contact Judith DeLaney, Executive Director [jdelaney@syr.gov](mailto:jdelaney@syr.gov)**

## NOTICE OF PUBLIC HEARING

As a result of the public health emergency created by COVID-19, the Federal, State and local bans on meetings or gatherings, and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020 suspending the Open Meetings Law, **NOTICE IS HEREBY GIVEN** that a public hearing, in accordance with the foregoing and pursuant to Section 859-a of the New York General Municipal Law, will be held **electronically** via Webex by the City of Syracuse Industrial Development Agency (the "Agency") on the 21<sup>st</sup> day of July, 2020, at 8:00 a.m., local time, in conjunction with the matter set forth below. **NO PUBLIC APPEARANCES WILL BE PERMITTED.** Members of the public may listen to the Public Hearing and provide comment by either logging into the Webex meeting at: <https://syrgov.webex.com/syrgov/j.php?MTID=mac8013305c4c5b796666df78d9f7ba18> or by accessing the link on the Agency's website, using meeting number 129 282 2500 and password SIDA *or* via telephone at (408) 418-9388, access code: 129 282 2500.

Comments may also be submitted to the Agency in writing delivered to City of Syracuse Industrial Development Agency, 201 E. Washington Street, 6<sup>th</sup> Floor, Syracuse, N.Y. 13202 Attn: Judith DeLaney **TO BE RECEIVED BY NO LATER THAN JULY 16, 2020.** The Public may also submit comments electronically to [business@syrgov.net](mailto:business@syrgov.net) to be **received on or before July 16, 2020.** **ANY WRITTEN COMMENTS SO RECEIVED WILL BE READ INTO THE RECORD OF THE PUBLIC HEARING.** Minutes of the Public Hearing will be transcribed and posted on the Agency's website.

T and S Reid, Real Estate Holdings LLC and/or ACCESS Global Enterprises, LLC, or an entity to be formed (collectively, the "Company"), requested the Agency undertake a project (the "Project") consisting of: (A)(i) the acquisition of an interest in two parcels of improved real property totaling approximately .5 acres, located at 2520 South Salina Street ("Parcel 1") which is improved by a four (4) story approximately 14,400 sq. ft building ("Building 1") and 2504 South Salina Street ("Parcel 2"), improved by an approximately 2,000 sq. ft. dwelling ("Building 2"), each in the City of Syracuse, New York (collectively, the "Land"); (ii) the renovation of Building 1 to include: approximately 7,200 to serve as a dental manufacturing facility and laboratory and the corporate US headquarters for ACCESS Dental Laboratories ; approximately 3,600 sq.ft of space for use as a fitness center, employee breakroom and conference rooms for the dental facility and additional commercial offices on the second floor; and an approximately 3,600 sq.ft. daycare facility on the first floor; site improvements including exterior building renovations and the demolition of Building 2 for the installation of an approximately 24 space parking lot as well as other related site improvements on the Land which include, but may not be limited to, a playground, sidewalks, stormwater management facilities and landscaping (collectively, the "Facility"); (iii) the acquisition and installation in and on the Land and Facility of furniture, fixtures and equipment (the "Equipment" and together with the Land and the Facility, the "Project Facility"); (B) the granting of certain financial assistance in the form of exemptions from real estate taxes, State and local sales and use tax and mortgage recording tax (in accordance with Section 874 of the General Municipal Law) (collectively the "Financial Assistance"); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, reconstruction, renovation, equipping and completion of the Project Facility; and (D) the lease of the Land and Facility by the Agency pursuant to a lease

agreement and the acquisition of an interest in the Equipment pursuant to a bill of sale from the Company to the Agency; and the sublease of the Project Facility back to the Company pursuant to a sublease agreement.

The Company shall be the initial owner or operator of the Project Facility.

The Agency will at the above-stated time hear all persons with views with respect to the proposed Financial Assistance to the Company, the proposed owner/operator, the location of the Project Facility and the nature of the Project.

A copy of the application filed by the Company with the Agency with respect to the Project, including an analysis of the costs and benefits of the Project, are available for public inspection on the Agency's Website.

Dated: July 8, 2020

CITY OF SYRACUSE INDUSTRIAL DEVELOPMENT AGENCY

**City of Syracuse Industrial Development Agency**

201 East Washington Street,  
6th Floor Syracuse, NY 13202  
Tel (315) 473-3275

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Minutes

Board of Directors Meeting  
Tuesday, June 16, 2020

**Due to the declaration of a public health emergency and the social distancing requirements imposed at the Federal, State and local level, this meeting was held in accordance with Executive Order 202.1 by video/telephone conference that was made available to the public.**

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**Board Members Present:** Kathleen Murphy, Steven Thompson, Kenneth Kinsey and Rickey T. Brown, all via tele/videoconference (in accordance with the Governor's Executive Order 202.1).

**Board Members Excused:** Dirk Sonneborn

**Staff Present:** Judith DeLaney, Susan Katzoff, Esq., John Vavonese, Lori McRobbie, all via tele/videoconference (in accordance with the Governor's Executive Order 202.1).

**Others Present:** Jennifer Tifft, Gail Cawley, Katherine Maguire, Esq., Wendy Loughnot, Esq., Sarah Stevens, Lauryn LaBorde, Richard Engel, Esq., John Snyder, Todd Reid, Shanelle Reid, all via tele/videoconference (in accordance with the Governor's Executive Order 202.1).

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**I. Call Meeting to Order**

Ms. Murphy called the meeting to order at 8:15 a.m.

**II. Public Hearing –**

**JMA Tech Properties, LLC<sup>1</sup>**

Ms. Murphy opened the Hearing at 8:15 a.m. and asked Ms. DeLaney to read the Notice of Public Hearing on the Project. A copy of the notice is attached and included in the minutes.

After Ms. DeLaney read the notice, Ms. Murphy asked if anyone wished to speak in favor of the Project. No one spoke in favor of the Project.

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<sup>1</sup> The hearing was open to the public in accordance with Executive Order 202.1.

Ms. Murphy asked an additional two times if anyone wished to speak in favor of the Project. No one spoke in favor of the Project.

Ms. Murphy then asked numerous times if anyone wished to speak in opposition to the Project. No one spoke in opposition to the Project.

Ms. Murphy closed the Public Hearing at 8:23 a.m.

### **III. Roll Call**

Ms. Murphy acknowledged that in addition to herself, Board members Steven Thompson, Kenneth Kinsey and Rickey T. Brown were present.

### **IV. Proof of Notice**

Ms. Murphy acknowledged that notice of the meeting had been duly and properly provided.

### **V. Minutes**

Ms. Murphy asked for a motion approving the minutes from the May 19, 2020 Board of Directors meeting. Mr. Kinsey made the motion. Mr. Brown seconded the motion. **THE MOTION TO APPROVE THE MINUTES FROM THE MAY 19, 2020 BOARD OF DIRECTORS MEETING WAS UNANIMOUSLY APPROVED.**

### **VI. New Business**

#### **JMA Tech Properties, LLC**

Ms. Katzoff noting a Public Hearing had just concluded requested the members consider resolutions approving the project.

She advised the first resolution for consideration was a SEQRA resolution. Ms. Katzoff stated the Board previously approved the Agency to act as Lead Agency for purposes of SEQRA and advised that all involved agencies were notified and signed off on the Agency taking the lead. She advised that the Agency's engineering consultant had reviewed the EAF and, along with other relevant information, and determined the Project would not have a significant impact on the environment.

There being no discussion Ms. Murphy asked for a motion to approve the SEQRA resolution. Mr. Kinsey made the motion. Mr. Thompson seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A RESOLUTION DETERMINING THAT THE UNDERTAKING OF THE PROJECT AT THE REQUEST OF JMA TECH PROPERTIES, LLC AND RANALLI/TAYLOR ST., LLC WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.**

Ms. Katzoff then asked the Board to approve an inducement resolution for the Project undertaking the project with an agency agreement. She noted that the Company is asking for a sales tax exemption and mortgage tax savings in the amount of approximately \$150,000 and there would be approximately 100 new jobs.

There being no discussion Ms. Murphy asked for a motion to approve the inducement resolution. Mr. Thompson made the motion. Mr. Kinsey seconded the motion. **ALL BOARD MEMBERS PRESENT**

**UNANIMOUSLY APPROVED A RESOLUTION AUTHORIZING THE UNDERTAKING, ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION, EQUIPPING AND COMPLETION OF A PROJECT; APPOINTING THE COMPANY AS AGENT OF THE AGENCY FOR THE PURPOSE OF THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION, EQUIPPING AND COMPLETION OF THE PROJECT; AND AUTHORIZING AND DELIVERY OF AN AGREEMENT BETWEEN THE AGENCY AND THE COMPANY.**

Ms. Katzoff then requested the Board approve a PILOT resolution for the Project providing for a 15 Year priority industry PILOTle under the Agency's UTEP. There is no deviation. .

There being no discussion Ms. Murphy asked for a motion to approve the PILOT resolution. Mr. Thompson made the motion. Mr. Kinsey seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A RESOLUTION APPROVING A PAYMENT IN LIEU OF TAX SCHEDULE AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS BY THE AGENCY IN CONNECTION WITH A PILOT AGREEMENT.**

Ms. Katzoff then requested approval of a final Resolution for the Project to allow for the execution and delivery of all necessary documents to confer the approved financial assistance.

There being no discussion Ms. Murphy asked for a motion to approve the final resolution. Mr. Kinsey made the motion. Mr. Thompson seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS BY THE AGENCY IN CONNECTION WITH A COMMERCIAL PROJECT UNDERTAKEN AT THE REQUEST OF THE COMPANY.**

#### **Maguire Family Limited Partnership**

Ms. Katzoff advised the first resolution for consideration was a SEQRA resolution. Ms. Katzoff stated the Board previously approved the Agency to act as Lead Agency for purposes of SEQRA and advised that all notices were provided and consents received from all involved agencies. She advised that the Agency's engineering consultant had reviewed the EAF and all other relevant documents and had determined the Project would not have a significant impact on the environment.

Ms. Katzoff further advised that the Project had previously been undertaken by the Board, but construction was delayed due to FEMA and other issues. As a result, the Company requested changes to the Project (as outlined in the resolutions) and the PILOT Agreement was terminated and benefits were never realized. The Company never utilized any of the sales tax benefits either. The mortgage recording tax benefit was realized.

There being no discussion Ms. Murphy asked for a motion to approve the SEQRA resolution. Mr. Thompson made the motion. Mr. Kinsey seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A RESOLUTION DETERMINING THAT THE UNDERTAKING OF A CERTAIN PROJECT AT THE REQUEST OF MAGUIRE FAMILY LIMITED PARTNERSHIP WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.**

Ms. Katzoff then asked the Board to approve an amended inducement resolution for the Project and noted a cost benefit analysis was included in the Agenda packet. She said the resolution authorized the undertaking of the amended project and approved exemptions from sales, mortgage and real estate taxes for the Project. Ms. Murphy added that Phil and Kate Maguire were at the Finance Committee



meeting on March 10, 2020 and the minutes from that meeting were attached to the agenda for the Board's reference.

There being no discussion Ms. Murphy asked for a motion to approve the amended inducement resolution. Mr. Kinsey made the motion. Mr. Thompson seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A RESOLUTION AUTHORIZING THE UNDERTAKING, ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION, EQUIPPING AND COMPLETION OF A COMMERCIAL FACILITY; APPOINTING THE COMPANY AS AGENT OF THE AGENCY FOR THE PURPOSE OF THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION, EQUIPPING AND COMPLETION OF THE PROJECT; AND AUTHORIZING AND DELIVERY OF VARIOUS AGREEMENTS OR AMENDMENTS THEREOF BETWEEN THE AGENCY AND THE COMPANY.**

Ms. Katzoff then requested the Board approve a PILOT resolution for the Project providing for a 10 Year PILOT schedule under the Agency's Uniform Tax Exemption Policy noting there was no deviation from that policy.

There being no discussion Ms. Murphy asked for a motion to approve the PILOT resolution. Mr. Thompson made the motion. Mr. Kinsey seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A RESOLUTION APPROVING A PAYMENT IN LIEU OF TAX SCHEDULE AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS BY THE AGENCY IN CONNECTION WITH A PILOT AGREEMENT.**

Ms. Katzoff then requested approval of an amended final resolution for the Project to allow for the execution and delivery of all necessary documents to confer the approved benefits.

There being no discussion Ms. Murphy asked for a motion to approve the amended final resolution. Mr. Kinsey made the motion. Mr. Brown seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS BY THE AGENCY IN CONNECTION WITH A COMMERCIAL PROJECT UNDERTAKEN AT THE REQUEST OF THE COMPANY.**

#### **Access Global Enterprises Inc., T&S Reid Real Estate Holdings LLC**

Ms. DeLaney advised that the Agency received an application for financial assistance from Access Global Enterprises Inc. and T&S Reid Real Estate Holdings LLC for a project to be located at 2520 and 2504 South Salina Street. The project site is a long vacant parcel. The Project will involve the renovation of an existing building to be used as the headquarters of Access Dental Laboratories, a manufacturer of dental appliances. The Company will locate on the upper floors of the building with the first and second floors to house a day care and other commercial tenants to be determined. The vacant residence at 2504 will be demolished and serve as a parking lot. The cost of the project is estimated at \$4,146, 998 and it is anticipated that the Project will create 50 new jobs over the next 5 years. Benefits requested include exemptions from mortgage tax (\$22,674), sales tax (\$137,812.50) and a Priority Industry PILOT (value to be determined). Ms. DeLaney requested the members approve a resolution authorizing a public hearing for the Project.

There being no discussion, Ms. Murphy asked for a motion to approve the public hearing resolution. Mr. Kinsey made the motion. Mr. Brown seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A MOTION DETERMINING THAT THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION, EQUIPPING AND COMPLETION OF A COMMERCIAL FACILITY AT THE**

**REQUEST OF THE COMPANY CONSTITUTES A PROJECT; DESCRIBING THE FINANCIAL ASSISTANCE IN CONNECTION THEREWITH; AND AUTHORIZING A PUBLIC HEARING.**

**National Development Council**

Ms. DeLaney advised the National Development Council (NDC) on a continuing basis provides support and expertise to the Agency and on behalf of the Agency to the City of Syracuse relative to economic development priorities within the City. The NDC consultants are on site as requested and participate in regularly scheduled bi-weekly phone calls with staff. They are also available at Agency request to consult with clients of the Agency. Additionally, the NDC provides valuable educational training opportunities available to staff both onsite and offsite. This expense was budgeted in the 2020 budget approved by the Board of Directors in October of 2019.

There being no discussion, Ms. Murphy asked for a motion to approve the resolution for the NDC contract. Mr. Thompson made the motion. Mr. Brown seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A RESOLUTION APPROVING AN AGREEMENT WITH THE NATIONAL DEVELOPMENT COUNCIL FOR SUPPORT SERVICES TO THE AGENCY IN AN AMOUNT NOT TO EXCEED \$80,000.**

**Lakefront Redevelopment Area**

Ms. DeLaney advised that the Agency is being requested to approve a resolution authorizing funding an amount not to exceed \$21,000 to the City's Department of Parks and Recreation (the "Parks Department") as reimbursement for landscaping and maintenance of both the Creekwalk and Franklin Square for 2020. This amount represents the cost to the Agency for the maintenance in 2019 and was included as an expense in the Agency's approved 2020 budget. Ms. DeLaney advised that the Department was in a better position to take over the services as part of its larger mission to maintain landscaping in the City's public areas.

Ms. Katzoff noted that the source of funds is old PILOT payments restricted, retained and earmarked to improve the Lakefront Redevelopment Area.

There being no further discussion, Ms. Murphy asked for a motion to approve the resolution. Mr. Kinsey made the motion. Mr. Brown seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A RESOLUTION AUTHORIZING THE AGENCY TO UNDERTAKE A PROJECT IN CONNECTION WITH LANDSCAPING SERVICES TO BE PERFORMED IN THE LAKEFRONT REDEVELOPMENT AREA FOR THE YEAR 2020 AND TO ENTER INTO A COOPERATION AGREEMENT WITH THE CITY WITH RESPECT THERETO.**

**Syracuse University Civic Facility Bonds Series 2008A-2**

Ms. Katzoff advised that Syracuse University notified the Agency of its intent to redeem and possibly defease the Agency's 2008 Civic Facility Variable Rate Revenue Bonds (Syracuse University Project), Series 2008A-2 . She asked the Board to authorize the executive director to execute and deliver any and all such documents necessary to effectuate the redemption and/or defeasance on behalf of the board. Ms. Katzoff advised that notice would be sent to the Trustee if the University elects to defease the indenture. If defeased, an escrow agreement would be needed. The parties are waiting for information from the rating agency.

Ms. Katzoff clarified that redeeming bonds means to provide for payment of outstanding bonds and defease indenture means taking the extra step to remove any lien or security of the indenture with regards to the bondholder.

There being no further discussion, Ms. Murphy asked for a motion to authorize the executive director to execute and deliver any and all such documents necessary to effectuate the redemption and/or defeasance on behalf of the board. Mr. Kinsey made the motion. Mr. Thompson seconded the motion. **ALL BOARD MEMEBERS PRESENT UNANIMOUSLY APPROVED A MOTION TO AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE AND DELIVER ANY AND ALL SUCH DOCUMENTS NECESSARY TO EFFECTUATE THE REDEMPTION AND/OR DEFEASANCE ON BEHALF OF THE BOARD.**

## **VII. Adjournment**

There being no further business to discuss Ms. Murphy asked for a motion to adjourn the meeting. Mr. Kinsey made a motion. Mr. Brown seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED A MOTION TO ADJOURN THE MEETING AT 8:55 AM.**

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**City of Syracuse**  
**Industrial Development Agency**  
201 East Washington Street  
Syracuse, NY 13202  
Tel (315) 473-3275

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**EXECUTIVE SUMMARY**

<p><b>Agenda Item: 4</b></p> <p><b>Title: Access Global Enterprises Inc.</b></p> <p><b>Requested By: Sue Katzoff</b></p> <p><b>OBJECTIVE:</b> Approval of resolutions authorizing the Agency to undertake the Project.</p>	<p style="text-align: center;"><b>ATTACHMENTS:</b></p> <ol style="list-style-type: none"><li>1. Cost Benefit Analysis.</li><li>2. SEQRA Resolution.</li><li>3. Inducement Resolution.</li><li>4. PILOT Resolution.</li><li>5. Final Resolution.</li></ol>
<p><b>DESCRIPTION:</b></p> <p><b>Direct expenditure of fund:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>Type of financial assistance requested</b></p> <p><input checked="" type="checkbox"/> <b>PILOT</b></p> <p><input checked="" type="checkbox"/> <b>Sales Tax Exemption</b></p> <p><input checked="" type="checkbox"/> <b>Mortgage Recording Tax Exemption</b></p> <p><input type="checkbox"/> <b>Tax Exempt Bonds</b></p> <p><input type="checkbox"/> <b>Other</b></p> <p><b>SUMMARY:</b> The Agency has received an application for assistance for a project at 2520 and 2504 South Salina St. A long vacant blight on the surrounding neighborhood the Company will acquire the property from the Land Bank gut and renovate the 4 story 14, 400 sq. ft. building at 2520 to serve as the headquarters of Access Dental Laboratories a manufacturer of dental appliances (dentures). The firm will locate on the upper floors of the building with the first and second floor to house a day care center and to be determined commercial tenants. The vacant home at 2504 South Salina will be demolished and serve as parking for the company and its tenants. The cost of the project is estimated to \$4,146, 998.00 and an anticipated 50 jobs will be created over the next five years. Benefits requested include exemptions from mortgage tax (\$22,674), sales tax (\$137,812.70) and a Priority Industry PILOT value over 15 Years \$412,360.00. The Project was reviewed by the Finance Committee at its meeting of July 16, 2020 and a motion to recommend approval was made. A Public Hearing on the Project</p>	<p>will be conducted at the Board of Directors meeting on July 21,2020 prior to consideration of resolutions approving the Project.</p> <p><b>REVIEWED BY:</b></p> <p><input checked="" type="checkbox"/> Executive Director</p> <p><input type="checkbox"/> Audit Committee</p> <p><input type="checkbox"/> Governance Committee</p> <p><input checked="" type="checkbox"/> Finance Committee</p> <p><b>Meeting:</b> July 21, 2020</p> <p><b>Prepared By: J.A. DeLaney</b></p>

**Project Summary**

**1. Project:** Access Global Dental Ent LLC **2. Project Number:** 0

**3. Location:** Syracuse **4. School District:** SCSD

**5. Tax Parcel(s):** 077.-03-17,16.0 **6. Type of Project:** Commercial

<b>7. Total Project Cost:</b>	<b>\$ 4,146,998</b>
Land	\$ 12,500
Site Work	\$ 267,999
Building	\$ 2,603,099
Furniture & Fixtures	\$ 218,400
Equipment	\$ 75,000
Equipment Subject to NYS Production Exemption	\$ 750,000
Engineering/Architecture Fees	\$ 200,000
Financial Charges	
Legal Fees	\$ 20,000
Other	\$ -

<b>8. Total Jobs</b>	50
8A. Job Retention	0
8B: Job Creation (Next 5 Years)	50

**Cost Benefit Analysis:** Access Global Dental Ent LLC

	Fiscal Impact (\$)
<b>Abatement Cost:</b>	<b>\$572,848</b>
Sales Tax	\$137,812
Mortgage Tax	\$22,676
Property Tax Relief (PILOT)15yr	<b>\$412,360.31</b>
<b>New Investment:</b>	<b>\$26,624,994</b>
PILOT Payments 15yrs	\$187,813.52
Project Wages (10 yrs)	\$20,677,808
Construction Wages	\$1,632,375
Employee Benefits (10 years)	\$0
Project Capital Investment	\$4,126,998
New Sales Tax Generated	\$0
Agency Fees	\$0
<b>Benefit:Cost Ratio</b>	<b>46.48 :1</b>

## SEQRA RESOLUTION

As a result of the public health emergency created by COVID-19, the Federal, State and local bans on meetings or gatherings, and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020, as amended from time to time, the City of Syracuse Industrial Development Agency (the "**Agency**") held a meeting on the 21<sup>st</sup> day of July, 2020, at 8:00 a.m., local time, electronically which was made available via Webex at: <https://syrgov.webex.com/syrgov/j.php?MTID=mac8013305c4c5b796666df78d9f7ba18> (or by accessing the link on the Agency's website) and using meeting number 129 282 2500 and password SIDA; or via telephone at (408) 418-9388 with access code: 129 282 2500, in conjunction with the matter set forth below.

The meeting was called to order by \_\_\_\_\_ and upon the roll being duly called, the following members were:

**PRESENT VIA TELE/VIDEOCONFERENCE** (in accordance with the Governor's Executive Order 202.1):

**THE FOLLOWING PERSONS WERE ALSO PRESENT VIA TELE/VIDEOCONFERENCE** (in accordance with the Governor's Executive Order 202.1):

The following resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_:

**RESOLUTION CLASSIFYING A CERTAIN PROJECT AS AN UNLISTED ACTION PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT, DECLARING THE AGENCY LEAD AGENCY FOR PURPOSES OF AN UNCOORDINATED REVIEW THEREUNDER AND DETERMINING THAT THE ACTION WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT**

**WHEREAS**, the City of Syracuse Industrial Development Agency (the "**Agency**") is authorized and empowered by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the "**State**"), as amended, together with Chapter 641 of the Laws of 1979 of the State of New York, as amended from time to time (collectively, the "**Act**"), to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, for the purpose of promoting economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State, to improve their recreation opportunities, prosperity and standard of living; and

**WHEREAS**, by application dated June 9, 2020 (the “*Application*”), T and S Reid, Real Estate Holdings LLC and ACCESS Global Enterprises, LLC, or an entity to be formed (the “*Company*”), requested the Agency undertake a project (the “*Project*”) consisting of: (A)(i) the acquisition of an interest in two parcels of improved real property totaling approximately .5 acres, located at 2520 South Salina Street (“*Parcel 1*”) which is improved by a four (4) story approximately 14,400 sq. ft building (“*Building 1*”) and 2504 South Salina Street (“*Parcel 2*”), improved by an approximately 2,000 sq. ft. dwelling (“*Building 2*”), each in the City of Syracuse, New York (collectively, the “*Land*”); (ii) the renovation of Building 1 to include: approximately 7,200 sq.ft. on the third and fourth floors to serve as a dental manufacturing facility and laboratory and the corporate US headquarters for ACCESS Dental Laboratories; approximately 3,600 sq.ft of space for use as a fitness center, employee breakroom and conference rooms for the dental facility and additional commercial offices on the second floor; and an approximately 3,600 sq.ft. daycare facility on the first floor; site improvements including exterior building renovations and the demolition of Building 2 and the installation thereon of an approximately 24 space parking lot as well as other related site improvements on the Land which include, but may not be limited to, a playground, sidewalks, stormwater management facilities and landscaping (collectively, the “*Facility*”); (iii) the acquisition and installation in and on the Land and Facility of furniture, fixtures and equipment (the “*Equipment*” and together with the Land and the Facility, the “*Project Facility*”); (B) the granting of certain financial assistance in the form of exemptions from real estate taxes, State and local sales and use tax and mortgage recording tax (in accordance with Section 874 of the General Municipal Law) (collectively the “*Financial Assistance*”); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, reconstruction, renovation, equipping and completion of the Project Facility; and (D) the lease of the Land and Facility by the Agency pursuant to a lease agreement and the acquisition of an interest in the Equipment pursuant to a bill of sale from the Company to the Agency; and the sublease of the Project Facility back to the Company pursuant to a sublease agreement; and

**WHEREAS**, pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as “*SEQRA*”), the Agency is required to make a determination with respect to the environmental impact of any “action” (as defined by SEQRA) to be taken by the Agency and the Project constitutes such an action; and

**WHEREAS**, to aid the Agency in determining whether the action described above may have a significant adverse impact upon the environment, an Environmental Assessment Form (the “*EAF*”) was prepared by the Company, a copy of which is on file at the office of the Agency; and

**WHEREAS**, the Agency has examined and reviewed the EAF in order to classify the action and make a determination as to the potential significance of the action pursuant to SEQRA; and

**NOW, THEREFORE**, be it resolved by the members of the City of Syracuse Industrial Development Agency, as follows:

(1) Based upon an examination of the materials provided by the Company in furtherance of the Project, the representations of the Company therein, the criteria contained in 6 NYCRR §617.7(c), the Agency’s knowledge of the area surrounding the Project and such further investigation of the Project and its environmental effects as the Agency has deemed appropriate, the Agency makes the following findings and determinations pursuant to SEQRA:

(a) The action constitutes an “Unlisted Action” (as said quoted term is defined in SEQRA);

(b) The Agency declares itself “Lead Agency” (as said quoted term is defined in SEQRA) with respect to an uncoordinated review pursuant to SEQRA;

(c) The action will not have a significant adverse effect on the environment, and the Agency and hereby issues a negative declaration pursuant to SEQRA, attached hereto as **Exhibit “A”**, which shall be filed in the office of the Agency in a file that is readily accessible to the public.

(2) A copy of this Resolution, together with the attachments hereto, shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours.

(3) This Resolution shall take effect immediately. The Secretary and/or Executive Director of the Agency is hereby authorized and directed to distribute copies of this Resolution and do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

(4) The Agency hereby authorizes Agency staff to take all further actions deemed necessary and appropriate to fulfill the Agency’s responsibilities under SEQRA.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

**AYE**

**NAY**

The foregoing resolution was thereupon declared duly adopted.



STATE OF NEW YORK                    )  
  ) **SS.:**  
COUNTY OF ONONDAGA                )

I, the undersigned Secretary of the City of Syracuse Industrial Development Agency, **DO HEREBY CERTIFY** that I have compared the annexed extract of the minutes of the meeting of the City of Syracuse Industrial Development Agency (the “**Agency**”) held on July 21, 2020, with the original thereof on file in my office, and that the same (including all exhibits) is a true and correct copy of the proceedings of the Agency and of the whole of such original insofar as the same relates to the subject matters referred to therein.

**I FURTHER CERTIFY** that: (i) all members of the Agency had due notice of such meeting; (ii) pursuant to Section 104 of the Public Officers Law (Open Meetings Law), as temporarily amended by Executive Order 202.1 issued on March 12, 2020, as amended from time to time (“**EO 202.1**”), such meeting was open to the general public and public notice of the time and how to participate in such meeting was duly given in accordance with such Section 104 and EO 202.1; (iii) the meeting was in all respects duly held; and (iv) there was a quorum present throughout.

**I FURTHER CERTIFY** that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

**IN WITNESS WHEREOF**, I have set my hand and affixed the seal of the Agency this \_\_\_\_ day of July, 2020.

City of Syracuse Industrial Development Agency

\_\_\_\_\_  
Rickey T. Brown, Secretary

(S E A L)

**EXHIBIT "A"**

# *Short Environmental Assessment Form*

## *Part 1 - Project Information*

### **Instructions for Completing**

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:		Telephone:		
		E-Mail:		
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres				
b. Total acreage to be physically disturbed? _____ acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres				
4. Check all land uses that occur on, are adjoining or near the proposed action:				
5.     Urban           Rural (non-agriculture)           Industrial           Commercial           Residential (suburban)				
<input type="checkbox"/> Forest           Agriculture                           Aquatic           Other(Specify):				
<input type="checkbox"/> Parkland				

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest    Agricultural/grasslands    Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban    Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: _____ Date: _____ Signature: <u>Edna G. Keyser</u> Title: _____		



## INDUCEMENT RESOLUTION

As a result of the public health emergency created by COVID-19, the Federal, State and local bans on meetings or gatherings, and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020, as amended from time to time, the City of Syracuse Industrial Development Agency (the "**Agency**") held a meeting on the 21<sup>st</sup> day of July, 2020, at 8:00 a.m., local time, electronically which was made available via Webex at: <https://syrgov.webex.com/syrgov/j.php?MTID=mac8013305c4c5b796666df78d9f7ba18> (or by accessing the link on the Agency's website) and using meeting number 129 282 2500 and password SIDA; or via telephone at (408) 418-9388 with access code: 129 282 2500, in conjunction with the matter set forth below.

The meeting was called to order by \_\_\_\_\_ and upon the roll being duly called, the following members were:

**PRESENT VIA TELE/VIDEOCONFERENCE** (in accordance with the Governor's Executive Order 202.1):

**THE FOLLOWING PERSONS WERE ALSO PRESENT VIA TELE/VIDEOCONFERENCE** (in accordance with the Governor's Executive Order 202.1):

The following resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_:

**RESOLUTION AUTHORIZING THE UNDERTAKING, ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION, EQUIPPING AND COMPLETION OF A PROJECT; APPOINTING THE COMPANY AS AGENT OF THE AGENCY FOR THE PURPOSE OF THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION, EQUIPPING AND COMPLETION OF THE PROJECT; AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT BETWEEN THE AGENCY AND THE COMPANY**

**WHEREAS**, the City of Syracuse Industrial Development Agency (the "**Agency**") is authorized and empowered by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the "**State**"), as amended, together with Chapter 641 of the Laws of 1979 of the State of New York, as amended from time to time (collectively, the "**Act**") to promote, develop, encourage and assist in the acquiring, constructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, including industrial pollution control facilities, railroad facilities and certain horse racing facilities, for the purpose of promoting, attracting, encouraging and developing recreation

and economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State, and to improve their recreation opportunities, prosperity and standard of living; and

**WHEREAS**, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, lease and sell real property and grant financial assistance in connection with one or more “projects” (as defined in the Act); and

**WHEREAS**, by application dated on or about June 9, 2020 (the "**Application**"), T and S Reid, Real Estate Holdings LLC and ACCESS Global Enterprises, LLC, or an entity to be formed (collectively, the "**Company**"), requested the Agency undertake a project (the "**Project**") consisting of: (A)(i) the acquisition of an interest in two parcels of improved real property totaling approximately .5 acres, located at 2520 South Salina Street ("**Parcel 1**") which is improved by a four (4) story approximately 14,400 sq. ft building ("**Building 1**") and 2504 South Salina Street ("**Parcel 2**"), improved by an approximately 2,000 sq. ft. dwelling ("**Building 2**"), each in the City of Syracuse, New York (collectively, the "**Land**"); (ii) the renovation of Building 1 to include: approximately 7,200 sq.ft. on the third and fourth floors to serve as a dental manufacturing facility and laboratory and the corporate US headquarters for ACCESS Dental Laboratories; approximately 3,600 sq.ft of space for use as a fitness center, employee breakroom and conference rooms for the dental facility and additional commercial offices on the second floor; and an approximately 3,600 sq.ft. daycare facility on the first floor; site improvements including exterior building renovations and the demolition of Building 2 and the installation thereon of an approximately 24 space parking lot as well as other related site improvements on the Land which include, but may not be limited to, a playground, sidewalks, stormwater management facilities and landscaping (collectively, the "**Facility**"); (iii) the acquisition and installation in and on the Land and Facility of furniture, fixtures and equipment (the "**Equipment**" and together with the Land and the Facility, the "**Project Facility**"); (B) the granting of certain financial assistance in the form of exemptions from real estate taxes, State and local sales and use tax and mortgage recording tax (in accordance with Section 874 of the General Municipal Law) (collectively the "**Financial Assistance**"); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, construction, reconstruction, renovation, equipping and completion of the Project Facility; and (D) the lease of the Land and Facility by the Agency pursuant to a lease agreement and the acquisition of an interest in the Equipment pursuant to a bill of sale from the Company to the Agency; and the sublease of the Project Facility back to the Company pursuant to a sublease agreement.

**WHEREAS**, the Agency adopted a resolution on June 16, 2020 describing the Project and the proposed financial assistance and authorizing a public hearing with respect thereto ("**Public Hearing Resolution**"); and

**WHEREAS**, the Agency conducted a public hearing with respect to the Project and the proposed Financial Assistance on July 21, 2020 pursuant to Section 859-a of the Act, notice of which was published on July 9, 2020, in the Post-Standard, a newspaper of general circulation in the City of Syracuse, New York and given to the chief executive officers of the affected tax jurisdictions by letters dated June 8, 2020; and



**WHEREAS**, pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as “**SEQRA**”), the Agency is required to make a determination whether the “action” (as said quoted term is defined in SEQRA) to be taken by the Agency may have a “significant impact on the environment” (as said quoted term is utilized in SEQRA), and the preliminary agreement of the Agency to undertake the Project constitutes such an action; and

**WHEREAS**, by resolution adopted July 21, 2020 (the “**SEQRA Resolution**”), the Agency determined that the Project constitutes an “Unlisted Action” as defined under SEQRA and will not have a significant adverse effect on the environment and issued a negative declaration; and

**WHEREAS**, the Agency has considered the policy, purposes and requirements of the Act in making its determinations with respect to taking official action regarding the Project; and

**WHEREAS**, the Agency has given due consideration to the Application and to representations by the Company that the provision of Financial Assistance: (i) will induce the Company to develop the Project Facility in the City of Syracuse (the “**City**”); (ii) will not result in the removal of a commercial, industrial or manufacturing plant or facility of the Company or any other proposed occupant of the Project Facility 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 Company or any other proposed occupant of the Project Facility located in the State, except as may be permitted by the Act; and (iii) the Project will serve the purposes of the Act by advancing job opportunities and the economic welfare of the people of the State and the City and improve their standard of living.

**NOW, THEREFORE**, be it resolved by the members of the City of Syracuse Industrial Development Agency as follows:

**Section 1.** It is the policy of the State to promote the economic welfare, recreation opportunities and prosperity of its inhabitants and to actively promote, attract, encourage and develop recreation and economically sound commerce and industry for the purpose of preventing unemployment and economic deterioration. It is among the purposes of the Agency to promote, develop, encourage and assist in the acquiring, constructing, improving, maintaining, equipping and furnishing of certain facilities, including commercial facilities, and thereby advance the job opportunities, health, general prosperity and economic welfare of the people of the State and to improve their recreation opportunities, prosperity and standard of living.

**Section 2.** Based upon the representations and projections made by the Company to the Agency, the Agency hereby and makes the following determinations:

- (A) Ratifies the findings in its SEQRA Resolution;
- (B) The Project constitutes a “*project*” within the meaning of the Act;

(C) The acquisition of a controlling interest in the Project Facility by the Agency and the designation of the Company as the Agency's agent for completion of the Project will be an inducement to the Company to acquire, construct, reconstruct, renovate, equip and complete the Project Facility in the City, and will serve the purposes of the Act by, among other things, advancing job opportunities, the standard of living and economic welfare of the inhabitants of the City;

(D) The Project will not result in the removal of a commercial, industrial or manufacturing plant or facility of the Company or any other proposed occupant of the Project Facility from one area of the State to another area of the State or result in the abandonment of one or more plants or facilities of the Company or any other proposed occupant of the Project Facility located in the State, except as may be permitted by the Act;

(E) The Financial Assistance approved hereby includes an exemption from State and local sales and use taxes and mortgage recording taxes, and the appointment of the Company as agent of the Agency as further set forth herein.

**Section 3.** As a condition to the appointment of the Company as agent of the Agency, and the conference of any approved Financial Assistance, the Company and the Agency shall first execute and deliver: (i) a project agreement in substantially the same form used by the Agency in similar transactions (the "**Project Agreement**"); (ii) an agreement with the Agency setting forth the preliminary undertakings of the Agency and the Company with respect to the Project, the form and substance of the agreement is attached hereto as **Exhibit "A"** (the "**Agreement**"); and (iii) the Lease Documents (as defined herein) unless otherwise authorized by the Agency. The Chair, Vice Chair or Executive Director of the Agency are each hereby authorized, on behalf of the Agency, to execute and deliver the Project Agreement, the Agreement and the Lease Documents (as defined herein), in form and substance similar to other such agreements and documents used by the Agency for similar transactions, with changes in terms and form as shall be consistent with this Resolution and as the Chair or Vice Chair shall approve. The execution thereof by the Chair, Vice Chair and/or Executive Director shall constitute conclusive evidence of such approval. Subject to the due execution and delivery by the Company of the Project Agreement, the Agreement and the Lease Documents, the satisfaction of the conditions of this Resolution, the Agreement, the Project Agreement, the Lease Documents and the payment by the Company of any attendant fees and costs of the Agency, the Company and its designees, are appointed the true and lawful agent of the Agency to proceed with the construction, reconstruction, renovation, equipping and completion of the Project, all with the same powers and the same validity as if the Agency were acting in its own behalf. The amount of State and local sales and use tax exemption benefits comprising the Financial Assistance approved herein shall not exceed **\$137,812.70**.

**Section 4.** Subject to the terms of this Resolution and the execution and delivery of, and the conditions set forth in, the Agreement and the Project Agreement the Agency will: (i) acquire an interest in the Land and Facility pursuant to a lease agreement (the "**Lease**") to be entered into between the Company and the Agency; accept an interest in the Equipment pursuant to a bill of sale from the Company (the "**Bill of Sale**"); (ii) sublease the Project Facility to the Company pursuant to a sublease agreement (the "**Sublease**" and with the Lease and the Bill of

Sale, and all other documents required by the Agency for similar transactions, including but not limited to, an environmental compliance and indemnification agreement, collectively, the “*Lease Documents*”) to be entered into between the Agency and the Company; (iii) grant the approved Financial Assistance; and (iv) provided that no default shall have occurred and be continuing under the Agreement, and provided the Company has executed and delivered all documents and certificates required by the Agency in conjunction with the Agency’s undertaking of the Project, execute and deliver all other certificates and documents necessary or appropriate for the grant of the approved Financial Assistance, in form and substance acceptable to the Agency.

**Section 5.** The terms and conditions of subdivision 3 of Section 875 of the Act are herein incorporated by reference and the Company shall agree to such terms as a condition precedent to receiving or benefiting from an exemption from State and local sales and use tax exemptions benefits.

**Section 6.** The Company may utilize, and subject to the terms of this Resolution, the Agreement and the Project Agreement, is hereby authorized to appoint, a Project operator, contractors, agents, subagents, subcontractors, contractors and subcontractors of such agents and subagents (collectively, “*Additional Agents*”) to proceed with the construction, reconstruction, renovation, equipping and completion of the Project, all with the same powers and the same validity as if the Agency were acting in its own behalf, provided the Company execute, deliver and comply with the Agreement. The Company shall provide, or cause its Additional Agents to provide, and the Agency shall maintain, records of the amount of State and local sales and use tax exemption benefits provided to the Project and the Company shall, and cause each Additional Agent, to make such records available to the State Commissioner of Taxation and Finance (the “*Commissioner*”) upon request. The Agency shall, within thirty (30) days of providing any State sales and use tax exemption benefits, report to the Commissioner the amount of such benefits for the Project, identifying the Project, along with any such other information and specificity as the Commissioner may prescribe. As a condition precedent to the Company or Project’s receipt of, or benefit from, any State or local sales and use tax exemptions, the Company must acknowledge and agree to make, or cause its Additional Agents to make, all records and information regarding State and local sales and use tax exemption benefits realized by the Project available to the Agency or its designee upon request. for purposes of exemption from New York State (the “*State*”) sales and use taxation as part of the Financial Assistance requested, “sales and use taxation” shall mean sales and compensating use taxes and fees imposed by article twenty-eight or twenty-eight-A of the New York State tax law but excluding such taxes imposed in a city by section eleven hundred seven or eleven hundred eight of such article twenty-eight.

**Section 7.** The Chair, Vice Chair and/or the Executive Director of the Agency, acting individually, are each hereby authorized and directed, for and in the name and on behalf of the Agency, to execute and deliver the documents and agreements identified herein and any such additional certificates, instruments, documents or affidavits, to pay any such other fees, charges and expenses, to make such other changes, omissions, insertions, revisions, or amendments to the documents referred herein as the (Vice) Chair deems appropriate, and to do and cause to be done any such other acts and things, as they determine, on advice of counsel to the Agency, may be necessary or desirable to consummate the transactions contemplated by this Resolution, the Agreement and/or the Project Agreement.

**Section 8.** The obligation of the Agency to consummate any transaction contemplated herein or hereby is subject to and conditioned upon the Company's execution and delivery of the Lease Documents and the documents set forth in Section 3 hereof.

**Section 9.** No covenant, stipulation, obligation or agreement contained in this resolution or any document referred to herein shall be deemed to be the covenant, stipulation, obligation or agreement of any member, officer, agent or employee of the Agency in his or her individual capacity. Neither the members nor officers of the Agency, nor any person executing any documents referred to above on behalf of the Agency, shall be liable thereon or be subject to any personal liability or accountability by reason of the execution or delivery thereof.

**Section 10.** Should the Agency's participation in the Project, or the appointments made in accordance herewith, be challenged by any party, in the courts or otherwise, the Company shall defend, indemnify and hold harmless the Agency and its members, officers and employees from any and all losses arising from any such challenge including, but not limited to, the fees and disbursement of the Agency's counsel. Should any court of competent jurisdiction determine that the Agency is not authorized under the Act to participate in the Project, this Resolution shall automatically become null, void and of no further force and effect, and the Agency shall have no liability to the Company hereunder or otherwise.

**Section 11.** Bousquet Holstein PLLC, as counsel to the Agency, is hereby authorized to work with the Company and others to prepare for submission to the Agency, all documents necessary to effect the grant of Financial Assistance and consummate the Lease Documents.

**Section 12.** The Secretary and/or the Executive Director of the Agency are hereby authorized and may distribute copies of this Resolution and do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

**Section 13.** This Resolution shall take effect immediately. A copy of this Resolution, together with the attachments hereto, shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

**AYE**

**NAY**

The foregoing Resolution was thereupon declared duly adopted.

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

I, the undersigned Secretary of the City of Syracuse Industrial Development Agency, **DO HEREBY CERTIFY** that I have compared the annexed extract of the minutes of the meeting of the City of Syracuse Industrial Development Agency (the “**Agency**”) held on July 21, 2020, with the original thereof on file in my office, and that the same (including all exhibits) is a true and correct copy of the proceedings of the Agency and of the whole of such original insofar as the same relates to the subject matters referred to therein.

**I FURTHER CERTIFY** that: (i) all members of the Agency had due notice of such meeting; (ii) pursuant to Section 104 of the Public Officers Law (Open Meetings Law), as temporarily amended by Executive Order 202.1 issued on March 12, 2020, as amended from time to time (“**EO 202.1**”), such meeting was open to the general public and public notice of the time and how to participate in such meeting was duly given in accordance with such Section 104 and EO 202.1; (iii) the meeting was in all respects duly held; and (iv) there was a quorum present throughout.

**I FURTHER CERTIFY** that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

**IN WITNESS WHEREOF**, I have set my hand and affixed the seal of the Agency on \_\_\_\_\_.

City of Syracuse Industrial Development Agency

\_\_\_\_\_  
Rickey T. Brown, Secretary

## EXHIBIT "A"

### AGENCY/COMPANY AGREEMENT

**THIS AGREEMENT** is between **CITY OF SYRACUSE INDUSTRIAL DEVELOPMENT AGENCY** (the "**Agency**"), with an office at 201 E. Washington Street, 6<sup>th</sup> Floor, Syracuse, New York 13202 and **T AND S REID, REAL ESTATE HOLDINGS LLC AND ACCESS GLOBAL ENTERPRISES, LLC**, with a mailing address of 422 David Drive, North Syracuse, New York 13212 (collectively, the "**Company**").

**Article 1. Preliminary Statement.** Among the matters of mutual inducement which have resulted in the execution of this agreement are the following:

1.01. The Agency is authorized and empowered by the provisions of Title 1 of Article 18-A of the General Municipal Law of the State of New York (the "**State**"), as amended, and Chapter 641 of the Laws of 1979 of the State (collectively, the "**Act**") to designate an agent for constructing, renovating and equipping "projects" (as defined in the Act).

1.02. The purposes of the Act are to promote, attract, encourage and develop recreation and economically sound commerce and industry in order to advance the job opportunities, health, general prosperity and economic welfare of the people of the State, to improve their recreation opportunities, prosperity and standard of living, and to prevent unemployment and economic deterioration. The Act vests the Agency with all powers necessary to enable it to accomplish such purposes, including the power to acquire and dispose of interests in real property and to appoint agents for the purpose of completion of projects undertaken by the Agency.

1.03. The Company, by application dated June 10, 2020 (the "**Application**"), requested the Agency undertake a project (the "**Project**") consisting of: (A)(i) the acquisition of an interest in two parcels of improved real property totaling approximately .5 acres, located at 2520 South Salina Street ("**Parcel 1**") which is improved by a four (4) story approximately 14,400 sq. ft building ("**Building 1**") and 2504 South Salina Street ("**Parcel 2**"), improved by an approximately 2,000 sq. ft. dwelling ("**Building 2**"), each in the City of Syracuse, New York (collectively, the "**Land**"); (ii) the renovation of Building 1 to include: approximately 7,200 sq.ft. on the third and fourth floors to serve as a dental manufacturing facility and laboratory and the corporate US headquarters for ACCESS Dental Laboratories; approximately 3,600 sq.ft of space for use as a fitness center, employee breakroom and conference rooms for the dental facility and additional commercial offices on the second floor; and an approximately 3,600 sq.ft. daycare facility on the first floor; site improvements including exterior building renovations and the demolition of Building 2 and the installation thereon of an approximately 24 space parking lot as well as other related site improvements on the Land which include, but may not be limited to, a playground, sidewalks, stormwater management facilities and landscaping (collectively, the "**Facility**"); (iii) the acquisition and installation in and on the Land and Facility of furniture, fixtures and equipment (the "**Equipment**" and together with the Land and the Facility, the "**Project Facility**"); (B) the granting of certain financial assistance in the form of exemptions from real estate taxes, State and local sales and use tax and mortgage recording tax (in

accordance with Section 874 of the General Municipal Law) (collectively the “*Financial Assistance*”); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, construction, reconstruction, renovation, equipping and completion of the Project Facility; and (D) the lease of the Land and Facility by the Agency pursuant to a lease agreement and the acquisition of an interest in the Equipment pursuant to a bill of sale from the Company to the Agency; and the sublease of the Project Facility back to the Company pursuant to a sublease agreement.

1.03(a). All documents necessary to effectuate the Agency’s undertaking of the Project and the granting of the approved Financial Assistance between the Agency and the Company, including but not limited to, a project agreement, a company lease agreement, an agency lease agreement, a bill of sale and an environmental compliance and indemnification agreement, shall be collectively referred to herein as the “*Lease Documents*”.

1.04. The Company hereby represents to the Agency that undertaking the Project, the designation of the Company as the Agency’s agent for the construction, reconstruction, renovation, equipping and completion of the Project Facility, and the use and appointment, as necessary, by the Company of a Project operator, contractors, agents, subagents, subcontractors, contractors and subcontractors of such agents and subagents (collectively, “*Additional Agents*”): (i) will be an inducement to it to construct, reconstruct, renovate and equip the Project Facility in the City of Syracuse (the “*City*”); (ii) will not result in the removal of a commercial, industrial or manufacturing plant or facility of the Company or of any other proposed occupant of the Project Facility from one area of the State to another or in the abandonment of one or more plants or facilities of the Company or of any other proposed occupant of the Project Facility located in the State, except as may be permitted by the Act; and (iii) undertaking the Project Facility will promote, create and/or preserve private sector jobs in the State. The Company hereby further represents to the Agency that the Project Facility is not primarily used in making retail sales to customers who personally visit the Facility.

1.05. The Agency has determined that the acquisition of a controlling interest in, and the construction, reconstruction, renovation and equipping of the Project Facility and the subleasing of the same to the Company will promote and further the purposes of the Act.

1.06. On July 21, 2020, the Agency adopted a resolution (the “*Inducement Resolution*”) agreeing, subject to the satisfaction of all conditions precedent set forth in such Resolution, to designate the Company as the Agency’s agent for the acquisition, construction, reconstruction, renovation and equipping of the Project Facility and determining that the leasing of the same to the Company will promote further purposes of the Act. For purposes of that designation, the Agency authorized as part of the approved Financial Assistance, State and local sales and use tax exemption benefits in an amount not to exceed **\$137,812.70**.

1.07. In the Resolution, subject to the execution of, and compliance with, this Agreement by the Company, the execution and delivery of a project agreement by the Company, and other conditions set forth in the Resolution and herein, the Agency appointed the Company as its agent for the purposes of construction, reconstruction, renovation and equipping the Project Facility, entering into contracts and doing all things requisite and proper for construction,

reconstruction, renovation and equipping the Project Facility.

**Article 2. Undertakings on the Part of the Agency.** Based upon the statement, representations and undertakings of the Company and subject to the conditions set forth herein, the Agency agrees as follows:

2.01. The Agency confirms that it has authorized and designated, pursuant to the terms hereof, the Company as the Agency's agent for constructing, reconstructing, renovation and equipping the Project Facility.

2.02. The Agency will adopt such proceedings and authorize the execution of such Agency documents as may be necessary or advisable for: (i) acquisition of a controlling interest in the Project Facility; (ii) designation by the Company of Additional Agents for construction, reconstruction, renovation and equipping of the Project Facility subject to the terms hereof; and (iii) the leasing or subleasing of the Project Facility to the Company, all as shall be authorized by law and be mutually satisfactory to the Agency and the Company.

2.03. Nothing contained in this Agreement shall require the Agency to apply its funds to Project costs.

2.04. After satisfying the conditions precedent set forth in the Sections 2.05, 3.06 and 4.02 hereof and in the Inducement Resolution, the Company may proceed with the construction, reconstruction, renovation and equipping of the Project Facility and the utilization of and, as necessary the appointment of, Additional Agents.

2.05. Subject to the execution of the Lease Documents and Section 4.02 hereof, the Company is appointed the true and lawful agent of the Agency: (i) for the construction, reconstruction, renovation and equipping of the Project Facility; and (ii) to make, execute, acknowledge and deliver any contracts, orders, receipts, writings and instructions, as the stated agent for the Agency, and in general to do all things which may be requisite or proper for the construction, reconstruction, renovation and equipping of the Project Facility, all with the same powers and the same validity as if the Agency were acting in its own behalf.

2.06. The Agency will take or cause to be taken such other acts and adopt such further proceedings as may be required to implement the aforesaid undertakings or as it may deem appropriate in pursuance thereof. The Agency may in accordance with Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as "*SEQRA*"), undertake supplemental review of the Project. Such review to be limited to specific significant adverse environmental impacts not addressed or inadequately addressed in the Agency's review under *SEQRA* that arise from changes in the proposed Project, newly discovered information or a change in the circumstances related to the Project.

**Article 3. Undertakings on the Part of the Company.** Based upon the statements,



representations and undertakings of the Agency and subject to the conditions set forth herein the Company agrees as follows:

3.01. (a) The Company shall indemnify and hold the Agency harmless from all losses, expenses, claims, damages and liabilities arising out of or based on labor, services, materials and supplies, including equipment, ordered or used in connection with the acquisition of a controlling interest in, and construction, reconstruction, renovation and equipping of the Project Facility (including any expenses incurred by the Agency in defending any claims, suits or actions which may arise as a result of any of the foregoing), whether such claims or liabilities arise as a result of the Company or Additional Agents acting as agent for the Agency pursuant to this Agreement or otherwise.

(b) The Company shall not permit to stand, and will, at its own expense, take all steps reasonably necessary to remove, any mechanics' or other liens against the Project Facility for labor or material furnished in connection with the acquisition, construction, reconstruction, renovation and equipping of the Project Facility.

(c) The Company shall indemnify and hold the Agency, its members, officers, employees and agents and anyone for whose acts or omissions the Agency or any one of them may be liable, harmless from all claims and liabilities for loss or damage to property or any injury to or death of any person that may be occasioned subsequent to the date hereof by any cause whatsoever in relation to the Project Facility, including any expenses incurred by the Agency in defending any claims, suits or actions which may arise as a result of the foregoing.

(d) The Company shall defend, indemnify and hold the Agency harmless from all losses, expenses, claims, damages and liabilities arising out of or based on the non-disclosure of information, if any, requested by the Company in accordance with Section 4.05 hereof.

(e) The defense and indemnities provided for in this Article 3 shall survive expiration or termination of this Agreement and shall apply whether or not the claim, liability, cause of action or expense is caused or alleged to be caused, in whole or in part, by the activities, acts, fault or negligence of the Agency, its members, officers, employees and agents, anyone under the direction and control of any of them, or anyone for whose acts or omissions the Agency or any of them may be liable, and whether or not based upon the breach of a statutory duty or obligation or any theory or rule of comparative or apportioned liability, subject only to any specific prohibition relating to the scope of indemnities imposed by statutory law.

(f) The Company shall provide and carry: (i) worker's compensation and disability insurance as required by law; and (ii) comprehensive liability and property insurance with such coverages (including without limitation, owner's protective coverage for the benefit of the Agency, naming the Agency as an additional insured on all policies of coverage regarding the Project; providing the coverage with respect to the Agency be primary and non-contributory; and contractual coverage covering the indemnities herein provided for), with such limits and which such companies as may be approved by the Agency. Upon the request of the Agency, the Company shall provide certificates, endorsements, binders and/or policies of insurance in form satisfactory to the Agency evidencing such insurance.

(g) The Company shall apply and diligently pursue all approvals, permits and consents from the State of New York, the City, the City Planning Commission and any other governmental authority which approvals, permits and consents are required under applicable law for the development, construction, reconstruction, renovation and equipping of the Project and any related site improvements. The Company acknowledges and agrees that the Agency's findings and determinations under SEQRA do not and shall not in and of themselves (except as specifically set forth in SEQRA) satisfy or be deemed to satisfy applicable laws, regulations, rules and procedural requirements applicable to such approvals, permits and consents.

(h) The Company shall complete a Local Access Agreement to be obtained from the City of Syracuse Industrial Development Agency and agrees to utilize, and cause its Additional Agents to utilize, local contractors and suppliers for the construction, reconstruction, renovation equipping and completion of the Project unless a waiver is received from the Agency in writing. For purposes of this Agency Agreement, the term "**Local**" shall mean Onondaga, Oswego, Oneida, Madison, Cayuga and Cortland Counties. The Company agrees that such Local contractors shall be provided the opportunity to bid on contracts related to the Project Facility.

3.02. The Company agrees that, as agent for the Agency or otherwise, it will comply at the Company's sole cost and expense with all the requirements of all federal, state and local laws, rules and regulations of whatever kind and howsoever denominated applicable to the Agency and/or Company with respect to the Project Facility, the acquisition of a controlling interest therein, construction, reconstruction, renovation and equipping thereof, the operation and maintenance of the Project Facility, supplemental review of adverse environmental impacts in accordance with SEQRA and the financing of the Project. Every provision required by law to be inserted herein shall be deemed to be set forth herein as if set forth in full, including, but not limited to, Section 875 of the Act; and upon the request of either party, this Agreement shall be amended to specifically set forth any such provision or provisions.

3.03. The Company agrees that, as agent for the Agency or otherwise, to the extent that such provisions of law are in fact applicable (without creating an obligation by contract beyond that which is created by statute) it will comply with the requirements of Section 220 of the Labor Law of the State of New York, as amended.

3.04. The Company will take such further action and adopt such further proceedings as may be required to implement its aforesaid undertakings or as it may deem appropriate in pursuance thereof.

3.05. If it should be determined that any State or local sales or compensatory use taxes are payable with respect to the acquisition, purchase or rental or machinery or equipment, materials or supplies in connection with the Project Facility, or are in any manner otherwise payable directly or indirectly in connection with the Project Facility, the Company shall pay the same and defend and indemnify the Agency from and against any liability, expenses and penalties arising out of, directly or indirectly, the imposition of any such taxes.

3.06 The Company shall proceed with the acquisition, construction, reconstruction, renovation, equipping and completion of the Project Facility and advance such funds as may be

necessary to accomplish such purposes. The Company may appoint Additional Agents as agents of the Agency in furtherance thereof. Any appointment of an Additional Agent is conditioned upon the Company first obtaining and providing the Agency the following:

(1) A written, executed agreement, in form and substance acceptable to the Agency, from each Additional Agent which provides for the assumption by the Additional Agent, for itself, certain of the obligations under this Agreement relative to the appointment, work and purchases done and made by each Additional Agent; (ii) a commitment to utilize local contractors and suppliers for the construction, reconstruction, renovation and equipping of the Project (“local” being defined in Section 3.01(h) hereof); (iii) an acknowledgement that the Additional Agent is obligated, to timely provide the Company with the necessary information to permit the Company, pursuant to General Municipal Law §874(8), to timely file an Annual Statement with the Agency and the New York State Department of Taxation and Finance on “Annual Report of Sales and Use Tax Exemptions” (Form ST-340) regarding the value of sales and use tax exemptions the Additional Agent claimed pursuant to the agency conferred on it by the Company with respect to this Project; (iv) an acknowledgment by the Additional Agent that the failure to comply with the foregoing will result in the loss of the exemption; and (v) such other terms and conditions as the Agency deems necessary; and

(2) A completed “IDA Appointment of Project Operator or Agent for Sales Tax Purposes” (Form ST-60) for each Additional Agent appointed within fifteen (15) days of the appointment of each Additional Agent such that the Agency can execute and deliver said form to the State Department of Taxation and Finance within thirty (30) days of appointment of each such Additional Agent.

Failure of the Company to comply with the foregoing shall nullify the appointment of any Additional Agent and may result in the loss of the Company’s exemption with respect to the Project at the sole discretion of the Agency.

The Company acknowledges that the assumption by the Additional Agent in accordance with Section 3.06(1) above, does not relieve the Company of its obligations under those provisions or any other provisions of this Agreement with respect to the Project.

3.07 The Company ratifies and confirms its obligations to pay an annual administrative reporting fee in accordance with the Agency’s fee schedule to cover administrative and reporting requirements to comply with New York State reporting regulations on Agency assisted projects.

#### **Article 4. General Provisions.**

4.01. This Agreement shall take effect on the date of the execution hereof by the Agency and the Company and, subject to Section 4.04 hereof, shall remain in effect until the Lease Documents become effective. It is the intent of the Agency and the Company that, except as to those provisions that survive, this Agreement be superseded in its entirety by the Lease Documents.

4.02. (a) It is understood and agreed by the Agency and the Company that the grant of Financial Assistance and the execution of the Lease Documents and related documents are

subject to: (i) payment by the Company of the Agency's fee and Agency's counsel fees; (ii) obtaining all necessary governmental approvals, permits and consents of any kind required in connection with the Project Facility; (iii) approval by the members of the Agency; (iv) approval by the Company; and (v) the condition that there are no changes in New York State Law, including regulations, which prohibit or limit the Agency from fulfilling its obligations hereunder; and

(b) the Company, by executing this agreement, acknowledges and agrees to make, or cause its Additional Agents, to make, all records and information regarding State and local sales and use tax exemption benefits given to the Project as part of the Financial Assistance available to the Agency upon request, including but not limited to the Form ST-340 for itself and each Additional Agent; and

(c) the Company, by executing this Agreement, acknowledges and agrees to the terms and conditions of Section 875(3) of the Act as if such section were fully set forth herein and further agrees to cause all of its Additional Agents to acknowledge, agree and consent to same. Without limiting the scope of the foregoing the Company acknowledges that pursuant to Section 875(3) of the Act, and in accordance with the Agency's Recapture of Benefits Policy, the Agency shall, and in some instances may, recover, recapture, receive or otherwise obtain from the Company some or all of the Financial Assistance (the "**Recapture Amount**") including, but not limited to: (1) (a) that portion of the State and local sales and use tax exemption to which the Company was not entitled, which is in excess of the amount of the State and local sales and use tax exemption authorized by the Agency or which is for property or services not authorized by the Agency; or (b) the full amount of such State and local sales and use tax exemption, if the Company fails to comply with a material term or condition regarding the use of the property or services as represented to the Agency in its Application or otherwise; or (c) the full amount of such State and local sales and use tax exemption in the event the Company fails to execute and deliver the Lease Documents in accordance herewith or fails to complete the Project; and (2) any interest or penalties thereon imposed by the Agency or by operation of law or by judicial order or otherwise; and (d) the failure of the Company to promptly pay such Recapture Amount to the Agency will be grounds for the Commissioner to collect sales and use taxes from the Company under Article 28 of the State Tax Law, together with interest and penalties. In addition to the foregoing, the Company acknowledges and agrees that for purposes of exemption from New York State (the "**State**") sales and use taxation as part of the Financial Assistance requested, "sales and use taxation" shall mean sales and compensating use taxes and fees imposed by article twenty-eight or twenty-eight-A of the New York State tax law but excluding such taxes imposed in a city by section eleven hundred seven or eleven hundred eight of such article twenty-eight. In addition to the foregoing, the Agency may recapture other benefits comprising the Financial Assistance in accordance with the Agency's Recapture Policy (a copy of which is on the Agency's website).

4.03. The Company agrees that it will, within thirty (30) days of a written request for same, regardless of whether or not this matter closes or the Project Facility is completed: (i) reimburse the Agency for all reasonable and necessary expenses, including without limitation the fees and expenses of counsel to the Agency arising from, out of or in connection with the Project, and/or any documents executed in connection therewith, including, but not limited to any claims or actions taken by the Agency against the Company, Additional Agents or third parties;

and (ii) indemnify the Agency from all losses, claims, damages and liabilities, in each case which the Agency may incur as a consequence of executing this Agreement or performing its obligations hereunder, including but not limited to, any obligations related to Additional Agents.

4.04. If for any reason the Lease Documents are not executed and delivered by the Company and the Agency on or before **July 21, 2021**, the provisions of this Agreement (other than the provisions of Articles 1.04, 2.02, 2.04, 3.01, 3.02, 3.03, 3.05, 3.06, 4.02, 4.03, 4.04, 4.05 and 4.06, which shall survive) shall unless extended by agreement of the Agency and the Company, terminate and be of no further force or effect, and following such termination neither party shall have any rights against the other party except:

(a) The Company shall pay the Agency for all expenses incurred by the Agency in connection with the acquisition, construction, reconstruction, renovation and equipping of the Project Facility;

(b) The Company shall assume and be responsible for any contracts for the construction or purchase of equipment entered into by the Agency at the request of or as agent for the Company in connection with the Project Facility; and

(c) The Company will pay the out-of-pocket expenses of members of the Agency and counsel for the Agency incurred in connection with the Project Facility and will pay the fees of counsel for the Agency for legal services relating to the Project Facility, Additional Agents or the proposed financing thereof.

**4.05. The Company acknowledges that Section 875(7) of the New York General Municipal Law (“GML”) requires the Agency to post on its website all resolutions and agreements relating to the Company’s appointment as an agent of the Agency or otherwise related to the Project, including this Agreement; and Article 6 of the New York Public Officers Law declares that all records in the possession of the Agency (with certain limited exceptions) are open to public inspection and copying. If the Company feels that there are elements of the Project or information about the Company in the Agency’s possession which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the Company’s competitive position, the Company must identify such elements in writing, supply same to the Agency: (i) with respect to this Agreement, prior to or contemporaneously with the execution hereof; and (ii) with respect to all other agreements executed in connection with the Project, on or before the Closing Date, and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law. Failure to do so will result in the posting by the Agency of all information in accordance with Section 875 of the GML.**

4.06 That every controversy, dispute or claim arising out of or relating to this Agreement shall be governed by the laws of the State of New York, without regard to its conflict-of-laws provisions that if applied might require the application of the laws of another jurisdiction; and that the Company irrevocably and expressly submits to the exclusive personal jurisdiction of the Supreme Court of the State of New York and the United States District Court

for the Northern District of New York, to the exclusion of all other courts, for the purposes of litigating every controversy, dispute or claim arising out of or relating to this Agreement.

**IN WITNESS WHEREOF**, the parties hereto have entered into this Agreement as of the 21<sup>st</sup> day of July, 2020.

**CITY OF SYRACUSE INDUSTRIAL  
DEVELOPMENT AGENCY**

By: \_\_\_\_\_  
Judith DeLaney, Executive Director

**T AND S REID, REAL ESTATE HOLDINGS  
LLC**

By: \_\_\_\_\_  
Name:  
Title:

**ACCESS GLOBAL ENTERPRISES, LLC**

By: \_\_\_\_\_  
Name:  
Title:

## PILOT RESOLUTION

As a result of the public health emergency created by COVID-19, the Federal, State and local bans on meetings or gatherings, and pursuant to Governor Cuomo’s Executive Order 202.1 issued on March 12, 2020, as amended from time to time, the City of Syracuse Industrial Development Agency (the "**Agency**") held a meeting on the 21<sup>st</sup> day of July, 2020, at 8:00 a.m., local time, electronically which was made available via Webex at: <https://syrgov.webex.com/syrgov/j.php?MTID=mac8013305c4c5b796666df78d9f7ba18> (or by accessing the link on the Agency's website) and using meeting number 129 282 2500 and password SIDA; or via telephone at (408) 418-9388 with access code: 129 282 2500, in conjunction with the matter set forth below.

The meeting was called to order by \_\_\_\_\_ and upon the roll being duly called, the following members were:

**PRESENT VIA TELE/VIDEOCONFERENCE** (in accordance with the Governor's Executive Order 202.1):

**THE FOLLOWING PERSONS WERE ALSO PRESENT VIA TELE/VIDEOCONFERENCE** (in accordance with the Governor's Executive Order 202.1):

The following resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_:

**RESOLUTION APPROVING AN PAYMENT IN LIEU OF TAX ("PILOT") SCHEDULE AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS BY THE AGENCY IN CONNECTION WITH THE PILOT SCHEDULE**

**WHEREAS**, the City of Syracuse Industrial Development Agency (the "**Agency**") is authorized and empowered by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the "**State**"), as amended, together with Chapter 641 of the Laws of 1979 of the State of New York, as amended from time to time (collectively, the "**Act**") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, including industrial pollution control facilities, railroad facilities and certain horse racing facilities, for the purpose of promoting, attracting, encouraging and developing recreation and economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State, to improve their recreation opportunities, prosperity and standard of living, and to prevent unemployment and economic deterioration; and

**WHEREAS**, to accomplish its stated purposes, the Agency is authorized and empowered



under the Act to acquire, lease and sell real property and grant financial assistance in connection with one or more “projects” (as defined in the Act);

**WHEREAS**, by application dated June 9, 2020 (the “**Application**”), T and S Reid, Real Estate Holdings LLC and ACCESS Global Enterprises, LLC, or an entity to be formed (the “**Company**”), requested the Agency undertake a project (the “**Project**”) consisting of: (A)(i) the acquisition of an interest in two parcels of improved real property totaling approximately .5 acres, located at 2520 South Salina Street (“**Parcel 1**”) which is improved by a four (4) story approximately 14,400 sq. ft building (“**Building 1**”) and 2504 South Salina Street (“**Parcel 2**”), improved by an approximately 2,000 sq. ft. dwelling (“**Building 2**”), each in the City of Syracuse, New York (collectively, the “**Land**”); (ii) the renovation of Building 1 to include: approximately 7,200 sq.ft. on the third and fourth floors to serve as a dental manufacturing facility and laboratory and the corporate US headquarters for ACCESS Dental Laboratories; approximately 3,600 sq.ft of space for use as a fitness center, employee breakroom and conference rooms for the dental facility and additional commercial offices on the second floor; and an approximately 3,600 sq.ft. daycare facility on the first floor; site improvements including exterior building renovations and the demolition of Building 2 and the installation thereon of an approximately 24 space parking lot as well as other related site improvements on the Land which include, but may not be limited to, a playground, sidewalks, stormwater management facilities and landscaping (collectively, the “**Facility**”); (iii) the acquisition and installation in and on the Land and Facility of furniture, fixtures and equipment (the “**Equipment**” and together with the Land and the Facility, the “**Project Facility**”); (B) the granting of certain financial assistance in the form of exemptions from real estate taxes, State and local sales and use tax and mortgage recording tax (in accordance with Section 874 of the General Municipal Law) (collectively the “**Financial Assistance**”); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, construction, reconstruction, renovation, equipping and completion of the Project Facility; and (D) the lease of the Land and Facility by the Agency pursuant to a lease agreement and the acquisition of an interest in the Equipment pursuant to a bill of sale from the Company to the Agency; and the sublease of the Project Facility back to the Company pursuant to a sublease agreement; and

**WHEREAS**, on July 21, 2020, the Agency resolved to classify a certain project as an Unlisted Action pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as “**SEQRA**”) and determined that the action will not have a significant effect on the environment; and

**WHEREAS**, on July 21, 2020, the Agency resolved to take official action toward the acquisition, construction, reconstruction, renovation, equipping and completion of the Project (the “**Inducement Resolution** ”); and

**WHEREAS**, as part of the Financial Assistance, the Company requested the Agency consider a 15 year payment in lieu of tax (the “**PILOT**”) schedule, as more fully described on **Exhibit “A**” attached hereto, which schedule conforms with the Agency’s Uniform Tax Exemption Policy (“**UTEP**”) established pursuant to General Municipal Law Section 874(4); and

**WHEREAS**, the Agency has given due consideration to the Application and to representations by the Company that the proposed PILOT, as part of the Financial Assistance: (i) will induce the Company to develop the Project Facility in the City of Syracuse; (ii) will not result in the removal of a commercial, industrial or manufacturing plant or facility of the Company or any other proposed occupant of the Project Facility 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 Company or any other proposed occupant of the Project Facility located in the State, except as may be permitted by the Act; and (iii) undertaking the Project will advance job opportunities in the State and promote the general prosperity and economic welfare of the inhabitants of the City of Syracuse in furtherance of the purposes of the Act.

**NOW, THEREFORE**, be it resolved by the members of the City of Syracuse Industrial Development Agency, as follows:

(1) Based upon the representations made by the Company to the Agency, and the reasons presented by the Company in support of its request for the PILOT schedule, and subject to compliance with the terms of the Inducement Resolution, the Agency hereby approves and the (Vice) Chair and Executive Director, acting individually, are each authorized to execute and deliver a PILOT agreement (the “*PILOT Agreement*”) providing for the PILOT schedule attached as **Exhibit “A”** hereto, all in such form and substance as shall be substantially the same as used by the Agency for other similar transactions and consistent with this Resolution and as approved by the Chair or Vice Chair of the Agency upon the advice of counsel to the Agency.

(2) The (Vice) Chair and/or Executive Director, acting individually, are each hereby authorized and directed, for and in the name and on behalf of the Agency, to execute and deliver the documents and agreements identified herein and any and all such additional certificates, instruments, documents or affidavits, all in substantially the same form as used by the Agency in other similar transactions, and to pay any such other fees, charges and expenses, to make such other changes, omissions, insertions, revisions, or amendments to the documents referred to herein as the (Vice) Chair shall approve, and to do and cause to be done any such other acts and things, as they determine, on advice of counsel to the Agency, may be necessary or desirable to consummate the transactions contemplated by this Resolution.

(3) No covenant, stipulation, obligation or agreement contained in this resolution or any document referred to above shall be deemed to be the covenant, stipulation, obligation or agreement of any member, officer, agent or employee of the Agency in his or her individual capacity. Neither the members nor officers of the Agency, nor any person executing any documents referred to above on behalf of the Agency, shall be liable thereon or be subject to any personal liability or accountability by reason of the execution or delivery thereof.

(4) Bousquet Holstein PLLC, as counsel to the Agency, is hereby authorized to work with the Company and others to prepare for submission to the Agency, all documents necessary to effect the grant of the Financial Assistance set forth herein and consummate the PILOT agreement.

(5) The Secretary and/or the Executive Director of the Agency are hereby authorized to distribute copies of this Resolution to the Company and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

(6) This Resolution shall take effect immediately, but is subject to execution by the Company of the Lease Documents, a PILOT Agreement and the Agreement (all as defined in the Inducement Resolution) and compliance with all other resolutions and other related documents adopted and/or approved by the Agency in conjunction with the Project and/or as set forth herein.

(7) A copy of this Resolution, together with the attachments hereto, shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours.

The question of the adoption of the foregoing Resolution was duly put to vote on a roll call, which resulted as follows:

**AYE**

**NAY**

The foregoing Resolution was thereupon declared duly adopted.

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

I, the undersigned Secretary of the City of Syracuse Industrial Development Agency, **DO HEREBY CERTIFY** that I have compared the annexed extract of the minutes of the meeting of the City of Syracuse Industrial Development Agency (the “**Agency**”) held on July 21, 2020, with the original thereof on file in my office, and that the same (including any and all exhibits) is a true and correct copy of the proceedings of the Agency and of the whole of such original insofar as the same relates to the subject matters referred to therein.

**I FURTHER CERTIFY** that (i) all members of the Agency had due notice of such meeting, (ii) pursuant to Section 104 of the Public Officers Law (Open Meetings Law), such meeting was open to the general public and public notice of the time and place of such meeting was duly given in accordance with such Section 104, (iii) the meeting was in all respects duly held, and (iv) there was a quorum present throughout.

**I FURTHER CERTIFY** that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

**IN WITNESS WHEREOF**, I have set my hand and affixed the seal of the Agency this \_\_\_\_ day of July, 2020.

City of Syracuse Industrial Development Agency

\_\_\_\_\_  
Rickey T. Brown, Secretary

(S E A L)

**EXHIBIT "A"**

**PROPOSED PILOT SCHEDULE**

<i>Year</i>	<i>Amount</i>
1	\$4,016.82
2	\$4,097.16
3	\$4,179.10
4	\$4,262.68
5	\$4,347.94
6	\$4,434.90
7	\$4,523.59
8	\$4,614.06
9	\$4,706.35
10	\$4,800.47
11	\$12,378.31
12	\$20,257.34
13	\$28,446.57
14	\$36,955.28
15	\$45,792.95
Total	\$187,813.52

## FINAL APPROVING RESOLUTION

As a result of the public health emergency created by COVID-19, the Federal, State and local bans on meetings or gatherings, and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020, as amended from time to time, the City of Syracuse Industrial Development Agency (the "**Agency**") held a meeting on the 21<sup>st</sup> day of July, 2020, at 8:00 a.m., local time, electronically which was made available via Webex at: <https://syrgov.webex.com/syrgov/j.php?MTID=mac8013305c4c5b796666df78d9f7ba18> (or by accessing the link on the Agency's website) and using meeting number 129 282 2500 and password SIDA; or via telephone at (408) 418-9388 with access code: 129 282 2500, in conjunction with the matter set forth below.

The meeting was called to order by \_\_\_\_\_ and upon the roll being duly called, the following members were:

**PRESENT VIA TELE/VIDEOCONFERENCE** (in accordance with the Governor's Executive Order 202.1):

**THE FOLLOWING PERSONS WERE ALSO PRESENT VIA TELE/VIDEOCONFERENCE** (in accordance with the Governor's Executive Order 202.1):

The following resolution was offered by \_\_\_\_\_ and seconded by \_\_\_\_\_:

### **RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS BY THE AGENCY IN CONNECTION WITH A COMMERCIAL PROJECT UNDERTAKEN AT THE REQUEST OF THE COMPANY**

**WHEREAS**, the City of Syracuse Industrial Development Agency (the "**Agency**") is authorized and empowered by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the "**State**"), as amended, together with Chapter 641 of the Laws of 1979 of the State of New York, as amended from time to time (collectively, the "**Act**"), to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research and recreation facilities, for the purpose of promoting economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State, to improve their recreation opportunities, prosperity and standard of living; and

**WHEREAS**, by application dated June 9, 2020 (the "**Application**"), T and S Reid, Real Estate Holdings LLC and ACCESS Global Enterprises, LLC, or an entity to be formed (the

“*Company*”), requested the Agency undertake a project (the “*Project*”) consisting of: (A)(i) the acquisition of an interest in two parcels of improved real property totaling approximately .5 acres, located at 2520 South Salina Street (“*Parcel 1*”) which is improved by a four (4) story approximately 14,400 sq. ft building (“*Building 1*”) and 2504 South Salina Street (“*Parcel 2*”), improved by an approximately 2,000 sq. ft. dwelling (“*Building 2*”), each in the City of Syracuse, New York (collectively, the “*Land*”); (ii) the renovation of Building 1 to include: approximately 7,200 sq.ft. on the third and fourth floors to serve as a dental manufacturing facility and laboratory and the corporate US headquarters for ACCESS Dental Laboratories; approximately 3,600 sq.ft of space for use as a fitness center, employee breakroom and conference rooms for the dental facility and additional commercial offices on the second floor; and an approximately 3,600 sq.ft. daycare facility on the first floor; site improvements including exterior building renovations and the demolition of Building 2 and the installation thereon of an approximately 24 space parking lot as well as other related site improvements on the Land which include, but may not be limited to, a playground, sidewalks, stormwater management facilities and landscaping (collectively, the “*Facility*”); (iii) the acquisition and installation in and on the Land and Facility of furniture, fixtures and equipment (the “*Equipment*” and together with the Land and the Facility, the “*Project Facility*”); (B) the granting of certain financial assistance in the form of exemptions from real estate taxes, State and local sales and use tax and mortgage recording tax (in accordance with Section 874 of the General Municipal Law) (collectively the “*Financial Assistance*”); (C) the appointment of the Company or its designee as an agent of the Agency in connection with the acquisition, construction, reconstruction, renovation, equipping and completion of the Project Facility; and (D) the lease of the Land and Facility by the Agency pursuant to a lease agreement and the acquisition of an interest in the Equipment pursuant to a bill of sale from the Company to the Agency; and the sublease of the Project Facility back to the Company pursuant to a sublease agreement; and

**WHEREAS**, the Agency conducted a public hearing with respect to the Project and the proposed Financial Assistance on July 21, 2020 pursuant to Section 859-a of the Act, notice of which was published on July 9, 2020, in the Post-Standard, a newspaper of general circulation in the City of Syracuse, New York and given to the chief executive officers of the affected tax jurisdictions by letters dated July 8, 2020; and

**WHEREAS**, the Agency adopted a resolution on July 21, 2020 (the “**SEQRA Resolution**”) entitled:

**RESOLUTION CLASSIFYING A CERTAIN PROJECT AS AN UNLISTED ACTION PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT, DECLARING THE AGENCY LEAD AGENCY FOR PURPOSES OF AN UNCOORDINATED REVIEW THEREUNDER AND DETERMINING THAT THE ACTION WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT**

which resolution is in full force and effect and has not been amended or modified; and

**WHEREAS**, the Agency adopted a resolution on July 21, 2020 (the “**Inducement**”

*Resolution*”) entitled:

**RESOLUTION AUTHORIZING THE UNDERTAKING, ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION, EQUIPPING AND COMPLETION OF A PROJECT; APPOINTING THE COMPANY AS AGENT OF THE AGENCY FOR THE PURPOSE OF THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION, EQUIPPING AND COMPLETION OF THE PROJECT; AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT BETWEEN THE AGENCY AND THE COMPANY**

which resolution is in full force and effect and has not been amended or modified; and

**WHEREAS**, the Agency adopted a resolution on July 21, 2020 (the “*PILOT Resolution*”) entitled:

**RESOLUTION APPROVING A PAYMENT IN LIEU OF TAX ("PILOT") SCHEDULE AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS BY THE AGENCY IN CONNECTION WITH THE PILOT SCHEDULE**

which resolution is in full force and effect and has not been amended or modified.

**NOW, THEREFORE**, be it resolved by the members of the City of Syracuse Industrial Development Agency, as follows:

**Section 1.** Based upon the representations made by the Company to the Agency and after consideration of the comments received at the public hearing, if any, the Agency hereby ratifies all of its prior resolutions adopted in conjunction with the Project, including but not limited to the SEQRA Resolution, Inducement Resolution, the PILOT Resolution and all other action with respect to the Project and Financial Assistance taken by the Agency, and makes the following findings and determinations:

(a) The acquisition of a controlling interest in the Project Facility by the Agency, the granting of the approved Financial Assistance in accordance with the Inducement Resolution and the designation of the Company as the Agency’s agent for completion of the Project will be an inducement to, and permit, the Company to develop and operate the Project Facility in the City of Syracuse, thus serving the public purposes of Article 18-A of the General Municipal Law of New York State by promoting and preserving the job opportunities, general prosperity, health and economic welfare of the inhabitants of the City of Syracuse (the “*City*”) in furtherance of the purposes of the Act;



(b) The Project will not result in the removal of a commercial, industrial or manufacturing plant or facility of the Company or any other proposed occupant of the Project Facility from one area of the State to another area of the State or result in the abandonment of one or more plants or facilities of the Company or any other proposed occupant of the Project Facility located in the State, except as may be permitted by the Act;

(c) The commitment of the Agency to provide the approved Financial Assistance in accordance with the Inducement Resolution to the Company will enable and induce the Company to acquire, construct, reconstruct, renovate, equip and complete the Project Facility;

(d) The acquisition, construction, reconstruction, renovation, equipping and completion of the Project Facility and the attendant promotion of the local economy will advance the job opportunities, health, prosperity and economic welfare of the people of the City and the granting of the Financial Assistance is a necessary component to the financing of the Project;

(e) The Project Facility constitutes a “project” within the meaning of the Act;  
and

(f) It is desirable and in the public interest for the Agency to grant Financial Assistance in connection with the Project.

**Section 2.** It is the policy of the State to promote the economic welfare, recreation opportunities and prosperity of its inhabitants and to actively promote, attract, encourage and develop recreation and economically sound commerce and industry for the purpose of preventing unemployment and economic deterioration. The Project will serve the public purposes of Article 18-A of the General Municipal Law of the State of New York by advancing job opportunities and promoting economic development.

**Section 3.** It is among the purposes of the Agency to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of certain facilities, including commercial facilities, and thereby advance the job opportunities, health, general prosperity and economic welfare of the people of the State and to improve their recreation opportunities, prosperity and standard of living.

**Section 4.** Subject to the conditions set forth in this and prior resolutions adopted by the Agency, the Project Agreement, and the Agreement (each as defined in the Inducement Resolution), the Agency will: (A) acquire a controlling interest in the Project Facility; (B) lease or sell the Land and Facility from the Company pursuant to a lease or sale agreement between the Agency and the Company (the “*Company Lease*”); acquire an interest in the Equipment pursuant to a bill of sale from the Company (the “*Bill of Sale*”); and sublease or sell the Project Facility to the Company pursuant to a sublease or sale agreement (the “*Agency Lease*”); (C) secure the Company’s borrowings with respect to the Project Facility by joining in one or more construction or permanent mortgages on the Project Facility in favor of the Company’s lenders(s); (D) provide the approved Financial Assistance; and (E) execute and deliver any other documents necessary to effectuate the actions contemplated by and consistent with this Resolution upon the advice of counsel to the Agency.

**Section 5.** The (Vice) Chair and the Executive Director of the Agency, acting individually, are each hereby authorized and directed, for and in the name and on behalf of the Agency, to execute and deliver the documents and agreements identified in Section 4 of this Resolution as well as the Lease Documents (as defined in the Inducement Resolution) and any such additional certificates, instruments, documents or affidavits, to pay any such other fees, charges and expenses, to make such other changes, omissions, insertions, revisions, or amendments to the documents referred to in Section 4 of this Resolution and to do and cause to be done any such other acts and things, as they determine, on advice of counsel to the Agency, may be necessary or desirable to consummate the transactions contemplated by this Resolution.

**Section 6.** No covenant, stipulation, obligation or agreement contained in this resolution or any document referred to herein shall be deemed to be the covenant, stipulation, obligation or agreement of any member, officer, agent or employee of the Agency in his or her individual capacity. Neither the members nor officers of the Agency, nor any person executing any documents referred to above on behalf of the Agency, shall be liable thereon or be subject to any personal liability or accountability by reason of the execution or delivery thereof.

**Section 7.** Bousquet Holstein PLLC, as counsel to the Agency, is hereby authorized to work with the Company and others to prepare, for submission to the (Vice)Chair and/or the Executive Director, all documents necessary to effect the undertaking of the Project and the grant of Financial Assistance in connection with the Project.

**Section 8.** The approvals provided for herein are contingent upon the Company's payment of all of the Agency's fees and costs, including but not limited to attorneys fees.

**Section 9.** The Secretary and/or Executive Director of the Agency is hereby authorized to distribute copies of this Resolution and do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

**Section 10.** This Resolution shall take effect immediately. A copy of this Resolution, together with the attachments hereto, shall be placed on file in the office of the Agency where the same shall be available for public inspection during business hours.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

**AYE**

**NAY**

The foregoing Resolution was thereupon declared duly adopted.

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

I, the undersigned Secretary of the City of Syracuse Industrial Development Agency, **DO HEREBY CERTIFY** that I have compared the annexed extract of the minutes of the meeting of the City of Syracuse Industrial Development Agency (the “**Agency**”) held on July 21, 2020, with the original thereof on file in my office, and that the same (including all exhibits) is a true and correct copy of the proceedings of the Agency and of the whole of such original insofar as the same relates to the subject matters referred to therein.

**I FURTHER CERTIFY** that: (i) all members of the Agency had due notice of such meeting; (ii) pursuant to Section 104 of the Public Officers Law (Open Meetings Law), as temporarily amended by Executive Order 202.1 issued on March 12, 2020, as amended from time to time (“**EO 202.1**”), such meeting was open to the general public and public notice of the time and how to participate in such meeting was duly given in accordance with such Section 104 and EO 202.1; (iii) the meeting was in all respects duly held; and (iv) there was a quorum present throughout.

**I FURTHER CERTIFY** that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or rescinded.

**IN WITNESS WHEREOF**, I have set my hand and affixed the seal of the Agency on \_\_\_\_\_, 2020.

City of Syracuse Industrial Development Agency

\_\_\_\_\_  
Rickey T. Brown, Secretary

(S E A L)

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**City of Syracuse**  
**Industrial Development Agency**  
201 East Washington Street  
Syracuse, NY 13202  
Tel (315) 473-3275

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**EXECUTIVE SUMMARY**

**Agenda Item: 5**

**Title: Syracuse Build Initiative**

**Requested By: Judv Delaney**

**OBJECTIVE:** Approval of a request to amend the terms of a proposed contract with Center State CEO relative to Syracuse Build.

**DESCRIPTION:**

**Direct expenditure of fund:**  Yes  No

**Type of financial assistance requested**

PILOT

Sales Tax Exemption

Mortgage Recording Tax Exemption

Tax Exempt Bonds

Other

**SUMMARY:** As the members are aware, the Agency has received a request from Center State CEO to amend the terms of an agreement between the Agency and the Company to provide funding in the amount of \$100,000.00 for the Syracuse Build Initiative. Funding and terms were approved by the Board of Directors in October 2019. The agreement was not finalized and the funds, included in the Agency's 2020 budget, have not been expended. At the Finance Committee meeting of July 16, 2020 representatives of Center State CEO discussed the changes in the request and the specific outcomes to be achieved. (See attached). After discussion the members of the Committee requested additional information and approved a motion to table the item for a fuller discussion at the Board of Directors meeting after receipt of same. \*\*\* Staff has been in contact with Center State in the interim and it is anticipated further correspondence to address concerns will be forthcoming by Monday July 20 and will be forwarded on receipt. Representatives will also be on hand for the Board meeting.

**ATTACHMENTS:**

1. Correspondence.

**REVIEWED BY:**

- Executive Director
- Audit Committee
- Governance Committee
- Finance Committee

**Meeting:** July 21, 2020

**Prepared By: J. A. Delaney**



**CENTERSTATE  
CORPORATION FOR ECONOMIC OPPORTUNITY**

July 14, 2020

Judith DeLaney  
City of Syracuse Industrial Development Agency  
City Hall Commons, 6th Floor  
201 East Washington Street  
Syracuse, New York 13202

Re: SIDA 2020 funding for Syracuse Build Initiative

Judith,

As you know, the SIDA Board recently approved to fund CenterState CEO Foundation \$100,000 to support our work related to Mayor Walsh's Syracuse Build Initiative. COVID-19 presented a substantial number of barriers and changes to our original plans, including the temporary closure of our primary instructional partner for four months. During that time, CenterState CEO's Work Train team has been working diligently to address the challenges presented by COVID-19, to pivot with the changing landscape and continue our work to empower the residents of the City of Syracuse. As a result of the pandemic and its impacts on local institutions, we present the following proposed changes to our contract scope of work.

- In the previous scope of work, we had proposed that during the annual grant period in 2020 we would support 5 Build Ready cohorts of 18 students each (90 students total), with a 75% graduation rate and 75% placement rate. In our new scope of work, we propose that 36 individuals will enroll during 2020, with an 80% placement rate of all enrolled. The enrollment reduction reflects the fact that SUNY EOC could not run any cohorts from March to June, since they were closed down per state rules. SUNY EOC was able to restart the Build Ready program in July, and we anticipate running 2 additional cohorts before the end of the grant period in December 2020.

We are learning with our partners that safely managing a construction training program under COVID-19 conditions is very different than in a pre-COVID world. For example, classroom capacity is lower due to social distancing requirements; student start dates are delayed when student COVID test results are delayed; and there are added program costs related to PPE, cleaning supplies, air purifiers and bottled water. Classrooms must be disinfected multiple times, adding costs for staff time as well. SUNY EOC developed an online curriculum for part of the class to reduce COVID risk, but in-person instruction is essential for construction skills.

- In the previous scope of work, we had proposed 4 courses preparing individuals for civil service tests and placement in municipal jobs. Given the COVID-19 pandemic impact on city and county government budgets, we anticipate that public sector job openings will not be as plentiful as predicted prior to the pandemic. Since all our work is driven by employer demand, we don't believe that at the current moment, this would be an effective use of program funding and as a result, in our new scope of work we proposed to eliminate this activity.

- In the proposed scope of work, we reallocated funding to the Community Center Collaborative to function as the primary outreach partner for Syracuse Build. The Community Centers' role is to recruit residents across neighborhoods into construction careers, host orientations and conduct assessments, so that individuals can be referred to the best training and support services they need to be successful. This is a key role to ensure that Syracuse Build is engaging marginalized communities of color, and SIDA funding will be essential to achieving those goals.
- We did not change the section of the scope of work related to participant stipends.

Our detailed proposal is below:

- \$56,000 to Work Readiness and Academic Remediation at EOC:
  - During the grant period, at least 36 individuals will enroll in Build Ready classes (focusing on basic construction skills, OSHA, basic academic preparation);
  - 80% of enrolled participants will secure employment, enter apprenticeship or enter advanced skill training.
- \$24,000 to Community Center Collaborative for recruitment and orientation:
  - The neighborhood-based Community Centers will recruit at least 200 individuals into Syracuse Build, host orientation sessions and conduct assessments.
- \$20,000 for participant stipends
  - Will pay for about 1,700 hours of class time (based on minimum wage) for participants pursuing advanced construction/trades modules (beyond the basic work readiness & academic remediation class).
  - Assuming a 16 week advanced training schedule, this stipend budget would cover 3 individuals' stipends. (assuming 35 hour class time per week). This will constitute a pilot program with local trade unions.

We feel strongly that these changes will help further the Syracuse Build initiative, continue partnerships with training providers and community centers and have the deliverables your Board is looking for. We look forward to hearing your thoughts on these changes.

Sincerely,



Jessica DeJohn Barbuto  
Manager of Performance  
Economic Inclusion

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**City of Syracuse**  
**Industrial Development Agency**  
201 East Washington Street  
Syracuse, NY 13202  
Tel (315) 473-3275

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Analysis. **EXECUTIVE SUMMARY**

**Agenda Item: 4**

**Title: JMA Tech Properties LLC/Ranalli Taylor St. LLC**

**Requested By: Sue Katzoff**

**OBJECTIVE:** Approval of a waiver of a conflict of interest.

**DESCRIPTION:**

**Direct expenditure of fund:**  Yes  No

**Type of financial assistance requested**

PILOT

Sales Tax Exemption

Mortgage Recording Tax Exemption

Tax Exempt Bonds

Other

**SUMMARY:** See attached correspondence.

**ATTACHMENTS:**

1. Correspondence.

**REVIEWED BY:**

Executive Director

Audit Committee

Governance Committee

Finance Committee

**Meeting: July 21, 2020**

**Prepared By: J.A. DeLaney**

July 7, 2020

JMA Tech Properties, LLC  
PO Box 678  
7645 Henry Clay Blvd  
Liverpool, NY 13088

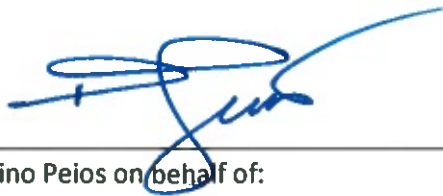
Ranalli/Taylor St, LLC  
PO Box 678  
7645 Henry Clay Blvd  
Liverpool, NY 13088

Re: SIDA Waiver Request

Dear SIDA Board,  
JMA Tech Properties, LLC and Ranalli/Taylor St, LLC respectfully request a waiver from the Syracuse Industrial Development Agency to engage with BOUSQUET HOLSTEIN PLLC for counsel on the legal requirements associated with the New York State Department of Environmental Conservation Brownfield Tax reimbursement program. Specifically, we are seeking the guidance of Phillip Bousquet, Esq, an expert in the field of tax law as relates to Brownfield Tax credits.

We would appreciate a speedy decision as the work and subsequent billing associated with the remediation will commence August 2020.

Thank you for your consideration.



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Dino Peios on behalf of:  
JMA Tech Properties and Ranalli/Taylor St, LLC



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**City of Syracuse**  
**Industrial Development Agency**  
201 East Washington Street  
Syracuse, NY 13202  
Tel (315) 473-3275

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**EXECUTIVE SUMMARY**

**Agenda Item: 9**

**Title: Property Insurance**

**Requested By: Judy DeLaney**

**OBJECTIVE:** Retroactive approval of a renewal of vacant property insurance for 327 Montgomery Street.

**DESCRIPTION:**

**Direct expenditure of fund:**  Yes  No

**Type of financial assistance requested**

**PILOT**

**Sales Tax Exemption**

**Mortgage Recording Tax Exemption**

**Tax Exempt Bonds**

**Other**

**SUMMARY:**

Attached please find a quote and coverage for the renewal of the vacant property insurance policy for 327 Montgomery Street in the amount of \$7226.27. There is no increase in the premium and no change in coverage over last year. The original correspondence on the renewal was not received by the Agency in a timely manner and as the policy was due to be renewed by Saturday July 18<sup>th</sup> the Exec. Director provisionally approved the renewal contingent on Board approval. Members may recall that this policy was reviewed by Agency Counsel last year and was recommended as appropriate coverage for the property.

**ATTACHMENTS:**

1. Quote.
2. Coverage.

**REVIEWED BY:**

- Executive Director
- Audit Committee
- Governance Committee
- Finance Committee

**Meeting:** July 16, 2020

**Prepared By: J.A. DeLaney**

**Brown & Brown of New York Inc (Syr)**  
**500 Plum Street**  
**Suite 200**  
**Syracuse, NY 13204**  
**(315) 474-3374**

**Date:** 05/26/2020

**Insured:** Syracuse Industrial Development Agency  
c/o J Delaney  
201 E Washington St 6th Floor  
Syracuse, NY 13202

**Expiring #:** FSF15026704001  
**Policy Effective:** 07/18/2020  
**Policy Expires:** 07/18/2021  
**Minimum Earned:** 25.00%  
**Minimum & Deposit:** 100.00%  
**Rating Basis:** 8,800 Area

**Carrier:** Westchester Surplus Lines Insurance Co

**This quote may be subject to audit and a favorable inspection.**

**INDICATION**

<b>Coverage</b>		<b>Cost</b>
General Liability Premium	\$	613.00
Property Premium	\$	6,158.00
Service Fee (fully earned)	\$	200.00
Stamping Fee	\$	11.51
Surplus Lines Tax (NY)	\$	243.76
<b>Total Cost</b>	\$	<b>7,226.27</b>

**BINDING CONDITIONS**

**Prior to binding, Brown & Brown of New York Inc (Syr) must receive the following via email or fax:**

1. \$7,226.27 (Check)
2. Refer to Carrier Quote for terms, conditions, bind requirements, and forms/endorsements that will apply to this policy.
3. Completed 'Terrorism Form', signed and dated by the insured.
4. Completed 'Total Cost Form', signed and dated by the insured.
5. Completed 'Express Renewal Application'. All questions answered, signed and dated by producer and insured.

**REMARKS**

**See carrier quote attached for forms/exclusions**

**WARRANTIES**

**Warranties - Coverage is Contingent Upon the Following:**

**Heat must be maintained at 55 degrees Fahrenheit in all units**

**Insured premise to be Locked and fully secured against unauthorized entry**

**PRODUCER COMPENSATION:**

In order to place the insurance requested we may charge a reasonable fee for additional services that may include performing a risk analysis, comparing policies, processing submissions, communication expenses, inspections, working with underwriters on the coverage proposal, issuing policies or servicing the policy after issuance. Thirdparty inspection or other fees may be separately itemized upon request.

If the insured recommends an inspection company, we will endeavor to determine if it is approved by the Insurer. To the extent the insured paid us a fee for services, we represent the insured in performing those services. Our fees are fully earned and nonrefundable, event that the premium is adjustable upwards, our fees are adjustable as well and will be collected against any additional premium. The fee charged by us does not obligate the insured to purchase the proposed insurance or the Insurer to bind the proposed insurance. Our fee is not imposed by state law or the Insurer. This fee authorization shall remain operative until terminated by written notice. Depending upon the Insurer involved with your placement, we may also receive a commission from the Insurer.

We may also have an agreement with the Insurer that we are proposing for this placement that may pay us future additional compensation.

This compensation is in addition to any fees and/or commissions that we have agreed to accept for placing this insurance.

This compensation could be based on formulas that consider the volume of business placed with the Insurer, the profitability of that business, how much of the business is retained for the Insurers account each year, and potentially other factors.

The agreements frequently consider total eligible premium from all clients placed during a calendar year and any incentive or contingent compensation is often received at a future date, including potentially after the end of the following calendar year.

Because of variables in these agreements, we often have no accurate way at the time of placement to determine the amount of any additional

compensation that might be attributable to any Insureds placement. The broker with the direct relationship with the Insured must comply with all applicable laws and regulations related to disclosure of compensation, including disclosure of potential incentive or contingent compensation and the criteria for receiving such compensation, and in connection with the Insureds placement. RSG affiliates may also earn investment income on accounts temporarily held as fiduciary funds, and compensation as a broker, underwriting manager, reinsurance intermediary, premium finance company, claims adjuster, consultant or service provider. If you need additional information about the compensation arrangements for services provided by RSG affiliates, please contact your RSG representative.

R-T Specialty, LLC (RT), a subsidiary of Ryan Specialty Group, LLC, provides wholesale brokerage and other services to agents and brokers. RT is a Delaware limited liability company based in Illinois. As a wholesale broker, RT does not solicit insurance from the public.

Some products may only be available in certain states, and some products may only be available from surplus lines Insurers.

In California: R-T Specialty Insurance Services, LLC

License #0G97516.

@ 2017 Ryan Specialty Group, LLC

This indication is valid until the effective date listed above and does not necessarily provide the terms and/or conditions requested in your submission.

**GENERAL LIABILITY**

*List any changes on the line provided*

General Aggregate	2,000,000	
Personal & Advertising Injury	1,000,000	
Each Occurrence	1,000,000	
Damage to Premise Rented to You	100,000	
Medical Expense	5,000	

**Location # / Sublocation #**

Address	327 Montgomery St, Syracuse, NY 13202	
<b>Class Code</b>	68606	
Class Description	Vacant buildings- not factories-other than not-for-profit. - Products / Completed Operations are subject to the General Aggregate Limit	
Premium Basis	Area	
Exposure	8800	
Deductible	500	
Premises Operations	1,000,000/2,000,000	
Products Completed Operations	EXCLUDED	

**PROPERTY**

*List any changes on the line provided*

**Location # / Sublocation #**

Address	327 Montgomery St, Syracuse, NY 13202	
Sub Location Type	Vacant Building	
<b>Property Type</b>	Building	
Coverage Limit	1,400,000	
Deductible	2,500	
Coinsurance	80%	
Coverage Form	Basic	
Valuation Type	N/A	

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**City of Syracuse**  
**Industrial Development Agency**  
201 East Washington Street  
Syracuse, NY 13202  
Tel (315) 473-3275

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**EXECUTIVE SUMMARY**

**Agenda Item: 8**

**Title: COVID-19 Disaster Emergency Grant/Loan Program**

**Requested By: Judv Delaney**

**OBJECTIVE:** Review and approval of a proposed Agency Grant/Loan Program for the purpose of assisting small businesses and non-profit corporations with COVID-19 related expense.

**DESCRIPTION:**

**Direct expenditure of fund:**  Yes  No

**Type of financial assistance requested**

PILOT

Sales Tax Exemption

Mortgage Recording Tax Exemption

Tax Exempt Bonds

Other

**SUMMARY:** See attached memo.

**ATTACHMENTS:**

1. Memo.
2. Grant Program Information.
3. Loan Program Information.
4. Applications.

**REVIEWED BY:**

- Executive Director
- Audit Committee
- Governance Committee
- Finance Committee

**Meeting:** July 20, 2020

**Prepared By: J. A. Delaney**

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**City of Syracuse**  
**Industrial Development Agency**  
201 East Washington Street, 6<sup>th</sup> Floor  
Syracuse, NY 13202  
Tel (315) 473-3275

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July 17, 2020

Memorandum To: SIDA Board of Directors

From: Judith DeLaney

Re: COVID - 19 Disaster Emergency Grant/Loan Program Proposal

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**Background:**

As discussed at the Finance Committee meeting, recently, the Governor signed into law legislation allowing Industrial Development Agencies in the State of New York to establish a grant /loan program to assist small businesses and 501c3 organizations, each with 50 or fewer employees, which have been negatively impacted by COVID-19 or that have COVID-19 related expenses.

Currently Industrial Development Agencies are precluded by statute from making loans and/or grants and the COVID-19 legislation is a one- time exception with relatively strict parameters slated to sunset December 31, 2020.

**Terms of the legislation (attached ) are as follows:**

**1. Grants** – Grants may be provided to both small business and not-for-profit organizations in an amount not to exceed \$10,000 for the sole purpose of acquiring personal protective equipment and/or installing fixtures necessary to prevent the spread of the virus.

**2. Loans** – Loans may be provided to both small business and not-for-profit organizations in an amount not to exceed \$25,000 for other purposes beyond those specified for the grant.

To be eligible for a grant or a loan, a small business or not-for-profit organization must be physically located in and conduct business in the City of Syracuse, must have been operational and financially viable prior to March 7, 2020, must not have more than 50 full-time equivalent or full-time contract employees and must demonstrate that they were negatively affected by the state disaster emergency declared by the Governor on March 7, 2020.

Any funding for either program will come from the Agency's revenue sources.

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**City of Syracuse**  
**Industrial Development Agency**  
201 East Washington Street, 6<sup>th</sup> Floor  
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Tel (315) 473-3275

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**Finance Committee:**

At a meeting of the Finance Committee held on July 16, 2020 staff reviewed the general terms of the program as mandated by the legislation and proposed establishment of such a program for SIDA. The Committee was receptive to the request and referred it to the Board of Directors to determine specifics and further action.

**Request:**

Staff is requesting the members of the Board establish a Grant/Loan Program relative to the COVID-19 Disaster Emergency with initial funding in the amount of \$175,000.00 with an additional round of funding to be requested if needed. Please see the attached Program Terms and Application for both the Grant & Loan Segments.

# City of Syracuse Industrial Development Agency

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## COVID-19 Disaster Emergency Grant Program

In the wake of the impact being felt by small businesses and not for profit corporations (collectively, "*Entities*") due to the coronavirus COVID-19 emergency, the City of Syracuse Industrial Development Agency ("*SIDA*" or the "*Agency*") is undertaking a grant program to provide financial assistance to qualifying Entities located in the City of Syracuse. Please see more information and instructions on how to apply below:

### GENERAL INFORMATION:

#### 1. What is the SIDA COVID-19 Disaster Emergency Grant Program?

SIDA has allocated funding to provide grants in an amount from \$500 to \$10,000 solely for the purpose of acquiring PPE, as defined below or installing fixtures necessary to prevent the spread of the novel coronavirus, COVID 19 ("*Fixtures*").

#### 2. Who is eligible?

Small businesses and not for profit corporations which are physically located in and conduct business in the City of Syracuse; were operational and financially viable prior to March 7, 2020, that do not have more than 50 full-time equivalent or full-time contract employees and that have been negatively affected by the state disaster emergency declared by the Governor on March 7, 2020.

#### 3. What Type of Purchases Qualify?

Qualifying purchases may include masks, hand sanitizer, sneeze guards, face guards plexiglass shields, gloves and eye protection, safety footwear, air purifiers, cleaning materials and disinfectants, specialized packaging for shipping, signage, COVID testing kits or other such equipment designated by the Center for Disease Control (collectively, "*PPE*") and Fixtures.

#### 4. How can eligible businesses and not for profit entities apply?

Funds are limited. Applications can be found online at [www.syr.gov.net/SIDA/HOME.aspx](http://www.syr.gov.net/SIDA/HOME.aspx). Fully completed applications and required supporting documentation can be submitted starting on Monday July 27, 2020. **THE DEADLINE FOR SUBMISSIONS IS CLOSE OF BUSINESS FRIDAY AUGUST 14, 2020.** Only fully completed applications with all supporting documentation will be considered.



**5. How/where do I submit the application and supporting documentation?**

Applications can be submitted one of the following ways:

- A) Email electronically to [business@syrgov.net](mailto:business@syrgov.net) (*note: this is the preferred option*);  
or
- B) Mail to the following address: Syracuse Industrial Development Agency 201 East Washington Street, Suite 612, Syracuse, NY 13202

**6. How will Grant requests be reviewed?**

The SIDA Board of Directors has directed the Agency's Finance Committee comprised of members of the Board to review and consider for approval all completed applications received by the Agency. The Finance Committee's decisions will be final. The Agency anticipates decisions on funding to be made the week of August 24<sup>th</sup>.

A grant agreement must be executed with approved applicants prior to disbursement of any grant funds.

**7. What is the cost of applying for the program?**

There is no cost to apply. If a grant request is approved, there will be a one-time flat fee of 1% of the grant amount.

**APPLICATION INSTRUCTIONS:**

1. Complete the grant application (available electronically at: [www.syrgov.net/SIDA.Home.aspx](http://www.syrgov.net/SIDA.Home.aspx))
2. Compile the following required documents:
  - **For Small Business:** 2019 Business Federal Tax Return including all schedules; an interim Profit & Loss Statement and Balance Sheet through at least June 30, 2020; a personal financial statement [available using this link](#) dated within the last 30 days for any individuals with 20% or more ownership, IRS Form W-3 (2019) (Transmittal of Wage and Tax Statements); and IRS Form 1096 (2019)
  - **For Small Not-for-Profit:** CPA Audited 2019 Financial Statements; Form 990 (2019) or similar tax filing; an interim Profit & Loss Statement and Balance Sheet through at least 6-30-20; IRS Form W-3 (2019)(Transmittal of Wage and Tax Statements); IRS Form 1096 (2019).

For each of the above, a resolution of the board of directors, if applicable, or other certification acceptable to the agency of an authorized officer of the company authorizing the submission of this application and the acceptance of any approved grant proceeds.

Aside from the foregoing, the Agency reserves the right to request additional financial or other corporate governance materials it deems necessary to adequately review and assess the application.

3. Submit the completed application and supporting materials by email (preferred method) or by mail as noted above **on or before close of business August 14, 2020.**
4. Questions regarding this program may be directed to the Executive Director of the Agency – Judith DeLaney via e-mail [jdelaney@syr.gov](mailto:jdelaney@syr.gov) or 315 475-3275 .

DRAFT

# City of Syracuse Industrial Development Agency

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## COVID-19 Disaster Emergency Loan Program

In the wake of the impact being felt by small businesses and not for profit corporations (collectively, "*Entities*") due to the coronavirus COVID-19 emergency, the City of Syracuse Industrial Development Agency ("*SIDA*" or the "*Agency*") is undertaking a loan program to provide financial assistance to qualifying Entities located in the City of Syracuse. Please see more information and instructions on how to apply below:

### GENERAL INFORMATION:

#### 1. What is the SIDA COVID-19 Disaster Emergency Loan Program?

SIDA has allocated funding to provide loans in an amount from \$3000 to \$25,000 at a zero interest rate with a maturity date calculated to be fourteen (14) months following the end of the state disaster emergency declared by Executive Order 202 of 2020.

#### 2. Who is eligible?

Small businesses and not for profit corporations which are physically located in and conduct business in the City of Syracuse; were operational and financially viable prior to March 7, 2020, that do not have more than 50 full-time equivalent or full-time contract employees and that have been negatively affected by the state disaster emergency declared by the Governor on March 7, 2020.

#### 3. How can eligible businesses and not for profit entities apply?

**Funds are limited. Applications can be found online at [www.syr.gov.net/SIDA/HOME.aspx](http://www.syr.gov.net/SIDA/HOME.aspx).** Fully completed applications and required supporting documentation can be submitted starting on Monday July 27, 2020. **THE DEADLINE FOR SUBMISSIONS IS CLOSE OF BUSINESS FRIDAY AUGUST 14, 2020.** Only fully completed applications with all supporting documentation will be considered.

#### 4. How/where do I submit the application and supporting documentation?

Applications can be submitted one of the following ways:

- a) Email electronically to [business@syr.gov.net](mailto:business@syr.gov.net) (*note: this is the preferred option*);  
or
- b) Mail to the following address: Syracuse Industrial Development Agency  
201 East Washington Street, Suite 612, Syracuse, NY 13202

**5. How will Loan requests be reviewed?**

The SIDA Board of Directors has directed the Agency's Finance Committee comprised of members of the Board to review and consider for approval all completed applications received by the Agency. The Finance Committee's decisions will be final. The Agency anticipates decisions on funding to be made the week of August 24<sup>th</sup>.

Following approval, all loan documents must be executed with approved applicants prior to disbursement any approved loan proceeds.

**6. What Criteria will be used to approve loan requests?**

The SIDA Finance Committee will consider the following factors as it reviews individual requests for funding:

- a) Financial viability and creditworthiness of the applicant prior to the declaration of the state disaster emergency;
- b) The level of negative impact of the state disaster emergency on the operations and finances of the applicant;
- c) Applicants proposed plan to use the funds received through this loan program;
- d) Applicants ties to the community and impact of their work in the City of Syracuse;
- e) Applicants assurance that efforts will be made to retain jobs during the state disaster emergency; and
- f) Other potential sources of funding available to the applicant.

In addition to the foregoing criteria, the Agency will give priority to applicants located in a highly distressed area of the City as defined by Section 854(18) of the NYS General Municipal Law.

**7. What is the cost of applying for the program?**

There is no cost to apply. If a loan request is approved, there will be a one-time flat fee of 1% of the loan amount plus associated closing costs.

**8. What collateral will SIDA require for approved applicants?**

**For Business:** Corporate and personal guarantees of individuals owning 20% or more of the business and UCC-1 filings for all currently owned and after acquired equipment.

**For 501c3:** UCC-1 filings for all currently owned and after acquired equipment.

**APPLICATION INSTRUCTIONS:**

1. Complete the grant application (available electronically at: [www.syr.gov.net/SIDA.Home.aspx](http://www.syr.gov.net/SIDA.Home.aspx))
2. Compile the following required documents:
  - **For Small Business:** 2019 Business Federal Tax Return including all schedules; an interim Profit & Loss Statement and Balance Sheet through at least June 30, 2020; a personal financial statement [available using this link](#) dated within the last 30 days for any individuals with 20% or more ownership, IRS Form W-3 (2019) (Transmittal of Wage and Tax Statements); and IRS Form 1096 (2019)
  - **For Small Not-for-Profit:** CPA Audited 2019 Financial Statements; Form 990 (2019) or similar tax filing; an interim Profit & Loss Statement and Balance Sheet through at least June 30, 2020; IRS Form W-3 (2019) (Transmittal of Wage and Tax Statements); and IRS Form 1096 (2019).

For each of the above, a resolution of the board of directors, if applicable, or other certification acceptable to the Agency of an authorized officer of the company authorizing the submission of this application and the acceptance of any approved loan proceeds.

Aside from the foregoing, the Agency reserves the right to request additional financial or other corporate governance materials it deems necessary to adequately review and assess the application.

3. Submit the completed application and supporting materials by email (preferred method) or by mail as noted above **on or before close of business August 14, 2020.** Questions regarding this program may be directed to the Executive Director of the Agency – Judith DeLaney via e-mail [jdolaney@syr.gov.net](mailto:jdolaney@syr.gov.net) or 315 475-3275.

# SIDA

## City of Syracuse Industrial Development Agency

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### COVID-19 Disaster Emergency Grant Program Application

#### 1. APPLICATION INFORMATION

Legal Name: \_\_\_\_\_ Year Founded: \_\_\_\_\_

Business Address: \_\_\_\_\_ Federal EIN: \_\_\_\_\_

Application/Primary Contact: \_\_\_\_\_ Title: \_\_\_\_\_

Email Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Amount of grant being requested (between \$500-\$10,000): \$ \_\_\_\_\_.

Which best describes your business:

Corporation (including LLC's)  Partnership  Sole Proprietorship  Not-for-Profit

If business is a not-for-profit, was it formed under the NYS Not for Profit Corporation Law?

Yes  No If YES, identify which section of the law it was formed \_\_\_\_\_

**Which industry classification best describes your business (check no more than 2):**

Retail  Restaurant/Eatery  Manufacturing  Technology

Personal/Professional Services  Healthcare  Construction  Education

Real Estate  Architecture/Design/Engineering

#### 2. EMPLOYMENT/OPERATIONS

Total # of FTEs as of March 7, 2020: \_\_\_\_\_

Total # of current FTEs as of date of application: \_\_\_\_\_

Total # of FCEs as of March 7, 2020: \_\_\_\_\_

Total # of current FCEs as of date of application: \_\_\_\_\_

**Full Time Employees ("FTEs"):** means a full-time permanent, private sector employee on the recipient's payroll who has worked at the location of the organization for a minimum of 35 hours per week for not less than four consecutive weeks and who is entitled to receive the usual and customary fringe benefits extended by the recipient to other employees with comparable rank and duties; or two part-time, permanent private sector employees who have worked at the location of the organization for a combined minimum of 35 hours per week for not less than four consecutive weeks and who are entitled to receive the usual and customary fringe benefits extended by the recipient to other employees with comparable rank and duties.



# SIDA

## City of Syracuse Industrial Development Agency

### COVID-19 Disaster Emergency Grant Program Application

**Full-time Contract Employee ("FCE"):** a full-time private sector employee (or self-employed person) who is not on the Recipient's payroll but who works exclusively for the Recipient at the project location for a minimum of 35 hours per week for not less than four consecutive weeks, providing services that would otherwise be provided by a Full-time Permanent Employee. The position held by a Full-time Contract Employee must be a year-round position.

Is your organization currently open?  Yes  No

Was your organization open and operating on March 7, 2020?  Yes  No

If yes, for what period of time? \_\_\_\_\_

### 3. BUDGET AND FINANCIAL REQUEST

Amount of grant requested (not to exceed \$10,000): \$ \_\_\_\_\_

AMOUNT	EXPENSE/ITEM	VENDOR NAME/RECIPEINT	PURPOSE
\$			
\$			
\$			
\$			
<			<b>TOTAL FUNDING AMOUNT REQUESTED</b>

Please explain how you will prioritize each expense item listed above relative the amount of any grant awarded: \_\_\_\_\_

\_\_\_\_\_

Please describe in detail the history and nature of your business or organization and its ties to the City of Syracuse (the "*City*") community and the impact of your business/organization's work in the City community. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



# SIDA

## City of Syracuse Industrial Development Agency

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### COVID-19 Disaster Emergency Grant Program Application

Please describe, in detail, the impact COVID-19 has had on your organization. Additionally, please provide a summary of the measures your organization has taken to date, or plan to take in the next 30-90 days, to address the effects of the pandemic, and any ways you have been required to adapt to the current climate. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Describe in detail the efforts made by the business/organization to retain jobs since the declaration of the state disaster emergency and what assurances you can provide/make regarding ongoing efforts to retain jobs following the approval of any grant requested hereunder and for the duration of the declared emergency. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The City of Syracuse Industrial Development Agency ("SIDA" or the "Agency") is working with companies and organizations across our community and making efforts to provide resources to those most impacted by COVID-19. Please explain how your request will immediately benefit your organization, your workforce, and more broadly, the City of Syracuse community in the short term and long term. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### 4. MISCELLANEOUS

- Yes  No Is the Company or its principals presently the subject of any litigation, or is any litigation threatened, which would have a material adverse effect on the Company's financial condition?
- Yes  No Has the Company or its principals ever settled a debt with a lending institution for less than the full amount outstanding?
- Yes  No Has the company, its affiliates or its principals ever filed bankruptcy, a creditor's rights or receivership proceeding, or sought protection from creditors?
- Yes  No Is the Company or its principal's delinquent on property, personal, and/or employment taxes?
- Yes  No Has the Company or its principals ever been convicted of any felony or misdemeanor, other than a minor traffic violation, or are any charges pending?





# SIDA

## City of Syracuse Industrial Development Agency

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### COVID-19 Disaster Emergency Grant Program Application

- Yes  No Has the Company, its affiliates or its principals, been cited for a violation of federal, State or local laws or regulations with respect to labor practices, hazardous wastes, environmental pollution or operating practices?
- Yes  No Are there any outstanding judgments or lien pending against the Company, its affiliates or its principals other than liens in the normal course of business? Amount: \$\_\_\_\_\_
- Yes  No Has the company or principal(s) ever been issued an injunction, been imposed civil penalties or fines? been accused of false or misleading statements, or been the subject of a proceeding or had any allegations made against them, by any federal, state, local agency or authority including but not limited to the SEC, FCC, FDA, or OSHA? If yes, please attach a written explanation to this application.

#### 5. APPLICATION ATTACHMENTS

Applications will be considered incomplete and will not be reviewed without the following:

##### Required attachments:

- **For Business:** 2019 Business Federal Tax Return including all schedules; an interim Profit & Loss Statement and Balance Sheet through at least June 30, 2020; a personal financial statement [available using this link](#) dated within the last 30 days for any individuals with 20% or more ownership, IRS Form W-3 (2019) (Transmittal of Wage and Tax Statements); IRS Form 1096 (2019) .
- **For 501c3:** CPA Audited 2019 Financial Statements; 2019; Form 990 (2019) or similar tax filing; an interim Profit & Loss Statement and Balance Sheet through at least June 30, 2020; IRS Form W-3 (2019) (Transmittal of Wage and Tax Statements); IRS Form 1096 (2019).

For each of the above, a resolution of the board of directors, if applicable, or other certification acceptable to the agency of an authorized officer of the company authorizing the submission of this application and the acceptance of any approved grant proceeds.

Aside from the foregoing, the Agency reserves the right to request additional financial or other corporate governance materials it deems necessary to adequately review and assess the application.

A grant agreement must be executed with approved applicants prior to disbursement of approved grant funds.



# SIDA

## City of Syracuse Industrial Development Agency

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### COVID-19 Disaster Emergency Grant Program Application

If any of the above items are not attached to this application, please provide explanation: \_\_\_\_\_

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Please provide a **brief statement indicating your organizations financial viability prior to March 7, 2020:** \_\_\_\_\_

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#### 6. DISCLOSURE

Please note the Agency is required to comply with Article 6 of the Public Officers Law which declares that all records in the possession of the Agency (with certain limited exceptions) are open to public inspection and copying. If the Applicant feels that there are elements of the application which are exempt from disclosure under Art. 6 of the Public Officer's Law, the Applicant must identify such elements in writing and request that such elements be kept confidential. In accordance with Article 6 of the Public Officers Law, the Agency may also redact personal, private, and/or proprietary information from publicly disseminated documents. **It is the responsibility of the Applicant to request the Agency redact any and all information it deems exempt in compliance with Article 6 of the Public Officers Law.**

#### 7. SIGNATURE AND APPLICATION ACKNOWLEDGMENTS

The Applicant understands and agrees with the Agency as follows:

##### A. Absence of Conflicts of Interest

The applicant has received from the Agency a list of members, officers and staff of the Agency. To the best of my knowledge, no member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this grant application, except as hereinafter described.

Initial

##### B. False or Misleading Information

The applicant understands and agrees that the submission of knowingly false or misleading information in this application may lead to the immediate termination of any financial assistance and the reimbursement of an amount equal to all or part of any grant awarded and disbursed.

Initial



# SIDA

## City of Syracuse Industrial Development Agency

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### COVID-19 Disaster Emergency Grant Program Application

#### C. Hold Harmless Agreement

Applicant hereby releases the Agency and the members, officers, servants, agents and employees thereof (collectively, the "Employees") from, agrees that the Agency and the Employees shall not be liable for, and agrees to indemnify, defend, and hold the Agency and the Employees harmless from and against any and all liability arising from or expense incurred by the Agency's examination and processing of, and action pursuant to or upon, the attached application, regardless of whether or not the application is favorably acted upon by the Agency.

Initial

#### D. SIDA's Policies

The applicant is familiar with SIDA's Recapture Policy as well as its other policies posted on its website ([http://www.syr.gov.net/SIDA\\_home](http://www.syr.gov.net/SIDA_home)) and agrees to comply with all applicable policies as if any awarded grant constituted a project as set forth in such policies.

Initial

#### E. Disclosures

The Applicant has read paragraph 6 above and understands that the Applicant must identify in writing to the Agency any information it seeks to have redacted.

Initial



# SIDA

## City of Syracuse Industrial Development Agency

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### COVID-19 Disaster Emergency Grant Program Application

#### VERIFICATION

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS:

\_\_\_\_\_, deposes and says that s/he is the  
*(Name of Individual)*

\_\_\_\_\_ of \_\_\_\_\_  
*(Title)* *(Applicant Name)*

that s/he is the CEO or a person authorized to bind the company/applicant, and has personally completed and read the foregoing application and knows the contents thereof and that the same is true, accurate, and complete to the best of her/his knowledge, as subscribed and affirmed under the penalties of perjury. The grounds of deponent's beliefs relative to all matters in the said application which are not stated upon her/his own personal knowledge are investigations which the deponent has caused to be made concerning the subject matter of the application as well as, if applicable, information acquired by deponent in the course of her/his duties/responsibilities for the applicant and from the books and papers of the applicant. The deponent also acknowledges the Agency's fee schedule and assumes responsibility for payment of any and all applicable fees as described herein. Deponent further acknowledges review and understanding of the Agency's published policies, including but not limited to the Agency's Recapture Policy, and agrees on behalf of the Applicant to be bound by and comply with, all such policies as set forth in the application.

\_\_\_\_\_  
Applicant Representative's Signature

\_\_\_\_\_  
Title

Subscribed and sworn to before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 2020

\_\_\_\_\_  
Notary Public



# SIDA

## City of Syracuse Industrial Development Agency

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### COVID-19 Disaster Emergency Loan Program Application

#### 1. APPLICATION INFORMATION

Legal Name: \_\_\_\_\_ Year Founded: \_\_\_\_\_

Business Address: \_\_\_\_\_ Federal EIN: \_\_\_\_\_

Application/Primary Contact: \_\_\_\_\_ Title: \_\_\_\_\_

Email Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Amount of loan being requested (between \$3,000-\$25,000): \$ \_\_\_\_\_.

#### Which best describes your business

Corporation (including LLC's)  Partnership  Sole Proprietorship  Not-for-Profit

If business is a not-for-profit, was it formed under the NYS Not for Profit Corporation Law?

Yes  No. If YES, identify which section of the law it was formed \_\_\_\_\_

Is the organization located in a Highly Distressed Area as defined in Section 854(18) of the NYS General Municipal Law?  Yes  No

Have you applied to any other industrial development agency for a loan under a similar program?

Yes  No

#### Which industry classification best describes your business (check no more than 2):

Retail  Restaurant/Eatery  Manufacturing  Technology

Personal/Professional Services  Healthcare  Construction  Education

Real Estate  Architecture/Design/Engineering

#### 2. EMPLOYMENT/OPERATIONS

Total # of FTEs as of March 7, 2020: \_\_\_\_\_

Total # of current FTEs as of date of application: \_\_\_\_\_

Total # of FCEs as of March 7, 2020: \_\_\_\_\_

Total # of current FCEs as of date of application: \_\_\_\_\_

**Full Time Employees ("FTEs"):** means a full-time permanent, private sector employee on the recipient's payroll who has worked at the location of the organization for a minimum of 35 hours per week for not less than four consecutive weeks and who is entitled to receive the usual and customary fringe benefits extended by the recipient to other employees with comparable



# SIDA

## City of Syracuse Industrial Development Agency

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### COVID-19 Disaster Emergency Loan Program Application

rank and duties; or two part-time, permanent private sector employees who have worked at the location of the organization for a combined minimum of 35 hours per week for not less than four consecutive weeks and who are entitled to receive the usual and customary fringe benefits extended by the recipient to other employees with comparable rank and duties.

**Full-time Contract Employee ("FCE"):** a full-time private sector employee (or self-employed person) who is not on the Recipient's payroll but who works exclusively for the Recipient at the project location for a minimum of 35 hours per week for not less than four consecutive weeks, providing services that would otherwise be provided by a Full-time Permanent Employee. The position held by a Full-time Contract Employee must be a year-round position.

Is your organization currently open?  Yes  No

Was your organization open and operating on March 7, 2020?  Yes  No

If yes, for what period of time? \_\_\_\_\_

### 3. ANTICIPATED USE OF FUNDS (please check all that apply):

- |   |  |
|---|--|
| <input type="checkbox"/> Payroll of employees                                   | <input type="checkbox"/> Purchase of inventory                               |
| <input type="checkbox"/> Payroll for sick time coverage for employees equipment | <input type="checkbox"/> Purchase of machinery or                            |
| <input type="checkbox"/> Working capital to continue operations                 | <input type="checkbox"/> Pursuing adaptive business practices to remain open |
| <input type="checkbox"/> Payment of outstanding business expenses               | <input type="checkbox"/> Other (please explain)                              |

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

Please describe in detail the history and nature of your business or organization and its ties to the City of Syracuse (the "**City**") community and the impact of your business/organization's work in the City community. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please describe, in detail, the impact COVID-19 has had on your organization. Additionally, please provide a summary of the measures your organization has taken to date, or plan to take in the next 30-90 days, to address the effects of the pandemic, and any ways you have been required to adapt to the current climate. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# SIDA

## City of Syracuse Industrial Development Agency

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### COVID-19 Disaster Emergency Loan Program Application

Describe in detail the efforts made by the business/organization to retain jobs since the declaration of the state disaster emergency and what assurances you can provide/make regarding ongoing efforts to retain jobs following the approval of any loan requested hereunder and for the duration of the declared emergency. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Describe in detail other potential sources of funding available to the applicant. Please also indicate what steps you have taken to avail yourself of those other resources. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

The City of Syracuse Industrial Development Agency ("*SIDA*" or the "*Agency*") is working with companies and organizations across our community and making efforts to provide resources to those most impacted by COVID-19. Please explain how your request will immediately benefit your organization, your workforce, and more broadly, the City of Syracuse community in the short term and long term. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

#### 4. MISCELLANEOUS

Yes  No Is the Company or its principals presently the subject of any litigation, or is any litigation threatened, which would have a material adverse effect on the Company's financial condition?

Yes  No Has the Company or its principals ever settled a debt with a lending institution for less than the full amount outstanding?

Yes  No Has the company, its affiliates or its principals ever filed bankruptcy, a creditor's rights or receivership proceeding, or sought protection from creditors?

Yes  No Is the Company or its principal's delinquent on property, personal, and/or employment taxes?

Yes  No Has the Company or its principals ever been convicted of any felony or misdemeanor, other than a minor traffic violation, or are any charges pending?



# SIDA

## City of Syracuse Industrial Development Agency

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### COVID-19 Disaster Emergency Loan Program Application

- Yes  No Has the Company, its affiliates or its principals, been cited for a violation of federal, State or local laws or regulations with respect to labor practices, hazardous wastes, environmental pollution or operating practices?
- Yes  No Are there any outstanding judgments or lien pending against the Company, its affiliates or its principals other than liens in the normal course of business? Amount: \$ \_\_\_\_\_.
- Yes  No Has the company or principal(s) ever been issued an injunction, been imposed civil penalties or fines? been accused of false or misleading statements, or been the subject of a proceeding or had any allegations made against them, by any federal, state, local agency or authority including but not limited to the SEC, FCC, FDA, or OSHA? If yes, please attach a written explanation to this application.

Has your organization applied for other financial assistance due to Coronavirus COVID-19?

- Yes  No

If yes, please indicate all that apply:

- EIDL Loan  
 PPP Loan  
 Bank Loan  
 Credit Union Loan  
 Other

For each of the above, please indicate the, where applicable, the name of the lender, the amount of the loan or nature of assistance and the date you closed on the financing:

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# SIDA

## City of Syracuse Industrial Development Agency

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### COVID-19 Disaster Emergency Loan Program Application

If you applied for any financial assistance, but were denied, please indicate the name of the lender and the reason for the denial:

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#### 5. APPLICATION ATTACHMENTS

Applications will be considered incomplete and will not be reviewed without the following:

##### Required attachments:

- **For Business:** 2019 Business Federal Tax Return including all schedules; an interim Profit & Loss Statement and Balance Sheet through at least June 30, 2020; a personal financial statement [available using this link](#) dated within the last 30 days for any individuals with 20% or more ownership, IRS Form W-3 (2019) (Transmittal of Wage and Tax Statements); IRS Form 1096 (2019) .
- **For 501c3:** CPA Audited 2019 Financial Statements; 2019; Form 990 (2019) or similar tax filing; an interim Profit & Loss Statement and Balance Sheet through at least June 30, 2020; IRS Form W-3 (2019) (Transmittal of Wage and Tax Statements); IRS Form 1096 (2019).

For each of the above, a resolution of the board of directors, if applicable, or other certification acceptable to the agency of an authorized officer of the company authorizing the submission of this application and the acceptance of any approved loan proceeds.

Aside from the foregoing, the Agency reserves the right to request additional financial or other corporate governance materials it deems necessary to adequately review and assess the application.

If any of the above items are not attached to this application, please provide explanation:

Loan documents must be executed with approved applicants prior to disbursement of approved loan funds.

Please provide a brief statement indicating your organizations financial viability prior to March 7, 2020: \_\_\_\_\_

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# SIDA

## City of Syracuse Industrial Development Agency

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### COVID-19 Disaster Emergency Loan Program Application

#### 6. DISCLOSURE

Please note the Agency is required to comply with Article 6 of the Public Officers Law which declares that all records in the possession of the Agency (with certain limited exceptions) are open to public inspection and copying. If the Applicant feels that there are elements of the application which are exempt from disclosure under Art. 6 of the Public Officer's Law, the Applicant must identify such elements in writing and request that such elements be kept confidential. In accordance with Article 6 of the Public Officers Law, the Agency may also redact personal, private, and/or proprietary information from publicly disseminated documents. **It is the responsibility of the Applicant to request the Agency redact any and all information it deems exempt in compliance with Article 6 of the Public Officers Law.**

#### 7. SIGNATURE AND APPLICATION ACKNOWLEDGMENTS

The Applicant understands and agrees with the Agency as follows:

##### A. Absence of Conflicts of Interest

The applicant has received from the Agency a list of members, officers and staff of the Agency. To the best of my knowledge, no member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this loan application, except as hereinafter described. Initial

##### B. False or Misleading Information

The applicant understands and agrees that the submission of knowingly false or misleading information in this application may lead to the immediate termination of any financial assistance and the reimbursement of an amount equal to all or part of any loan approved and disbursed. Initial

##### C. Hold Harmless Agreement

Applicant hereby releases the Agency and the members, officers, servants, agents and employees thereof (collectively, the "Employees") from, agrees that the Agency and the Employees shall not be liable for, and agrees to indemnify, defend, and hold the Agency and the Employees harmless from and against any and all liability arising from or expense incurred by the Agency's examination and processing of, and action pursuant to or upon, the attached application, regardless of whether or not the application is favorably acted upon by the Agency. Initial



# SIDA

## City of Syracuse Industrial Development Agency

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### COVID-19 Disaster Emergency Loan Program Application

#### D. SIDA's Policies

The applicant is familiar with SIDA's Recapture Policy as well as its other polices posted on its website ([http://www.syr.gov.net/SIDA\\_home](http://www.syr.gov.net/SIDA_home)) and agrees to comply with all applicable policies as if any approved loan constituted a project as set forth in such polices.

Initial

#### E. Disclosures

The Applicant has read paragraph 6 above and understands that the Applicant must identify in writing to the Agency any information it seeks to have redacted.

Initial

DRAFT



# SIDA

## City of Syracuse Industrial Development Agency

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### COVID-19 Disaster Emergency Loan Program Application

#### VERIFICATION

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS:

\_\_\_\_\_, deposes and says that s/he is the  
*(Name of Individual)*

\_\_\_\_\_ of \_\_\_\_\_  
*(Title)* *(Applicant Name)*

that s/he is the CEO or a person authorized to bind the company/applicant, and has personally completed and read the foregoing application and knows the contents thereof and that the same is true, accurate, and complete to the best of her/his knowledge, as subscribed and affirmed under the penalties of perjury. The grounds of deponent's beliefs relative to all matters in the said application which are not stated upon her/his own personal knowledge are investigations which the deponent has caused to be made concerning the subject matter of the application as well as, if applicable, information acquired by deponent in the course of her/his duties/responsibilities for the applicant and from the books and papers of the applicant. The deponent also acknowledges the Agency's fee schedule and assumes responsibility for payment of any and all applicable fees as described herein. Deponent further acknowledges review and understanding of the Agency's published policies, including but not limited to the Agency's Recapture Policy, and agrees on behalf of the Applicant to be bound by and comply with, all such policies as set forth in the application.

Applicant Representative's Signature

\_\_\_\_\_  
Title

Subscribed and sworn to before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Notary Public

