



Meeting Notice

TO: Agency Members

FROM: Kenneth F. Rose, Chief Executive Officer

DATE: January 10, 2022

RE: MCIDA Organizational and Regular Meeting

The organizational and regular meetings of the Montgomery County Industrial Development Agency is scheduled for January 13, 2022 at 4:30 p.m. at 9 Park Street, Fonda, NY in the Agency's Conference Room. A Governance Committee Meeting will be held at 4:15 p.m. prior to the Organizational Meeting.

Please call Vincenzo at 853-8334 between 8:30 a.m. and 4:00 p.m. if you have any questions.

cc:	A. Joseph Scott, III, Esq. Montgomery Co. Legislature DPW	The Recorder AIDA Members Courier Standard
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Montgomery County Industrial Development Agency
Meeting
January 13, 2022

AGENDA

- I. Call to Order
- II. Minutes-October 14, 2021
 - A. Governance Committee Meeting
 - B. Regular Board Meeting
- III. Communications
- IV. Public Comments
- V. Chair's Report
- VI. Director's Report
 - A. Year End Project Monitoring Update
- VII. Financial Report
 - A. Revolving Loan Fund
- VIII. Marketing Report
- IX. Unfinished Business
- X. New Business
 - A. Annual Board of Directors Evaluation
 - B. Financial and Gift Disclosure Forms
 - C. County Administrative Services-Action Item
 - D. Application (Daim Logistics Expansion)-Action Item
 - E. Vida Blend-Action Item
- XI. Adjournment

MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY
Governance Committee Meeting Minutes
October 14, 2021

MEMBERS PRESENT:

Matthew Beck, Chair
Mark Kowalczyk, Member

STAFF MEMBERS PRESENT:

Kenneth Rose, Chief Executive Officer
Sheila Snell, Chief Financial Officer
Vincenzo Nicosia, Ec. Development Specialist
Andrew Santillo, Staff Assistant

I. Call to Order

The meeting was called to order by Chairperson Beck at 4:15 p.m.

II. 2022 Proposed Budget

Chairperson Beck states that the only agenda item for the committee is to review the proposed 2022 MICDA Budget.

Ms. Sheila Snell states that the proposed budget is in the board members' packets. She explains that this is the outline that is required by the Authorities Budget Office (ABO), with revenues laid out on the first page and expenditures on the other page. The budget projects out five years. There aren't any major changes in this budget.

Chairperson Beck makes a motion which is seconded by Mark Kowalczyk, to bring this budget forward to the full Agency board with a positive recommendation. All members present were in favor.

III. Adjournment

A motion was made by Chairperson Beck, seconded by Mark Kowalczyk, to adjourn the meeting at 4:20 p.m. All members present were in favor.

Respectfully submitted,

Andrew Santillo
Economic Development Staff Assistant

**Montgomery County Industrial Development Agency Meeting
October 14, 2021
Meeting Minutes**

MEMBERS PRESENT:

Matthew Beck, Chair
Carol Shineman, Vice-Chair
Mark Kowalczyk, Member
Laurie Weingart, Secretary (via Zoom)
Amanda Auricchio, Esq., Member (via Zoom)

STAFF MEMBERS PRESENT:

Kenneth F. Rose, Chief Executive Officer
Sheila Snell, Chief Financial Officer
Vincenzo Nicosia, Economic Dev. Specialist
Andrew Santillo, Staff Assistant

ABSENT:

Cheryl Reese, Member

OTHERS PRESENT:

I. Call to Order

The meeting was called to order by Chairman Beck at 4:34 p.m.

II. Minutes

A motion was made by Carol Shineman, seconded by Mark Kowalczyk, to approve the meeting minutes from the IDA regular meeting of September 9, 2021. All members present were in favor.

III. Communications

There were no communications.

IV. Public Comments

There was no public comment.

V. Chair's Report

Chairman Beck reports that Robert Harris has resigned from the board. Chairman Beck thanks Bob for everything he has done for the board. He has given a lot to the Agency, done a great job and has been a great addition to the board. He also has an unmatched attention for details. The Agency will miss Bob and we will be looking for a replacement.

VI. Director's Report

There was no Director's Report.

VII. Financial Report

A. Financial Report

Ms. Sheila Snell said that the financial report is included in the Agency board members' packets. She lets the Agency board members know that we received the annual Beech-Nut PILOT payment and checks have been dispersed to municipalities. A motion was made by Mark Kowalczyk, seconded by Carol Shineman, to approve the transaction report for September. All members present were in favor.

B. Revolving Loan Fund

Ms. Sheila Snell said that the Revolving Loan Fund is included in the Agency board members' packets.

VIII. Marketing Report

Mr. Vincenzo Nicosia said we are continuing with our marketing on social media and through email blasts. The most recent Small Business of the Month has a video component that went out. The feedback has been really positive for this initiative. We are also working on some other things to better market the county.

IX. Unfinished Business

There was no Unfinished Business.

X. New Business

A. MCIDA 2022 Budget

Chairman Beck states that this proposed 2022 MCIDA Budget came to the full Agency with a positive recommendation from Governance Committee. Ms. Sheila Snell provided an overview for those who weren't at the committee meeting.

A motion was made by Carol Shineman, seconded by Mark Kowalczyk, to adopt the proposed 2022 MCIDA Budget. All members present voted in favor.

B. National Grid Grant

Mr. Ken Rose said that this resolution is to accept the National Grid grant that has been awarded. This is being put towards the Montgomery County Attraction Blueprint initiative. This is a reimbursable grant, so we would receive the grant funding, upon completion of the project.

The following resolution was offered by Mark Kowalczyk, seconded by Carol Shineman, to wit:

RESOLUTION APPROVING GRANT AGREEMENT MARKETING-NATIONAL
GRID (MONTGOMERY COUNTY ATTRACTION BLUEPRINT)

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

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Amanda J. Auricchio, Esq.	VOTING	YES
Mark Kowalczyk	VOTING	YES
Laurie Weingart	VOTING	YES
Cheryl Reese	VOTING	ABSENT

The foregoing Resolution No. 21-16 was thereupon declared duly adopted.

IX. Adjournment

A motion was made by Carol Shineman, seconded by Laurie Weingart, to adjourn the meeting at 4:46 p.m. All members present were in favor.

Respectfully submitted,

Andrew Santillo
Economic Development Staff Assistant
Attachments: Resolution No. 21-16

**RESOLUTION APPROVING GRANT AGREEMENT MARKETING-NATIONAL GRID
(MONTGOMERY COUNTY ATTRACTION BLUEPRINT)**

A regular meeting of Montgomery County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at the Old County Courthouse, 9 Park Street, Fonda, New York on October 14, 2021, at 4:30 o'clock p.m., local time.

The meeting was called to order by the (Vice) Chair and, upon roll being called, the following members of the Agency were:

PRESENT:

Matthew Beck	Chair
Carol Shineman	Vice Chair
Laurie Weingart	Secretary
Amanda Auricchio, Esq.	Member
Mark Kowalczyk	Member

ABSENT:

Cheryl Reese	Member
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THE FOLLOWING PERSONS WERE ALSO PRESENT:

Kenneth Rose	Chief Executive Officer
Sheila Snell	Chief Financial Officer
Vincenzo Nicosia	Ec. Dev. Specialist
Andy Santillo	Staff Assistant

The following resolution was offered by Mark Kowalczyk, seconded by Carol Shineman, to wit:

Resolution No. 21-16

**RESOLUTION AUTHORIZING THE MONTGOMERY COUNTY INDUSTRIAL
DEVELOPMENT AGENCY TO EXECUTE AND DELIVER A CERTAIN PROJECT
FUNDING AGREEMENT-NATIONAL GRID**

WHEREAS, Montgomery County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 666 of the 1970 Laws of New York, as amended, constituting Section 895-d of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research,

recreation and civic facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, the Agency applied to National Grid through its Strategic Economic Development Outreach Program for a grant to help offset costs associated with the Agency's Regional Business Attraction Blueprint Project; and

WHEREAS, the Agency was awarded a grant of up to \$50,000 through this Program and National Grid prepared a Project Funding Agreement to be executed which is attached hereto as Schedule A;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. The Agency hereby finds and determines that:

(A) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and

(B) Entering into the Project Funding Agreement with National Grid will promote and maintain the job opportunities, general prosperity and economic welfare of the citizens of Montgomery County, New York and the State of New York and improve their standard of living.

Section 2. In consequence of the foregoing, the Agency hereby determines to execute and deliver the Project Funding Agreement (in a form approved by Agency Counsel).

Section 3. Any action heretofore taken by the Agency, its officers or its staff in carrying out the matters contemplated by this Resolution is hereby ratified, confirmed and approved.

Section 4. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of this Resolution, and to execute and deliver all such additional certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of this Resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of this Resolution.

Section 5. This Resolution shall take effect immediately.

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

Matthew Beck	VOTING	YES
Carol Shineman	VOTING	YES
Laurie Weingart	VOTING	YES

Amanda Auricchio, Esq.	VOTING	YES
Mark Kowalczyk	VOTING	YES
Cheryl Reese	VOTING	ABSENT

The foregoing Resolution No. 21-16 was thereupon declared duly adopted.

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

I, the undersigned (Assistant) Secretary of Montgomery County Industrial Development Agency (the "Agency"), do hereby certify that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency held on October 14, 2021 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respect duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 14th day of October 2021.

(Assistant) Secretary

(S E A L)

Schedule A

September 15, 2021

Kenneth Rose
Chief Executive Officer
Montgomery County Industrial Development Agency
P.O. Box 1500
9 Park Street
Fonda, NY 12068

Dear Kenneth Rose:

Congratulations! Montgomery County Industrial Development Agency's application for a grant from National Grid's Strategic Economic Development Outreach Program has been approved for your Regional Business Attraction Blueprint Project.

You have been awarded a grant of up to \$50,000. This program requires you to match these funds 1:1 with funding from sources other than National Grid. As indicated in the program application, grant funding is only released to you upon the successful completion of the project, as verified by National Grid. Web sites, advertisements, or collateral material being produced by the project should include the following acknowledgment: 'The creation of this (brochure, ad, web site, etc) was assisted with a grant from National Grid, through the NYS Public Service Commission approved Economic Development Plan'.

National Grid's Economic Development Grant programs are available to customers as part of a current regulatory agreement with the New York State Public Service Commission (PSC). Under no circumstances will funding be released by National Grid without continued authorization to do so by the PSC.

Enclosed is a Project Funding Agreement. Please sign and return to: Lynne.Hickman@nationalgrid.com

It is important that you return the signed agreement. We will return a fully-executed agreement to you for your file.

Upon completion of your project and to request payment you will need to do the following:

Log back into your account at www.ShovelReady.com and go to the Project Completion section:

- a. Fill out and upload the Certification of Project Completion Form and the Payment Requisition; and
- b. Upload all paid invoices and a brief final report describing what was done to achieve the goals outlined in your application.

We will be contacting you to insure compliance with the program, which may include one or more site visits. If you have questions or need more information regarding your grant, please contact Joe Russo at (315) 428-6798.

Also, please contact us prior to issuing any press release or arranging for a news conference concerning this grant.

Again, congratulations on behalf of all of us at National Grid. We look forward to working with you.

Sincerely,



Arthur W. Hamlin
Manager, Economic Development

xc: Joe Russo



ECONOMIC DEVELOPMENT PROGRAM

PUBLIC CUSTOMER AGREEMENT

BETWEEN

**NIAGARA MOHAWK POWER CORPORATION
d/b/a NATIONAL GRID**

AND

***MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY
P.O. Box 1500
9 Park Street
Fonda, NY 12068***

Application Number: 5980

**300 Erie Boulevard West
Syracuse, New York 13202**

**ECONOMIC DEVELOPMENT PROGRAM
PUBLIC CUSTOMER/DEVELOPER AGREEMENT**

1. DEFINITIONS.

"Agreement" means this document and the Approved Online Application.

"Award Letter" means the letter that informs the Grantee that they have received approval of an Economic Development grant and the amount of that grant.

"Developer" means the entity receiving project funding under this Agreement.

"Project" means the activity described in the Approved Application.

"Program" means the NM Economic Development Program that is providing funding for the Project.

"Company" means Niagara Mohawk Power Corporation, d/b/a National Grid, or its successor or assign.

- 2. SCHEDULE.** The Developer shall complete its Project by the dates set forth in the Approved Application, unless the Project is delayed by occurrences beyond the reasonable control of the Developer. Under no circumstances will funding be released by Niagara Mohawk Power Corporation, d/b/a National Grid, without continued authorization to do so by the New York State Public Service Commission.

- 3. COMPENSATION.** The Project may be funded, in whole or in part, by Company. The Developer shall be responsible for all sums necessary to complete the Project not provided Company. The grant award shall be described in the Agreement and the Award Letter. Under no circumstances will funding be released by Niagara Mohawk Power Corporation, d/b/a National Grid, without continued authorization to do so by the New York State Public Service Commission.

- 4. PAYMENT.** The Developer will advise Company of its completion of the Project. Company will conduct a site visit, inspect the work, determine its completion, and verify its compliance with Program requirements. If Company confirms that the Project has been completed and is in compliance with Program requirements, the parties will execute a Certificate of Project Completion and the Developer will submit a Payment Requisition form. Company will remit a check to the Developer in the amount of the Program grant stipulated in the Award Letter.

- Under certain conditions Customers in the following programs may be eligible for Progress Payments: Strategic Economic Development, Industrial Building Redevelopment, Capital Investment Incentive, Brownfield Redevelopment, 25 Cycle Investment Incentive, Energy Efficiency in Empire Zones and Dairy Industry Productivity. The Customer must

request a Progress Payment in writing on their letterhead prior to submittal of the attached Certificate of Progress Payment. Included in the request must be justification for the Progress Payment, all invoices and evidence that corresponding matching funds have been expended. Progress Payment requests are subject to approval by the Vice President Economic Development and the Sr. Vice President Business Services & Economic Development.

5. DEVELOPER REQUIREMENTS.

- The Developer agrees to conduct the Project in accordance with the Approved Application and Program requirements. If the Developer fails to do so, Company may require Developer to return all funding received.
- The Developer will cooperate fully with Company, and provide full information regarding its business and costs to the extent necessary to enable Company to evaluate the Project or determine whether Program funds should be remitted to the Developer. This cooperation shall include the Developer's designation of a representative with whom Company can interact on all matters related to this Agreement and whose decisions are binding on the Developer. If Developer provides false, inaccurate, misleading or otherwise deceptive information, Company may require Developer to return all funding received.
- The Developer will be required to complete a survey upon receipt of funding. Our regulatory requirements prohibit us from continuing to fund recipients who fail to fulfill reporting requirements.
- The Developer agrees to give credit to Company on any collateral materials produced as a result of funding received through the Program.

6. CHANGES. The Developer may request changes or amendments to the Agreement. Any such changes must be in a writing signed by the Developer and Company.

7. LIMITATION OF NM LIABILITY. NM MAKES NO WARRANTY WHATSOEVER, WHETHER STATUTORY, WRITTEN, ORAL, OR IMPLIED (INCLUDING WARRANTIES OF MERCHANTABILITY OR FITNESS FOR USE FOR A PARTICULAR PURPOSE) WITH RESPECT TO THE PROJECT.

To the fullest extent allowed by law, Company is exempt from any and all liability to the Developer for any damage, injuries, or losses of any nature, whether direct or indirect, special, consequential, incidental or otherwise, including, but not limited to, those arising out of, resulting from, or related to this Agreement and/or any Company actions pursuant or related to this Agreement or to the Program. The Developer releases Company, its directors, officers, employees, agents, successors and assigns, from any and all liabilities to the Developer.

8. TERMINATION. Any party to this Agreement may terminate this Agreement for convenience upon thirty (30) days written notice to the other party. Company may terminate the Agreement at any time for any nonconformance with a material term of this Agreement. Company may terminate the Agreement at any time for legislative, court or regulatory changes effecting its rates, tariffs or Economic Development Programs. In the event of any termination, no amount shall be paid or payable by Company for the Developer's termination

costs, including, but not limited to, costs associated with the transfer or termination of personnel or other contracts.

9. **ASSIGNMENT AND SUBCONTRACTING.** The Developer shall neither assign this Agreement, nor subcontract any portion of the work, nor assign any moneys payable under this Agreement, without first obtaining the written consent of Company. Company may reject any assignee, delegatee or other transferee, or any subcontractor, within its absolute discretion, that it considers unable or unsuitable to perform activities under this Agreement. Any Company – authorized assignment or subcontracting of this Agreement shall not relieve the Developer of the responsibility for full compliance with the requirements of this Agreement. The requirements of this Agreement shall be included in any subcontracts placed by the Developer.
10. **THIRD-PARTY BENEFICIARY.** The parties have no intent, and do not create any third-party rights or interest in this Agreement or in the Project.
11. **NOTICES.** Each party shall designate the name and address of that party's representative. Any legal or contractual notices required to be sent to either party shall be deemed duly sent when mailed to the intended party's designated representative by means of certified or registered mail, return receipt requested.
12. **WAIVER.** No term of this Agreement may be waived except in a writing signed by the parties.
13. **LAWS.** This Agreement shall be interpreted and enforced according to the laws of the State of New York, exclusive of those laws determined by application of New York's choice of law principles. All parties hereby consent to personal jurisdiction and venue in the courts in the State of New York.
14. **SEVERABILITY.** To the extent that any provision of this Agreement shall be held to be invalid, illegal or unenforceable, it shall be severed from this Agreement without affecting the validity, legality or enforceability of the remaining provisions of the Agreement.
15. **INTEGRATION AND MERGER.** The parties agree that there are no understandings, agreements, or representations, expressed or implied, other than those expressed herein. This Agreement supersedes and merges all prior discussions and understandings, and constitutes the entire agreement between the parties.

IN WITNESS WHEREOF, the parties hereto agree to the terms and conditions of this Agreement, and agree to be bound by the same, and represent that their signatories have complete authority to sign and accept this Agreement.

MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY
Project #5980

By: Kenneth L. Rose

Title: Director

Date: September 17, 2021

NIAGARA MOHAWK POWER CORPORATION, D/B/A NATIONAL GRID

By: Arthur W. Hamlin
Arthur W. Hamlin

Title: Manager, Economic Development

Date: September 20, 2021

**RESOLUTION AUTHORIZING MONTGOMERY COUNTY INDUSTRIAL
DEVELOPMENT AGENCY CHAIRPERSON TO SIGN AND ENTER INTO CONTRACT
FOR ADMINISTRATIVE AND STAFF SUPPORT SERVICES,**

A meeting of Montgomery County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Montgomery County Industrial Development Agency located at the Old County Courthouse, 9 Park Street, Fonda, New York on January 13, 2022.

The meeting was called to order by the Chairperson Beck and, upon roll being called, the following members of the Agency were:

PRESENT:

Matthew Beck	Chairperson
Carol Shineman	Vice-Chair
Laurie Weingart	Secretary
Cheryl Reese	Treasurer
Amanda Auricchio, Esq.	Member
Mark Kowalczyk	Member
Brett Phetteplace	Member

ABSENT:

THE FOLLOWING PERSONS WERE ALSO PRESENT:

Kenneth F. Rose	Chief Executive Officer
Sheila Snell	Chief Financial Officer
Vincenzo Nicosia	Director of Program Development
Andrew Santillo	Staff Assistant
Karl Gustafson Jr.	Grant Assistant
Christopher Canada, Esq.	Agency Counsel

The following resolution was offered by _____, seconded by _____ to wit:

Resolution No. 22-02

**RESOLUTION AUTHORIZING MONTGOMERY COUNTY INDUSTRIAL
DEVELOPMENT AGENCY CHAIRMAN TO SIGN AND ENTER INTO CONTRACT
FOR ADMINISTRATIVE AND STAFF SUPPORT SERVICES**

WHEREAS, Montgomery County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of chapter 1030 of Laws of 1969 of New York, constituting Title 1 of Article 18-A of the General Municipal law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 666 of

the 1970 Laws of New York, as amended, constituting Section 895-d of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnished of industrial, manufacturing, warehouse, commercial, research, recreation and civic facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, Montgomery County Industrial Development Agency is desirous of retaining the Montgomery County Economic Development Department for administrative and staff support services per the attached contract and scope of services,

RESOLVED, that Montgomery County Industrial Development Agency, following review and approval by the Agency Attorney, hereby authorizes the Chairman to sign and enter into a contract with Montgomery County for administrative and support services for a period of January 1, 2022 to December 31, 2022.

FURTHER RESOLVED, the amount set for this service will be \$17,500.

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

Matthew Beck	VOTING
Carol Shineman	VOTING
Cheryl Reese	VOTING
Laurie Weingart	VOTING
Amanda Auricchio, Esq.	VOTING
Mark Kowalczyk	VOTING
Brett Phetteplace	VOTING

The foregoing Resolution No. 22-02 was thereupon declared duly adopted.

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

I, the undersigned (Assistant) Secretary of Montgomery County Industrial Development Agency (the "Agency"), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the resolution contained therein, held on January 13, 2022, with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 13th day of January, 2022.

(SEAL)

(Assistant) Secretary

**PUBLIC HEARING RESOLUTION
DAIM LOGISTICS INC. PROJECT**

A regular meeting of Montgomery County Industrial Development Agency (the “Agency”) was convened in public session at the offices of the Agency located at the Old County Courthouse, 9 Park Street, Fonda, New York on January 13, 2022 at 4:30 o’clock p.m., local time.

The meeting was called to order by the (Vice) Chair of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Matthew Beck	Chair
Carol Shineman	Vice-Chair
Laurie Weingart	Secretary
Cheryl Reese	Treasurer
Amanda Auricchio, Esq.	Member
Mark Kowalczyk	Member
Brent Phetteplace	Member

ABSENT:

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Kenneth F. Rose	Chief Executive Officer
Sheila Snell	Chief Financial Officer
Andrew Santillo	Staff Assistant
Karl Gustafson, Jr.	Grant Assistant
Vincenzo Nicosia	Director of Program Development
Christopher C. Canada, Esq.	Agency Counsel

The following resolution was offered by _____, seconded by _____, to wit:

Resolution No. 22-03

**RESOLUTION AUTHORIZING THE CHIEF EXECUTIVE OFFICER OF
MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO HOLD A
PUBLIC HEARING REGARDING A PROPOSED PROJECT TO BE UNDERTAKEN
FOR THE BENEFIT OF DAIM LOGISTICS INC.**

WHEREAS, Montgomery County Industrial Development Agency (the “Agency”) is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the “Enabling Act”) and Chapter 666 of the 1970 Laws of New York, as amended, constituting Section

895-d of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the “Act”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more “projects” (as defined in the Act), or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, in December 2021, DAIM Logistics Inc., a business corporation organized and existing under the laws of the State of New York (the “Company”) submitted an application (the “Application”) to the Agency, a copy of which Application is on file at the office of the Agency, which Application requested that the Agency consider undertaking a project (the “Project”) for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in an 8.13 acre parcel of land located in the Glen Canal View Business Park, referred to as Lot 3A, in the Town of Glen, Montgomery County, New York (the “Land”), (2) the construction of an approximately 54,000 square foot facility on the Land (the “Facility”), (3) the acquisition and installation of certain machinery and equipment therein and thereon (the “Equipment”) (the Land, the Facility and the Equipment hereinafter collectively referred to as the “Project Facility”), all of the foregoing to be owned by the Company and used for warehousing space for the Company’s operations and to be leased by the Company to other commercial and industrial users for warehousing space; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, pursuant to Section 859-a of the Act, prior to the Agency providing any “financial assistance” (as defined in the Act) of more than \$100,000 to any project, the Agency, among other things, must hold a public hearing pursuant to Section 859-a of the Act with respect to said project; and

WHEREAS, the Agency desires to provide for compliance with the provisions of Section 859-a of the Act with respect to the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. The Agency hereby authorizes the Chief Executive Officer of the Agency, after consultation with the members of the Agency and Agency Counsel, (A) to establish the time, date and place for a public hearing of the Agency to hear all persons interested in the Project (the “Public Hearing”); (B) to cause the Public Hearing to be held in a city, town or village where the Project Facility is or is to be located, and to cause notice of such Public Hearing to be given to the public by publishing a notice or notices of such Public Hearing in a newspaper of general circulation available to the residents of the governmental units where the Project Facility is or is to be located, such notice or notices to comply with the requirements of Section 859-a of the Act; (C) to cause notice of the Public Hearing to be given to the chief executive officer of the county and of each city, town, village and school district in which the Project Facility is or is to be located to comply with the requirements of Section 859-a of the Act; (D) to conduct such Public

Hearing; (E) to cause a report of the Public Hearing fairly summarizing the views presented at such Public Hearing (the “Report”) to be prepared; and (F) to cause a copy of the Report to be made available to the members of the Agency.

Section 2. The Chairman, Vice-Chairman and/or Chief Executive Officer of the Agency is hereby authorized and directed to distribute copies of this Resolution to the Company and to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.

Section 3. All action taken by the Chief Executive Officer of the Agency in connection with the Public Hearing with respect to the Project prior to the date of this Resolution is hereby ratified and confirmed.

Section 4. This Resolution shall take effect immediately.

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

Matthew Beck	VOTING	_____
Carol Shineman	VOTING	_____
Laurie Weingart	VOTING	_____
Cheryl Reese	VOTING	_____
Amanda Auricchio, Esq.	VOTING	_____
Mark Kowalczyk	VOTING	_____
Brent Phetteplace	VOTING	_____

The foregoing Resolution was thereupon declared duly adopted.

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

I, the undersigned (Assistant) Secretary of Montgomery County Industrial Development Agency (the “Agency”), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Agency, including the Resolution contained therein, held on January 13, 2022 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 13th day of January, 2022.

(Assistant) Secretary

(SEAL)

MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION

IMPORTANT NOTICE: The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from the Montgomery County Industrial Development Agency. These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Agency.

TO: Montgomery County Industrial Development Agency
9 Park Street
Fonda, New York 12068
Attention: Chief Executive Officer

This application by applicant respectfully states:

APPLICANT: Daim Logistics

APPLICANT'S STREET ADDRESS: 128 Park Dr

CITY: Fultonville STATE: NY ZIP CODE: 12072

PHONE NO.: 518 361 4333 FAX NO.: E-MAIL: poare@daimlogistics.com

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION:

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF FIRM: Stockli Slevin LLP

NAME OF ATTORNEY: Mary Beth Slevin

ATTORNEY'S STREET ADDRESS: 1826 Western Ave

CITY: Albany STATE: NY ZIP CODE: 12203

PHONE NO.: 518 449 3125 FAX NO.: _____ E-MAIL: MSlevin@ss-legal.com

NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 HEREOF BEFORE FILLING OUT THIS FORM.

INSTRUCTIONS

1. The Agency will not approve any application unless, in the judgment of the Agency, said application and the summary contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
2. Fill in all blanks, using "none" or "not applicable" or "N/A" where the question is not appropriate to the project which is the subject of this application (the "Project").
3. If an estimate is given as the answer to a question, put "(est)" after the figure or answer which is estimated.
4. If more space is needed to answer any specific question, attach a separate sheet.
5. When completed, return two (2) copies of this application to the Agency at the address indicated on the first page of this application.
6. The Agency will not give final approval to this application until the Agency receives a completed environmental assessment form concerning the Project which is the subject of this application.
7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Agency (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant's competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
8. The applicant will be required to pay to the Agency all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Agency's bonds issued to finance the project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel/special counsel to the Agency. The costs incurred by the Agency, including the Agency's general counsel and bond counsel, may be considered as a part of the project and included as a part of the resultant bond issue.

9. The Agency has established an application fee of One Thousand Dollars (\$1,000) to cover the anticipated costs of the Agency in processing this application. A check or money order made payable to the Agency must accompany each application. THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS ACCOMPANIED BY THE APPLICATION FEE.
10. The Agency has established a project fee for each project in which the Agency participates. UNLESS THE AGENCY AGREES IN WRITING TO THE CONTRARY, THIS PROJECT FEE IS REQUIRED TO BE PAID BY THE APPLICANT AT OR PRIOR TO THE GRANTING OF ANY FINANCIAL ASSISTANCE BY THE AGENCY.

FOR AGENCY USE ONLY

1. Project Number	_____
2. Date application Received by Agency	_____, 20____
3. Date application referred to attorney for review	_____, 20____
4. Date copy of application mailed to members and Elected Officials	_____, 20____
5. Preliminary Inducement Resolution (if Bond Project)	_____, 20____
6. Resolution Scheduling Public Hearing	_____, 20____
7. Hold Public Hearing	_____, 20____
8. Resolution Authorizing Mailing of PILOT Deviation Letter (if applicable)	_____, 20____
9. Post IDA Application and Construction Employment Agreement on Website	_____, 20____
10. Perform Inform Analytics Cost/Benefit Analysis present to Board	_____, 20____
11. Perform Written Evaluation Report and present to Board	_____, 20____
12. SEQR Resolution	_____, 20____
13. PILOT Deviation Resolution (if applicable)	_____, 20____
14. Approving Resolution	_____, 20____
15. Final Project Agreement Posted to Website	_____, 20____

AGENCY FEE SCHEDULE INFORMATION

1. APPLICATION FEE: \$1,000.00 (Non-refundable)

2. AGENCY FEE:

- (a) Bond Transactions: $\frac{3}{4}$ of 1% of bond amount
- (b) Sale Leaseback Transactions: $\frac{3}{4}$ of 1% of Total Project Cost
- (c) Rental Payments: The Company shall pay basic annual rental payments for the Project Facility in an amount equal to \$.0005 x the cost of the Agency Project on January 1 of each year during the term of the Lease Agreement.

3. AGENCY COUNSEL FEE:

- (a) Determine on a Project by Project Basis

SUMMARY OF PROJECT

Applicant: Daim Logistics

Contact Person: Pat Oare

Phone Number: 518 361 4333

Occupant: Daim Logistics

Project Location: 128 Park Dr

Approximate Size of Project Site: 3 acres 54000 sf

Description of Project: Erect Pre-engineered steel building to house a public warehousing and distribution operation. This will include large parking areas and loading docks as well as employee parking.

Type of Project: ☐ Manufacturing ☒ Warehouse/Distribution
 ☐ Commercial ☐ Not-For-Profit
 ☐ Other-Specify

Employment Impact: Existing Jobs

New Jobs

Project Cost: \$2750000 _____

Type of Financing: ☐ Tax-Exempt ☐ Taxable ☐ Straight Lease

Amount of Bonds Requested: \$0_____

Estimated Value of Tax-Exemptions:

N.Y.S. Sales and Compensating Use Tax:	\$218400_____
Mortgage Recording Taxes:	\$30000_____
Real Property Tax Exemptions:	\$532327.30_____
Other (please specify):	\$_____

Provide estimates for the following:

Number of Full Time Employees at the Project Site before IDA Status:	10_____
Estimate of Jobs to be Created:	15_____
Estimate of Jobs to be Retained:	10_____
Average Estimated Annual Salary of Jobs to be Created:	55000_____
Annualized Salary Range of Jobs to be Created:	45000-90000
Estimated Average Annual Salary of Jobs to be Retained:	70000_____

I. INFORMATION CONCERNING THE PROPOSED OCCUPANT OF THE PROJECT (HEREINAFTER, THE "COMPANY").

A. Identity of Company:

1. Company Name: Daim Logistics

Present Address: 128 Park Dr

Zip Code: 12072

Employer's ID No.: [REDACTED]

2. If the Company differs from the Applicant, give details of relationship:

3. Indicate type of business organization of Company:

- a. ☐ S ☐ Corporation (If so, incorporated in what country?

What State? NY 10/9/2007 Date Incorporated? Type
of Corporation? Authorized to do business in New York?
Yes ☒; No ☐.

- b. ☐ Partnership (if so, indicate type of partnership _____,
Number of general partners _____, Number of limited partners _____).

- c. ☐ Limited liability company,
Date created? _____.

d. _____ Sole proprietorship

4. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)? If so, indicate name of related organization(s) and relationship:

B. Management of Company:

1. List all owners, officers, members, directors and partners (complete all columns for each person):

NAME (First, Middle, Last) HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS
Christian H Oare 575 Goode Rd Ballston Spa, NY 12020	President	Diversified Agricultural and Industrial Markets, Inc
Patrick J Oare 16 Hamilton St Johnstown, NY 12020	Vice President	Diversified Agricultural and Industrial Markets, Inc

2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation? Yes x ; No .

3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? Yes x ; No .

4. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? Yes ; No x .
(If yes to any of the foregoing, furnish details in a separate attachment).

5. If the answer to any of questions 2 through 4 is yes, please, furnish details in a separate attachment.

C. Principal Owners of Company:

1. Principal owners of Company: Is Company publicly held? Yes ; No x .

If yes, list exchanges where stock traded:

2. If no, list all stockholders having a 5% or more interest in the Company:

NAME	ADDRESS	PERCENTAGE OF HOLDING
Christian Oare	575 Goode Rd Ballston Spa NY 12020	50%
Patrick Oare	16 Hamilton St Johnstown NY 12095	50%

D. Company's Principal Bank(s) of account: Community Bank

II. DATA REGARDING PROPOSED PROJECT

A. Summary: We plan to build a 54000 sqft building for cold storage, processing storage, packing and shipping of consumer goods. We will serve the consumer package goods industry with these services. Merchandise will be shipped B2B in any capacity from full truck load to single package. Being a public warehouse we will be able to serve several customers ranging in size from few orders monthly to large national brands that need a presences in the northeast markets. Ecommerce and covid have accelerated the demand for fulfillment centers and support warehouses located within in hours of major metropolitan markets. This location is easily accessible from I 90 and is within 4 hour drive of several large markets to include Albany, NYC, Boston, Buffalo and everything in between. All of the customers that we will be serving will be from out of the county and likely out of the state.

B. Location of Proposed Project:

1. Street Address 128 Park Dr
2. City of
3. Town of Glen
4. Village of Fultonville
5. County of

C. Project Site:

1. Approximate size (in acres or square feet) of Project site: 3 acres 54000 SF

Is a map, survey, or sketch of the project site attached? Yes x; No ____.

2. Are there existing buildings on project site? Yes x; No ____.

a. If yes, indicate number and approximate size (in square feet) of each existing building: 1 building 10000 sf

b. Are existing buildings in operation? Yes ☒; No ☐.

If yes, describe present use of present buildings:

Office building and truck terminal

c. Are existing buildings abandoned? Yes ☐; No ☒. About to be abandoned? Yes ☐; No ☐. If yes, describe:

d. Attach photograph of present buildings.

3. Utilities serving project site:

Water-Municipal: Town of Glen

Other (describe)

Sewer-Municipal: Town of Glen

Other (describe)

Electric-Utility: National Grid

Other (describe)

Heat-Utility: National Grid

Other (describe)

4. Present legal owner of project site:

a. If the Company owns project site, indicate date of purchase: _Oct 9_____, 20__10__; Purchase price: \$_50000_____.

b. If Company does not own the Project site, does Company have option signed with owner to purchase the Project site? Yes ____; No _____. If yes, indicate date option signed with owner: _____, 20____; and the date the option expires: _____, 20_____.

c. If the Company does not own the project site, is there a relationship legally or by common control between the Company and the present owners of the project site? Yes ____; No _____. If yes, describe:

5. a. Zoning District in which the project site is located:

b. Are there any variances or special permits affecting the site? Yes ____; No _x____. If yes, list below and attach copies of all such variances or special permits:

D. Buildings:

1. Does part of the project consist of a new building or buildings? Yes x; No _____. If yes, indicate number and size of new buildings:

1 building 54000 sf

2. Does part of the project consist of additions and/or renovations to the existing buildings? Yes ____; No x. If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:

3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed, or expanded: dry cold storage warehouse/distribution

E. Description of the Equipment:

1. Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")? Yes x; No _____. If yes, describe the Equipment: Pallet Racking, Material handling equipment and support (chargers), packaging equipment such as pallet wrappers, scales etc

2. With respect to the Equipment to be acquired, will any of the Equipment be Equipment which has previously been used? Yes ____; No x. If yes, please provide detail:

2. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed:

Pallet racking will be used to maximize space and meet customer requirements for storage of their goods.

Material handling equipment – forklifts/pallet jacks will be used to unload/ load trucks as well as transport goods through out the warehouse.

Packaging equipment – there could be specific customer requirements but generally two pallet shrink wrap machines two scales would be required

F. Project Use:

1. What are the principal products to be produced at the Project?

N/A

2. What are the principal activities to be conducted at the Project?

Storage, pick and pack shipping of Consumer package goods.

3. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities?
Yes ____; No x. If yes, please provide detail:

4. If the answer to question 3 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project? _____%

5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the Project:

- a. Will the Project be operated by a not-for-profit corporation? Yes ____;
No __x__. If yes, please explain:
- b. Is the Project likely to attract a significant number of visitors from outside
the economic development region in which the Project will be located?
Yes ____; No __x__. If yes, please explain:
- c. Would the Project occupant, but for the contemplated financial assistance
from the Agency, locate the related jobs outside the State of New York?
Yes ____; No __x__. If yes, please explain:
- d. 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 city, town or village within which the Project will be
located, because of a lack of reasonably accessible retail trade facilities
offering such goods or services? Yes ____; No __x__. If yes, please
provide detail:

- e. Will the Project be located in one of the following: (i) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (ii) a census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes____; No____. If yes, please explain: _____

6. If the answers to any of subdivisions c. through e. of question 5 is yes, 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__x__; No____. If yes, please explain:

We are creating jobs that were not here prior. The operation that we will be doing was done in other states prior to this.

7. Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes____; No__x__. If yes, please explain:

8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York? Yes____; No__x__. If yes, please provide detail:

9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project:

- a. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes____; No____. If yes, please provide detail:

- b. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes____; No____. If yes, please provide detail:

10. Will the Project be owned by a not-for-profit corporation? Yes____; No__x__. If yes, please provide detail:

11. Will the Project be sold or leased to a municipality? Yes____; No_x__. If yes, please provide detail:

G. Other Involved Agencies:

1. Please indicate all other local agencies, boards, authorities, districts, commissions or governing bodies (including any city, county and other political subdivision of the State of New York and all state departments, agencies, boards, public benefit corporations, public authorities or commissions) involved in approving or funding or directly undertaking action with respect to the Project. For example, do you need a municipal building permit to undertake the Project? Do you need a zoning approval to undertake the Project? If so, you would list the appropriate municipal building department or planning or zoning commission which would give said approvals.

Town of Glen Planning board

Town of Glen code enforcement

3. Describe the nature of the involvement of the federal, state, or local agencies described above:

We will need approval and a building permit

H. Construction Status:

1. Has construction work on this project begun? Yes ____; No x ____ . If yes, please discuss in detail the approximate extent of construction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations; installation of footings; etc.:

4. Please indicate amount of funds expended on this Project by the Company in the past three (3) years and the purposes of such expenditures:

\$109000 down payment on building

\$25000 geo survey, appraisal, environmental phase 1 site engineering

3. Please indicate the date the applicant estimates the Project will be completed:
___ Oct 2022 ____.

I. Method of Construction after Agency Approval:

1. If the Agency approves the project which is the subject of this application, there are two methods that may be used to construct the project. The applicant can construct the project privately and sell the project to the Agency upon completion. Alternatively, the applicant can request to be appointed as "agent" of the Agency, in which case certain laws applicable to public construction may apply to the project. Does the applicant wish to be designated as "agent" of the Agency for purposes of constructing the project? Yes _x_; No ____.

2. If the answer to question 1 is yes, does the applicant desire such "agent" status prior to the closing date of the financing? Yes _x_; No ____.

III. INFORMATION CONCERNING LEASES OR SUBLEASES OF THE PROJECT. (PLEASE COMPLETE THE FOLLOWING SECTION IF THE COMPANY INTENDS TO LEASE OR SUBLEASE ANY PORTION OF THE PROJECT).

- A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes____; No__x__. If yes, please complete the following for each existing or proposed tenant or subtenant:

1. Sublessee name:

Present Address:

City: _____ State: _____ Zip:

Employer's ID No.:

Sublessee is: _____ Corporation: _____ Partnership: _____ Sole Proprietorship

Relationship to Company:

Percentage of Project to be leased or subleased:

Use of Project intended by Sublessee:

Date of lease or sublease to Sublessee:

Term of lease or sublease to Sublessee:

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes____; No____. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

2. Sublessee name:

Present Address:

City: _____ State: _____ Zip:

Employer's ID No.:

Sublessee is:

_____ Corporation: _____ Partnership: _____ Sole Proprietorship

Relationship to Company:

Percentage of Project to be leased or subleased:

Use of Project intended by Sublessee:

Date of lease or sublease to Sublessee:

Term of lease or sublease to Sublessee: _____

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes____; No____. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

3. Sublessee name:

Present Address:

City: _____ State: _____ Zip: _____

Employer's ID No.:

Sublessee is:____ Corporation: _____ Partnership: _____ Sole Proprietorship

Relationship to Company:

Percentage of Project to be leased or subleased:

Use of Project intended by Sublessee:

Date of lease or sublease to Sublessee:

Term of lease or sublease to Sublessee:

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes____; No____. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease?

IV. EMPLOYMENT IMPACT

A.

- A. Indicate the number of people presently employed at the Project site and the **additional** number that will be employed at the Project site at the end of the first, second and third year after the Project has been completed. Also include an monthly breakdown of full-time and part-time jobs to be created during the first three years. Using the tables below, provide an overview of these job numbers for (1) employees of the Applicant, (2) independent contractors, and (3) employees of independent contractors. (Do not include construction workers). Also indicate below the number of workers employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the applicant. Such information regarding relocated positions should also indicate whether such positions are relocated from other project sites financed by obligations previously issued by the Agency.

TYPE OF EMPLOYMENT					
Employees of Applicant					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present Full Time	4	5		1	10
Present Part Time					
Present Seasonal					
First Year Full Time	5	6	2	3	16
First Year Part Time					
Second Year Full Time	6	7	5	7	25
Second Year Part Time					
Third Year Full Time	6	7	5	7	25
Third Year Part Time					

TYPE OF EMPLOYMENT					
Employees of Applicant					
First Year Full Time					
Month	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
January	5	6	2	3	16
February	5	6	2	3	16
March	5	6	2	3	16
April	5	6	2	3	16
May	5	6	2	3	16
June	5	6	2	3	16
July	5	6	2	3	16
August	5	6	2	3	16

September	5	6	2	3	16
October	5	6	2	3	16
November	5	6	2	3	16
December	5	6	2	3	16

TYPE OF EMPLOYMENT					
Employees of Applicant					
First Year Part Time					
Month	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December					

TYPE OF EMPLOYMENT					
Employees of Applicant					
Second Year Full Time					
Month	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals

January	6	7	5	7	25
February	6	7	5	7	25
March	6	7	5	7	25
April	6	7	5	7	25
May	6	7	5	7	25
June	6	7	5	7	25
July	6	7	5	7	25
August	6	7	5	7	25
September	6	7	5	7	25
October	6	7	5	7	25
November	6	7	5	7	25
December	6	7	5	7	25

TYPE OF EMPLOYMENT					
Employees of Applicant					
Second Year Part Time					
Month	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
January					
February					
March					
April					
May					
June					
July					
August					
September					
October					

November					
December					

TYPE OF EMPLOYMENT					
Employees of Applicant					
Third Year Full Time					
Month	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
January	6	7	5	7	25
February	6	7	5	7	25
March	6	7	5	7	25
April	6	7	5	7	25
May	6	7	5	7	25
June	6	7	5	7	25
July	6	7	5	7	25
August	6	7	5	7	25
September	6	7	5	7	25
October	6	7	5	7	25
November	6	7	5	7	25
December	6	7	5	7	25

TYPE OF EMPLOYMENT					
Employees of Applicant					
Third Year Part Time					
Month	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
January					
February					

March					
April					
May					
June					
July					
August					
September					
October					
November					
December					

TYPE OF EMPLOYMENT Independent Contractors					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present Full Time	None	None	None	None	None
Present Part Time	None	None	None	None	None
Present Seasonal	None	None	None	None	None
First Year Full Time	None	None	None	None	None
First Year Part Time	None	None	None	None	None
First Year Seasonal	None	None	None	None	None
Second Year Full Time	None	None	None	None	None

Second Year Part Time	None	None	None	None	None
Second Year Seasonal	None	None	None	None	None

<p align="center">TYPE OF EMPLOYMENT</p> <p align="center">Employees of Independent Contractors</p>					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present Full Time	None	None	None	None	None
Present Part Time	None	None	None	None	None
Present Seasonal	None	None	None	None	None
First Year Full Time	None	None	None	None	None
First Year Part Time	None	None	None	None	None
First Year Seasonal	None	None	None	None	None
Second Year Full Time	None	None	None	None	None
Second Year Part Time	None	None	None	None	None
Second Year Seasonal	None	None	None	None	None

- B. Indicate below (1) the estimated salary and fringe benefit averages or ranges and (2) the estimated number of employees residing in the Mohawk Valley Economic Development Region for all the jobs at the Project site, both retained and created, listed in the tables described in subsection A above for each of the categories of positions listed in the chart below.

RELATED EMPLOYMENT INFORMATION				
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled
Estimated Salary and Fringe Benefit Averages or Ranges	95000	60000	53000	45000
Estimated Number of Employees Residing in the Mohawk Valley Economic Development Region	6	7	5	7

- C. Please describe the projected timeframe for the creation of any new jobs with respect to the undertaking of the Project:

Once the facility is open there will be a ramp up period to include setting up internal systems, racking etc. Goal would be to start receiving product January 2023. There will be a year of ramping before the facility is fully operational.

- D. Please prepare a separate attachment describing in detail the types of employment at the Project site. Such attachment should describe the activities or work performed for each type of employment.

Statement 2

V. PROJECT COST AND FINANCING SOURCES

- A. Anticipated Project Costs. State the costs reasonably necessary for the acquisition of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<u>Description of Cost</u>	<u>Amount</u>
Land	\$ 20000
Buildings	\$ 2400000
Machinery and equipment costs	\$ 430,000
Utilities, roads and appurtenant costs	\$ 500000
Architects and engineering fees	\$ 70000
Costs of Bond Issue (legal, financial and printing)	\$
Construction loan fees and interest (if applicable)	\$
Other (specify)	
	\$
	\$
	\$
TOTAL PROJECT COSTS	\$ 3,420,000

- B. Anticipated Project Financing Sources. State the sources reasonably necessary for the financing of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories: Financing will be from Community bank at a 80%/20% split with Daim Logistics.

<u>Description of Sources</u>	<u>Amount</u>
Private Sector Financing	\$ _2400000_____
Public Sector	
Federal Programs	\$ _____
State Programs	\$ _____
Local Programs	\$ _____
Applicant Equity	\$ _1,020,000_____
Other (specify, e.g., tax credits)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
TOTAL AMOUNT OF PROJECT	\$ _3,420,000_____
FINANCING SOURCES	

C. Have any of the above expenditures already been made by the applicant?

Yes x ; No . If yes, indicate particulars.

Soft costs to include site engineering, geo survey, surveying, appraisal, Environmental,
down payment on pre-engineered steel building

D. Amount of loan requested: \$ 0 _____;

Maturity requested: _____years.

E. Has a commitment for financing been received as of this application date, and if so, from whom?

Yes ____; No x ____ . Institution Name: _____

Provide name and telephone number of the person we may contact.

Name: Josh O'Leary Phone: 518 903 8359

F. The percentage of Project costs to be financed from public sector sources is estimated to equal the following: 0 %

G. The total amount estimated to be borrowed to finance the Project is equal to the following:
\$ 2400000

VI. BENEFITS EXPECTED FROM THE AGENCY

A. Financing

1. Is the applicant requesting that the Agency issue bonds to assist in financing the project? Yes ____; No _____. If yes, indicate:

a. Amount of loan requested: _____Dollars;

b. Maturity requested: _____Years.

2. If the answer to question 1 is yes, is the interest on such bonds intended to be exempt from federal income taxation? Yes ____; No ____.

3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes:

a. retail food and beverage services: Yes ____; No ____

b. automobile sales or service: Yes ____; No ____

c. recreation or entertainment: Yes ____; No ____

d. golf course: Yes ____; No ____

e. country club: Yes ____; No ____

f. massage parlor: Yes ____; No ____

g. tennis club: Yes ____; No ____

h. skating facility (including roller skating, skateboard and ice skating):
Yes ____; No ____

i. racquet sports facility (including handball and racquetball court):
Yes ____; No ____

j. hot tub facility: Yes ____; No ____

k. suntan facility: Yes ____; No ____

1. racetrack: Yes ____; No ____

4. If the answer to any of the above questions contained in question 3 is yes, please furnish details on a separate attachment.

B. Tax Benefits

1. Is the applicant requesting any real property tax exemption in connection with the Project that would not be available to a project that did not involve the Agency? Yes x; No _____. If yes, is the real property tax exemption being sought consistent with the Agency's Uniform Tax Exemption Policy? Yes ____; No _____.

2. Is the applicant expecting that the financing of the Project will be secured by one or more mortgages? Yes x; No _____. If yes, what is the approximate amount of financing to be secured by mortgages? \$2400000 _____.

3. Is the applicant expecting to be appointed agent of the Agency for purposes of avoiding payment of N.Y.S. Sales Tax or Compensating Use Tax? Yes x; No _____. If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes? \$ 2,730,000 _____.

4. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of the exemption.

a.	N.Y.S. Sales and Compensating Use Taxes:	\$ <u>218400</u> _____
b.	Mortgage Recording Taxes:	\$ <u>30000</u> _____
c.	Real Property Tax Exemptions:	\$ <u>532327</u> _____
d.	Other (please specify):	
	_____	\$ _____
	_____	\$ _____

5. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Agency's Uniform Tax Exemption Policy? Yes ____; No x____. If yes, please explain.

C. Project Cost/Benefit Information. Complete the attached Cost/Benefit Analysis so that the Agency can perform a cost/benefit analysis of undertaking the Project. Such information should consist of a list and detailed description of the benefits of the Agency undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Agency undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

VII. REPRESENTATIONS BY THE APPLICANT. The applicant understands and agrees with the Agency as follows:

A. Job Listings. In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOC") and with the administrative entity (collectively with the DOC, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA"), as replaced by the Workforce Investment Act of 1998 (Public Law 105-220), in which the Project is located.

B. First Consideration for Employment. 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 Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.

C. Annual Sales Tax Filings. In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, 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.

D. 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, including (1) the NYS-45 – Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return – for the quarter ending December 31 (the "NYS-45"), and (2) the US Dept. of Labor BLS 3020 Multiple Worksite report if applicable.

E. Uniform Agency Project Agreement. The applicant agrees to enter into a project benefits agreement with the Agency where the applicant agrees that (1) the amount of Financial Assistance to be received shall be contingent upon, and shall bear a direct relationship to the success or lack of success of such project in delivering certain described public benefits (the "Public Benefits")

and (2) the Agency will be entitled to recapture some or all of the Financial Assistance granted to the applicant if the project is unsuccessful in whole or in part in delivering the promised Public Benefits.

F. Representation of Financial Information. Neither this Application nor any other agreement, document, certificate, project financials, or written statement furnished to the Agency or by or on behalf of the applicant in connection with the project contemplated by this Application contains any untrue statement of a material fact or omits to state a material fact necessary in order to make the statements contained herein or therein not misleading. There is no fact within the special knowledge of any of the officers of the applicant which has not been disclosed herein or in writing by them to the Agency and which materially adversely affects or in the future in their opinion may, insofar as they can now reasonably foresee, materially adversely affect the business, properties, assets or condition, financial or otherwise, of the applicant.

G. Agency Financial Assistance Required for Project. The Project would not be undertaken but for the Financial Assistance provided by the Agency or, if the Project could be undertaken without the Financial Assistance provided by the Agency, then the Project should be undertaken by the Agency for the following reasons:

H. Compliance with Article 18-A of the General Municipal Law. The Project, as of the date of this Application, is in substantial compliance with all provisions of article 18-A of the General Municipal including, but not limited to, the provisions of Section 859-a and subdivision one of Section 862; and the provisions of subdivision one of Section 862 of the General Municipal Law will not be violated if Financial Assistance is provided for the Project.

I. Compliance with Federal, State, and Local Laws. The applicant is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.

J. False or Misleading Information. The applicant understands 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 exemptions claimed by reason of Agency involvement in the Project.

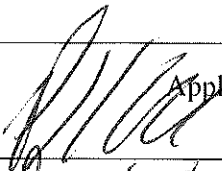
K. Absence of Conflicts of Interest. The applicant acknowledges that the members, officers and employees of the Agency are listed on the Agency's website. No member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

L. Additional Information. Additional information regarding the requirements noted in this Application and other requirements of the Agency are included in the Agency's Policies which can be accessed at <http://www.mcbdc.org/>.

I affirm under penalty of perjury that all statements made on this application are true, accurate and complete to the best of my knowledge.

By:

Title:



Applicant

President

NOTE: APPLICANT MUST ALSO COMPLETE THE APPROPRIATE VERIFICATION APPEARING ON PAGES 26 THROUGH 29 HEREOF BEFORE A NOTARY PUBLIC AND MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 30.

VERIFICATION

(If Applicant is a Corporation)

STATE OF NY)
) SS.:

COUNTY OF Montgomery

Pat O'Neil deposes and says that he is the

(Name of chief executive of applicant)

President of PAIM Logistics

(Title)

(Company Name)

the corporation named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. Deponent further says that the reason this verification is made by the deponent and not by said company is because the said company is a corporation. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said corporation.

[Signature]

(officer of applicant)

Sworn to before me this

26 day of October, 2021

CRYSTI M. SIMONDS
Notary Public State of New York
No. 01SI6214921 Fulton
Qualified in Ontario County
Commission Expires December 21, 2021

[Signature]
(Notary Public)

HOLD HARMLESS AGREEMENT

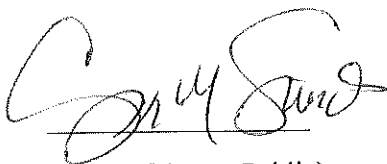
Applicant hereby releases Montgomery County Industrial Development Agency and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (i) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the application or the project described therein or the issue of bonds requested therein are favorably acted upon by the Agency, (ii) the Agency's financing of the Project described therein; and (iii) any further action taken by the Agency with respect to the Project, including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. 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 find buyers willing to purchase the total bond issue requested, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all actual costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

(Applicant)

BY: _____

Sworn to before me this

16 day of October, 2021



(Notary Public)

CRYSTI M. SIMONDS
Notary Public State of New York
No. 01SI6214921 Fulton
Qualified in Otsego County
Commission Expires December 21, 2021

TO: Project Applicants
FROM: Montgomery County Industrial Development Agency
RE: Cost/Benefit Analysis

In order for the Montgomery County Industrial Development Agency (the "Agency") to prepare a Cost/Benefit Analysis for a proposed project (the "Project"), the Applicant must answer the questions contained in this Project Questionnaire (the "Questionnaire") and complete the attached Schedules. This Questionnaire and the attached Schedules will provide information regarding various aspects of the Project, and the costs and benefits associated therewith.

This Questionnaire must be completed before we can finalize the Cost/Benefit Analysis, please complete this Questionnaire and forward it to us at your earliest convenience.

PROJECT QUESTIONNAIRE

1. Name of Project Beneficiary ("Company"):	Daim Logistics
2. Brief Identification of the Project:	Warehouse 128 Park Dr
3. Estimated Amount of Project Benefits Sought:	
A. Amount of Bonds Sought:	\$ 0
B. Value of Sales Tax Exemption Sought	\$ 218400
C. Value of Real Property Tax Exemption Sought	\$ 532327
D. Value of Mortgage Recording Tax Exemption Sought	\$ 30000
4. Likelihood of accomplishing the Project in a timely fashion:	100%

PROJECTED PROJECT INVESTMENT

A. Land-Related Costs

- | | |
|---|-------------------|
| 1. Land acquisition | \$ 20000 |
| 2. Site preparation | \$ 500000 |
| 3. Landscaping | \$ Included above |
| 4. Utilities and infrastructure development | \$ 0 |
| 5. Access roads and parking development | \$ Included above |
| 6. Other land-related costs (describe) | \$ |

B. Building-Related Costs

- | | |
|--|--------------------|
| 1. Acquisition of existing structures | \$ |
| 2. Renovation of existing structures | \$ |
| 3. New construction costs | \$ 2400000 |
| 4. Electrical systems | \$ Budget attached |
| 5. Heating, ventilation and air conditioning | \$ Budget attached |
| 6. Plumbing | \$ Budget attached |
| 7. Other building-related costs (describe) | \$ |

C. Machinery and Equipment Costs

- | | |
|---|----------------------|
| 1. Production and process equipment | \$ |
| 2. Packaging equipment | \$ |
| 3. Warehousing equipment | \$ 430,000 (racking) |
| 4. Installation costs for various equipment | \$ |
| 5. Other equipment-related costs (describe) | \$ |

D. Furniture and Fixture Costs

1. Office furniture
2. Office equipment
3. Computers
4. Other furniture-related costs (describe)

\$ _____
\$ _____
\$ _____
\$ _____

E. Working Capital Costs

1. Operation costs
2. Production costs
3. Raw materials
4. Debt service
5. Relocation costs
6. Skills training
7. Other working capital-related costs (describe)

\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____

F. Professional Service Costs

1. Architecture and engineering
2. Accounting/legal
3. Other service-related costs (describe)

\$ 30000 _____
\$ 40000 _____
\$ _____

G. Other Costs

1. _____
2. _____

\$ _____
\$ _____

H. Summary of Expenditures

1. Total Land-Related Costs	\$ 520000
2. Total Building-Related Costs	\$ 2400000
3. Total Machinery and Equipment Costs	\$ 430000
4. Total Furniture and Fixture Costs	\$
5. Total Working Capital Costs	\$
6. Total Professional Service Costs	\$ 70000
7. Total Other Costs	\$ 3420000

PROJECTED PROFIT

- I. Please provide projected profit as defined by earnings after income tax but before depreciation and amortization:

YEA R	Without IDA benefits	With IDA benefits
1	\$ 58330	\$ 125449
2	\$ 61329	\$ 125449
3	\$ 61329	\$ 125449
4	\$ 61329	\$ 125449
5	\$ 61329	\$ 125449

PROJECTED CONSTRUCTION EMPLOYMENT IMPACT

- I. Please provide estimates of total construction jobs and the total annual wages and benefits of construction jobs at the Project:

Year	Number of Construction Jobs	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year	5	100000	\$ 10000
Year 1	15	\$ 900000	\$ 90000
Year 2	0	\$	\$
Year 3	0	\$	\$
Year 4	0	\$	\$
Year 5	0	\$	\$

PROJECTED PERMANENT EMPLOYMENT IMPACT

- I. Estimates of the total number of existing permanent jobs to be preserved or retained as a result of the Project are described in the tables in Section IV of the Application.
- II. Estimates of the total new permanent jobs to be created at the Project are described in the tables in Section IV of the Application.
- III. Please provide estimates for the following:

A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

I am not sure these would be considered "new job skills" they are skills such as fork truck operator or manager but they are not new to the area.

- IV. Provide the projected percentage of employment that would be filled by Montgomery County residents: 85%

A. Provide a brief description of how the project expects to meet this percentage:

We already have a strong presence in the county and would leverage our brand using county employment resources as well as social media and other avenues to attract employees.

Strategically, we will offer more favorable hours than other warehouse operations in the area with competitive pay and a family atmosphere to attract and retain workers.

PROJECTED OPERATING IMPACT

I. Please provide estimates for the impact of Project operating purchases and sales:

Additional Purchases (1 st year following project completion)	\$ 50000
Additional Sales Tax Paid on Additional Purchases	\$ 4000
Estimated Additional Sales (1 st full year following project completion)	\$
Estimated Additional Sales Tax to be collected on additional sales (1 st full year following project completion)	\$

II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes ("Pilot Payments"):

Year	Existing Real Property Taxes (Without IDA involvement)	New Pilot Payments (With IDA)	Total (Difference)
Current Year	17938	17938	No pilot undeveloped
Year 1	89491.34	22372.84	67118.51
Year 2	86492.05	22372.84	64119.22
Year 3	86492.05	22372.84	64119.22
Year 4	86492.05	22372.84	64119.22
Year 5	86492.05	22372.84	64119.22
Year 6	86492.05	44745.67	41746.38
Year 7	86492.05	44745.67	41746.38
Year 8	86492.05	44745.67	41746.38
Year 9	86492.05	44745.67	41746.38
Year 10	86492.05	44745.67	41746.38
Year 11	86492.05	67118.51	19373.55
Year 12	86492.05	67118.51	19373.55
Year 13	86492.05	67118.51	19373.55
Year 14	86492.05	67118.51	19373.55
Year 15	86492.05	67118.51	19373.55

III. Please provide a detailed description for the impact of other economic benefits and all anticipated community benefits expected to be produced as a result of the Project (attach additional pages as needed for a complete and detailed response):

CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge; such responses are true, correct, and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Agency in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Agency of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

I affirm under penalty of perjury that all statements made on this application are true, accurate and complete to the best of my knowledge.

Date Signed: _10/21_____, 2021.

Name of Person Completing Project Questionnaire on behalf of the Company.

Name: _Patrick Oare_____

Title: _President_____

Phone Number: _518 361 4333_____

Address: _128 Park Dr Futlonville NY
12072_____

Signature: _____

SCHEDULE A

CREATION OF NEW JOB SKILLS

Please list the projected new job skills for the new permanent jobs to be created at the Project as a result of the undertaking of the Project by the Company.

[illegible]

SCHEDULE B

CONSTRUCTION EMPLOYMENT AGREEMENT

Recognizing the mission of the Industrial Development Agency of Montgomery County (IDA) to promote construction employment opportunities for residents of Montgomery County and in consideration of the extension of financial assistance by the IDA, _____ (Project Beneficiary) understands that it is the Agency's policy that benefiting companies should employ New York State residents and agrees to provide the information requested below as a way to provide local construction opportunities. _____ (Project Beneficiary) also agrees to provide an estimate of the number, type and duration of construction jobs to be created through IDA financial assistance, whether employment is gained directly through the Company, its general contractor, or individual vendors.

Upon project completion _____ (Project Beneficiary) shall, if requested by the Agency, submit to the IDA a Construction Completion Report in which is identified names and business addresses of the prime contractor, subcontractors and vendors engaged in the construction of the facility.

General Contractor ___ Franco Construction Services ___

Company Representative for Contract Bids and Awards:

___ Dave Franco _____

Mailing Address:

___ PO Box 536 _____

___ Ballston Spa, NY 12020 _____

Phone: ___ (518) 424-5787 ___ Fax: _____

Email: ___ david@francoconstructionllc.com _____

Construction start date is estimated to be ___ 11/1/21 ___ with occupancy to be taken on
___ 12/31/22 _____

Construction Phase or Process	Duration of Construction Phase	# to be Employed
-------------------------------	--------------------------------	------------------

Site work	12 months	5
Concrete	6 months	5
Building erection	2 weeks	5
Mechanicals	2 weeks	2
Electrical	2 weeks	2
Sprinkler system	1 month	5
Rack erection Pallet systems	1 month	4

(Attach additional sheets if needed)

Name of Applicant: Patrick Oare Dated: 10/21/21

Company Position: President Signed: _____

Statement 1

Response to questions 2,3

Tampering with a required Clean Air Act monitoring device 42U.S.C. 7413(c)(2)(C)

Both Patrick Oare and Daim Logistics have one charge each of this code.

Statement 2

IV.

EMPLOYMENT IMPACT

D. Please prepare a separate attachment describing in detail the types of employment at the Project site. Such attachment should describe the activities or work performed for each type of employment.

The warehouse and distribution project will require the following job positions.

Warehouse manager. This position will be charged with the overall operation on the facility. Starting salary is \$80000 annual.

3rd Party Logistics sales person. This position is charged with maintaining a full operation courting new customers and maintaining current ones. \$90000 with commission annual.

Shift Leader oversees daily operations at the facility for their shift. This will include safety operations, product control and accountability. Ensuring orders are fulfilled and on schedule. 1 per shift \$60000 annual

Forktruck operator This individual is charged with unloading and loading trucks as well as put away and pulling stock. 2-3 per shift depending on work load \$50000 annual

Pick and Pack this position is breaking down and repackaging product. Building pallets to customer order. 3-4 per shift \$45000 annual

**RESOLUTION AUTHORIZING NEW MORTGAGE - 2022
VIDA BLEND, LLC PROJECT**

A regular meeting of Montgomery County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at the Old County Courthouse, 9 Park Street, Fonda, New York on January 13, 2022 at 4:30 o'clock p.m., local time.

The meeting was called to order by the (Vice) Chair of the Agency and, upon roll being called, the following members of the Agency were:

PRESENT:

Matthew Beck	Chair
Carol Shineman	Vice-Chair
Laurie Weingart	Secretary
Cheryl Reese	Treasurer
Amanda Auricchio, Esq.	Member
Mark Kowalczyk	Member
Brent E. Phetteplace	Member

ABSENT:

AGENCY STAFF PRESENT INCLUDED THE FOLLOWING:

Kenneth F. Rose	Chief Executive Officer
Sheila Snell	Chief Financial Officer
Andrew Santillo	Staff Assistant
Karl Gustafson, Jr.	Grant Assistant
Vincenzo Nicosia	Director of Program Development
Christopher C. Canada, Esq.	Agency Counsel

The following resolution was offered by _____, seconded by _____, to wit:

Resolution No. 22-04

RESOLUTION AUTHORIZING THE EXECUTION BY MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY OF A CERTAIN MORTGAGE AND RELATED DOCUMENTS IN CONNECTION WITH THE VIDA BLEND, LLC PROJECT.

WHEREAS, Montgomery County Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 666 of the 1970 Laws of New York, as amended, constituting Section 895-d of said General Municipal Law (said Chapter and the Enabling Act being hereinafter

collectively referred to as the “Act”) to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, research, and recreation facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, reconstruct, renovate and install one or more “projects” (as defined in the Act) or to cause said projects to be acquired, reconstructed, renovated and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, on April 6, 2020 (the “Lease Closing”), the Agency granted certain financial assistance to Vida Blend, LLC (the “Company”) to assist in financing a project (the “Project”) consisting of the following: (A) (1) the acquisition of an interest in an approximately 6.5 acre parcel of land located at the Florida Business Park Extension in the Town of Florida, Montgomery County, New York (the “Land”), (2) the construction on the Land of an approximately 16,000 square foot manufacturing facility for purposes of the blending of vitamin and mineral mixtures (the “Facility”) and (3) the acquisition and installation of certain machinery and equipment therein and thereon (the “Equipment”) (the Land, the Facility and the Equipment hereinafter collectively referred to as the “Project Facility”), all of the foregoing to constitute a manufacturing facility; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real property transfer taxes and mortgage recording taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, simultaneously with the execution and delivery of the Lease Agreement, the Company executed and delivered to the Agency (A) a certain lease to agency dated as of March 1, 2020 (the “Lease to Agency”) by and between the Company, as landlord, and the Agency, as tenant, pursuant to which the Company leased to the Agency a portion of the Land and all improvements now or hereafter located on said portion of the Land (collectively, the “Premises”) for a lease term ending on December 31, 2025; and (B) a bill of sale dated as of March 1, 2020 (the “Bill of Sale to Agency”), which conveyed to the Agency all right, title and interest of the Company in the Equipment; and

WHEREAS, by correspondence dated December 31, 2021 (the “Request”), which Request is attached hereto as Exhibit A, the Agency was informed that the Company intends to enter into a new loan (the “Loan”), which Loan is intended to be secured by a mortgage (the “Mortgage”) from the Agency and the Company to the lender (the “Lender”); and

WHEREAS, in connection with the Request, the Company would like the Agency to enter into the Mortgage and any other security documents and related documents (collectively, the “Financing Documents”); and

WHEREAS, in connection with the execution and delivery of the Financing Documents, the Agency will not be providing any benefits to the Company via exemption from the mortgage recording tax; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the “SEQR Act”) and the regulations adopted pursuant

thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations" and collectively with the SEQRA Act, "SEQRA"), the Agency must satisfy the requirements contained in SEQRA prior to making a final determination whether to proceed with the Request; and

WHEREAS, pursuant to SEQRA, the Agency has examined the Request in order to make a determination as to whether the Request is subject to SEQRA, and it appears that the Request constitutes a Type II action under SEQRA;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY, AS FOLLOWS:

Section 1. Based upon an examination of the Request, the Agency hereby makes the following determinations:

(A) The Request constitutes a "Type II action" pursuant to 6 NYCRR 617.5(c)(23), and therefore that, pursuant to 6 NYCRR 617.6(a)(1)(i), the Agency has no further responsibilities under SEQRA with respect to the Request.

(B) The Agency will not be granting any mortgage recording tax exemption relating to the Request.

(C) That since compliance by the Agency with the Request will not result in the Agency providing more than \$100,000 of "financial assistance" (as such quoted term is defined in the Act) to the Company, Section 859-a of the Act does not require a public hearing to be held with respect to the Request.

Section 2. Subject to (A) approval of the form of the Financing Documents by Agency Counsel, (B) completion by Agency staff of the internal review of the Project, (C) receipt by the Chief Executive Officer of (1) the Agency's administrative fee relating to the Request, if any, and (2) counsel's fees relating to the Request, and (D) satisfaction of the following additional conditions: _____, the Agency hereby approves the Request and authorizes the execution by the Agency of the Financing Documents.

Section 3. Subject to the satisfaction of the conditions described in Section 2 hereof, the Chairman (or Vice-Chair) of the Agency is hereby authorized to execute and deliver the Financing Documents to the Company, and, where appropriate, the Secretary (or Assistant Secretary) of the Agency is hereby authorized to affix the seal of the Agency thereto and to attest the same, all in substantially the form thereof presented to this meeting, with such changes, variations, omissions and insertions as the Chairman (or Vice-Chair) shall approve, the execution thereof by the Chairman (or Vice-Chair) to constitute conclusive evidence of such approval.

Section 4. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required or provided for by the provisions of the Financing Documents, and to execute and deliver all such additional certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing Resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Financing Documents binding upon the Agency.

Section 5. This Resolution shall take effect immediately.

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

Matthew Beck	VOTING	_____
Carol Shineman	VOTING	_____
Laurie Weingart	VOTING	_____
Cheryl Reese	VOTING	_____
Amanda Auricchio, Esq.	VOTING	_____
Mark Kowalczyk	VOTING	_____
Brent E. Phetteplace	VOTING	_____

The foregoing Resolution was thereupon declared duly adopted.

[Remainder of page left blank intentionally]

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

I, the undersigned (Assistant) Secretary of Montgomery County Industrial Development Agency (the "Agency"), do hereby certify that I have compared the foregoing extract of the minutes of the meeting of the members of the Agency held on January 13, 2022 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present throughout said meeting.

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 13th day of January, 2022.

(Assistant) Secretary

(SEAL)

EXHIBIT A

REQUEST FROM COUNSEL TO COMPANY

See attached.