ONEIDA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

OCIDA

APPLICATION FOR FINANCIAL ASSISTANCE

Oneida County Industrial Development Agency
584 Phoenix Drive
Rome, New York 13441-1405
(315) 338-0393 telephone
(315) 338-5694 fax

Shawna M. Papale, Executive Director

A non-refundable application fee of $500.00 must be submitted at the time of application along with a $1,000 commitment fee; the $1,000 commitment fee will be applied to closing fees.

*Please submit the original and two (2) copies of the **signed and notarized** application, and **signed** SEQR form with the above fees. Cost benefit will be completed based on information from this application.*

Please also deliver an electronic copy of all.

All applications must be submitted at least 10 days prior to meeting.

126 Business Park Partners

Project Name

Number (to be provided by the agency)

Date of Submission

Updated: September 2018

Note to Applicant:

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

Return the original signed and notarized application and two copies with a check in the amount of $1500.00 made payable to: **Oneida County Industrial Development Agency (OCIDA)**, 584 Phoenix Drive, Rome, New York 13441-1405, Attn.: Shawna M. Papale, Executive Director. $1000 will be applied at closing against the IDA legal fees. In addition, an electronic version of the application (signed), andSEQR form (signed), to spapale@mvedge.org.

Upon the submission of this application to OCIDA, this applicant becomes a public document. Be advised that any action brought before the OCIDA is public information. All agendas for OCIDA are issued prior to full agency meetings and posted in public domain. *If there is information that the applicant feels is proprietary please identity as such and that information will be treated confidentially to the extent permitted by law.*

By signing and submitting this Application, the Applicant acknowledges that it received a copy of the Uniform Tax Exemption Policy and the Oneida County IDA Penalty for Failure to Meet Employment Levels as adopted by the Agency and Agency Memorandums pertaining to the benefits of projects financed through the Agency.

A project financed through the Agency involves the preparation and execution of significant legal documents. Please consult with an attorney before signing any documents in connection with the proposed project. You will receive an engagement letter from the OCIDA legal counsel. You will be asked to sign the engagement letter acknowledging you will be responsible for all legal fees of OCIDA legal counsel and that you understand the process. Should you not close and legal services have been rendered by the OCIDA legal counsel, your company will be responsible for those costs.

If your project requires a public hearing, a representative of the applicant is required to be present. A date will be coordinated by the OCIDA legal counsel.

If you have questions how to calculate your company's IDA application fee please consult with the Memorandum to Companies Sale – Leaseback Transactions or please contact the IDA Executive Director.

Part I: Applicant Information

Note: In responding to the following questions, please keep in mind that the Applicant will be party to all of the documents and is the individual or if entity will be formed which will receive the actual financial assistance from the Agency.

Applicant

1(a) Applicant's Legal Name: 126 Business Park Partners

1(b) Principal Address: 126 Business Park Drive
Utica, NY 13502

1(c) Telephone/Facsimile Numbers: (315) 272-2145

1(d) Email Address: ssurace@rphc.com

1(e) Federal Identification Number: 16-1461792

1(f) Contact Person: Steve Surace

1(g) Is the Applicant a

[ ] Corporation:
If yes, Public [ ] Private [ ]
If public, on which exchange is it listed? _____

[ ] Subchapter S
[ ] Sole Proprietorship
[✓] General Partnership
[ ] Limited Partnership
[ ] Limited Liability Corporation/Partnership
[ ] Single-Member LLC (name and EIN below):

Name: _____

EIN: _____

[ ] DISC
[ ] Other(specify) _____

1(h) State of Organization (if applicable) New York

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

2(a) Provide the following information with respect to parties with 15% or more in equity holdings:

Name	Address	Percentage of Ownership
Rising Phoenix Holdings Corporation	126 Business Park Dr	82%
CLS Properties	126 Business Park Dr	18%

2(b) Is the Applicant, or any of the individuals listed in 2(a) above, related directly or indirectly to any other entity by more than 50% common ownership? If so, indicate name of such entity and the relationship.

See Rising Phoenix Holdings Corporation enclosed organization chart Schedule A

2(c) Is the Applicant affiliated with any other entity, directly or indirectly, other than as listed in the response to 2(a) above? If yes, please indicate name and relationship of such other entity and the address thereof:

See Rising Phoenix Holdings Corporation enclosed organization chart Schedule A

Applicant's Counsel and Accountant

3(a). Applicant's Attorney

Name/Title: Oksana Ludd

Firm: Barclay Damon

Address: 80 State Street

Albany, New York 12207

Telephone/Fax: 518-429-4294 / 518-427-3490

Email: oludd@barclaydamon.com

3(b) Applicant's Accountant

Name/Title: Mark Columbo, CPA

Firm: Firley, Moran, Freer & Eassa, CPA, PC

Address: 125 E. Jefferson St. Suite 920

Syracuse, NY 13202

Telephone/Fax: 315-472-7045/315-472-7053

Email: mcolumbo@fmfecpa.com

Business Description

4(a) Describe the nature of your business and principal products and/or services. Attach additional sheets if necessary.

See Schedule B attached.

Part II: Project Information

5(a) Explain your project in detail. This description should include explanation of all activities which will occur due to this project. Attach additional sheets if necessary.

Construction of 16,000 square feet addition for additional office space at 126 Business Park Drive, Utica and renovations to existing building. The project will also include construction of a new parking lot adjoining Notre Dame High School which will be accessible to Notre Dame School during evenings, weekends and holidays at no cost solving a parking problem for them.

Reasons for Project

6(a) Please explain in detail why you want to undertake this project.

See 3/15 Overview Schedule C

6(b) Why are you requesting the involvement of the Agency in your project?

See 3/15 Overview Schedule C

6(c) Please confirm by checking the box, below, if there is likelihood that the Project would not be undertaken but for the Financial Assistance provided by the Agency?

[■] Yes or [ ] No

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

How will the Applicant's plans be affected or scaled back if Agency approval is not granted?

Relocate some existing positions and adding new staff to our Alexandria, VA facility

6(d) Is the proposed 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 **If yes**, please explain briefly.

We have available space in Alexandria, VA office and could expand our operations there instead.

6(e) Will financing by the Agency result in the removal or abandonment of a plant or other facility of the applicant or any related entity presently located in another area of New York State?

[ ] Yes [■] No

If yes, is the proposed project reasonably necessary to preserve the competitive position of the Applicant in its respective industry? [ ] Yes [ ] No

If yes, please provide a statement and evidence supporting the same. Include the name of all taxing jurisdictions in which the abandoned facility or plant lies, and whether Applicant has had any discussions with said taxing jurisdictions regarding the abandonment. Please provide as much detail as possible.

6(f) Has the Applicant or any related entity previously secured financial assistance in Oneida County (whether through the Agency, the Empire State Development Corporation, or any other entity) ? [■] Yes [ ] No

If yes, please explain (indicate date of benefit, location of facility and outstanding balance).

Construction of original building in 1994 and expansion project in 2007. The projects were facilitated through financial assistance and incentives with OCIDA and Empire State Development Corporation.

6(g) Has the Applicant or any related entity secured financial assistance anywhere within the United States within the last 90 days or does the Applicant or any related entity anticipate receiving financial assistance within the next 90 days? [ ] Yes [✓] No

If yes, please explain.

6(h) Check all categories best describing the type of project for all end users at project site **(you may check more than one; if checking more than one indicate percentage of square footage the use represents):**

Percentage of sq. footage of each use (if more than one category):

- [ ] Manufacturing
- [ ] Industrial Assembly or Service
- [X] Back office operations
- [ ] Research and Development
- [ ] Technology/Cybersecurity
- [ ] Warehousing
- [ ] Commercial or Recreational
- [ ] Retail
- [ ] Residential housing (specify) _____
- [ ] Pollution Control (specify) _____
- [ ] Environmental (e.g., Brownfield) (specify) _____
- [ ] Other (specify) _____

6(i) Check all categories best describing the **scope of the project**:

- [ ] Acquisition of land
- [ ] Acquisition of existing building
- [ ] Renovations to existing building
- [X] Construction of addition to existing building
- [ ] Demolition of existing building or part of building
- [ ] Construction of a new building
- [ ] Acquisition of machinery and/or equipment
- [ ] Installation of machinery and/or equipment
- [X] Other (specify) Office furniture and equipment and IT equipment. Construction of new space with parking lot to be shared with Notre Dame High School.

6(j) Please indicate the financial assistance you are requesting of the Agency, and provide the estimated value of said assistance. Attach a sheet labeled Annual PILOT that shows the annual utilization of the Real Property Tax Abatement by year and by taxing jurisdiction.

Assistance Requested	Estimated Values
[ ] Real Property Tax Abatement (value of PILOT savings)	$ 210,000
[ ] Mortgage Tax Exemption (.75%) $ 22,500	
Amount of mortgage: $ 3,000,000	
[X] Sales and Use Tax Exemption ** (8.75%) $ 152,250	
Value of goods/services to be exempted from sales tax: $ 1,740,000	
[ ] Issuance by the Agency of Tax Exempt Bonds(bond dollar value)$	

Is the financial assistance requested by the Applicant consistent with the IDA's Uniform Tax Exemption Policy? Yes [X] No [ ]

If no, please provide a written statement describing the financial assistance being requested and detailing the reasons the IDA should consider deviating from its Policy.

***** Note that the estimate provided above will be provided to the New York State Department of Taxation and Finance. The Applicant acknowledges that the transaction documents will include a covenant by the Applicant that the estimate, above, represents the maximum amount of sales and use tax benefit currently authorized by the Agency with respect to this Application. The Agency may utilize the estimate, above, as well as the proposed total Project Costs as contained within this Application, to determine the Financial Assistance that will be offered.*** **It is the responsibility of the applicant to inform the IDA within 10 days if the project amount changes.**

Part III: Facility Information **(if project that you are applying for is a housing project please also complete questions 7(l) through7(p))**

Attach copies of the most recent real property tax bills. Include copies for all taxing jurisdictions for the site/ facility that IDA assistance is beingsought.

Facility (Physical Information) If multiple locations please provide information on all.

7(a) Street Address of Facility:

126 Business Park Drive

7(b) City, Town and/or Village (list ALL incorporated municipalities):

Utica, NY

7(c) School District:

Utica City School District

7(d) For what purpose was the facility site most recently used (i.e., light manufacturing, heavy manufacturing, assembly, etc.)? Existing office space occupied by applicant and athletic field for Notre Dame High School.

7(e) Zoning Classification of location of the project:

Planned Development

7(f) Please describe in detail the facility to be acquired, constructed or renovated (including number of buildings, square footage, number of floors, type of construction,) and attach plot plans, photos or renderings, if available. If there are infrastructure improvements (water, sewer, gas, electrical, etc.) please provide details along with who will carry out those improvements and who will fund them. ***Please be as specific as possible***.

See enclosed plans

7(g) Has construction or renovation commenced? [ ] Yes [■] No

If yes, please describe the work in detail that has been undertaken to date, including the date of commencement.

If no, indicate the estimated dates of commencement and completion:

Construction commencement: 5/1/2019

Construction completion: 12/31/2019

7(h) Will the construction or operation of the facility or any activity which will occur at the site require any local ordinance or variance to be obtained or require a permit or prior approval of any state or federal agency or body (other than normal occupancy and/or construction permits)?

[ ] Yes [■] No

If yes, please describe.

Has the Project received site plan approval from the planning department?

[ ] Yes [■] No [ ] N/A

If Yes, please provide the Agency with a copy of the planning department approval along with the related State Environmental Quality Review (SEQR) determination. If no, please provide the status of approval: **See SEQR application and Utica Planning meeting scheduled for March 21, 2019.**

7(i) Will the project have a significant effect on the environment? [ ] Yes [■] No

Important: please attach and sign Part 1 of either the the long or short Environmental Assessment Form to this Application.

7(j) What is the useful life of the facility? 50 years

7(k) Is the site in a former Empire Zone? [■] Yes [ ] No

If yes, which Empire Zone: Utica

Is project located in a Federal HUB Zone or distressed area: [ ] Yes [■] No

Provide detail.

Part IV: Housing Project Questionnaire

Complete the following questions only if your project is a Housing Project. Please reference the *Oneida County Industrial Development Agency Uniform Tax Exemption and Agency Benefits Policy Market Rate Rental Housing Development Initiatives.* (Add additional pages as needed).

7(l) Describe the housing project to be constructed or renovated in detail (type of housing, number of units, etc.):

7 (m) Describe how you will change the current use of the facility or property being utilized for the project. To assist the IDA in their determination of an eligible vacant urban infill site project please provide an extensive explanation as well as photos of what is being removed or replaced with the new construction.

7 (n) Will the project have any impact on the existing infrastructure or upgrades to the current infrastructure (water, sewer, electrical, gas, etc.)? If yes please provide detail and who you are working with at the applicable organization.

7 (o) If your project is a multi-use facility please provide details of the project, project square footage breakdown of non-housing to housing usage, detail the job creation and retention associated with the non-housing component.

7 (p) Does the project provide a community benefit? If yes provide detail substantiating (reference the IDA policy).

ALL APPLICANTS ANSWER THE FOLLOWING

Part V: Retail Project Questionnaire

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

A. Will any portion of the project (including that portion of the cost to be financed from equity or other sources) consist of facilities or property that are or will be primarily used in making sales of goods or services to customers who personally visit the project site?

☐ Yes or ■ No. If the answer is yes, please continue. **If no, proceed to next section Part VI Facility (Pg 14).**

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

B. What percentage of the cost of the Project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the project?_____%. **If the answer is less than 33% do not complete the remainder of the retail determination and proceed to next section Part VI Facility (Pg 14).**

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

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

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

☐ Yes or ☐ No

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

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

☐ Yes or ☐ No

If yes, please provide a third party market analysis that demonstrates that a majority of the project's customers are expected to come from outside of Oneida County and the project will not directly compete with existing businesses located in Oneida County.

Part VI: Facility (Legal Information)

8(a) With respect to the **present owner** of the facility, please give the following information and provide a brief statement regarding the status of the acquisition.:

(Note: the present owner is not necessarily the user of the facility, but that party which holds legal title to the facility.)

Legal Name: 126 Business Park Partners

Address: 126 Business Park Drive
Utica, NY 13502

Telephone: (315) 797-3035

Balance of Mortgage: $435,756.47 as of 3/7/2019

Holder of Mortgage: NBT Bank, NA

If the Applicant is not the present owner of the facility, please attach any written agreements and contracts concerning the acquisition of the real property and/or equipment.

8(b) Is there a legal relationship, directly or indirectly, by virtue of common control or through related persons, between the Applicant and the present owner of the facility?
[■] Yes [ ] No. If yes, please explain. Rising Phoenix Holdings Corporation holds majority interest %__82_ of 126 Business Park Partners, remaining percentage owned by CLS Properties, which is wholly owned by Ronald Cuccaro.

8(c) Will a related real estate holding company, partnership or other entity, be involved in the ownership structure of the transaction?
[■] Yes [ ] No. If yes, please explain. 126 Business Park Partners

8(d) Will the title owner of the facility/property also be the user of the facility?
[■] Yes [ ] No If no, please explain. Rising Phoenix Holdings Company is and will continue to be a tenant of the new facility.

8(e) Is the Applicant currently a tenant in the facility? [X] Yes [ ] No

8(f) Are you planning to use the entire proposed facility?
[X] Yes [ ] No

If no, please give the following information with respect to tenant(s) which will remain in the facility after the completion of the project, including the square footage the Applicant will occupy:

Name of Tenant	Floors Occupied	Square Feet Occupied	Nature of Business
RPHC	various	19521	Disaster Preparedness Recovery and Consulting
BLC	1	4036	Regional Public Adjusting Services

8(g) Are any of the tenants related to the owner of the facility?
[■] Yes [ ] No
If yes, please explain.

Basloe, Levin & Cuccaro LTD, the local affiliate of Adjusters International rents a portion of existing building as outlined above (see 8 (f)).

8(h) Will there be any other users utilizing the facility?
[ ] Yes [■] No
If yes, please explain. Provide detail of the contractual arrangement including any financial exchange for the use of the site or property.

Part VII: Equipment

9(a) List the principal items or categories of equipment to be acquired as part of the project. If you are requesting sales tax exemption it is important to be as detailed as possible. (If a complete list is not available at time of application, as soon as one is available but prior to final authorizing resolution, please submit a detailed inventory of said equipment to be covered.) Attach a sheet if needed. **Office furniture and equipment including IT infrastructure.**

9(b) Please provide a brief description of any equipment which has already been purchased or ordered, attach all invoices and purchase orders, list amounts paid and dates of expected delivery. Attach a sheet if needed. **None**

9(c) What is the useful life of the equipment? 5-10 years

Part VIII: Employment Information

"FTE" shall mean a full time employee that has a minimum of thirty-five (35) scheduled hours per week, or any combination of two or more part-time employees that work a minimum of fifteen (15) scheduled hours per week, when combined together, constitute the equivalent of a minimum of thirty-five (35) scheduled hours per week, and whose workplace location is the project facility. For this purpose an employee shall include a leased employee regularly retained by the company.

10(a) Estimate how many construction jobs will be created or retained as a result of this project.

Construction Jobs: 45-50

10(b) Will the project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York?

☒ Yes or ☐ No.

If yes, explain See 3/15 Overview Schedule C

10 (c) Have you experienced any employment changes (+ or -) in the last three (3) years?

☒ Yes or ☐ No.

If yes, explain See 3/15 Overview Schedule C

10(c) Job Information related to project ***

Estimate below how many jobs will be created and retained as a result of this project, if OCIDA assistance is granted.

	Number of Jobs BEFORE Project	**Location 1**	**Location 2**	**Location 3**	**Location 4**	**Location 5**	**Total**
	Address in NYS	126 Business Park	Champlain Ave	Albany			
	Full-Time Company	43	10	8			
	Full-Time Independent Contractors	1	0	0			
	Full-Time Leased	0	0	0			
A.	**Total Full-Time BEFORE**	44	50	8			
	Part-Time Company	1	2	0			
	Part-Time Independent Contractors	2	0	0			
	Part-Time Leased	0	0	0			
B.	**Total Part-Time BEFORE**	3	2	0			
	Total FTE BEFORE*	48	0	8			

For* ***Total FTE BEFORE* *add full-time employees (line A) plus part-time employees that have been converted to FTE (line B).*

Continued on next page

	Number of Jobs AFTER Project (within 3 years of project completion)	Location 1	Location 2	Location 3	Location 4	Location 5	Total
	Full-time Company	48	0	8			
	Full-Time Independent Contractors	1	0	0			
	Full-Time Leased	0	0	0			
A.	**Total Full-Time AFTER**	49					
	Part-Time Company	1	0	0			
	Part-Time Independent Contractors	2	0	0			
	Part-Time Leased	0	0	0			
B.	**Total Part-Time AFTER**	3					
	Total FTE AFTER *	52	0	8			

For **Total FTE AFTER add full-time employees (line A) plus part-time employees that have been converted to FTE (line B).*

Estimate the number of residents from the Labor Market Area** in which the Project is located that will fill the jobs created within three years of project completion	Location 1	Location 2	Location 3	Location 4	Location 5	Total
Full-Time	5					
Part-Time	0					
Total AFTER	5					

** Labor Market Area includes Oneida, Lewis, Herkimer, and Madison Counties

Continued on next page

	Retained Jobs		Created Jobs	
SALARY AND BENEFITS	**Average Annual Salary *per employee***	**Average Fringe Benefits (as a percentage of wages)**	**Average Annual Salary *per employee***	**Average Fringe Benefits (as a percentage of wages)**
Management	$ 149,290	20%	$ 150,000	20%
Administrative	$ 48,744	34%	$ 45,000	34%
Production	$ 109,961	24%	$	%
Independent Contractor	$ 347,000	%	$	%
Other	$	%	$	%
Overall Weighted Average	$	%	$	%

*** By statute, Agency staff must project the number of Full-Time Jobs that would be retained and created if the request for Financial Assistance is granted. "FTE" shall mean a full time employee that has a minimum of thirty-five (35) scheduled hours per week, or any combination of two or more part-time employees that work a minimum of fifteen (15) scheduled hours per week, when combined together, constitute the equivalent of a minimum of thirt-five (35) scheduled hours per week, and whose workplace location is the project facility. For this purpose an employee shall include a leased employee regularly retained by the company.

10(c) Please list NAICS codes for the jobs affiliated with this project:

541611 - Management and Consultant services

Part IX: Estimated Project Cost and Financing - form will auto sum

11(a) List the costs necessary for the construction, acquisition or renovation of the facility.

Acquisition of Land (if vacant)	$ 75,000
Acquisition of Existing Building(s)	$ 0
Renovation Costs of Existing Building(s)	$ 0
New Construction of Buildings	$ 3,100,000 *
Machinery and Equipment (other than furniture costs)	$ 50,000
Fixtures	$ 450,000
Installation Costs	$ included
Fees & Permits (other than your own broker and legal fees)	$ 5,000
Legal Fees (IDA legal fees, Applicant legal fees)	$ 50,000
Architectural/Engineering	$ 265,000
Interest on Financing Charges	$ 0
Other (specify)	$
Subtotal	$ 3,995,000
Agency Fee[1] 1/2 %	$ 19,975
Total Project Cost	**$** 4,014,975

[1] *See Attached Fee Schedule (Page 25) for Agency Fee amount to be placed on this line*

**Does not include sales tax on materials or furniture and fixtures*

11(b) **Sources of Funds for Project Costs (will auto sum):**

Bank Financing: $ 3,000,000

Equity (excluding equity that is attributed to grants/tax credits) $ 1,014,975

Tax Exempt Bond Issuance (if applicable) $ _____

Taxable Bond Issuance (if applicable) $ _____

Public Sources (Include sum total of all state and federal grants and tax credits) $ _____

Identify each state and federal grant/credit:

_____ $ _____

_____ $ _____

_____ $ _____

_____ $ _____

Total Sources of Funds for Project Costs: $ 4,014,975

Real Estate Taxes

12(a) For each tax parcel which comprises the facility, please provide the following information, using figures from the most recent tax year.

Tax Map Parcel #	Current Assessed Value (Land)	Current Assessed Value (Building)	Current Total Assessment	Current Real Estate Taxes
317.19-1-11	166,847.00	1,023,153	1,190,000	60,767.39

Attach copies of the most recent real property tax bills. Include copies for all taxing jurisdictions for the site/ facility that IDA assistance is being sought.

12(b) Address of Receiver of Town and/or Village Taxes (include all jurisdictions):

City of Utica, Attn Tax Dept.

1 Kennedy Plaza

Utica, NY 13502

12(c) Address of Receiver of School Taxes:

Utica City School District, School Tax Dept.

106 Memorial Parkway

Utica, NY 13501

12(d) Will the completion of the proposed project result in the increase of the assessment of any of the parcels named above? [X] Yes [ ] No

If yes, please indicate which tax map parcel # will be affected and estimate of increase.

317.19-1-11 and new land acquisition (tax map and ID TBD) - $800,000

Financial Information

13(a) Has the Applicant contacted any bank, financial/lending institution or private investor with respect to the financing of the proposed project?

[X] Yes [ ] No

If yes, please provide details.

NBT Bank, NA - preliminary discussions only

13(b) Has the Applicant received a commitment letter for said financing?

[ ] Yes [x] No

If yes, please submit a copy of said commitment letter along with this Application.

13(c) Please complete the Cost/Benefit Analysis form and attach to this Application. As you begin completing the form and have questions, please call the IDA office.

REPRESENTATIONS AND CERTIFICATION BY APPLICANT

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

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

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

1. **Annual Sales Tax Filings**. In accordance with Section 858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant.

2. **Annual Employment, Tax Exemption & Bond Status Reports. T**he Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site as well as tax exemption benefits received with the action of the Agency. For Applicants not responding to the Agency's request for reports by the stated due date, a $500 late fee will charged to the Applicant for each 30-day period the report is late beyond the due date, up until the time the report is submitted. Failure to provide such reports as provided in the transaction documents will be an Event of Default under the Lease (or Leaseback) Agreement between the Agency and Applicant. In addition, a Notice of Failure to provide the Agency with an Annual Employment, Tax Exemption & Bond Status Report may be reported to Agency board members, said report being an agenda item subject to the Open Meetings Law.

3. **Absence of Conflict of Interest**. The Applicant has consulted the Agency website of the list of the Agency members, officers and employees of the Agency. No member, officer, or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as herein after described (if none, state "none"):

4. **Hold Harmless**. Applicant hereby releases the Agency and its members, officers, servants, agents and employees from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Agency, (B) the Agency's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final

agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

5. The Applicant acknowledges that the Agency has disclosed that the actions and activities of the Agency are subject to the Public Authorities Accountability Act signed into law January 13, 2006 as Chapter 766 of the 2005 Laws of the State of New York.

6. The Applicant acknowledges that the Agency is subject to New York State's Freedom of Information Law (FOIL). **Applicant understands that all Project information and records related to this application are potentially subject to disclosure under FOIL subject to limited statutory exclusions**.

7. The Applicant acknowledges that it has been provided with a copy of the Agency's recapture policy (the "Recapture Policy"). The Applicant covenants and agrees that it fully understands that the Recapture Policy is applicable to the Project that is the subject of this Application, and that the Agency will implement the Recapture Policy if and when it is so required to do so. The Applicant further covenants and agrees that its Project is potentially subject to termination of Agency financial assistance and/or recapture of Agency financial assistance so provided and/or previously granted.

8. The Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:

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

9. The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.

10. The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.

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

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

fact and do not omit to state a material fact necessary to make the statements contained herein not misleading.

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

Stephen T. Surace, being first duly sworn, deposes and says:

1. That I am the Senior Vice President (Corporate Office) of Rising Phoenix Holdings Corp. - General Partner of 126 Business Park Partners, (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.

2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete.

(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury this 20th day of March, 2019.

(Notary Public)

Christina Aiello
Notary Public New York State
Oneida County #01AI6331079
Commission Expires 09/28/2019

If the application has been completed by or in part by other than the person signing this application for the applicant please indicate who and in what capacity:

By:_____

Name: _____

Title: _____

Date:_____

Return the original signed and notarized application and two copies with a check in the amount of $1500.00 made payable to: **Oneida County Industrial Development Agency (OCIDA)**, 584 Phoenix Drive, Rome, New York 13441-1405, Attn.: Shawna M. Papale, Executive Director. $1000 will be applied at closing against the IDA closing fee. In addition, please send an electronic version of the application (signed), and SEQR form (signed), to spapale@mvedge.org.

Agency Fee Schedule

Commitment Fee: $1,000 – due following the initial inducement but prior to scheduling of the public hearing; this amount is non-refundable if the applicant fails to close on the project before the IDA. Upon closing with the IDA this amount is applied to the closing fees.

Bond Fees: ½ of 1% of total bond amount

IDA Agency Fee: PILOT, Mortgage Recording Exemption, Sales Tax Exemption:

- Up to a $1.0 Million project - $5,000
- Above $1.0 Million project up to $10.0 Million project – ½ of 1% of total project cost.
- Above $10.0 Million project – ½ of 1% of total project cost up to $10.0 Million plus incremental increase of ¼ of 1% of total project above $10.0 Million.

Transaction Counsel/Agency Counsel fee:
Set by Bond/Transaction Counsel based upon the nature and complexity of the transaction. This applies to bond and non-bond transactions (leasebacks, sale-leasebacks, etc).

Transaction Counsel/Agency Counsel fees for bond transactions typically will not exceed 2% of the bond amount or project costs. Transaction Counsel/Agency Counsel fees for a sale-leaseback/lease-leaseback transaction are typically $8,500 to $10,000 if no commercial financing is involved or $10,000 to $12,000 if commercial financing is involved. You will receive an engagement letter with a quote based upon the scope of your project.

Annual Fee:
For the term in which the property remains in the IDA's name, an annual lease payment is due in the amount of $750. The first payment is due at closing and subsequent payments are due each January 1. For annual fees not paid and delinquent, a late charge of $50 per month will be levied until such time the fee plus late charges are paid.

Other fees:
If Applicant requests the IDA enter into subsequent transactions following closing (i.e., a facility refinance), the IDA will charge a closing fee equal to 1/8 of one percent of the total reissuance, redemption, new or revised mortgage, refinancing, spreading agreement or other transaction with a minimum payment due of $500. Applicant will also be responsible to pay any legal fees the IDA incurs in connection with said transaction.

Revised 7-12-16

Please complete EITHER a Short Environmental Assessment Form (EAF) or Full Environmental Assessment Form (EAF) and submit the applicable form with your application. Consult with your project engineer or architect if you have any questions which form is appropriate for your project.

617.20
Appendix B
Short Environmental Assessment Form

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.

Part 1 - Project and Sponsor Information

126 Business Park Partners

Name of Action or Project:

Additions and Alterations to Adjusters International

Project Location (describe, and attach a location map):

126 Business Park Drive, Utica, NY - Utica Business Park

Brief Description of Proposed Action:

15,600 SF addition to an existing building in the Utica Business Park and the construction of a new parking lot to serve the addition. A portion of the neighboring school property is being acquired for the project with an agreement that the school may use the new parking lot during evening hours and weekends as it abuts their athletic fields.

Name of Applicant or Sponsor:	Telephone: 315-272-2144
126 Business Park Partners - Ronald Cuccaro, CEO	E-Mail: RCuccaro@rphc.com

Address:

126 Business Park Drive

City/PO:	State:	Zip Code:
Utica	NY	13502

	NO	YES
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.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Site Plan Review and Building Permit - City of Utica	☐	☑

3.a. Total acreage of the site of the proposed action? 2.77 acres
b. Total acreage to be physically disturbed? < 0.96 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 2.77 acres

4. Check all land uses that occur on, adjoining and near the proposed action.

☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☑ Commercial ☐ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☑ Other (specify): School
☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☑	☐
b. Consistent with the adopted comprehensive plan?	☐	☑	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	☑	☐
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☑	☐
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	☑
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☑	☐
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: _____	☐	☑
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	☐	☑
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	☐	☑
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	☑	☐
b. Is the proposed action located in an archeological sensitive area?	☑	☐
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: _____	☑	☐

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional
☐ Wetland ☑ Urban ☐ Suburban

	NO	YES
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?	☑	☐
16. Is the project site located in the 100 year flood plain?	☑	☐
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? ☐ NO ☑ YES	☐	☑

b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? ☑ NO ☐ YES
If Yes, briefly describe:
Additional storm water from the proposed development will be detained in an underground basin and discharged at a rate slightly below the existing pre-development rate. The detention area is open bottomed however site testing indicated that the existing soils have no infiltrative capacity. Storm water will be dispersed on site to sheet flow off the site similar to existing.

	NO	YES
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: Underground storm water detention basin, approximately 6,200CF of stormwater storage.	☐	☑
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:	☑	☐
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:	☑	☐

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: 126 BUSINESS PARK PARTNERS RONALD A. CUCCARO CEO Date: 3/7/19

Signature:

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☐	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☐	☐
3. Will the proposed action impair the character or quality of the existing community?	☐	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☐	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☐	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☐	☐
7. Will the proposed action impact existing: a. public / private water supplies?	☐	☐
b. public / private wastewater treatment utilities?	☐	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☐	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☐	☐

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☐	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☐	☐

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

CITY OF UTICA, NEW YORK

PLANNING BOARD APPLICATION

PH. 315.792.0181 FAX 315.797.6607

It is the responsibility of the applicant to complete this form in its entirety, including all required attachments, and as precisely as possible. ***Failure to submit a complete application may result in a delay*** *in being placed on a Planning Board agenda or a delayed decision from the Planning Board.*

PROPERTY ADDRESS or COUNTY TAX MAP ID # 126 Business Park Drive, 317.019-1-11

APPLICATION TYPE

- [X] SITE PLAN REVIEW
- [ ] SUBDIVISION
- [ ] SIGNAGE REVIEW
- [ ] ZONING AMENDMENT

APPLICANT INFORMATION

NAME 126 Business Park Partners

ADDRESS 126 Business Park Drive

PHONE 315-272-2144

Utica (City) NY (State) 13502 (ZIP)

FAX 315-272-2054

E-MAIL RCuccaro@rphc.com

OWNER INFORMATION *(complete **only** if applicant is not the owner of the property)*

NAME Oneida County IDA

ADDRESS 584 Phoenix Drive

PHONE 315-338-0393

Rome (City) NY (State) 13441 (ZIP)

FAX 315-338-5694

E-MAIL info@mvedge.com

RELATIONSHIP OF APPLICANT TO PROPERTY

- ❑ CONTRACT PURCHASER
- ❑ CONTRACTOR
- ❑ ARCHITECT/ENGINEER
- ☒ LESSEE

OFFICE USE ONLY

RECEIVED BY: _____ DATE/TIME RECEIVED: _____

FEE AMOUNT: _____ CHECK/MONEY ORDER #: _____

ZONING: _____ FEE TRANSMITTAL DATE: _____

FILING DATE: _____ AGENDA DATE: _____

BRIEF HISTORY OF PROPERTY (historic use of property, ownership history, prior approvals, etc.)

The property currently houses the applicatants building and parking lot.

DESCRIPTION OF PROPOSED ACTION (include specific use proposed, size of construction or addition proposed, details of proposed access, parking provisions and signage, etc.)

The proposed development is an addition to the applicants facility. The addition will have a footprint of 5,600 SF. It will be two story plus basement. A mezzanine will occupy a portion of the second floor. The project will require the expansion of the parking lot. Additional land is being obtained from the neighboring property (Notre Dame High School) to facilite this work. An agreement was developed to allow the school to use the applicants proposed parking expansion during evening hours and weekends as it will abut their athletic fields and new gymnasium. Storm water will be detained in an underground detention basin and will be released slightly below the pre-development rate. The total site disturbance will be less than one acre.

COMPATIBILITY WITH NEIGHBORHOOD (describe the manner by which the proposed development will be consistent with adjoining development and will not cause substantial injury to neighboring properties)

The project is location in an existing business park. The site is surrounded by commercial properties and is an expansion of an existing use.

APPLICATIONS FOR SITE PLAN APPROVAL SHOULD INCLUDE THE FOLLOWING:

1. An area map at the scale of one inch equals 2,000 feet showing the parcel under consideration for site plan review, and all properties, water bodies, streets, and easements within 200 feet of the property boundaries.

2. A map of site topography at no more than five-foot contour intervals. If general site grades exceed 5% or portions of the site have susceptibility to erosion, flooding, or ponding, a soils overlay and a topographic map showing contour intervals of not more than two feet of elevation should be provided.

3. Adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, dividers and traffic control.

4. Adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience.

5. Location, arrangement, appearance and sufficiency of off-street parking and loading.

6. Location, arrangement, size, design and general site compatibility of buildings, lighting and signs.

7. Adequacy of stormwater and drainage facilities.

8. Adequacy of water and sewage disposal facilities.

9. Adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and/or noise buffer between the applicant's and adjoining lands, including the maximum retention of existing vegetation.

10. In the case of multifamily dwellings, the adequacy of usable open space for play areas and informal recreation.

11. Protection of adjacent or neighboring properties against noise, glare, unsightliness or other objectionable features

12. Adequacy of fire lanes and other emergency zones and the provisions of fire hydrants.

13. Special attention to the adequacy of structures, roadways, and landscaping in areas with susceptibility to ponding, flooding and/or erosion.

14. Overall sensitivity to the environment.

APPLICATION ATTACHMENTS

To ensure appropriate and timely review of the application, please provide the following additional documentation in support of the application. **Failure to provide all of the applicable materials listed below may result in a delay** in scheduling the application for review by the Zoning Board of Appeals.

☒ **Application Fee** (check or money order only payable to City of Utica)

- Zoning Map/Text Amendment $ 150.00
- Signage Review _____
- Residential Site Plan Review $ 150.00
- Commercial Site Plan Review $ 250.00

☒ **4 Sets of Detailed Site Plans** in **24" X 36"** format to include:
(for site plan review applications only)

- Property boundary, building limits, existing vegetation
- Proposed limits of construction, building elevations
- Parking plan
- Landscaping plan
- 1 set of the above plans in half-size format
- 1 set of plans in a **.pdf** format email to clawrence@cityofutica.com

☐ **4 Sets of Subdivision Plans** in **24" X 36"** format to include:
(for subdivision applications only)

- Existing property survey
- Sketch subdivision plan, including topography, easements, existing and proposed streets, utilities on and adjacent to the tract, ground elevations
- Final subdivision plan
- 1 set of the above plans in half-size format.
- 1 set of plans in a **.pdf** format email to clawrence@cityofutica.com

☒ **Photographs of Existing Conditions**

☒ **New York State Environmental Quality Review Act**

- Long or Short Form Environmental Assessment
  (consult Planning Staff to determine minimum compliance requirements and appropriate form)

Either form is available in .pdf format through
http://www.dec.state.ny.us/website/dcs/seqr/forms/index.html

OWNER AFFIRMATION

I, THE UNDERSIGNED, DO HEREBY AFFIRM THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE AND I FURTHER UNDERSTAND THAT INTENTIONALLY PROVIDING FALSE OR MISLEADING INFORMATION IS GROUNDS FOR IMMEDIATE DENIAL OF MY APPLICATION.

FURTHERMORE, I UNDERSTAND THAT I (OR A DESIGNATED REPRESENTATIVE) MUST BE PRESENT AT THE MEETING TO REPRESENT THE APPLICATION AND RESPOND TO ANY QUESTIONS FROM THE PLANNING BOARD MEMBERS.

_____ _____

Signature (Applicant) Date

IF APPLICANT IS NOT THE OWNER OF RECORD FOR SUBJECT PARCEL:

I, THE UNDERSIGNED, HEREBY AFFIRM THAT I AM THE OWNER OF RECORD FOR THE SUBJECT PARCEL AT THE TIME OF APPLICATION. FURTHERMORE, I AM FAMILIAR WITH THE REQUEST BY THE APPLICANT AND AUTHORIZE SAID APPLICANT TO REPRESENT THE INTEREST OF THE OWNER(S) IN FURTHERANCE OF THE REQUEST.

_____ _____

Signature (Owner) Date

*Regular meetings of the Planning Board are generally held on the 3rd Wednesday of every month. The meetings are held at 4:30 PM in the Common Council chambers on the first floor of City Hall.

*Specific to zoning map amendments, pursuant to Section 2-29-123(3) of the City of Utica Zoning Ordinance, property owners within a 200' radius will be notified of the intent of the applicant and given an opportunity to speak either for or against the application.

UTICA CITY SCHOOL DISTRICT
TAX DEPARTMENT
106 Memorial Parkway
Utica, New York 13501

Telephone (315) 792-2240

Facsimile (315) 792-2299

2018-2019 SCHOOL TAX BILL

August 20, 2018

Adjusters International
126 Business Park Drive
Utica, New York 13502

To Whom It May Concern:

Following is the 2018-2019 PILOT information for: **Adjusters International**

Parcel #	Address		Assessment
317.19-1-11	126 Business Park Drive	Original Building	$790,000
317.19-1-11	126 Business Park Drive	Addition	$400,000
	Total Assessment		$1,190,000

Assessment	Tax Rate Per $1,000		
$790,000	27.671986	100%	$21,860.87
$400,000	27.671986	1/3	$3,594.67
	Total Amount Due		**$25,455.54**

Per the in lieu of tax agreement, please submit the total amount due by Tuesday, October 2, 2018 to:

Utica City School District
School Tax Department
106 Memorial Parkway
Utica, New York 13501

Please do not hesitate to contact me at (315) 792-2240 if you have any questions. Thank you in advance for your cooperation and prompt payment.

Sincerely,

Pamela Backman

Pamela Backman

RECEIVED
AUG 2 2 2018

The Utica City School District is an equal-opportunity organization that does not discriminate on the basis of race, creed, sex, age, handicapping condition, or national origin in admission or access to, or treatment or employment in programs and activities.

CITY OF UTICA

Office of the City Comptroller

1 Kennedy Plaza, Utica, New York 13502 315-792-0133

William C. Morehouse

PILOT BILLING FOR 2018/2019 TAX YEAR

April 10, 2018

RECEIVED
APR 11 2018

126 Business Park Partners
126 Business Park
Utica, NY 13502

Property: 126 Business Park Dr #317.19-1-11

2018/2019 City Tax Rate/1000.....27.091643

Per agreement, payable for 2018/2019 tax year.....$25,014.26

Please send payment by **May 11, 2018** to: City of Utica
1 Kennedy Plaza
Utica, NY 13502

Attention Tax Dept.

If you have any questions, please call the tax department at 315-792-0147

Thank You.

ANTHONY R. CARVELLI
COMMISSIONER

ONEIDA COUNTY

ANTHONY J. PICENTE JR.
COUNTY EXECUTIVE

DEPARTMENT OF FINANCE
County Office Building • 800 Park Avenue • Utica, New York 13501
(315) 798-5750 • Fax: (315) 735-8371 • www.ocgov.net

January 31, 2018

PILOT #80

126 Business Park Partners
126 Business Park
Utica, NY 13502

Dear PILOT # 80 Account Holder,

Your payment in lieu of taxes for the taxable year of 2018 is as follows:

You are in year 12 of this PILOT agreement
Parcel I.D. Number: 1600 317.019-1-11
Tax Rate: 11.152306
Amount Due: $2,064.49**
**After credit for tax years 2015, 2016 & 2017 see attached spreadsheet for calculations

Please return payment with a copy of this bill. Make check payable to the "Commissioner of Finance" and mail to the Oneida County Commissioner of Finance, 800 Park Avenue, Utica, New York 13501 by February 28, 2018 to avoid interest and penalty charges.

Very truly yours,

Anthony Carvelli
Commissioner of Finance

AC/dmp
cc: File

AP RECEIVED 2/27/18

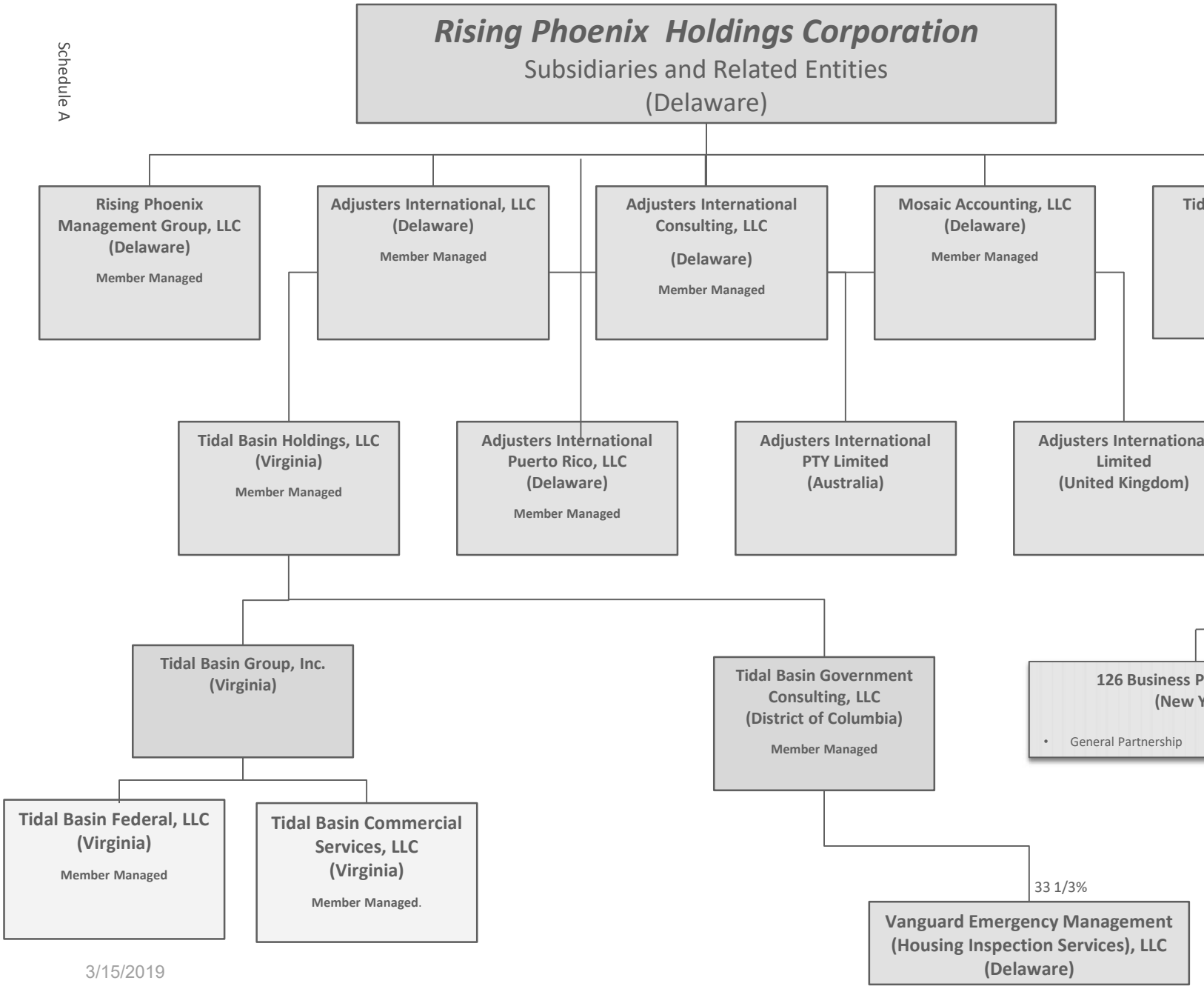
126 Business Park	PILOT # 80					
1600 317.19-1-11						
Tax year 2015-PILOT year 9		County Tax Rate:	10.144095			
						Difference between
		Previous % used	Original bill	Corrected %	Corrected bill	paid and correct
Original Assessment:	$ 790,000	100	$ 8,013.84	100	$ 8,013.84	
Assessment increase:	$ 400,000	100	$ 4,057.64	33	$ 1,352.82	Credit Amount
		Paid 2-3-15	$ 12,071.47		$ 9,366.66	$ 2,704.81
Tax year 2016-PILOT year 10		County Tax Rate:	10.492907			
		Previous % used	Original bill	Corrected %	Corrected bill	
Original Assessment:	$ 790,000	100	$ 8,289.40	100	$ 8,289.40	
Assessment increase:	$ 400,000	100	$ 4,197.16	33	$ 1,399.33	Credit Amount
		Paid 1-27-16	$ 12,486.56		$ 9,688.73	$ 2,797.83
Tax year 2017-PILOT year 11		County Tax Rate:	10.240276			
		Previous % used	Original bill	Corrected %	Corrected bill	
Original Assessment:	$ 790,000	100	$ 8,089.82	100	$ 8,089.82	
Assessment increase:	$ 400,000	100	$ 4,096.11	33	$ 1,365.64	Credit Amount
		Paid 2-3-17	$ 12,185.93		$ 9,455.47	$ 2,730.46
Tax year 2018-PILOT year 12		County Tax Rate:	11.152306			
		%				
Original Assessment:	$ 790,000	100	$ 8,810.32			
Assessment increase:	$ 400,000	33	$ 1,487.27			
			$ 10,297.59			
		Credit from 2015-17:	$ (8,233.10)			
2018 County PILOT amount due:			**$ 2,064.49**			

Schedule A

Rising Phoenix Holdings Corporation

Subsidiaries and Related Entities

(Delaware)



3/15/2019

Rising Phoenix Holding Corporation's (RPHC) corporate headquarters in Utica houses a diverse staff responsible for various executive, management, financial and governance functions for RPHC and its subsidiaries; primarily Adjusters International Inc., LLC (AI) and Tidal Basin Group, LLC (TB).

AI provides public adjusting services for policyholders who have sustained insured property damage claims, assisting them with the preparation, documentation and negotiation of their insurance claims, in order to obtain the best possible recovery. Public Adjusting services are provided by AI's owner firms who operate over 40 regional offices. Our Corporate office provides back office operations for them including business development, marketing, advertising, especially through web based and social media platforms, to build the AI brand nationwide to help them grow their local businesses.

Tidal Basin provides Disaster Preparedness and Recovery services, primarily to federal, state and local entities, assisting with recovering funds through various disaster grant programs such as FEMA Public Assistance and HUD's CDBG programs. TB's services are provided by numerous field staff deployed throughout the country following major natural and manmade disasters. Our Utica office provides all of the back office operations support necessary to recruit, train, deploy and support the staff throughout the various projects; including all time keeping and payroll, expense reporting, billings etc. We are also responsible for organizing all travel and lodging for our field staff, at times operating a seven-day two shift call center to support them.

In addition, our Utica office is currently in the process of assuming responsibility for the accounting and financial reporting responsibility for Vanguard Emergency Management, our joint venture partnership, that holds a major housing inspection contract with FEMA, operating out of our readiness facility in Winchester VA.

Request for Assistance from The Oneida County Industrial Development Agency

for 126 Business Park Partners Office Expansion Project

Project Overview March 15,2019

Basloe, Levin and Cuccaro (BLC) has operated as a local public adjusting firm since 1908. Originally based in Herkimer, BLC moved its operations then with only two employees to Downtown Utica in the early seventies. In 1985 Adjusters International, Inc. (AI) was created when BLC and 12 other regional public adjusting firms across the U.S, and in Canada, the UK and Puerto Rico combined resources, to create greater efficiencies on the marketing and professional service fronts, and to respond to natural and manmade disasters anywhere. BLC's principal Ronald Cuccaro, began serving as the first President and CEO, of AI, established its Corporate office in Utica, using a "back room," professional support model that became the backbone of our subsequent growth.

Despite not being located centrally in the country or at an air transportation hub, in an industry requiring extensive travel, AI succeeded. The availability of skilled administrative and trainable professional staff at reasonable rates, the relatively low cost of doing business and other quality-of-life and cost of living considerations made it possible. In addition, the emergence of technology allowed AI to leverage its business model, from a relatively remote location.

In 1994 as AI's growth exceeded expectations AI constructed a 10,000 sq. ft. facility in the Utica Business Park, in part through the assistance of OCIDA. Shortly after, AI expanded its services to include FEMA Disaster grant consulting, a newly emerging field. In 2001, the Port Authority of NY & NJ hired AI to assist with their FEMA recovery following the 9/11 Terrorist Attacks, and in 2004, AI was hired by the State of New York to assist local government, and not for profit applicants to obtain full recovery from their FEMA disaster grants.

In 2007, AI provided NYS with support for five simultaneous flooding disasters requiring at its peak more than 160 trained field personnel, all hired, trained and managed out of the Utica office. AI field staff helped over 4800 local applicants to obtain more than $780 million in disaster recovery funds. Additional disasters during that decade resulted in the deployment of our professional staff to other parts of the country.

These projects required significant management and support – to be provided by our Utica office staff which was expanded to include full time finance and management personnel as well as additional temporary positions. The team trained, and supported numerous field staff being deployed to various disasters throughout the U.S. Many were local hires, originating from the economically challenged I-90 corridor and drawing heavily from Central New York and the Mohawk Valley.

To keep up with the growth and to provide for surge capacity in a cyclical disaster-related industry, AI expanded our Business Park facilities in 2007 adding 15,000 square feet; again with the assistance of OCIDA. This expansion allowed us to add more staff and it provided a centralized IT hub; a training suite and more storage for the marketing materials distributed to our owner-firms. Although the question of relocating or expanding elsewhere in the country was raised, the performance by our local staff and the

incentives provided by OCIDA to support our expansion within the Business Park played a large role in justifying our expansion in Utica.

Since the 2007 expansion, AI has continued to grow adding more government clients including the states of Alaska, Hawaii, and Michigan. In 2013, we responded to Hurricane Sandy deploying over 400 field staff to the metropolitan New York and in Albany. As of this date we have been instrumental is processing more than $ 16 Billion in FEMA disaster funding for NYS communities for their Hurricane Sandy recovery. During this time, we also worked with FEMA to implement the Sheltering and Temporary Essential Power (STEP) Pilot Program and with the Governor's Office of Storm Recovery to provide operational support for Community Development Block Grant – Disaster Recovery programs, which developed new competencies.

In 2016, we acquired the Tidal Basin Group, a competitor, located in Alexandria, VA. The transaction also included a joint venture interest in Vanguard Emergency Management (VEM) which holds a five-year contract with FEMA to complete home inspections following presidentially declared disasters, VEM provides the training, deployment and support of housing inspection teams on a massive scale; working from its readiness and support facility in Winchester VA. Additionally a number of the accounting/ finance support staff for the disasters are now located in Utica. Also, we are now the managing partner of VEM and responsible for the overall joint venture accounting, which has allowed us to convert some of our existing local temporary staff to full time.

Following Hurricane Maria in Puerto Rico, AI was positioned to assist with the various FEMA programs being deployed to assist in the island's recovery. Our operations in Puerto Rico included the project management of the FEMA STEP program on the part of the Puerto Rico Department of Housing, where we managed the temporary repairs to 120,000 homes at a cost of $1.5 Billion. This operation was managed here in Utica, including all of the HR functions to recruit and manage 700 Spanish speaking employees in PR. During this same period of time VEM completed over 1,200,000 home inspections in Texas, Louisiana, Florida and Puerto Rico. As a result, our Utica office handled a majority of the time and expense accounting for approximately 10,000 VEM home inspectors who were deployed in the field. Simultaneously, Hurricanes Harvey and Irma and the California wildfires created a need for our services in other parts of the country.

The support of these operations demanded the expansion of our Utica team to include a number of full-time and part-time positions. We hired and trained 60 local surge staff working two shifts to handle the tracking, reporting, and billing aspects of these projects, including, expense reports, compliance, quality control, and other accounting- and finance functions. These positions provided excellent professional-level job opportunities for local college graduates and experienced personnel alike. While many of these positions are temporary, most are long-term, lasting 12 to 18 of months, with 20 % of them continuing for more than 24 months. All these positions provided resume building and professional skill development for college graduates who were able to stay in the area as a result. A number of these positions have already transitioned into full-time opportunities.

To accommodate this significant staffing demand, we converted our training and storage areas and meeting rooms into office space and we also rented additional office space offsite. We now need to expand our Utica offices once again.

Because our staff are now located in other states, including a growing presence in Alexandria, Virginia supporting our federal operations, there have been discussions about expanding there, however, it is our intent to expand once again here. The economic development incentives offered by OCIDA provide significant reasons for continuing our capital investment at our existing location. These incentives are even more helpful now, as we work against the gravitational pull of building a bigger presence in the DC area.

There are significant benefits to continuing the very positive relationships our company has had over the past three decades in Oneida County. We are proud to do most of our corporate purchasing within Oneida County, including all our banking, insurance, IT support, web development, supplies, printing, etc., as well as our hospitality needs during trainings and corporate events. Many of our owner firms located across the country now have their printed materials, web site development and advertising sourced to Oneida County vendors. We have grown into a major employer and investor in our community, and a visible supporter of local charitable organizations.

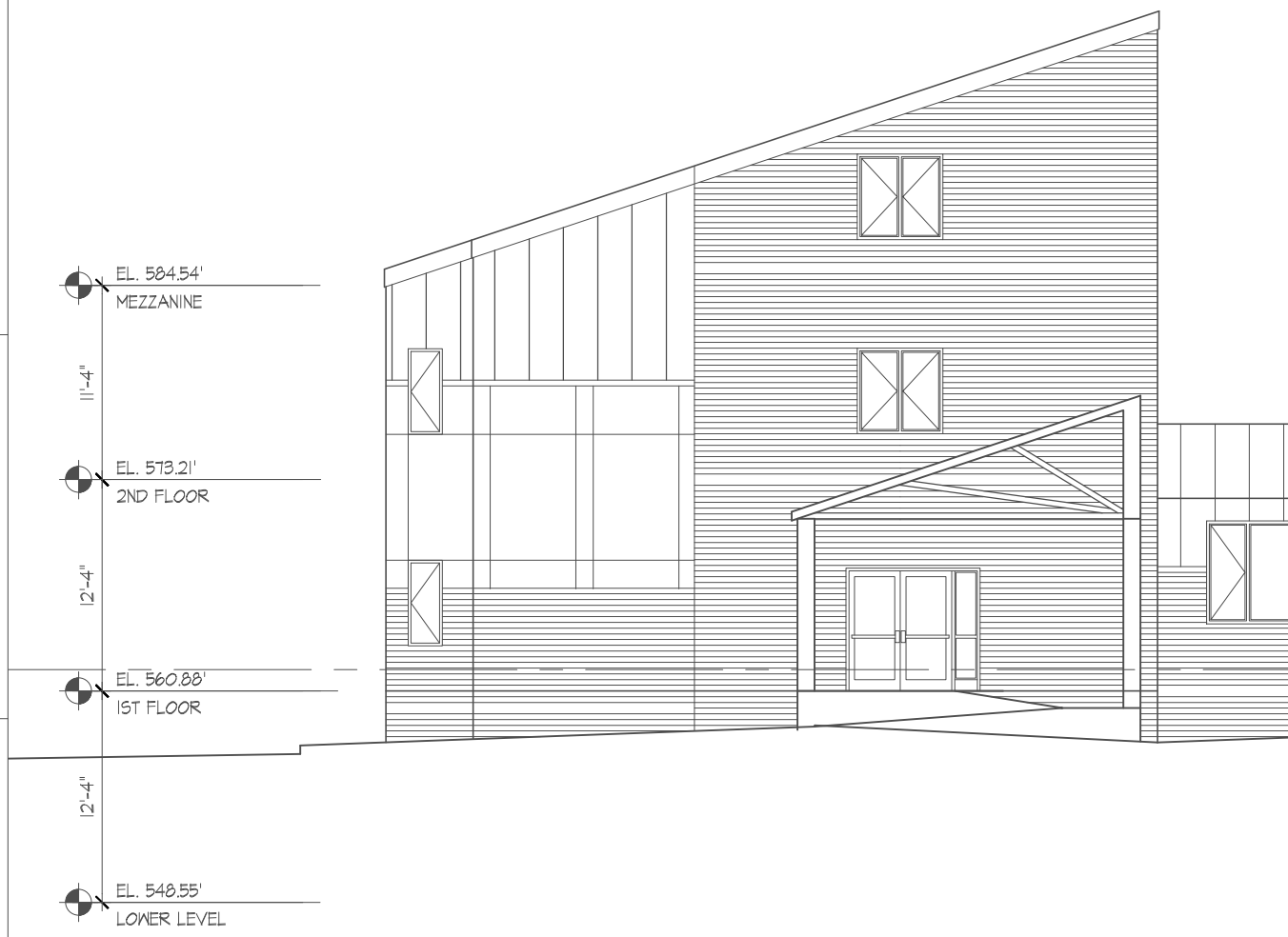
Our project will include a new parking lot abutting Notre Dame High School which we will be leasing to Notre Dame, at no cost, for their parking needs on weeknights, weekends and holidays ; solving a severe parking shortage.

Since our relationship with OCIDA began in 1995, when we only had 8 local staff members, we now employee 44 full time and 3 part time staff locally; in addition to a substantial number of temporary employees, demonstrating the positive impact of OCIDA's prior support.

Once again, we ask for your support for our new expansion, which will allow us to bring our staff back under one roof to work comfortably, and to gain the added capacity to house additional full time and temporary surge staff here in Utica. Also, our project includes the purchase of 25,000 square feet of adjoining land from Notre Dame High School which is tax exempt, thereby adding to the city, county and school tax base.

Thank you for your consideration. Please do not hesitate to contact Ron Cuccaro at 315-272-2144 or at: rcuccaro@rphc.com for additional information.

Schedule C



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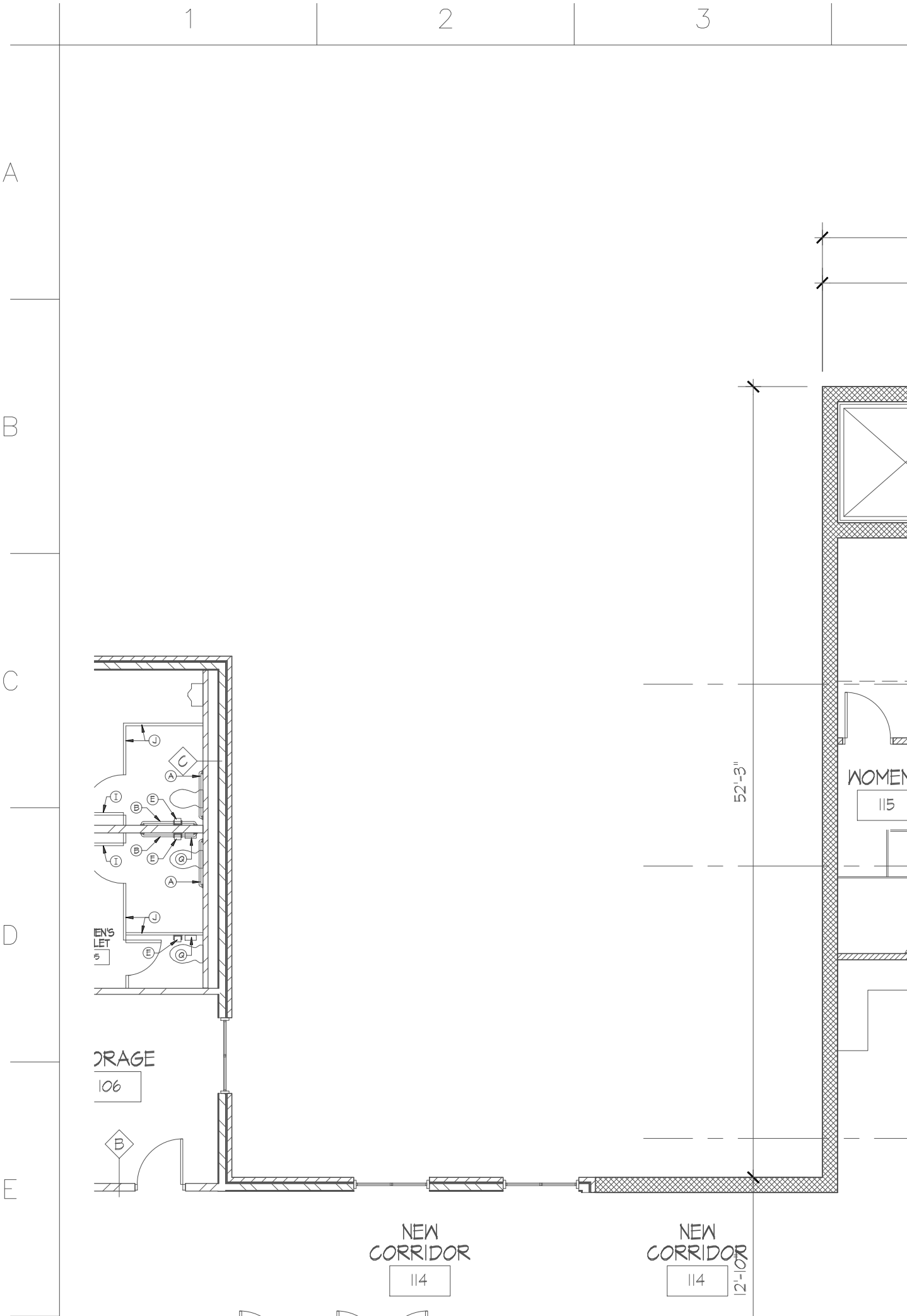
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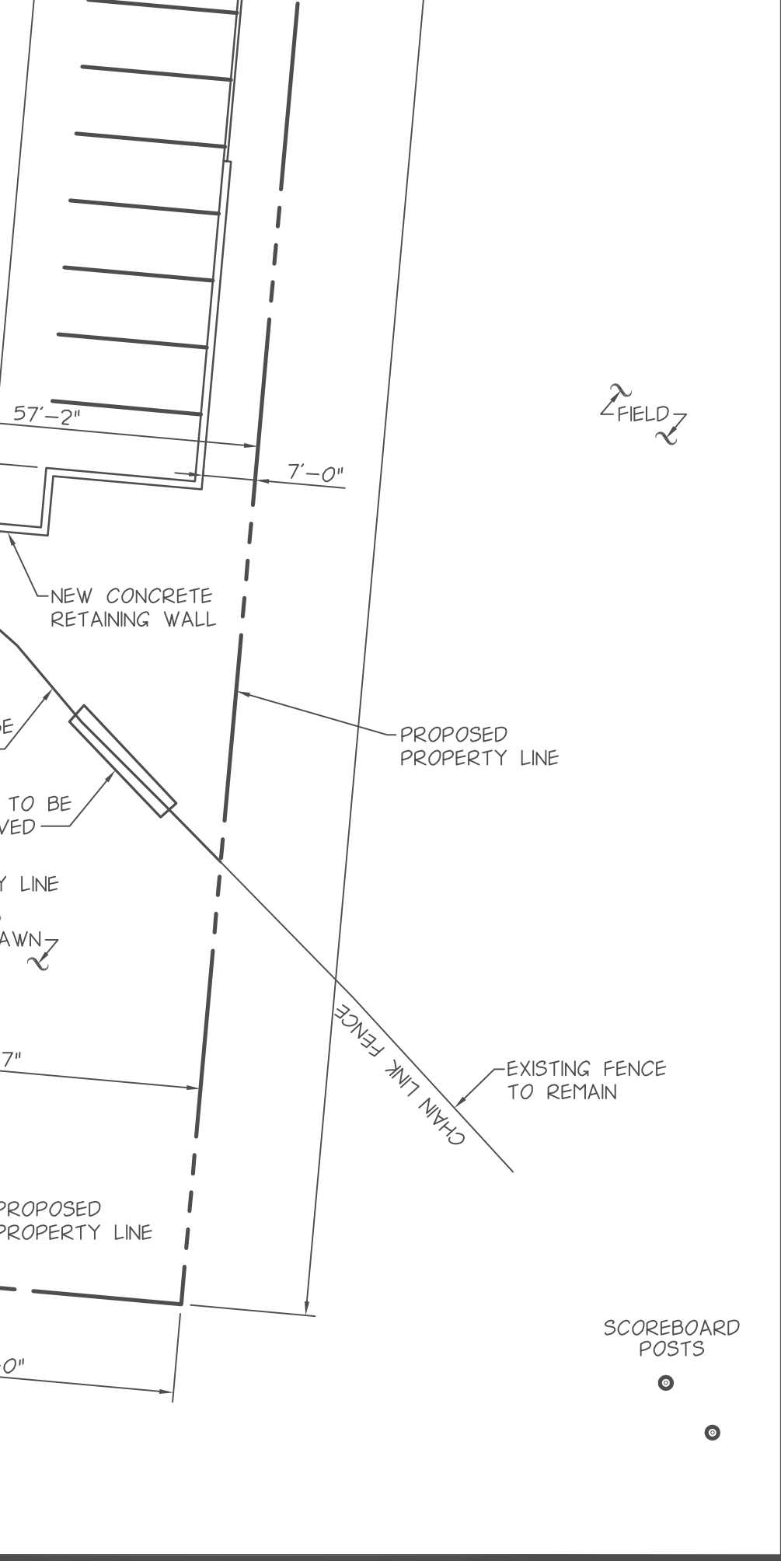

CONSULTANTS:

PROJECT TITLE:
ADDITIONS AND ALTERATIONS TO
ADJUSTERS INTERNATIONAL
126 BUSINESS PARK DRIVE
UTICA, NEW YORK

DRAWING TITLE:
SITE PLAN

REVISION	DATE

SCALE	AS NOTED
DRAWN	MRF
CHECKED	RRE
APPROVED	RRE
DATE	2-21-19
PROJECT	19007

DRAWING NUMBER

C-1