

**TOWN OF COLONIE INDUSTRIAL DEVELOPMENT AGENCY
APPLICATION FOR FINANCIAL ASSISTANCE**

Joseph LaCivita
Executive Director
Telephone: 518-783-2741
Fax: 518-783-2888

347 Old Niskayuna Road
Public Operations Center
Latham, NY 12110

DATE: January 18, 2019

APPLICANT: First Columbia 15 Plaza Drive LLC (the "Applicant")

ADDRESS: 22 Century Hill Dr., Suite 301, Latham NY 12110

FEDERAL ID #: Pending

CONTACT PERSON: Chris Bette TITLE: Project Manager

TELEPHONE NO.: 518-213-1000 FAX NO.: 518-213-1020

EMAIL ADDRESS: cbette@firstcolumbia.com

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

NAME OF ATTORNEY: Eugene Sneeringer

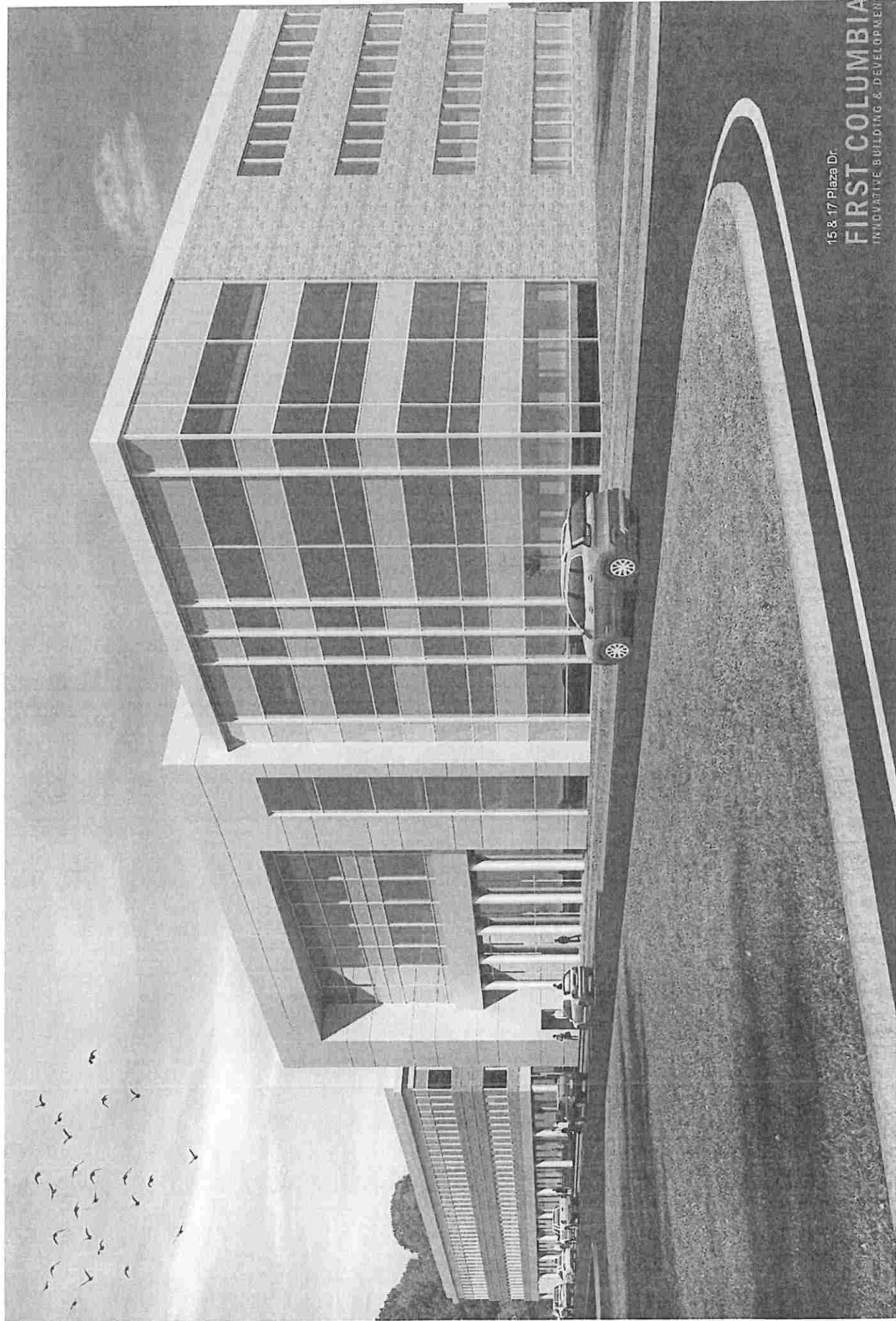
FIRM: Law Offices of Eugene Sneeringer, Esq.

ADDRESS: 50 Chapel St., Albany NY 12207

TELEPHONE NO.: 518-434-0127 FAX NO.: 518-434-9997

EMAIL ADDRESS: esneeringer@smprttitle.com

PLEASE READ THE INSTRUCTIONS ON PAGE 2 OF THIS APPLICATION
BEFORE FILLING OUT THE REST OF THIS FORM



15 & 17 Plaza Dr.

FIRST COLUMBIA
INNOVATIVE BUILDING & DEVELOPMENT

INSTRUCTIONS

1. The answers to the questions contained in this application are necessary to determine the Company's eligibility for financial assistance from the Town of Colonie Industrial Development Agency (the "Agency"). These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer, member, partner or other employee of your firm who is thoroughly familiar with the business and affairs of the Company and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Agency.
2. The Agency will not approve any application unless, in the judgment of the Agency, said application contains sufficient information upon which to base a decision whether to approve or tentatively approve the project contemplated therein.
3. Please respond to all items either by filling in blanks by attachment (by marking space "See Attachment Number 1," etc.) or by using "none" or "not applicable" or "N/A" where the question is not appropriate to the project which is the subject of this application.
4. If an estimate is given as the answer to a question, put ("est") after the figure or answer which is estimated.
5. When completed, return five (5) 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 that 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 competitive issues which if disclosed to the public or otherwise widely disseminated would cause substantial injury to the Company's competitive position, the Applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
8. The Applicant shall pay or cause to be paid to the Agency all actual costs and expenses (including legal fees) incurred by the Agency in connection with this application and the project contemplated herein. The costs incurred by the Agency, including the Agency's counsel may be considered as a part of the project.
9. The Agency has established an administrative fee to be paid by the Company said fee being intended to cover the indirect expenses incurred by the Agency in administering the project including compiling reports relating to the project. The administrative fee is 1/2 of 1% of the total project cost. The fee shall be payable upon the earlier to occur of (a) the closing of the straight lease transaction or (b) one (1) year after the Company is appointed agent of the Agency.
10. The Agency has established a non-refundable application fee of \$250.00 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.
11. **ALL ESTIMATES OF FINANCIAL ASSISTANCE AND ALL OTHER INFORMATION WILL BE RELIED UPON BY THE AGENCY. ANY REQUEST FOR CHANGES TO THIS APPLICATION MUST BE MADE IN WRITING AND MAY IMPACT THE GRANT OF FINANCIAL ASSISTANCE TO THE PROJECT.**

PART I. PROPOSED PROJECT OWNER ("COMPANY")

- 1) Company Name: First Columbia 15 Plaza Drive LLC
Address: 22 Century Hill Dr., Suite 301, Latham NY 12110
Federal ID No.: Pending
If the Company differs from the Applicant, give details of relationship: _____

2) Business Organization of the Company

Type of business organization: Real Estate
State incorporated in: New York

3) Company Ownership

- a) Is the Company publicly held? ____ Yes ☒ No
i) If yes, list exchanges where stock of the Company is traded: _____

- ii) If no, list all stockholders, partners, members or managers having an interest in the ownership or profits of the Company:

Name	Address/Telephone/Email	Percentage of Holding
<u>See attachment #1</u>		

- iii) Has any person listed in Section 3(a)(ii) above ever been convicted of a criminal offense (other than a minor traffic violation)? ____ Yes ☒ No

- iv) Has any person listed in Section 3(a)(ii) above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? ____ Yes ☒ No

- v) If yes to (iii) or (iv), please furnish detail in a separate attachment.

4) Company Management

- a) List all officers, directors, members, managers, partners and general counsel:

Name	Address/Telephone/Email	Office Held	Principal Business Affiliations
<u>See attachment #2</u>			

- b) Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? ____ Yes ☒ No

- c) 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

- d) Is the Company or management of the Company now a plaintiff or a defendant in any criminal litigation? ____ Yes ☒ No

- e) If yes to (b), (c) or (d) above, please furnish detail in a separate attachment.

5) Company Affiliates and Service Providers

- a) Please list the name of and relationship to any subsidiary or direct or indirect affiliate of the Company: There are various First Columbia companies that will be indirect affiliates - First Columbia, LLC, First Columbia Property Services, LLC,

First Columbia Century Plaza, LLC, First Columbia 100 Plaza, LLC

- b) Company's Principal Bank : M&T Bank

- c) Commercial real estate broker the Company is utilizing for this project: First Columbia Property Services, LLC

- d) Please list a few locally based suppliers you use during the course of business operation. These could be raw material, packaging, supplies, equipment vendors, etc.: _____

See Attachment # 3

6) Company's Prior Benefits

- a) Please list any prior industrial development agency assistance or any other municipal incentives including, but not limited to, New York State or Local Economic Development Assistance Programs in which the Company (or any Company affiliate) has been involved: _____

Town of Colonie IDA, City of Troy IDA & City of Albany IDA - see attachment #4

- b) Please list any New York State or utility economic development benefits for this project for which the Company has applied: None

- c) Has the Company or any related person applied to another IDA in regard to this Project?
Yes ☒ No

If yes, please provide details of any action taken with respect to and the current status of such application: _____

PART II. PROJECT COST

- 1) State the costs reasonably necessary for the acquisition of the project site and the construction of the proposed project:

<u>Description of Cost</u>	<u>Amount</u>
Purchase of land	\$ _____
Purchase of existing buildings	\$ _____
Renovations/additions to existing buildings	\$ _____
New building construction	\$ <u>25,500,000</u>
Machinery & equipment cost	\$ _____
Utilities, roads and appurtenant costs	\$ <u>2,250,000</u>
Architects & engineering fees	\$ <u>525,000</u>
Legal fees	\$ _____
Construction loan fees & interest	\$ <u>750,000</u>
Other (specify) <u>Marketing & real estate brokerage</u>	\$ <u>1,500,000</u>
TOTAL PROJECT COST	\$ <u>30,525,000</u>

PART III. COST/BENEFIT ANALYSIS

ALL ESTIMATES OF FINANCIAL ASSISTANCE AND ALL OTHER INFORMATION WILL BE RELIED UPON BY THE AGENCY. ANY REQUEST FOR CHANGES TO THIS APPLICATION MUST BE MADE IN WRITING AND MAY IMPACT THE GRANT OF FINANCIAL ASSISTANCE TO THE PROJECT.

- 1) Estimated value of each type of exemption sought (indicate N/A if not being requested):

Mortgage amount \$ 29,812,500
Mortgage recording tax exemption \$ 298,125

Project costs subject to sales and use taxes \$ 11,100,000
Sales and use tax exemption \$ 888,000

Real property tax exemption/PILOT \$ N/A

(a) fill out the chart below based on the Agency's UTEP; or

(b) if a deviation is being requested, please call Chris Kelsey at 783-2708

PILOT ESTIMATE WORKSHEET:

Dollar Value of New Construction and Renovation Costs	Estimated New Assessed Value of Property Subject to IDA Financial Assistance*	County Tax Rate/1000	Local Tax Rate (Town/City/Village)/1000	School Tax Rate/1000
	N/A	N/A	N/A	N/A

*Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1		N/A	N/A	N/A			
2							
3							
4							
5							
6							
7							
8							
9							
10							
TOTAL							

- 2) Is there a mortgage or other financing for this project? ☒ Yes ☐ No
 Name of Lender: TBD
 Approximate amount of financing: \$29,812,500
- 3) Amount the Company has invested and plans to invest in the project: \$30,525,000
- 4) Percentage of the project to be financed from public sector sources: 0%
- 5) Percentage of the project to be financed from private sector sources: 100%
- 6) Benefits of the project

Existing jobs	<u>680</u>
Jobs created	<u>0</u>
Jobs retained	<u>680</u>
Estimated payroll	<u>\$53,000,000</u>
Sales tax generated (by Jobs)	<u>\$530,000</u>
Property tax/special district tax	<u>\$448,820 (Assumed 2020 tax rates, 4% annual increase)</u>
Increase in assessed value	<u>10,690,000 (Comp. set Century Hill Plaza)</u>
Other (please specify)	<u></u>

Projected timeframe for the creation of new jobs: 12 months

- 7) Discuss how the project will benefit the Town of Colonie and its residents. See Addendum A for particular selection criteria that the Agency will use in evaluating this project and incorporate relevant information regarding the selection criteria into your response.

The Project is best aligned with Schedule A - Back Office/Data, Call Center Project Type. First Columbia located its headquarters in the Town of Colonie - Boght Rd. Columbia St. GEIS area 20 years ago. Then and still today, less developed than many of the areas in the Town, the Boght GEIS area is able to provide the parcel size needed to attract the larger businesses looking for space in the Capital District. In fact, Century Hill Plaza has attracted many national Fortune 100/ 500 companies. The office buildings at Century Hill Plaza incorporate attractive modern designs, energy efficient, flexible interior layouts and the Plaza Tenants enjoy the close proximity to the Town's nearby shopping areas, restaurants, hotels and area highways. First Columbia's design team (general contractor, civil engineer and architect) are all Town of Colonie corporate residents. Many of the Project suppliers are also based in the Town of Colonie. Over the years, the Town Board, Town Planning Board, County Planning Board and various Town Boards have reviewed and supported the commercial development at Century Hill Plaza. Recently, the Town Planning Board approved the siteplan specifically developed for this Project.

PART IV. DATA REGARDING PROPOSED PROJECT

- 1) Summary: (Please provide a brief narrative description of the project including why the Company is undertaking the project and why the Company is requesting the assistance of the Agency.)

The Project is the construction of a new Class A office (two buildings) totaling 150,000 sf for a Fortune 100 Company currently located in the Town of Colonie. This major healthcare related company has opportunities to locate the office and/ or jobs in several different areas within New York State and locations outside of New York State. Their existing facility does not meet their current and future needs. The Company hired a national real estate company to evaluate the businesses options including review of critical office functions, infrastructure and workforce. As part of the review, suitable office solutions were presented to corporate management including the opportunity to remain in the Capital District. The opportunity to construct a new facility in the Town of Colonie is a solution that maintains the jobs in the area, provides the opportunity for development of a modern facility meeting the companies desired healthy work environment. Construction of a modern energy efficient Class A office at 15 Plaza Dr. in Century Hill Plaza, Latham NY will retain approx. 680 significant jobs in the Town.

- 2) Type of Project:
 Manufacturing Warehouse/Distribution ☒ Commercial
 Non-Profit ☒ Other: Class A Office

3) Location of Proposed Project

Street Address: 15 Plaza Dr.

Tax Map No.: 9.4-3-4.-3

City: N/A

Town: Colonie

Village: N/A

School District: North Colonie

Fire District: Latham

County: Albany

Please attach a map or sketch of the project site.

4) Project Site

a) Approximate size (in acres or square feet): 7.58 acres

b) Number and approximate size (in square feet) of each existing building: None

c) Present legal owner: First Columbia Century Plaza, LLC (Title will be transferred to the Applicant at the time of execution of documents with the Agency)

d) Business operation currently at project site: Vacant land

e) Is project site currently vacant or underutilized and if so, for how many years? Vacant + 20 years

f) If the Company (or Sublessee) owns the project site, please indicate the purchase price: _____

g) If the Company is not the owner of the project site, is there an option signed with owner to purchase?

N/A

If yes, indicate date option signed with owner: _____ Date option expires: _____

Purchase Price: _____ Proposed Closing Date: _____

h) Is the project located within a federally-designated flood zone? No

5) Project Site Plans

a) Does part of the project consist of construction of a new building or buildings? ☒ Yes ☐ No

If yes, indicate number and size of new buildings 2 Buildings (one 3-story 75,000 sf & one 4-story 75,000 sf) totaling 150,000 sf

b) Does part of the project consist of additional and/or renovations to the existing buildings? ☐ Yes
☒ No

If yes, indicate nature of expansion and/or renovation _____

c) Will you be leasing the entire project site or a portion of it? 100% of buildings will be leased

Proposed lease term in years: 10 Years

If a portion, provide the square footage of proposed rented space: _____

Please provide a copy of lease if available.

6) Zoning

a) Zoning District in which project site is located: Commercial Office (CO)

b) Are there any variances or special permits affecting the site? ☒ Yes ☐ No

If yes, list below and attach copies of all such variances or special permits: The parcel has been designated an open development area. State Environmental Quality Review (SEQR) has been completed for the Project with a Negative Declaration issued.

c) Will the project meet current zoning requirements? ☒ Yes ☐ No

If no, please provide the details/status of any change of zoning request: _____

7) Project Equipment

- a) Does a 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: Mechanical and electrical equipment to the building.

- b) Will any of the Equipment have been previously used? ☐ Yes ☒ No
If yes, please provide detail: _____

8) Project Use

- a) What are the principal products to be produced and/or principal activities to be conducted at the project? Daily office functions for healthcare related business

- b) Is there a likelihood that the Company, but for the contemplated financial assistance from the Agency, would be unable to undertake the project? ☒ Yes ☐ No

Please explain why the Agency should undertake the project: The Company (healthcare related) has the opportunity to locate this facility outside the Capital District Area and the retention of approx. 680 jobs locally is important.

- c) 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, what percentage of the cost of the project will be expended on such facilities or property primarily used in making such retail sales? _____%

If greater than 33.33% please respond to the following:

Is the project a "tourism destination" that is likely to attract a significant number of visitors from outside the economic development region in which the project will be located? ☐ Yes ☒ No
If yes, please explain: _____

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 Town of Colonie because of a lack of reasonably accessible retail trade facilities offering such goods or services? ☐ Yes ☒ No

Will the project be located in a "highly distressed area"? A "highly distressed area" is (i) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (ii) a census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? ☐ Yes ☒ No

- d) Are there facilities within the State of New York that will close or be subject to reduced activity as a result of the project? Yes

If yes, please indicate whether the project is reasonably necessary for the Company to maintain its competitive position in its industry or to prevent the Company from moving out of New York State: The Project Occupant is relocating to provide their employees in a contiguous, modern, energy efficient office space environment. In their current location, the offices are spread out throughout the existing older building. The Project Occupant has other locations within NYS where they can relocate the office and/or jobs. A portion of their jobs are not restricted to NYS and can be relocated to anywhere within their 9 million sqft nationwide portfolio.

- e) 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: The project will allow NYS to retain approx. 680 jobs

9) Project Construction Status

- a) Please discuss the approximate extent of construction and/or acquisition which has commenced and the extent of completion. Indicate whether such specific steps have been completed as site clearance and preparation; completion of foundations; installation of footings; etc.:
none
- b) What is the scheduled completion date of the project? 6/1/2020
- c) Building/Contractor Name and Address: Bette & Cring Construction Group, 22 Century Hill Drive, Suite 201 Town of Colonie
- d) Architect and/or Engineer Address: SEI Design Group, 187 Wolf Rd, Suite 304 Town of Colonie

PART V. LESSEE OR SUBLESSEE

- 1) Please give the following information with respect to each Sublessee to whom the Company intends to lease or sublease more than 10% (by area or fair market rental value) of the project:

- a) Lessee/Sublessee name: Confidential
- b) Present address: Confidential
- c) Relationship to the Company: none
- d) Percentage of project to be leased or subleased: 100%
- e) Date of lease or sublease to Sublessee: TBD
- f) Use of project intended: Daily office functions

PART VI. EMPLOYMENT IMPACT

Indicate the number of full time equivalent ("FTE") jobs presently at the Company and the number of FTE jobs that will be employed at the project at the end of the first and second years after the project has been completed, by category, including full time equivalent independent contractors or employees of independent contractors that work at the project location. Do not include construction workers. Indicate the salary and fringe benefit averages or ranges for each category of jobs.

	Present	Year 1	Year 2
Number of Professional/ Managerial/ Technical Jobs	300	300	300
Estimated Average Salary or Salary Range for Professional/ Managerial/ Technical Jobs	\$70,000-200,000	\$70,000-200,000	\$70,000-200,000
Estimated Average Benefits or Benefits Range for Professional/ Managerial/ Technical Jobs	\$14,000	\$14,000	\$14,000
Number of Skilled Jobs	380	380	380
Estimated Average Salary or Salary Range for Skilled Jobs	\$38,000-58,000	\$38,000-58,000	\$38,000-58,000

Estimated Average Benefits or Benefits Range for Skilled Jobs	14,000	14,000	14,000
Number of Unskilled or Semi-Skilled Jobs	0	0	0
Estimated Average Salary or Salary Range for Unskilled or Semi-Skilled Jobs	N/A	N/A	N/A
Estimated Average Benefits or Benefits Range for Unskilled or Semi-Skilled Jobs	N/A	N/A	N/A

Professional/ Managerial/ Technical Jobs includes jobs which involve skill or competence of extraordinary degree and may include supervisory responsibilities (*Examples:* architect, engineer, accountant, scientist, medical doctor, financial manager, programmer).

Skilled Jobs includes jobs that require specific skill sets, education, training and experience and are generally characterized by high education or expertise levels (*Examples:* electrician, computer operator, administrative assistant, carpenter, sales representative).

Unskilled or Semi-Skilled Jobs includes jobs that require little or no prior acquired skills and involve the performance of simple duties that require the exercise of little or no independent judgment (*Examples:* general cleaner, truck driver, typist, gardener, parking lot attendant, line operator, messenger, information desk clerk, crop harvester, retail salesperson, security guard, telephone solicitor, file clerk).

Please describe or list each job title or position that will be created and/or retained and whether such position is a professional/managerial/technical job, skilled job or unskilled or semi-skilled job: _____
see above

Please detail how many residents of the Economic Development Region as defined by the State Department of Economic Development or the Labor Market Area (defined by the Agency to consist of Albany County, Schenectady County, Rensselaer County, and Saratoga County) will fill such jobs: _____
Majority of the employees are residents of the economic development regions above

Estimate of number of construction jobs to be created and timeframe(s) for such jobs On average, approx. 45
on-site construction jobs will be created for the project, approximately a 12 month duration.

PART VII. COMPANY AFFIRMATIONS

The Company understands and agrees as follows:

- a) Truth of Statements. Submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any financial assistance and the reimbursement of an amount equal to all or part of any tax exemptions claimed by reason of the Agency's involvement in the project.
- b) General Municipal Law Compliance. The provisions of Article 18-A, including Sections 859-a and 862(1), of the New York General Municipal Law will not be violated if financial assistance is provided for the proposed project.
- c) Job Listings and Consideration for Employment. In accordance with Section 858-b(2) of the New York General Municipal Law, 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 must 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. Further, except as otherwise provided by collective bargaining agreements, where practicable, the Company 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.
- d) Annual Sales Tax Filings. In accordance with Section 874(8) of the New York General Municipal Law, if the project receives any sales tax exemptions as part of the financial assistance from the Agency, the Company will 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 Company and all consultants or subcontractors retained by the Company.
- e) Annual Employment Reports. If the project receives any financial assistance from the Agency, the Company will file, or cause to be filed, with the Agency, on an annual basis, a certified statement and documentation (i) enumerating the full time equivalent jobs retained and the full time equivalent jobs created as a result of the financial assistance, by category, including full time equivalent independent contractors or employees of independent contractors that work at the project location and (ii) indicating the salary and fringe benefit averages or ranges for categories of jobs retained and jobs created that was provided in this application is still accurate and if it is not still accurate, providing a revised list of salary and fringe benefit averages or ranges for categories of jobs retained and jobs created.
- f) Absence of Conflicts of Interest. The Company has received from the Agency a list of the members, officers and employees of the Agency. No member, officers or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this application, except as hereinafter described:
- g) Payment of Fees and Expenses. The Company shall pay all reasonable legal fees and expenses paid or incurred by the Agency arising out of or connected with the Agency's undertaking or attempting to undertake the acquisition, construction, equipping or financing of the project or the Agency's granting or attempting to grant any financial assistance (within the meaning of Article 18-A of the General Municipal Law) with respect to the project, regardless of whether any such acquisition, construction, equipping or financing or granting is consummated.
- h) Compliance. The Company is in substantial compliance with all applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.

IN WITNESS WHEREOF, the Applicant has duly executed this application this 4th day of
February, 2019.

Applicant: First Columbia 15 Plaza Drive LLC

By: 

Name: Christopher J. Bette

Title: Authorized Representative

APPLICANT MUST COMPLETE THE VERIFICATION AND HOLD HARMLESS AGREEMENT
APPEARING BELOW BEFORE A NOTARY PUBLIC.

STATE OF NEW YORK)
COUNTY OF Albany)

Authorized Representative of First Columbia 15 Plaza Drive LLC
(Title) (Applicant Name)

Deponent on behalf of applicant hereby releases the Town of Colonie Industrial Development Agency and the members, officers, servants, agents and employees thereof (herein collectively referred to as the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (i) the Agency's examination and processing of; and action pursuant to or upon, the attached Application, regardless of whether the Application or the project described therein are favorably acted upon by the Agency and (ii) the Agency's granting of financial assistance to the Applicant; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns all actual costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

CUJRB
(Applicant Representative's Signature)

Sworn to before me this
7th day of February, 2019.

Ang A. Lopez
Notary Public

AMY A. THOMPSON
Notary Public, State of New York
No. 01MA5015435
Qualified in Schenectady County
Commission Expires July 19, 2021

FIRST COLUMBIA

INNOVATIVE BUILDING & DEVELOPMENT

Town of Colonie Industrial Development Agency
Application for Financial Assistance - Attachment

Project: 15 Plaza Dr.
Applicant First Columbia 15 Plaza Drive LLC
Date: 1/21/19 revised 2/1/19

Attachment # 1

Name	Address	Telephone	Percentage
Kevin Bette	22 Century Hill Drive, Suite 301 Latham, NY 12110	518-213-1000	60%
Mark Bette	22 Century Hill Drive, Suite 301 Latham, NY 12110	518-213-1000	10%
Chris Bette	22 Century Hill Drive, Suite 301 Latham, NY 12110	518-213-1000	10%
Eugene Sneeringer	50 Chapel Street Albany, NY 12207	518-434-0127	10%
Deborah Mikhitarian	22 Century Hill Drive, Suite 301 Latham, NY 12110	518-213-1000	10%

Attachment # 2

Name	Address	Telephone	Office Held	Principal Business Affiliations
Kevin Bette	22 Century Hill Drive, Suite 301 Latham, NY 12110	518-213-1000	General Managing Member	First Columbia, LLC
Mark Bette	22 Century Hill Drive, Suite 301 Latham, NY 12110	518-213-1000	Member	First Columbia, LLC First Columbia, LLC
Chris Bette	22 Century Hill Drive, Suite 301 Latham, NY 12110	518-213-1000	Member	First Columbia, LLC
Eugene Sneeringer	50 Chapel Street Albany, NY 12207	518-434-0127	Member	Sneeringer Monahan Provost Redgrave Title Agency, Inc.
Deborah Mikhitarian	22 Century Hill Drive, Suite 301 Latham, NY 12110	518-213-1000	Member	First Columbia, LLC

FIRST COLUMBIA

INNOVATIVE BUILDING & DEVELOPMENT

Attachment # 3

Kamco Supply

36 Railroad Ave
Town of Colonie

F.W. Webb Company
7 Hemlock St.
Town of Colonie

RJ Murray Co., Inc.
7 Northway Ln
Town of Colonie

Constructive Copy
3 Northway Ln North
Town of Colonie

Admar Supply
878 Old Albany Shaker Rd.
Town of Colonie

Johnson Controls
116 Railroad Ave.
Town of Colonie

Attachment #4

Town of Colonie – 14 Plaza Dr. – Angio Dynamics

City of Albany – 176 Washington Ave. Ext. – DCI/ Albany Med

178 Washington Ave. Ext. – Albany Med/ Fresenius Kidney Care

City of Troy – 433 River St. – Hedley Office Building

547 River St. – Flanigan Sq. office building

515 River St. – Marriott Courtyard Hotel

ADDENDUM A

SELECTION CRITERIA BY PROJECT TYPE

Manufacturing, Warehouse, Distribution

1. Alignment with local planning and development efforts
2. Wage rates (as compared to median wage for area)
3. Regional wealth creation (% sales/customers within municipality)
4. Regional purchases (% of overall purchases)
5. Research and development activities
6. Investments in energy efficiency
7. Location, land use, including use of brownfields or locally designated development areas
8. Use of LEED/renewable resources
9. Retention/flight risk

Agricultural, Food Processing

1. Alignment with local planning and development efforts
2. Wage rates (as compared to median wage for area)
3. Regional wealth creation (% sales/customers outside area)
4. Regional purchases (% of overall purchases)
5. Research and development activities
6. Investments in energy efficiency
7. Location, land use factors, proximity to local agricultural production
8. Use of LEED/renewable resources
9. Retention/flight risk

Adaptive Reuse, Community Development

1. Alignment with local planning and development efforts
2. Location within distressed census tract
3. Age of structure
4. Elimination of slum and blight
5. Building or facility vacancy
6. Redevelopment supports local community development plan
7. Environmental or safety issues
8. Use of LEED/renewable resources
9. Building or site has historic designation
10. Site or structure has delinquent property or other local taxes
11. Project developer's return on investment
12. Ability to obtain conventional financing

Tourism

1. Alignment with local planning and development efforts
2. Market study (documenting demand and impact on existing tourism and businesses)
3. Regional wealth creation
4. Proximity to and/or support of regional tourism attractions/facilities
5. Support of local official(s), convention visitors bureau
6. Regional purchases, support of local vendors
7. Use of LEED/renewable resources
8. Generation of additional local revenues (such as hotel bed taxes)

Retail

1. Alignment with local planning and development efforts
2. Meets all requirements of General Municipal Law Section 862
3. Market study documenting need
4. Goods or services not readily available
5. Impact on existing businesses
6. Regional wealth creation
7. Location within highly distressed census tract
8. Location in urban or town center
9. Elimination of slum and blight
10. Alignment with local planning and development efforts

High Tech

1. Alignment with local planning and development efforts
2. Wage rates (as compared to median wage for area)
3. Regional wealth creation (% sales/customers outside area)
4. Regional purchases (% of purchases from local vendors)
5. Research and development activities
6. Investments in energy efficiency
7. Support of local business
8. Retention/flight risk
9. Use of LEED/renewable resources

Back Office, Data, Call Centers

1. Alignment with local planning and development efforts
2. Wage rates (as compared to median wage for area)
3. Regional wealth creation (% sales/customers outside area)
4. Regional purchases (% of purchases from local vendors)
5. Support of local business
6. Retention/flight risk
7. Use of LEED/renewable resources

Senior Housing

1. Alignment with local planning and development efforts
2. Market study (documenting unmet need and impact on existing housing facilities)
3. Location within a highly distressed census tract
4. Urban, town/village center location
5. Local official(s) support
6. Located in areas that provide support for below median income seniors
7. Location promotes walkable community areas
8. Project developer's return on investment
9. Ability to obtain conventional financing
10. Provision of senior-specific amenities (community rooms, health services, etc.)
11. Income level of potential residents (at or below median income)

Affordable Housing

1. Alignment with local planning and development efforts
2. Market study (documenting unmet need and impact on existing housing facilities)
3. Location within a highly distressed census tract
4. Alignment with local planning and development efforts
5. Urban, town/village center location

6. Local official(s) support
7. Located in areas that provide support for below median income individuals
8. Location promotes walkable community areas
9. Project developer's return on investment
10. Ability to obtain conventional financing
11. Income level of potential residents (at or below median income)

Commercial Housing

1. Alignment with local planning and development efforts
2. Market study (documenting unmet need and impact on existing housing facilities)
3. Location within a highly distressed census tract
4. Alignment with local planning and development efforts
5. Location within urban or town/village center
6. Support from local official(s) and the community
7. Location within areas that have inadequate housing supply
8. Promotion of transit-oriented or walkable community areas
9. Project developer's return on investment
10. Ability to obtain conventional financing

Student Housing

1. Alignment with local planning and development efforts
2. Market study (documenting unmet need and impact on existing housing facilities)
3. Location within a highly distressed census tract
4. Alignment with local planning and development efforts
5. Location within urban or town/village center
6. Support from local official(s) and the community
7. Location within areas that have inadequate housing supply
8. Promotion of transit-oriented or walkable community areas
9. Project developer's return on investment
10. Ability to obtain conventional financing

Energy Production

1. Alignment with local planning and development efforts
2. Wage rates (above median wage for area)
3. In region purchases (% of overall purchases, local construction jobs/suppliers)
4. Advances renewable energy production/transmission goals
5. Provides capacity or transmission to meet local demand or shortage

Miscellaneous Projects

1. Alignment with local planning and development efforts
2. Location within a highly distressed census tract
3. Alignment with local planning and development efforts
4. Location within urban or town/village center
5. Support from local official(s) and the community
6. Promotion of transit-oriented or walkable community