



Cortland County

Industrial Development Agency

Meeting of the Members of the Cortland County Industrial Development Agency
September 11, 2023 – Noon
40-42 Main Street, Suite A, 2nd Floor Cortland New York, 13405

Roll Call

Mike McMahon	Chairman	
Stephen Compagni	Vice Chairman	
John O. Reagan	Treasurer	
Clint Brooks	Secretary	
Johanna Ames	Member	
Dr. Kathleen Burke	Member	
Donald Richards	Member	
	Executive Director	
<u>Karen Niday</u>	Corporate Finance Officer	
<u>Eric Mulvihill</u>	Development Specialist	
<u>John Sidd</u>	Agency Counsel	

Approval of Minutes - June 12, 2023

New Business

1. SEQR Determination/Recommendation – Kajen, LLC Virgil School Housing Project
2. Consideration of Preliminary Inducement - Kajen, LLC Virgil School Housing Project
3. Review/Adopt Proposed IDA 2024 Budget
4. Authorize Brendan O’Bryan as Additional Signatory on IDA Accounts

Monthly Reports

- 1.) Finance Report
- 2.) Director’s Report

Adjourn



Cortland County
Industrial Development Agency

Minutes



Cortland County

Industrial Development Agency

Minutes of the Cortland County Industrial Development Agency Members Meeting of
June 12, 2023 – Noon
40-42 Main Street, Suite A, 2nd Floor Cortland New York, 13405

Roll Call – Chairman McMahon called the meeting to order at 12:37 PM

<u>Mike McMahon</u>	Chairman	<u>Present</u>
<u>Stephen Compagni</u>	Vice Chairman	<u>Absent</u>
<u>John O. Reagan</u>	Treasurer	<u>Absent</u>
<u>Clint Brooks</u>	Secretary	<u>Present</u>
<u>Johanna Ames</u>	Member	<u>Present</u>
<u>Dr. Kathleen Burke</u>	Member	<u>Present</u>
<u>Donald Richards</u>	Member	<u>Present</u>
<u>Garry VanGorder</u>	Executive Director	<u>Present</u>
<u>Karen Niday</u>	Corporate Finance Officer	<u>Present</u>
<u>Eric Mulvihill</u>	Development Specialist	<u>Present</u>
<u>John Sidd</u>	Agency Counsel	<u>Present</u>
<u>Marie Weiss</u>	Carpenters Local 277	<u>Present</u>
<u>Savannah Hempstead</u>	Clerk, Cortland County Legislature	<u>Present</u>

Approval of Minutes - March 27th, 2023, Special Meeting – Chairman McMahon made a motion to accept the minutes as presented, Mr. Richards seconded the motion; all voting in favor, none opposed.

Monthly Reports

- 1.) Finance Report – Ms. Niday reviewed the monthly financial reports
- 2.) Director’s Report – Mr. VanGorder updated the Board on the status of the Voyant Central Ave facility negotiations. He said a national



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company has signed a lease on the facility, the owners are currently in negotiations with Empire State Development on financial incentives for the project. The company plans to create 350 jobs over the course of five years.

Mr. VanGorder discussed the recent movement with the City of Cortland's proposed redevelopment of the former Parker School. The Cortland County IDA is not currently involved with the project, but the developers may pursue some form of assistance.

Mr. VanGorder provided an update on the Apex brownfield site; he said the phase II environmental assessment is scheduled to be conducted this week. This testing will help ascertain the level of and nature of the contaminants that are expected to be found on the site. Once that information is ready the IDA can then access the state brownfield program to begin marketing the site to perspective developers.

Mr. VanGorder provided an update on the activities of the Regional Economic Development Council. The CNY REDC remains focused on the Micron development, there are continued conversations about what opportunities may exist for surrounding communities like Cortland. The IDA board discussed ways to attract supply chain industries that are expected to follow the Micron development.

Mr. VanGorder discussed the recent renewable energy systems assessment model that was approved as part of the New York State budget. The agency is reviewing the financial impact of this model with EDF Solar as well as the owners of the proposed Harford solar project. At present he did not have any updates on the solar project proposed in the Town of Truxton. Another solar project proposed in the Town of Cortlandville has not approached the IDA for assistance. The agency is working with the City of Cortland and the developer of a proposed solar project that would be located on the former Rosen/Noss superfund site on the city's southside.



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Mr. VanGorder discussed the recent manufacturing and process industry workshop that Ms. Niday and Mr. Mulvihill organized. The workshop featured a group of panelists that work with these industries to access grants and other resources specifically geared toward those businesses.

Mr. VanGorder discussed the recent grand re-opening of the Byrne Dairy plant in Cortlandville. The company has completed a multi-million-dollar retooling of the plant to switch from yogurt manufacturing to extended shelf-life dairy products. He said Byrne remains committed to future investments and growth at the Cortlandville site.

Mr. VanGorder discussed a recent meeting with the owners of the Cortland line company and discussions about bringing manufacturing of products back into their Cortland facility. Currently the company is looking for a consultant to develop a re-investment plan for the company to realize their goals.

Mr. VanGorder said he expects to bring a PILOT application to the Board very soon for the redevelopment of the former Gillette skirt factory into a multi-unit residential complex.

Adjourn – The meeting was adjourned at 12:37 PM.



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New Business



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*Kajen LLC – Virgil School
Housing Project; Project
Summary, Project Rationale, &
Application for Assistance*

Project Summary Sheet

Project Name: Kajen LLC – Virgil School Project

TOTAL PROJECT INVESTMENT	\$2,398,150
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Total est. tax due over 10 years with no PILOT agreement: **\$421,921**
 (Property tax; sales tax; mortgage recording tax)

Total exemptions requested in 10-year PILOT **\$221,278**

Sales Tax Exemption:	\$*70,000	
Mortgage Recording Taxes:	\$*15,000	
Real Property Taxes	\$**136,278	

Total estimated taxes paid in a 10-year PILOT **\$200,643**

Details for the above:

Real Property Tax with No PILOT **\$336,921**

*Year 1 at current assessment \$380,000 (\$): 15,098
 (current assessment is purchase price)*

*Years 2-10 build out complete (\$): 321,823
 (assessment estimated @ \$900,000)*

Real Property Tax under PILOT proposal **\$*200,643**

Years 1-5 freeze current assessment (\$15,098 yr) \$ 75,489

Years 6-10 % of actual assessment each year:

<i>Year 6 50% assess est @ \$900,000</i>	<i>\$ 17,879</i>
<i>Year 7 60% " " " @ \$900,000</i>	<i>21,455</i>
<i>Year 8 70% " " " " " "</i>	<i>25,031</i>
<i>Year 9 80% " " " " " "</i>	<i>28,607</i>
<i>Year 10 90% " " " " " "</i>	<i>32,182</i>

Year 11 100% back on tax rolls

** These are estimates. Years 1-5 will be calculated each year using current tax rates and freezing the assessment @ the purchase price - \$380,000. Years 6-10 will be calculated with current tax rates and current assessment and the % paid as noted above.*

Value of Real Property Tax incentive:
(60% reduction to what would be paid without a PILOT)

\$ 136,278

Cost benefit ratio investment/exemption: .09

Project Rationale

This project meets all of the qualifying criteria as noted in the Development Policy as follows:

- *The timeline for projected investment and job creation is within the first two years of application;*
- *The applicant procures goods and services locally and regionally as often as possible during the construction phase of the project;*
- *The level and type of investment to be made by the applicant exceeds the minimum investment of \$500,000;*
- *The project enhances the strategic goals identified in the BDC's economic development plan and will enhance the overall regional economic climate*
- *The project enhances strategic goals identified in the BDC Development Plan and will enhance the overall regional economic climate by providing housing to seniors and community services to all ages.*

Virgil School Redevelopment

Kajen LLC

Project Rationale

Kajen LLC, 4287 N. Homer Ave., Cortland, NY, proposes to redevelop the former Virgil Elementary School at 1208 Church St. in Virgil NY, as a residential facility and town community center. Developers are acquiring the facility from the Cortland Enlarged City School District, which closed the school in 2019 in a cost-saving initiative. The redevelopment plan will renovate the interior of the structure to provide 19 one- and two-bedroom apartments but will leave the outside of the 93-year-old building relatively intact.

Developers intend to serve residents 55 and older for adult living while maintaining the facility as an important community gathering spot and a town emergency evacuation site. Partnerships with a variety of other service providers will provide welcome amenities for residents (hair styling, etc.), and the grounds will continue to host recreational and other community events that Virgil residents have become accustomed to.

Enabled through the PILOT agreement, the project will:

- Allow the \$2.3 million buildout to include more than living space (community center) which adds cost to the project. CCIDA incentives will allow for a more comprehensive development of a facility that is treasured in a small village;
- Generate more than \$200,000 in new property taxes for a property that under school district ownership was tax-exempt; and
- Put back into productive use a facility central to life in the Village of Virgil while maintaining it as an important community asset.

Staff is recommending approval of CCIDA incentives for this project as outlined in the attached.

CORTLAND COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

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

**TO: CORTLAND COUNTY INDUSTRIAL DEVELOPMENT AGENCY
37 CHURCH STREET
CORTLAND, NEW YORK 13045**

APPLICANT: Kayen LLC or a related entity or entity to be formed owned by the

APPLICANT'S STREET ADDRESS: 4287 N. Homer Ave

Same principals

CITY: Cortland STATE: Ny PHONE NO.: 607-423-8711

E-MAIL ADDRESS: sterwinger@stny.com

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

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

NAME OF FIRM: Baranello Law Firm

NAME OF ATTORNEY: James Baranello

ATTORNEY'S STREET ADDRESS: 39 Church Street

CITY: Cortland STATE: Ny PHONE NO.: 607-758-8200

E-MAIL ADDRESS: James@baranellolaw.com

NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 BEFORE FILLING OUT THIS APPLICATION

INSTRUCTIONS

1. The Agency will not approve any applications unless, in the judgment of the Agency, said application 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 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 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 Five Hundred Dollars (\$500) 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 Name or Number	_____
2.	Date Application Received by Agency	_____, 20__
3.	Date Application Referred to Attorney for Review	_____, 20__
4.	Date Copy of Application Mailed to Members	_____, 20__
5.	Date Notice of Agency Meeting on Application Posted	_____, 20__
6.	Date Notice of Agency Meeting on Application Mailed	_____, 20__
7.	Date of Agency Meeting on Application	_____, 20__
8.	Date Agency Conditionally Approved Application	_____, 20__
9.	Date Scheduled for Public Hearing	_____, 20__
10.	Date Environmental Assessment Form ("EAF") Received	_____, 20__
11.	Date Agency Completed Environmental Review	_____, 20__
12.	Date of Final Approval of Application	_____, 20__

I. APPLICANT INFORMATION-COMPANY TO RECEIVE BENEFITS (the "COMPANY")

A. **Identity of Company:** *Hagen LLC or a related entity or entity to be*

1. Company Name: *Formed Owned by the same principals*
 Present Address: *4287 N. Harbor Blvd, Carlsbad CA*
 Zip Code: *13045* Employer ID No.: *99-0374230*

2. Indicate type of business organization of Company:

- a. Corporation. Incorporated in what country? _____;
 State: _____; Date Incorporated: _____;
 Authorized to do business in New York State? Yes ___ No ___
 i. Is the Corporation Publicly Held? Yes ___ No ___. If yes, please list
 exchanges where stock is traded: _____
 ii. If no, list all Stockholders having a 5% or more interest in the
 Company:

Name	Address	Percentage of Holding
<i>[Handwritten Name]</i>	<i>[Handwritten Address]</i>	<i>[Handwritten %]</i>
<i>[Handwritten Name]</i>	<i>[Handwritten Address]</i>	<i>[Handwritten %]</i>
<i>[Handwritten Name]</i>	<i>[Handwritten Address]</i>	<i>[Handwritten %]</i>
<i>[Handwritten Name]</i>	<i>[Handwritten Address]</i>	<i>[Handwritten %]</i>

- b. Partnership. General or Limited partnership? _____
 Name all partners below:

Name	Address	General Partner	Limited Partner

- c. Limited Liability Company. Formed in what country USA ;
 State: NY ; Date of Formation: 2/22/2012 ;
 Authorized to do business in New York State? Yes X No _____ ;
 Name all members below:

Name	Address	Membership Percentage
Stephen Teaslinger	4287 N. Homer Ave Cortland NY 13045	50%
Jeffrey Teaslinger	4287 N. Homer Ave Cortland, NY 13045	50%

- d. Sole proprietorship. Name of Sole Proprietor: _____

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

B. Management of Company:

List all officers/directors/managers (complete all columns for each person):

Name and Home Address	Office Held
Stephen Teaslinger 2917 Jeffrey Ln Cortland NY 13045	Managing Member
Jeffrey Teaslinger 125 Preserve Haven View Ponte Vedra, FL 32087	Managing Member

C. Company/Management History:

1. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation? Yes _____ No X.
2. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? Yes _____ No X.
3. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? Yes _____ No X.

If the answer to any of questions 1 through 3 is yes, please furnish details in a separate attachment.

II. PROPOSED PROJECT DATA

A. Description of the Project:

1. Please provide a narrative of the Project and the purpose of the Project (acquisition, construction, renovations and/or equipment purchases). Identify specific uses occurring with the Project. Describe any and all tenants and any/all end users (attach additional pages):

See Attachment #1

2. Describe the reasons why the Agency's Financial Assistance is necessary and the effect the Project will have on the Company's business or operations and any corresponding benefit to the Cortland County community (attach additional pages):

See Attachment #2

3. Is there a likelihood that the Project would not be undertaken but for the Financial Assistance provided by the Agency:

Yes

No

4. If the Project could be undertaken without the Financial Assistance provided by the Agency, then provide a statement indicating why the Project should be undertaken by the Agency (attach additional pages):

B. Location of Project:

1. Street Address: 1208 Church Street, Oswego Hill Road
2. City: CORTLAND
3. Town: VIRGIL
4. Village: _____
5. Is any portion of the Project located outside of Cortland County? If so, identify the other county: N/A
6. School District: CORTLAND CITY SCHOOLS
7. Tax Parcel Nos.: 126.14-02-21.000, 126.14-02-20.110

C. Description of the Project site:

1. Approximate size (in acres or square feet) of the Project site: 7.73 Acres
Attach a map, survey or sketch of the Project site.

2. Are there existing buildings on the Project Site?

Yes X No . If yes,

a. Indicate each existing building and indicate the approximate size (in square feet) of each building:

1 Building @ 6,158 Sq. Ft.

b. Are the existing buildings in operation? Yes No X.
If yes, describe the present use of each building in operation:

Vacant

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

d. Attach photographs of existing buildings. See attached pictures
See attachment #1

3. Utilities Serving the Project Site:

Water: Municipal , Other X. If other, describe

Private Well

Sewer: Municipal , Other X. If other, describe

Private Septic

Electric Utility Co.: National Grid

Natural Gas Utility Co.: Conning Gas

Other Utility Sources:

4. Present Legal Owner of the Project Site:

a. If the Company owns the Project site, indicate:

Date of Purchase:

Purchase Price: _____

b. If the Company does not own the Project site, does the Company have the contractual right to purchase the Project site?

Yes X No _____. If yes, indicate:

Date Contract Signed: 11/2/22

Date Ability to Purchase Expires: ESTIMATED CLOSING 9/13/23

c. If the Company does not own the Project site, is there a relationship legally or by common control between the Company and present owner of the Project site?

Yes X No _____. If yes, describe:

Under Contract

5. Zoning District in which the Project is located: Neighborhood Residential

6. Are there any variances or special permits affecting the Project site now or which need to be obtained to complete the Project?

Yes ____ No X. If yes, list below and attach copies of all variances or special permits:

Acquisition of Zoning Change Completed

D. Description of the Proposed Construction:

1. Does part of the Project consist of the acquisition or construction of a new building or buildings? Yes ____ No X. If yes, indicate number of and size of new buildings:

2. Does part of the Project consist of additions and/or renovations to existing buildings located on the Project site? Yes X No _____. If yes, indicate:

a. The number of buildings to be expanded or renovated: 1

b. The size of any expansions: 15,000 +/-

c. The nature of expansion and/or renovation:

SEE Exhibit Attached A

3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed or expanded:

See Narrative #1

E. Description of the Equipment:

1. Does part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")?

Yes No . If yes, describe the Equipment:

Gym Equipment See Attachment "C"

2. With respect to the Equipment to be acquired, will any of the Equipment be previously used Equipment?

Yes No . If yes, please provide detail below:

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

Workout Space see Attachment "C"

F. Project Use:

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

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

See Narrative Attachment #1

3. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities?

Yes ____ No . If yes please provide detail:

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

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

a. Will the Project be operated by a not-for-profit corporation?
Yes ____ No _____. If yes, please explain:

b. Is the Project likely to attract a significant number of visitors from outside the economic development region (as established by Section 230 of the Economic Development Law) in which the Project will be located?

Yes ____ No _____. If yes, please explain:

c. Would the Project occupant, but for the contemplated Financial Assistance from the Agency, locate the related jobs outside of New York State?

Yes ____ No _____. If yes, please explain:

d. Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be

reasonably accessible to the residents of the city, town or village within which the Project will be located because of a lack of reasonably accessible retail trade facilities offering such goods or services?

Yes No . If yes, please provide detail:

SS and Older housing is in very
short supply in area
See Attachment #1

- e. Will the Project be located in one of the following: (i) an area which was designed as an empire 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 (a) 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 (b) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates?

Yes ; No . If yes, please explain:

6. If the answers to any of subdivisions c. through e. of question 5 are yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York?

Yes No . If yes, please explain:

7. Will the completion of the Project result in the removal of an industrial or manufacturing plant of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York?

Yes No . If yes, please explain:

8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company or a Project Occupant located in

the State of York?

Yes _____ No X. If yes, provide detail:

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

a. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry?

Yes _____; No _____. If yes, please provide detail:

NIA

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:

NIA

G. Project Status:

1. If the Project includes the acquisition of any land or buildings, have any steps been taken toward acquiring same?

Yes X No _____. If yes, please discuss in detail the approximate stage of such acquisition:

Under Contract, Pending Closing

2. If the Project includes the acquisition of any Equipment, have any steps been taken toward acquiring same?

Yes X No _____. If yes, please discuss in detail the approximate stage of such acquisition:

Currently Shipping Gym Equipment
See Attachment C

3. If the Project involves the construction or reconstruction of any building or other improvement, has construction work on any such building or improvement begun? Yes ____ No X. If yes, please discuss in detail the approximate extent of construction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations; installation of footings; etc.:

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

\$5,000,000 - GOOD FAITH DEPOSIT

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

A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes X No _____. If yes, please complete the following for each existing or proposed tenant or subtenant:

Sublessee Name: See Attachment 8
Present Address: _____
City: _____ State: _____ Zip: _____
Employer's ID No.: _____
Sublessee is: ____ Corporation; ____ Partnership; ____; Limited Liability Company; ____ Sole Proprietor
Relationship to Company: _____
Percentage of Project to be leased or subleased: _____
Use of Project intended by Sublessee: _____
Date of lease or sublease to Sublessee: _____
Term of lease or sublease to Sublessee: _____
Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes ____ No ____.
If yes, please provide on a separate attachment

- a. details; and
- b. the answers to questions II (F) (4) through (6) with respect to such sublessee.

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

IV. EMPLOYMENT IMPACT

A. Indicate below the number of people presently employed at the Project Site and the number that will be employed at the Project site at the end of the first and second years after the Project has been completed (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.

	Current # of Jobs at proposed Project location or to be relocated to Project location	If Financial Assistance is granted, estimate the number of FTE and PTE jobs to be <u>Retained</u>	If Financial Assistance is granted, estimate the number of FTE and PTE jobs to be <u>Created</u> by Two years after Project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the retained and created FTE and PTE jobs Two years after Project completion**
Present Full Time	0			
Present Part Time				
First Year Full Time				
First Year Part Time				
Second Year Full Time				
Second Year Part Time				
Total:	0	0	0	0

**For purposes of the question, please estimate in the fourth column the number of FTE and PTE jobs, as indicated in the second and third columns, that will be filled by residents of the Labor Market Area. The Labor Market Area includes Cortland County as well as the counties of Cayuga, Onondaga, Tompkins, Broome and Chenango.

Category of Jobs to be Retained and Created	Estimated Average Salary or Range of Salary	Estimated Average Fringe Benefits or Range of Fringe Benefits
Management	N/A	
Professional		
Administrative		
Production		
Independent Contractors		
Other		

B. Please state the anticipated date of completion of the Project site and the anticipated date of occupancy of the Project site:

Project Site Completion Date: MARCH / APRIL 2024

Project Site Occupancy Date: JUNE 2024

V. **PROJECT COST**

A. 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:

Amount:

Land Acquisition	\$ <u>380,000</u>
Building Construction	\$ <u>—</u>
Building Renovation	\$ <u>1,912,400</u>
Machinery and equipment costs	\$ <u>50,000</u>
Utilities, roads and appurtenant costs	\$ <u>—</u>
Architects and engineering fees	\$ <u>25,000</u>
Costs of Bond issue (legal, financial and printing)	\$ <u>—</u>
Construction loan fees and interest (if applicable)	\$ <u>30,750</u>
Other (specify)	\$ <u>—</u>
_____	\$ <u>—</u>
_____	\$ <u>—</u>
_____	\$ <u>—</u>
_____	\$ <u>—</u>
TOTAL PROJECT COSTS:	\$ <u>2,398,150</u>

B. Have any of the above expenditures already been made by the Applicant?
 Yes _____ No . If yes, indicate particulars:

VI. FINANCIAL ASSISTANCE EXPECTED FROM THE AGENCY

A. Tax Benefits:

1. Is the Applicant requesting a real property tax exemption in connection with the Project from the Agency? Yes X No _____.

2. Is the Applicant expecting to be appointed agent of the Agency for purposes of receiving an exemption from N.Y.S. Sales Tax or Compensating Use Tax? Yes X No _____.

3. Is the Applicant requesting a mortgage recording tax exemption in connection with the Project from the Agency? Yes X No _____.

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

- a. N.Y.S. Sales and Compensating Use Taxes: \$ 70,000-
- b. Mortgage Recording Taxes: \$ 15,000-
- c. Real Property Taxes: \$ 136,278

(Please consult with the Agency in calculating the estimated value of the real property tax exemption)

- d. Other (please specify):
 _____ \$ _____
 _____ \$ _____
 _____ \$ _____

5. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Agency's Uniform Tax-exemption Policy? Yes X No _____. If yes, please explain how the request of the Applicant differs from the Agency's Uniform Tax-Exemption Policy:

We wish to freeze assessment of the purchase price for 5 years for property tax and increase actual assessment by 20% beginning in year 6 and concluding to 100% in year 10

B. Financing:

1. Is the Applicant requesting that the Agency issue bonds to assist in financing the Project? Yes _____ No X. If yes, indicate:

a. Principal Amount of Bonds Requested \$ _____

b. Maturity Requested _____ Years

c. Is the Interest on such bonds intended to be exempt from federal income taxation? Yes _____ No _____.

2. What is the approximate amount of private sector financing to be obtained? \$ 1,500,000. Is the Applicant expecting that the private sector financing of the Project will be secured by one or more mortgages? Yes X No ____.
If yes, what is the approximate amount of private sector financing to be secured? \$ 1,500,000.
3. Is the Applicant expecting that any of the financing of the Project will come from public sector sources? Yes ____ No ____.
What is the approximate amount of public sector financing to be obtained? \$ —.
If yes, is the Company expecting that the public sector financing of the Project will be secured by one or more mortgages or grant agreements? Yes ____ No X.
If yes, what is the approximate amount of public sector financing to be secured? \$ NIA.
4. Please state the approximate amount to be invested in the Project (not borrowed or the subject of a grant) by the Applicant
\$ 898,150.
5. Please state the approximate total amount of borrowed funds to be invested in the Project \$ 1,500,000.

VII. REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Agency as follows:

- A. **Job Listings:** In accordance with Section 858-b (2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entities") of the service delivery area created by the Federal Job Training Partnership Act (Public Law 97-300) ("JTPA") in which the Project is located.
- B. **First Consideration for Employment:** In accordance with Section 858-b (2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the Applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.

- C. **Local Workforce Development:** The Applicant understands and agrees that if the Project receives Financial Assistance from the Agency, except as provided by collective bargaining where practicable, the Applicant will increase the skill base of the local workforce through training, opportunities for professional development and career track advancement.
- D. **Annual Sales Tax Filings:** In accordance with Section 874(8) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the Applicant and all consultants or subcontractors retained by the Applicant.
- E. **Annual Employment Reports:** The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant will file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the Project site.
- F. **Absence of Conflicts of Interest:** The Applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

- G. **Federal, State and Local Laws:** The Applicant/Owner/Occupant/Operator receiving the Financial Assistance understands and agrees that it must be, at all times, in compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
- H. **Environmental Matters:** The Applicant acknowledges that certain environmental representations will be required at closing. The Applicant shall provide copies of any known environmental reports, including any existing Phase I Environmental Site Assessment Report(s) and/or Phase II Environmental Investigations. The Agency may require the Company and/or Owner of the Premises to prepare and submit an environmental assessment and audit report including, but not limited to, a Phase I Environmental Site Assessment Report and a Phase II Environmental Investigation, with respect to the Premises at the sole cost and expense of the Owner and/or the Applicant.

All environmental assessment and audit reports shall be completed in accordance with ASTM Standard Practice E1527-13, and shall be conformed over to the Agency so that the Agency is authorized to use and rely on the reports. The Agency, however, does not adopt, ratify, confirm or assume any representation made with reports required herein.

- I. **Release:** The Applicant and/or Owner, and their successors and assigns, hereby release, defend and indemnify the Agency from any and all suits, causes of action, litigations, damages, losses, liabilities, obligations, penalties, claims, demands, judgments, costs, disbursements, fees or expenses of any kind or nature whatsoever (including, without limitation, attorneys', consultants' and experts' fees) which may at any time be imposed upon, incurred by or asserted or awarded against the Agency resulting from or arising out of any inquiries and/or environmental assessments, investigations and audits performed on behalf of the Applicant and/or Owner pursuant hereto, including the scope, level of detail, contents or accuracy of any environmental assessment, audit, inspection or investigation report completed hereunder and/or the selection of the environmental consultant, engineer or other qualified person to perform such assessments, investigations and audits.

- J. **Hold Harmless Provision:** The Applicant acknowledges and agrees that the Applicant shall be and is responsible for all costs of the Agency incurred in connection with any actions required to be taken by the Agency in furtherance of the Application including the Agency's costs of general counsel and/or the Agency's bond/transaction counsel whether or not the Application, the proposed Project it describes, the attendant negotiations, or the issue of bonds or other transaction or agreement are ultimately ever carried to successful conclusion and 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 Application, regardless of whether or not the Application or the proposed Project described herein or the tax exemptions and other assistance requested herein are favorably acted upon by the Agency; (ii) the Agency's acquisition, construction and/or installation of the proposed Project described herein; and (iii) any further action taken by the Agency with respect to the proposed Project including, without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suit or actions which may arise as a result of any of the foregoing. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law and the policies of the Agency that any New York State and local sales and use tax exemption claimed by the Applicant and approved by the Agency, any mortgage recording tax exemption claimed by the Applicant and approved by the Agency, and/or any real property tax abatement claimed by the Applicant and approved by the Agency in connection with the Project, may be subject to recapture and/or termination by the Agency under such

terms and conditions as will be established by the Agency and set forth in transaction documents to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this Application including, without limitation, information regarding the amount of the New York State and local sales and use tax exemption benefit, the amount of the mortgage recording tax exemption benefit, and the amount of the real property tax abatement, if and as applicable, to the best of the Applicant's knowledge, is true, accurate and complete.

- K. False or Misleading Information.** The submission of any knowingly false or misleading information by the applicant 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.

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VERIFICATION

(If Applicant is a Corporation, Limited Liability Company, General or Limited Partnership)

STATE OF New York)
COUNTY OF Cortland) ss.:

Stephen Terwilliger deposes and says, under the penalties of perjury, that he/she is the member/manager (must be the chief executive officer, member, manager, general partner or such other individual duly authorized to bind the applicant) of AK Community LLC (name of applicant); that he/she has read the foregoing application and knows the contents thereof; and that the same is true, complete and accurate to the best of his/her knowledge; that the reason this verification is made by the deponent and not by the applicant is the applicant is a LLC (Corporation, Limited Liability Company, General or Limited Partnership). The grounds of deponent's belief relative to all matters in the application which are not stated upon his/her 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/her duties as manager of the applicant and from the books and records of the applicant.

Signature: [Handwritten Signature]
Print Name: STEPHEN TERWILLIGER

Sworn to before me this 5th
day of September, 2022

[Handwritten Signature]
Notary Public

PHILIP HENRY
Notary Public - State of New York
NO. 01HE5054206
Qualified in Cortland County
My Commission Expires 01/05/226





NY Commission Exhibit
Classified in Compliance with
NY State Records Law
NY State Archives - State of New York
ALBANY, NEW YORK

Attachment #1

Narrative of Intent

The overall intent of the proposal is to provide a senior housing facility (55 and older) along with a community facility that will serve all age groups from children to seniors for Virgil and surrounding area residence.

It is no secret that the need for senior housing in New York State is growing quickly. In fact, studies show that senior population is growing 20% every ten years!. This fact is true throughout the country but even more in the Upstate New York area. Even Governor Hochul has acknowledged the housing shortage in New York State, especially for seniors, and has recently signed legislation to pave the way for more senior housing in New York State. Locally, Virgil and surrounding residence are wanting to stay in the area but do not have the ability to maintain a home that they once did. We currently have a waiting list for seniors wanting to live at the facility.

The plan for the property is to be renovated into apartments and a community center for the town while maintaining the architectural integrity of the building.

Additionally, it is our intent to keep the exterior of the property as original as possible. Other than some additional parking there is no immediate plan to change the exterior appearance of the building.

Of course, the existing playground, walking trail, sports fields, basketball court and picnic area will remain. Some other outdoor activities that are being considered are outdoor concerts, car/tractor shows, farmers markets, community arts and craft shows just to name a few.

The proposal currently before the Town of Virgil would include a total of 19 -1 and 2 bedroom apartments intended for 55 and older adult living(See **(See Attachment A)**). The average age of the inhabitants of the Town of Virgil has increased over the years and has created a market of people that want to remain in the Virgil Community, but without having to maintain their home.

Additionally, we will be partnering with the Homer Center for Performing Arts of which the partnership would include such things as: stage performances, dance/music lessons, exercise classes, sports events both indoor/outdoor, painting, sculpture, ceramics, cooking, acting/directing and craft classes, just to name a few. The Centers plan is to occupy mostly the gymnasium, stage and some of the lower floor classrooms for classes and lessons. They will occupy approximately 6000 to 7000 square feet on as needed basis. **(See Attachment 1A and 1B)**

We are also looking to host all Senior events in the town such as senior card night, board games, Senior dinners/luncheons/parties and other events that might be needed.

Of course the building will still serve as the Towns Emergency Evacuation Site as has been the case for years.

Additionally, we plan to partner with a medical facility to serve not only the inhabitants but the local community, with their medical needs. At some point we would also like to make available a hairdresser/nail salon, and possibly a massage therapist.

In the interior, other than where the apartments are going to be located, it is our intent to retain the historical integrity of the building including the gymnasium, stage, kitchen, cafeteria including all built-in cabinetry, original chalkboards.

In the future we would consider the existence of a small coffee shop/sandwich shop, exercise room, gift shop/commissary, just to name a few.

Our vision is to bring what was once a very thriving center of Town of Virgil facility back to its original stature. The Virgil Elementary School building is the undeniable epicenter of Virgil and we wish to bring it to its original glory.

Attach #1A



The Center for the Arts of Homer is a community of artists, art lovers, music makers, and creators. The Center for the Arts, a 501c3 not-for-profit institution is well known for hosting national music concerts, but we also feature film screenings, a community theater program (Center Players) and showcase artwork by regional, national, and international visual artists in the art gallery. The Center also hosts classes, workshops and programs throughout the year, and adds to the economic vitality of Central New York.

72 S. Main St.
Homer, NY 13077
www.Center4Art.org

Proposal for partnership with SVR Realty for use of The Virgil School facility.

The Center for the Arts of Homer wishes to partner with SVR Realty regarding community based arts programming at the Virgil School. Below is an exploration of programs that could be well suited in the facility.



Community Based Art/Music classes & programs:

Offering weekly, monthly, and "one time" classes, workshops and programs for Seniors, Adults, and Children in a variety of arts based forums will bring the already successful Center for the Arts educational programs to Virgil, New York to enrich community learners through arts education. From instrument lessons (guitar, piano, drums, voice) to painting and drawing, sculpture and ceramics, dance, cooking, and more, a rotating class schedule will see the facility being utilized on a daily basis, and to serve the Virgil community and beyond with affordable and creative arts education experiences.



Community Theater Offerings:

Presenting quality, live theater productions at affordable prices approximately 4 –6 times a year by and for community members, and providing a Virgil based venue hosting an experience for people interested in live theater to patronize, practice and explore the craft. Well known plays and musicals suited for the auditorium and the community will help create opportunities for learning through acting, directing, writing, and technical aspects of live theater, and give Virgil residents and beyond the opportunity to watch live theater performances.

Attach #1 B



Live Music Opportunities:

Live music featuring local and regional musicians and bands from different genres would provide “special” performances throughout the year for all ages. Utilizing the auditorium, music from high school bands, seasoned performers, and open microphone opportunities would serve the community with the experience of live music from performing to listening. Country and bluegrass, symphonic and choral, pop and rock, and “dancing under the stars” nights in warmer months would create an uplifting community gathering space.



Endless Opportunity:

Beyond the outlined arts and performance opportunities that the Virgil School affords, other ideas include: family movie nights, senior yoga and exercise classes, weddings, banquets, birthday parties, and private events, and more, with the focus being on serving the community.

With Senior, Adult, and Youth programs, the Center for the Arts would be serving our community outreach goals through use of the Virgil School, and allow our not-for-profit organization to expand programming for our “southerly” neighbors, and beyond, which is part of our mission:

The Center for the Arts is a 501(c)3 not-for-profit organization whose mission is to enhance the quality of life for the people of Central New York by engaging them in a broad offering of arts education and entertainment that preserves and enriches local culture, and provides stewardship for a historically significant site.

Attachment A

Apartment Configuration

The addition of apartments to the facility will include 19 total apartments strictly for 55 and older tenants. The makeup of the apartments will be as follows. 6- 2-bedroom apartments, 12 1-Bedroom apartments and 1 Studio. The rear wing of the school will house 9 -1-bedroom apartments and 3- 2-bedroom Apartments. (See Exhibit A) The upstairs (Original section of the school) will house 3-2-bedroom apartments 3 1-bedroom apartments and 1-studio. (See Exhibit B). In the rear wing section of the school (Exhibit A) classrooms which are now divided by masonry (block) walls will be divided in half to create the apartments. In the upper section (original section of the school) rooms will be divided from the former library, science lab and former classrooms to create additional apartments. (Exhibit B). Of course, the second floor apartments are serviced by an elevator.

Apartment Sizing

The approximate square footage of the apartments are 600 plus for 1 bedrooms, 800 plus for 2 bedrooms and 400 for the studio.

Apartment Finishes

Our intent is to maintain the oak cabinetry that was in the original building. We also plan to retain all of the original slate chalkboards that still exist in the apartments. Aside from that, each apartment will be brand new providing safe and comfortable environment for our tenants. Each apartment will have new sheetrock, painted walls and drop ceilings. The floors will be fitted with attractive vinyl waterproof planking(wood look) which will lend itself for longevity and be resistant to spills. Each kitchen will be fitted with wood cabinets, and hard surface countertops. The matching appliances will consist of cooking stove/over, refrigerator(with freezer) dishwasher and microwave. The bathrooms will be ADA adaptable with appropriate grab bars etc. All light and plumbing fixtures will be easy to use brands. The overall fit and finish of the apartments will be a bright, cheery and highly assessable to the inhabitants.

Apartment Inclusions

At one price, all apartments will be provided with heat, electricity, high speed internet, parking, and trash service. Other services may be provided on an "as needed basis" through third party such as hairdressers, barbers, housekeeping, food service, and companion programs.

Attachment C

Exercise facility and Equipment

The exercise room will be housed in a former locker room off the main gymnasium. It will consist of approximately 600

square feet and will feature the following equipment:

2 Treadmills

1 full set of dumbbells free weights

1 Weight bench

1 Stair climber

1 multi-actions weight machine featuring 6 different movements.

All equipment will be purchased new and maintained by maintenance staff.

A disinfectant station will be made available in the space for users to disinfect themselves and equipment before and after use.

Principal use

The principal use of the equipment is a tenant amenity. We feel that exercise is a vital part of staying healthy for seniors.

Attachment #2

This Virgil School Project is based on being financially able (from the Senior Apartment Revenue) to afford allowing the rest of the facility to become a community center.

Previous proposals for the use of the school, included more apartments (24) to utilize all of the space including the gym, stage, cafeteria, and extra classrooms with nothing being lent towards space for a community center. Essentially, if we are not able to get the financial assistance from the Cortland County IDA we will have to severely squelch or eliminate the community part of the project. It may render part of the facility as empty space. We need the Agency's Financial Assistance to be able reach our goal. Many things such as walking trail, playground, sports grounds and the interior activities will cause more expenses with maintenance, insurance cost, utilities etc. without the benefit of the offsetting revenue.

In summary, since the 1930's, this building has been the community center of the Town of Virgil. It would be a shame and great loss to the community to not continue the "community" part of this project.

Attachment D

Leasing Narrative

We currently lease to students and for market rate tenants. We will be developing a specific lease for this facility, but it has not been completed to date. Prices will be approximately \$1,300 per month for one bedrooms, and \$1,600 per month for 2 bedrooms.

Our intent is to have a minimum lease period of one year but will lease for longer periods depending on specific needs of the senior tenants.

We are yet to negotiate a lease with the Center for Performing Arts but will be using a revised commercial lease that will be prepared by our attorney James Baranello.

Property Description Report For: 1208 Church St, Municipality of Virgil



Status: Active
Roll Section: Wholly Exem
Swis: 114600
Tax Map ID #: 126.14-02-21.000
Property Class: 612 - School
Site: COM 1
In Ag. District: No
Site Property Class: 612 - School
Zoning Code: -
Neighborhood Code: 04602
School District: Cortland City
Total Assessment: 2023 - \$1,373,800

Total Acreage/Size: 4.60
Land Assessment: 2023 - \$23,600
Full Market Value: 2023 - \$2,020,294
Equalization Rate: 2023 - 78.00%
Deed Book: 159
Grid East: 924658

Property Desc:
Deed Page: 599
Grid North: 914342

Owners

School Cortland City
 1208 Church St
 Cortland NY 13045

Sales

No Sales Information Available

Utilities

Sewer Type: Private **Water Supply:** Private
Utilities: Electric

Inventory

Overall Eff Year Built: 0 **Overall Condition:** Normal
Overall Grade: Average **Overall Desirability:** 3

Buildings

AC%	Sprinkler%	Alarm%	Elevators	Basement Type	Year Built	Condition	Quality	Gross Floor Area (sqft)	Stories
0	0	0	0		1975	Normal	Average	26158	2

Improvements

Structure	Size	Grade	Condition	Year	Replacement Cost
Porch-enclsd	4 x 15	Average	Normal	1960	\$4,004

Special Districts for 2023

Description	Units	Percent	Type	Value
FD010-Virgil Fire	0	0%		0

Exemptions

Year	Description	Amount	Exempt %	Start Yr	End Yr	V Flag	H Code	Own %
2023	SCHOOL DIS	\$1,373,800	0	1976				0

Taxes

Year	Description	Amount
------	-------------	--------

*** Taxes reflect exemptions, but may not include recent changes in assessment.**

Property Description Report For: Owego Hill Rd, Municipality of Virgil

No Photo Available

	Status: Active
	Roll Section: Wholly Exem
	Swis: 114600
	Tax Map ID #: 126.14-02-20.110
	Property Class: 314 - Rural vac<10
	Site: RES 1
	In Ag. District: No
	Site Property Class: 314 - Rural vac<10
	Zoning Code: 04
	Neighborhood Code: 04602
	School District: Cortland City
	Total Assessment: 2023 - \$17,100
Total Acreage/Size: 3.13	Property Desc:
Land Assessment: 2023 - \$17,100	Deed Page: 560
Full Market Value: 2023 - \$25,147	Grid North: 913992
Equalization Rate: 2023 - 78.00%	
Deed Book: 221	
Grid East: 924503	

Area

Living Area: 0 sq. ft.	First Story Area: 0 sq. ft.
Second Story Area: 0 sq. ft.	Half Story Area: 0 sq. ft.
Additional Story Area: 0 sq. ft.	3/4 Story Area: 0 sq. ft.
Finished Basement: 0 sq. ft.	Number of Stories: 0
Finished Rec Room: 0 sq. ft.	Finished Area Over Garage: 0 sq. ft.

Structure

Building Style: 0	Bathrooms (Full - Half): 0 - 0
Bedrooms: 0	Kitchens: 0
Fireplaces: 0	Basement Type: 0
Porch Type: 0	Porch Area: 0.00
Basement Garage Cap: 0	Attached Garage Cap: 0.00 sq. ft.
Overall Condition: 0	Overall Grade:
Year Built:	

Owners

School Cortland City
1 Valley View Dr
Cortland NY 13045-3297

Sales

No Sales Information Available

Utilities

Sewer Type:	None	Water Supply:	None
Utilities:	Electric	Heat Type:	0
Fuel Type:	0	Central Air:	No

Improvements

Structure	Size	Grade	Condition	Year	Replacement Cost
-----------	------	-------	-----------	------	------------------

Special Districts for 2023

Description	Units	Percent	Type	Value
FD010-Virgil Fire	0	0%		0

Exemptions

Year	Description	Amount	Exempt %	Start Yr	End Yr	V Flag	H Code	Own %
2023	SCHOOL DIS	\$17,100	0	1994				0

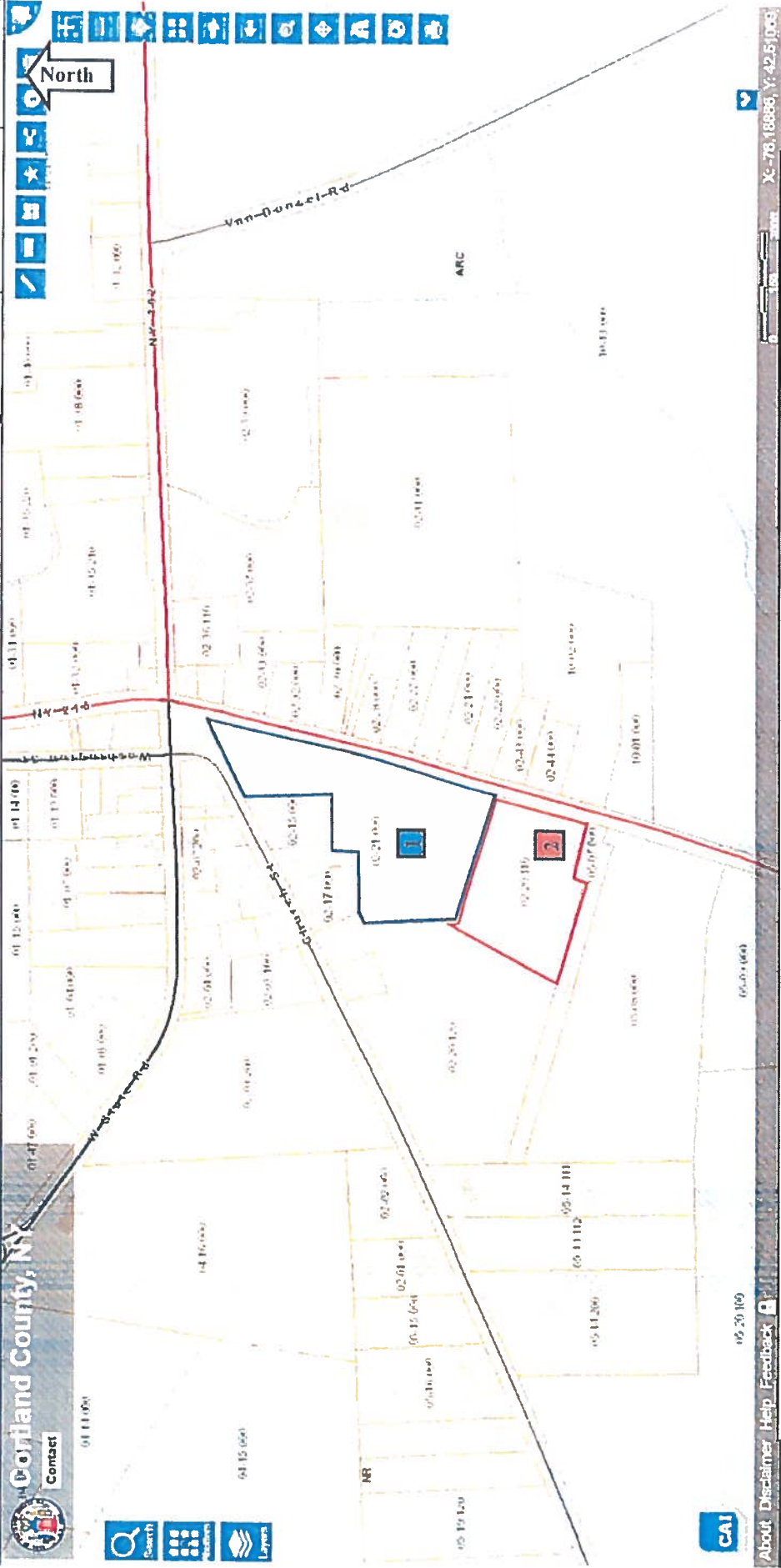
Taxes

Year	Description	Amount
------	-------------	--------

*** Taxes reflect exemptions, but may not include recent changes in assessment.**

SVR Realty LLC
Properties Of Virgil School Development
Cortland County GIS Map #1aZ – State Route 392, Town Of Virgil

ID#	MLS #	Tax Map Parcel #	Road Address	Dimensions (Feet)	Size (Acres)	List S
1	----	126.14-02-21.000	1208 State Route 392 (Church Street)	821 X ---	4.60	----
2	----	126.14.02-20.110	State Route 392 (NOT Owego Hill Rd)	262 X ---	3.13	----
Totals				Road Frontage = 1,083	7.73	----



Notes

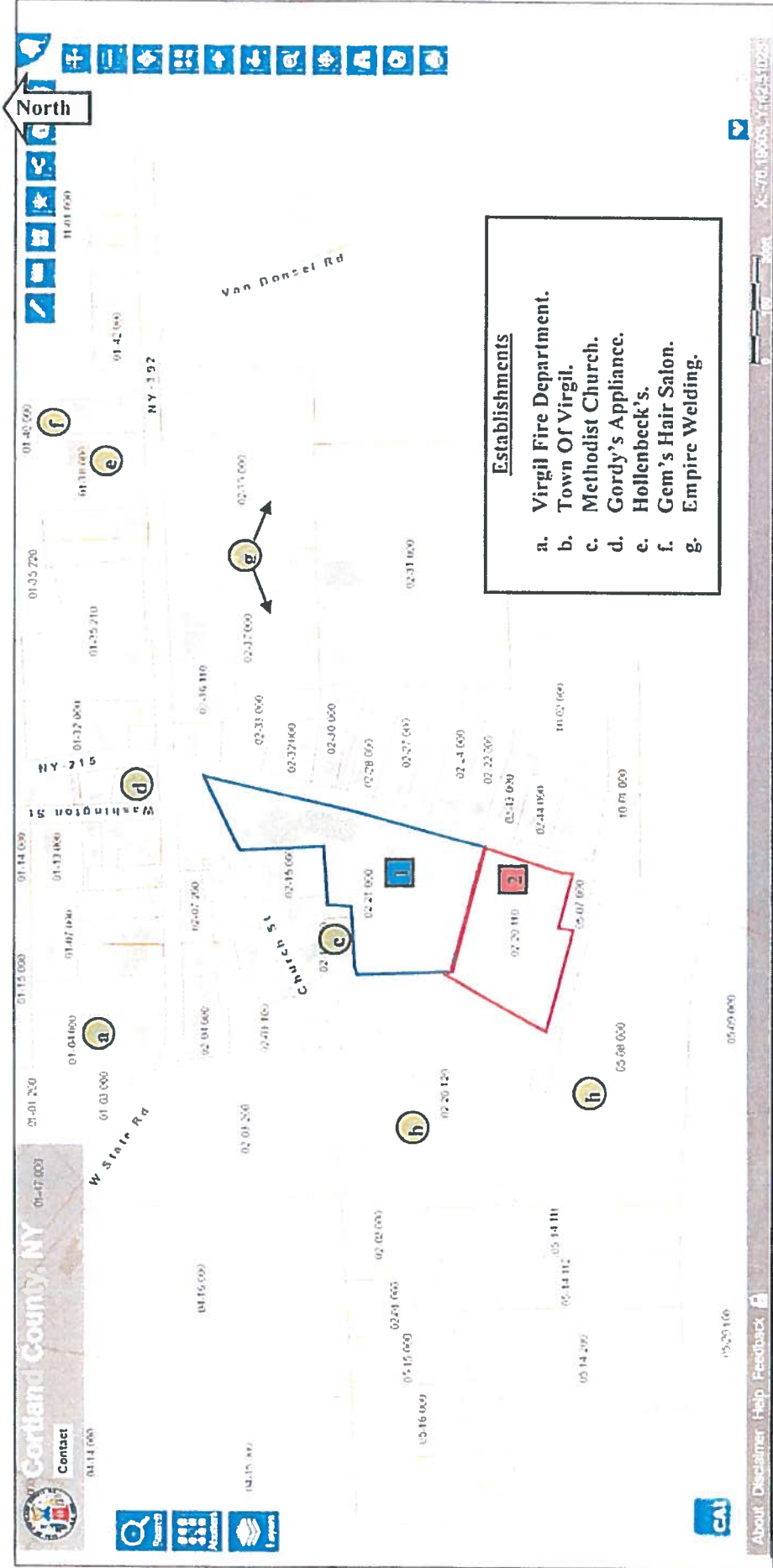
1. The property's *approximate* boundaries as shown on the Cortland County GIS are outlined in black.
2. The property's dimensions were either taken from its Cortland County tax map or were measured using the County's GIS.
3. The boundaries and their dimensions are *subject to confirmation* by a survey performed by a New York State licensed surveyor.
4. Town Of Virgil zoning: Yellow = NR. Green = ARC. The diagonal blue striped area is a aquifer protection district.

This Information Is Deemed Reliable, But Is Not Guaranteed

December 29, 2022

SVR Realty LLC
Properties Of Virgil School Development
Cortland County GIS Map #1aZ – State Route 392, Town Of Virgil

ID#	MLS #	Tax Map Parcel #	Road Address	Dimensions (Feet)	Size (Acres)	List \$
1	----	126.14-02-21.000	1208 State Route 392 (Church Street)	821 x ---	4.60	-----
2	----	126.14.02-20.111	State Route 392 (NOT Owego Hill Rd)	262 x ---	3.13	-----
Totals				Road Frontage = 1,083		

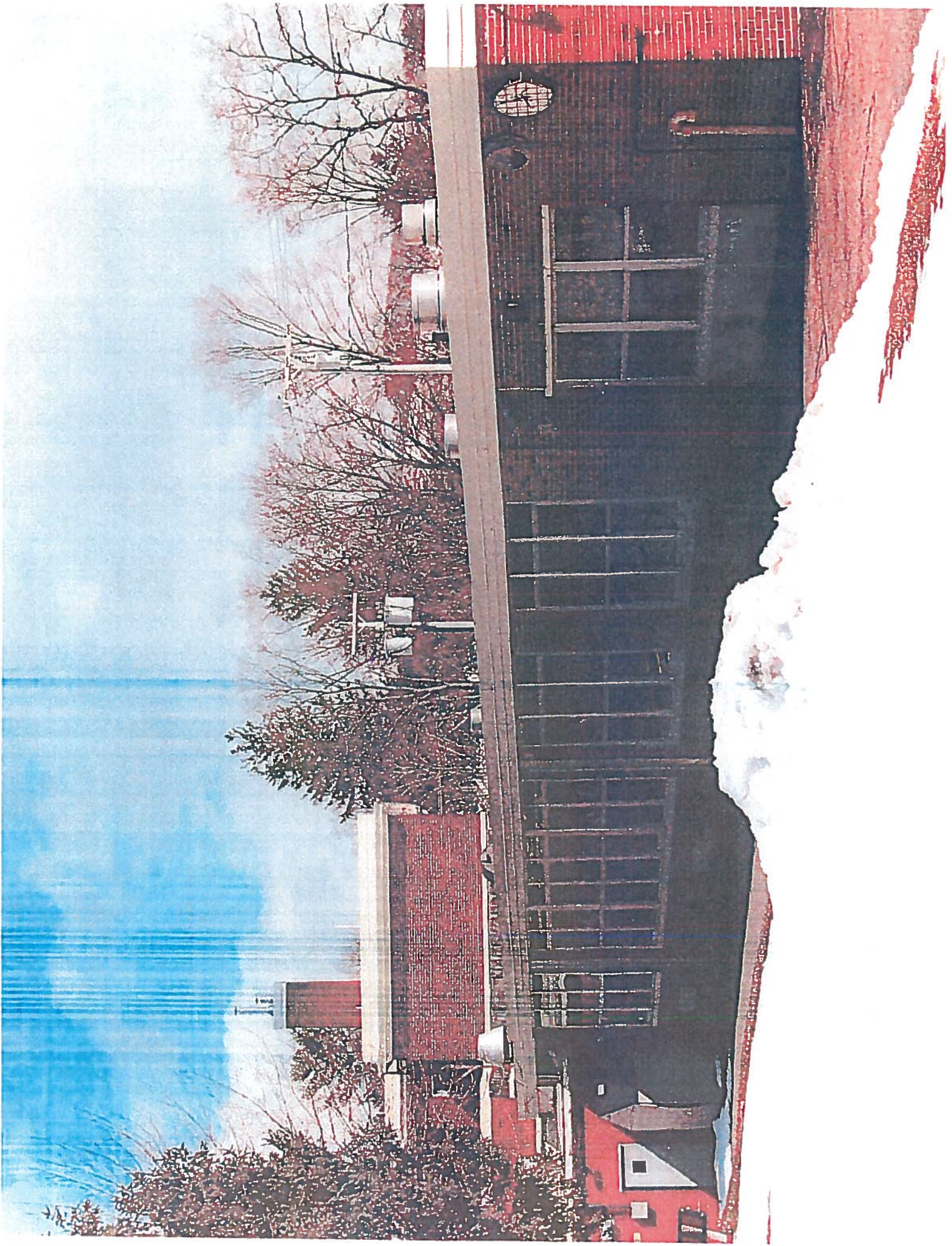


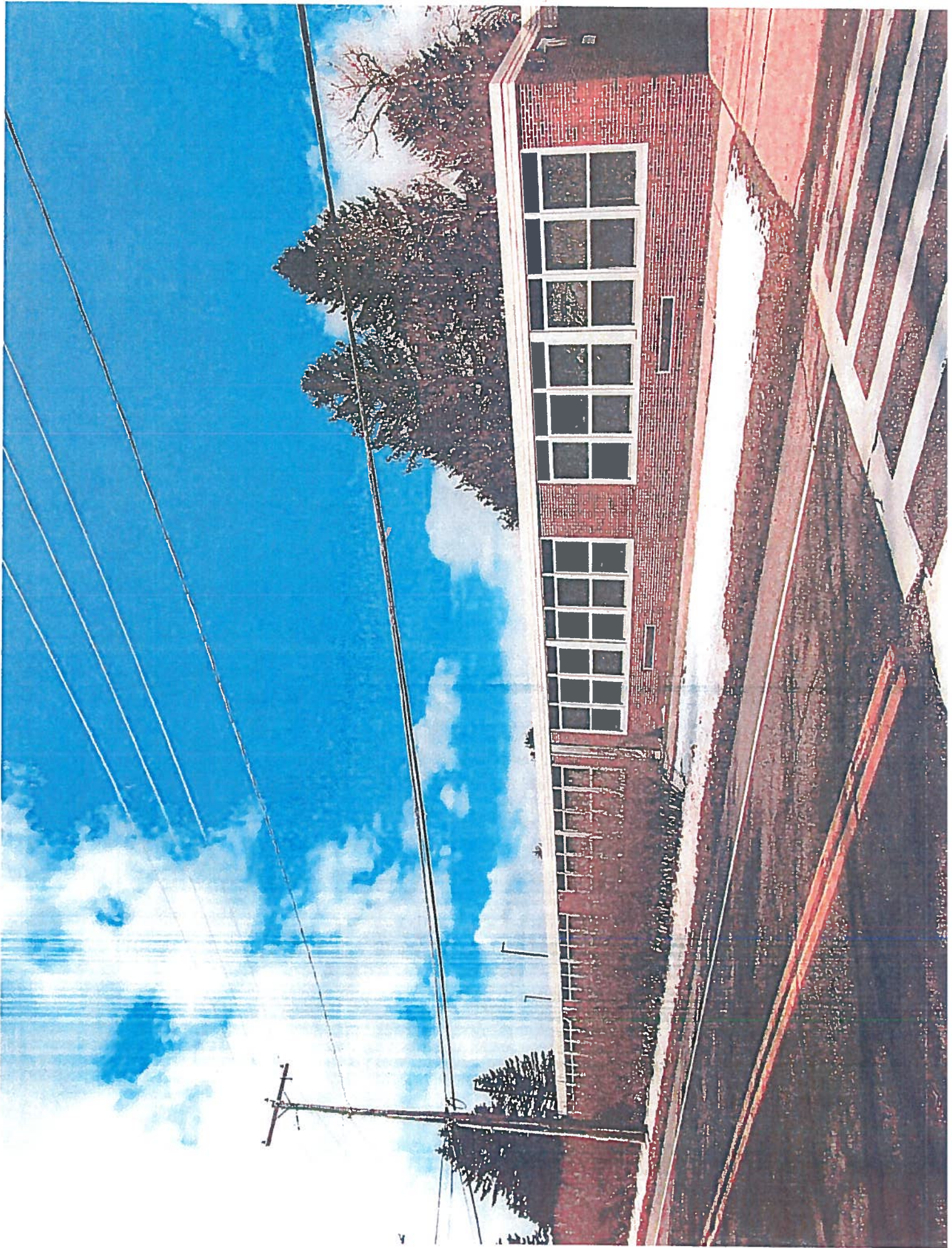
Notes

1. The property's *approximate* boundaries as shown on the Cortland County GIS are outlined in black.
2. The property's dimensions were either taken from its Cortland County tax map or were measured using the County's GIS.
3. The boundaries and their dimensions are *subject to confirmation* by a survey performed by a New York State licensed surveyor.





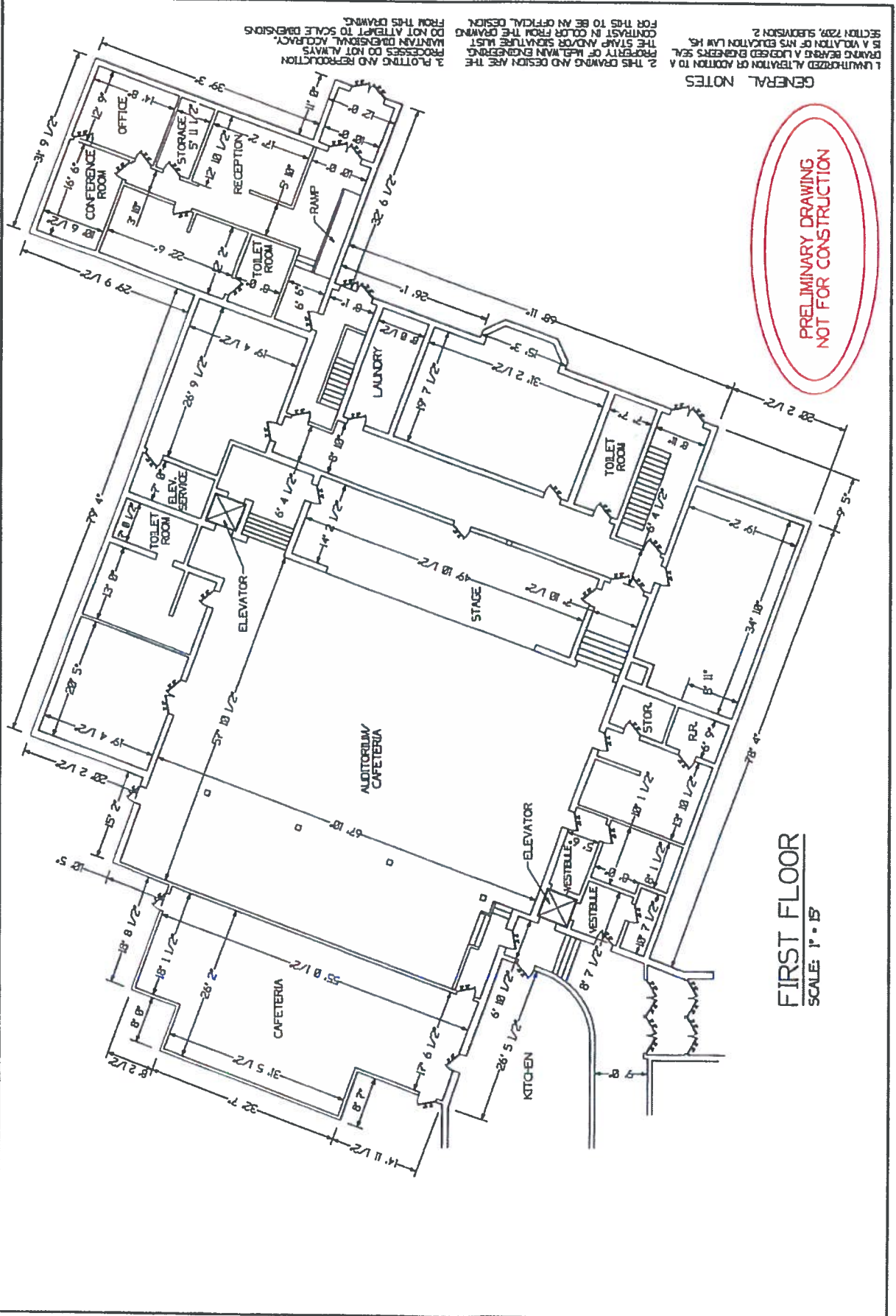




DWG NO	23029	REV/DATE	
SCALE	SHOWN	DATE	06 JUN 23
DRAWN BY		SHEET 1 OF 3	
FIRST FLOOR PLAN			

VIRGIL SENIOR LIVING CENTER
 CHURCH STREET
 TOWN OF VIRGIL
 CORTLAND COUNTY, NEW YORK

McElwain
 Engineering
 PO BOX 127, 5 PARK STREET
 NEWARK VALLEY, NEW YORK 13811
 607-642-5500 MCELWAIN-ENGINEERING@MCELWAIN.COM



PRELIMINARY DRAWING
 NOT FOR CONSTRUCTION

FIRST FLOOR
 SCALE: 1" = 8'

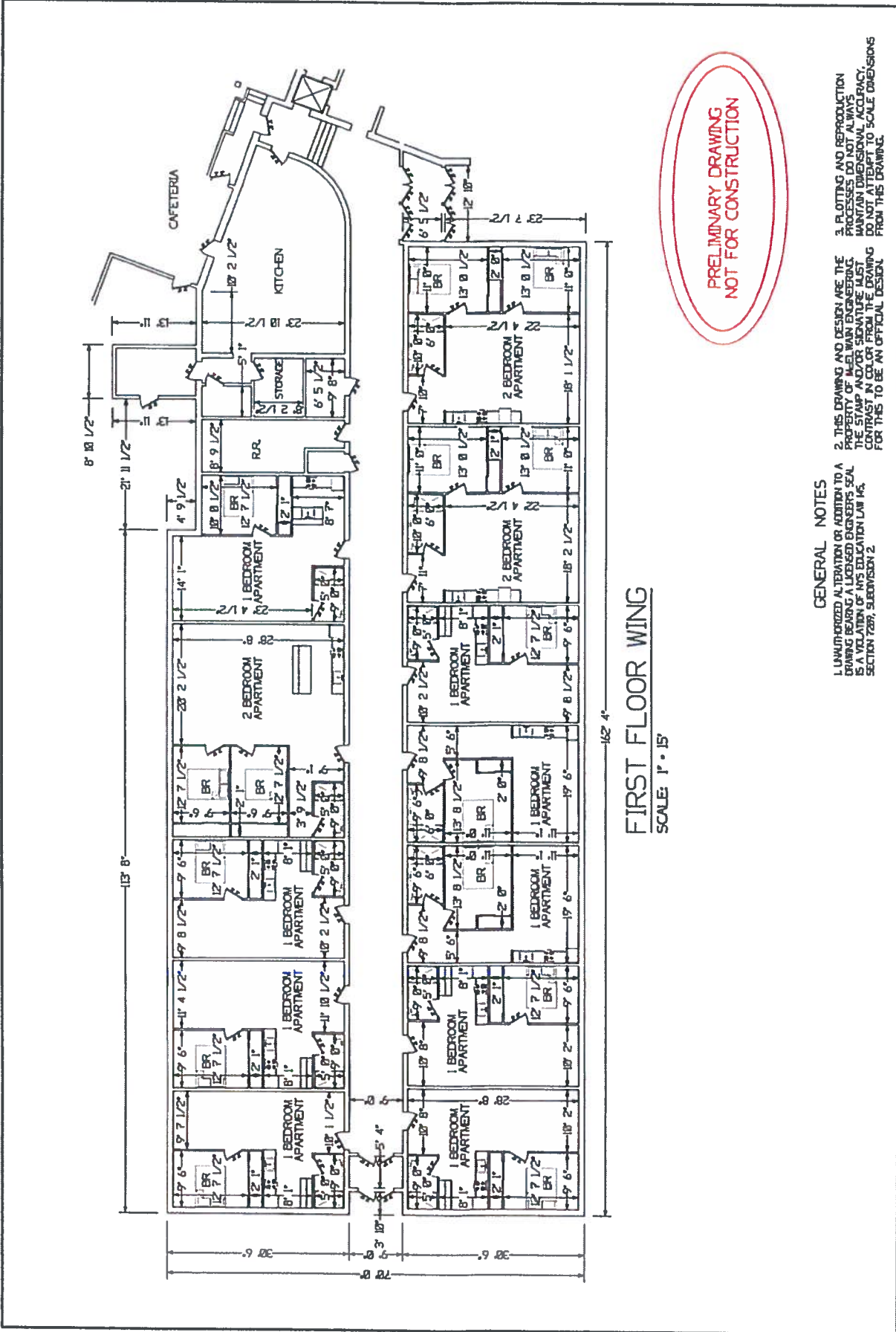
1. UNAUTHORIZED ALTERATION OR ADDITION TO A DRAWING BEARING A LICENSED ENGINEER'S SEAL IS A VIOLATION OF HIS EDUCATION LAW 16. SECTION 2209, SUBDIVISION 2.
 2. THIS DRAWING AND DESIGN ARE THE PROPERTY OF McELWAIN ENGINEERING. THE STAMP AND/OR SIGNATURE MUST CONTRAST IN COLOR FROM THE DRAWING FOR THIS TO BE AN OFFICIAL DESIGN.
 3. PLOTTING AND REPRODUCTION PROCESSES DO NOT ALWAYS MAINTAIN DIMENSIONAL ACCURACY. DO NOT ATTEMPT TO SCALE DIMENSIONS FROM THIS DRAWING.

GENERAL NOTES

DATE	06 JUN 23	SHEET 2 OF 3
SCALE	SHOWN	
DRWN BY		
REV DATE	23029	
FIRST FLOOR WING PLAN		

VIRGIL SENIOR LIVING CENTER
 CHURCH STREET
 TOWN OF VIRGIL
 CORTLAND COUNTY, NEW YORK

McLain Engineering
 PO BOX 127, 5 PARK STREET
 NEWARK VALLEY, NEW YORK 13811
 607.642.5500 MCLAIN@ENGINEERINGVAH00.COM



FIRST FLOOR WING
 SCALE: 1" = 15'

GENERAL NOTES

1. UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 2. THIS DRAWING AND DESIGN ARE THE PROPERTY OF THE ENGINEER. THE STAMP AND/OR SIGNATURE MUST BE IN CONTRAST IN COLOR FROM THE DRAWING FOR THIS TO BE AN OFFICIAL DESIGN.
 SECTION 7209, SUBSECTION 2

3. PLOTTING AND REPRODUCTION OF THIS DRAWING MUST MAINTAIN DIMENSIONAL ACCURACY. DO NOT ATTEMPT TO SCALE DIMENSIONS FROM THIS DRAWING.

PRELIMINARY DRAWING
 NOT FOR CONSTRUCTION

DATE	06 JUN 23
SCALE	SHOWN
DWG NO	23029
REV/DATE	
SECOND FLOOR PLAN	
SHEET 3 OF 3	

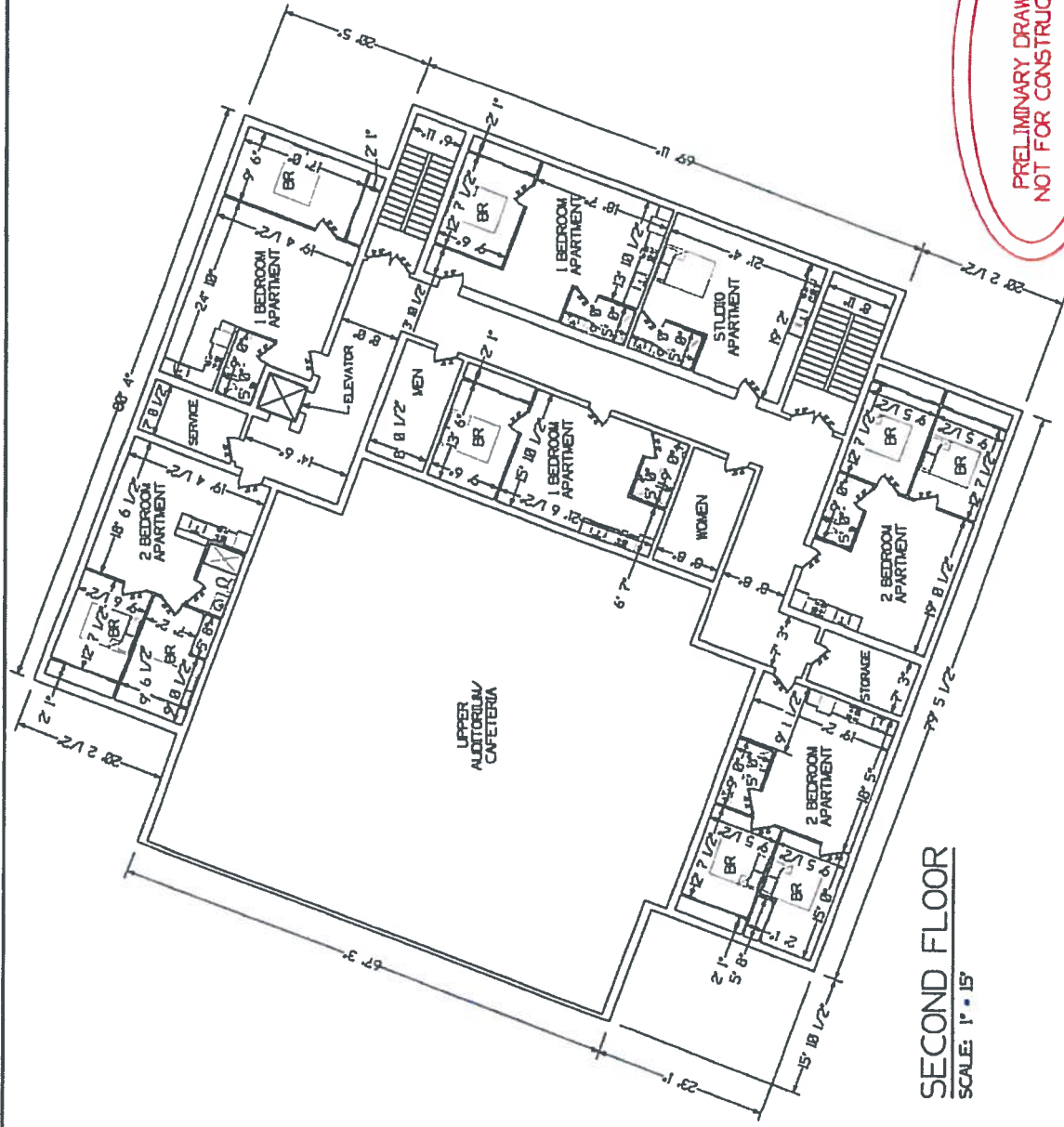
VIRGIL SENIOR LIVING CENTER
 CHURCH STREET
 TOWN OF VIRGIL
 CORTLAND COUNTY, NEW YORK

McElwain
 Engineering
 PO BOX 127, 5 PARK STREET
 NEWARK VALLEY, NEW YORK 13811
 607.642.5500 MCELWAINENGINEERING@YAHOO.COM

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GENERAL NOTES

PRELIMINARY DRAWING
 NOT FOR CONSTRUCTION



SECOND FLOOR
 SCALE: 1" = 15'



Cortland County
Industrial Development Agency

SEQR – Kajen LLC – Virgil

School Housing Project

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Virgil School Community Center			
Project Location (describe, and attach a location map): 1208 Church Street, Virgil NY			
Brief Description of Proposed Action: Multi use building; Emergency Evacuation Site, Senior-Disabled housing, Adult-Child Daycare, Indoor And Outdoor Sporting Events, Concerts-Plays, Coffee Shop, Commissary- Hair Salon, Farmers Market, Auto Shows, Group Dining, Library\Computer\Bookstore, Exercise\Physical Therapy Area, Community Meeting Rooms, Passive Recreation Space, Outdoor Sitting Area, Walking Trail, Art\Music, Health and Fitness, Crafts, Game Room			
Name of Applicant or Sponsor: Kajen LLC		Telephone: 607-753-6556 E-Mail: sterwilliger@svrny.com	
Address: 4287 N. Homer Avenue			
City/PO: Cortland		State: NY	Zip Code: 13045
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 7.73 acres b. Total acreage to be physically disturbed? _____ <1 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 7.73 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action: <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Kajen LLC</u> Date: <u>12/29/20</u>		
Signature: <u>[Signature]</u> Title: <u>member</u>		

Project:

Date:

***Short Environmental Assessment Form
Part 2 - Impact Assessment***

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

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

Project:

Date:

Short Environmental Assessment Form Part 3 Determination of Significance

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

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

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

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

A regular meeting of Cortland County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at 40 Main Street, Suite A, in the City of Cortland, Cortland County, New York on September 11, 2023 at 12:00 o'clock p.m., local time.

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

PRESENT:

Michael McMahon	Chairman
Stephen Compagni	Vice Chairman
Clinton Brooks	Secretary
John O. Reagan	Treasurer
Johanna Ames	Member
Kathleen Burke	Member
Donald Richards	Member

ABSENT:

FOLLOWING PERSONS WERE ALSO PRESENT:

Karen Niday	Chief Financial Officer
Eric J. Mulvihill	Community Relations Specialist
John P. Sidd, Esq.	Agency Counsel

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

Resolution No. _____

RESOLUTION DETERMINING THAT AN ACTION TO UNDERTAKE A COMMERCIAL PROJECT FOR KAJEN, LLC, OR AN ENTITY OWNED BY THE SAME PRINCIPALS, WILL NOT HAVE A SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACT.

WHEREAS, Cortland 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 77 of the 1974 Laws of New York, as amended, constituting Section 902 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 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, Kajen, LLC, or an entity owned by the same principals, (the "Company") has presented an application (the "Application") to the Agency, a copy of which was presented at this meeting and copies of which are on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") consisting of the following: (A) (1) the acquisition of an interest in an approximately 7.9 acre parcel of land (the "Land") located at 1208 Church Street and Owego Hill Road in the Town of Virgil, Cortland County, New York (2) the renovation of a vacant former school building on the Land containing approximately 26,158 square feet of space (the "Facility") and (3) the acquisition and installation therein and thereon of certain furnishings, fixtures and equipment (the "Equipment"), all of the foregoing to constitute a residential building consisting of approximately 38 residential units and a community center to be operated by the Company and occupied by residential tenants in excess of 55 years of age (the Land, the Facility and the Equipment being collectively referred to as the "Project Facility"); (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales taxes, real estate transfer taxes, mortgage recording taxes and real property taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended ("SEQRA") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "SEQRA Regulations", the Agency desires to determine whether the Project may have a significant adverse environmental impact therefore requiring the preparation of an environmental impact statement; and

WHEREAS, to aid the Agency in determining whether the Project may have a significant adverse impact upon the environment, the Company has completed and submitted to the Agency Part 1 of a Short Environmental Assessment Form (the "EAF")

for the Project, a copy of which was presented to and reviewed by the Agency at this meeting and a copy of which is on file at the office of the Agency; and

WHEREAS, the Agency has examined the Application, Part 1 of the EAF, and classified the proposed Project as an "Unlisted Action" that is subject to SEQR; and

WHEREAS, the Agency desires to establish itself as "Lead Agency" for purposes of the required SEQR review of the Project; and

WHEREAS, as an Unlisted Action coordinated SEQR review with other involved agencies is optional, and the Agency has determined it will not coordinate review with other involved agencies; and

WHEREAS, on April 27, 2023, the Town of Virgil Planning Board determined that the Project would not result in any significant adverse environmental impacts after completion of its own uncoordinated SEQR review of the Project; and

WHEREAS, the Agency, having reviewed the proposed action, has completed a EAF Part 2 for the Project and makes the following findings and determination of significance with respect to the Project:

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

Section 1. Based upon an examination of the Application and the Part 1 of the EAF, and based further upon the Agency's knowledge of the area surrounding the Project Facility, and based upon its completion of Part 2 of the EAF, and based upon such further investigation of the Project and its environmental effects as the Agency has deemed appropriate, the Agency makes the following findings with respect to the Project:

A. The Project consists of the following: A) (1) the acquisition of an interest in an approximately 7.9 acre parcel of land (the "Land") located at 1208 Church Street and Owego Hill Road in the Town of Virgil, Cortland County, New York (2) the renovation of a vacant former school building on the Land containing approximately 26,158 square feet of space (the "Facility") and (3) the acquisition and installation therein and thereon of certain furnishings, fixtures and equipment (the "Equipment"), all of the foregoing to constitute a residential building consisting of approximately 38 residential units and a community center to be operated by the Company and occupied by residential tenants in excess of 55 years of age (the Land, the Facility and the Equipment being collectively referred to as the "Project Facility"); (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales taxes, real estate transfer taxes, mortgage recording taxes and real property 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

B. No potentially large impacts on the environment exist, as described and assessed in Part 2 of the EAF, and none are known to the Agency.

C. The Project essentially involves the acquisition and internal and external renovation and adaptive reuse of an existing former school building, not construction of a new facility, and will cause minimal if any impact to the land, surface and ground waters, or to other environmental resources. The Project will improve the aesthetic resources in the Project area and will help revitalize that portion of the Town of Virgil by refurbishing a vacant former school building. Although endangered species of wildlife have been observed in the general Project area according to online wildlife inventory resources, the Project area consists of existing industrial, commercial and residential uses and infrastructure, and the Project will not remove or disturb wildlife habitat. No open spaces, recreational areas will be affected, and no traffic impacts are expected. Additionally, no new roads or utilities will be required to support the proposed Project. For all of the aforementioned reasons, the Agency finds that there will be no significant environmental impacts as a result of the Project.

Section 2. Based upon the foregoing investigation of the potential environmental impacts of the Project and consideration of the magnitude and importance of each potential environmental impact indicated in Parts 1 and 2 of the EAF, the Agency makes the following findings and determinations with respect to the Project:

A. The Project is an "Unlisted Action" (as said term is defined in the SEQRA Regulations) and, therefore, is subject to SEQRA. Coordinated review and notification of other involved agencies is not required. The Agency hereby determines that it will not undertake a coordinated review of the Project with other involved agencies. Other involved agencies must make their own determination of significance with respect to SEQRA.

B. Because the Project will not result in any substantial physical changes to the existing structure and/or property or to surrounding resources and will cause only positive aesthetic changes to the area, the Project will not result in any significant adverse environmental impacts and, thus, will not require the preparation of an environmental impact statement.

C. As a consequence of the foregoing, the Agency hereby finds that the Project will not cause any significant adverse environmental impact and issues a negative declaration with respect to the Project.

Section 3. The Executive Director or the Chief Financial Officer of the Agency are hereby directed to prepare a negative declaration Notice form with respect to the Project, said negative declaration to be substantially in the form and to the effect of the negative declaration attached hereto and incorporating this Resolution, and to cause

copies of said negative declaration Notice and Resolution to be: (A) filed in the main office of the Agency, (B) distributed to the Company, and (C) distributed to the chief executive officers of each of the "affected tax jurisdictions" (within the meaning of the Act).

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:

Michael McMahon	VOTING	_____
Stephen Compagni	VOTING	_____
Clinton Brooks	VOTING	_____
John O. Reagan	VOTING	_____
Johanna Ames	VOTING	_____
Kathleen Burke	VOTING	_____
Donald Richards	VOTING	_____

The foregoing Resolution was thereupon declared and duly adopted.

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

I, the undersigned Secretary of Cortland 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 September 11, 2023 with the original thereof on file in my office, and that the same is a true and correct copy of such proceedings of the Agency and of such Resolution set forth therein and of the whole of said original so far as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respect duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public and due notice of the time and place of said meeting was given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present through 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 11th day of September, 2023.

Clinton Brooks, Secretary



Cortland County
Industrial Development Agency

*Preliminary Inducement –
Kajen LLC – Virgil School
Housing Project*

A regular meeting of Cortland County Industrial Development Agency (the "Agency") was convened in public session at the offices of the Agency located at 40 Main Street, Suite A, in the City of Cortland, Cortland County, New York on September 11, 2023 at 12:00 o'clock p.m., local time.

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

PRESENT:

Michael McMahon	Chairman
Stephen Compagni	Vice Chairman
Clinton Brooks	Secretary
John O. Reagan	Treasurer
Johanna Ames	Member
Kathleen Burke	Member
Donald Richards	Member

ABSENT:

FOLLOWING PERSONS WERE ALSO PRESENT:

Karen Niday	Chief Financial Officer
Eric J. Mulvihill	Community Relations Specialist
John P. Sidd, Esq.	Agency Counsel

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

Resolution No. _____

RESOLUTION TAKING PRELIMINARY OFFICIAL ACTION TOWARD THE ACQUISITION, CONSTRUCTION, INSTALLATION AND LEASING OF A CERTAIN COMMERCIAL PROJECT FOR KAJEN, LLC, OR AN ENTITY OWNED BY THE SAME PRINCIPALS.

WHEREAS, Cortland 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 77 of

the 1974 Laws of New York, as amended, constituting Section 902 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 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, Kajen, LLC, or an entity owned by the same principals, (the "Company") has presented an application (the "Application") to the Agency, a copy of which was presented at this meeting and copies of which are on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") consisting of the following: (A) (1) the acquisition of an interest in an approximately 7.9 acre parcel of land (the "Land") located at 1208 Church Street and Owego Hill Road in the Town of Virgil, Cortland County, New York (2) the renovation of a vacant former school building on the Land containing approximately 26,158 square feet of space (the "Facility") and (3) the acquisition and installation therein and thereon of certain furnishings, fixtures and equipment (the "Equipment"), all of the foregoing to constitute a residential building consisting of approximately 38 residential units and a community center to be operated by the Company and occupied by residential tenants in excess of 55 years of age (the Land, the Facility and the Equipment being collectively referred to as the "Project Facility"); (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales taxes, real estate transfer taxes, mortgage recording taxes and real property 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, 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 Cortland County, New York, and (B) the completion of the Project Facility will not result in the removal of an industrial or manufacturing plant of the Company or any other proposed occupant of the Project Facility from one area of the State of New York to another area of the State of New York or in the abandonment of a plant or facility of the Company or any other proposed 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 Cortland County, New York by undertaking the Project in Cortland County, New York; 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 September 11, 2023 (the "SEQR Resolution"), the Agency has determined that the Project will not have a significant effect on the environment and, therefore, that an environmental impact statement is not required to be prepared with respect to the Project; and

WHEREAS, pursuant to the Act, any approval of the Project contained herein is contingent upon a determination by the members of the Agency to proceed with the Project following satisfaction of the public hearing and notice requirements and other procedural requirements contained in Section 859-a of the Act that relate to the Project;

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

Section 1. The Agency has reviewed the Application and based upon the representations made by the Company to the Agency in the Application and at this meeting and, based thereon, the Agency hereby makes the following findings and determinations with respect to the Project:

(A) The Project constitutes a "project" within the meaning of the Act; and

(B) The completion of the Project Facility will not result in the removal of an industrial or manufacturing plant of the Company or any other proposed occupant of the Project Facility from one area of the State of New York to another area of the State of New York and the completion of the Project Facility will not result in the abandonment of a plant or facility of a proposed occupant of the Project Facility located in the State of New York.

(C) The Project Facility will not constitute a project where facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities constitute more than one-third of the total cost of the Project; and

(D) The granting of the Financial Assistance by the Agency with respect to the Project, through the granting of the various tax exemptions described in Section 2(D) of this Resolution, will promote the job opportunities,

health, general prosperity and economic welfare of the inhabitants of Cortland County, New York and the State of New York and improve their standard of living, and thereby serve the public purposes of the Act; and

(E) Upon compliance with the provisions of the Act, the Agency would then be authorized under the Act to undertake the Project in order to promote the job opportunities, health, general prosperity and economic welfare of the inhabitants of Cortland County, New York and the State of New York and improve their standard of living.

Section 2. If, following full compliance with the requirements of the Act, including the public hearing requirements set forth in Section 859-a of the Act, the Agency adopts a future resolution (the "Future Resolution") determining to proceed with the Project and to grant the Financial Assistance with respect thereto and the Company complies with all conditions set forth in the Future Resolution, then the Agency will (A) acquire an interest in the Project Facility from the Company pursuant to a deed, lease agreement or other documentation to be negotiated between the Agency and the Company (the "Acquisition Agreement"); (B) construct the Facility and acquire and install the Equipment in the Facility or elsewhere on the Land; (C) lease (with the obligation to purchase) or sell the Project Facility to the Company pursuant to a lease agreement or an installment sale agreement (hereinafter the "Project Agreement") between the Agency and the Company whereby the Company will be obligated, among other things, (1) to make payments to the Agency in amounts and at times so that such payments will be adequate to enable the Agency to timely pay all amounts due on the Acquisition Agreement and (2) to pay all costs incurred by the Agency with respect to the Project and/or the Project Facility, including all costs of operation and maintenance, all taxes and other governmental charges, any required payments in lieu of taxes and the reasonable fees and expenses incurred by the Agency with respect to or in connection with the Project and/or the Project Facility, and (D) provide the Financial Assistance with respect to the Project, in accordance with the Agency's uniform tax exemption policy, including (1) exemption from mortgage recording taxes with respect to any documents recorded by the Agency with respect to the Project in the Office of the County Clerk of Cortland County, New York or elsewhere, (2) exemption from sales taxes relating to the acquisition, construction and installation of the Project Facility, (3) exemption from deed transfer taxes and real estate transfer gains taxes on real estate transfers to and from the Agency with respect to the Project, and (4) exemption from real estate taxes (but not including special assessments and special ad valorem levies) relating to the Project Facility, subject to the obligation of the Company to make payments in lieu of taxes with respect to the Project Facility.

Section 3. If the Agency adopts the Future Resolution, the undertaking and completing of the Project by the Agency, and the granting of the Financial Assistance with respect to the Project as contemplated by Section 2 of this Resolution, shall be subject to: (A) the determination by the members of the Agency to proceed with the Project following a determination by the members of the Agency that all requirements of SEQRA that relate to the Project have been fulfilled; (B) agreement by the Agency and

the Company on mutually acceptable terms for the conveyance of the Land to the Agency; (C) agreement between the Company and the Agency as to payment by the Company of payments in lieu of taxes with respect to the Project Facility, together with the administrative fee of the Agency with respect to the Project; (D) a determination by the members of the Agency to proceed with the granting of the Financial Assistance with respect to the Project following a determination by the members of the Agency that the public hearing and notice requirements and other procedural requirements contained in Section 859-a of the Act have been complied with; (E) the Agency's uniform tax exemption policy or if any portion of the Financial Assistance to be granted by the Agency with respect to the Project is not consistent with the Agency's uniform tax exemption policy, the Agency must follow the procedures for deviation from such policy set forth in Section 874(b) of the Act prior to granting such portion of the Financial Assistance; and (F) the following additional condition(s): None.

Section 4. The officers, agents and employees of the Agency are hereby authorized, empowered and directed to proceed with the undertakings provided for herein on the part of the Agency and are further authorized to do all such acts and things and to execute all such documents as may be necessary or convenient to carry out and comply with the terms and provisions of this Resolution.

Section 5. John P. Sidd, Esq., of the law firm of Hancock Estabrook LLP is hereby appointed Special Counsel to the Agency with respect to all matters in connection with the Project. Special Counsel for the Agency is hereby authorized, at the expense of the Company, to work with the Company, counsel to the Company and others to prepare for submission to the Agency, all documents necessary to effect the transactions contemplated by this Resolution.

Section 6. Pursuant to Section 875(3) of the Act, the Agency shall recover, recapture, receive, or otherwise obtain from the Company that portion of the Financial Assistance which constitutes state sales and use tax exemptions taken or purported to be taken by the Company to which the Company is not entitled or which are in excess of the amount authorized by the Agency or which are for property or services not authorized by the Agency as part of the Project or were taken by the Company when the Company failed to comply with a material term or condition to use property or services in the manner required by the Agency. The Company shall cooperate with the Agency in its efforts to recover, recapture, receive, or otherwise obtain such state sales and use tax exemptions and shall promptly pay over any such amounts to the Agency. The failure to pay over such amounts to the Agency shall be grounds for the New York State Commissioner of Taxation and Finance to assess and determine state sales and use taxes due from the Company under Article 28 of the Tax Law of the State of New York, together with any relevant penalties and interest due on such amounts.

Section 7. The Executive Director and the Chief Financial Officer of the Agency, prior to the granting of any Financial Assistance with respect to the Project, after consultation with Special Counsel, are authorized (A) to establish a time, date and place for a public hearing of the Agency to hear all persons interested in the location and

nature of the Project Facility and the proposed Financial Assistance being contemplated by the Agency with respect to the Project, said public hearing to be held in the city, town or village where the Project Facility will be located; (B) to cause notice of such public hearing to be given to the public by publishing a notice of such hearing in a newspaper of general circulation available to residents of the governmental units where the Project Facility is to be located, such notice to comply with the requirements of Section 859-a of the Act and to be published no fewer than ten (10) days prior to the date established for such public hearing; (C) to cause notice of said public hearing to be given to the chief executive officer of the county and each city, town, village and school district in which the Project Facility is or is to be located no fewer than ten (10) days prior to the date established for said public hearing; (D) to conduct such public hearing; and (E) to cause a report of said public hearing fairly summarizing the views presented at said public hearing to be promptly prepared.

Section 8. The Chairman, Vice Chairman, Executive Director and Chief Financial Officer of the Agency are 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 9. 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:

Michael McMahon	VOTING	_____
Stephen Compagni	VOTING	_____
Clinton Brooks	VOTING	_____
John O. Reagan	VOTING	_____
Johanna Ames	VOTING	_____
Kathleen Burke	VOTING	_____
Donald Richards	VOTING	_____

The foregoing Resolution was thereupon declared duly adopted.

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

I, the undersigned Secretary of Cortland 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 September 11, 2023 with the original thereof on file in my office, and that the same is a true and correct copy of such proceedings of the Agency and of such Resolution set forth therein and of the whole of said original so far as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Agency had due notice of said meeting; (B) said meeting was in all respect duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public and due notice of the time and place of said meeting was given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Agency present through 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 11th day of September, 2023.

Clinton Brooks, Secretary



Cortland County
Industrial Development Agency

Proposed 2024 IDA Budget



**Cortland County IDA
Proposed Budget- 2024
PAAA 2025-2027**

REVENUES	DESCRIPTION
Project Fee	2024 is based on the estimated assumption of \$55m in project investments – a blend of general expansion projects and small solar projects. Years 2025-2027 are based o the estimated assumption of \$30m in Project investments each year.
Land Lease/Application Fee	2024 is based upon the current contract agreements (NYS&W \$1,500) and Park Outdoor (\$14,833) and holds throughout the proposed 2025-2027 period. PILOT fees for general projects (\$500) and solar Projects (5,000) are included in the estimate.
Investment Earnings:	Based upon current earnings projections.
EXPENSES	DESCRIPTION
Professional Services:	Legal, audit services, consultant services for projects.
Supplies / Materials:	Office, postage, meeting equipment/supplies-etc.
Other Operating:	Annual D&O and Property insurance policies; water/sewer/fire @ Contento property.
Other Non-Operating:	Misc. expenses related to the Contento and Cleveland St site such as general maintenance and including application fees for potential grant programs (Cleveland St property).
Capital Asset Outlay:	2024 is an estimated placeholder to allow for the ability to enter into a capital project in a timely manner.

Please note the Proposed Budget period is required by PAAA and will be posted to the Public Authority website upon board approval. The amounts stated are conservatively low and only an estimate based on past historical activities.

**Cortland County Industrial
Development Agency
Budget Summary
2024**

	2023 Adopted Budget	2023 Projected at 12/31/23	2024 Draft Budget	2025-2027 PAAA Proposed Budget
Expenses				
Operating:				
Professional Svc - Legal/Acctg	50,000	24,500	30,000	30,000
Office Supplies/Materials/Bk Fees	1,500	300	1,000	1,000
Other Operating:				
Property Insurance	400	-	1,000	1000
D&O Insurance	1,700	1,600	1,700	1,700
Property Taxes-water/sewer	200	198	200	200
BDC Administrative Support	50,000	50,000	50,000	50,000
Non-Operating:				
Capital Asset Outlay	200,000	-	400,000	200,000
Site Testing, Maintenance, Property Clean up	60,000	25,000	100,000	50,000
Total Expenses	363,800	101,598	583,900	333,900
Revenue				
Project Fee	70,000	347,000	550,000	300,000
Land Lease /Application Fees	17,333	35,171	35,000	35,000
Interest Income	500	25,500	20,000	20,000
N Grid Grant		61,149	-	
Total Revenue	87,833	468,820	605,000	355,000
Provided to (Utililization of)	(275,967)	367,222	21,100	21,100
Cash on hand @ 9/1/2023: \$990,008				



Cortland County
Industrial Development Agency

Monthly Financial Report

Cortland County IDA
Balance Sheet
August 31, 2023

ASSETS

CURRENT ASSETS

NBT - Checking 5112	\$ 93,528.96
NBT Proj Invest Checking	847,055.30
NBT Money Mkt Savings	49,423.62
Prepaid Expenses	330.91
	<hr/>

TOTAL CURRENT ASSETS 990,338.79

PROPERTY AND EQUIPMENT

Land-Railroad Properties	209,818.00
Land-Contento Property	91,835.00
Land-Cleveland St - Apex	303,143.60
Leasehold Improvements	3,376.80
Accum.Depreciation-L.H.I.	(2,363.76)
Office Equipment	5,909.00
Accum.Depreciation-Equip	(5,909.00)
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NET PROPERTY & EQUIPMENT 605,809.64

RECEIVABLES

Lease A/R - Park Outdoor	68,595.69
	<hr/>

TOTAL RECEIVABLES 68,595.69

TOTAL ASSETS \$ 1,664,744.12

LIABILITIES/FUND BALANCE

CURRENT LIABILITIES

TOTAL CURRENT LIABILITIES

0.00

LONG TERM LIABILITIES

Due to BDC-Contento Property	\$ 91,835.00
Deferred Inflows-Leases	68,595.69
	<hr/>

TOTAL LONG TERM LIABILITIES 160,430.69

TOTAL LIABILITIES

160,430.69

FUND BALANCE

Unrestricted Earnings	1,495,310.17
Net Income	9,003.26
	<hr/>

TOTAL FUND BALANCE 1,504,313.43

TOTAL LIAB & FUND BALANCE \$ 1,664,744.12

Cortland County IDA
Income Statement
For the Eight Months Ending August 31, 2023

	Current Month	Year to Date
REVENUE		
Interest on Deposits	\$ 2,154.44	\$ 13,691.13
Lease Interest Revenue	0.00	2,161.69
Land Lease	0.00	14,171.31
National Grid Grant Program	0.00	61,149.00
Cort Crown Homes PILOT	0.00	23,902.40
Creamery Hills PILOT	0.00	10,341.33
83-85 Main LLC PILOT	0.00	14,000.00
Lapeer Cortland Solar PILOT	0.00	45,000.00
DG NY 1 C Ville LLC	0.00	22,950.00
Janis Solar LLC	0.00	30,600.00
Yellow 3 LLC	0.00	16,830.00
DG NY C'Ville #3	0.00	22,500.00
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Total Revenue	2,154.44	277,296.86
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TOTAL REVENUE	2,154.44	277,296.86
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EXPENSES		
Apex/Cleveland St Property	170.00	15,722.77
Accounting	0.00	8,000.00
Bank Charges	0.00	20.00
Legal	33.09	2,598.03
Professional Services	0.00	4,250.00
Property Tax-Sewer/Water	0.00	198.03
D & O Insurance	130.42	1,043.36
Depreciation	0.00	337.68
Cort Crown Homes PILOT	0.00	23,902.40
Creamery Hills PILOT	0.00	10,341.33
83-85 Main LLC PILOT	0.00	14,000.00
Lapeer Cortland Solar PILOT	0.00	45,000.00
DG NY 1 C Ville	0.00	22,950.00
Janis Solar LLC	0.00	30,600.00
Yellow 3 LLC	0.00	16,830.00
DG NY C'Ville #3	0.00	22,500.00
BDC Admin Support	0.00	50,000.00
	<hr/>	<hr/>
TOTAL EXPENSES	333.51	268,293.60
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NET INCOME	\$ 1,820.93	\$ 9,003.26
	<hr/> <hr/>	<hr/> <hr/>