



CITY OF SYRACUSE INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR BENEFITS

INSTRUCTIONS

1. The person completing this application on behalf of the company/applicant shall be a person who is either the CEO of the company/applicant or a person authorized to bind the company/applicant and each statement contained in this application shall be made by such a person. Fill in all blanks, using "none", "not applicable" or "not available" where the question is not appropriate to the Project, which is the subject of this Application (the "Project"). If you have any questions about the way to respond, please call the City of Syracuse Industrial Development Agency ("SIDA" or the "Agency") at (315) 448-8100.

2. In accordance with Section 224-a(8)(d) of Article 8 of the New York Labor Law, the Agency has identified that any "financial assistance" (within the meaning of Section 858 of the General Municipal Law) granted by the Agency to the Applicant consisting of sales and use tax exemption benefits, mortgage recording tax exemption benefits and real property tax exemption benefits, constitutes "public funds" within the meaning of Section 224-a(2)(b) of Article 8 of the New York Labor Law and such funds are not excluded under Section 224-a(3) of Article 8 of the New York Labor Law. The Agency hereby notifies the Applicant of the Applicant's obligations under Section 224-a (8)(a) of Article 8 of the New York Labor Law.

3. If an estimate is given as the answer to a question, put "(est.)" after the figure or answer, which is estimated.

4. If more space is needed to answer any specific question, attach a separate sheet.

5. When completed, return this application by mail or fax to the Agency at the address indicated below. A signed application may also be submitted electronically in PDF format to Eric Ennis at EEnnis@syr.gov.

All projects approved for benefits by the SIDA Board will close with the Agency within 12-months of the inducement date. If this schedule cannot be met, the applicant will need to submit a closing schedule modification written request to the Executive Director that will be presented to SIDA Board for consideration.

An application will not be considered by the Agency until the application fee has been received.

7. The Agency will not give final approval for this Application until the Agency receives a completed NYS Environmental Assessment Form concerning the Project, which is the subject of this Application. The form is available at <http://www.dec.ny.gov/permits/6191.html>

8. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the SIDA (with certain limited exceptions) are open to public inspection and copying. If the Applicant feels that there are elements of the Project which are in the nature of trade secrets which, if disclosed to the public or otherwise widely disseminated, would cause substantial injury to the Applicant's competitive position, this Applicant must identify such elements in writing and request that such elements be kept confidential. In accordance with

SIDA Application

Article 6 of the Public Officers Law, the SIDA may also redact personal, private, and/or proprietary information from publicly disseminated documents.

9. The Applicant will be required to pay the Agency application fee and legal fee deposit upon submission. The Applicant is responsible for all administrative and legal fees as stated in Appendix A.
10. Prior to submission to the Agency for consideration, the application must be complete. A complete application consists of the execution, where applicable, and delivery of following 8 items:
 - This Application
 - Conflict of Interest Statement – Appendix B
 - Environmental Assessment Form – Appendix C
 - Verification – Appendix D
 - A Project description, including a feasibility statement indicating the need for the requested benefits
 - Provide site plans, sketches, and/or maps as necessary (see page 7 for more detail)
 - 10 year pro forma operating budget, including funding sources
 - A check payable to the Agency in the amount of \$1,000
 - A check payable to Bousquet Holstein PLLC in the amount of \$2,500

It is the policy of the Agency that any Project receiving benefits from the Agency will utilize 100% local contractors and local labor for the construction period of the Project unless a waiver is granted in writing by the Agency.

Applicant must agree to comply with all of the Agency's policies, including but not limited to its Project Approval Policy.

Return to:
Eric Ennis, Executive Director
City of Syracuse Industrial Development Agency
300 South State Street, Suite 700
Syracuse, NY 13202
Phone: 315-448-8100
eennis@syr.gov

City of Syracuse Industrial Development Agency Application

SECTION I: APPLICANT INFORMATION

Please answer all questions. Use "None", "Not Applicable" and "See Attached" where necessary.

Submittal Date: November 5, 2024

A. Contact Information

Company Name:	800 South Wilbur Avenue, Syracuse, LLC ("Applicant")			
Mailing Address:	1001 Franklin Avenue, Suite 300			
City:	Garden City	State:	NY	Zip: 11530
Phone:	516-746-6000	Fax:	516-746-0580	
Contact Person:	Ellen Kackmann			
Email Address:	ekackmann@albaneseorg.com			
Industry Sector:	Real Estate Development			
NAICS Code:	531110	Federal Employer Identification Number:	To Be Determined	

B. Will the Applicant be the Project Beneficiary (i.e., Project tenant or owner/operator)

☒ Yes

☐ No If No, who will:

C. Principal Stakeholders

List principal owners/officers/directors owning 5% or more in equity holdings with percentage ownership. Public companies should list corporate officers.

Name	% Ownership	Business Address	Phone	Email
Russell C. Albanese	50	1001 Franklin Avenue, Suite 300; Garden City, NY 11530	516-746-6000	rca@albaneseorg.com
Christopher V. Albanese	50	1001 Franklin Avenue, Suite 300; Garden City, NY 11530	516-746-6000	cva@albaneseorg.com

D. Corporate Structure: Attach a schematic if Applicant is a subsidiary or otherwise affiliated with another entity.

☐ Corporation

☐ Private

☐ Public

Date and Location of

Incorporation/Organization:

☐ Partnership

☐ General

☐ Limited

If a foreign corporation, is the

Applicant authorized to do

business in the State of New York?

☐ Other

☐ Sole Proprietorship

☒ Limited Liability Company/Partnership

E. Applicant's Counsel:

Name:	Kevin M. Pole				
Firm:	Bond Schoeneck & King				
Mailing Address:	1 Lincoln Center; 110 West Fayette Street				
City:	Syracuse	State:	NY	Zip:	13202
Phone:	315-218-8146	Fax:	315-218-8100		
Email Address:	kpole@bsk.com				

F. Applicant's Accountant:

Name:	Jason Rocker				
Firm:	Cohn Reznick				
Mailing Address:	1301 Avenue of the Americas				
City:	New York	State:	NY	Zip:	10019
Phone:	646-625-5793	Fax:	410-727-0460		
Email Address:	jason.rocker@cohnreznick.com				

G. Applicant History: If the answer to any of the following is "Yes", please explain below. If necessary, attach additional information.

Is the Applicant, its management, or its principal owners now a plaintiff or defendant in any civil or criminal litigation? ☐ Yes ☒ No

Has any person listed in Section 1(c) ever been convicted of a criminal offense (other than a minor traffic violation)? ☐ Yes ☒ No

Has any person listed in Section 1 (C) or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? ☐ Yes ☒ No

H. Has the Applicant, or any entity in which the Applicant or any of its members or officers are members or officers, received assistance from SIDA or the Syracuse Local Development Corporation (SLDC) in the past? If yes, please give year, Project name, description of benefits, and address of Project.

☐ Yes ☒ No

SECTION II: PROJECT AND SITE INFORMATION

A. Project Location

Address:	800 South Wilbur Avenue	Legal Address (if different)*	
City:	Syracuse		
Zip Code:	13204		
Tax Map Parcel ID(s):	.098.2-01.05.2 and .098.2-01-05.4		
Current Assessment:	TBD	Square Footage /Acreage of Existing Site*:	370,260 s.f./8 acres
Square Footage of Existing Building, if any:	Demolished	Census Tract: (Please See Appendix E for Census Tracts)	29.01

*Please verify that the address and sq. ft. on <https://ocfintax.ongov.net/Imate/search.aspx> matches what you are proposing here or explain discrepancy in box below.

SIDA Application

B. Type (Check all that apply):

- | | |
|---|--|
| <input checked="" type="checkbox"/> New Construction | <input type="checkbox"/> Commercial |
| <input type="checkbox"/> Expansion/Addition to Current Facility | <input type="checkbox"/> Brownfield/Remediated Brownfield |
| <input type="checkbox"/> Manufacturing | <input checked="" type="checkbox"/> Residential Mixed Use |
| <input type="checkbox"/> Warehouse/Distribution | |
| <input type="checkbox"/> Other | <div style="border: 1px solid black; height: 20px; width: 550px;"></div> |

C. Description of Project: Please provide a detailed narrative of the proposed Project. Please separately attach the description and any copies of site plans, sketches or maps. This narrative should include, but is not limited to: i) a description of your Company's background, customers, goods and services and the principal products to be produced and/or the principal activities that will occur on the Project site; (ii) the size of the Project in square feet and a breakdown of square footage per each intended use; (iii) the size of the lot upon which the Project sits or is to be constructed; (iv) the current use of the site and the intended use of the site upon completion of the Project; (vi) describe your method for site control (Own, lease, other); and (vii) Company history and any additional circumstances the Agency should be aware of relative to the project or Company.

D. Is the Applicant the owner of the property?

- ☐ Yes ☒ No

If not, who is the owner and by what means will the site be acquired? If leasing, when does the lease end?

There is an agreement with the City of Syracuse to purchase the site. However, the site has not yet been purchased by the Applicant.

E. Infrastructure: Please indicate whether the following are onsite, need to be constructed, or need to be renovated/expanded:

Water	<div style="border: 1px solid black; padding: 2px;">To be Constructed.</div>	Electric	<div style="border: 1px solid black; padding: 2px;">To be Constructed.</div>
Sanitary/Storm Sewer	<div style="border: 1px solid black; padding: 2px;">To be Constructed.</div>	Private Roads	<div style="border: 1px solid black; padding: 2px;">To be Constructed.</div>
Gas	<div style="border: 1px solid black; padding: 2px;">Onsite.</div>	Telecommunications	<div style="border: 1px solid black; padding: 2px;">To be Constructed.</div>

F. Local Approvals (Site Plan and Environmental Review)

1. Have site plans been submitted to the appropriate City department?

- ☒ Yes. What is the status? ☐ No. When will the plans be submitted.

Master Site Plan Review application submitted to City Zoning Office.

2. Has the project received site plan approval from the Planning Commission?

SIDA Application

☐ Yes ☒ No

3. If no, what is the anticipated date? December 2024

4. If yes, provide the Agency with a copy of the Planning Board's approval resolution.

G. Will the Project generate sales tax for the community?

☐ Yes ☒ No

If yes, what is the company's average annual sales or estimated annual sales?

H. Likelihood of Undertaking Project without Receiving Financial Assistance

Please confirm by checking a box below, whether this Project will move forward without the requested incentives?

☐ Yes ☒ No

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

I. In accordance with N.Y. GML Sec. 862(1):

Will the Project primarily consist of retail facilities as defined in Section 862(2)(a) of the GML?

☐ Yes ☒ No

If yes, will the cost of these facilities exceed one-third of the total Project cost?

☐ Yes ☐ No

J. Is the project located in a distressed Census Tract?

☐ Yes ☒ No

Please see Appendix E for the map of distressed census tracts in the city of Syracuse.

K. Is the Project site designated as an Empire Zone?

☐ Yes ☒ No

L. Construction

1. Project Timeline (approximate):

Construction Commencement **Q3 2025**

Construction Completion **Q2 2028**

Date of Occupancy **Q3 2028**

2. Please list any other key Project milestones:

Projected closing on project financing: June 2025.

3. Has work begun? ☒ Yes ☐ No

If so, indicate the amount of funds expended in the past 3 years?

The City has undertaken demolition of the previously existing structures on the site and remediation of the property.

SECTION III: PROJECT COSTS & FINANCING

A. Estimated Project Costs

1. State the costs reasonably necessary for the acquisition, construction, and/or renovation of the Project:

Description of Cost Type	Total Budget Amount
Land Acquisition	\$5,220,000
Site Work/Demo	\$4,000,000
Building Construction & Renovation	\$79,292,745
Furniture, Fixtures & Equipment	\$300,000
Equipment Subject to NYS Production Sales Tax Exemption (Manufacturing)	\$0
Engineering/Architects Fees	\$2,000,000
Financial Charges	\$21,452,886
Legal Fees	\$2,499,688
Other	\$4,477,440
Management /Developer Fee	\$15,000,000
Total Project Cost (Uses)	\$134,242,759

2. State the sources reasonably anticipated for the acquisition, construction, and/or renovation of the Project:

Amount of capital the Applicant has invested to date:	\$0
Amount of capital Applicant intends to invest in the Project through completion:	\$5,801,727 (Deferred Developer Fee)
Total amount of public sector source funds allocated/awarded to the Project:	\$84,203,874
Amount of the Project to be financed from private sector sources:	\$44,237,157 (Tax Credit Equity)
Total Project Sources* *This \$ should match the total Project Costs (Uses) above.	\$134,242,759

3. Public Sector Sources:

Identify each public sector source of funding:	Amount of Public Sector Funding*
NYS HCR NCP Subsidy	\$73,230,515
HCR Accrued Interest	\$1,723,359
Syracuse/Local Funding O-CHIPS Funding	\$9,000,000 \$250,000

*The total amount of public sector funding should equal the public sector amount listed in (A)(ii) above.

- B. Financial Assistance sought (estimated values):

Applicants requesting exemptions and/or abatements from SIDA must provide the estimated value of the savings they anticipate receiving. New York State regulations require SIDA to recapture any benefit that exceeds the amount listed in this application.

1. Is the Applicant expecting that the financing of the Project will be secured by one or more mortgages: ☐ Yes ☒ No

If yes, amount requested and name of lender:

2. Is the Applicant expecting to be appointed agent of the Agency for purposes of abating payments of NYS Sales and Use Tax? ☒ Yes ☐ No

If yes, what is the TOTAL amount of purchases subject to exemption based on taxable Project costs?

\$2,537,368

3. Is the Applicant requesting a payment in lieu of tax agreement (PILOT) for the purpose of a real property tax abatement? ☒ Yes ☐ No

SIDA Application

If yes, identify from the Agency's UTEP the category of PILOT requested:

30 year term that is consistent with NYS HCR and HFA regulatory periods.

4. Is the Applicant requesting any real property tax abatement that is **inconsistent** with the Agency's UTEP? ☒ Yes ☐ No

If yes, please contact the Executive Director prior to submission of this Application.

5. Upon acceptance of this Application, the Agency staff will create a PILOT schedule and indicate the estimated amount of PILOT benefit based on anticipated tax rates and assessed valuation. At such time, the Applicant will affirm, in the form attached hereto at **Exhibit "A"** (the "**Benefit Affirmation**"), that it acknowledges and accepts the PILOT benefit and other benefits set forth therein, agrees to incorporate same herein by reference and requests such benefits be granted by the Agency.

**** This Application will not be deemed complete and final nor will benefits be awarded until Exhibit A hereto has been completed and executed****

C. Type of Exemption/**Abatement** Requested: Amount of Exemption/Abatement Requested:

<input type="checkbox"/>	Real Property Tax Abatement (PILOT)	TBD
<input type="checkbox"/>	Mortgage Recording Tax Exemption (.75% of amount mortgaged as listed on page 6 (B)(i))	\$0
<input type="checkbox"/>	Sales and Use Tax Exemption (\$4% Local, 4% State of total amount listed on page 6(b)(ii))	Estimated \$2,537,368
<input type="checkbox"/>	Tax Exempt Bond Financing (Amount Requested)	\$0
<input type="checkbox"/>	Taxable Bond Financing (Amount Requested)	\$0

D. Company's average yearly purchases or anticipated yearly purchases from vendors within Onondaga County, subject to sales tax:

\$257,700

E. Estimated capital investment over the next 5 years, beyond this Project, if available:

This is the first phase of a planned 3-phase development. The subsequent phases will include hundreds of additional residential units, but the total costs are unknown at this time.

SECTION IV. EMPLOYMENT AND PAYROLL INFORMATION

*Full Time Equivalent (FTE) is equivalent to 35 hours of work per week or 1,820 hours per year. To convert part-time jobs into FTEs, divide the total number of hours for all part-time resources by 35 hours per week or 1,820 hours per year.

A. In accordance with N.Y. GML Sec. 862(1):

1. Will any other companies or related facilities within the state close or be subjected to reduced activity as a result of this Project? If so please list the town and county of the location(s):

☐ Yes ☒ No

2. Will the completion of the Project result in the removal of a plant or facility of the Applicant from one area of the State New York to another area of the State of New York?

☐ Yes ☒ No

3. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Applicant located in the State of New York?

☐ Yes ☒ No

i. If any answer to questions 1, 2 or 3 above is yes, is the Project reasonably necessary to discourage the Applicant from removing such other plant or facility to a location outside the State of New York?

☐ Yes ☐ No

ii. If any answer to questions 1, 2 or 3 above is yes, is the Project reasonably necessary to preserve the competitive position of the Applicant in its respective industry?

☐ Yes ☐ No

B. Are there people currently employed by the Company/end user?

☐ Yes ☒ No

C. Of those jobs in (B) above, how many will be retained:

Estimate the number of full time equivalent (FTE) jobs to be retained as a result of this Project:	None; There are no employees currently working at the project.
Estimate the number of construction jobs to be created by this Project:	There will be an estimated total of 111 FTE positions derived by
Estimate the average length of construction jobs to be created (months):	Unknown. Construction will last 36 months.
Current annual payroll of retained jobs:	There is no current annual payroll.
Average annual growth rate of wages for retained jobs:	3%
Please list, if any, benefits that are available to either full and/or part time employees retained:	Participation in group medical insurance, Employer provided retirement savings. Employer

Average annual benefit paid by the company (\$ or % salary) per FTE job:	30%
Average growth rate of benefit cost:	Medical insurance will generally increase between 5% and 10%.
Amount or percent of wage employees pay for benefits:	This is highly dependent on what benefits employees choose to
Provide an estimate of the number of residents in the Economic Development Region (Onondaga, Madison, Cayuga, Oneida, Oswego, and Cortland Counties) to fill new permanent FTE jobs as well as those filling retained jobs?	100%

D. Complete the following chart indicating the number of FTE jobs presently employed by the Company/end user and the number of FTE jobs that will be created at the Project site at the end of the first, second, third, fourth, and fifth years after the Project is completed. Jobs should be listed by title or category (see below), including FTE independent contractors or employees of independent contractors that work at the Project location. **Do not include construction workers.**

Permanent Occupations in Company and/or Tenant of Project	Current Jobs by Occupation (jobs being RETAINED)	Annual Salary range	Annual benefits	Projected NEW FTEs in Years 1-5 by Occupation					Total Job Information	
	No. of FTE Employees			1st Year NET of Current RETAINED Employees	2nd Year NET of Prior Years	3rd Year NET of Prior years	4th Year NET of Prior Years	5th Year NET of Prior Years	Total New Jobs Created in 5 Year Period	Total Jobs Retained in 5 Year Period
Professional/ Managerial/ Technical	1	\$85k	\$25,500	1	0	0	0	0	1	1
Skilled	2	\$65-75k	\$19,500	2	0	0	0	0	2	2
Unskilled/ Semi-skilled	3	\$45-65k	\$13,500	3	0	0	0	0	3	3

For purposes of completing the chart, refer to the following definitions, in lieu of current titles:

- **Professional/Managerial/Technical** - includes jobs which involve skill or competence of extraordinary degree and may include supervisory responsibilities (examples: architect, engineer, accountant, scientist, medical doctor, financial manager, programmer).
- **Skilled** - includes jobs that require specific skill sets, education, training, and experience and are generally characterized by high education or expertise levels (examples: electrician, computer operator, administrative assistant, carpenter, sales representative).
- **Unskilled or Semi-Skilled** - includes jobs that require little or no prior acquired skills and involve the performance of simple duties that require the exercise of little or no independent judgment (examples: general cleaner, truck driver, typist, gardener, parking lot attendant, line operator, messenger, information desk clerk, crop harvester, retail salesperson, security guard, telephone solicitor, file clerk).

E. Are the employees of your company currently covered by a collective bargaining agreement?

☐ Yes ☒ No If yes, provide the name and local:

SECTION V. ENVIRONMENTAL INFORMATION

***An Environmental Assessment Form (EAF) MUST be completed and submitted along with this application. Please visit <https://www.dec.ny.gov/permits/6191.html> for the online EAF Mapper Application and EAF Forms.**

A. Have any environmental issues been identified on the property?

☒ Yes ☐ No

If yes, please explain:

See attached narrative.

B. Has any public body undertaken a State Environmental Quality Review Act ("SEQRA") review?

☒ Yes ☐ No

Has any public body issued a SEQRA determination for this Project?

☐ Yes ☒ No

If yes to either of the foregoing, please attach to this application all SEQRA forms (e.g. EAF) and any determinations.

SECTION VI. REPRESENTATIONS & AFFIRMATIONS BY THE APPLICANT

I hereby represent and warrant that I am [the CEO of the company/applicant] or [a person authorized to bind the company/applicant] and make the following representations and/or warranties and understand and agrees with the Agency as follows:

A. Jobs Listings: Except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity of the service delivery area created by the Workforce Investment Act ("WIA") in which the Project is located.

CVA

B. First Consideration for Employment: In accordance with §858-b (2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Company shall comply with Section 862-b of the GML.

CVA

C. Other NYS Facilities: In accordance with §862 (1) of the New York General Municipal Law, the Applicant understands and agrees that projects which will result in the removal of an industrial or manufacturing plant of the Project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the Project occupant within the state is ineligible for Agency Financial Assistance,

CVA

SIDA Application

unless otherwise approved by the Agency as reasonably necessary to preserve the competitive position of the Project in its respective industry.

D. City Human Right Law: The Applicant agrees to endeavor to comply with the provisions of Article XI, Division 2 of the City Code, entitled "The Omnibus Human Rights Law," which prohibits discrimination in employment based upon age, race, sex, creed, color, religion, national origin, sexual orientation, disability or marital status. The Applicant hereby agrees to adhere to this policy or equal opportunity employment in the requirement, hiring, training, promotion, and termination of employees.

CVA

E. City of Syracuse and MWBE: The applicant understands and agrees that every Project must commit to incorporate vendors that are minority and/or women-owned business enterprises, as certified by the State or the municipality ("*MWBE*"), equal to a minimum of 10% of all SIDA abatements during the construction phase. MWBE vendors must be located within Onondaga County in accordance with the Agency's Project Approval Policy, a copy of which is attached hereto at **Exhibit "B"** and made a part hereof.

CVA

F. City Resident Hiring. *To qualify for any exemptions* under the Agency's Uniform Tax-Exempt Policy, every Project must commit to hiring 10% of its construction workforce, on a full-time basis, from residents of the City of Syracuse as set forth in the Agency's Project Approval Policy, a copy of which is attached hereto at **Exhibit "B"** and made a part hereof.

CVA

G. Local Labor Policy: The applicant understands and agrees that local labor and contractors will be used for the construction, renovation, reconstruction, equipping of the Project unless a written waiver is received from the Agency. Failure to comply may result in the revocation or recapture of benefits awarded to the Project by the Agency. For the purposes of the policy, "Local" is defined as Onondaga, Cayuga, Cortland, Madison, Oneida, and Oswego Counties.

CVA

CVA

H. Annual Sales Tax Filings: In accordance with §874(8) of the New York General Municipal Law, the Applicant understands and agrees that if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors

I. Annual Employment Reports and Outstanding Bonds: The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the Agency on an annual basis, reports regarding the number of FTE at this Project site. The Applicant also understands and agrees to provide on an annual basis any information regarding bonds, if any, issued by the Agency for the Project that is requested by the Comptroller of the State of New York.

CVA

J. Absence of Conflicts of Interest: The Applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officer or employee of the Agency has an interest, whether direct or indirect in any transaction contemplated by this Application, except as hereinafter described in Appendix B.

CVA

K. Compliance: The Applicant understands and agrees that it is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.

CVA

L. False or Misleading Information: The Applicant understands and agrees that the submission of knowingly false or knowingly misleading information in this Application may lead to the immediate termination of

CVA

SIDA Application

any financial assistance and the reimbursement of an amount equal to all or part of any tax exemptions claimed by reason of Agency involvement in the Project.

M. GML Compliance: The Applicant certifies that, as of the date of the Application, the proposed project is in substantial compliance with all provisions of NYS General Municipal Law Article 18-A.

CVA

N. SIDA's Policies: The Applicant is familiar with all of SIDA's policies posted on its website (http://www.syr.gov.net/Syracuse_Industrial_Development_Agency.aspx) and agrees to comply with all applicable policies.

CVA

O. Disclosure: The Applicant has read paragraph 6 of the instructions contained on the cover of this Application and understands that the Applicant must identify in writing to SIDA any information it deems proprietary and seeks to have redacted.

CVA

P. Reliance: THE APPLICANT ACKNOWLEDGES THAT ALL ESTIMATES OF PROJECTED FINANCIAL IMPACTS, VALUE OF FINANCIAL ASSISTANCE REQUESTED, AND OTHER INFORMATION CONTAINED IN THIS APPLICATION WILL BE RELIED UPON BY SIDA AND ANY CHANGES IN SUCH INFORMATION MUST BE MADE IN WRITING AND MAY IMPACT THE GRANT OF FINANCIAL ASSISTANCE TO THE PROJECT.

CVA


Q. Legal Fees: The Applicant acknowledges that all by submitting this application, they are contractually obligated to pay all of SIDA's legal fees associated with this application, the project and the financial assistance sought regardless of whether any benefits are approved or conferred.

CVA

R. Prevailing Wage: The Applicant understands and agrees that, if the Project receives any financial assistance from the Agency, the Applicant shall determine whether the Project is a "covered project" pursuant to Section 224-a of Article 8 of the New York Labor Law and, if applicable, the Applicant shall comply with Section 224-a of Article 8 of the New York Labor Law; and the Applicant further covenants that the Applicant shall provide such evidence of the foregoing as requested by the Agency.


CVA

I am the CEO or a person authorized to bind the company/applicant, and have read the foregoing and agree to comply with all the terms and conditions contained therein as well as the policies of the City of Syracuse Industrial Development Agency.

Name of Applicant Company	800 South Wilbur Ave, Syracuse LLC
Signature of Officer or Authorized Representative	
Name & Title of Officer or Authorized Representative	Christopher V. Albanese, President
Date	November 20 2024

SECTION VII. HOLD HARMLESS AGREEMENT

Applicant hereby releases the City of Syracuse Industrial Development Agency and the members, officers, servants, agents and employees thereof (collectively the "Agency" from, agrees that the Agency shall not be liable for, and agrees to indemnify, defend, and hold the Agency harmless from and against any and all liability arising from or expense incurred by: (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax-exemptions and other assistance requested therein are favorably acted upon by the Agency, (B) the Agency's acquisition, construction, and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project, including without limiting the generality of the foregoing, all cause of action and attorney's fees and any other expenses incurred in defending any suits or action which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final agreement with respect to the Project, or the inability of the Applicant, for any reason, to proceed with the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in the processing of or in connection with the Application, including attorney's fees, if any.

Name of Applicant Company	800 South Wilbur Ave, Syracuse, LLC
Signature of CEO or a person authorized to bind the company/applicant	
Name & Title of Officer or Authorized Representative	Christopher V. Albanese, President
Date	November 20, 2024

PLEASE NOTE: This exhibit is simply a template and does not need to be completed at the time of initial submission.

EXHIBIT "A"

[TEMPLATE] BENEFIT AFFIRMATION

** Note: this page is for reference only and should not filled out during the application phase.

The undersigned, _____, being the _____ and authorized signatory of _____, (the "**Company**" or "**Applicant**"), does hereby *certify and affirm under the penalty of perjury* the following:

On or about _____ the Company submitted an application for financial assistance (the "**Application**") to the City of Syracuse Industrial Development Agency (the "**Agency**") requesting the Agency consider undertaking a project (the "**Project**") consisting of:

The Agency is governed by the New York State General Municipal Law which, effective June 15, 2016, requires, pursuant to Section 859-a, among other things, that each project applicant affirm, *under penalty of perjury*, the estimated amount of benefits requested from the Agency.

That the following PILOT benefit schedule reflects the estimated real property tax benefits related to the Project, including an estimated savings valuation totaling \$_____ to be realized by the Company over the _____ (____) year term of the payment in lieu of taxes ("**PILOT**") agreement requested by the Company:

PILOT Benefit Schedule	
Comparison	Amount
Estimated ____ year Taxes w/o PILOT benefit	\$
Estimated ____ year PILOT Payments	\$
Estimated ____ year PILOT Savings	\$

In addition, as set forth by the Company within its Application: (i) the purchase of goods and services relating to the Project, and subject to New York State and local sales and use taxes, are estimated to cost an amount up to \$_____ and therefore, the value of the State and local sales and use tax exemption benefits sought from the Agency shall not exceed \$_____; and (ii) the mortgage recording tax

SIDA Application

exemption shall be approximately \$ _____ based upon the Company's estimation in its Application that the principal amount of the mortgage on the Project will be \$ _____.

The undersigned, deposes and says that: (i) (s)he has the authority to bind the Company; (ii) (s)he has read the foregoing affirmation outlining the financial assistance sought by the Company from the Agency for the Project; and (iii) acknowledges same to be true, accurate and complete, as subscribed and affirmed hereby under the penalty of perjury.

[INSERT COMPANY NAME]

By: _____
Title: _____

Sworn to before me this ____ day
of _____, 20____.

Notary Public

EXHIBIT "B"

PROJECT APPROVAL POLICY

City of Syracuse Industrial Development Agency

201 E. Washington Street, 6th Floor

Syracuse, New York 13202

Tel (315) 448-8100 Fax (315) 448-8036

PROJECT APPROVAL POLICY

I. STATEMENT OF PURPOSE

The City of Syracuse Industrial Development Agency ("**Agency**") has adopted this Project Approval Policy (the "**Policy**") in accordance with Section 859-a (5) of the New York State General Municipal Law. This Policy shall be consistent with and in compliance with the provisions of Chapter 1030 of Laws of 1969 of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "**Enabling Act**") and Chapter 641 of the Laws of 1979 of the State of New York, as amended from time to time (said Chapter and the Enabling Act being hereinafter collectively referred to as the "**Act**"), and any other applicable law.

II. PROJECT APPROVAL

Eligible projects for consideration hereunder shall comply with the Act

A. DEFINITIONS: For purposes of this Policy, the following definitions shall apply:

"**Distressed Census Tract**" shall have the meaning ascribed thereto by the applicable federal, state or local tax credit program applicable to the Qualified Project.

"**FTE**" means one employee working no less than 40 hours per week or two or more employees together working a total of 40 hours per week.

"**NRSA**" means the Neighborhood Revitalization Strategy Areas as defined by the City of Syracuse Department of Neighborhood and Business Development Syracuse Consolidated Plan found at the following link:
[http://www.syrqov.net/uploadedFiles/Departments/Neighborhood and Business Development/Content/Consolidated%20Plan%202015-19%20Final%20-%2001-06-2016.pdf](http://www.syrqov.net/uploadedFiles/Departments/Neighborhood%20and%20Business%20Development/Content/Consolidated%20Plan%202015-19%20Final%20-%2001-06-2016.pdf).

B. Each of the following must occur **prior** to the adoption of a resolution approving the grant of financial assistance for a project:

(i) Assessment

The members shall assess **all** material information included in connection with the application for financial assistance (the "**Application**") submitted by or on behalf of the company seeking such financial assistance (the "**Company**") in order to afford a reasonable basis for the decision by the Agency to provide financial assistance for a proposed project

(the "*Assessment*"). As one part of their assessment of a proposed project, the members shall consider the priority industries and/or the North American Industry Classification System ("*NAICS*") sectors, all as set forth in **Exhibit "A"** attached hereto, as well as the number of retained or new FTEs resulting from the Project. No one factor qualifies or guaranties a project for approval or conference of any specific financial assistance. It is up to the Agency, in its sole and absolute discretion, to review, analyze and weigh all factors and policy initiatives when considering projects for approval.

(ii) Cost-Benefit Analysis

The members shall prepare or cause to be prepared a written cost-benefit analysis, including a ratio of abatement to new community investment (the "*Cost-Benefit Analysis*") identifying:

- the extent to which a proposed Project will create and/or retain permanent, private sector jobs;
- the applicable priority industry and/or North American Industry Classification System (*NAICS*) sector as set forth on **Exhibit "A"** attached hereto, if applicable;
- the estimated value of any tax exemptions to be provided;
- the amount of private sector investment generated or likely to be generated by the proposed Project;
- the likelihood of the proposed Project being completed in a timely fashion;
- the extent to which the proposed Project will provide additional sources of revenue for the municipality and school district; and
- other public and community benefits that might occur as a result of the proposed Project.

(C) City Resident Hiring. *To qualify for any exemptions* under the Agency's Uniform Tax-Exempt Policy, every Project must commit to hiring 10% of its construction workforce, on a full-time basis, from residents of the City of Syracuse (the "*City*").

(D) MWBE Requirements. *To qualify for any exemptions* under the Agency's Uniform Tax-Exempt Policy, every Project must commit to incorporate vendors that are minority and/or women-owned business enterprises, as certified by the State or the municipality ("*MWBE*"), equal to a minimum of 10% of all SIDA abatements (exclusive of any enhancement under the Agency's Community Benefit Policy) during the construction phase. MWBE vendors must be located within Onondaga County. Such hiring may be accomplished through CNY Works, Syracuse Build or other existing programs aimed at training and promoting local hiring.

During construction and following completion of construction, evidenced by the earlier of (i) the date a certificate of occupancy is issued for the Project by the City; or (ii) the completion date under the lease documents between the proposed Project owner and the Agency to confer approved benefits, the proposed Project owner must demonstrate to the satisfaction of the Agency compliance with each (c) and (d) above. Failure to do so shall give rise to an event of default under the lease documents and the Agency's ability to recapture benefits under its Recapture Policy.

The proposed Project owner may seek a waiver of either (c) and/or (d) above, if and only if, such owner can demonstrate, to the sole satisfaction of the Agency, that notwithstanding all efforts, the owner was not able to find residents of the City able to fill the requisite number of construction jobs and/or an inability to hire the requisite number of MWBE vendors as set forth above. Any such request must, at a minimum, demonstrate the attempts made by the owner to satisfy the requirement.

Adopted: September 27, 2022
Effective: As of January 1, 2023

EXHIBIT A

SELECTION CRITERIA BY PROJECT TYPE

High Tech, Manufacturing, Warehouse, Distribution

1. Wage rates (as compared to median wage for area)
2. Regional wealth creation (% sales/customers outside five county Central New York Region)
3. Regional purchases (% of overall purchases)
4. Research and development activities
5. Investments in energy efficiency
6. Location, land use, including use of brownfields or locally designated development areas
7. Support of existing local businesses
8. Use of LEED/renewable resources
9. Retention/flight risk
10. North American Industry Classification System (NAICS) Sectors:

Sector	Description
22	Utilities
31-33	Manufacturing
42	Wholesale Trade
48-49	Transportation & Warehousing
51	Information
811	Repair & Maintenance

Agricultural, Food Processing

1. Wage rates (as compared to median wage for area)
2. Regional wealth creation (% sales/customers outside five county Central New York Region)
3. Regional purchases (% of overall purchases)
4. Research and development activities
5. Investments in energy efficiency
6. Location, land use factors, proximity to local agricultural production
7. Use of LEED/renewable resources
8. Retention/flight risk
9. North American Industry Classification System (NAICS) Sectors:

Sector	Description
11	Agriculture, Forestry, Fishing & Hunting
311	Food Manufacturing
312	Beverage and Tobacco Product Manufacturing
3331	Agriculture, Construction, and Mining Machinery Manufacturing

Professional Services, Back Office, Data, Call Centers

1. Wage rates (as compared to median wage for area)
2. Regional wealth creation (% sales/customers outside area)
3. Regional purchases (% of purchases from local vendors)
4. Support of local business
5. Retention/flight risk
6. Use of LEED/renewable resources
7. North American Industry Classification System (NAICS) Sectors:

Sector	Description
52	Finance & Insurance
561	Administrative and Support Services
54	Professional, Scientific, & Technical Services
55	Management of Companies and Enterprises

Energy Production

1. wage rates (above median wage for area)
2. in region purchases (% of overall purchases, local construction jobs/suppliers)
3. advances renewable energy production/transmission goals
4. provides capacity or transmission to meet local demand or shortage

Adaptive Reuse, Community Development

1. Location within distressed census tract
2. Age of structure
3. Elimination of slum and blight
4. Building or facility vacancy
5. Redevelopment supports local community development plan
6. Environmental or safety issues
7. Use of LEED/renewable resources
8. Building or site has historic designation
9. Site or structure has delinquent property or other local taxes
10. Project developer's return on investment
11. Ability to obtain conventional financing

Tourism

1. Market study (documenting demand and impact on existing tourism and businesses)
2. Regional wealth creation
3. Proximity to and/or support of regional tourism attractions/facilities
4. Support of local official(s), convention visitors bureau
5. Regional purchases, support of local vendors
6. Use of LEED/renewable resources
7. Generation of additional local revenues (such as room occupancy taxes)

Retail

1. Meets all requirements of General Municipal Law Section 862
2. Market study documenting need
3. Goods or services not readily available
4. Impact on existing businesses
5. Regional wealth creation
6. Location within highly distressed census tract
7. Elimination of slum and blight
8. Alignment with local planning and development efforts

Senior Housing/Affordable

1. Market study (documenting unmet need and impact on existing housing facilities)
2. Location within a highly distressed census tract
3. Alignment with local planning and development efforts
4. Local official(s) support
5. Located in areas that provide support for below median income seniors
6. Location promotes walkable community areas
7. Project developer's return on investment
8. Ability to obtain conventional financing
9. Provision of senior-specific amenities (community rooms, health services, etc.)
10. Income level of potential residents (at or below median income)

Affordable Housing

1. Market study (documenting unmet need and impact on existing housing facilities)
2. Location within a highly distressed census tract
3. Alignment with local planning and development efforts
4. Local official(s) support
5. Located in areas that provide support for below median income individuals
6. Location promotes walkable community areas
7. Project developer's return on investment
8. Ability to obtain conventional financing
9. Income level of potential residents (at or below median income)

Miscellaneous Projects

1. Location within a highly distressed census tract
2. Alignment with local planning and development efforts
3. Support from local official(s) and the community
4. Promotion of transit-oriented or walkable community areas

APPENDIX A

City of Syracuse Industrial Development Agency

Agency Fee Schedule

(Revised 12/21/23)

Bond and Straight Lease Transactions:

Application & Processing Fee\$1,000.00

Project Commitment/Legal Fee\$2,500.00

(Due with fully executed Application; Amount applied to SIDA's counsel fee)

Administrative Fee:

Issuance of Bonds1% Project Cost

(Without regard to principal amount of bonds issued.)

Straight Lease/Agency Appointment.....1% Project Cost

(Exemption from one or more mortgage recording, real property or sales and use taxes)

Refunding of Bonds.....1% of Project Cost

New Money/Additional Financing on Existing Project:

Refinancing of project where only Financial Assistance is MRTE – ¼ of new money financed (exclusive of original mortgage amount).

Refinancing of project where additional Financial Assistance is sought (in addition to MRTE) – 1% of new money financed.

SIDA Application

Post-Closing Items for Bond and Straight Lease Transactions:

Annual Administrative Reporting Fee\$750.00

(Paid at time of closing and annually thereafter for duration of SIDA's interest in Project Facility)

Extension of sales tax exemption.....\$500.00

Modification or Amendment of Closing Documents*\$1,000.00

***including but not limited to refinancing of original mortgage**

Subsequent lender closing\$250.00

In addition to the foregoing, Applicants are responsible for payment of all costs and expenses incurred by SIDA in connection with application or Project including without limitation publication, copying costs, SEQRA compliance and fees and costs to SIDA's attorneys, engineers, and consultants. SIDA reserves the right to require a deposit to cover anticipated costs. Application fees are payable at time application/request is submitted. All fees are nonrefundable. Applicants for bond transactions are responsible for payment of Bond Issuance Charge payable to the State of New York. Applicants are also responsible for payment of post-closing fees and costs associated with the appointment of additional agents. SIDA reserves the right to modify this schedule at any time and to assess fees and charges in connection with other transactions such as grants of easement or lease of SIDA-owned property.

APPENDIX B

CITY OF SYRACUSE INDUSTRIAL DEVELOPMENT AGENCY APPLICATION

CONFLICT OF INTEREST STATEMENT

Agency Board Members

1. Kathleen Murphy
2. Steven P. Thompson
3. Rickey T. Brown
4. Kenneth J. Kinsey
5. Dirk Sonneborn

Agency Staff, Legal Counsel, and Auditor

1. Eric Ennis or Cole King
2. Bousquet Holstein, PLLC
3. Grossman St. Amour, PLLC.

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 Application, except as hereinafter described:

Susan Katzhoff, the Agency's counsel, is a member of the Bousquet Holstein law firm. Another Bousquet Holstein attorney is representing the Albanese Organization on a different project in another area of the state.

Signature:

Christopher V. Albanese

Authorized Representative:



Title:

Member

Date:

November 20, 2024

APPENDIX C

Go to:

<https://www.dec.ny.gov/permits/6191.html>

to obtain the online EAF Mapper Application and EAF Forms.

APPENDIX D

SYRACUSE INDUSTRIAL DEVELOPMENT AGENCY APPLICATION

Verification

STATE OF _____)
) SS.:
COUNTY OF _____)

Christopher V. Albanese, deposes and says that s/he is the

(Name of Individual)

Member of 800 South Wilbur Ave, Syracuse, LLC

(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 receipt of the schedules attached to the Application, including but not limited to the Agency's fee schedule and assumes responsibility for payment of any and all applicable fees as described therein. 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.



Applicant Representative's Signature

President

Title

Subscribed and sworn to before me this

20 day of November, 2024.

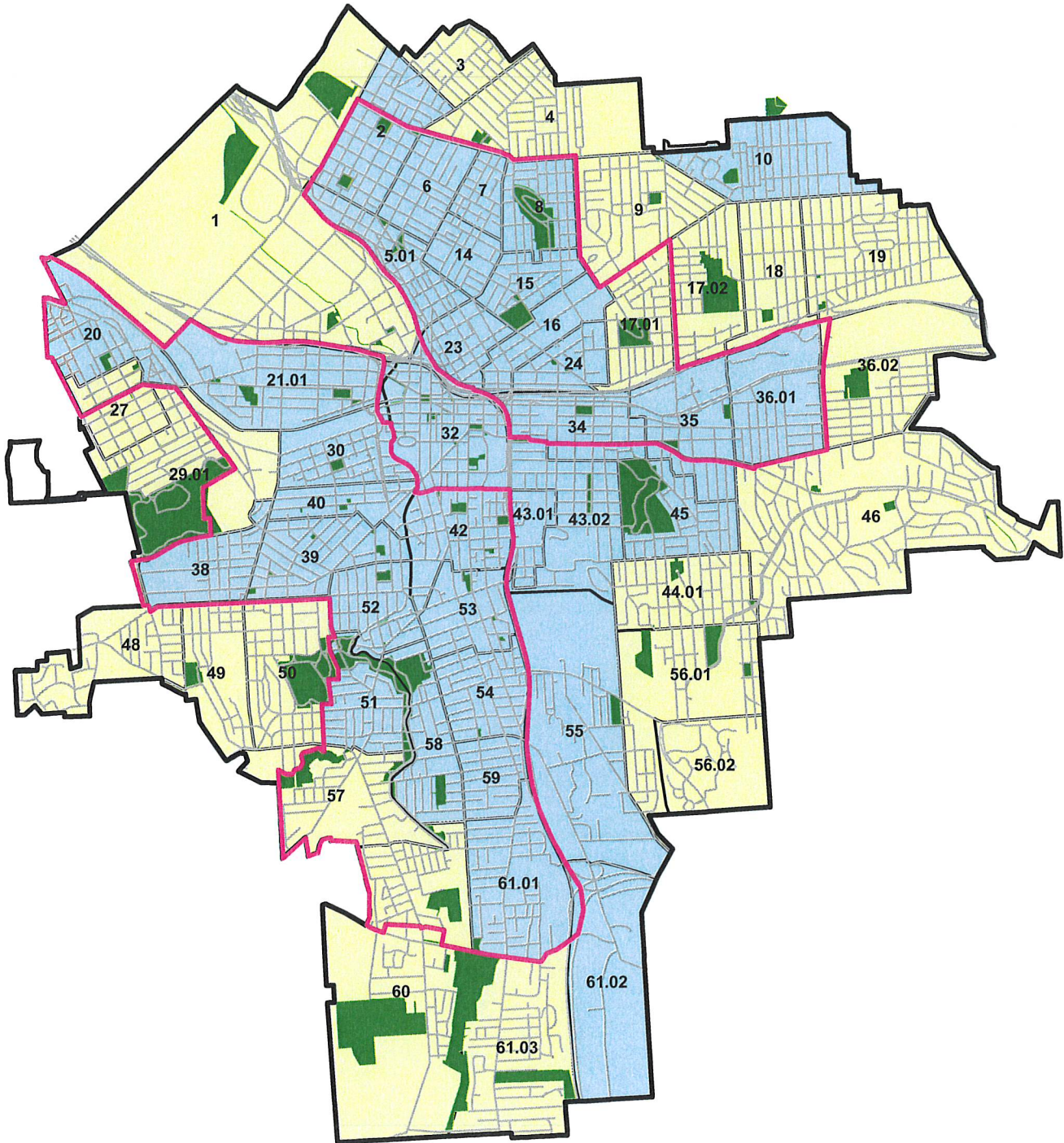


Notary Public

SUSAN ROBERTSON
Notary Public, State of New York
No. 01RO6138510
Qualified in Nassau County
Term Expires December 19, 2025

SIDA Application

Distressed Census Tracts (2022)



Map showing distressed Census tracts in Syracuse, NY as defined by Low-Income Housing Tax Credit (Qualified) Census Tracts
US Census Bureau 2022

Department of Neighborhood and Business Development

Map created June 2022

Legend

- NRSA Boundaries
- Syracuse City Boundary
- Streets
- Syracuse Parks
- Distressed Census Tracts 2022
- Non-Distressed Census Tracts