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.

Please submit the original application and sixteen copies.

All applications must be submitted 10 days prior to meeting.

MOHAWK, ADIRONDACK & NORTHERN RAILROAD CORP. and GENESEE & MOHAWK VALLEY RAILROAD CO., INC.

Name of Applicant

Number (to be provided by the agency)

Note to Applicant:

The information requested by this form 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 application and sixteen copies with a check in the amount of \$500.00 made payable to: **Oneida County Industrial Development Agency**, 153 Brooks Road, Rome, New York 13441-1405, Attn.: Shawna M. Papale, Executive Director.

All information contained in this application will be treated confidentially, to the extent permitted by law. Be advised that any action brought before the OCIDA is public information. All agenda's for the OCIDA are issued prior to full agency meetings and posted in public domain

By signing and submitting this Application, the Applicant acknowledges that it received a copy of the Uniform Tax Exemption Policy 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.

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 entity which will receive the actual financial assistance from the Agency.

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1(a) Applicant's Legal Name:	MOHAWK, ADIRONDACK & NORTHERN RAILROAD CORP. (MA&N) and GENESEE & MOHAWK VALLEY RAILROAD		
1(b) Principal Address:	CO., INC. (G&MV) ONE MILL ST. SUITE 101 BATAVIA, NY 14020		
1(c) Telephone/Facsimile Numbers:	585.343.5398		
1(d) Email Address:			
1(e) Federal Identification Number:	MA&N - 16-1391323 G&MV - 16-1435205		
1(f) Contact Person:	JOHN S. HERBRAND, SECRETARY & GENERAL COUNSEL		
1(g) Is the Applicant a	[X] Corporation: If yes, Public []Private [X] If public, on which exchange is it listed?		
	[] Subchapter S		
	[] Sole Proprietorship		
	[] General Partnership		
	[] Limited Partnership		
	[] Limited Liability Corporation/Partnership		
	[] 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 Home Address Social Security No. Ownership

GENESEE VALLEY TRANSPORTATION CO., INC.

ONE MILL ST., SUITE 101, BATAVIA, NY 14020

16-1385987

90

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.

GENESEE VALLEY TRANSPORTATION CO., INC., the parent company of both Applicants, has several other railroad subsidiaries:

Depew, Lancaster & Western Railroad Co., Inc.

Fall Road Railroad Co., Inc.

Lowville & Beaver River Railroad Company

"the" Delaware Lackawanna Railroad Co., Inc.

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:

NO

Applicant's Counsel and Accountant

3(a). Applicant's Attorney

Name/Title:

JOHN S. HERBRAND, ESQ.

Firm:

JOHN S. HERBRAND, ESQ.

Address:

ONE CHASE SQUARE

SUITE 1900

ROCHESTER, NY 14604

Telephone/Fax:

585.295.1562/585.325.6287

E-mail:

jsh@herbrandlaw.com

3(b) Applicant's Accountant

Name/Title:

JAMES BOWERS

Firm:

BOWERS & COMPANY CPAs, PLLC

Address:

12 MONEY TOWER 1, 100 MADISON ST.,

SYRACUSE, NY 13202

Telephone/Fax:

315.234.1100

Business Description

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

OPERATION OF RAILROADS IN ONEIDA COUNTY, NY

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.

THE APPLICANTS, BOTH SHORTLINE RAILROADS, PROVIDE RAIL TRANSPORTATION SERVICES BETWEEN BUSINESSES IN ONEIDA COUNTY AND CSX CORPORATION, THE CLASS I RAILROAD SERVING ONEIDA COUNTY, NEW YORK. IN THE 1990'S, CSX'S PREDECESSOR, CONSOLIDATED RAIL CORPORATION, SOLD ITS LOCAL RAIL TRACK AND OPERATIONS TO THE APPLICANTS BECAUSE DECREASING VOLUMES OF LOCAL RAIL TRAFFIC COULD NOT CONTINUE TO SUPPORT LOCAL RAIL SERVICE BY A CLASS I RAILROAD. SINCE ACQUIRING THE PROPERTIES, THE APPLICANTS HAVE PROVIDED THE ESSENTIAL LINK BETWEEN THE FACTORY "DOCK" AND CSX, BY DELIVERING AND PICKING UP RAIL CARS A VARIOUS LOCATIONS ALONG THEIR LINES AND INTERCHANGING THE RAIL CARS WITH CSX AT UTICA YARD.

Reasons for Project

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

THE SOLE BUSINESS OF THE APPLICANTS IS PROVIDING LOCAL RAIL SERVICE. APPLICANT IS APPLYING FOR RENEWAL OF ITS CURRENT LEASE-BACK AGREEMENT WITH ONEIDA COUNTY INDUSTRIAL DEVELOPMENT AGENCY. THE TAX RELIEF PROVIDED UNDER THE CURRENT LEASE-BACK AGREEMENT IS ESSENTIAL FOR THE LONG TERM VIABILITY OF LOCAL RAIL SERVICE IN ONEIDA COUNTY.

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

THE COMPLETE RELIEF FROM PROPERTY TAXES PROVIDED UNDER THE CURRENT LEASE-BACK AGREEMENT IS ESSENTIAL FOR CONTINUED OPERATION OF THE ABOVE MENTIONED RAIL FACILITIES.

6(c) How will the Applicant's plans be affected if Agency approval is not granted?

WITHOUT TAX RELIEF, FUNDS THAT WOULD OTHERWISE BE USED FOR RAILROAD OPERATIONS (INCLUDING, INTER ALIA, TRACK AND LOCOMOTIVE MAINTENANCE) WILL HAVE TO BE PAID TO THE TAXING JURISDICTIONS THROUGH WHICH THE APPLICANTS' RAILROAD PROPERTIES RUN. MAINTENANCE OF TRACK AND LOCOMOTIVES IS ESSENTIAL TO THE LONG TERM PROVISION OF RELIABLE, COST EFFECTIVE, RAIL TRANSPORTATION SERVICES.

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? [X] Yes [] No			
YORI RAIL APPL LOCA	THE APPLICANTS CANNOT MOVE THEIR RAILROAD PROPERTIES OUTSIDE OF NEW YORK STATE. HOWEVER, IF THE APPLICANTS WERE TO CUT BACK OR CEASE RAILROAD OPERATIONS, ONEIDA COUNTY INDUSTRIES CURRENTLY SERVED BY THE APPLICANTS MIGHT BE FORCED TO MOVE THEIR OPERATIONS TO OUT-OF-STATE LOCATIONS WHERE RAILROAD TRANSPORTATION SERVICES MAY BE LESS EXPENSIVE.			
	Is the proposed project reasonably necessary to preserve the competitive position of the Applicant in its respective industry? [X] Yes [] No If yes, please explain briefly.			
APPL	IF TAX RELIEF IS NOT FORTHCOMING, THE APPLICANTS MAY BE FORCE TO E THEIR RATES FOR PROVIDING RAIL TRANSPORTATION SERVICES, MAKING THE LICANTS LESS COMPETITIVE WITH SHORTLINE RAILROADS IN OTHER COUNTIES STATES THAT DO NOT HAVE TO PAY PROPERTY, SCHOOL AND SPECIAL DISTRICT ES.			
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 [X] No If yes, please explain briefly the reason for the move.			
THE	APPLICANTS ARE NOT SEEKING ANY FINANCING FROM THE AGENCY.			
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)? [X] Yes [] No If yes, please explain (indicate date of benefit, location of facility and outstanding balance).			
	THE CURRENT LEASE-BACK AGREEMENT PROVIDES NECESSARY RELIEF FROM COUNTY AND SCHOOL TAXES.			
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 [X] No If yes, please explain.			

6(h)	Cł	neck	ck all categories best describing the type of project :				
	[]	Manufacturing				
	[]	Industrial Assembly or Service				
	[]	Research and Development				
	[]	Warehousing				
	[]	Commercial or Recreational				
	[]	Pollution Control (specify)				
	[)	X]	Other (specify) RAILROAD TRANSPORTATION ONEIDA COUNTY	ON SERVICES WITHIN			
6(i)	Ch	neck	call categories best describing the scope of the	project:			
	[]	Acquisition of land				
	[]	Acquisition of existing building				
	[]	Renovations to existing building				
	[]	Construction of addition to existing building				
	[]	Demolition of existing building				
[] Construction of a new building							
[] Acquisition of machinery and/or equipment							
	[]	Installation of machinery and/or equipment				
	[)	()	Other (specify) EXTENSION OF CURRENT L	EASE-BACK AGREEMENT			
6(j)	Please indicate the financial assistance you are requesting of the Agency, and protein the estimated value of said assistance.			uesting of the Agency, and provide			
			Assistance	Estimated Value			
	[>	(]	Real Property Tax Abatement	\$			
	[]	Mortgage Tax Exemption	\$			
	[]	Sales and Use Tax Exemption	\$			
	[] Issuance by the Agency of Tax Exempt Bonds \$						

Part III: Facility Information

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

7(a) Street Address of Facility:

RAILROAD YARD IN UTICA, NY; TRACKAGE IN ROME, NY; LINE OF RAIL FROM UTICA. NY TO LYONS FALLS, NY

7(b) City, Town and/or Village:

RAILROAD TRANSPORTATION SERVICES WITHIN ONEIDA COUNTY

(Note: It is important that you list **all** incorporated municipalities in which the facility lies. This information will be used in scheduling a public hearing as required by statute.)

7(c) School District:

SEE ATTACHMENT TO APPLICATION

7(d) Tax Account Number(s):

SEE ATTACHMENT TO APPLICATION

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

7(e) For what purpose was the facility site most recently used (i.e., light manufacturing, heavy manufacturing, assembly, etc.)?

RAILROAD OPERATIONS

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

INDUSTRIAL

7(g) 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. *Please be as specific as possible*.

NOT APPLICABLE

7(h)	Has construction or renovation commenced? [] Yes [] No
	If yes, please describe the work in detail, including the date of commencement.
	THESE ARE EXISTING FACILITIES. NO CONSTRUCTION REQUIRED.
	If no, indicate the estimated dates of commencement and completion:
	Construction commencement:
	Construction completion:
7(i)	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 [X] No If yes, please describe.
7(j)	Will the project have a significant effect on the environment? [] Yes[X] No
	Important: please attach Environmental Assessment Form to this Application.
7(k)	What is the useful life of the facility? 100 years
7(I)	Is the site in an Empire Zone? [] Yes[X] No If yes, which Empire Zone: Is the business Empire Zone certified at this location: [] Yes[] No Attached a copy of the last Business Annual Report filed. If not certified, explain why not:

Facility (Legal Information)

8(a)	With respect to the present owner of the facility, please give the following information: (Note: the present owner is not necessarily the user of the facility, but that party which holds legal title to the facility.)		
	Legal Name:	ONEIDA COUNTY INDUSTRIAL DEVELOPMENT AGENCY	
	Address:		
	Telephone:		
	Balance of Mortgage:	-0-	
	Holder of Mortgage:	N/A	
		he present owner of the facility, please attach any written ets concerning the acquisition of the real property and/or	
8(b)		ip, directly or indirectly, by virtue of common control or through the Applicant and the present owner of the facility? es, please explain.	
8(c)	Will a related real estate hownership structure of the [] Yes [X] No. If y		
8(d)	Will the title owner of the fall [] Yes [X] No. If no,	acility/ property also be the user of the facility? please explain.	
	ONEIDA COUNTY IDA PE APPLICANTS	RESENTLY LEASES THE RAILROAD PROPERTY TO THE	
8(e)	Is the Applicant currently a	a tenant in the facility? [X] Yes [] No	
	APPLICANTS CURRENTI ONEIDA COUNTY IDA.	LY OPERATE THE FACILITY UNDER LEASEBACK FROM	

8(f)	Are you planning to use the entire proposed facility? [X] Yes [] No			
	If no, please give the the facility after the co	_	•	ant(s) which will remain ir
	Name of <u>Tenant</u>	Floors Occupied	Square Feet Occupied	Nature of <u>Business</u>
8(g)	Are any of the tenants [] Yes [X] No If yes, please explain.	related to the owner	of the facility?	
8(h)	[] Yes [X] No	n. Provide detail o	f the contractual a	A be utilizing the facility?
Equip	oment			
9(a)		vailable but prior to		ired as part of the project. esolution, please submit a
	NO EQUIPMENT IS T	O BE ACQUIRED AS	S PART OF THE PR	OJECT.
9(b)		invoices and purch	nase orders, list am	s already been purchased nounts paid and dates of
	NOT APPLICABLE			
9(c)	What is the useful life	of the equipment?	VARIOUS years	3
Part I	V: Employment Inform	nation		
10(a)	Estimate how many cresult of this project.	onstruction and per	manent jobs will be	created or retained as a

Construction Jobs -0-

Permanent Jobs to be created by Project at Applicant's facility -0-

Permanent Jobs to be retained by Project at Applicant's facility 12 FULL AND PART

TIME JOBS

10 (b) What is the applicant entity's current level of employment in Oneida County at the time of application.

At location to be assisted with the requested IDA benefits 12

Other locations in Oneida County

-0-

APPLICANTS PROVIDE RAIL SERVICE TO A NUMBER OF INDUSTRY FACILITIES LOCATED ALONG THEIR RAIL LINES. IT IS ESTIMATED THAT THE TOTAL EMPLOYMENT AT THOSE FACILITIES IS APPROXIMATELY 1050. RECENTLY, THE APPLICANTS PLAYED A PIVOTAL ROLE IN THE DECISION BY EAST COAST OLIVE OIL CORPORATION TO REMAIN AND EXPAND IN ONEIDA COUNTY (AT ROME) RATHER THAN MOVING ITS OPERATIONS TO NEW JERSEY. EAST COAST OLIVE OIL'S CURRENT TOTAL EMPLOYMENT IS ABOUT 125 AND IS EXPECTED TO INCREASE TO ABOUT 135 UPON COMPLETION OF CONSTRUCTION OF ITS NEW FACILITY IN ROME, NEW YORK. BUT FOR THE APPLICANTS' WILLINGNESS WORK WITH ONEIDA COUNTY AND TO MAKE CERTAIN CONCESSIONS TO EAST COAST OLIVE OIL, THESE JOBS WOULD HAVE BEEN LOST TO ONEIDA COUNTY.

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Part V: Estimated Project Cost and Financing

11(a) List the costs necessary for the construction, acquisition or renovation of the facility. Do **not** include working capital needs, moving expenses, work in progress, stock in trade, Applicant's debt repayment, real estate broker fees or your legal fees.

NOT APPLICABLE. APPLICANTS CURRENTLY OCCUPY THE FACILITY UNDER LEASEBACK FROM THE ONEIDA COUNTY IDA.

Acquisition of Land		
Acquisition of Building(s)		
Renovation Costs		
New Construction of Build	ings	
Machinery and Equipment (other than furniture costs)		
Fixtures		
Installation Costs		
Fees (other than your own broker and legal fees)		
Legal Fees (IDA legal fees Applicant legal fees)		
Architectural/Engineering		
Interest on Interim Financi	ng	(
Other (specify)	<u> </u>	
	Subtotal	
	Agency Fee ¹ Commitment Fee	\$1,000.00
	Total Project Cost	

¹See Attached Fee Schedule (Page 19) for Agency Fee amount to be placed on this line

11(b) Agend		of the Total Project C	cost is the Applicant re	questing financing by the
	NONE			
Real l	Estate Taxes			
12(a)		arcel which comprises to om the most recent tax		e the following information,
Tax A	cct#	Current Assessed Value (Land)	Current Assessed Value (Building)	Real Estate Taxes
12(b)	Address of Rec	eiver of Town and/or Vi	llage Taxes:	
12(c)	Address of Rec	eiver of School Taxes:		
12(d)		etion of the proposed pels named above? [ase of the assessment of

If yes, please indicate which tax account numbers will be affected.

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? [] Yes [X] No
	If yes, please provide details.
	FINANCING NOT REQUIRED
13(b)	Has the Applicant received a commitment letter for said financing? [] Yes [] No
	If yes, please submit a copy of said commitment letter along with this Application.
	NOT APPLICABLE
13(c)	Please complete the Cost/Benefit Analysis form and attach to this Application.

REPRESENTATIONS AND CERTIFICATION BY APPLICANT

The undersigned requests that this Application be submitted for review to the Oneida County Industrial Development Agency's 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 Reports**. 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 people employed at the project site as well as tax benefits received with the action of the OCIDA.
- 3. Absence of Conflict 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 herein after described:
- 4. Hold Harmless. Applicant hereby releases Oneida County Industrial Development Agency and the members, officers, servants, agents and employees thereof (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 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 OCIDA has disclosed that the actions and activities of the OCIDA 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.

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.

GENESEE & MOHAWK VALLEY RAILROAD CO., INC.

(Applicant)	
By:	
Name: JOHN S. HERBRAND	
Title: SECRETARY & GENERAL COUNSEL	
Date: 6 March 20/2	
If the application has been completed by or in part by signing this application for the applicant please indicate w	
By:	
Name:	
Title:	
Date:	W.

Return the original and <u>sixteen copies</u> of the application with a check in the amount of \$500.00 made payable to: **Oneida County Industrial Development Agency**, 153 Brooks Road, Rome, New York 13441-1405, Attn.: Shawna M. Papale, Executive Director.

Agency Fee Schedule

<u>Commitment Fee:</u> \$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 legal closing fees.

Bond Fees:

½ of 1% of total bond amount

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

- o 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.
- O Above \$10.0 Million project $-\frac{1}{2}$ of 1% of total project cost up to \$10.0 Million plus incremental increase of $\frac{1}{4}$ of 1% of total project above \$10.0 Million.

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).

Agency Counsel fees in Bond and non bond transactions will not normally exceed the greater of (a) 2% of the Bond amount or project costs or (b) a minimum is in customary transactions \$6.500 to \$8.500.

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 \$500. This amount is due on the anniversary date of the first date of the month in which the IDA documents we executed. 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:

For an IDA property which requires follow up action – a 1/8 of one percent of the total reissuance, redemption, new or revised mortgage, refinancing, spreading agreement or other transaction requiring action of the IDA shall be 1/8 of one percent of total project amount for a minimum payment to the IDA of \$500.

Revised 4-26-11

ONEIDA COUNTY INDUSTRIAL DEVELOPMENT AGENCY COST/BENEFIT ANALYSIS Required by §859-a(3) of the New York General Municipal Law

TO BE ATTACHED TO AND MADE PART OF APPLICATION TO THE OCIDA

	OCIDA
NAME OF APPLICANT:	MOHAWK, ADIRONDACK & NORTHERN RAILROAD CORPORATION;
	GENESEE & MOHAWK VALLEY RAILROAD CO., INC.
DESCRIPTION OF PROJE	ECT: PROVISION OF SHORTLINE RAIL SERVICE WITHIN ONEIDA COUNTY
NAME OF ALL SUBLESSE OTHER OCCUPANTS OF F	
PRINCIPALS OR PARE	ENT OF APPLICANT: GENESEE VALLEY TRANSPORTATION CO., INC.
PRINCIPALS OF ANY SUB OR OCCUPANT:	LESSEE
PRODUCT/SERVICES:	RAIL SERVICE TO INDUSTRIES IN ONEIDA COUNTY
ESTIMATED DATE OF CO	MPLETION OF PROJECT:
EXISTING	PROJECT
ΓΥΡΕ OF FINANCING/STR	UCTURE: Tax-Exempt Financing
	Taxable Financing

	Sale/Leaseback
	Other
NO FINANCIN	IG REQUIRED
TYPES OF BENEFITS RECEIV	/FD·
	<u> </u>
Taxable Financing	
Tax-Exempt Bonds	
Sales Tax Until Completio	n Date
Mortgage Tax Abatement	
XX Real Property Tax Abatem	nent
PROJECT COSTS - CAPITAL	INVESTMENT
Land	Cost per Acre
Existing Building	a
Rehab of Existing Building	
Construction of New Building	Cost per Sq Ft.
Addition or Expansion Engineering and Architectural F	Cost per Sq Ft
Equipment	Cost per Sq Ft
Legal Fees	
Bank, Bond, Transaction, Co	mpany,
Credit Provider, Trustee Finance Charges	
Title Insurance, Environment	al
Review, Bank Commitment F	
Appraisals, etc.	 8
Agency Fee	<u></u> v
TOTAL COST OF PROJECT	-0-
Job Revolving Fund Loan).
Other Grants or Loans	

COMPANY INFORMATION

EARNINGS INFORMATION

Existing Jobs	12	County Spec Average Direct Jobs	\$
Created Jobs (Year 3)	(County Spec Average Indirect Jobs	\$
Retained Jobs	12	County Spec Average Construction John	bs \$
MULTIPLIER INFO	RMATION		
Indirect Job Rate 2.5	MULTIPLIEF	R RATE LIKELY IS GREATER THAN	2.5 FOR
	THIS PROJ	ECT. IT IS ESTIMATED THAT COM	IPANIES
	SERVED E	BY THE APPLICANTS WITHIN	ONEIDA
	COUNTY E	MPLOY 1050 PERSONS. WITHOU	JT RAIL
	SERVICE, M	MANY OF THESE JOBS WOULD DISA	PPEAR.
	RECENTLY,	THE APPLICANTS WERE INSTRUI	MENTAL
	IN THE DE	CISION BY EAST COAST OLIVE	OIL TO
	REMAIN IN	ONEIDA COUNTY AND NOT TO REI	LOCATE
	IN NEW JEF	RSEY, SAVING UP TO 135 JOBS FOR	ONEIDA
	COUNTY.	ADDITIONALLY, MANY MANUFACT	FURERS
	WILL NOT	CONSIDER LOCATING NEW FACILI	TIES IN
	LOCATIONS	WITHOUT RAIL SERVICE.	
Sales Tax Rate (9.5%))		
Mortgage Tax Rate (1º	%)		
Assumed Real Prope	erty Tax Rate Pe	er Thousand for Municipality where p	roject is
ocated:			
Assumed Real Proper	ty Assessment o	f facility where IDA assistance is being	sought:
Assumed NYS Income	Tax rate on earn	ings 4.25%:	
Note : \$1,000,000 in	construction ex	kpenditures generates 15 person – y	years of

CALCULATION OF BENEFITS (3 – YEAR PERIOD)

NYS PERSONAL INCOME TAX RECEIVED

	<u>Total Earnings</u>	Revenues
Direct Jobs Created Existing		
Indirect Jobs Created Existing		
Construction Person Years		
TOTALS		

TAXABLE GOODS AND SERVICES

<u>S</u> p	ending Rate	Expenditures S	tate and Local Sales Tax Revenues (Expenditure Column x .0825)
Direct Jobs			
Created (lotal earnings for direct jobs created x ,36)	36.0%		
Existing (total earnings for direct jobs existing x .36)	36.0%		
Indirect Jobs			
Created (total earnings for indirect jobs created x .38)	36.0%		
Existing (total earnings for indirect jobs existing x .38)	36.0%		
Construction			
Person yrs. (total earnings for construction person yrs.	×,38) 36.0%	• = = = = = = = = = = = = = = = = = = =	
Totals		()	
Local (3 year) real property tax benefit (assuming% of jobs existing and created own a residence) with an average assessment of \$ and the remainder of jobs existing created pay real property taxes through rent based on an average assessment per apartment of \$			
Real Property Taxes Paid	\$		

COSTS

Real Property Taxes Abated on Improvements Only (3-year period)	\$
Mortgage Tax Abated	\$
Estimated Sales Tax Abated During Construction Period	\$

NOTE: If there is a tax-exempt financing of all or a portion of the project cost, there is a neutral cost/benefit because of lower interest rates by reason of exclusion of interest from gross income of bondholders for purposes of Federal and State income taxes. Taxable financing carries the same cost/benefit for State Income Tax purposes. Such cost/benefits cannot be quantified.

ONEIDA COUNTY INDUSTRIAL DEVELOPMENT AGENCY COST/BENEFIT ANALYSIS Required by §859-a(3) of the New York General Municipal Law

Name of Applicant:	MOHAWK, ADIRONDACK & NORTHERN RAILROAD CORP. & GENESEE & MOHAWK VALLEY RAILROAD CO., INC.		
Description of Project:	PROVISIONS OF SHORTLINE RAIL SERVICE WITHIN ONEIDA COUNTY		
Name of All Sublessees or Other Occupants of Facility:	NONE		
Principals or Parent of Applicant:	GENESEE VALLEY TRANSPORTATION CO., INC.		
Products or Services of Applicant to be produced or carried out at facility:	RAIL SERVICE TO INDUSTRIES IN ONEIDA COUNTY		
Estimated Date of Completion of Project:	EXISTING PROJECT		
Type of Financing/ Structure:	Tax-Exempt Financing Taxable Financing x Sale/ Leaseback Other:		
Type of Benefits being Sought by Applicant:	Taxable Financing Tax-Exempt Bonds Sales Tax Exemption on Eligible Expenses Until Completion Mortgage Recording Tax Abatement X Real Property Tax Abatement		

Project Costs

Land Existing Building Existing Bldg. Rehab Construction of New Building Addition or Expansion Engineering/ Architectural Fees Equipment	0	
Legal Fees (Bank, Bond, Transaction, Credit Provider, Truste	ee	IDA legal fees 8500 to 10500
Finance Charges (Title Insurance, Environmental Review, Bank Commitment Fee, Appraisal, Etc.) Agency Fee Other (provide detail) Commitment fee TOTAL COST OF PROJECT Assistance Provided by the Following:	5000 1000 5000	refundable at closing
EDGE Loan: MVEDD Loan: Grants - Please indicate source & Amount: Other Loans - Please indicate source & Amount:	0 0 0	

Ah

Company Information

Existing Jobs	12
Created Jobs (over three years)	
Retained Jobs	12

	Average Salary of these Positions
650 per week	33800
	0
	33800

Earnings Information for Oneida County

Average Salary of Direct Jobs for Applicant	33800
Average of County Indirect Jobs	25000
Average of Construction Jobs	32000

THE DIRECT-TO-INDIRECT JOB MULTIPLIER RATE LIKELY IS GREATER THAN 2.5 FOR THIS PROJECT. IT IS ESTIMATED THAT COMPANIES SERVED BY THE APPLICANTS WITHIN ONEIDA COUNTY EMPLOY 1050 PERSONS. WITHOUT RAIL SERVICE, MANY OF THESE JOBS WOULD DISAPPEAR. SEVERAL YEARS AGO THE APPLICANTS WERE INSTRUMENTAL IN THE DECISION BY EAST COAST OLIVE OIL TO REMAIN IN ONEIDA COUNTY AND NOT TO RELOCATE IN NEW JERSEY, SAVING UP TO 135 JOBS FOR ONEIDA COUNTY. ADDITIONALLY, MANY MANUFACTURERS WILL NOT CONSIDER LOCATING NEW FACILITIES IN LOCATIONS WITHOUT RAIL SERVICE.

Note: \$1,000,000 in construction expenditures generates 22 person - years of employment Construction Person Years of Employment:

Sh

Calculation of Benefits (3 Year Period) **Total Earnings** Revenues **Direct Jobs** Created Existing 1216800 51714 Indirect Jobs Created Existing 2250000 95625 Construction Person Years **TOTALS Calculation of Benefits (3 Year Period)** 3466800 147339 **TAXABLE GOODS & SERVICES** State & Local Sales Tax Spending Rate Expenditures Revenues

Created

Existing

Created

Existing

Person Years

36%

0.36

0.36

0.36

0.36

Direct Jobs

Indirect Jobs

Construction



42709.68

78975

121685

438048

810000

1248048

TOTAL TAXABLE GOODS & SERVICES

Local (3 year) real property tax benefit (assuming 60% of jobs existing and created own a residence) with an average assessment of \$80,000 and the remainder of jobs existing created pay real property taxes through rent based on an average assessment per apartment of \$50,000.

		432000
Tax Rate for School District where facility is located:	32.32	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
Tax Rate for Municipality where facility is located:	2.27	
Tax Rate for County:	9.54	
Real Property Taxes Paid: 4024	6.6	480000
COSTS:		
Real Property Taxes Abated on Improvements Only (3 yr. Period):		Amount or Taxes that would be abated by applying PILOT.
Mortgage Tax Abated (1.0%) Estimated Sales Tax Abated During Constructions Period (.9%)	0	(40% of the construction and Rehab costs times the NYS & Local Sales tax)

NOTE: If there is a tax-exempt financing of all or a portion of the project cost, there is a neutral cost/benefit because of lower interest rates by reason of exclusion of interest from gross income of bondholders for purposes of Federal and State income taxes. Taxable financing carries the same cost/benefit for State Income Tax purposes. Such cost/benefits cannot be quantified.

SECRETARY Mohank of Morther Mohank, Adriand Corp. May Railroad Corp. Maley Railroad Co., Inx.

14 - 16 - 4(287) - Text 12

PROJECT I.D. NUMBER

617.21 Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by A	oplicant or Project sponsor)			
1. APPLICANT/SPONSOR MOHAWK, ADIRONDACK & NORTHERN RAILROAD CORP.	2. PROJECT NAME LEASE-BACK AGREEMENT RENEWAL			
GENESEE & MOHAWK VALLEY RAILROAD CO., INC.	¥ ***			
3. PROJECT LOCATION: Municipality VARIOUS LOCATONS WITHIN O	NEIDA County			
4. PRECISE LOCATION (Street address and road intersections, prominent la				
THE RAILROAD PROPERTY IS LOCATED IN TO VILLAGES OF BOONVILLE, REMSEN AND HOLLA BOONVILLE, STEUBEN, TRENTON AND MARCY	HE CITIES OF ROME AND UTICA; THE ND PATENT; AND THE TOWNS OF			
5. IS PROPOSED ACTION: New Expansion Modification	EXTENSION OF PILOT PROGRAM			
6. DESCRIBE PROJECT BRIEFLY:				
THE PROJECT IS THE CONTINUATION OF RAIL COUNTY BY PROVIDING TO THEM THE NECESS/RAILROAD NETWORK.	SERVICE TO INDUSTRIES IN ONEIDA ARY CONNECTION TO THE NATIONWIDE			
7. AMOUNT OF LAND AFFECTED: Initially APPROX. 450 acres Ultimately APPRO	DX. 450 acres			
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHE XX Yes No If No, describe briefly	ER EXISTING LAND USE RESTRICTIONS?			
The line, describe bliefly	8			
WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? Residential Industrial Commercial Agriculture Describe: Planned Development Aviation	Park/Forest/Open space Other			
ALL OF THE ABOVE. THE RAIL LINES WERE ORIGINALLY BUILT BETWE	EN 1839 AND 1872.			
10. Does Action Involve A Permit Approval, Or Funding, Now Or Ultimately From Any Other Governmental Agency (Federal, State Or Local)? Yes XX No If Yes, List Agency Name And Permit/Approval Building And Occupancy Permit From City Of Rome, NY.				
NO				
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PER	RMIT OR APPROVAL?			
XX Yes No If yes, list agency name and permit/approval				
BOTH APPLICANTS HAVE OPERATING AUTHORITY FROM THE UNITED STATES SURFACE TRANSPORTATION BOARD (STB).				
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPR	OVAL REQUIRE MODIFICATION?			
I CERTIFY THAT THE INFORMATION PROVIDED ABO	OVE IS TRUE TO THE BEST OF MY KNOWLEDGE			
Application/sponsor Name: MOHAWK, ADIRONDACK & NO	K VALLEY RAILROAD CO., INC.			
Com sel				
Signature: /// Signature:	1 loneur			

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

	12? If yes, coordinate the review process and use the FULL EAF.
☐ Yes ☐ No WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLI	STED ACTION IN SNYCER PART 617.62 If No. a negative declaration
ay be superseded by another involved agency.	OTED NOTION IN ONTO MA, I MAN OTTO I I MO, A MOGRANO ACCIDINATION
∐ Yes	
COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH C1. Existing air quality, surface or groundwater quality or quantity, noise levels, erosion, drainage or flooding problems? Explain briefly:	THE FOLLOWING: (Answers may be handwritten, if legible) existing traffic patterns, solid waste production or disposal, potential for
C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural re	sources; or community or neighborhood character? Explain briefly:
C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or	threatened or endangered species? Explain briefly:
•	
C4. A community's existing plans or goals as officially adopted, or a change in u	se or intensity of use of land or other natural resources? Explain Briefly:
C5. Growth, subsequent development, or related activities likely to be induced by	y the proposed action? Explain briefly:
C6. Long term, short term, cumulative, or other effects not identified in C1-5? Ex	xplain briefly:
, n	
C7. Other impacts (including changes in use of either quantify or type of energy)	? Explain briefly:
	8
WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARAC	TERISTICS THAT CAUSED THE ESTABLISHMENT OF A CEA?
Yes No	
IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POT	ENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
T III – DETERMINATION OF SIGNIFICANCE (To be completed by Agen NSTRUCTIONS: For each adverse effect identified above, determine visignificant. Each effect should be assessed in connection with its (a) substituted in the second of the second	whether it is substantial, large, important or otherwise setting (i.e. urban or rural); (b) probably of occurring; (c) necessary, add attachments or reference materials. Ensure
Check this box if you have identified one or more potent	ially large or significant adverse impacts which MAY
	ne information and analysis above and any supporting T result in any significant adverse environmental impa
Type text	
Name of Lear	d Agency
Print or Type Name of Pennancible Officer in Land Assess	Title of Popposible Office
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Prepared (If different from responsible officer)

OPERAII	NG INCOME STATE	MENT DE	SEMBER 2010
	ONEIDA COUNTY		10.0
SALES			YTD Postings
	Switching Settleme	nt	
			•
	SWITCHING	MAN	\$914,706
			1
Total Switching	Settlement		\$914,706
	Other Income	***************************************	
-	DEMURRAGE	MAN	\$16,595
	REIMBURSEMENTS	MAN	\$158,527
	FLAGGING	MAN	\$6,630
	SWITCH CHARGE	MAN	\$14,956
101125	LICENSE FEES	MAN	\$19,154
	MISCELLANEOUS	MAN	\$2,882
7000			
Total Other Inco	ome		\$218,744
Total SALE	5		\$1,133,450

EXPENSES			
AU	Malutanana Of May		A STATE OF THE STA
***************************************	Maintenance Of Way		
	WAGES	MAN	\$186,446
	CONTRACTED SERVICES	MAN	\$27,045
	INSURANCE	MAN	\$11,363
	EQUIPMENT FUEL	MAN	\$19,817
	REPAIRS AND MAINT.	MAN	\$79,994
	RENTAL EXPENSE	MAN	\$3,300
	DEPRECIATION	MAN	\$8,138
Patal Malutanan	ON O		\$336,103
Total Maintenan	ce Of way		\$330,103
		nent	
710	WAGES	MAN	\$70,020
	TOOLS AND SUPPLIES	MAN	\$31,461
	RENTAL EXPENSE	MAN	\$859
""	REPAIRS AND MAINT.	MAN	\$62,572
	DEPRECIATION, MAINT. OF	EMAN	\$27,400
ratal Maintan	on Of Equipment		\$400.242
i otai waintenan	ce Of Equipment		\$192,312
	Transportation		
	WAGES	MAN	\$103,782
	LOCOMOTIVE FUEL	MAN	\$97,538
	CAR HIRE	MAN	\$42,879
	RENTAL EXPENSE	MAN	\$88,092
	OPERATING FEES	MAN	\$35,922
Total Transporta	ition		\$368,213
	General & Administration	on	
	CALABIES ABAULUSTRATIVE		205.040
	SALARIES ADMINISTRATIVE		\$85,818
	ADMINISTRATIVE FEES	MAN	\$140,280
	LEGAL FEES	MAN	\$11,045
	OFFICE SUPPLIES	MAN	\$2,391
	LIABILITY INSURANCE	MAN	\$31,635
	TRAVEL	MAN	\$8,235
	TELEPHONE & UTILITIES	MAN	\$36,586
	MEALS & ENTERTAINMENT	MAN	\$1,410
	DUES, LICENSES, FEES	MAN	\$4,532
T	HUMAN RESOURSE MANAG		\$2,727
	CONTRIBUTIONS	MAN	\$772
	MISCELLANEOUS	MAN	\$1,535
	PROPERTY TAXES	MAN	-\$3,175
Total General &	Administration		\$323,790
r-4-1 EVDEN)		4,000
Total EXPENS		-	\$1,220,417
net income fr	om Operations		-\$86,967

OI LIVIIII	G INCOME STATE			
	ONEIDAGGGATA			(0)
SALES			YTD Postings	
	Switching Settleme	ent		
	SWITCHING	GMV	\$43,020	
Total Switching S	ettlement		\$43,020	<u> </u>
	Other Income			
	MISCELLANEOUS	GMV	\$0	
Total Other Incon	ne ne		\$0	
Total SALES			\$43,020	
EXPENSES				
	Maintenance Of W	/ay		
Total Maintenanc			\$0	
	Maintenance Of Equ	ipment	·····	
	DEPRECIATION, MAINT.	OF EQUIPMENT	\$1,637	
Total Maintenanc	e Of Equipment		\$1,637	
	Transportation -		1	
Total Transportat	ion		\$0	
	General & Administ	ration		
	PROPERTY TAXES	GMV	\$65	
Total General & A	administration		\$65	
Total EXPENS			\$1,702	
Net Income fro	om Operations		\$41,318	-

R	Δ	T	F	S
	_		_	u

TOWN	COUNTY (2011)	TOWN	HIGHWAY VILLAGE CI	TY SCHOOL DISTRIC (2011-2012)	т
Marcy Marcy	9.078575	0	0.838952	Whitesboro Holland Patent	28.141504 26.8509
Trenton Trenton	10.33708	0.424652	1.048743 Holland Patent	Holland Patent Remsen Holland Patent	30.2078 33.818646 30.2078
Boonville	10.265619	0	1.267361	Adirondack	22.16159
Remsen	10.009692	1.284189	1.311293	Remsen	33.29836
Steuben	6.855838	0.837465	5.1917	Remsen	21.86256
Rome(city) Utica(city)	8.873425 8.953119			19.57 Rome	

ASSESSMENTS

TOWN	PARCEL#		ASSESSED VALUE	ACRES	FULL MARKET VALUE
MARCY	315-768-4800				
304400) 277.000-1-43) 744.000-1-1		\$801,600 \$647,590	110.07 ?	\$1,113,333 \$899,431
BOONVILL	E 315-943-2052				
30260° 30260° 302689	033.006-3-49 033.006-3-88 033.006-4-8 0048.000-1-4 0084.000-2-19	village, MAN village, IDA village, IDA town, MAN town, MAN	\$25,000 \$10,000 \$5,600 \$1,800,000 \$50,000	13.44 2 2.81 95.03 0.25	\$396,825 \$15,873 \$8,890 \$2,857,143 \$79,365
TRENTON	315-896-2664				
30580	I 228.005-2-11	vill. Holland Pat	\$60,233	1	\$94,114

3058	07 159.011-1-12	vill. Remsen	\$9,516	1.1	\$14,869
3058	89 194.000-2-33.1		+ - , - · ·		ψ11,000
3058	89 194.000-2-54	village, Hol. Pat	\$6,000	6	\$9,375
3058	89 227.000-1-49		\$88,321	12.1	\$138,002
3058	89 658.007-3-1				,
3058	89 658-089-5-1				
3058	89 177.000-1-58				
REMSEN	315-831-5558				
2050	00 404 000 4 04				
	89 121.000-1-31	5			
	89 140.000-1-3	vill. Remsen			
	89 752.089-4-1	town Remsen			
	89 752-089-4-2	town Remsen			
	201 140.019-1-17	vill. Remsen			
	01 652.001-3-1 01 752.001-1-1	vill. Remsen vill. Remsen			
3032	.01 732.001-1-1	vIII. Remsen			
STEUBE	N 305-865-5087		active parcels no as	ssessment, no tax bills	
			addive parecie, no a	occomon, no tax biis	
3056	00 756.000-1-1				
3056	600 756.000-1 - 2				
3056	600 756.000-1-3				

305600 756.000-1-4 305600 756.000-1-5 305600 756.000-1-6 305600 756.000-1-7 305600 756.000-1-9 305600 756.000-1-10 305600 756.000-1-11 305600 756.000-1-12 305600 756.000-1-12 305600 756.000-1-14 305600 756.000-1-14

CITY

ROME

243.017-1-5.1	\$56,522
002.013-76-2	\$8,695
242.074-2-20	\$24,400
259.002-1.2.3	\$38,875
222.000-1-92	\$47,315
242.048-1-22	\$82,309
222-000-1-67	\$21,739

UTICA

178572 17-239170