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**COUNTY OF CHAUTAUQUA
INDUSTRIAL DEVELOPMENT AGENCY**

APPLICATION FOR FINANCIAL ASSISTANCE

APPLICATION OF:

Growers Cooperative Grape Juice Corporation Incorporated
dba Growers Co-op

APPLICANT NAME

Please respond to all questions in this Application for Financial Assistance (the "Application") by, as appropriate:

- filling in blanks;
- checking the applicable term(s);
- attaching additional text (with notation in Application such as "see Schedule H, Item # 1", etc.); or
- writing "N.A.", signifying "not applicable".

All attachments responsive to questions found in this Application should be clearly labeled and attached as Schedule I to the Application. If an estimate is given, enter "EST" after the figure. One signed original and one photocopy of the Application (including all attachments) must be submitted.

The following amounts are payable to the County of Chautauqua Industrial Development Agency (the "Agency") at the time this Application is submitted to the Agency: (i) a \$1,000 non-refundable application fee (the "Application Fee"); and (ii) a \$1,000 expense deposit for the Agency's Transaction/Bond Counsel fees and expenses (the "Counsel Fee Deposit"). The Application Fee will not be credited against any other fees or expenses which are or become payable to the Agency in connection with this Application or the project contemplated herein (the "Project"). In the event that the subject transaction does not close for any reason, the Agency may use all or any part of the Counsel Fee Deposit, to defray the cost of Transaction/Bond Counsel fees and expenses with respect to the Project. In the event that the subject transaction does close, the Counsel Fee Deposit shall be credited against the applicable expenses incurred by the Agency with respect to the Project.

Every signature page comprising part of this Application must be signed by the Applicant or this Application will not be considered complete or accepted for consideration by the Agency.

The Agency's acceptance of this Application for consideration does not constitute a commitment on the part of the Agency to undertake the proposed Project, to grant any financial assistance with respect to the proposed Project or to enter into any negotiations with respect to the proposed Project.

Information provided herein may be subject to disclosure under the New York Freedom of Information Law (New York Public Officers Law § 84 et seq.) ("FOIL"). If the Applicant believes that a portion of the material submitted with this Application is protected from disclosure under FOIL, the Applicant should mark the applicable section(s) or page(s) as "confidential" and state the applicable exception to disclosure under FOIL.

April 5, 2019
DATE

PART I. APPLICANT

A. APPLICANT FOR FINANCIAL ASSISTANCE:

Name: Growers Co-op

Address: 112 N Portage St Westfield NY 14787

Fax: 716-326-3161

NY State Dept. of Labor Reg #2050035

Federal Employer ID #: 16-0464590

NAICS Code #: 311411

Website: www.concordgrapejuice.com

Name of CEO or Authorized Representative Certifying Application: Steve Cockram

Title of Officer: General Manager/ Secretary/ Treasurer

Phone Number: 716-326-3161x17

E-Mail: steve@concordgrapejuice.com

B. BUSINESS TYPE (Check applicable status. Complete blanks as necessary):

Sole Proprietorship General Partnership Limited Partnership

Limited Liability Company Privately Held Corporation

Publicly Held Corporation Exchange listed on _____

Not-for-Profit Corporation

Income taxed as: Subchapter S Subchapter C
501(c)(3) Corporation Partnership

State and Year of Incorporation/Organization: New York - 1929

Qualified to do Business in New York: Yes No N/A

C. APPLICANT COUNSEL:

Firm name: pending

Address: _____

Primary Contact: _____

Phone: _____

Fax: _____

E-Mail: _____

D. Principal stockholders, members or partners, if any (i.e., owners of 20% or more of equity/voting rights in Applicant):

Name	Percentage owned
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about 80 farmers collectively own the co-op 100%
one particular farmer has 15% of the stock, but
earnings are returned on a tonnage delivered basis, not a stock ownership basis

- E. List parent corporation, sister corporations and subsidiaries, if any: none
- F. Has the Applicant (or any parent company, subsidiary, affiliate or related entity or person) been involved in, applied for or benefited by any prior industrial development financing or incentives in the County of Chautauqua? If YES, describe:
YES ___ NO xx
- G. Is the Applicant (or any parent company, subsidiary, affiliate or related entity or person) or any principal(s) of the Applicant or its related entities involved in any litigation or aware of any threatened litigation that would have a material adverse effect on the Applicant's financial condition or the financial condition of said principal(s)? If YES, attach details at Schedule I.
YES ___ NO xx
- H. Has the Applicant (or any parent company, subsidiary, affiliate or related entity or person) or any principal(s) of the Applicant or its related entities, or any other business or concern with which such entities, persons or principal(s) have been connected, ever been involved, as debtor, in bankruptcy, creditors rights or receivership proceedings or sought protection from creditors? If YES, attach details at Schedule I.
YES ___ NO xx
- I. Has the Applicant (or any parent company, subsidiary, affiliate or related entity or person) or any principal(s) of the Applicant or its related entities, ever been convicted of any felony or misdemeanor (other than minor traffic offenses), or have any such related persons or principal(s) held positions or ownership interests in any firm or corporation that has been convicted of a felony or misdemeanor (other than minor traffic offenses), or are any of the foregoing the subject of a pending criminal proceeding or investigation? If YES, attach details at Schedule I.
YES ___ NO xx
- J. Has the Applicant (or any parent company, subsidiary, affiliate or related entity or person) or any principal(s) of the Applicant or its related entities, or any other business or concern with which such entities, persons or principal(s) have been connected, been cited for (or is there a pending proceeding or investigation with respect to) a civil violation of federal, state or local laws or regulations with respect to labor practices, hazardous wastes, environmental pollution, taxation, or other operating practices? If YES, attach details at Schedule I.
YES ___ NO xx
- K. Is the Applicant (or any parent company, subsidiary, affiliate or related entity or person) or any principal(s) of the Applicant or its related entities, or any other business or concern

with which such entities, persons or principal(s) have been connected, delinquent or have any of the foregoing persons or entities been delinquent on any New York State, federal or local tax obligations within the past five (5) years? If YES, attach details at Schedule I.

YES NO

L. Complete the following information for principals (including, in the case of corporations, officers and members of the board of directors and, in the case of limited liability company, members and managers) of the Applicant:

<u>Name</u>	<u>Title</u>	<u>Other Business Affiliations</u>
Steve Cockram	General Manager	serves on Westfield School Board
Ron Nutting	Board President	personal farm ownership
Andy Knight	Board VP	personal farm ownership
Kevin Powell	Board member	personal farm ownership
Phil Baideme	Board member	personal farm ownership; on board of Grape Discovery Center, Westfield NY
Deborah Phillips	Board member	personal farm ownership; on board of North East Fruit Growers, North East PA

Do any of the foregoing principals hold elected or appointive positions with New York State, any political division of New York State or any other governmental agency? If YES, attach details at Schedule I.

YES NO

Steve Cockram was elected to the Westfield Academy and Central School District board of education, the district that this project is sited in; Mr Cockram is barred by law from receiving any compensation for that position.

Are any of the foregoing principals employed by any federal, state or local municipality or any agency, authority, department, board, or commission thereof or any other governmental or quasi-governmental organization?

YES NO

M. Current operations at project location (if applicable):

1. (a) Location: Westfield NY
- (b) Number of Employees: Full-Time: 18 Part-Time: 5
- (c) Annual Payroll, excluding benefits: \$1,200,000
- (d) Type of operation (e.g. manufacturing, wholesale, distribution, retail, etc.) and products or services: fruit juice manufacturing, specializing in Concord grapes; wholesale distribution to other food and wine manufacturers
- (e) Size of existing facility real property (i.e., acreage of land): about 6 acres
- (f) Buildings (number and square footage of each): 5 buildings, total 55,000 ft²; Main plant about 45,000 ft², press building about 5,000 ft², storage building about 5,000 ft², other smaller outbuildings
- (g) Applicant's interest in the facility
FEE TITLE: LEASE: OTHER (describe below):

N. Will the completion of the proposed Project result in the removal of a plant or facility of the Applicant, or of a proposed user, occupant or tenant of the Project, or a relocation of any employee of the Applicant, or any employee of a proposed user, occupant or tenant of the Project, from one area of the State of New York (but outside of Chautauqua County) to a location in Chautauqua County or in the abandonment of such a plant or facility located in an area of the State of New York outside of Chautauqua County? If YES, complete the attached Anti-Raiding Questionnaire (Schedule D).

YES ___ NO xx

O. Has the Applicant considered moving to another state or another location within New York State? If YES, explain circumstances.

YES ___ NO _xx

P. Does any one supplier or customer account for over 50% of Applicant's annual purchases or sales, respectively? If YES, attach name and contact information for supplier and/or customer, as applicable:

YES ___ NO _xx

Q. Does the Applicant (including any related entity or person) or any principal(s) of the Applicant or its related entities, or any other business or concern with which such entities, persons or principal(s) have been connected, have any contractual or other relationship with the Agency or the County of Chautauqua? If YES, attach details at Schedule I.

YES ___ NO xx_

R. Nature of Applicant's business (e.g., description of goods to be sold, products manufactured, assembled or processed, services rendered):
Fruit juice processing, focus on processing Concord and other grapes into juices and juice concentrates to be sold as bulk industrial intermediates to juice bottlers, jam/jelly manufacturers, wineries, and international sales.

S. ANY RELATED PARTY PROPOSED TO BE A USER OF THE PROJECT:

Name: none

Relationship to Applicant: _____

Provide the information requested in Questions A through S above with respect to each such party by attachment at Schedule I.

PART II. PROPOSED PROJECT

A. Types of Financial Assistance Requested:

- Tax-Exempt Bonds
- Taxable Bonds
- Refunding Bonds
- Sales/Use Tax Exemption
- Mortgage Recording Tax Exemption
- Real Property Tax Exemption
- Other (specify): _____

B. Type of Proposed Project (check all that apply and provide requested information):

- New Construction of a Facility
- Addition to Existing Facility
Square footage of existing facility: about 55,000 ft²
Square footage: the 800 ft² utility building is the little part; the larger part of the project is to construct 2 x 500,000 gal storage tanks on our existing site
- Renovation of Existing Facility
Square footage of area renovated: _____
Square footage of existing facility: _____
- Acquisition of Land/Building
Acreage/square footage of land: _____
Square footage of building: _____
- Acquisition of Furniture/Machinery/Equipment
List principal items or categories:

- Other (specify): _____

C. Briefly describe the purpose of the proposed Project, the reasons why the Project is necessary to the Applicant and why the Agency's financial assistance is necessary, and the effect the Project will have on the Applicant's business or operations:

Growers has been chronically short on tank space for years, which has limited our ability to expand our operations. By operations, that means having local farmers grow grapes for Growers to turn into value added products and sell. At the same time, as our sales into the wine industry have expanded, we need additional tank space to hold a larger inventory volume of single strength juice (as opposed to storing as concentrate which reduces space needs 3x). For the past few years, wine sales have been the most profitable segment. This project will address both needs for a long time. These tanks will give Growers a stronger competitive position versus other processors (in Washington State and Michigan) to sell Concord grape juice to winery, juice, and jam/jelly customers.

Some of the local purchasers of grapes, such as the processors Carriage House, Refresco (formerly Cott/Cliffstar), and Constellation (Canandaigua Wines) have gone out of business entirely or dramatically reduced their Chautauqua County Concord grape purchases. Growers' expansion will create long term, stable, farming relationships. With a stable home for their grapes, local farmers will feel assured to invest in their farms (tractors, farm equipment, posts, wire, soil nutrients, etc) and create additional work on the

farm side, in addition to Growers. These tanks will hold the entire output about 700 acres of local farms, which equates to about six 125 acre farms, each employing 2 full time people, plus a harvest crew up to 5 people. We have already pulled one of those farms in.

Growers needs the Agency's financial assistance to mitigate the spike in property taxes and other fees that are affiliated with a large capital investment. It has no need for any financing assistance.

- D. Is there a likelihood that the proposed Project would not be undertaken by the Applicant but for the granting of the financial assistance by the Agency? (If yes, explain; if no, explain why the Agency should grant the financial assistance with respect to the proposed Project)

YES _____ NO xx

Growers' property value will skyrocket with this tank project. Slowing the rate of tax growth via temporary abatement will allow Growers to spend that money to better market our Concord grapes. This will generate Growers to return more earnings to our Chautauqua County farmer-owners.

- E. If the Applicant is unable to arrange Agency financing or other Agency financial assistance for the Project, what will be the impact on the Applicant and the County of Chautauqua? Would the Applicant proceed with the Project without Agency financing or other Agency financial assistance? Describe.

Growers has obtained its own financing for this project and it is going forward. That said, these tanks may nearly double the property value of our facility, resulting in a tax spike. Growers is requesting assistance in mitigating the initial tax increase. There are several factors that would happen without Agency financial assistance:

1. Growers has been in conversation with CCIDA for nearly two years on this project, and some tax relief has been contemplated all along and in the financial plan for this project.
2. As a cooperative, any reduction in expenses goes directly to our 80 local farmer-owners in the form of earnings. Any relief by the Agency is immediately reinvested in our farming community.
3. As an old facility, there are always repair projects (every roof here is a 50 k\$ bill). We spend about 350k\$ per year to maintain the plant. If our (to be determined) taxes go up by about 115 k\$, that tax money will partially come out of long term repair budget. If we can't spend at the current rate to maintain the facility as a modern food plant should, then this risks the facility failing third party food safety audits, which are prerequisites for many of our large food customers to do business with, which doing business is a prerequisite for making this project a financial success.
4. Growers can not fully ramp up the grape receipt side in only one year. We have brought and are bringing on more existing acreage into the co-op, but not that many farmers change processors very quickly. Concord grapes are not in full production until year 4 or 5 after planting. This means the earnings that these tanks will generate will quite simply not exist for a few years. Any relief the Agency can do will allow for us to wait for later earnings to pay for the tank project on their own.

- F. Location of Project: on our current site
Street Address: 112 N Portage St Westfield NY 14787
Tax Map Section: 192.16-1-46 (new)
Census Tract Number: 365

Note that Growers has 4 other parcels on its site, #192.16-1-44, 192.16-1-45, 192.16-1-47, 192.16-1-48.

- G. Present use of the Project site: vacant

- H. (a) What are the current annual real estate taxes on the Project site? (If amount of current taxes is not available, provide assessed value for each):

This parcel Total taxes

General:	\$104	\$51,600
School:	\$103	\$50,300

(b) Are tax certiorari proceedings currently pending with respect to the Project real property? If YES, attach details at Schedule I including copies of pleadings, decisions, etc.

YES NO

I. Describe proposed Project site ownership structure (*i.e.*, Applicant or other entity):
Entirely owned by Growers Co-op

J. To what purpose will the building or buildings to be acquired, constructed or renovated be used by the Applicant? (Include description of goods to be sold, products to be manufactured, assembled or processed and services to be rendered.)
Tanks will be constructed for this project. An utility building will also be built. Tanks will provide bulk storage for Concord grape juice, to be then sold as single strength to the wine industry, or concentrated and sold to juice bottlers, jam/ jelly makers, or internationally.

K. If any space in the Project is to be leased to or occupied by third parties (*i.e.*, parties not related to the Applicant), or is currently leased to or occupied by third parties who will remain as tenants, provide the names and contact information for each such tenant, indicate total square footage of the Project to be leased to each tenant, and describe proposed use by each tenant:
Until Growers can pull in sufficient fruit to fill these tanks on its own, these tanks could be leased out to other grape processors to store their juices. Tanks could also leased out to other beverage companies for storage of other food grade liquids. Each of these other options would generate revenue for Growers that would go back to our farmer-owners.

L. Provide, to the extent available, the information requested, in Part I, Questions A, B, D and O, with respect to any party described in the preceding response. n/a

M. Does the proposed Project meet zoning/land use requirements at proposed location?
YES NO

- Describe present zoning/land use: I-1, or "vacant industrial" per Chaut GIS
- Describe required zoning/land use, if different: unchanged
- If a change in zoning/land use is required, please provide details/status of any request for change of zoning/land use requirements: none needed

N. Does the Applicant, or any related entity or person, currently hold a lease or license on the Project site? If YES, please provide details and a copy of the lease/license.
YES NO (own it)

O. Does the Applicant, or any related entity or person, currently hold fee title to (*i.e.* own) the Project site?
YES NO

If YES, indicate:

- (a) Date of purchase: original parcel in 1929; four other parcels purchased through 1988
- (b) Purchase price: Quickbooks from 2001 says total of \$29,891.55
- (c) Balance of existing mortgage, if any: zero existing mortgage; up to \$3.2 million mortgage, when tanks are completed
- (d) Name of mortgage holder: CoBank
- (e) Special conditions: none

If NO, indicate name of present owner of Project site: _____

- P. Does the Applicant or any related person or entity have an option or a contract to purchase the Project site and/or any buildings on the Project site?
YES ____ NO xx site owned by Applicant

If YES, attach copy of contract or option at Schedule I and indicate:

- (a) Date signed: _____
- (b) Purchase price: \$ _____
- (c) Closing date: _____

Is there a relationship legally or by virtue of common control or ownership between the Applicant (and/or its principals) and the seller of the Project (and/or its principals)? n/a
If YES, describe:

YES ____ NO ____

- Q. Will customers personally visit the Project site for either of the following economic activities? If YES with respect to either economic activity indicated below, complete the attached Retail Questionnaire (Schedule E).
Sales of Goods: YES ____ NO xx Sales of Services: YES ____ NO xx

- R. Describe the social and economic conditions in the community where the Project site is or will be located and the impact of the proposed Project on the community (including impact on infrastructure, transportation, fire and police and other government-provided services):
The site is located on existing Growers facility. Right next to the tank construction site is a main line train track; beyond that is another industrial property. The other sides are a state highway, the Chautauqua Gorge, and the Village Waste Treatment Facility. The tanks will fit nicely into the manufacturing focus of this local area. The elevation of the state highway visually and physically separates it from the residential areas 3+ blocks away. Not expected to have any significant impact on infrastructure, transportation (well, 3 more raw grape trucks per day in during harvest and more grape juice trucks out throughout the year), fire (all stainless steel tanks), police (tanks inside a fenced area), or other government-provided services (county clerk got a check and this CCIDA application).

- S. Identify the following Project parties (if applicable):

Architect/ Engineer: RD Design (Westfield)
Contractors: EE Austin (Erie), Stainless Fabricators Inc, GOE/Amherst Stainless Fab (Buffalo), Simpson Electric (Westfield), Jack's Welding (Westfield), Erie Fence (Erie), Tabone Construction (Fredonia)

T. Will the Project be designed and constructed to comply with Green Building Standards?
(if YES, describe the LEED green building rating that will be achieved):
YES _____ NO xx

U. Is the proposed Project site located on a Brownfield? (if YES, provide description of
contamination and proposed remediation)
YES _____ NO xx

V. Will the proposed Project produce a unique service or product or provide a service that is
not otherwise available in the community in which the proposed Project site is located?
YES xx NO _____

Basic Concord storage is not unique, but not only has Growers been short on tank space but other local
processors have been short on space as well. Others spend huge amounts to truck local grape juice out of
the county. Growers has limited its growth to fit into its storage. In that respect, Growers is the first local
company to build tanks in 20+ years, so this new storage space is unique.

W. Is the proposed Project site currently subject to an IDA transaction (whether through the
Agency or otherwise)? If yes, explain.
YES _____ NO xx

PART III. CAPITAL COSTS OF THE PROJECT -- PART III is CONFIDENTIAL --

A. Provide an estimate of cost of all items listed below:

	<u>Item</u>	<u>Cost</u>
1.	Land and/or Building Acquisition	\$0
2.	Building Demolition	\$0
3.	Construction/Reconstruction/Renovation	\$2,591,000
4.	Site Work	\$15,000
5.	Infrastructure Work	\$ 686,000
6.	Architectural/Engineering Fees	\$65,000
7.	Applicant's Legal Fees	\$0
8.	Financial Fees	\$43,000
9.	Other Professional Fees	\$0
10.	Furniture, Equipment & Machinery Acquisition (not included in 3. above)	\$0
11.	Other Soft Costs (describe)	\$0
12.	Other (describe)	\$0
	Total	\$ 3,400,000

B. Estimated Sources of Funds for Project Costs:

a.	Tax-Exempt IDA Bonds:	\$ 0
b.	Taxable IDA Bonds:	\$ 0
c.	Conventional Mortgage Loans:	\$ 3,184,000 (capped at)
d.	SBA or other Governmental Financing:	\$ 0
	Identify: _____	
e.	Other Public Sources (e.g., grants, tax credits):	\$ 0
	Identify: _____	
f.	Other Public Agency Loans:	\$ 0
g.	Other Private Loans:	\$ 0
h.	Equity Investment:	\$ 216,000
	(excluding equity attributable to grants/tax credits)	
	TOTAL	\$ 3,400,000

What percentage of the total project costs are funded/financed from public sector sources: 0 %

C. Have any of the above costs been paid or incurred (including contracts of sale or purchase orders) as of the date of this application? If YES, describe particulars on a separate sheet.

YES xx

NO

- D. Are items of working capital, moving expenses, work in progress, or stock in trade included in the proposed uses of the bond proceeds (if applicable)? If YES, provide details:
 YES NO NOT APPLICABLE
- E. Will any of the funds to be borrowed through the Agency's issuance of bonds, if applicable, be used to repay or refinance an existing mortgage, outstanding loan or an outstanding bond issue? If YES, provide details:
 YES NO NOT APPLICABLE
- F. Has the Applicant made any arrangement for the marketing or the purchase of the bonds or the provision of other third party financing (if applicable)? If YES, indicate with whom (subject to Agency approval) and provide a copy of any term sheet or commitment letter issued with respect to such financing.
 YES NO NOT APPLICABLE
- G. Construction Cost Breakdown:
 Total Cost of Construction: \$ 3,292,000 (sum of 2-5 and 10 in Question A above)
 Cost for materials: \$ 1,750,000 estimated
 Cost for labor: \$ 1,542,000 estimated
 Cost for "other": \$ insignificant

The Applicant acknowledges that the transaction/bond documents may include a covenant by the Applicant to undertake and document the total amount of capital investment as set forth in this Application.

PART IV. COST/BENEFIT ANALYSIS

A. If the Applicant presently operates in Chautauqua County, provide the current annual payroll. Estimate projected payroll at the Project site in First Year, Second Year and Third Year after completion of the Project:

	<u>Present</u>	<u>First Year</u>	<u>Second Year</u>	<u>Third Year</u>
Full-time:	\$824,000	\$840,480	\$932,504	\$951,154
Part-time: ¹	\$376,000	\$394,800	\$454,540	\$463,631

Note that size of crop, which can vary a third from year to year, is the biggest determiner of length of harvest season, and thus size of annual payroll.

List the average salaries or provide ranges of salaries for the following categories of jobs (on a full-time equivalency basis) projected to be retained/created in Chautauqua County as a result of the proposed Project:

<u>Category of Jobs to be Retained:</u>	<u>Average Salary or Range of Salary:</u>	<u>Average Fringe Benefits or Range of Fringe Benefits</u>
Management		
Professional		
Administrative		
Production		
Supervisor		
Laborer	\$35-40,000	\$11-13,000
Independent Contractor ²		
Other		

<u>Category of Jobs to be Created:</u>	<u>Average Salary or Range of Salary:</u>	<u>Average Fringe Benefits or Range of Fringe Benefits</u>
Management		
Professional		
Administrative		
Production		
Supervisor	40-50,000	\$13-16,000
Laborer	\$35-40,000	\$11-13,000
Independent Contractor ³		
Other		

¹ NOTE: The Agency converts part-time jobs into FTE's for evaluation and reporting purposes by dividing the number of part-time jobs by two (2).

² As used in this chart, this category includes employees of independent contractors.

³ As used in this chart, this category includes employees of independent contractors.

The Agency may utilize the foregoing employment projections and the projections set forth in Schedule C, among other things, to determine the financial assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction/bond documents may include a covenant by the Applicant to retain the number of jobs, types of occupations and amount of payroll with respect to the Project set forth in this Application.

- B. (i) Will the Applicant transfer current employees from existing location(s)? If YES, describe, please describe the number of current employees to be transferred and the location from which such employees would be transferred:

YES _____ NO xx

(ii) Describe the number of estimated full time equivalent construction jobs to be created as a result of undertaking the project, to the extent any:

20 contractors for up to four months, resulting in about 5 FTE for one year

- C. What, if any, is the anticipated increase in the dollar amount of production, sales or services following completion of the Project?
ultimately sales +\$2,000,000 per year; note that grape juice price affects overall sales dramatically

What percentage of the foregoing amount is subject to New York sales and use tax?

All of this juice will be tax exempt as it is an intermediate in the manufacturing process

0 %

What percentage of the Applicant's total dollar amount of production, sales or services (including production, sales or services rendered following completion of the Project) are made to customers outside the economic development region (i.e., Western New York)?

production (source of grapes) is 85% Chautauqua County

sales of juice/concentrate is 20% Upstate NY

Describe any other municipal revenues that will result from the Project (excluding the above and any PILOT payments): none

- D. What is the estimated aggregate annual amount of goods and services to be purchased by the Applicant for each year after completion of the Project and what portion will be sourced from businesses located in Chautauqua County and the State:

	Total value of grapes rec'd <u>Amount</u>	% Sourced in <u>Chautauqua County</u>	% Sourced <u>in State</u>
Year 1	5.5M\$	85	85
Year 2	6.0M\$	85	85
Year 3	6.3M\$	85	85

- E. Describe, if applicable, other benefits to the Chautauqua County anticipated as a result of the Project, including a projected annual estimate of additional sales tax revenue generated, directly and indirectly, as a result of undertaking the project:

Sorry on the sales tax side - nothing returning. We make industrial intermediates that are all used in the manufacturing process, which are exempt, so we end up paying little sales tax, regardless of Growers' business size.

This project will provide a more stable home for local farmer's grapes than going to other processors who have vary their needs annually. With more consistent earnings, farmers more likely to invest in their own farms (harvesters at a quarter million dollars apiece, tractors, posts, wire, fertilizer, etc that all can be delayed year after year). These tanks represent 700 acres, which the farmer reinvests about 3/4 of the 240 \$/ton production costs back into the community, so our farmers will spend about \$900,000 per year.

A further benefit of this project is the Concord grapes at Growers are going into more value added products than if delivering to other processors. Our additional net income to our farmer-owners, the majority live in Chautauqua county, is about \$260,000 per year. If secondary uses of these tanks develop, there will be more revenue coming from outside the county to be distributed to our local farmers. This could also be on the order of \$250,000 per year.

F. Estimated Value of Requested Financial Assistance:

Estimated Value of Sales Tax Benefit: \$0
(i.e., gross amount of cost of goods and services that are subject to state and local sales and use taxes multiplied by [8.0%])

Estimated Value of Mortgage Tax Benefit: \$39,800 (note: tax already paid)
(i.e., principal amount of mortgage loans loans multiplied by [1.25%])

Estimated Property Tax Benefit:

- Will the proposed Project utilize a property tax exemption benefit other than from the Agency: Will apply at Village if this not allowed (if so, please describe)
- Term of PILOT Requested: 10 years
- Existing annual Property Taxes on Land and Building: This parcel: \$207; Total: \$102,000
- Estimated annual Property Taxes on completed Project: This parcel: \$115,000; Total: \$217,000 (without Agency financial assistance)

NOTE: Upon acceptance of this Application by the Agency, the Agency's staff will create a PILOT schedule and indicate the estimated amount of PILOT Benefit/Cost utilizing anticipated tax rates and assessed valuation, make an estimate of the allocation of PILOT payments among the affected tax jurisdictions, and attach such information as Exhibit A hereto.

G. Describe and estimate any other one-time municipal revenues (not including fees payable to the Agency) that the Project will create:

At our peak we will have about 20 contractors working on site, for up to four months. The majority are living in local hotels, buying food, paying for entertainment, etc, all generating various local tax revenue streams. For example, the nine tank construction workers are receive \$800/week living allowance, most is being spent locally. Estimated \$8,000 in various taxes paid during construction. Building permits to Village of Westfield will be about 5 k\$.

PART V. PROJECT SCHEDULE

A. If applicable, has construction/reconstruction/renovation work on the Project begun? If YES, indicate the percentage of completion:

- | | | | | |
|----|-------------------------------|---|--|----------------|
| 1. | (a) Site clearance | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> | 100% complete |
| | (b) Environmental Remediation | | none needed | n/a |
| | (c) Foundation | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> | 100 % complete |
| | (d) Footings | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> | 100 % complete |
| | (e) Steel | YES <input checked="" type="checkbox"/> | NO <input type="checkbox"/> | 20% complete |
| | (f) Masonry | YES <input type="checkbox"/> | NO <input checked="" type="checkbox"/> | 0 % complete |
| | (g) Interior | YES <input type="checkbox"/> | NO <input checked="" type="checkbox"/> | 0 % complete |
| | (h) Other (utility building): | YES <input type="checkbox"/> | NO <input checked="" type="checkbox"/> | 0 % complete |

2. If NO to all of the above categories, what is the proposed date of commencement of construction, reconstruction, renovation, installation or equipping of the Project?

B. Provide an estimate of time schedule to complete the Project and when the first use of the Project is expected to occur:

Project to be completed 8/31/19 and ready for use for September 2019 grape harvest

PART VI. ENVIRONMENTAL IMPACT

- A. What is the expected environmental impact of the Project? (Complete the attached Environmental Assessment Form (Schedule G)).
none. Or, more grape trucks driving in, more natural gas/electricity powered processing, more wages and profits paid, more grape juice trucks going out, all leading to environmental impact.
- B. Is an environmental impact statement required by Article 8 of the N. Y. Environmental Conservation Law (i.e., the New York State Environmental Quality Review Act)?
YES _____ NO xx
- C. Please be advised that the Agency may require at the sole cost and expense of the Applicant the preparation and delivery to the Agency of an environmental report in form and scope satisfactory to the Agency, depending on the responses set forth in the Environmental Assessment Form. If an environmental report has been or is being prepared in connection with the Project, please provide a copy.
- D. The Applicant authorizes the Agency to make inquiry of the United States Environmental Protection Agency, the New York State Department of Environmental Conservation or any other appropriate federal, state or local governmental agency or authority as to whether the Project site or any property adjacent to or within the immediate vicinity of the Project site is or has been identified as a site at which hazardous substances are being or have been used, stored, treated, generated, transported, processed, handled, produced, released or disposed of. The Applicant will be required to secure the written consent of the owner of the Project site to such inquiries (if the Applicant is not the owner), upon request of the Agency.

THE UNDERSIGNED HEREBY CERTIFIES, under penalties of perjury, that the answers and information provided above and in any schedule, exhibit or statement attached hereto are true, accurate and complete, to the best of the knowledge of the undersigned.

Name of Applicant: Steve Cockram
Signature: *Steve Cockram*
Name: Steve Cockram
Title: General Manager/ Secretary/ Treasurer
Date: 4/5/2019

Sworn to before me this 5th day of April, 2019

[Signature]
Notary Public

CARL SWAN
No. 01SW6173042
Notary Public, State of New York
Qualified in Chautauque County
My Commission Expires 8-20-19

**CERTIFICATIONS AND ACKNOWLEDGMENTS
OF THE APPLICANT**

FIRST:

The Applicant hereby certifies that, if financial assistance is provided by the Agency for the proposed project, no funds of the Agency (i) shall be used in connection with the Project for the purpose of preventing the establishment of an industrial or manufacturing plant or for the purpose of advertising or promotional materials which depict elected or appointed government officials in either print or electronic media, (ii) be given to any group or organization which is attempting to prevent the establishment of an industrial or manufacturing plant within the State

SECOND:

The Applicant hereby certifies that no member, manager, principal, officer or director of the Applicant or any affiliate thereof has any blood, marital or business relationship with any member of the Agency (or any member of the family of any member of the Agency).

THIRD:

The Applicant hereby certifies that neither the Applicant nor any of its affiliates, nor any of their respective partners, members, shareholders or other equity owners (other than equity owners of publicly-traded companies), nor any of their respective employees, officers, directors, or representatives (i) is a person or entity with whom United States persons or entities are restricted from doing business under regulations of the Office of Foreign Asset Control (OFAC) of the Department of the Treasury, including those named on OFAC's Specially Designated and Blocked Persons List, or under any statute, executive order or other governmental action, or (ii) has engaged in any dealings or transactions or is otherwise associated with such persons or entities.

FOURTH:

The Applicant hereby acknowledges that the Agency shall obtain and hereby authorizes the Agency to obtain credit reports and other financial background information and perform other due diligence on the Applicant and/or any other entity or individual related thereto, as the Agency may deem necessary to provide the requested financial assistance.

FIFTH:

The Applicant hereby certifies, under penalty of perjury, that each owner, occupant or operator that would receive financial assistance with respect to the proposed Project is in substantial compliance with applicable federal, state and local tax, worker protection and environmental laws, rules and regulations.

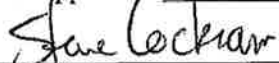
SIXTH:

The Applicant hereby acknowledges that the submission to the Agency of any knowingly false or knowingly misleading information may lead to the immediate termination of any financial assistance and the recapture from the Applicant of an amount equal to all or any part of any tax exemption claimed by reason of the Agency's involvement in the Project.

SEVENTH:

The Applicant hereby certifies that, as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the General Municipal Law, including, but not limited to, the provisions of Section 859-a and Section 862(1) thereof.

Name of Applicant: Steve Cockram, for Growers Co-op

By: 

Name: Steve Cockram

Title: General Manager/ Secretary/ Treasurer

**CERTIFICATION AND AGREEMENT
WITH RESPECT TO FEES AND COSTS**

Capitalized terms used but not otherwise defined in this Certification and Agreement shall have the meanings assigned to such terms in the Application.

The undersigned, being duly sworn, deposes and says, under penalties of perjury, as follows: that I am the chief executive officer or other representative authorized to bind the Applicant named in the attached application for financial assistance ("Application") and that I hold the office specified below my signature at the end of this Certification and Agreement, that I am authorized and empowered to deliver this Certification and Agreement and the Application for and on behalf of the Applicant, that I am familiar with the contents of said Application (including all schedules, exhibits and attachments thereto), and that said contents are true, accurate and complete to the best of my knowledge and belief.

The grounds of my belief relative to all matters in the Application that are not based upon my own personal knowledge are based upon investigations I have made or have caused to be made concerning the subject matter of this Application, as well as upon information acquired in the course of my duties and from the books and records of the Applicant.

As an authorized representative of the Applicant, I acknowledge and agree on behalf of the Applicant that the Applicant hereby releases the County of Chautauqua Industrial Development Agency, its members, officers, servants, attorneys, agents and employees (collectively, the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend (with counsel selected by the Agency) and hold the Agency harmless from and against any and all liability, damages, causes of actions, losses, costs or expenses incurred by the Agency in connection with: (A) examination and processing of, and action pursuant to or upon, the Application, regardless of whether or not the Application or the financial assistance requested therein are favorably acted upon by the Agency, (B) the acquisition, construction, reconstruction, renovation, installation and/or equipping of the Project by the Agency, and (C) any further action taken by the Agency with respect to the Project; including, without limiting the generality of the foregoing, (i) all fees and expenses of the Agency's general counsel, bond counsel, economic development consultant, real property tax valuation consultant and other experts and consultants (if deemed necessary or advisable by the Agency), and (ii) all other expenses incurred by the Agency in defending any suits, actions or proceedings that may arise as a result of any of the foregoing. If, for any reason whatsoever, the Applicant fails to conclude or consummate necessary negotiations or fails within a reasonable or specified period of time to take reasonable, proper or requested action or withdraws, abandons, cancels, or neglects the Application or if the Applicant is unable to find buyers willing to purchase the total bond issue required or is unable to secure other third party financing or otherwise fails to conclude the Project, then upon presentation of an invoice by the Agency, its agents, attorneys or assigns, the Applicant shall pay to the Agency, its agents, attorneys or assigns, as the case may be, all fees and expenses reflected in any such invoice.

As an authorized representative of the Applicant, I acknowledge and agree on behalf of the Applicant that each of the Agency's general counsel, bond counsel, economic development consultant, real property tax valuation consultant and other experts and consultants is an intended third-party beneficiary of this Certification and Agreement, and that each of them may (but shall not be obligated to) enforce the provisions of the immediately preceding paragraph, whether by lawsuit or otherwise, to collect the fees and expenses of such party or person incurred by the Agency (whether or not first paid by the Agency) with respect to the Application.

Upon successful closing of the required bond issue or other form of financing or Agency assistance, the Applicant shall pay to the Agency an administrative fee set by the Agency (which amount is payable at closing) in accordance with the following schedule:

- (A) All Initial Transactions - One-Hundred basis points (1.00%) of total project costs
 - a. This fee applies to all Initial Transactions except for certain small solar or wind energy systems or farm waste energy systems under RPTL §487, for which the Agency collects no fee (other than Counsel fees).
- (B) Refundings – The Agency fee shall be determined on a case-by-case basis.
- (C) Assumptions – The Agency fee shall be determined on a case-by-case basis.
- (D) Modifications – The Agency fee shall be determined on a case-by-case basis.

The Agency's bond counsel fees and expenses are payable at closing and are based on the work performed in connection with the Project.

The Agency's bond counsel's fees, general counsel fee and the administrative fees may be considered as a cost of the Project and included as part of any resultant financing, subject to compliance with applicable law.

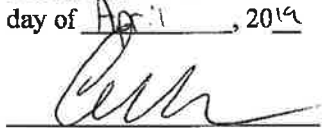
Upon the termination of the financing of the Project, Applicant agrees to pay all costs in connection with any conveyance by the Agency to the Applicant of the Agency's interest in the Project and the termination of all related Project documents, including the fees and expenses of the Agency's general counsel, bond counsel, and all applicable recording, filing or other related fees, taxes and charges.

I further acknowledge and agree on behalf of the Applicant that, in the event the Agency shall have used all of its available tax-exempt bond financing allocation from the State of New York, if applicable, and shall accordingly be unable to obtain an additional allocation for the benefit of the Applicant, the Agency shall have no liability or responsibility as a result of the inability of the Agency to issue and deliver tax-exempt bonds for the benefit of the Applicant.



Name: Steve Cockram, for Growers Co-op
 Title: General Manager/ Secretary/ Treasurer

Subscribed and affirmed to me this 5th
 day of April, 2019



Notary Public

CARL SWAN
 No. 01SW6173042
 Notary Public, State of New York
 Qualified in Chautauque County
 My Commission Expires 6-30-19

TABLE OF SCHEDULES:

<u>Schedule</u>	<u>Title</u>	<u>Complete as Indicated Below</u>
A.	Tax-Exempt Bond Manufacturing Questionnaire	If Applicant checked "YES" in Part I, Question F of Application, if applicable
B.	New York State Financial and Employment Requirements for Industrial Development Agencies	All applicants
C.	Guidelines for Access to Employment Opportunities	All applicants
D.	Anti-Raiding Questionnaire	If Applicant checked "YES" in Part I, Question N of Application
E.	Retail Questionnaire	If Applicant checked "YES" in Part II, Question Q of Application
F.	Applicant's Financial Attachments, consisting of: 1. Applicant's financial statements for the last two fiscal years (unless included in Applicant's annual reports). 2. Applicant's annual reports (or Form 10-K's) for the two most recent fiscal years. 3. Applicant's quarterly reports (Form 10-Q's) and current reports (Form 8-K's) since the most recent Annual Report, if any. 4. In addition, attach the financial information described above in items F1, F2, and F3 of any anticipated Guarantor of the proposed transaction, if different than the Applicant, including the personal financial statement of any anticipated Guarantor that is a natural person.	All applicants
G.	Environmental Assessment Form	All applicants
H.	Form NYS-45-MN	All applicants
I.	Other Attachments	As required

TAX-EXEMPT BOND MANUFACTURING QUESTIONNAIRE

(To be completed by the Applicant if the Applicant checked "YES" in Part I, Question F of the Application for Financial Assistance, if applicable).

Please complete the following questions for each facility to be financed. Use additional pages as necessary.

1. Describe the production process which occurs at the facility to be financed.

2. Allocate the facility to be financed by function (expressed in square footage) (e.g., production line, employee lunchroom, offices, restrooms, storage, warehouse, loading dock, repair shop, parking, research, sales, etc.) and location in relation to production (e.g., same building, adjacent land or building, off-site, etc.). Please attach blueprints of the facility to be financed.

<u>FUNCTION</u>	<u>LOCATION</u>	<u>SQ. FOOTAGE</u>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>

TOTAL

3. Of the space allocated to offices above, identify by function (e.g., executive offices, payroll, production, etc.) and location in relation to production (e.g., same building, adjacent land or building, off-site, etc.).

<u>FUNCTION</u>	<u>LOCATION</u>	<u>SQ. FOOTAGE</u>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>

TOTAL

4. Of the space allocated to storage or warehousing above, identify the square footage and location of the areas devoted to storage of the following:

SQ. FOOTAGE

LOCATION

Raw Materials used
for production of
manufactured goods

Finished product storage

Component parts of
goods manufactured at
the facility

Purchased component
parts

Other (specify)

TOTAL

5. List raw materials used at the facility to be financed in the processing of the finished product(s).

6. List finished product(s) which are produced at the facility to be financed.

The UNDERSIGNED HEREBY CERTIFIES that the answers and information provided above and in any statement attached hereto are true and correct.

Name of
Applicant:

N/A

Signature:

Name:

Title:

Date:

**NEW YORK STATE FINANCIAL AND EMPLOYMENT REPORTING
REQUIREMENTS FOR INDUSTRIAL DEVELOPMENT AGENCIES**

- A. Pursuant to applicable law, the Agency requires the completion of an Initial Employment Plan (see Schedule C) and a year-end employment plan status report, both of which shall be filed by the County of Chautauqua Industrial Development Agency (the "Agency") with the New York State Department of Economic Development. The Project documents will require the Applicant to provide such report to the Agency on or before March 1 of the succeeding year, together with such employment verification information as the Agency may require.

Except as otherwise provided by collective bargaining agreements, the Applicant agrees to list any new employment opportunities with the New York Department of Labor Community Services Division and the administrative entity of the service delivery area created by the Federal Job Training Partnership Act (P.L. 97-300), or any successor statute thereto (the "JTPA Entities"). In addition, except as otherwise provided by collective bargaining agreements, the Applicant, where practicable, will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for such new employment opportunities.

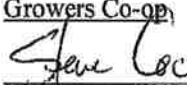
- B. The Applicant will be required to file annually a statement with the New York State Department of Taxation and Finance and the Agency of the value of all sales or use tax exemptions claimed in connection with the Project by reason of the involvement of the Agency.
- C. The following information must be provided for all bonds issued, outstanding or retired during the year:

Name, address and owner of the project; total amount of tax exemptions granted (broken out by state and local sales tax, property taxes, and mortgage recording tax); payments in lieu of taxes made; total real estate taxes on the Project prior to exemption; number of jobs created and retained, and other economic benefits realized.

Date of issue; interest rate at end of year; bonds outstanding at beginning of year; bonds issued during year; principal payments made during year; bonds outstanding at end of year; federal tax status; and maturity date(s).

Failure to provide any of the aforesaid information will be constitute a DEFAULT under the Project documents to be entered into by the Agency and the Applicant in connection with the proposed Project.

Please sign below to indicate that the Applicant has read and understood the above and agrees to provide the described information on a timely basis.

Name of Applicant:	<u>Growers Co-op</u>
Signature:	<u></u>
Name:	<u>Steve Cockram</u>
Title:	<u>General Manager</u>
Date:	<u>4/5/2019</u>

GUIDELINES FOR ACCESS TO EMPLOYMENT OPPORTUNITIES

INITIAL EMPLOYMENT PLAN

Prior to the expenditure of bond proceeds or the granting of other financial assistance, the Applicant shall complete the following initial employment plan:

Applicant Name: Growers Co-op
 Address: 112 N Portage St Westfield NY 14787
 Type of Business: fruit juice processing, specializing in Concord grapes
 Contact Person: Steve Cockram Tel. No.: 716-326-3161x17

Please complete the following table describing the projected full-time equivalent employment plan for the proposed Project following receipt of financial assistance:

<u>Current and Planned Occupations</u>	<u>Present Jobs Per Occupation</u>	<u>Estimated Number of Full Time Equivalent Jobs After Completion of the Project:⁴</u>			<u>Estimate of Number of Residents of the Chautauqua County that would fill such jobs by the third year</u>
		<u>1 year</u>	<u>2 years</u>	<u>3 years</u>	
<u>Management</u>	<u>2</u>	<u>2</u>	<u>2</u>	<u>2</u>	<u>2</u>
<u>Professional</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>Administrative</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Production</u>	<u>10</u>	<u>10</u>	<u>11</u>	<u>11</u>	<u>9</u>
<u>Supervisor</u>	<u>4</u>	<u>4</u>	<u>5</u>	<u>5</u>	<u>5</u>
<u>Laborer</u>	<u>5</u>	<u>5</u>	<u>7</u>	<u>7</u>	<u>6</u>
<u>Independent Contractor</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Other (describe)</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Please indicate the number of temporary construction jobs anticipated to be created in connection with the acquisition, construction and/or renovation of the Project: 20

⁴ NOTE: Convert part-time jobs into FTE's for evaluation and reporting purposes by dividing the number of part-time jobs by two (2).

Please indicate the estimated hiring dates for the new jobs shown above and any special recruitment or training that will be required:

Estimated in 2020; training is high school diploma

Are the Applicant's employees currently covered by a collective bargaining agreement?

YES _____

NO

IF YES, Union Name and Local: _____

Please note that the Agency may utilize the foregoing employment projections, among other things, to determine the financial assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction/bond documents may include a covenant by the Applicant to retain the above number of jobs, types of occupations and amount of payroll with respect to the proposed project.

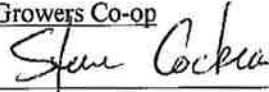
Attached hereto as Schedule H is a true, correct and complete copy of the Applicant's most recent Quarterly Combined Withholding, Wage Reporting, and Unemployment Insurance Return (Form NYS-45-MN). Upon request of the Agency, the Applicant shall provide such other or additional information or documentation as the Agency may require with respect to the Applicant's current employment levels in the State of New York.

The UNDERSIGNED HEREBY CERTIFIES that the answers and information provided above and in any statement attached hereto are *only estimates, but to the best of our knowledge and ability*, true, correct and complete.

Name of Applicant:

Growers Co-op

Signature:



Name:

Steve Cockram

Title:

General Manager/ Secretary/ Treas

Date:

4/5/2019

ANTI-RAIDING QUESTIONNAIRE

(To be completed by Applicant if Applicant checked "YES" in Part I, Question N of the Application for Financial Assistance)

A. Will the completion of the Project result in the removal of a plant or facility of the Applicant, or of a proposed user, occupant or tenant of the Project, or a relocation of any employee of the Applicant or of a proposed user, occupant or tenant of the Project, from an area in New York State (but outside of Chautauqua County) to an area within Chautauqua County?

YES _____ NO _____

If the answer to Question A is YES, please provide the following information:

Address of the to-be-removed plant or facility or the plants or facilities from which employees are relocated: _____

Names of all current users, occupants or tenants of the to-be-removed plant or facility: _____

B. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Applicant, or of a proposed user, occupant or tenant of the Project, located in an area of the State of New York other than in Chautauqua County?

YES _____ NO _____

If the answer to Question B is YES, please provide the following information:

Addresses of the to-be-abandoned plants or facilities: _____

Names of all current occupants of the to-be-abandoned plants or facilities:

C. Has the Applicant contacted the local industrial development agency at which its current plants or facilities in New York State are located with respect to the Applicant's intention to move or abandon such plants or facilities?

YES _____

NO _____

If the answer to Question C is YES, please provide details in a separate attachment.

IF THE ANSWER TO EITHER QUESTION A OR B IS "YES", ANSWER QUESTIONS D AND E.

D. Is the Project reasonably necessary to preserve the competitive position of the Applicant, or of a proposed user, occupant or tenant of the Project, in its industry?

YES _____

NO _____

E. Is the Project reasonably necessary to discourage the Applicant, or a proposed user, occupant or tenant of the Project, from removing such plant or facility to a location outside of the State of New York?

YES _____

NO _____

IF THE ANSWER TO EITHER QUESTION D OR E IS "YES", PLEASE PROVIDE DETAILS IN A SEPARATE ATTACHMENT.

Accordingly, the Applicant certifies that the provisions of Section 862(1) of the General Municipal Law will not be violated if financial assistance is provided by the Agency for the proposed Project.

NOTE: If the proposed Project involves the removal or abandonment of a plant or facility of the Applicant, or a proposed user, occupant or tenant of the Project, within the State of New York, notification will be made by the Agency to the chief executive officer(s) of the municipality or municipalities in which such plant or facility was located.

THE UNDERSIGNED HEREBY CERTIFIES that the answers and information provided above and in any statement attached hereto are true, correct and complete.

Name of Applicant:

N/A

Signature:

Name:

Title:

Date:

RETAIL QUESTIONNAIRE

(To be completed by Applicant if Applicant checked either "YES" in Part II, Question Q of the Application for Financial Assistance)

A. Will any portion of the Project (including that portion of the cost to be financed from equity or sources other than Agency financing) consist of facilities or property that are or will be primarily used in making retail sales to customers who personally visit the Project?

YES _____ NO xx

For purposes of Question A, the term "retail sales" means (i) sales by a registered vendor under Article 28 of Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

B. If the answer to Question A is YES, what percentage of the cost of the Project (including that portion of the cost to be financed from equity or sources other than Agency financing) 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?

_____ %

C. If the answer to Question A is YES, and the amount entered for Question B is greater than 33.33%, indicate whether any of the following apply to the Project:

1. Is the Project likely to attract a significant number of visitors from outside the economic development region (i.e., Western New York) in which the Project is or will be located?

YES _____ NO _____

2. 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 _____

3. Will the Project be located in one of the following: (a) an area designated as an empire zone pursuant to Article 18-B of the General Municipal Law; or (b) 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 (i) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of the households receiving public assistance, and (ii) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates?

YES _____ NO _____

If the answer to any of the subdivisions 1 through 3 of Question C is YES, attach details.

D. If the answer to any of the subdivisions 2 through 3 of Question C is YES, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? If YES, attach details.

YES _____

NO _____

E. State percentage of the Applicant's annual gross revenues comprised of each of the following:

Retail Sales: _____%

Services: _____%

F. State percentage of Project premises utilized for same:

Retail Sales: _____%

Services: _____%

The UNDERSIGNED HEREBY CERTIFIES that the answers and information provided above and in any statement attached hereto are true, correct and complete.

Name of Applicant:

N/A

Signature:

Name:

Title:

Date:

APPLICANT'S FINANCIAL ATTACHMENTS

See attached annual financial statements for 8/31/17 and 8/31/18
Growers is not required to issue 10-K or 10-Q reports

Part III, Capital Costs

Attached CoBank financing agreement -- **CONFIDENTIAL** --

Representative of costs already committed to:

Attached Purchase Order for tanks -- **CONFIDENTIAL** --

Attached Purchase Order for foundation work -- **CONFIDENTIAL** --

Attached Purchase Order for cleaning system and piping -- **CONFIDENTIAL** --

Attached Purchase Order for stairs to tops of tanks -- **CONFIDENTIAL** --

May be APPLICABLE Schedule G

ENVIRONMENTAL ASSESSMENT FORM

FORM NYS-45-MN

Attach most recent quarterly filing of Form NYS-45-MN, as well as the most recent fourth quarter filing. Please remove the employee social security numbers and note which employees are part-time.

See attached

OTHER ATTACHMENTS

See body of application for response to Part I, Question L.

Exhibit A

Upon acceptance of the Application by the Agency and completion of the Cost/Benefit Analysis, the Agency will attach the proposed PILOT Schedule hereto, together with an estimate of the net tax benefit/cost of the proposed PILOT Schedule.

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: Tank Farm Expansion at Growers Co-op			
Project Location (describe, and attach a location map): 112 N Portage St, Westfield NY 14787			
Brief Description of Proposed Action: Two half million gallon capacity stainless steel juice bulk storage tanks are being constructed on vacant land at Growers facility. A 800 ft2 utility building is being constructed to house electrical switch gear, air compressor, glycol chillers to cool tanks, and CIP (Clean in Place) system for the tanks. Utilities and process piping to connect with existing plant infrastructure. Village of Westfield is re-routing electrical mains to new electrical switch gear.			
Name of Applicant or Sponsor: Growers Co-operative Grape Juice Corp, Inc (Growers)		Telephone: 716-326-3161 E-Mail: steve@concordgrapejuice.com	
Address: 112 N Portage St			
City/PO: Westfield		State: NY	Zip Code: 14787
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"/>
			YES <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: Building permit from Village of Westfield			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		6 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?		6 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Village waste treatment facility, railroads			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<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	YES	
	<input type="checkbox"/>	<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	YES	
	<input checked="" type="checkbox"/>	<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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input 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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ Existing water service will be used for the new project.	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ Existing waste water services will be used for the new project.	NO	YES	
	<input checked="" type="checkbox"/>	<input 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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" 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	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" 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 type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input 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 type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input 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>Steve Cockram</u> Date: <u>April 9, 2019</u>		
Signature: <u><i>Steve Cockram</i></u> Title: <u>General Manager</u>		

PILLOT/Tax Lease Analysis

Project Name: Growers Co-op

4/8/19

PILLOT

Standard
PILLOT

	Assessment	No Abatement	PILOT	UTEP
Existing Land Full Market Value	\$5,395	\$207	\$207	
New Assessment on Improvements	\$3,000,000			
Year 1		\$115,290	\$11,529	10%
Year 2		\$115,290	\$11,529	10%
Year 3		\$115,290	\$23,058	20%
Year 4		\$115,290	\$23,058	20%
Year 5		\$115,290	\$34,587	30%
Year 6		\$115,290	\$34,587	30%
Year 7		\$115,290	\$46,116	40%
Year 8		\$115,290	\$46,116	40%
Year 9		\$115,290	\$57,645	50%
Year 10		\$115,290	\$57,645	50%
Total	\$3,005,395	\$1,154,973.30	\$347,943	
Savings*			\$807,030	

*Difference in payments compared to no real property tax abatement

Equalized Tax Rate Village Westfield

38.43
38.43

Tax Rate:\$1000

0.03843

All estimates. Based on past tax rates. Calculations do not include any special district user fees or ad valorem taxes.

Tax Lease

	Tax Rate	Sales Tax	Mortgage Recording Tax
Total Building Related Costs		\$3,400,000	\$3,184,000
Total Other Taxable Facility Costs		\$3,400,000	
Sales Tax	8.00%	\$0	
Mortgage Recording Tax	1.25%		\$39,800
			\$39,800

Estimated Incentive Total: \$846,830

