

# **Meeting Notice**

**TO:** Agency Members

FROM: Kenneth F. Rose, Chief Executive Officer

**DATE:** November 11, 2025

**RE:** MCIDA Regular Meeting

A regular meeting of the Montgomery County Industrial Development Agency is scheduled for <u>Thursday November 13 at 3:30 p.m.</u> at the **Montgomery County Business Development Center**, **113 Park Drive**, **Fultonville**, **NY**.

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

cc: Christopher Canada, Esq.
Montgomery Co. Legislature

The Recorder

### Montgomery County Industrial Development Agency Meeting

### Agenda November 13, 2025

I.	Call to Order	
II.	Minutes A. Governance Committee-October 9, 2025 B. Regular Meeting-October 9, 2025	
III.	Communications	
IV.	Public Comments	
V.	Chair's Report	
VI.	Director's Report	

B. Revolving Loan Fund

VII.

VIII.

Marketing Report

Financial Report

A. Financial Report

- IX. Unfinished Business
  A. NBT Parking Lot
  B. PEMM LLC.
- X. New Business
  - A. Amazon Services, LLC.
  - B. Winn Construction Services, Inc.
- XI. Adjournment

#### Montgomery County Industrial Development Agency Governance Committee Meeting Minutes October 9, 2025

#### MEMBERS PRESENT:

Matthew Beck, Chair Mark Kowalczyk, Vice-Chair Brent Phetteplace, Secretary Cheryl Reese, Treasurer Jessica Cyr, Member Edward Watt, Member Daniel Roth, Member

#### STAFF MEMBERS PRESENT:

Kenneth F. Rose, Chief Executive Officer Sheila Snell, Chief Financial Officer Vincenzo Nicosia, Director of Program Dev. Christie Dingman, Staff Assistant Stephanie Battisti, Economic Dev. Specialist Christopher C. Canada, Esq., Agency Counsel

#### **MEMBERS ABSENT:**

#### OTHERS PRESENT:

Pete Vroman, County Executive

#### I. Call to Order

The meeting was called to order by Chairman Beck at 3:50 p.m.

#### II. New Business

#### A. 2026 Proposed Budget

Ms. Sheila Snell explained the proposed budget included in the board packet. The budget depicts last year, current to date and proposed budget for the next four years. The budget is pretty standard and is required by the Authorities Budget Office (ABO) to be acted upon by the Agency at least 60 days before the end of the year.

Chairman Beck asked for a recommendation from the Governance Committee to bring this forward to the full Agency board with a positive recommendation. A motion was made by Edward Watt, seconded by Matthew Beck. All members present were in favor.

#### III. Adjournment

A motion was made by Edward Watt, seconded by Cheryl Reese, to adjourn the meeting at 3:54pm. All members present were in favor.

Respectfully submitted,

Stephanie Battisti

Economic Development Specialist

# Montgomery County Industrial Development Agency Meeting Meeting Minutes October 9, 2025

#### **MEMBERS PRESENT:**

Matthew Beck, Chair Mark Kowalczyk, Vice-Chair Brent Phetteplace, Secretary Cheryl Reese, Treasurer Jessica Cyr, Member Edward Watt, Member Daniel Roth, Member

#### STAFF MEMBERS PRESENT:

Kenneth F. Rose, Chief Executive Officer Sheila Snell, Chief Financial Officer Vincenzo Nicosia, Director of Program Dev. Christie Dingman, Staff Assistant Stephanie Battisti, Economic Dev. Specialist Christopher C. Canada, Esq., Agency Counsel

#### **MEMBERS ABSENT:**

#### **OTHERS PRESENT:**

Pete Vroman, County Executive
Shawn Baggett, VP of Development & Construction
of the Bluewater Property Group
Glendowlyn Thames, Amazon Public Policy and
Economic Development
Robert G. Murray, Harris Beach Murtha

#### I. Call to Order

The meeting was called to order by Chairperson Beck at 3:55 p.m.

#### II. Minutes

A motion was made by Edward Watt, seconded by Brent Phetteplace, to approve the meeting minutes from the IDA regular meeting of August 14, 2025. All members present voted in favor.

#### III. Communications

There were no communication.

#### IV. Public Comments

There were no public comments.

#### V. Chair's Report

Chairman Beck introduced the new staff member Christie Dingman.

#### VI. Director's Report

Ken Rose let the board know that DANVANN is having a grand opening on their housing project off of Golf Course Road on Thursday October 16<sup>th</sup> at 4:30pm if anyone would like to attend.

Ken let the board know that in their packet there was an IDA application for a potential Amazon project in Montgomery County, there were a few Amazon staff at the meeting that presented the project to the board.

#### VII. Financial Report

#### A. Financial Transactions

Ms. Sheila Snell stated that the financial transaction report is included in the Agency Board member's packet for the Month of September and that there was nothing unusual to report.

A motion was made by Matthew Beck, second by Mark Kowalczyk, to approve the financial transactions.

#### B. Revolving Loan Fund Report

Ms. Snell said that the Revolving Loan Fund for September is included in the Agency Board member's packet and RAMA Real Property has paid off their loan in full. We are still waiting for the Building Blocks to close out, a few hurdles they are working on. Sheila is working on conducting and setting up annual site visits. Board Member Mark Kowalczyk asked if the staff could get some feedback from businesses that had a revolving loan in the past to see how they are doing today.

#### VIII. Marketing & Tourism Report

Vincenzo Nicosia discussed the Kayak-A-Thon event and that it went well. Pictures and videos are on the tourism Facebook page.

Small Business of the month is Rose and Hughes for this month, and staff will be going out next with the County Executive to present the award plaque

Staff is working with DPW on making signs for the bike path depicting businesses in the area to direct users of the path into the downtowns along the path.

Micro-grant disbursements are going out, and it is anticipated that next year we can ask for more funding. Vincenzo mentioned they could look back at some of the first microgrant applicants and see how they are doing a few years later.

Brent Phetteplace mentioned the Erie Canal Boat Seneca Chief is coming through the County on the Canal. Vincenzo let the board know the boat will be in Canajoharie on Sunday and then in Amsterdam on Monday.

A motion was made by Edward Watt, seconded by Mark Kowalczyk, to enter into an executive session to discuss a company's financials and possible land transaction at 4:20pm

A motion was made by Edward Watt, seconded by Mark Kowalczyk to adjourn executive session at 5:35pm. All members present were in favor. No action was taken in the executive session

#### IX. Unfinished Business

#### A. NBT Parking Lot

Ken Rose discussed with the board that negotiations with NBT on a portion of the parking lot is moving along and that both sides are close to an agreement on acquisition price and that no official action is currently needed.

#### X. New Business

#### A. Expertise Project - FCCRG Presentation

This was discussed during the Capital Resource Corporation Meeting.

#### B. Amazon IDA Application

The following resolution was offered by Edward Watt, seconded by Matthew Beck, to wit:

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 AMAZON.COM SERVICES, LLC., BMG ALBANY LLC AND/OR ONE OR MORE AFFILIATES THEREOF

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

Edward Watt	VOTING	YES
Matthew Beck	VOTING	YES
Mark Kowalczyk	VOTING	YES
Brent Phetteplace	VOTING	YES
Cheryl Reese	VOTING	YES
Jessica Cyr	VOTING	YES
Daniel Roth	VOTING	ABSTAIN

The foregoing Resolution No. 25-14 was thereupon declared duly adopted

#### C. Appointment of Auditors

It was discussed that there was one response to the RFP that went out for auditing services for the Agency.

The following resolution was offered by Edward Watt, seconded by Brent Phetteplace, to wit:

RESOLUTION AUTHORIZING CHIEF EXECTUIVE OFFICER OF THE MCIDA TO SIGN AGREEMENT WITH WESTON COMPANY CPA'S PC FOR SERVICES TO THE MCIDA

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

Edward Watt	VOTING	YES
Matthew Beck	VOTING	YES
Mark Kowalczyk	VOTING	YES
Brent Phetteplace	VOTING	YES
Cheryl Reese	VOTING	YES
Jessica Cyr	VOTING	YES
Daniel Roth	VOTING	YES

The foregoing Resolution No. 25-15 was thereupon declared duly adopted

#### D. 2026 MCIDA Proposed Budget

Chairman Beck said that this came to the full Agency board, with a positive recommendation from the Governance Committee.

A motion was made by Edward Watt, seconded by Brent Phetteplace, to adopt the proposed 2025 MCIDA Budget. All members present voted in favor

#### IX. Adjournment

A motion was made by Edward Watt, seconded by Matthew Beck, to adjourn the meeting at 5:37 p.m. All members present were in favor.

Respectfully submitted,

Stephania Battisti Economic Development Specialist

Attachments: Resolution No. 25-15, 25-16

# PUBLIC HEARING RESOLUTION AMAZON.COM SERVICES LLC – BMG ALBANY LLC PROJECT

A regular meeting of Montgomery County Industrial Development Agency (the "Agency") was convened in public session at the office of the Agency located at the Montgomery County Business Development Center located at 113 Park Drive, Fultonville, New York on October 9, 2025 at 3:30 p.m., local time.

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

#### PRESENT:

Matthew Beck Mark Kowalczyk Brent Phetteplace

Brent Phetteplace Cheryl Reese Edward Watt

Jessica Cyr Daniel Roth Chairperson

Vice Chairperson

Secretary/Assistant Treasurer Treasurer/Assistant Secretary

Member Member Member

#### ABSENT:

None

#### THE FOLLOWING PERSONS WERE ALSO PRESENT:

Kenneth F. Rose Sheila Snell Chief Executive Officer Chief Financial Officer

Vincenzo Nicosia

**Economic Development Specialist** 

Christopher C. Canada, Esq.

Agency Counsel

The following resolution was offered by Edward Watt, seconded by Matthew Beck, to wit:

Resolution No. 1025-14

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 AMAZON.COM SERVICES LLC, BMG ALBANY LLC AND/OR ONE OR MORE AFFILIATES THEREOF.

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 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, Amazon.com Services LLC, a limited liability company organized and existing under the laws of the State of New York ("Amazon Services") and BMG Albany LLC a limited liability company organized and existing under the laws of the State of New York ("BMG") (Amazon Services and BMG are each hereinafter sometimes referred to as a "Co-Applicant") submitted an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") for the benefit of either or both Co-Applicants or one or more affiliates thereof (collectively, the "Company"), said Project consisting of the following: (A) (1) the acquisition of an interest in one or more parcels of land containing an aggregate of approximately 137.24 acres and located approximately 1.5 miles west of Interchange 27 on the south side of New York State Route 5S and between New York State Route 5S and the New York State Thruway (I-90) in the Town of Florida, Montgomery County, New York (collectively, the "Land"); (2) the construction on the Land of a mixed-use facility to contain approximately +/- 3.2 million square feet of space (the "Facility"); and (3) the acquisition and installation therein and thereon of certain machinery, equipment and other personal property (collectively, the "Equipment") (the Land, the Facility and the Equipment being collectively referred to as the "Project Facility"), all of the foregoing to be owned and operated by the Company, an affiliate thereof, or such other person or entity as may be designated by the Company and agreed upon by the Agency, as a distribution center and warehouse, including office space. related parking, trailer and truck storage, and other directly and indirectly related activities; (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 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 or entity 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; (F) to cause a copy of the Report to be made available to the members of the Agency; and (G) to cause this resolution to be sent via certified mail, return receipt requested to the chief executive officer of the County and of each city, town, village and school district in which the Project Facility is to be located to comply with the requirements of Section 859-a of the Act.

Section 2. The Chairperson, Vice Chairperson 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 Chairperson, Vice Chairperson and/or 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	YES
Mark Kowalczyk	VOTING	YES
Brent Phetteplace	VOTING	YES
Cheryl Reese	VOTING	YES
Edward Watt	VOTING	YES
Jessica Cyr	VOTING	YES
Daniel Roth	VOTING	ABSTAIN

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, including the resolution contained therein, held on October 9, 2025 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 set forth 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 9th day of October, 2025.

(Assistant) Secretary/

(SEAL)

#### RESOLUTION PROFESSIONAL SERVICES-AUDIT

A regular meeting of Montgomery County Industrial Development Agency (the "Agency") was convened in public session at the office of the Agency located at the Montgomery County Business Development Center located at 113 Park Drive, Fultonville, New York on October 9, 2025 at 3:55 p.m., local time.

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

#### PRESENT:

Matthew Beck Chairperson
Mark Kowalczyk Vice Chairperson

Brent Phetteplace Secretary/Assistant Treasurer Cheryl Reese Treasurer/Assistant Secretary

Edward Watt Member
Jessica Cyr Member
Daniel Roth 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 Stephanie Battisti Economic Development Specialist

Christie Dingman Staff Assistant
Peter Vroman County Executive
Christopher Canada, Esq. Agency Counsel

The following resolution was offered by Edward Watt, seconded by Brent Phetteplace, to wit:

Resolution No. 25-15

# RESOLUTION AUTHORIZING CHIEF EXECUTIVE OFFICER OF THE MCIDA TO SIGN AGREEMENT WITH WESTON COMPANY CPA'S PC FOR SERVICES TO THE MCIDA

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-b 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, 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, it is required that the Montgomery County Industrial Development Agency contract with an accounting firm for annual audit services, and

WHEREAS, the Montgomery County Industrial Development Agency issues an RFP for Professional Auditing Services on September 8, 2025 and one proposal was received, and

WHEREAS, the Agency reviewed and discussed the RFP and recommends to contract with West and Company CPA'S PC to provide Audit services for the Agency's Annual 2025, 2026 and 2027 Independent Financial Audit and Investment Report;

RESOLVED, the Montgomery County Industrial Development Agency, authorizes the Chief Executive Officer to sign an agreement with West and Company CPA'S PC. to provide audit services for the Agency's Annual 2025, 2026 and 2027 Audit and Investment Reports.

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
Mark Kowalczyk	VOTING	YES
Brent Phetteplace	VOTING	YES
Cheryl Reese	VOTING	YES
Edward Watt	VOTING	YES
Jessica Cyr	VOTING	YES
Daniel Roth	VOTING	YES

The foregoing Resolution No. 25-15 was thereupon declared duly adopted.

STATE OF NEV	W YORK	) ) SS.:			
COUNTY OF M	MONTGOMERY	) 55.:			
(the "Agency"), of the members original thereof	ndersigned (Assistant do hereby certify tha of the Agency, includ on file in my office, a rth therein and of the to.	It I have compared ling the resolution of and that the same is	the foregoing extra- contained therein, h a true and correct c	ct of the minutes of t held on October 9, 20 copy of said original :	the meeting 25 with the and of such
said meeting was Meetings Law") meeting was dul	HER CERTIFY that s in all respects duly , said meeting was op y given in accordance Agency present throu	held; (C) pursuant pen to the general per with such Open	to Article 7 of the loublic, and due noting Meetings Law; and	Public Officers Law ice of the time and p	(the "Open lace of said
	HER CERTIFY that, amended, repealed o		of, the attached reso	olution is in full force	e and effect
	NESS WHEREOF, I	have hereunto set	t my hand and affin	xed the seal of the A	Agency this
		(Assist	tant) Secretary		
(SEAL)					

### **Balance Sheet**

### MCIDA

As of October 31, 2025

Current Assets Bank Accounts 200 Cash 200.1 NBT-General Fund 200.2 NBT-MMDA 200.4 NBT-USDA 200.7 NBT Payroll  Total for 200 Cash  Total for Bank Accounts  Accounts Receivable Other Current Assets 253 Loan Receivable 255 Accounts Receivable 420 Due from Other Government 420.1 Due From Montgomery County 420.2 Due From CRC  Total for 420 Due from Other Government	
Bank Accounts 200 Cash 200.1 NBT-General Fund 200.2 NBT-MMDA 200.4 NBT-USDA 200.7 NBT Payroll  Total for 200 Cash  Total for Bank Accounts  Accounts Receivable Other Current Assets 253 Loan Receivable 255 Accounts Receivable 420 Due from Other Government 420.1 Due From Montgomery County 420.2 Due From CRC	
200 Cash 200.1 NBT-General Fund 200.2 NBT-MMDA 200.4 NBT-USDA 200.7 NBT Payroll  Total for 200 Cash  Total for Bank Accounts  Accounts Receivable Other Current Assets 253 Loan Receivable 255 Accounts Receivable 420 Due from Other Government 420.1 Due From Montgomery County 420.2 Due From CRC	
200.1 NBT-General Fund 200.2 NBT-MMDA 200.4 NBT-USDA 200.7 NBT Payroll  Total for 200 Cash  Total for Bank Accounts  Accounts Receivable Other Current Assets 253 Loan Receivable 255 Accounts Receivable 420 Due from Other Government 420.1 Due From Montgomery County 420.2 Due From CRC	
200.2 NBT-MMDA 200.4 NBT-USDA 200.7 NBT Payroll  Total for 200 Cash  Total for Bank Accounts  Accounts Receivable Other Current Assets 253 Loan Receivable 255 Accounts Receivable 420 Due from Other Government 420.1 Due From Montgomery County 420.2 Due From CRC	
200.4 NBT-USDA 200.7 NBT Payroll  Total for 200 Cash  Total for Bank Accounts  Accounts Receivable Other Current Assets 253 Loan Receivable 255 Accounts Receivable 420 Due from Other Government 420.1 Due From Montgomery County 420.2 Due From CRC	14,968.91
200.7 NBT Payroll  Total for 200 Cash  Total for Bank Accounts  Accounts Receivable Other Current Assets 253 Loan Receivable 255 Accounts Receivable 420 Due from Other Government 420.1 Due From Montgomery County 420.2 Due From CRC	3,033,865.29
Total for 200 Cash  Total for Bank Accounts  Accounts Receivable Other Current Assets 253 Loan Receivable 255 Accounts Receivable 420 Due from Other Government 420.1 Due From Montgomery County 420.2 Due From CRC	97,859.54
Total for Bank Accounts  Accounts Receivable Other Current Assets 253 Loan Receivable 255 Accounts Receivable 420 Due from Other Government 420.1 Due From Montgomery County 420.2 Due From CRC	8,422.56
Accounts Receivable Other Current Assets 253 Loan Receivable 255 Accounts Receivable 420 Due from Other Government 420.1 Due From Montgomery County 420.2 Due From CRC	\$3,155,116.30
Other Current Assets 253 Loan Receivable 255 Accounts Receivable 420 Due from Other Government 420.1 Due From Montgomery County 420.2 Due From CRC	\$3,155,116.30
253 Loan Receivable 255 Accounts Receivable 420 Due from Other Government 420.1 Due From Montgomery County 420.2 Due From CRC	
255 Accounts Receivable 420 Due from Other Government 420.1 Due From Montgomery County 420.2 Due From CRC	
420 Due from Other Government 420.1 Due From Montgomery County 420.2 Due From CRC	267,638.03
420.1 Due From Montgomery County 420.2 Due From CRC	0.00
420.2 Due From CRC	\$0.00
	0.00
Total for 420 Due from Other Government	0.00
	\$0.00
480 Prepaids	
480.1 Prepaid Expenses	0.00
480.2 Prepaid Insurance	880.74
480.3 Prepaid Marketing	0.00
Total for 480 Prepaids	\$880.74
Total for Other Current Assets	\$268,518.77
Total for Current Assets	\$3,423,635.07
Fixed Assets	
Other Assets	
100.10 Clark-Ld Dvlp(TBK)-Phs II	53,754.35
100.1 GP-Land Adams Purchase	64,439.69
100.20 Land FP- Gage Parcel	7,534.25
100.23 FP Land-Lot1 Parcel A	11,003.85
100.28 FP Land Lot 1 Parcel AA	9,859.60
100.29 FP Land New Account	-100.00
100.2 GP Lnd EdwardClark Prchs	0.00
100.30 FP Land Bushman Property	115,886.81

### **Balance Sheet**

#### MCIDA

As of October 31, 2025

DISTRIBUTION ACCOUNT	TOTAL
100.31 FP Land Trnsfr-Twn Florida	9,282.93
100.32 FP Land Transfer to NYSDOT	1.00
100.33 FP Land Cell Tower	6,329.14
100.40 FP Extension	1,009,406.39
100.50 Land-Parking Lot	10.00
100.51 Prkng Lot Lease Hld Imprv	97,530.23
100.52 NBT-Parking Lot Accum Depr	-98,354.53
101 101 Inventory Asset Exit 29	825,069.00
251 Lease Receivable-NBT	0.00
Total for Other Assets	\$2,111,652.71
Total for Assets	\$5,535,287.78
Liabilities and Equity	
Liabilities	
Current Liabilities	
Accounts Payable	
600 Accounts Payable	0.00
Total for Accounts Payable	\$0.00
Credit Cards	
Other Current Liabilities	
605 Accounts Payable-Misc	67,196.15
610 Deposits/Retainers	0.00
615 Deposits/Options	0.00
620 PILOTS Clearing Account	4,516.62
622 PILOT Clearing BeechNut	0.00
635 Due to Montgomery Cty Misc	271,574.64
640 Salary Payable-County Admi	0.00
645 Payroll Tax Withholding	0.00
651 651 - Amazon Escrow	13,265.61
660.2 Deferred Revenue-GP Note	18,428.74
660 Deferred Revenues	
660.1 Dfrrd Int Revenue-NBT	0.00
660.5 Def Int Rev - Cell Tower	0.00
Total for 660 Deferred Revenues	\$0.00
690 Overpayments & Charges	0.00
Total for Other Current Liabilities	\$374,981.76
Total for Current Liabilities	\$374,981.76

### **Balance Sheet**

### MCIDA

As of October 31, 2025

DISTRIBUTION ACCOUNT	TOTAL
Long-term Liabilities	
630 Due to Other Gov'ts	\$0.00
630.1 Due To MC3 Development	610,260.34
630.2 Due To MC Parks	295,000.00
630.3 Due To MC-Parks Res 108-97	585,622.68
630.4 Due To MC-IAP Reimbursemnt	369,634.53
Total for 630 Due to Other Gov'ts	\$1,860,517.55
650 USDA Clearing Account	0.00
Total for Long-term Liabilities	\$1,860,517.55
Total for Liabilities	\$2,235,499.31
Equity	
920 Opening Bal Equity	1,611,682.78
922 Retained Earnings - USDA	83,418.86
921 Retained Earnings	310,405.02
Net Income	1,294,281.81
Total for Equity	\$3,299,788.47
Total for Liabilities and Equity	\$5,535,287.78

### Profit and Loss

### MCIDA

January 1-October 31, 2025

DISTRIBUTION ACCOUNT	TOTAL
Income	
2205 Other Revenue	50,077.00
2215 Application Fees	1,000.00
2220 Agency Fees (Projects)	1,221,393.40
2221 Revenue_Administrative Fees	101,721.46
2401 Interest & Earnings	
2401.1 Bank Interest-NBT Gen Fd	6.88
2401.2 Bank Interest-NBT MMDA	34,382.59
2401.3 Bank Interest-USDA	2,013.95
Total for 2401 Interest & Earnings	\$36,403.42
2405 Interest on Mortgages/Leases	
2405.5 Revenue-NBT Parking Lot	5,250.00
2405.6 Revenue-Cell Towers	40,227.15
Total for 2405 Interest on Mortgages/Leases	\$45,477.15
2660 Income from Sale of Land	15,015.74
Total for Income	\$1,471,088.17
Cost of Goods Sold	
Gross Profit	\$1,471,088.17
Expenses	
6110 Professional Fees	9,084.00
6125 Auditing	11,000.00
6130 Legal Fees	55,649.99
6145 Appraisal Expense	2,500.00
6150 Contributions Expense	1,100.00
6160 Insurance Expense	10,232.98
6165 Bank Service Charges	30.00
6175 General Office Expense	12,383.92
6200 Salaries Exp (Cty Admin)	17,500.00
6210 Property Taxes Expense	417.38
6460 Depreciation Expense	1,896.65
9000 Payroll	48,231.04
9005 Payroll Taxes	4,678.60
9010 Payroll Fees (Paychex)	2,101.80
Total for Expenses	\$176,806.36
Net Operating Income	\$1,294,281.81
Other Income	
Other Expenses	

### **Profit and Loss**

### MCIDA

October 1-31, 2025

DISTRIBUTION ACCOUNT	TOTAL
Income	
2215 Application Fees	1,000.00
2220 Agency Fees (Projects)	954,090.00
2401 Interest & Earnings	
2401.1 Bank Interest-NBT Gen Fd	0.39
2401.2 Bank Interest-NBT MMDA	4,447.75
2401.3 Bank Interest-USDA	206.81
Total for 2401 Interest & Earnings	\$4,654.95
Total for Income	\$959,744.95
Cost of Goods Sold	
Gross Profit	\$959,744.95
Expenses	
6110 Professional Fees	450.00
6130 Legal Fees	47,478.00
6160 Insurance Expense	870.01
6165 Bank Service Charges	15.00
6175 General Office Expense	792.47
9000 Payroll	6,576.96
9005 Payroll Taxes	517.47
9010 Payroll Fees (Paychex)	268.68
Total for Expenses	\$56,968.59
Net Operating Income	\$902,776.36
Other Income	
Other Expenses	
Net Other Income	
Net Income	\$902,776.36

# Transaction Report

### MCIDA

October 1-31, 2025

TRANSACTION DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	ACCOUNT FULL NAME	ITEM SPLIT ACCOUNT	AMOUNT	BALANCE
200 Cash								
200.1 NBT-General F	und							
Beginning Balance								14,968.19
10/09/2025	Check	8750	Say It With Signs	Invoice #8217 Plaque	200 Cash:200.1 NBT-General Fund	General Office Expense	-49.95	14,918.24
10/09/2025	Check	8751	Camion Associates, Inc.	Prospect Engagement Report -Inv#21481	200 Cash:200.1 NBT-General Fund	Professional Fees	-450.00	14,468.24
10/09/2025	Check	8752	Greater Amsterdam School District	Log City One LLC-PILOT 25/26	200 Cash:200.1 NBT-General Fund	PILOTS Clearing Account	-1,244.44	13,223.80
10/09/2025	Check	8753	Fonda Fultonville Central School	DAIM Peters Properties 131 Riverside 25/26	200 Cash:200.1 NBT-General Fund	PILOTS Clearing Account	-6,962.76	6,261.04
10/09/2025	Check	8754	Elan Financial Services	CC # ending 8108	200 Cash:200.1 NBT-General Fund	General Office Expense	-742.52	5,518.52
10/09/2025	Transfer			Cks October	200 Cash:200.1 NBT-General Fund	NBT-MMDA	9,450.00	14,968.52
10/31/2025	Deposit	INTEREST		Interest Earned	200 Cash:200.1 NBT-General Fund	Bank Interest-NBT Gen Fd	0.39	14,968.91
Total for 200.1 NBT-	General Fund						\$0.72	
Total for 200 Cash wi	th sub-accounts						\$0.72	
TOTAL							\$0.72	

## Transaction Report

### MCIDA

October 1-31, 2025

TRANSACTION DATE	TRANSACTION TYPE	NUM	NAME	MEMO/DESCRIPTION	ACCOUNT FULL NAME	ITEM SPLIT ACCOUNT	AMOUNT	BALANCE
200 Cash								
200.2 NBT-MMDA								
Beginning Balance								1,815,019.97
10/09/2025	Transfer			Cks October	200 Cash:200.2 NBT-MMDA	NBT-General Fund	-9,450.00	1,805,569.97
10/23/2025	Deposit		Dollar General	Wire Transfer 10/23/25	200 Cash:200.2 NBT-MMDA	Agency Fees (Projects)	954,090.00	2,759,659.97
10/23/2025	Journal Entry	Wire Transfer Fee		Wire transfer fee-DG Project Closing Deposit	200 Cash:200.2 NBT-MMDA		-15.00	2,759,644.97
10/30/2025	Deposit		Dollar General		200 Cash:200.2 NBT-MMDA	PILOTS Clearing Account	255,487.70	3,015,132.67
10/30/2025	Deposit		Vida Blend LLC		200 Cash:200.2 NBT-MMDA	PILOTS Clearing Account	5,077.67	3,020,210.34
10/30/2025	Deposit		Harris Beach, PLLC		200 Cash:200.2 NBT-MMDA	Application Fees	1,000.00	3,021,210.34
10/30/2025	Deposit		EcoFlats Loag City		200 Cash:200.2 NBT-MMDA	PILOTS Clearing Account	1,244.44	3,022,454.78
10/30/2025	Deposit		Peter's Properties		200 Cash:200.2 NBT-MMDA	PILOTS Clearing Account	6,962.76	3,029,417.54
10/31/2025	Deposit	INTEREST		Interest Earned	200 Cash:200.2 NBT-MMDA	Bank Interest-NBT MMDA	4,447.75	3,033,865.29
Total for 200.2 NBT-I	MMDA						\$1,218,845.32	
Total for 200 Cash wit	h sub-accounts						\$1,218,845.32	
TOTAL							\$1,218,845.32	

#### RESOLUTION AUTHORIZING LEASE OF PROPERTY TO NBT BANK

A regular meeting of Montgomery County Industrial Development Agency (the "Agency") was convened in public session at the office of the Agency located at the Montgomery County Business Development Center located at 113 Park Drive, Fultonville, New York on November 13, 2025 at 3:30 p.m., local time.

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

#### PRESENT:

Matthew Beck Chairperson
Mark Kowalczyk Vice Chairperson

Brent Phetteplace Secretary/Assistant Treasurer
Cheryl Reese Treasurer/Assistant Secretary

Edward Watt Member
Jessica Cyr Member
Daniel Roth 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 Stephanie Battisti Economic Development Specialist

Christie Dingman Staff Assistant Christopher C. Canada, Esq. Agency Counsel

The following resolution was offered by \_\_\_\_\_\_, seconded by \_\_\_\_\_, to wit:

Resolution No. 25-16

RESOLUTION AUTHORIZING THE SALE OF LAND LOCATED IN THE VILLAGE AND TOWN OF CANAJOHARIE, MONTGOMERY COUNTY, NEW YORK AND THE EXECUTION BY MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY OF CERTAIN DOCUMENTS IN CONNECTION WITH SUCH SALE.

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, the Agency is currently the fee title owner of a certain parcels of land containing an aggregate of approximately 2.47 acres and located along at 18 Mohawk Street (Tax Map Nos.: 63.63-1-28 & 63.63-50.2) in the Village and Town of Canajoharie, Montgomery County, New York (the "Property"); and

WHEREAS, the Agency in June, 2025 received a request from NBT Bank (the "Purchaser") to purchase the Property from the Agency; and

WHEREAS, the Purchaser is purchasing the Property to be used as part of its existing banking and financing business; and

WHEREAS, to fulfill the requirements imposed by the New York State Public Authorities Law, as amended (the "PAL"), and the Agency's Property Disposition Policy and Property Acquisition Policy, an appraisal of the Property was obtained by the Agency (the "Appraisal"), copies of which are on file with the Agency; and

WHEREAS, the appraised value of the Property as specified in the Appraisal is \$300,000; and

WHEREAS, the Agency and the Purchaser are currently negotiating an agreement for lease to purchase relating to the Property (the "Lease"), which Lease shall provide for the lease of the Property from the Agency to the Purchaser (the "Disposition") for an expected term of fifteen (15) months with monthly rent payments in amounts equal to ten-thousand dollars (\$10,000) per month; and

WHEREAS, the Lease is further expected to provide that, upon the expiration of the term of the Lease, the Purchaser would retain a fee simple interest in all or a portion of the Property, and any interest in such Property not retained by the Purchaser would be transferred to the Village of Canajoharie, New York (the "Village"); and

WHEREAS, the Disposition will be completed by the Agency through the execution and delivery the Lease and such other documents as may be necessary to complete such Disposition (collectively, the "Conveyance Documents"); 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 (the "Regulations") adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, "SEQRA"), it appears that the Disposition constitutes a "Type II action" (as said quoted term is defined in the Regulations), and therefore it appears that no further determination or procedure under SEQRA is required with respect to the Disposition; and

WHEREAS, in connection with the Disposition, the Agency desires to comply with the requirements imposed by such subsections of the PAL, the Agency's Property Disposition Policy and the Agency's Property Acquisition Policy, respectively; and

WHEREAS, based on the fair market value of the Property specified in the Appraisal and the proposed negotiated sale between the Agency and the Purchaser, Section 2897(6)(d)(i)(B) of the PAL requires that the Agency file an explanatory statement (an "Explanatory Statement") relating to the Disposition with the (i) the Comptroller, (ii) the Director of the Budget, (iii) the Commissioner of General Services, (iv) the State Legislature, and (v) the Authority Budget Office, respectively (collectively, the "State Officials and Entities") at least ninety (90) days prior to the Disposition; and

WHEREAS, the Agency wishes to authorize the Disposition and the actions contemplated by the Conveyance Documents;

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

#### <u>Section 1.</u> Pursuant to SEQRA, the Agency hereby finds and determines that:

- (A) Pursuant to Sections 617.5(c)(26) of the Regulations, the Disposition is a "Type II action" (as said quoted term is defined in the Regulations).
- (B) Accordingly, the Agency hereby determines that no environmental impact statement or any other determination or procedure is required under SEQRA with respect to the Disposition.

#### <u>Section 2</u>. 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;
- (B) The Appraisal was obtained by the Agency, pursuant to which the Property was appraised at \$300,000;
- (C) Based on the Appraisal, the expected terms of the Lease represent fair market value for the Property;
- (D) The Disposition is within the purpose, mission and governing statutes of the Agency, and thus is exempted from a public sale pursuant to Section 2897(6)(c)(v) of the PAL; and
- (E) In no event shall the Disposition occur earlier than ninety (90) days after the date on which the Agency transmits the Explanatory Statement relating to the Disposition to the State Officials and Entities.
- Section 3. In consequence of the foregoing, and subject to the approval of the form of the Conveyance Documents by Agency counsel, the Agency hereby determines to: (A) convey the Property to the Purchaser according to the terms of the Conveyance Documents and (B) execute the Conveyance Documents.
- <u>Section 4</u>. The Agency is hereby authorized to convey the Property to the Purchaser pursuant to the Conveyance Documents and to do all things necessary and appropriate for the accomplishment thereof, and all acts heretofore taken by the Agency with respect to such acquisition are hereby approved, ratified and confirmed.

Section 5. The Chairperson, Vice Chairperson and the Chief Executive Officer of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the Conveyance Documents and the other documents related thereto, and, where appropriate, the (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 forms thereof presented to this meeting, with such changes, variations, omissions and insertions as the Chairperson, Vice Chairperson or the Chief Executive Officer shall approve, the execution thereof by the Chairperson, Vice Chairperson or the Chief Executive Officer to constitute conclusive evidence of such approval.

Section 6. 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 Conveyance 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 this resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Conveyance Documents binding upon the Agency.

<u>Section 7</u>. 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	
Mark Kowalczyk	VOTING	
Brent Phetteplace	VOTING	
Cheryl Reese	VOTING	
Edward Watt	VOTING	
Jessica Cyr	VOTING	
Daniel Roth	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, including the resolution contained therein, held on November 13, 2025 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 set forth 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 $13^{th}$ day of November, 2025.
(Assistant) Secretary
(SEAL)

# RESOLUTION AUTHORIZING SALE OF PROPERTY TO PEMM, LLC

A regular meeting of Montgomery County Industrial Development Agency (the "Agency") was convened in public session at the office of the Agency located at the Montgomery County Business Development Center located at 113 Park Drive, Fultonville, New York on November 13, 2025 at 3:30 p.m., local time.

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

#### PRESENT:

Matthew Beck Chairperson
Mark Kowalczyk Vice Chairperson

Brent Phetteplace Secretary/Assistant Treasurer Cheryl Reese Treasurer/Assistant Secretary

Edward Watt Member
Jessica Cyr Member
Daniel Roth 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 Stephanie Battisti Economic Development Specialist

Christie Dingman Staff Assistant Christopher C. Canada, Esq. Agency Counsel

The following resolution was offered by \_\_\_\_\_\_, seconded by \_\_\_\_\_, to wit:

Resolution No. 25-17

RESOLUTION AUTHORIZING THE SALE OF LAND LOCATED IN THE VILLAGE AND TOWN OF CANAJOHARIE, MONTGOMERY COUNTY, NEW YORK AND THE EXECUTION BY MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY OF CERTAIN DOCUMENTS IN CONNECTION WITH SUCH SALE.

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, the Agency is currently the fee title owner of a certain parcel of land containing approximately 19.6 acres and located along East Main Street at Exit 29 of the New York State Thruway (I-90) (Tax Map No.: 63.14-1-9.13) in the Village and Town of Canajoharie, Montgomery County, New York (the "Property"); and

WHEREAS, the Agency in July, 2025 received a request from PEMM, LLC (the "Purchaser") to purchase the Property from the Agency; and

WHEREAS, pursuant to the authorization contained in a resolution adopted by the members of the Agency on August 14, 2025 (the "Letter of Intent Resolution"), the Agency entered into a letter of intent (the "Letter of Intent") dated August 22, 2025 by and between the Agency and the Purchaser; and

WHEREAS, pursuant to the Letter of Intent, the Purchaser has offered to purchase the Property from the Agency; and

WHEREAS, the Purchaser is purchasing the Property to be used as part of its retail fuel and convenience services business; and

WHEREAS, to fulfill the requirements imposed by the New York State Public Authorities Law, as amended (the "PAL"), and the Agency's Property Disposition Policy and Property Acquisition Policy, an appraisal of the Property was obtained by the Agency (the "Appraisal"), copies of which are on file with the Agency; and

WHEREAS, the appraised value of the Property as specified in the Appraisal is \$580,000; and

WHEREAS, the Agency and the Purchaser are currently negotiating an agreement for purchase and sale relating to the Property (the "Purchase Contract"), which Purchase Contract shall provide for the conveyance of the Property from the Agency to the Purchaser (the "Disposition") for an expected purchase price of \$2,250,000; and

WHEREAS, the Property will be conveyed by the Agency through the execution and delivery of a deed (the "Deed" and together with the Purchase Contract, the "Conveyance Documents"); and

WHEREAS, in the Purchaser desires to begin due diligence review of the Property in advance of the execution and delivery of the Conveyance Documents; and

WHEREAS, in connection with such advanced due diligence review, the Agency and the Purchaser propose to enter into a letter agreement or such other document as may be necessary to provide for such review (the "Letter Agreement," and, collectively with the Conveyance Documents, the "Property Documents"); 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 (the "Regulations")

adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, "SEQRA"), it appears that the Disposition constitutes a "Type II action" (as said quoted term is defined in the Regulations), and therefore it appears that no further determination or procedure under SEQRA is required with respect to the Disposition; and

WHEREAS, in connection with the Disposition, the Agency desires to comply with the requirements imposed by such subsections of the PAL, the Agency's Property Disposition Policy and the Agency's Property Acquisition Policy, respectively; and

WHEREAS, based on the fair market value of the Property specified in the Appraisal and the proposed negotiated sale between the Agency and the Purchaser, Section 2897(6)(d)(i)(B) of the PAL requires that the Agency file an explanatory statement (an "Explanatory Statement") relating to the Disposition with the (i) the Comptroller, (ii) the Director of the Budget, (iii) the Commissioner of General Services, (iv) the State Legislature, and (v) the Authority Budget Office, respectively (collectively, the "State Officials and Entities") at least ninety (90) days prior to the Disposition; and

WHEREAS, the Agency wishes to authorize the Disposition and the actions contemplated by the Property Documents;

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

#### <u>Section 1.</u> Pursuant to SEQRA, the Agency hereby finds and determines that:

- (A) Pursuant to Sections 617.5(c)(26) of the Regulations, the Disposition is a "Type II action" (as said quoted term is defined in the Regulations).
- (B) Accordingly, the Agency hereby determines that no environmental impact statement or any other determination or procedure is required under SEQRA with respect to the Disposition.

#### Section 2. 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;
- (B) The Appraisal was obtained by the Agency, pursuant to which the Property was appraised at \$580,000;
- (C) Based on the Appraisal, the expected purchase price of the Property of \$2,250,000 represents fair market value or higher for the Property;
- (D) The Disposition is within the purpose, mission and governing statutes of the Agency, and thus is exempted from a public sale pursuant to Section 2897(6)(c)(v) of the PAL; and
- (E) In no event shall the Disposition occur earlier than ninety (90) days after the date on which the Agency transmits the Explanatory Statement relating to the Disposition to the State Officials and Entities.

<u>Section 3</u>. In consequence of the foregoing, and subject to the approval of the form of the Property Documents by Agency counsel, the Agency hereby determines to: (A) convey the Property to the Purchaser according to the terms of the Conveyance Documents and (B) execute the Property Documents.

<u>Section 4</u>. The Agency is hereby authorized to convey the Property to the Purchaser pursuant to the Conveyance Documents and to do all things necessary and appropriate for the accomplishment thereof, and all acts heretofore taken by the Agency with respect to such acquisition are hereby approved, ratified and confirmed.

Section 5. The Chairperson, Vice Chairperson and the Chief Executive Officer of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the Property Documents and the other documents related thereto, and, where appropriate, the (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 forms thereof presented to this meeting, with such changes, variations, omissions and insertions as the Chairperson, Vice Chairperson or the Chief Executive Officer shall approve, the execution thereof by the Chairperson, Vice Chairperson or the Chief Executive Officer to constitute conclusive evidence of such approval.

Section 6. 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 Property 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 this resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Property Documents binding upon the Agency.

Section 7. 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	
Mark Kowalczyk	VOTING	
Brent Phetteplace	VOTING	
Cheryl Reese	VOTING	
Edward Watt	VOTING	
Jessica Cyr	VOTING	
Daniel Roth	VOTING	

The foregoing resolution was thereupon declared duly adopted.

[Remainder of page left blank intentionally]

STATE OF NEW YORK COUNTY OF MONTGOMERY	) ) SS.: )
I, the undersigned (Assistant) So (the "Agency"), do hereby certify that meeting of the members of the Agency, 2025 with the original thereof on file in	ecretary of Montgomery County Industrial Development Agency I have compared the foregoing extract of the minutes of the including the resolution contained therein, held on November 13, in my office, and that the same is a true and correct copy of said therein and of the whole of said original so far as the same relates
said meeting was in all respects duly I "Open Meetings Law"), said meeting was	) all members of the Agency had due notice of said meeting; (B) held; (C) pursuant to Article 7 of the Public Officers Law (the as open to the general public, and due notice of the time and place dance with such Open Meetings Law; and (D) there was a quorum
	s of the date hereof, the attached resolution is in full force and
IN WITNESS WHEREOF, I had 13th day of November, 2025.	eve hereunto set my hand and affixed the seal of the Agency this
	(Assistant) Secretary
(SEAL)	

#### RESOLUTION CONFIRMING SEQR DETERMINATION AMAZON.COM PROJECT

A regular meeting of Montgomery County Industrial Development Agency (the "Agency") was convened in public session at the office of the Agency located at the Montgomery County Business Development Center located at 113 Park Drive, Fultonville, New York on November 13, 2025 at 3:30 p.m., local time.

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

#### PRESENT:

Matthew Beck Chairperson
Mark Kowalczyk Vice Chairperson

Brent Phetteplace Secretary/Assistant Treasurer
Cheryl Reese Treasurer/Assistant Secretary

Edward Watt Member
Jessica Cyr Member
Daniel Roth 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 Stephanie Battisti Economic Development Specialist

Christie Dingman Staff Assistant Christopher C. Canada, Esq. Agency Counsel

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

#### Resolution No. 25-18

RESOLUTION CONCURRING IN THE DETERMINATION BY THE TOWN OF FLORIDA PLANNING BOARD, AS LEAD AGENCY FOR A CERTAIN PROPOSED PROJECT FOR AMAZON.COM SERVICES LLC, BMG ALBANY LLC AND/OR ONE OR MORE AFFILIATES THEREOF.

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 commercial, manufacturing 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, and install one or more "projects" (as defined in the Act) or to cause said projects to be acquired, constructed, and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, Amazon.com Services LLC, a limited liability company organized and existing under the laws of the State of New York ("Amazon Services") and BMG Albany LLC, a limited liability company organized and existing under the laws of the State of New York ("BMG") (Amazon Services and BMG are each hereinafter sometimes referred to as a "Co-Applicant") submitted an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") for the benefit of either or both Co-Applicants or one or more affiliates thereof (collectively, the "Company"), said Project consisting of the following: (A) (1) the acquisition of an interest in one or more parcels of land containing an aggregate of approximately 137.24 acres and located approximately 1.5 miles west of Interchange 27 on the south side of New York State Route 5S and between New York State Route 5S and the New York State Thruway (I-90) in the Town of Florida, Montgomery County, New York (collectively, the "Land"); (2) the construction on the Land of a distribution center and warehouse facility to contain approximately +/-3.2 million square feet of space (the "Facility"); and (3) the acquisition and installation therein and thereon of certain machinery, equipment and other personal property (collectively, the "Equipment") (the Land, the Facility and the Equipment being collectively referred to as the "Project Facility"), all of the foregoing to be owned and operated by the Company, an affiliate thereof, or such other person or entity as may be designated by the Company and agreed upon by the Agency, as a distribution center and warehouse, including office space, related parking, trailer and truck storage, and other directly and indirectly related activities; (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, and real estate transfer 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, by resolution adopted by the members of the Agency on October 9, 2025 (the "Public Hearing Resolution"), the Agency authorized a public hearing to be held pursuant to Section 859-a of the Act with respect to the Project. The Chief Executive Officer of the Agency caused a copy of the certified Public Hearing Resolution to be mailed on October 21, 2025 to the chief executive officers of Montgomery County, the Town of Florida and the Greater Amsterdam School District (collectively, the "Affected Tax Jurisdictions"); and

WHEREAS, pursuant to the authorization contained in the Public Hearing Resolution, the Chief Executive Officer of the Agency (A) caused notice of a public hearing of the Agency (the "Public Hearing") pursuant to Section 859-a of the Act, to hear all persons interested in the Project and the financial assistance being contemplated by the Agency with respect to the Project, to be (1) mailed on October 21, 2025 to the chief executive officers of the Affected Tax Jurisdictions; (2) posted on October 21, 2025 on the Agency's website and also on a public bulletin board located in the lobby of the offices of Montgomery County Industrial Development Agency located at 113 Park Drive in the Village of Fultonville, Montgomery County, New York; and (3) published on October 23, 2025 in The Recorder, a newspaper of general circulation available to the residents of the Town of Florida, Montgomery County, New York; (B) conducted the Public Hearing on November 3, 2025 at 4:00 p.m., local time at the Town of Florida Municipal Building located at 214 Fort Hunter Road in the Town of Florida, Montgomery

County, New York; and (C) prepared a report of the Public Hearing (the "Public Hearing Report") which fairly summarized the views presented at such Public Hearing and caused copies of said Public Hearing Report to be made available to the members of the Agency; 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 (the "Regulations") adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, "SEQRA"), the Agency has been informed that (A) the Planning Board of the Town of Florida, New York (the "Planning Board") was designated to act as "lead agency" with respect to the Project, and (B) by resolution adopted by the Planning Board on August 11, 2025 (the "Planning Board Resolution"), the Planning Board (1) determined that the Project is a "Type I action" (as such term is defined under SEQRA) which will not have a "significant effect on the environment" and, therefore, that no environmental impact statement need be prepared with respect to the Project and (2) issued a negative declaration with respect thereto (the "Negative Declaration"), which Planning Board Resolution and Negative Declaration are attached hereto as Exhibit A; and

WHEREAS, at the time that the Planning Board determined itself to be the "lead agency" with respect to the Project, it was not known that the Agency was an "involved agency" (as defined under SEQRA) with respect to the Project, and, now that the Agency has become an "involved agency" with respect to the Project, the Agency desires to concur in the designation of the Planning Board as "lead agency" with respect to the Project, to acknowledge receipt of a copy of the Planning Board Resolutions and to indicate that the Agency has no information to suggest that the Planning Board was incorrect in determining that the Project will not have a "significant adverse impact on the environment" pursuant to SEQRA;

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

<u>Section 1</u>. The Agency has received copies of, and has reviewed, the Application, a full environmental assessment form completed with respect to the Project, the Planning Board Resolution, and the Negative Declaration (collectively, the "Reviewed Documents") and, based upon said Reviewed Documents, the Agency hereby ratifies and concurs in the designation of the Planning Board as "lead agency" with respect to the Project under SEQRA (as such quoted term is defined in SEQRA).

<u>Section 2</u>. The Agency hereby determines that the Agency has no information to suggest that the Planning Board was incorrect in determining that the Project will not have a "significant effect on the environment" pursuant to the SEQRA and, therefore, that no environmental impact statement need be prepared with respect to the Project (as such quoted phrase is used in SEQRA).

Section 3. The members of the Agency are hereby directed to notify the Planning Board of the concurrence by the Agency that the Planning Board shall be the "lead agency" with respect to the Project, and to further indicate to the Planning Board that the Agency has no information to suggest that the Planning Board was incorrect in its determinations contained in the Planning Board Resolution or the Negative Declaration.

Section 4. This resolution shall take effect immediately.

[Remainder of page left blank intentionally]

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	
Mark Kowalczyk	VOTING	
Brent Phetteplace	VOTING	
Cheryl Reese	VOTING	
Edward Watt	VOTING	
Jessica Cyr	VOTING	
Daniel Roth	VOTING	

The foregoing resolution was thereupon declared duly adopted.

[Remainder of page left blank intentionally]

STATE OF NEW YORK COUNTY OF MONTGOMERY	) ) SS.: )
I, the undersigned (Assistant) So (the "Agency"), do hereby certify that meeting of the members of the Agency, 2025 with the original thereof on file in	ecretary of Montgomery County Industrial Development Agency I have compared the foregoing extract of the minutes of the including the resolution contained therein, held on November 13, in my office, and that the same is a true and correct copy of said therein and of the whole of said original so far as the same relates
said meeting was in all respects duly I "Open Meetings Law"), said meeting was	) all members of the Agency had due notice of said meeting; (B) held; (C) pursuant to Article 7 of the Public Officers Law (the as open to the general public, and due notice of the time and place dance with such Open Meetings Law; and (D) there was a quorum
	s of the date hereof, the attached resolution is in full force and
IN WITNESS WHEREOF, I had 13th day of November, 2025.	eve hereunto set my hand and affixed the seal of the Agency this
	(Assistant) Secretary
(SEAL)	

### EXHIBIT A

## PLANNING BOARD RESOLUTION AND NEGATIVE DECLARATION

- SEE ATTACHED -

### TOWN OF FLORIDA PLANNING BOARD

# RESOLUTION completing part 3 of the Feaf regarding the APPLICATION OF BMG ALBANY, LLC making a determination of significance along with issuing a NEGATIVE declaration

- **WHEREAS,** in January of 2025, BMG Albany, LLC proposed to construct a 3.2 Million SF warehouse/distribution facility through submission of an amended site plan and special permit application (hereafter, "the Project"); and
- WHEREAS, the Project is a Type I action for SEQRA review and a Full Environmental Assessment Form ("FEAF") was submitted to the Town of Florida Planning Board (hereafter "the Planning Board"); and
- **WHEREAS**, on February 3, 2025 the Planning Board issued a Notice of Intent to be Lead Agency for the coordinated SEQRA review of the Project; and
- WHEREAS, there was no opposition to the Planning Board's Lead Agency status by any other involved agency; and
- **WHEREAS**, on May 5, 2025 the Planning Board declared itself Lead Agency and began review of the Project's FEAF; and
- **WHEREAS**, on July 7, 2025 the Planning Board completed Part 2 of the FEAF and identified areas where the proposed Project may have moderate to large environmental impacts; and
- **WHEREAS**, on August 11, 2025 the Planning Board completed Part 3 of the FEAF assessing each item which was identified as potentially having a moderate to large impact from Part 2; and
- **WHEREAS**, in completing Part 3, the Planning Board determined that the Project will not result in a significant adverse impact on the environment;
  - **NOW, THEREFORE BE IT RESOLVED** by the Town of Florida Planning Board as follows:
- Section 1. That, for the reasons articulated in its Part 3 analysis, the Planning Board, as Lead Agency has determined that the Project will not result in a significant adverse impact on the environment; and

Section 2. That, for the reasons articulated in its Part 3 analysis, the Planning Board, as Lead Agency issues a negative declaration for the Project.

Dan Roth aye/nay
Scott Marshall aye/nay
Peter Rea aye/nay

Nicholas Armour aye/nay **absent** John Hutchinson aye/nay **abstain** 

Charles Saul aye/nay

Chairman Viele aye/nay

Jayme King **aye**/nay Cindy Shultz **aye**/nay

	 *				-
Project:					
Project:					
	 	******	*****	***************************************	
Date:					
POOR 2010/09/20					

# Full Environmental Assessment Form Part 3 - Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

### Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact
  occurring, number of people affected by the impact and any additional environmental consequences if the impact were to
  occur.
- · The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where
  there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse
  environmental impact.
- · Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact

•	no significant adverse environmental impacts will result.				
	3				
	Ţ				
	Determination of Significance - Type 1 and Unlisted Actions				
SEQR S	atus: Type 1 Unlisted				
Identify	portions of EAF completed for this Project: Part 1 Part 2 Part 3				

Upon review	of the information recorded on this EAF, as noted, plus this additional support info	ormation
and consideri	ng both the magnitude and importance of each identified potential impact, it is the	
	project will result in no significant adverse impacts on the environment, and, there is not be prepared. Accordingly, this negative declaration is issued.	efore, an environmental impact
B. Alth substantially	ough this project could have a significant adverse impact on the environment, that mitigated because of the following conditions which will be required by the lead a	impact will be avoided or gency:
There will, the declaration is	erefore, be no significant adverse impacts from the project as conditioned, and, the issued. A conditioned negative declaration may be used only for UNLISTED acti	erefore, this conditioned negativions (see 6 NYCRR 617.7(d)).
statement mu	Project may result in one or more significant adverse impacts on the environment st be prepared to further assess the impact(s) and possible mitigation and to explore cordingly, this positive declaration is issued.	e, and an environmental impact re alternatives to avoid or reduce
Name of Acti	on: MSV1	
Name of Lead	Agency: Town of Florida Planning Board	
Name of Res	ponsible Officer in Lead Agency: Stephen Viele	
	onsible Officer: Chairman	
Signature of l	Responsible Officer in Lead Agency:	Date: 11 Aug
Signature of l	Preparer (if different from Responsible Officer)	Date:
For Further Contact Perso	Information: on: Stephen Viele, Chairman, Town of Floider Planning on of Floide Town Hall 214 Ft. Hunter Rad Amsterda	Poord
Address: To	un of Florida Town Hall 214 Ft. Hunter land Himsterda	m 179 1206
Telephone No	umber: \$18 843 - 6372	
E-mail: C\e	rk e townof florida.com	
For Type 1	Actions and Conditioned Negative Declarations, a copy of this Notice is sent to	:
Chief Execut Other involve Applicant (if	ive Officer of the political subdivision in which the action will be principally located agencies (if any)	ted (e.g., Town / City / Village o

PRINT FULL FORM

Page 2 of 2

## APPROVING RESOLUTION AMAZON.COM PROJECT

A regular meeting of Montgomery County Industrial Development Agency (the "Agency") was convened in public session at the office of the Agency located at the Montgomery County Business Development Center located at 113 Park Drive, Fultonville, New York on November 13, 2025 at 3:30 p.m., local time.

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

#### PRESENT:

Matthew Beck Chairperson
Mark Kowalczyk Vice Chairperson

Brent Phetteplace Secretary/Assistant Treasurer
Cheryl Reese Treasurer/Assistant Secretary

Edward Watt Member
Jessica Cyr Member
Daniel Roth 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 Stephanie Battisti Economic Development Specialist

Christie Dingman Staff Assistant Christopher C. Canada, Esq. Agency Counsel

The following resolution was offered by \_\_\_\_\_\_, seconded by \_\_\_\_\_, to wit:

Resolution No. 25-19

RESOLUTION AUTHORIZING EXECUTION OF DOCUMENTS IN CONNECTION WITH A LEASE/LEASEBACK TRANSACTION FOR A PROJECT FOR AMAZON.COM SERVICES LLC, BMG ALBANY LLC AND/OR ONE OR MORE AFFILIATES THEREOF.

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, Amazon.com Services LLC, a limited liability company organized and existing under the laws of the State of New York ("Amazon Services") and BMG Albany LLC, a limited liability company organized and existing under the laws of the State of New York ("BMG") (Amazon Services and BMG are each hereinafter sometimes referred to as a "Co-Applicant") submitted an application (the "Application") to the Agency, a copy of which Application is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") for the benefit of either or both Co-Applicants or one or more affiliates thereof (collectively, the "Company"), said Project consisting of the following: (A) (1) the acquisition of an interest in one or more parcels of land containing an aggregate of approximately 137.24 acres and located approximately 1.5 miles west of Interchange 27 on the south side of New York State Route 5S and between New York State Route 5S and the New York State Thruway (I-90) in the Town of Florida, Montgomery County, New York (collectively, the "Land"); (2) the construction on the Land of a distribution center and warehouse facility to contain approximately +/- 3.2 million square feet of space (the "Facility"); and (3) the acquisition and installation therein and thereon of certain machinery, equipment and other personal property (collectively, the "Equipment") (the Land, the Facility and the Equipment being collectively referred to as the "Project Facility"), all of the foregoing to be owned and operated by the Company, an affiliate thereof, or such other person or entity as may be designated by the Company and agreed upon by the Agency, as a distribution center and warehouse, including office space, related parking, trailer and truck storage, and other directly and indirectly related activities; (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, and real estate transfer 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, by resolution adopted by the members of the Agency on October 9, 2025 (the "Public Hearing Resolution"), the Agency authorized a public hearing to be held pursuant to Section 859-a of the Act with respect to the Project. The Chief Executive Officer of the Agency caused a copy of the certified Public Hearing Resolution to be mailed on October 21, 2025 to the chief executive officers of Montgomery County, the Town of Florida and the Greater Amsterdam School District (collectively, the "Affected Tax Jurisdictions"); and

WHEREAS, pursuant to the authorization contained in the Public Hearing Resolution, the Chief Executive Officer of the Agency (A) caused notice of a public hearing of the Agency (the "Public Hearing") pursuant to Section 859-a of the Act, to hear all persons interested in the Project and the financial assistance being contemplated by the Agency with respect to the Project, to be (1) mailed on October 21, 2025 to the chief executive officers of the Affected Tax Jurisdictions; (2) posted on October 21, 2025 on the Agency's website and also on a public bulletin board located in the lobby of the offices of Montgomery County Industrial Development Agency located at 113 Park Drive in the Village of Fultonville, Montgomery County, New York; and (3) published on October 23, 2025 in The Recorder, a newspaper of general circulation available to the residents of the Town of Florida, Montgomery County, New York; (B) conducted the Public Hearing on November 3, 2025 at 4:00 p.m., local time at the Town of Florida Municipal Building located at 214 Fort Hunter Road in the Town of Florida, Montgomery County, New York; and (C) prepared a report of the Public Hearing (the "Public Hearing Report") which fairly

summarized the views presented at such Public Hearing and caused copies of said Public Hearing Report to be made available to the members of the Agency; 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 (the "Regulations") adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, "SEQRA"), by resolution adopted by the members of the Agency on November 13, 2025 (the "SEQR Resolution") the Agency (A) concurred in the determination that the Town of Florida Planning Board (the "Planning Board") is the "lead agency" with respect to the Project and (B) acknowledged the receipt of resolutions adopted by the Planning Board on August 11, 2025 (the "Planning Board Resolution"), pursuant to which the Planning Board (1) determined that the Project is a "Type I action" (as such term is defined under SEQRA) which will not have a "significant effect on the environment" and, therefore, that no environmental impact statement need be prepared with respect to the Project and (2) issued a negative declaration with respect thereto (the "Negative Declaration"); and

WHEREAS, the Agency has given due consideration to the Application, and to representations by the Company that (A) the granting by the Agency of the Financial Assistance with respect to the Project will be an inducement to the Company to undertake the Project in Montgomery County, New York and (B) the completion of the Project will not result in the removal of a plant or facility of any proposed occupant of the Project Facility from one area of the State of New York to another area in the State of New York and will not result in the abandonment of one or more plants or facilities of any occupant of the Project Facility located in the State of New York; and

WHEREAS, the Agency desires to encourage the Company to preserve and advance the job opportunities, health, general prosperity and economic welfare of the people of Montgomery County, New York by undertaking the Project in Montgomery County, New York; and

WHEREAS, in order to consummate the Project and the granting of the Financial Assistance described in the notice of the Public Hearing, the Agency proposes to enter into the following documents (hereinafter collectively referred to as the "Agency Documents"): (A) a certain lease to agency (the "Lease to Agency" or the "Underlying Lease") by and between the Company, as landlord, and the Agency, as tenant, pursuant to which the Company will lease to the Agency a portion of the Land and all improvements now or hereafter located on said portion of the Land (collectively, the "Leased Premises"); (B) a certain license agreement (the "License to Agency" or the "License Agreement") by and between the Company, as licensor, and the Agency, as licensee, pursuant to which the Company will grant to the Agency (1) a license to enter upon the balance of the Land (the "Licensed Premises") for the purpose of undertaking and completing the Project and (2) in the event of an occurrence of an Event of Default by the Company, an additional license to enter upon the Licensed Premises for the purpose of pursuing its remedies under the Lease Agreement (as hereinafter defined); (C) a lease agreement (and a memorandum thereof) (the "Lease Agreement") by and between the Agency and the Company, pursuant to which, among other things, the Company agrees to undertake the Project as agent of the Agency and the Company further agrees to lease the Project Facility from the Agency and, as rental thereunder, to pay the Agency's administrative fee relating to the Project and to pay all expenses incurred by the Agency with respect to the Project; (D) a payment in lieu of tax agreement (the "Payment in Lieu of Tax Agreement") by and between the Agency and the Company, pursuant to which the Company will agree to pay certain payments in lieu of taxes with respect to the Project Facility; (E) a uniform agency project agreement (the "Uniform Agency Project Agreement") by and between the Agency and the Company regarding the granting of the financial assistance and the potential recapture of such assistance; (F) a certain recapture agreement (the "Section 875 GML Recapture Agreement") by and between the Company and the Agency, required by the Act, regarding the recovery or recapture of certain sales and use taxes; (G) a sales tax exemption letter (the "Sales Tax Exemption Letter") to ensure the granting of the sales tax exemption which forms a part of the

Financial Assistance; (H) a New York State Department of Taxation and Finance form entitled "IDA Appointment of Project Operator or Agency for Sales Tax Purposes" (the form required to be filed pursuant to Section 874(9) of the Act) (the "Thirty-Day Sales Tax Report") and any additional report to the Commissioner of the State Department of Taxation and Finance concerning the amount of sales tax exemption benefit for the Project (the "Additional Thirty-Day Project Report"); (I) if the Company intends to finance the Project with borrowed money, a mortgage and any other security documents and related documents (collectively, the "Mortgage") from the Agency and the Company to the Company's lender with respect to the Project ("the "Lender"), which Mortgage will grant a lien on and security interest in the Project Facility to secure a loan from the Lender to the Company with respect to the Project (the "Loan"); (J) if the Company requests the Agency to appoint a contractor or contractors, as agent(s) of the Agency (each, a "Contractor") (1) a certain agency indemnification agreement (the "Contractor Agency and Indemnification Agreement") by and between the Agency and the Contractor, (2) a certain recapture agreement (the "Contractor Section 875 GML Recapture Agreement") by and between the Agency and the Contractor, (3) a sales tax exemption letter (the "Contractor Sales Tax Exemption Letter"), and (4) a Thirty-Day Sales Tax Report (the "Contractor Thirty-Day Sales Tax Report") and any additional report to the Commissioner of the State Department of Taxation and Finance concerning the amount of sales tax exemption benefit for the Project (the "Additional Thirty-Day Project Report") (collectively, the "Contractor Documents"); (K) if the Company intends to request the Agency to appoint (1) the Company, as agent of the Agency and (2) a Contractor, as agent(s) of the Agency prior to closing on the Project and the Lease Agreement or Installment Sale Agreement, interim, agency and indemnification agreements, interim Section 875 GML recapture agreements, interim sales tax exemption letters and interim thirty-day sales tax reports (collectively, the "Interim Documents"); and (L) various certificates relating to the Project;

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

Section 1. All action taken by the Chairperson, Vice Chairperson and/or Chief Executive Officer of the Agency with respect to the Public Hearing with respect to the Project is hereby ratified and confirmed.

Section 2. The law firm of Hodgson Russ LLP is hereby appointed Agency Counsel to the Agency with respect to all matters in connection with the Project. Agency Counsel for the Agency is hereby authorized, at the expense of the Company, to work with the Company, counsel to the Company, counsel to the Agency and others to prepare, for submission to the Agency, all documents necessary to effect the transactions contemplated by this resolution. Agency Counsel has prepared and submitted an initial draft of the Agency Documents to staff of the Agency.

### <u>Section 3</u>. 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;
  - (B) The Project constitutes a "project," as such term is defined in the Act;
- (C) The Project site is located entirely within the boundaries of Montgomery County, New York;
- (D) It is estimated at the present time that the costs of the planning, development, acquisition, construction, reconstruction and installation of the Project Facility (collectively, the "Project Costs") will be approximately \$621,000,000;

- (E) The completion of the Project will not result in the removal of a plant or facility of any proposed occupant of the Project Facility from one area of the State of New York to another area in the State of New York and will not result in the abandonment of one or more plants or facilities of any occupant of the Project Facility located in the State of New York;
- (F) (1) The Project Facility does not constitute a project where facilities or property that are primarily used in making retail sales of goods and/or services to customers who personally visit such facilities constitute more than one-third of the total cost of the Project Facility, and accordingly the Project is not prohibited by the provisions of Section 862(2)(a) of the Act, and (2) accordingly the Agency is authorized to provide financial assistance in respect of the Project pursuant to Section 862(2)(a) of the Act;
- (G) The granting of the Financial Assistance by the Agency with respect to the Project 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, and thereby serve the public purposes of the Act;
- (H) The Agency has reviewed the Public Hearing Report and has fully considered all comments contained therein;
- (I) The Project should receive the Financial Assistance in the form of exemptions from sales tax and real property tax based on the description of expected public benefits to occur as a result of this Project, as described on Exhibit A attached hereto; and
- (J) It is desirable and in the public interest for the Agency to enter into the Agency Documents, except that for the Interim Documents, the following conditions shall be met prior to the Agency entering into the Interim Documents: (1) the term of the Interim Documents shall not exceed sixty (60) days, unless future extensions are consented to by the Agency in writing, (2) the Company shall have paid the Agency's administrative fee, if applicable, relating to the Interim Documents, (3) the Company and any contractors shall have delivered evidence of adequate insurance coverage protecting the Agency and (4) execution by the other parties thereto and delivery of the same to the Agency of the Interim Documents.
- Section 4. In consequence of the foregoing, the Agency hereby determines to: (A) accept the License Agreement; (B) lease the Project Facility to the Company pursuant to the Lease Agreement; (C) acquire, construct and install the Project Facility, or cause the Project Facility to be acquired, installed and constructed; (D) enter into the Payment in Lieu of Tax Agreement; (E) enter into the Uniform Agency Project Agreement; (F) enter into the Section 875 GML Recapture Agreement; (G) enter into the Contractor Documents (H) enter into the Interim Documents, subject to compliance with Section 3(J) above; (I) secure the Loan by entering into the Mortgage; and (J) grant the Financial Assistance with respect to the Project.
- Section 5. The Agency is hereby authorized (A) to acquire a license in the Licensed Premises pursuant to the License Agreement, (B) to acquire a leasehold interest in the Leased Premises pursuant to the Underlying Lease, (C) to acquire title to the Equipment pursuant to a bill of sale (the "Bill of Sale to Agency") from the Company to the Agency, and (D) to do all things necessary or appropriate for the accomplishment thereof, and all acts heretofore taken by the Agency with respect to such acquisitions are hereby approved, ratified and confirmed.
- Section 6. The Agency is hereby authorized to acquire, construct and install the Project Facility as described in the Lease Agreement and to do all things necessary or appropriate for the

accomplishment thereof, and all acts heretofore taken by the Agency with respect to such acquisition, construction and installation are hereby ratified, confirmed and approved.

<u>Section 7</u>. The Chairperson, Vice Chairperson, and/or Chief Executive Officer of the Agency, with the assistance of Agency Counsel, is authorized to negotiate and approve the form and substance of the Agency Documents.

- Section 8. (A) The Chairperson, Vice Chairperson, and/or Chief Executive Officer of the Agency is hereby authorized, on behalf of the Agency, to execute and deliver the Agency Documents, and, where appropriate, the Secretary of the Agency is hereby authorized to affix the seal of the Agency thereto and to attest the same, all in the forms thereof as the Chairperson, Vice Chairperson, and/or Chief Executive Officer shall approve, the execution thereof by the Chairperson, Vice Chairperson, and/or Chief Executive Officer to constitute conclusive evidence of such approval.
  - (B) The Chairperson, Vice Chairperson, and/or Chief Executive Officer of the Agency is hereby further authorized, on behalf of the Agency, to designate any additional Authorized Representatives of the Agency (as defined in and pursuant to the Lease Agreement).
- Section 9. 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 Agency 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 Agency Documents binding upon the Agency.

<u>Section 10</u>. 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	
Mark Kowalczyk	VOTING	
Brent Phetteplace	VOTING	
Cheryl Reese	VOTING	
Edward Watt	VOTING	
Jessica Cyr	VOTING	
Daniel Roth	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, including the resolution contained therein, held on November 13, 2025 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 set forth 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 $13^{\text{th}}$ day of November, 2025.
(Assistant) Secretary
(SEAL)

### **EXHIBIT A**

### DESCRIPTION OF THE EXPECTED PUBLIC BENEFITS

In the discussions had between the Company and the Agency with respect to the Company's request for Financial Assistance from the Agency with respect to the Project, the Company has represented to the Agency that the Project is expected to provide the following benefits to the Agency and/or to the residents of Montgomery County, New York (the "Public Benefits"):

Description of Benefit		Applicable to Project		Expected Benefit	
		(indicate Yes or NO)			
1.	Retention of existing jobs	□Yes	☑ No	There are no existing jobs at the site.	
2.	Creation of new permanent jobs	☑ Yes	□ No	750 FTE's at the Project Facility within three (3) years of the beginning of operation.	
3.	Estimated value of tax exemptions	☑ Yes	□ No	Approximately \$30,000,000 of sales and use tax exemptions. Approximately \$45,000,000 of real property tax exemptions.	
4.	Private sector investment	☑ Yes	□ No	Approximately \$621,000,000 at the Project Facility within three (3) years of the date hereof.	
5.	Likelihood of project being accomplished in a timely fashion	☑ Yes	□ No	High likelihood of the Project being completed in a timely manner.	
6.	Extent of new revenue provided to local taxing jurisdictions	☑ Yes	□ No	There will be new tax revenue generated by the Company and made available to the local taxing jurisdiction, including revenues to be generated by the occupancy of a project site that is not currently occupied or used.	
7.	Any additional public benefits	☑ Yes	□ No	This Project will provide a new facility to the community in the form of a distribution and warehouse center.	
8.	Local labor construction jobs	☑ Yes	□ No	The Company will make efforts to use local labor during construction.	
9.	Wage rates	□ Yes	□ No	The Company has indicated in the Application that the salary and fringe benefits to be paid to the FTE positions employed at the facility were expected to be as high as \$60,000.	
10.	Extent of purchases from local vendors	□ Yes	□ No	The Company has indicated in the Application that it will make efforts to utilize local labor and other resources.	

11.	Extent of support for local businesses or clusters	☑ Yes	□ No	The Company has indicated in the Application that it will work with local/regional Workforce Development partners on job opportunities. The Company has also indicated a goal to utilize approximately seventy percent (70%) local labor for construction of the Project. Additionally, the proximity of a large distribution center would be expected to increase efficiency to the extent local businesses order supplies which can be distributed from the Project Facility.
12.	Extent of any retention or flight risk	☑ Yes	□ No	The Agency has been advised that if the Company does not receive Financial Assistance to locate within the County, it will complete the Project in another county in New York where it can receive the Financial Assistance necessary to make the Project financially viable.
13.	Provides capacity to meet County demand or shortage	☑ Yes	□ No	The Company does not maintain another distribution facility in the County.

## Montgomery County Industrial Development Agency MRB Cost Benefit Calculator



Date September 22, 2025

Cost-Benefit Analysis Tool powered by MRB Group

Project Title Amazon with Town of Florida Rev Project Location Rt 5S Town of Florida

### **Economic Impacts**

Summary of Economic Impacts over the Life of the PILOT Construction Project Costs

\$621,000,000

### Temporary (Construction)

	Direct	Indirect	Total
Jobs	1694	489	2183
Earnings	\$134,153,988	\$26,849,691	\$161,003,679
Local Spend	\$434,700,000	\$115,385,125	\$550,085,125

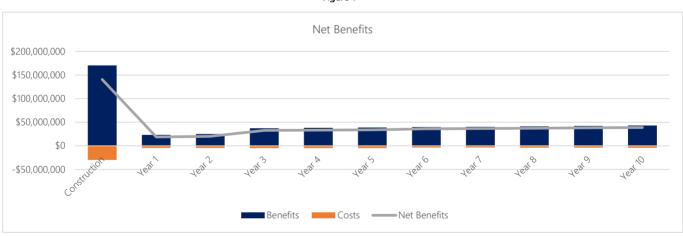
### Ongoing (Operations) Aggregate over life of the PILOT

 Direct
 Indirect
 Total

 Jobs
 750
 49
 799

 Earnings
 \$465,476,461
 \$86,965,054
 \$552,441,515

Figure 1



Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT. Figure 2

Total Jobs

Temporary

Ongoing

0 500 1000 1500 2000 2500

Direct Indirect

© Copyright 2025 MRB Engineering, Architecture and Surveying, D.P.C.

Figure 3



Ongoing earnings are all earnings over the life of the PILOT.

### **Fiscal Impacts**



Estimated		

The state of the s	
	Nominal Value
perty Tax Exemption	\$58,726,326
es Tax Exemption	\$30,000,000
ocal Sales Tax Exemption	\$15,000,000
ate Sales Tax Exemption	\$15,000,000
ge Recording Tax Exemption	\$0
al Mortgage Recording Tax Exemption	<i>\$0</i>
te Mortgage Recording Tax Exemption	<i>\$0</i>
al Costs	\$88,726,326

### State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$775,187,989	\$679,746,572
To Private Individuals	<u>\$713,445,194</u>	<u>\$626,531,668</u>
Temporary Payroll	\$161,003,679	\$161,003,679
Ongoing Payroll	\$552,441,515	\$465,527,988
Other Payments to Private Individuals	\$0	\$0
To the Public	<u>\$61,742,795</u>	<u>\$53,214,905</u>
Increase in Property Tax Revenue	\$44,748,679	\$37,064,477
Temporary Jobs - Sales Tax Revenue	\$1,127,026	\$1,127,026
Ongoing Jobs - Sales Tax Revenue	\$3,867,091	<i>\$3,258,696</i>
Other Local Municipal Revenue	\$12,000,000	\$11,764,706
State Benefits	\$37,099,150	\$32,579,647
To the Public	\$37,099,150	\$32,579,647
Temporary Income Tax Revenue	\$7,245,166	\$7,245,166
Ongoing Income Tax Revenue	\$ <i>24,859,868</i>	<i>\$20,948,759</i>
Temporary Jobs - Sales Tax Revenue	\$1,127,026	\$1,127,026
Ongoing Jobs - Sales Tax Revenue	\$3,867,091	\$3,258,696
Total Benefits to State & Region	\$812,287,139	\$712,326,219

### Benefit to Cost Ratio

		Benefit*	Cost*	Ratio
	Local	\$679,746,572	\$65,928,038	10:1
	State	\$32,579,647	\$15,000,000	2:1
Grand Total		\$712,326,219	\$80,928,038	9:1

<sup>\*</sup>Discounted at the public sector discount rate of: 2%

### Additional Comments from IDA

J

Does the IDA believe that the project can be accomplished in a timely fashion? Yes

Does this project provide onsite childcare facilities? No

© Copyright 2025 MRB Engineering, Architecture and Surveying, D.P.C.

## MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY

### APPLICATION FOR FINANCIAL ASSISTANCE

### MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY

### **APPLICATION**

These answer busine to acce	irm's eligibility for financing answers will also be used in red accurately and completel ss and affairs of your firm and eptance by the Agency.	g and other assistance from the preparation of paper by by an officer or other d who is also thoroughly to	tions contained in this application are necessary to determine m the Montgomery County Industrial Development Agency. rs in this transaction. Accordingly, all questions should be employee of your firm who is thoroughly familiar with the familiar with the proposed project. This application is subject
TO:	Montgomery County In 9 Park Street Fonda, New York 1200 Attention: Chief Exec	ndustrial Developmen	
This a	application by applicant re	espectfully states:	
APPL	BMG Albany, LLC and (**See Attachments A	Amazon.com Services LLC, co for information specific to co-ap	illectively as the Company or Applicant as used herein plicant Amazon.com Services LLC and/or as otherwise referenced below).
APPL	ICANT'S STREET ADI	ORESS: 100 Front Str	eet, Suite 1225
CITY	. West Conshohocken	_ STATE: PA	ZIP CODE: 19428
PHON	NE NO.: 781-974-3628	FAX NO.: N/A	E-MAIL: sbaggett@bluewaterpg.com
NAM			AK FOR APPLICANT WITH RESPECT TO THIS
IF AF	PLICANT IS REPRESE	NTED BY AN ATTO	RNEY, COMPLETE THE FOLLOWING:
NAM	E OF FIRM: **See Attach	ment A for Co-Applicant	Amazon.com Services LLC
NAM	E OF ATTORNEY:		
ATTO	DRNEY'S STREET ADD	DRESS:	
CITY	:	STATE:	ZIP CODE:
PHON	NE NO.:	FAX NO.:	E-MAIL:
NOTI	E. DI EASE DEAD THE	INSTRUCTIONS OF	N PAGE 2 HEREOF REFORE 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	
Date application Received by Agency	, 20
Date application referred to attorney for review	, 20
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. Mailing Inducement Resolution/Public Hearing Resolution	, 20
8. Mailing Public Hearing Notice	, 20
9. Hold Public Hearing	, 20
10. Resolution Authorizing Mailing of PILOT Deviation Letter (if applicable)	, 20
11. Mailing PILOT Deviation Letter if Applicable	, 20
12. Post IDA Application and Construction Employment  Agreement on Website	, 20
13. Perform Inform Analytics Cost/Benefit Analysis present to  Board	, 20
14. Perform Written Evaluation Report and present to Board	, 20
15. SEQR Resolution	, 20
16. PILOT Deviation Resolution (if applicable)	, 20
17. Approving Resolution	, 20
18. 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: 3/4 of 1% of bond amount
- (b) Sale Leaseback Transactions: 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 \*\*See Attachment A for Co-Applicant Amazon.com Services LLC

Applicant: BMG Alba	any, LLC and Amazon.com Services LL	.C	
Contact Person: Sea	n Baggett		
Phone Number: 781-	974-3628		
Occupant: Amazon.co	m Services LLC		
Project Location: App	roximately 1.5 miles west of Interchang	e 27 on the south	side of Route 5S
Approximate Size of	Project Site: ±652,000 sq.ft. footprint a	and a total building	g square footage of +/- 3.200,000 sq.ft.
Description of Projec	t:		
Development of a multi- and a total building squa	story fulfillment warehouse/distribution are footage of +/- 3,200,000. and a heig	center with a +/-6 ht of +/- 103.5'.	552,000 sq.ft. building footprint
Type of Project:	☐ Manufacturing	⊠ Wa	arehouse/Distribution
	☐ Commercial	□ No	t-For-Profit
	☐ Other-Specify		
Employment Impact:	Existing Jobs N/A		
	New Jobs 750 "(est)"		
Project Cost: \$ 621,000	,000 "(est)"		
Type of Financing: N/A	☐ Tax-Exempt ☐ Taxa	able	☐ Straight Lease
Amount of Bonds Requ	uested: \$ N/A		
Estimated Value of Tax	a-Exemptions:		
Mortga Real Pi	Sales and Compensating Use Tax: age Recording Taxes: roperty Tax Exemptions: please specify):	\$ 30,000,000 "(est \$ N/A \$ N/A	t)"
Provide estimates for the	ne following:		
Estimate of Job Estimate of Job Average Estima Annualized Sal	Time Employees at the Project Site be os to be Created: os to be Retained: ated Annual Salary of Jobs to be Created ary Range of Jobs to be Created: rage Annual Salary of Jobs to be Retain	d:	N/A  750 "(est)"  N/A  \$39,696 "(est)"  \$37,440 - \$60,000 "(est)"  N/A

I.		RMATION CONCERNING THE PROPOSED OCCUPA EINAFTER, THE "COMPANY").	ANT OF THE PROJECT
	A.	Identity of Company:	
		1. Company Name: Amazon.com Services LLC	
		Present Address: 410 Terry Ave. North, Seattle, WA	
		Zip Code: 98109	
		Employer's ID No.: 82-0544687	
		2. If the Company differs from the Applicant, give deta  **See Attachment A - Page #1	ils of relationship:
			ate Incorporated? Type of o do business in New York?
		d. N/A Sole proprietorship	
,	D	4. Is the Company a subsidiary or direct or indicorganization(s)? If so, indicate name of related organization(s)  Amazon.com Services LLC is a wholly-owned subsidiary of Amazon.com, Inc. lists Amazon.com Services LLC as a "significant subsidiary of Amazon.com, Inc. lists Amazon.com Services LLC as a "significant subsidiary of Amazon.com, Inc. lists Amazon.com, Inc. lists Amazon.com Services LLC as a "significant subsidiary of Amazon.com, Inc. lists Amazo	) and relationship: ., a publicly-traded company.
	В.	Management of Company:  1. List all owners, officers, members, directors and pa for each person): **See Attachment A **See Attachment A	rtners (complete all columns

NAME (First, Middle, Last) HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS
N/A	N/A	N/A

2. Is the company of management of the com			
any civil or criminal litigation? Yes; No	**See Attachment A		
3. Has any person listed above ever been conv	icted of a criminal offense (other than		
a minor traffic violation)? Yes; No	**See Attachment A		
4. Has any person listed above or any conce connected ever been in receivership or been adjudicate yes to any of the foregoing, furnish details in a separar	ed a bankrupt? Yes : No . (If		
5. If the answer to any of questions 2 through separate attachment.	1 4 is yes, please, furnish details in a		
Principal Owners of Company:			
1. Principal owners of Company: Is Company			
If yes, list exchanges where stock traded: The Company is traded company in its annual 10.	s a wholly-owned subsidiary of Amazon.com Inc., a publicly y. Amazon.com Inc. lists the Company as a "significant subsidiary" -K filing with the SEC.		
2. If no, list all stockholders having a 5% or m	ore interest in the Company:		

Is the Company or management of the Company now a plaintiff or a defendant in

NAME	ADDRESS	PERCENTAGE OF HOLDING
N/A	N/A	N/A

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

C.

#### DATA REGARDING PROPOSED PROJECT II.

Summary: (Please provide a brief narrative description of the Project.) A.

The construction of an approximately ±3.2 Million sq.ft. distribution center/warehouse, including office space, specializing in distribution and delivery, site improvements including stormwater controls, utility improvements, including but not limited to, water, sewer, pump-station, electric, gas, car parking spaces, trailer/truck storage spaces, loading docs, dark-sky compliant w lig oment.

ater, sewer, pum ghting, sound bar	p-station, electric, gas, car parking spaces, trailer/truck storage spaces, loading docs, dark-sky compliant rier walls and landscaping, including the acquisition and installation of furniture, fixtures and equipment. have a ±652,000 sq.ft. footprint with 5 stories and an overall height of ±103.5'.
B.	Location of Proposed Project:
	<ol> <li>Street Address Approximately 137.24 acres of land between NYS Route 5S and the New York</li> <li>City of State Thruway (1-90)</li> <li>Town of Florida</li> <li>Village of</li> <li>County of Montgomery</li> </ol>
C.	Project Site:
	<ol> <li>Approximate size (in acres or square feet) of Project site:</li> <li>Is a map, survey, or sketch of the project site attached? Yes X; No</li></ol>
	N/A
	b. Are existing buildings in operation? Yes; No _X If yes, describe present use of present buildings:
	c. Are existing buildings abandoned? Yes; No _X About to be abandoned? Yes; No _X If yes, describe:
	d. Attach photograph of present buildings.

N/A

3.	Utilities serving project site: Water-Municipal: Town of Florida Water and Sewer District
	Other (describe) Sewer-Municipal: Town of Florida Water and Sewer District
	Other (describe) Electric-Utility: National Grid
	Other (describe)
	Heat-Utility: Electric Other (describe)
4.	Present legal owner of project site: WE 5S LLC
	a. If the Company owns project site, indicate date of purchase:  N/A  , 20 N/A; Purchase price: \$ N/A  .
	b. If Company does not own the Project site, does Company have option signed with owner to purchase the Project site? Yes X; No If yes, indicate date option signed with owner:, 20_24; and the date the option expires: N/A, 20N/A.
	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 N/A; No N/A. If yes, describe: N/A
5.	a. Zoning District in which the project site is located:
	C-2 Zoning District
	b. Are there any variances or special permits affecting the site? Yes X; No If yes, list below and attach copies of all such variances or special permits:
Subject to previously	o the approval of amendments to the Special Permit and Site Plan approvals y granted by the Planning Board in 2019. Seeking approvals presently. Expected August 2025.
D. <u>Buildi</u>	ngs:
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:
	Development of a multi-story fulfillment warehouse/distribution center with a ±652,000 sq.ft. rint and a total building square footage of ±3,200,000.
	Does part of the project consist of additions and/or renovations to the existing ngs? Yes; No _X . If yes, indicate the buildings to be expanded or renovated, e of any expansions and the nature of expansion and/or renovation:
3. to be a	Describe the principal uses to be made by the Company of the building or buildings acquired, constructed, or expanded:

The proposed fulfillment distribution center/warehouse will specialize in distribution and delivery and include office space.

		iption 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:
		Material Handling Equipment
	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:
	3.	Describe the principal uses to be made by the Company of the Equipment to be acquired or installed:
		The equipment will be primarily used for distribution and delivery.
F.	Projec	et 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?
	Bulk it	roposed fulfillment distribution center/warehouse will specialize in distribution and delivers received and stored for order fulfillment. Orders picked, packed and shipped to delivery centers on a 24/7 basis.
		Does the Project include facilities or property that are primarily used in making sales of goods or services to customers who personally visit such facilities? Yes No X. If yes, please provide detail:

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.	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 If yes, please explain:
	N/A
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 If yes, please explain:
	N/A
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 If yes, please provide detail:
	N/A
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:
	N/A
Project preserv	Inswers to any of subdivisions c. through e. of question 5 is yes, will the ve permanent, private sector jobs or increase the overall number of vate sector jobs in the State of New York? Yes; No If yes, please
	N/A
Company or ar area of the State If yes, please ex 8. Will the	e completion of the Project result in the removal of a plant or facility of the nother proposed occupant of the Project (a "Project Occupant") from one of New York to another area of the State of New York? Yes; No_X explain:  e completion of the Project result in the abandonment of one or more plants the Company located in the State of New York? Yes; No_X If yes
or racinties of t	ine company located in the state of frew Tork: Tes, twoX 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:
	<ul> <li>Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes; No</li> <li>If yes, please provide detail:</li> </ul>
	N/A
	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:
	N/A
	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.
US Army Corps of Engineers,	orida Water District #1, Montgomery County IDA, NYS Department of State, NYS Department of Transportation – Region 2, and NYS Department of Environmental Conservation – Region 4. Interested Agencies: Montgomery County Planning Department, Development Center, New York State Office of Parks, Recreation & Historic Preservation, and so Department
-	2. Describe the nature of the involvement of the federal, state, or local agencies described above:
	See delineation b/w Involved and Interested parties, listed above.
Н.	<u>Construction Status</u> :

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.

2. Please indicate amount of funds expended on this Project by the Company in the past three (3) years and the purposes of such expenditures:
N/A
3. Please indicate the date the applicant estimates the Project will be completed:  Q4 2028 - Q4 2029  .
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

I.

Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations; installation of footings; etc.:

## 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 val of the Project? Yes; No_X If yes, please complete the following for each exist or proposed tenant or subtenant: **Amazon.com Services LLC will lease 100% of the sq.ft. area of the in the event the Landlord/Tenant model structure is used.								
	1.	Sublessee name: Present Address: N/A							
		City:	State	:	Zip:				
		Employer's ID N	lo.:						
		Sublessee is:	_ Corporation: _	Partnership: _	Sole Proprietorship				
		Relationship to C							
		Percentage of Pro	Percentage of Project to be leased or subleased:						
			Use of Project intended by Sublessee:						
		Date of lease or s	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	o questions II(F)(	4) through (6) wit	h respect to such sublessee.				
	2.	Sublessee name:							
	2.	Present Address:	N/A						
				:	Zip:				
		Employer's ID N	state	•	2.p.				
		Sublessee is:							
			ion: Parti	nership: S	ole Proprietorship				
		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:						
			sublease to Suble						
					e be primarily used in making				
		• 1	•	•	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:	N/A						
	City:	State:		Zip:				
	Employer's ID No	0.:						
	Sublessee is:	Corporation:	Partnership:	Sole Proprietorship				
	Relationship to C	ompany:						
	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 mal retail sales of goods or services to customers who personally visit the Proj							
	Yes; No If yes, please provide on a separate attachment (a) details and							
	(b) the answers to	questions II(F)(4) t	hrough (6) with res	spect 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?

N/A

### IV. EMPLOYMENT IMPACT

A. Indicate the number of people presently employed at the Project site and the <u>additional</u> 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 Skilled Semi-Skilled Un-Skilled Totals Managerial **Hourly								
Present Full Time									
Present Part Time									
Present Seasonal									
First Year Full Time	25 "(est)"			225 "(est)"	250 "(est)"				
First Year Part Time									
Second Year Full Time	50 "(est)"			450 "(est)"	500 "(est)"				
Second Year Part Time									
Third Year Full Time	75 "(est)"			675 "(est)"	750 "(est)"				
Third Year Part Time									

### TYPE OF EMPLOYMENT Employees of Applicant First Year Full Time

That I can I am					
Month	Professional or	Skilled	Semi-Skilled	Un-Skilled	Totals
	Managerial			**Hourly	
January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December	25 "(est)"			225 "(est)"	250 "(est)"

## TYPE OF EMPLOYMENT Employees of Applicant First Year Part Time

First Year Part Time							
Month	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals		
January							
February							
March							
April			/ <b>/</b>				
May							
June							
July							
August							
September							
October							
November							
December							

# TYPE OF EMPLOYMENT Employees of Applicant Second Year Full Time

Second Teal Tail Time					
Month	Professional or	Skilled	Semi-Skilled	Un-Skilled	Totals
	Managerial			**Hourly	
January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December	50 "(est)"			450 "(est)"	500 "(est)"

## TYPE OF EMPLOYMENT Employees of Applicant Second Year Part Time

Second Year Part Time							
Month	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals		
January							
February							
March							
April			/ <b>/</b>				
May							
June							
July							
August							
September							
October							
November							
December							

# TYPE OF EMPLOYMENT Employees of Applicant Third Year Full Time

Third Teal Tun Time						
Month	Professional or	Skilled	Semi-Skilled	Un-Skilled	Totals	
	Managerial			**Hourly		
January						
February						
March						
April						
May						
June						
July						
August						
September						
October						
November						
December	75 "(est)"			675 "(est)"	750 "(est)"	

TYPE OF EMPLOYMENT									
Employees of Applicant									
	Third Year Part Time								
Month Professional or Skilled Semi-Skilled Un-Skilled Totals  Managerial									
January									
February									
March			_						
April			/ <b>/</b>						
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					
Present Part Time					
Present Seasonal	<b>N</b>		Δ		
First Year Full Time		<b>N</b> /			
First Year Part Time					
First Year Seasonal					
Second Year Full Time					
Second Year Part Time					
Second Year Seasonal					

TYPE OF EMPLOYMENT Employees of Independent Contractors					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present Full Time					
Present Part Time		1			
Present Seasonal			<b>\</b>		
First Year Full Time	IV				
First Year Part Time					
First Year Seasonal					
Second Year Full Time					
Second Year Part Time					
Second Year Seasonal					

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	Salary = \$60,000 Fringe Benefits = 20-30%			Salary = \$37,440 Fringe Benefits = 20-30%	
Estimated Number of Employees Residing in the Mohawk Valley	60% - 100% "(est)"			60% - 100% "(est)"	

Economic Development		
Region		

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

Please refer to the employment tables above.

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.

\*\*See Attachment A - Section IV Employment Impact

#### V. PROJECT COST AND FINANCING SOURCES

A. <u>Anticipated Project Costs</u>. 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:

Description of Cost	<u>Amount</u>
Land	\$ _14,000,000 "(est)"
Buildings	\$ 450,000,000 "(est)"
Machinery and equipment costs	\$ _150,000,000 "(est)"
Utilities, roads and appurtenant costs	§ (included above)
Architects and engineering fees	§ 6,000,000 "(est)"
Costs of Bond Issue (legal, financial and printing)	§ <u>N/A</u>
Construction loan fees and interest (if applicable)	§ <u>N/A</u>
Other (specify)	
Legal Fees	\$ _1,000,000 "(est)"
	\$
	\$
TOTAL PROJECT COSTS	§ 621,000,000 "(est)"

B. <u>Anticipated Project Financing Sources</u>. 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:

<u>Description of Sources</u>	<u>Amount</u>
Private Sector Financing	§ <u>N/A</u>
Public Sector	
Federal Programs	§ <u>N/A</u>
State Programs	§ <u>N/A</u>
Local Programs	§ <u>N/A</u>
Applicant Equity	§ 621,000,000 "(est
Other (specify, e.g., tax credits)	
	\$ <u>N/A</u>
	§_N/A
TOTAL AMOUNT OF PROJECT	
FINANCING SOURCES  Have any of the above expenditures already	\$ N/A been made by the app
FINANCING SOURCES  Have any of the above expenditures already	
Have any of the above expenditures already Yes; No _X If yes, indicate particulars.	
Have any of the above expenditures already Yes; No _X If yes, indicate particulars.  Amount of loan requested: \$ N/A;	
Have any of the above expenditures already Yes; No _X If yes, indicate particulars.  Amount of loan requested: \$N/A;  Maturity requested: N/Ayears.  Has a commitment for financing been received as of the second s	been made by the app
Have any of the above expenditures already Yes; No _X If yes, indicate particulars.  Amount of loan requested: \$N/A;  Maturity requested: N/Ayears.  Has a commitment for financing been received as of whom?	been made by the app
	been made by the app

G.	The total amount estimated to be borrowed to finance the Project is equal to the following:  N/A		
DEN	ЕБІТС Б	EXPECTED FROM THE AGENCY	
<u>DEN</u>	LITIS E	ZATECTED FROM THE AGENCT	
A.	Finan	ncing	
	1.	Is the applicant requesting that the Agency issue bonds to assist in financing the project? Yes; No _X If yes, indicate:	
		<ul><li>a. Amount of loan requested:Dollars;</li><li>b. Maturity requested:Years.</li></ul>	
	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 _X	
	3.	If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes:	
	4.	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 g. tennis club: Yes; No h. skating facility (including roller skating, skateboard and ice skating):	
		N/A	
B.	Tax I	Benefits .	
	No	Is the applicant requesting any real property tax exemption in connection with the ct that would not be available to a project that did not involve the Agency? Yes_X_; If yes, is the real property tax exemption being sought consistent with the cy's Uniform Tax Exemption Policy? Yes_X_; No	
	2. or me	Is the applicant expecting that the financing of the Project will be secured by one ore mortgages? Yes; No _X . If yes, what is the approximate amount of cing to be secured by mortgages? \$N/A	
	3.	Is the applicant expecting to be appointed agent of the Agency for purposes of	

VI.

	ne approximate amount of purchases which the application. S. Sales and Compensating Use Taxes? \$\frac{375,000,000}{275,000,000}	
	t is the estimated value of each type of tax-exemple that the Project? Please detail the type of tax-exemple.	
a.	N.Y.S. Sales and Compensating Use Taxes:	\$30,000,000 "(est)"
b.	Mortgage Recording Taxes:	\$ N/A
c.	Real Property Tax Exemptions:	\$ TBD
d.	Other (please specify):	
	N/A	\$N/A
	N/A	\$ N/A
	any of the tax-exemptions being sought in conne with the Agency's Uniform Tax Exemption Policy? cplain.	· ·

avoiding payment of N.Y.S. Sales Tax or Compensating Use Tax? Yes X; No \_\_\_\_\_. If

C. <u>Project Cost/Benefit Information</u>. 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. <u>REPRESENTATIONS BY THE APPLICANT</u>. The applicant understands and agrees with the Agency as follows:
  - A. <u>Job Listings</u>. 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. <u>First Consideration for Employment.</u> 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. <u>Annual Sales Tax Filings</u>. 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. <u>Annual Employment Reports.</u> 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. <u>Uniform Agency Project Agreement</u>. 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. <u>Representation of Financial Information</u>. 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. <u>Agency Financial Assistance Required for Project</u>. 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. <u>Compliance with Article 18-A of the General Municipal Law</u>: 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. <u>Compliance with Federal, State, and Local Laws</u>. The applicant is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.
- J. <u>False or Misleading Information</u>. 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. <u>Absence of Conflicts of Interest</u>. 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. <u>Additional Information</u>. 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 <a href="http://www.mcbdc.org/">http://www.mcbdc.org/</a>.

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

	Applicant	
By:	Stephen & Butte	
Title:	Manager	

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

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

-----

(If applicant is limited liability company)

STATE OF PA

) SS.:

COUNTY OF Chester)

Stephen J Butte, deposes and says

(Name of Individual)
that he is one of the members of the firm of BMG Albany LLC

(Limited Liability Company)

the limit liability company 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. 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 a member of and from the books and papers of said limited liability company.

Sworn to before me this 25th day of June, 2025.

Commonwealth of Pennsylvania - Notary Seal Matthew E Butte, Notary Public Chester County My commission expires September 16, 2025 Commission number 1406587

matthew & Butte

(Notary Public)

NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 30 IS SIGNED BY THE APPLICANT.

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)

-

Sworn to before me this 25th day of June, 2025.

matthew & Budde

(Notary Public)

Commonwealth of Pennsylvania - Notary Seal Matthew E Butte, Notary Public Chester County

My commission expires September 16, 2025 Commission number 1406587 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"):	BMG Albany, LLC and Amazon.com Services LLC
2.	Brief Identification of the Project:	, , , , , , , , , , , , , , , , , , , ,
3.	Estimated Amount of Project Benefits Sought:	
	A. Amount of Bonds Sought:	\$ N/A
	B. Value of Sales Tax Exemption Sought	\$ 30,000,000 "(est)"
	C. Value of Real Property Tax Exemption Sought	\$ TBD
	D. Value of Mortgage Recording Tax Exemption Sought	\$ N/A
4.	Likelihood of accomplishing the Project in a timely fashion:	We expect to complete this project between Q4 2028 and Q4 2029

#### PROJECTED PROJECT INVESTMENT

A.	Land-Related Costs	
1.	Land acquisition	\$_14,000,000 "(est)"
2.	Site preparation	\$ N/A
3.	Landscaping	\$ N/A
4.	Utilities and infrastructure development	\$ N/A
5.	Access roads and parking development	\$ N/A
6.	Other land-related costs (describe)	\$ N/A
B.	Building-Related Costs	
1.	Acquisition of existing structures	\$ N/A
2.	Renovation of existing structures	\$ N/A
3.	New construction costs	\$ 450,000,000 "(est)"
4.	Electrical systems	\$ (included above)
5.	Heating, ventilation and air conditioning	\$ (included above)
6.	Plumbing	\$ (included above)
7.	Other building-related costs (describe)	\$ (included above)
	-	

1. Production and process equipment 2. Packaging equipment 3. Warehousing equipment 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)  S. Computers S.	C.	Machinery and Equipment Costs	
2. Packaging equipment 3. Warehousing equipment 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)  S (included above)  \$    **Continued above*  **Suiture destribed above*  \$   \$   **Office equipment  \$   \$   **Suiture and engineering  \$   \$   \$   \$   \$   \$   \$   \$   \$   \$			\$
3. Warehousing equipment \$\frac{150,000,000 "(est)"}{4}\$  4. Installation costs for various equipment \$\frac{(included above)}{5}\$  5. Other equipment-related costs (describe) \$\frac{(included above)}{5}\$  D. Furniture and Fixture Costs  1. Office furniture \$\frac{1}{5}\$  2. Office equipment \$\frac{1}{5}\$  3. Computers \$\frac{1}{5}\$  4. Other furniture-related costs (describe) \$\frac{1}{5}\$  E. Working Capital Costs  1. Operation costs \$\frac{1}{5}\$  2. Production costs \$\frac{1}{5}\$  3. Raw materials \$\frac{1}{5}\$  4. Debt service \$\frac{1}{5}\$  5. Relocation costs \$\frac{1}{5}\$  6. Skills training \$\frac{1}{5}\$  7. Other working capital-related costs (describe) \$\frac{1}{5}\$  F. Professional Service Costs  1. Architecture and engineering \$\frac{1}{5}\$ 6,000,000 "(est)"  2. Accounting/legal \$\frac{1}{5}\$,000,000 "(est)"  3. Other service-related costs (describe) \$\frac{1}{5}\$  G. Other Costs			
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)  S. (included above)  \$ (included			1
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)  G. Other Costs   [S (included above)  \$ (inclu			*
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)  G. Other Costs  1. S			T
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)  G. Other Costs  1. S		control of water in the control of t	4.
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)  G. Other Costs  \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$	D.	Furniture and Fixture Costs	
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)  G. Other Costs  1	1.	Office furniture	\$
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)  G. Other Costs  1	2.	Office equipment	\$
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)  G. Other Costs  1	3.		\$
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)  G. Other Costs  1. S	4.	Other furniture-related costs (describe)	\$
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)  G. Other Costs  1			
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)  G. Other Costs  1	E.		
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)  G. Other Costs  1		<u> </u>	
4. Debt service \$ 5. Relocation costs \$ 6. Skills training \$ 7. Other working capital-related costs (describe) \$  F. Professional Service Costs  1. Architecture and engineering \$6,000,000 "(est)"  2. Accounting/legal \$1,000,000 "(est)"  3. Other service-related costs (describe) \$  G. Other Costs  1 \$			
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)  G. Other Costs  1	3.		
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)  G. Other Costs  1			
7. Other working capital-related costs (describe) \$  F. Professional Service Costs  1. Architecture and engineering \$6,000,000 "(est)"  2. Accounting/legal \$1,000,000 "(est)"  3. Other service-related costs (describe) \$  G. Other Costs  1. \$			
F. Professional Service Costs  1. Architecture and engineering \$6,000,000 "(est)"  2. Accounting/legal \$1,000,000 "(est)"  3. Other service-related costs (describe) \$  G. Other Costs  1. \$			
1. Architecture and engineering \$6,000,000 "(est)"  2. Accounting/legal \$1,000,000 "(est)"  3. Other service-related costs (describe) \$  G. Other Costs  1 \$	7.	Other working capital-related costs (describe)	\$
2. Accounting/legal \$1,000,000 "(est)"  3. Other service-related costs (describe) \$  G. Other Costs  1 \$	F.	Professional Service Costs	
2. Accounting/legal \$1,000,000 "(est)"  3. Other service-related costs (describe) \$  G. Other Costs  1 \$	1.	Architecture and engineering	\$ 6,000,000 "(est)"
3. Other service-related costs (describe) \$	2.		\$ 1,000,000 "(est)"
1 \$	3.	<u> </u>	\$
1 \$			
		Other Costs	
2 \$			
	2.		\$
H. Summary of Expenditures	Н.	Summary of Expenditures	
1. Total Land-Related Costs \$ 14,000,000 "(est)"	1.	<u> </u>	\$ 14,000,000 "(est)"
2. Total Building-Related Costs \$450,000,000 "(est)"			
3. Total Machinery and Equipment Costs \$ 150,000,000 "(est)"			\$ 150,000,000 "(est)"
4. Total Furniture and Fixture Costs \$		<u> </u>	\$
5. Total Working Capital Costs \$			
6. Total Professional Service Costs \$7,000,000 "(est)"			
7. Total Other Costs \$		Total Other Costs	

#### PROJECTED PROFIT

I. Please provide projected profit as defined by earnings after income tax but before depreciation and amortization: \*\*See Attachment A, page 6.

YEAR	Without IDA benefits	With IDA benefits
1	\$	\$
2	\$	\$
3	\$	\$
4	\$	\$
5	\$	\$

#### 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	N/A	\$ <u>N/A</u>	\$ N/A
Year 1	199 (direct,est)	\$_22,500,000.00	\$ TBD
Year 2	199 (direct,est)	\$_22,500,000.00	\$ TBD
Year 3		\$	\$
Year 4		\$	\$
Year 5		\$	\$

#### 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. \*\* See "Summary of Project" above, Section IV above, and Attachment A Section IV Employment Impact
- III. Please provide estimates for the following: \*\*See Attachment A Section IV Employment Impact
  - A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.
- IV. Provide the projected percentage of employment that would be filled by Montgomery County residents: 60% 100% "(est)"
  - A. Provide a brief description of how the project expects to meet this percentage:

The Company will utilize required employment consideration and job listing processes required by the Montgomery County IDA and New York Law. Additionally, Amazon will work with local/ regional Workforce Development partners on opportunities for job fairs and other outreach efforts to cast a wide net for employee recruitment.

### PROJECTED OPERATING IMPACT

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

Additional Purchases (1st year following project completion)	(	\$ N/A
Additional Sales Tax Paid on Additional Purchases	5	\$ N/A
Estimated Additional Sales (1st full year following project completion)	5	\$ N/A
Estimated Additional Sales Tax to be collected on additional sales (1st full year following project completion)	9	\$ N/A

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

Year	Existing Real Property Taxes (Without IDA involvement)	New Pilot Payments (With IDA)	Total (Difference)
Current Year		,	
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			
Year 6			
Year 7			
Year 8			
Year 9			
Year 10			
Year 11			
Year 12			
Year 13			
Year 14			
Year 15			

<sup>\*\*</sup>See Attachment A, page 6.

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):

The proposed project is estimated to provide a substantial positive recurring benefit to the Town of Florida, school district, specials districts, and county through net new real property tax revenues. The project will result in the creation of at least 750 jobs that offer competitive wages and benefits forresidents of the region. In addition to the significant increase in the Town's private sector employment opportunities, there will be indirect jobs to be created in the local area through business-to-business supply chain opportunities and new employees spending a portion of their wages locally creating indirect and induced job creation. sale tax revenue, and earnings.

(\*\*See Attachment A for more information on Workforce Development/Training)

CERTIFICATION \*\*See Attachment E for Amazon.com Services LLC

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.

Name of Person Completing Project Questionnaire on Date Signed: Jule 25, 2025 behalf of the Company. Phone Number: 610-724-016 Address: 52 Lo diwood Lan West Chester Pa 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.

\*\* See "Summary of Project" above, Section IV above, and Attachment A - Section IV Employment Impact

New Job Skills	Number of Positions Created	Range of Salary and Benefits
	1	

Should you need additional space, please attach a separate sheet.

#### 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, <u>BMG Albany, LLC (Project Beneficiary)</u> 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. <u>BMG Albany, LLC</u> (<u>Project Beneficiary</u>) 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.

directly through the Company, its general contractor, or individual vendors.

Upon project completion BMG Albany(PlGect 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.

	Completion Report in which is ident actors and vendors engaged in the cor		s of the
Company: BMG Albany, LLC			
	for Contract Bids and Awards:		
Sean Baggett			
Mailing Address:			
100 Front Street, Suite 1225			
West Conshohocken, PA 19428	<del>-</del>		
Phone: 781-794-3628	Fax: N/A		
Email: sbaggett@bluewaterpg	.com		
General Contractor, if dete	ermined		
Company: TBD			
Representative: TBD	=		
Mailing Address:			
TBD			
Phone: TBD	Fax: TBD		
Email: TBD	rax. 188		
Construction start date is e	Duration of Construction Phase	# to be Employed	
Core & Shell Envelope	18-24 Months (pending General Contract Bids)	398 (direct est)	
MHE Install	TBD	TBD	
(Attach additional sheets i	f needed)		
Name of Applicant: BMG	Albany, LLC Dated:	6/25/25	
Company Position:	anager	Signed:	

### ATTACHMENT A

#### Attachment A – Amazon.com Services. LLC

#### Montgomery County Industrial Development Agency

#### Application for Financial Assistance: Amazon.com Services LLC

\*\* Amazon.com Services LLC and/or an individual(s), affiliate, subsidiary, or entity or entities formed or to be formed have submitted an application to the Agency, a copy of which is on file at the office of the Agency.

It is contemplated that either: (i) Amazon.com Services LLC will be only the operator/tenant of the facility, or (ii) Amazon.com Services LLC will be both the owner and operator/tenant of the facility.

In the first instance (Amazon.com Services LLC as only operator/tenant) this Attachment is provided to address certain sections/questions related to the Application for Financial Assistance (the "Application") as applicable to Co-Applicant, Amazon.com Services LLC (the "Company"), as the tenant only, and being the joint-applicant (a "Co-Applicant") with BMG Albany, LLC or an Amazon.com Services LLC affiliate/subsidiary, and in such a case Amazon.com Services LLC, will be the tenant/operator in the project facility to be constructed and owned by BMG Albany, LLC or an Amazon.com Services LLC affiliate/subsidiary.

In the second instance (Amazon.com Services LLC as both owner and operator/tenant) this Attachment is provided to similarly address certain sections/questions related to the Application as if Amazon.com Services, LLC, was the sole Applicant and the owner and operator of the facility, and the sum total of all expenditures and financial assistance, as depicted in the form of Application and in this Attachment, would accrue to Amazon.com Services LLC.

In either scenario, Amazon.com Services LLC is submitting as Co-Applicant or Applicant for a Project ultimately seeking a PILOT, and sales and use tax exemption for the purposes of constructing and operating an e-commerce distribution/warehouse facility.

#### **Local Labor Participation**

BMG Albany, LLC anticipates that at least 398 construction workers will be utilized to facilitate the project construction/development. Most recently, Amazon.com Services LLC has been co- applicant with respect to similarly sized (square footage and costs) projects in Onondaga County, completed in May 2022, Monroe County, completed in October 2023, and Niagara County, currently under construction. All three projects utilized Industrial Development Agency Financial Assistance that required use of local labor. Due to documented lack of workers available residing in those respective local labor areas during the construction of those projects, actual local labor usage for the Onondaga, Monroe, and Niagara County IDA projects were and are at or above 70%. Based on these recent and real-time examples of the need to utilize out of area workers, in addition, due to the current and anticipated number of construction projects occurring in the Montgomery County local labor area, the co-applicants goal is to be as close to approximately 70% local labor participation of all project employees of the general contractor, subcontractor, or subcontractor to the subcontractor working on the project permanently reside within the Montgomery County local labor area.

#### **Application Information.**

#### **Applicant (Co-Applicant) Information**

Amazon.com Services LLC 410 Terry Ave. North Seattle, WA 98109

Contact Name: Brad Griggs

Title: Director, Economic Development

Phone: 646-927-6819

Email: brgriggs@amazon.com

#### **Co-Applicant's Counsel**

Robert G. Murray, Esq. Harris Beach Murtha Cullina PLLC 726 Exchange Street Buffalo, New York, 14210 716-200-5180

Email: bmurray@harrisbeach.com

#### **Summary of Project Information.**

#### **Applicant (Co-Applicant) Information**

Amazon.com Services LLC

Contact Person: Brad Griggs

Phone: 646-927-6819

#### Section I.

#### B) Management of Company:

All statement by Company, below, are made as of the date of this Application.

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

Principal Owners: Amazon.com Services LLC is a wholly-owned subsidiary of Amazon.com, Inc., a publicly-traded company. Amazon.com, Inc. lists Amazon.com Services LLC as a "significant subsidiary" in its annual 10-K filing with the SEC

2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation?

The Company is an affiliate of a public company that routinely faces pending and threatened litigation. Such actions are unlikely to have a significant negative impact on the Company's financial status or impact the Project that is the subject of this Application.

3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)?

To undersigned's knowledge, with respect to officers of the Company being convicted of felonies within the last three (3) years, no, except as may be provided for in the SEC Filings.

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?

To undersigned's knowledge, with respect to the last five (5) years, no, except as may be provided for in Amazon.com Inc.'s annual or quarterly filings with the Securities and Exchange Commission, which can be found within the below link (collectively, the "SEC Filings"):

(https://ir.aboutamazon.com/sec-filings/default.aspx)

#### Section IV - Employment Impact.

**D)** The Project will offer a significant number of part-time and full-time employment opportunities, benefitting families and community residents, that include a comprehensive benefits package for people with a variety of skillsets and work experiences. The Project will allow those new to the work force to learn new skills and will provide on-the-job experience that is transferable to advancement positions or other industries. The Project will also enable employees to obtain valuable networking and reference resources for future advancement and other opportunities.

At the proposed facility there are different types of roles that include:

- § General Manager
- § Senior Operations Managers
- § Operations Managers (lead large parts of the operations)
- § Area Managers (lead specific areas reporting into Operations Managers)
- § Safety Managers and team (including a Wellness Center)
- § Loss Prevention Managers and team
- § Quality Managers and team
- § Learning Managers and team
- § Human Resources Managers and team
- § Hourly Associates

Workforce Development/Training: Amazon has committed \$1.2 billion to provide 300,000 employees with access to education and skills training programs—including college tuition for front-line employees as part of Amazon's Upskilling 2025 pledge.

Upskilling programs help employees gain in-demand skill sets and propel them into new careers. The company-funded training programs offered through Upskilling 2025 support Amazon employees as they learn critical skills to move into in-demand, higher-paying technical or non-technical roles within Amazon and beyond.

Career Choice: Career Choice is Amazon's pre-paid tuition program for operations employees looking to further their education. Amazon will pre-pay full college tuition at select education partners across the country. Currently, Amazon has 4 national partners and 18 State University of New York (SUNY) and City University of New York (CUNY) schools in the Career Choice network. Amazon employees based in the Montgomery County Region can take classes locally at SUNY Albany and online with SUNY Empire State College. In addition to funding associate and bachelor's degrees, Amazon's Career Choice will also fund high school completion, GED's, and ESL proficiency certifications. Since launching Career Choice in 2012, over 200,000 Amazon employees across 14 countries worldwide have received training for high-demand occupations including aircraft mechanics, computer-aided designers, commercial truck drivers, medical assistants, nurses, and more.

The program will be available to Amazon hourly employees who have been employed for 90 days. Employees have access to annual funds for education as long as they remain at the company, with no limit to the number of years they can benefit.

The Project will contain an onsite classroom so college and technical classes can be taught inside the fulfillment center, making employees' participation in Career Choice even more seamless by reducing the need to commute to classes.

Amazon Benefits: Along with a starting pay of at least \$18/hour, Amazon offers a range of great benefits that support employees and eligible family members, including domestic partners and their children. These comprehensive benefits begin on day one and include health care coverage,

paid parental leave, ways to save for the future, and other resources to improve health and well-being.

Below is a list of benefits offered to full-time associates. Benefits availability may vary depending on number of hours worked a week.

Medical. Plans include coverage for prescription drugs, emergency and hospital care, mental health, X-rays, lab work, etc. There are no pre-existing condition exclusions with any of Amazon's medical plans. Employees have a choice of multiple plans. All plans cover preventive care 100%.

Dental. All preventative coverage, including cleanings and x-rays, is fully covered and the deductible is waved. Orthodontic coverage available.

Vision. Annual basic eye exam, lenses, and basic frames fully covered annually.

Infertility Benefits. Amazon partners with Progyny, the leading infertility benefits provider, to provide our employees with infertility treatment coverage.

Amazon 401(k) Plan. All Amazon employees are eligible to join the plan immediately upon their date of hire. Amazon will provide a 50% match for contributions up to 4% of eligible pay.

Flexible Spending Accounts. Flexible Spending Accounts (FSAs) provide a convenient way to pay for certain eligible health care and/or dependent care expenses with pre-tax dollars. Health Care FSA can be used to pay for health insurance copays, deductibles and other eligible services and supplies not covered by medical, dental or vision plans. The Dependent Care FSA can only be used to pay expenses for dependent care, such as child or elder care.

Disability Insurance. Available to employees working more than 30 hours a week. Amazon provides both short-term and long-term disability coverage at no cost to the associate. Both plans provide partial income (60% of eligible salary up to certain limits) if the associate becomes medically disabled.

Mental Health Care and Daily Living Assistance. Free counseling services and referrals are available 24/7 for any Amazon employee or household member. Referrals are available for legal and financial issues and for personal convenience and care needs (child care, elder care, relocating, and other personal needs).

#### **Cost Benefit Analysis Ouestionnaire:**

**Projected Profit/Operating Impact:** The Company is a wholly-owned subsidiary of Amazon.com, Inc., a publicly-traded company. Amazon.com, Inc. lists Amazon.com Services LLC as a "significant subsidiary" in its annual 10-K filing with the SEC. As a significant subsidiary, the Company is subject to the parent company reporting obligations that limit its ability to selectively estimate such forward-looking projected profitability and operating impact that are not publicly disseminated through appropriate disclosure.

### **ATTACHMENT B**

#### Attachment B – Amazon.com Services LLC Montgomery County Industrial Development Agency Application for Financial Assistance

- I. <u>REPRESENTATIONS BY AMAZON.COM SERVICES LLC:</u> Amazon.com Services LLC understands and agrees with the Agency as follows:
  - A. <u>Job Listings</u>. 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. <u>First Consideration for Employment.</u> 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. <u>Annual Sales Tax Filings</u>. 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. <u>Annual Employment Reports</u>. 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. <u>Uniform Agency Project Agreement</u>. 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. To the undersigned's immediate knowledge, 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 Company in connection with the project contemplated by the Company 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 immediate knowledge of the undersigned which has not been disclosed herein or in writing to the Agency and which materially adversely affects or in the future, in the opinion of the undersigned, insofar as the undersigned can reasonably foresee, materially adversely affect the business, properties, assets or condition financial or otherwise of the Company.

- G. <u>Agency Financial Assistance Required for Project.</u> 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. <u>Compliance with Article 18-A of the General Municipal Law</u>: 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. <u>Compliance with Federal, State, and Local Laws</u>. The applicant is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.
- J. <u>False or Misleading Information</u>. 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. <u>Absence of Conflicts of Interest.</u> 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:

I affirm under penalty of perjury that all statements made on this application are true, accurate and complete to my immediate knowledge and information acquired in the course of duties/responsibilities for the company and not on any independent review or investigation of any agreements, instruments, or records to which the company may be a party or subject to, and without any review or investigation as to the existence of any claims, litigation, actions, proceedings, pending or threatened against or relating to the company.

(Signature on Next Page)

### Signature Page to Attachment B – Representations

Amazon.com Services LLC

Applicant

By:

Holly Sullivan

Title:

Vice President, WW Economic Development

### ATTACHMENT C

# ATTACHMENT C – Amazon.com Services LLC Montgomery County Industrial Development Agency Application for Financial Assistance

### VERIFICATION Amazon.com Services LLC

STATE OF Texas	)
	) SS.:
COUNTY OF Travis	

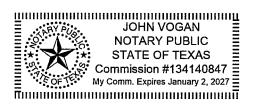
I, Holly Sullivan, signing in my official capacity as an officer of the Applicant, as of the date indicated below my signature, and except as disclosed within the annual 10-K filing (<a href="https://ir.aboutamazon.com/sec-filings/default.aspx">https://ir.aboutamazon.com/sec-filings/default.aspx</a>) of Amazon.com Inc. (Amazon.com Services LLC is a wholly owned subsidiary of Amazon.com Inc.) verify that I am an officer of Amazon.com Services LLC (the "Applicant") and that I am a person authorized to bind the Applicant, and I have read the foregoing Application, which includes and incorporates the all attachments and exhibits, and know the contents thereof and that the same is true, accurate, and complete to my immediate knowledge, as subscribed and affirmed under the penalties of perjury. The grounds of my beliefs relative to all matters in the said Application are stated upon my immediate knowledge and information acquired in the course of my duties/responsibilities for the Applicant and not on any independent review or investigation of any agreements, instruments or records to which Applicant may be a party or subject to, and without any review or investigation as to the existence of any claims, litigation, actions, proceedings, pending or threatened against or relating to the Applicant.

(SIGNATURES ON NEXT PAGE)

#### Signature Page to Attachment C - Verification

Amaz Signed b	on.com Services LLC
. [	Sullivan
Appli	cant Representative's Signature
Title:	Vice President
Date:	8/18/2025

Subs	cribed and	sworn to befo	re me this
18th	_day of	August	, 20 25
John	gned by: Vegen CE7E91458		
Nota	ry Public		



The notarization was performed using communication technology.

### ATTACHMENT D

# Attachment D – Amazon.com Services LLC Montgomery County Industrial Development Agency Application for Financial Assistance: Co-Applicant Information

#### HOLD HARMLESS AGREEMENT Amazon.com Services LLC

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 is 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 reasonable attorneys' fees and any other reasonable 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, 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 reasonable costs incurred by the Agency in the processing of the Application, including reasonable attorneys' fees, if any.

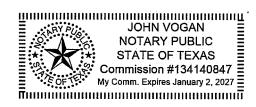
(Signature on Next Page)

#### Signature Page to Attachment D Hold Harmless Agreement

Amazon.com Services LLC

BY: Holly Sullivan	Signed by:	
	0A2BC09C2CF24F7	

Sworn to before	me this	
<u>18th</u> day of	August	, 20 <u>25</u> .
DocuSigned by:		
John Voyan		
(Notary Public)		



The notarization was performed using communication technology.

### ATTACHMENT E

# Attachment E – Amazon.com Services LLC Montgomery County Industrial Development Agency Application for Financial Assistance: Co-Applicant Information

## CERTIFICATION Amazon.com Services LLC

I certify and affirm, under penalty of perjury, that statements made in the responses provided in this Questionnaire are true, accurate, and complete to my immediate knowledge and information acquired in the course of my duties/responsibilities for Amazon.com Services LLC (the "Company") and not based on any independent review or investigation.

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. I further agree that I will advise the Agency of any material changes in such information and will answer any further questions regarding the Project prior to closing.

(Signature on Next Page)

### $\underline{Signature\ Page\ to\ Attachment\ E-Certification}$

Date Signed: August 18th , 2025.	Name of Person Completing Project Questionnaire on behalf of Amazon.com Services LLC
	Name: Holly Sullivan Title: Vice President Phone Number: Address:  Signature  Holly Sullivan  OAZBEOSCZCFZ4F7

# **ATTACHMENT F**

#### Attachment F - Amazon.com Services LLC Montgomery County Industrial Development Agency Application for Financial Assistance: Co-Applicant Information

#### 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, Amazon.com Services LLC (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.

Amazon.com Services LLC (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 Armacon completion Report in which is identified names and business addresses of the prime contractor, subcontractors and vendors engaged in the construction of the facility.

Company: Amazon.com S	Services LLC		
	For Contract Bids and Awards:		
Brad Griggs			
Mailing Address:		•	
410 Terry Avenue			
North Seattle, WA 9819			
Phone: 646-927-6819	Fax: N/A		
Email: brgriggs@amazon.c	om		
General Contractor, if dete	ermined		
Company: TBD			
Representative: TBD			
Mailing Address:			
TBD	·		
D1			
Phone: TBD	Fax: TBD		
Email: TBD			
Construction Phase or Process	Duration of Construction Phase	# to be Employed	
Core & Shell Envelope	18-24 Months (pending General Contract Bids)	398 (direct est)	
MHE Install	TBD	TBD	
Williamotan		100	1
			-
		***	
(A 1 11111 1 1 1 1 1 1			
(Attach additional sheets i	f needed)		
Name of Applicant: Amaz	con.com Services LLC Dated:	8/18/2025	
	<u>-</u> <u>-</u> .	Signed by:	
Company Position: Vice F	President, WW Economic Development	Signed: Holly Sullivan	
		0A2BC09C2CF24F7	

# **ATTACHMENT G**

#### New Construction - Industrial Project

15 YEAR PILOT Full Value

\$ 294,420,424.00 3.2 M Sq Ft \*92.00/Sq Ft

Equalization Rate

84.50%

\$ 248,785,258.28 \$

Assessed Value
PILOT

PILOI							PILOT SCH	IEDULE										
			25%	25%	25%	25%	25%	50%	50%	50%	50%	50%	75%	75%	75%	75%	75%	
Taxing Jurisdication	Rate		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15	
County	10.003834	\$	622,201.61	\$ 622,201.61	\$ 622,201.61	\$ 622,201.61	\$ 622,201.61	\$ 1,244,403.21	\$ 1,244,403.21	\$ 1,244,403.21	\$ 1,244,403.21	\$ 1,244,403.21	\$ 1,866,604.82	\$ 1,866,604.82	\$ 1,866,604.82	\$ 1,866,604.82	\$ 1,866,604.82 \$	18,666,048.19
		\$	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
		\$	-	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
GASD	14.09933	\$	876,926.36	\$ 876,926.36	\$ 876,926.36	\$ 876,926.36	\$ 876,926.36	\$ 1,753,852.73	\$ 1,753,852.73	\$ 1,753,852.73	\$ 1,753,852.73	\$ 1,753,852.73	\$ 2,630,779.09	\$ 2,630,779.09	\$ 2,630,779.09	\$ 2,630,779.09	\$ 2,630,779.09 \$	26,307,790.92
		S	1,499,127,97	\$ 1,499,127,97	\$ 1,499,127,97	\$ 1,499,127,97	\$ 1,499,127,97	\$ 2.998.255.94	\$ 2.998.255.94	\$ 2.998.255.94	\$ 2.998.255.94	\$ 2,998,255.94	\$ 4,497,383.91	\$ 4,497,383.91	\$ 4,497,383,91	\$ 4,497,383,91	\$ 4.497.383.91 <b>\$</b>	44.973.839.11

Normai Tax																	To	tals
Taxing Jurisdication	Rate		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13	Year 14	Year 15	
County	10.003834	\$	2,488,806.43	\$ 2,488,806.43	\$ 2,488,806.43	\$ 2,488,806.43	\$ 2,488,806.43	\$ 2,488,806.43 \$	2,488,806.43	\$ 2,488,806.43	\$ 2,488,806.43	\$ 2,488,806.43 \$	2,488,806.43 \$	2,488,806.43 \$	2,488,806.43 \$	2,488,806.43	\$ 2,488,806.43 \$	37,332,096.38
		\$	-	\$ -	\$ -	\$ -	\$ -	\$ - \$	-	\$ -	\$ -	\$ - \$	- \$	- \$	- \$	-	\$ -	
		\$	-															
GASD	14.09933	\$			\$ 3,507,705.46			\$ 3,507,705.46 \$	3,507,705.46	\$ 3,507,705.46	+ -,,	+ -,,	3,507,705.46 \$	3,507,705.46	3,507,705.46 \$	3,507,705.46	\$ 3,507,705.46 \$	52,615,581.83
		\$	5,996,511.88	\$ 5,996,511.88	\$ 5,996,511.88	\$ 5,996,511.88	\$ 5,996,511.88	\$ 5,996,511.88 \$	5,996,511.88	\$ 5,996,511.88	\$ 5,996,511.88	\$ 5,996,511.88 \$	5,996,511.88 \$	5,996,511.88	5,996,511.88 \$	5,996,511.88	\$ 5,996,511.88 \$	89,947,678.22
	SA	VINGS \$	4,497,383.91	\$ 4,497,383.91	\$ 4,497,383.91	\$ 4,497,383.91	\$ 4,497,383.91	\$ 2,998,255.94 \$	2,998,255.94	\$ 2,998,255.94	\$ 2,998,255.94	\$ 2,998,255.94 \$	1,499,127.97 \$	1,499,127.97	1,499,127.97 \$	1,499,127.97	\$ 1,499,127.97	

Total Savings

\$ 44,973,839.11

Disclaimer Notice: Please note that these numbers are based on assusmptions on the property in question with a sq foot value of \$92.00/sq ft

these rates will change from year to year. There are no capabilities of projecting what the the future rates will be.

#### November 4, 2025

#### **Montgomery County Industrial Development Agency**

Attn: Ken Rose, Chief Executive Officer 9 Park Street Fonda, NY 12068

Subject: Comments Regarding Amazon PILOT (Payment In Lieu of Taxes) Request

Dear Mr. Rose and Members of the Montgomery County IDA,

The **Alliance for Florida Farmland** respectfully submits the following comments regarding the proposed Amazon Payment In Lieu of Taxes (PILOT) request. Our organization represents approximately 200 active members, most of whom are local taxpayers deeply invested in the well-being and sustainable development of our community.

#### **Concerns Regarding the PILOT Request**

Amazon has not offered any community incentives or indicated any expectations for contributions to local parks, recreational areas, or other public amenities to offset the green space they intend to develop. Instead, their messaging has focused on the taxes they claim they would pay- including school taxes—and the benefits these payments would purportedly bring to the host community, without initially disclosing an intention to seek a PILOT agreement.

#### Impact on the Community

Amazon's request for a 15-year tax abatement under the PILOT program suggests a lack of meaningful commitment to the community that would host their operations and employees. Since the project's initial proposal, Amazon has reduced the number of anticipated local hires. Despite this reduction, the development would still increase wear and tear on local roads, exacerbate traffic congestion, and heighten overall traffic levels throughout surrounding county communities.

These effects will inevitably increase demand for public services and impose environmental and social costs—costs that would ultimately be borne by local taxpayers. Furthermore, with Amazon's operations expected to rely heavily on robotics, the anticipated economic benefit from local employment and spending would be minimal.

#### Recommendation

Given these circumstances, we urge the Montgomery County IDA to fully consider the financial implications of hosting Amazon and the resulting burden on local taxpayers. We respectfully recommend that the Amazon PILOT request be **denied**.

The proposed development site could instead be utilized by a company willing to create more substantial local employment opportunities, offer higher wages, and act as a responsible, taxpaying community partner contributing its fair share to the local economy.

Thank you for your time and attention to these important concerns.

Sincerely, **Alliance for Florida Farmland** 

### RESOLUTION AUTHORIZING SALE OF PROPERTY TO 5 WINNS PROPERTIES, LLC

A regular meeting of Montgomery County Industrial Development Agency (the "Agency") was convened in public session at the office of the Agency located at the Montgomery County Business Development Center located at 113 Park Drive, Fultonville, New York on November 13, 2025 at 3:30 p.m., local time.

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

#### PRESENT:

Matthew Beck Chairperson
Mark Kowalczyk Vice Chairperson

Brent Phetteplace Secretary/Assistant Treasurer
Cheryl Reese Treasurer/Assistant Secretary

Edward Watt Member
Jessica Cyr Member
Daniel Roth 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 Stephanie Battisti Economic Development Specialist

Christie Dingman Staff Assistant Christopher C. Canada, Esq. Agency Counsel

The following resolution was offered by \_\_\_\_\_\_, seconded by \_\_\_\_\_, to wit:

Resolution No. 25-20

RESOLUTION AUTHORIZING THE SALE OF LAND LOCATED IN THE TOWN OF FLORIDA, MONTGOMERY COUNTY, NEW YORK AND THE EXECUTION BY MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY OF CERTAIN DOCUMENTS IN CONNECTION WITH SUCH SALE.

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, the Agency is currently the fee title owner of a certain parcel of land containing approximately 54 acres and located along Route 5S (Tax Map No.: 54.-2-2.31) in the Town of Florida, Montgomery County, New York (the "Land"); and

WHEREAS, the Agency in April, 2024 received a request from Winn Construction Services, Inc. and Land Remediation, Inc. (collectively, the "Purchaser") to purchase a portion of the Land, such portion to contain approximately 12.75 acres (the "Property"), from the Agency; and

WHEREAS, pursuant to the authorization contained in a resolution adopted by the members of the Agency on April 15, 2024 (the "Letter of Interest Resolution"), the Agency entered into a letter of interest (the "Letter of Interest") dated May 8, 2024 by and between the Agency and the Purchaser; and

WHEREAS, pursuant to the Letter of Interest, the Purchaser has offered to purchase the Property from the Agency; and

WHEREAS, the Purchaser is purchasing the Property to be developed for use in industrial, manufacturing, and/or distribution activities, consistent with the use and operation of other areas of the Land which the Agency has previously disposed of; and

WHEREAS, in connection with such previous dispositions, the Land has been developed for projects which have created large numbers of full-time-equivalent jobs on the Land and in the County; and

WHEREAS, the Agency expects similar job creation in connection with the Disposition; and

WHEREAS, to fulfill the requirements imposed by the New York State Public Authorities Law, as amended (the "PAL"), and the Agency's Property Disposition Policy and Property Acquisition Policy, an appraisal of the Property was obtained by the Agency (the "Appraisal"), copies of which are on file with the Agency; and

WHEREAS, the appraised value of the Property as specified in the Appraisal is \$190,000; and

WHEREAS, the Agency and the Purchaser are currently negotiating an agreement for purchase and sale relating to the Property (the "Purchase Contract"), which Purchase Contract shall provide for the conveyance of the Property from the Agency to the Purchaser (the "Disposition") for an expected purchase price of \$181,350; and

WHEREAS, the purchase price reflects the identification of approximately .66 acres wetlands on the Property which render such portion of the Property unusable; and

WHEREAS, the Property will be conveyed by the Agency through the execution and delivery of a deed (the "Deed" and together with the Purchase Contract, the "Conveyance Documents"); 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 (the "Regulations") adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively with the SEQR Act, "SEQRA"), it appears that the Disposition constitutes a "Type II action" (as said quoted term is defined in the Regulations), and therefore it appears that no further determination or procedure under SEQRA is required with respect to the Disposition; and

WHEREAS, in connection with the Disposition, the Agency desires to comply with the requirements imposed by such subsections of the PAL, the Agency's Property Disposition Policy and the Agency's Property Acquisition Policy, respectively; and

WHEREAS, based on the fair market value of the Property specified in the Appraisal and the proposed negotiated sale between the Agency and the Purchaser, Section 2897(6)(d)(i)(B) of the PAL requires that the Agency file an explanatory statement (an "Explanatory Statement") relating to the Disposition with the (i) the Comptroller, (ii) the Director of the Budget, (iii) the Commissioner of General Services, (iv) the State Legislature, and (v) the Authority Budget Office, respectively (collectively, the "State Officials and Entities") at least ninety (90) days prior to the Disposition; and

WHEREAS, the Agency wishes to authorize the Disposition and the actions contemplated by the Conveyance Documents;

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

#### Section 1. Pursuant to SEQRA, the Agency hereby finds and determines that:

- (A) Pursuant to Sections 617.5(c)(26) of the Regulations, the Disposition is a "Type II action" (as said quoted term is defined in the Regulations).
- (B) Accordingly, the Agency hereby determines that no environmental impact statement or any other determination or procedure is required under SEQRA with respect to the Disposition.

#### Section 2. 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;
- (B) The Appraisal was obtained by the Agency, pursuant to which the Property was appraised at \$190,000;
- (C) Based on the Appraisal, the expected purchase price of the Property of \$181,350 represents fair market value for the usable portions of the Property;
- (D) The Disposition is within the purpose, mission and governing statutes of the Agency, and thus is exempted from a public sale pursuant to Section 2897(6)(c)(v) of the PAL; and

(E) In no event shall the Disposition occur earlier than ninety (90) days after the date on which the Agency transmits the Explanatory Statement relating to the Disposition to the State Officials and Entities.

Section 3. In consequence of the foregoing, and subject to the approval of the form of the Conveyance Documents by Agency counsel, the Agency hereby determines to: (A) convey the Property to the Purchaser according to the terms of the Conveyance Documents and (B) execute the Conveyance Documents.

<u>Section 4</u>. The Agency is hereby authorized to convey the Property to the Purchaser pursuant to the Conveyance Documents and to do all things necessary and appropriate for the accomplishment thereof, and all acts heretofore taken by the Agency with respect to such acquisition are hereby approved, ratified and confirmed.

Section 5. The Chairperson, Vice Chairperson and the Chief Executive Officer of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver the Conveyance Documents and the other documents related thereto, and, where appropriate, the (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 forms thereof presented to this meeting, with such changes, variations, omissions and insertions as the Chairperson, Vice Chairperson or the Chief Executive Officer shall approve, the execution thereof by the Chairperson, Vice Chairperson or the Chief Executive Officer to constitute conclusive evidence of such approval.

Section 6. 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 Conveyance 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 this resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the Conveyance Documents binding upon the Agency.

Section 7. 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	
Mark Kowalczyk	VOTING	
Brent Phetteplace	VOTING	
Cheryl Reese	VOTING	
Edward Watt	VOTING	
Jessica Cyr	VOTING	
Daniel Roth	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, including the resolution contained therein, held on November 13,
2025 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 set forth 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 $13^{\text{th}}$ day of November, 2025.
(Assistant) Secretary
(SEAL)

#### **Winn Construction Services**



29 Market St. Amsterdam, NY 12010 Phone (518) 238-2210 Fax (518) 238-2211

November 6, 2025

Mr. Ken Rose, Director Montgomery County Business Development Center CEO, Montgomery County IDA 113 Park Avenue Fultonville, New York 12072

Re: Purchase of Real Estate on North Side of Route 5S, Town of Florida, New York

Dear Mr. Rose:

Winn Construction has completed the necessary due diligence and would like to move forward with the purchase of real property located on the North Side of Route 5S, Town of Florida, New York, currently owned by the Montgomery County IDA, pursuant to the letter of interest (LOI) dated May 8, 2024.

The attached exhibit C-102 lot survey shows 12.75 acres, with 0.66 acres being unusable wetlands yielding 12.09 usable acres. Using these figures, it is understood that the purchase price of the property shall be \$181,350.

A new entity has been established to purchase and develop this property as an affiliate of Winn Construction Services. Purchasing entity:

5 Winns Properties, LLC 125 Joann Way Amsterdam, New York 12010

Please find the attached due diligence items for this project:

- Exhibit C-102
- NYS Dept. of Agriculture & Markets Review
- Fort Hunter Engine & Hose Co. Inc. Review
- NYSDEC Jurisdictional Determination Review
- SHPO Review Phase 1 Archaeological Investigation Report
- Site Survey NMB



In addition to the due diligence items, we have submitted site plan and subdivision applications to the Town of Florida Planning Board and have prepared preliminary site plans, SWPPP, and NYSDOT perm 32 and 33-com.

Please move forward with preparing the closing documents and let us know if you need any additional information from us.

Sincerely,

**Dustin Winn** 

Member – 5 Winns Properties, LLC

President – Winn Construction Services, Inc.