

**COUNTY OF OTSEGO INDUSTRIAL DEVELOPMENT AGENCY**

**APPLICATION**

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IMPORTANT NOTICE: The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from the County of Otsego. Industrial Development Agency. These answers will also be used in the preparation of papers hi this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Agency.  
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TO: COUNTY OF OTSEGO INDUSTRIAL DEVELOPMENT AGENCY  
c/o Department of Economic Development  
242 Main Street  
Oneonta, New York 13820

This application by applicant respectfully states:

APPLICANT: Hillside Commons Oneonta, LLC

APPLICANT'S ADDRESS: 300 Plaza Drive

CITY: Vestal STATE: New York ZIP CODE: 13850

PHONE NO.: (607) 770-0155 FAX NO.: (607) 770-3482

E-MAIL: jeff.smetana@newmandevelopment.com

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

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

NAME OF ATTORNEY: Cheryl Sacco, Coughlin & Gerhardt, LLP

ATTORNEY'S ADDRESS: 99 Corporate Drive

CITY: Binghamton STATE: New York ZIP CODE: 13904

PHONE NO.: (607) 584-4179 FAX NO.: (607) 723-1530

E-MAIL: csacco@cglawoffices.com

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

1. The Agency will not approve any application unless, in the judgment of the Agency, said application and the summary contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
2. Fill in all blanks, using "none" or "not applicable" or "N/A" where the question is not appropriate to the project which is the subject of this application (the "Project").
3. If an estimate is given as the answer to a question, put "(est)" after the figure or answer which is estimated.
4. If more space is needed to answer any specific question, attach a separate sheet.
5. When completed, return two (2) copies of this application to the Agency at the address indicated on the first page of this application.
6. The Agency will not give final approval to this application until the Agency receives a completed environmental assessment form concerning the Project which is the subject of this application.
7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Agency (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant's competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
8. The applicant will be required to pay to the Agency all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Agency's bonds issued to finance the project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel to the Agency. The costs incurred by the Agency, including the Agency's general counsel and bond counsel, may be considered as a part of the project and included as a part of the resultant bond issue.
9. The Agency has established an application fee of [One Hundred Dollars (\$100)] 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.**

FOR AGENCY USE ONLY

1 .	Project Number	
2 .	Date application Received by Agency	
3 .	Date application referred to attorney for review	
4 .	Date copy of application mailed to members	
5 .	Date notice of Agency meeting on application. posted	
6 .	Date notice of Agency meeting on application mailed	
7 .	Date of Agency meeting on application	
8 .	Date Agency conditionally approved application	
9 .	Date scheduled for public hearing	
1 0 .	Date Environmental Assessment Vann ("EAL.")	
1 1 .	Date Agency completed environmental review	
1 2 .	Date of final approval of application	

AGENCY FEE SCHEDULE INFORMATION

1. APPLICATION FEE: \$200.00 (Non-refundable)
2. AGENCY FEE: 1.0% of Project Costs
3. AGENCY COUNSEL FEE:
  - (a) \$3,000 minimum agency counsel fee
  - (b) 1% up to and including \$1,500,000
  - (c) 1/2 of 1% for all amounts in excess of \$1,500,000
  - (d) \$20,000 maximum agency counsel fee, provided that an additional counsel fee at a rate of \$100/hour may be charged in special circumstances
  - (e) disbursements (e.g., photocopying, telephone charges, postage) are charged in addition to the legal fee
4. AGENCY BOND/LEASBACK COUNSEL FEE: to be determined by Counsel upon review of Project

SUMMARY OF PROJECT

Applicant: Hillside Commons Oneonta, LLC  
Contact Person: Jeffrey Smetana  
Phone Number: (607) 770-0155  
Occupant: Oneonta College Students renting apartments on an annual basis  
Project Location: 150 Blodgett Drive, Oneonta, NY 14850  
Approximate Size of Project Site: ± 14 acres  
Description of Project: Student apartment community, including approximately 114 apartment and 330 beds.

Type of Project:  Manufacturing  Warehouse/Distribution  
 Commercial  Not-For-Profit  
 Other-Specify Student Apartments

Employment Impact: Existing Jobs: None  
New Jobs: 6 Full-time and 5 Part-time

Project Cost: \$22,990,000

Type of Financing:  Tax-Exempt  Taxable  Straight Lease

Amount of Bonds Requested: \$

Estimated Value of Tax-Exemptions:

N.Y.S. Sales and Compensating Use Tax:	\$ <u>400,000</u>
Mortgage Recording Taxes:	\$ <u>153,750</u>
Real Property Tax Exemptions:	\$ <u>270,000</u>
Other (please specify):	\$ _____



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

A. Identity of Company:

1. Company Name: Hillside Commons Oneonta, LLC  
 Present Address: 300 Plaza Drive, Vestal, NY  
 Zip Code: 13850  
 Employer's ID No.: 46-2148660
  
2. If the Company differs from the Applicant, give details of relationship: N/A
  
3. Indicate type of business organization of Company:
  - a.  Corporation (If so, incorporated in what country?)  
 What State?  
 Date Incorporated?  
 Type of Corporation?  
 Authorized to do business in New York?  
 Yes No
  
  - b.  Partnership (if so, indicate type of partnership)  
 Number of general partners  
 Number of limited partners
  
  - c.  Limited liability company  
 Date created? 2/28/2013
  
  - d.  Sole proprietorship
  
4. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)? If so, indicate name of related organization(s) and relationship:  
No

B. Management. of Company:

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

NAME (First, Middle, Last) HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS
Marc Newman, Vestal, NY	Managing Member	Newman Development Group
Barry Newman, Vestal, NY	Member	Newman Development Group
David Newman, Vestal, NY	Member	Newman Development Group
Ferris Akel, Vestal, NY	Member	Akel Wholesale Grocery
George Akel, Vestal, NY	Member	Akel Wholesale Grocery
Ronald Akel, Vestal, NY	Member	Akel Wholesale Grocery

2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation?  
Yes    No X
3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)?  
Yes    No X
4. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt?  
Yes    No X  
(If yes to any of the foregoing, furnish details in a separate attachment).
5. If the answer to any of questions 2 through 4 is yes, please, furnish details in a separate attachment, N/A

C. Principal Owners of Company:

1. Principal owners of Company: is Company publicly held?
2. Yes    No X
3. If yes, list exchanges where stock traded:
4. If no, list all stockholders having a 5% or more interest in the Company:

NAME	ADDRESS	PERCENTAGE OF HOLDING
<u>N/A</u>		

D. Company's Principal Bank(s) of account: M&T Bank

II. DATA REGARDING PROPOSED PROJECT

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

Hillside Commons will include approximately 117 apartments and 330 beds of student housing serving college students in Oneonta. Each Apartment will have a full kitchen, will be fully furnished and include a washer/dryer. Heat, A/C, internet and cable will be included in the rent. Professional Student Housing Management will be on site. Amenities will include a exercise room, computer commons, study lounges, game rooms, café, private courtyard, bicycle storage, on-site profession security, a sophisticated electronic security system and cameras, and a shuttle bus to downtown and shopping centers.

B. Location of Proposed Project:

1. Street Address 150 Blodgett Drive
2. City of Oneonta
3. Town of
4. Village of
5. County Otsego

C. Project Site:

1. Approximate size (in acres or square feet) of Project site: ± 15.6 acres  
Is a map, survey or sketch of the project site attached?  
Yes No X
2. Are there existing buildings on project site?  
Yes X No
  - a. If yes, indicate number and approximate size (in square feet) of each existing building: Two-family house = 4,057 sf and Single-family house = 1,792 sf
  - b. Are existing buildings in operation?  
Yes No X  
If yes, describe present use of present buildings:  
Two-family rental and Single family owner-occupied.
  - c. Are existing buildings abandoned?  
Yes No X  
About to be abandoned?  
Yes No X  
If yes, describe:
  - d. Attach photograph of present buildings. See Attachment A
3. Utilities serving project site:  
Water-Municipal: Yes  
Other (describe)  
Sewer-Municipal: Yes  
Other (describe)  
Electric-Utility: Yes  
Other (describe)  
Heat-Utility: Yes  
Other (describe)
4. Present legal owner of project site:
  - a. If the Company owns project site, indicate date of purchase: N/A  
Purchase price: \$
  - b. If Company does not own the Project site, does Company have option signed with owner to purchase the Project site?  
Yes X No  
If yes, indicate date option signed with owner and expires:  
Izzo Properties: signed 8/15/2012 and expires 2/15/2014  
Woods Property: signed 1/15/2013 and expires 7/15/2014

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

Yes No X

if yes, describe:

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

R-C, High Residential District

b. Are there any variances or special permits affecting the site?

Yes No X

If yes, list below and attach copies of all such variances or special permits:

D. Buildings:

1. Does part of the project consist of a new building or buildings?

Yes X No

If yes, indicate number and size of new buildings: One building of ±172,000 sf.

2. Does part of the project consist of additions and/or renovations to the existing buildings?

Yes No X

If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:

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

The newly constructed building will be used as rental housing for college students.

E. Description of the Equipment:

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

Yes X No

If yes, describe the Equipment:

Equipment will include: mechanical equipment for heating and cooling; kitchen appliances; washers and dryers; security cameras and monitors; exercise equipment; televisions; and computers, monitors and printers.

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

Yes No X

If yes, please provide detail:

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

Equipment will be for the use and support of residents living in the apartments.

F. Project Use:

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

The principal product is rental apartments for college students.

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

Activities conducted will those appropriate and necessary for the residential tenants, including: property management services, such as administration, leasing, repairs and maintenance; resident functions coordinated by the management company; social and academic activities by the residents.

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

Yes  No X ,

If yes, please provide detail:

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

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

- a. Will the Project be operated by a not-for-profit corporation?

Yes  No

If yes, please explain: N/A

- b. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located?

Yes  No

If yes, please explain: N/A

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

Yes  No

If yes, please explain: N/A

- d. is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonable accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services?

Yes  No

If yes, please provide detail: N/A

- e. Will the Project be located in one of the following: (i) an area designed as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (ii) a census tract or block numbering area



(or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates?

Yes No

If yes, please explain: N/A

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

Yes No

If yes, please explain: N/A

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

Yes No X

If yes, please explain:

8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York?

Yes No X

If yes, please provide detail:

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

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

Yes No

If yes, please provide detail: N/A

- b. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York?

Yes No

If yes, please provide detail: N/A

G . Other Involved Agencies:

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

The City Planning Commission will serve as Lead Agency and perform the SEORA review and will also conduct the Site Plan Approval process. The City Building Department will provide a Building Permit. NYS DEC will coordinate the SWPPP.

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

The City Planning Commission will review SEQR and Site Plan Application documents, hold public meetings and public hearings, as appropriate. The City Building Department will review architectural and engineering plans, specifications and documents in accordance with requirements for approval and issuance of a Building Permit. The City Building Department will also confirm that building is erected in compliance with all relevant Uniform Codes and will issue Certificate of Occupancy; upon compliance and completion.

NYS Department of Environmental Conservation will also review the SWPPP (Storm Water Pollution Prevention Plan) and will review and approve the Notice of Intent (NOI).

H . Construction Status:

1. Has construction work on this project begun?  
Yes No X  
If yes, please discuss, in detail the approximate extent of construction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations; installation of footings; etc.: N/A
2. Please indicate amount of funds expended on this project by the Company in the past three (3) years and the purposes of such expenditures:

\$ 300,000±

Funds have been expended for: land deposits; legal fees, architectural and engineering fees; market studies; geotechnical and environmental studies, and other professional services.

I. Method of Construction After Agency Approval:

1. If the Agency approves the project which is the subject of this application, there are two methods that may be used to construct the project. The applicant can construct the project privately and sell the project to the Agency upon completion. Alternatively, the applicant can request to be appointed as "agent" of the Agency, in which case certain laws applicable to public construction may apply to the project. Does the applicant wish to be designated as "agent" of the Agency for purposes of constructing the project?  
Yes X No
2. If the answer to question 1 is yes, does the applicant desire such "agent" status prior to the closing date of the financing?  
Yes No X

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

A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project?

Yes  No

If yes, please complete the following for each existing or proposed tenant or subtenant:

1. Sublessee name: Residential tenants are to be determined.  
Present Address:  
City: State: Zip:  
Employer's ID No.:  
Sublessee is: Corporation: Partnership: Sole Proprietorship  
Relationship to Company:  
Percentage of Project to be leased or subleased: ±70%  
Use of Project intended by Sublessee: Rental apartment for college students  
Date of lease or sublease to Sublessee: First occupancy will start August 2014  
Term of lease or sublease to Sublessee: Leases will be for one-year

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project?

Yes No

If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee. N/A

2. Sublessee name: N/A  
Present Address:  
City: State: Zip:  
Employer's ID No.:  
Sublessee is:  
\_\_\_ Corporation: \_\_\_ Partnership: \_\_\_ Sole Proprietorship  
Relationship to Company:  
Percentage of Project to be leased or subleased:  
Use of Project intended by Sublessee:  
Date of lease or sublease to Sublessee:  
Term of lease or sublease to Sublessee:

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project?

Yes No

If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

3. Sublessee name: N/A  
Present Address:  
City: State: Zip:  
Employer's ID No.:  
Sublessee is:

\_\_\_ Corporation:      \_\_\_ Partnership:      \_\_\_ Sole Proprietorship  
 Relationship to Company:  
 Percentage of Project to be leased or subleased:  
 Use of Project intended by Sublessee:  
 Date of lease or sublease to Sublessee:  
 Term of lease or sublease to Sublessee:  
 Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project?  
 Yes    ; No  
 If yes, please provide on a separate attachment (a) details and (b) the answers to questions 11(1<sup>2</sup>)(4) through (6) with respect to such sublessee.

B.      What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease? None

IV.      Employment Impact

A.      Indicate below the number of people presently employed at the project site and the number that will be employed at the project site at end of the first and second years after the project has been completed (Do not include construction workers). Also indicate below the number of workers employed at the project site representing newly created positions as opposed to positions relocated from other project sites of the applicant. Such information regarding relocated positions should also indicate whether such positions are relocated from other project sites financed by obligations previously issued by the Agency.

TYPE OF EMPLOYMENT					
	PROFESSIONAL MANAGERIAL	SKILLED	SEMI- SKILLED	UNSKILLED	TOTALS
Present Full Time	0	0	0	0	0
Present Part Time	0	0	0	0	0
Present Seasonal	0	0	0	0	0
First Year Full Time	2	2	2	0	6
First Year Part Time	0	0	5	0	5
First Year Seasonal	0	0	0	0	0
Second Year Full Time	2	2	2	0	6
Second Year Part Time	0	0	5	0	5

Second Year	0	0	0	0	0
Seasonal					

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

See Attachment B – Job Descriptions

V. Project Cost

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

<u>Description of Cost</u>	<u>Amount</u>
Land	\$ <u>2,923,093</u>
Buildings	\$ <u>16,557,007</u>
Machinery and equipment costs	\$ <u>0</u>
Utilities, roads and appurtenant costs	\$ <u>327,400</u>
Architects and engineering fees	\$ <u>1,608,500</u>
Costs of Bond issue (legal, financial and printing)	\$ <u>0</u>
Construction loan fees and interest	\$ <u>624,000</u>

(if applicable)

Other:	
<u>Furniture and Fixtures</u>	\$ <u>950,000</u>
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

TOTAL PROJECT COST \$ 22,990,000

B. Have any of the above expenditures already been made by applicant?  
Yes X No  
 (If yes, indicate particular.)

V. BENEFITS EXPECTED FROM THE AGENCY

A. Financing

1. Is the applicant requesting that the Agency issue bonds to assist in financing the project? Yes No X  
 If yes, indicate
  - a. Amount of loan requested: Dollars:
  - b. Maturity requested: Years:



2. Is the interest on such bonds intended to be exempt from federal income taxation? Yes No N/A
  
3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes: N/A
  - a. retail food and beverage services: Yes No
  - b. automobile sales or service: Yes No
  - c. recreation or entertainment: Yes No
  - d. golf course: Yes No
  - e. country club: Yes No
  - f. massage parlor: Yes No
  - g. tennis club: Yes No
  - h. skating facility (including roller skating, skateboard and ice skating): Yes No
  - i. racquet sports facility (including handball and racquetball court): Yes No
  - j. hot tub facility: Yes No
  - k. suntan facility: Yes No
  - l. racetrack; Yes No
  
4. If the answer to any of the above questions contained in question 3 is yes, please furnish details on a separate attachment. N/A
  
5. Is the Project located in the City's federally designated Enterprise Zone?  
Yes No X
  
5. Is the applicant requesting the Agency to issue federally tax-exempt Enterprise Zone bonds?  
Yes No X

**B. Tax Benefits**

1. Is the applicant requesting any real property tax exemption that would not be available to a project that did not involve the Agency?  
Yes X No
  
2. Is the applicant expecting that the financing of the Project will be secured by one or more mortgages?  
Yes X No  
If yes, what is the approximate amount of financing to be secured by mortgages?  
\$20,500,000
  
3. Is the applicant expecting to be appointed agent of the Agency for purposes of avoiding payment of N.Y.S. Sales Tax or Compensating Use Tax? Yes X No  
If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes? \$5,000,000
  
4. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of the exemption.
 

a. N.Y.S. Sales and Compensating Use Taxes:	\$ 400,000
b. Mortgage Recording Taxes:	\$ 153,700
c. Real Property Tax Exemptions:	\$ 270,000

d. Other (please specify):

\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_

5. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Agency's tax-exemption policy contained in its Rules and Regulations? Yes No X. If yes, please explain.

A deviation is being requested, as allowed under the current policies.

6. Is the Project located in the City's state designated Empire Zone? Yes No X

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

VI. REPRESENTATIONS BY THE APPLICANT.

The applicant understands and agrees with the Agency as follows:

A. Job Listings. Except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOC") and with the administrative

entity (collectively with the DOC, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA") in which the Project is located.

B. First Consideration for Employment: In accordance with Section 858-6(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.

C. Annual Sales Tax Filings. In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.

D. Annual Employment Reports: The applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site.

E. Absence of Conflicts of Interest: The applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officer or employee of the Agency

has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

(Applicant)

**BY:** \_\_\_\_\_

-----  
NOTE: APPLICANT MUST ALSO COMPLETE THE APPROPRIATE VERIFICATION APPEARING ON PAGES 18 THROUGH 21 HEREOF BEFORE A NOTARY PUBLIC AND MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 22  
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VERIFICATION

(If Applicant is a Corporation)

STATE OF \_\_\_\_\_ )  
 ) SS.:  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, deposes and says that he is the  
(Name of chief executive of applicant)  
of \_\_\_\_\_  
(Title) (Company Name)

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

\_\_\_\_\_  
(officer of applicant)

Sworn to before me this  
\_\_\_\_ day of \_\_\_\_\_ 2013

\_\_\_\_\_  
(Notary Public)





VERIFICATION

(If Applicant is a partnership)

STATE OF \_\_\_\_\_ )  
 ) SS.:  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, deposes and says that he is the  
(Name of individual)

that he is one of the members of the firm of \_\_\_\_\_  
(Partnership Name)

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

\_\_\_\_\_

Sworn to before me this  
\_\_\_\_ day of \_\_\_\_\_ 2013

\_\_\_\_\_  
(Notary Public)

VERIFICATION

(If Applicant is a limited liability company)

STATE OF \_\_\_\_\_ )  
 ) SS.:  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, deposes and says that he is the  
(Name of individual)

that he is one of the members of the firm of \_\_\_\_\_  
(Limited Liability Company)

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

\_\_\_\_\_

Sworn to before me this  
\_\_\_\_ day of \_\_\_\_\_ 2013

\_\_\_\_\_  
(Notary Public)

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NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS THE  
HOLD HARMLESS AGREEMENT APPEARING ON PAGE 22 IS SIGNED BY THE  
APPLICANT.  
-----

HOLD HARMLESS AGREEMENT

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

(Applicant)

BY: \_\_\_\_\_

Sworn to before me this  
\_\_\_\_ day of \_\_\_\_\_ 2013

\_\_\_\_\_  
(Notary Public)

**CERTIFICATION**

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

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

**Date Signed:** \_\_\_\_\_

**Name of Person Completing Questionnaire on behalf of Company**

Name: Jeffrey R. Smetana

Title: Vice President – Student Housing Development

Phone Number: (607) 770-0155 x129

Address: 300 Plaza Drive, Vestal, NY 13850

Signature: \_\_\_\_\_

SCHEDULE A

CREATION OF NEW JOB SKILLS

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

New Job Skills    Number of Positions Created    Wage Rate

New Job Skills	Number of Positions Created	Wage Rate
Community Manager	1	\$60,000/year
Assistant Manager / Leasing Manager	1	\$48,000/year
Facility Manager	1	\$55,000/year
Maintenance Technician	1	\$15.00/hour
Maintenance Staff	2	\$12.00/hour
Keystone (resident assistant)		\$9.00/hour

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



## COST / BENEFIT ANALYSIS

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

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

### PROJECT QUESTIONNAIRE

1. Name of Project Beneficiary ("Company"): **Hillside Commons Oneonta, LLC**
2. Brief Description of the Project: **Student Apartments (±117 units/330 beds)**
3. Estimated Amount of Bonds Sought:
 

A.	Amount of Bonds Sought	\$	-
B.	Value of Sales Tax Exemption Sought	\$	400,000
C.	Value of Real Property Tax Exemption Sought	\$	270,000
D.	Value of Mortgage Recording Tax Exemption Sought	\$	153,750

### PROJECTED PROJECT INVESTMENT

A.	Land-Related Costs		
	1. Land Acquisition	\$	1,275,000
	2. Site Preparation	\$	851,500
	3. Landscaping	\$	90,000
	4. Utilities and infrastructure development	\$	327,400
	5. Access roads and parking development	\$	706,593
	6. Other land-related costs (describe)	\$	-
B.	Building Related Costs		
	1. Acquisition of existing structures	\$	-
	2. Renovation of existing structures	\$	-
	3. New construction costs	\$	8,178,709
	4. Electrical systems	\$	1,732,010
	5. Heating, ventilation and air conditioning	\$	1,120,500
	6. Plumbing	\$	1,986,000
	7. Other building-related costs (describe)		
	a. Fire Projection	\$	220,000
	b. Elevator	\$	157,404
	c. Appliances	\$	275,000
	d. Cabinets & Counters	\$	1,164,405
	e. OH&P	\$	840,479

## COST / BENEFIT ANALYSIS

	f. Construction Contingency	\$ 882,500
C.	Machinery and Equipment Costs	
	1. Production and process equipment	\$ -
	2. Packaging equipment	\$ -
	3. Warehousing equipment	\$ -
	4. Installation costs for various equipment	\$ -
	5. Other equipment-related costs (describe)	\$ -
D.	Furniture and Fixture Costs	
	1. Office furniture	\$ 20,000
	2. Office equipment	\$ 10,000
	3. Computers	\$ 10,000
	4. Other furniture-related costs (describe)	\$ -
	a. Apartment furniture	\$ 469,000
	b. Electronics	\$ 90,000
	c. Exercise and gaming equipment	\$ 125,000
	d. Hardscape and signage	\$ 45,000
	e. Common area furniture	\$ 141,000
	f. Maintenance Equipment	\$ 40,000
E.	Working Capital Costs	
	1. Operation costs	\$ -
	2. Production costs	\$ -
	3. Raw materials	\$ -
	4. Debt service	\$ 624,000
	5. Relocation costs	\$ -
	6. Skills training	\$ -
	7. Other working capital-related costs (describe)	\$ -
F.	Professional Service Costs	
	1. Architectural and engineering	\$ 872,000
	2. Accounting / legal	\$ 90,000
	3. Other service-related costs (describe)	\$ -
	a. Geotechnical and environmental	\$ 128,000
	b. Insurance	\$ 82,000
	c. Professional fees and studies	\$ 249,500
	d. Utility and building permits and fees	\$ 96,100
	d. Contingency	\$ 90,900
G.	Other Costs	
	1.	\$ -

**COST / BENEFIT ANALYSIS**

<b>H. Summary of Expenditures</b>		
1. Total Land-Related Costs		\$ 3,250,493
2. Total Building-Related Costs		\$ 16,557,007
3. Total Machinery and Equipment Costs		\$ -
4. Total Furniture and Fixtures		\$ 950,000
5. Total Working Capital Costs		\$ 624,000
6. Total Professional Service Costs		\$ 1,608,500
7. Total Other Costs		\$ -
<b>TOTAL</b>		<b>\$ 22,990,000</b>

**PROJECTED PROFIT**

I. Please provide projected profits as designed by earnings after income tax but before depreciation and amortization.

YEAR	Without IDA Benefits (not incl. Income Tax)	With IDA Benefits (not incl. Income Tax)
1.	\$ 192,555	\$ (77,445)
2.	\$ 222,544	\$ (55,556)
3.	\$ 253,269	\$ (33,174)
4.	\$ 284,749	\$ (10,288)
5.	\$ 317,001	\$ 13,113

**PROJECTED CONSTRUCTION EMPLOYMENT IMPACT**

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

Year	Number of Construction Jobs	Total Annulage Wages and Benefits	Estimated Additional NYS Income Tax
Current	0		
1.	80	\$ 4,992,000	\$ 200,000
2.	80	\$ 5,141,760	\$ 206,000
3.	0	\$ -	\$ -
4.	0	\$ -	\$ -
5.	0	\$ -	\$ -

**COST / BENEFIT ANALYSIS**

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**PROJECTED PERMANENT EMPLOYMENT IMPACT**

I. Please provide estimates of total number of existing jobs to be preserved or retained as a result of the Project.

Year	Professional	Skilled	Semi-Skilled	Unskilled
Current	0	0	0	0
1.	0	0	0	0
2.	0	0	0	0
3.	0	0	0	0
4.	0	0	0	0
5.	0	0	0	0

II. Please provide estimates of total new permanent jobs created by the Project

Year	Professional	Skilled	Semi-Skilled	Unskilled
Current	0	0	0	0
1.	0	0	0	0
2.	2	2	2	5
3.	2	2	2	5
4.	2	2	2	5
5.	2	2	2	5

III. Please provide estimates for the following:

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

IV. Provide the projected percentage of employment that would be filled by County of Otsego residents

Full time jobs                      83%  
Part time jobs                      20%

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

## COST / BENEFIT ANALYSIS

1. Full time jobs - the positions of Assistant Community Manager, Facilities Manger, Maintenance Technicians and Maintenance Workers require skills that are expected to be in good supply and readily available in Otsego County, given that they would be common to the County's largest current employers. Posting for the open positions will be done in the local newspapers and on-line, which is expected to reach great majority of job seekers in the County. The position of Community Manager will require specific experience in student property management that may also be available in Otsego County, but it is assumed there will be a national search for the best candidate.
  
2. Part time jobs - the part time positions of Keystones (resident assistants) will be filled by current full time college students, the majority of which are from outside Otsego County. Information will be requested from the colleges to assist in identifying and contacting students from Otsego County to encourage them to apply.

## PROJECTED OPERATING IMPACT

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

Additional Purchases (1st year following project completion)	\$ 205,000
Additional Sales Tax Paid on Additional Purchases	\$ 16,400
Estimated Additional Sales (1st full year following project completion)	N/A
Estimated Additional Sales Tax to be collected on additional sales (1st full year following project completion)	N/A

**COST / BENEFIT ANALYSIS**

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

Year	Existing Real Property Taxes (without IDA involvement)	New Pilot Payments (with IDA)	Total (Difference)
Current	\$ 15,450		
1.	\$ 15,914	\$ 90,000	\$ 74,086
2.	\$ 16,391	\$ 92,500	\$ 76,109
3.	\$ 16,883	\$ 95,300	\$ 78,417
4.	\$ 17,390	\$ 98,300	\$ 80,910
5.	\$ 17,911	\$ 101,300	\$ 83,389
6.	\$ 18,449	\$ 125,100	\$ 106,651
7.	\$ 19,002	\$ 150,200	\$ 131,198
8.	\$ 19,572	\$ 176,800	\$ 157,228
9.	\$ 20,159	\$ 204,800	\$ 184,641
10.	\$ 20,764	\$ 234,500	\$ 213,736
11.	\$ 21,387	\$ 265,700	\$ 244,313
12.	\$ 22,029	\$ 298,800	\$ 276,771
13.	\$ 22,690	\$ 333,500	\$ 310,810
14.	\$ 23,370	\$ 369,600	\$ 346,230
15.	\$ 24,071	\$ 408,000	\$ 383,929
16.	\$ 24,793	\$ 448,000	\$ 423,207
17.	\$ 25,537	\$ 490,500	\$ 464,963
18.	\$ 26,303	\$ 534,600	\$ 508,297
19.	\$ 27,093	\$ 581,400	\$ 554,307
20.	\$ 27,905	\$ 630,000	\$ 602,095



ATTACHMENT A

**PHOTOGRAPHS OF EXISTING BUILDINGS**

ATTACHMENT B

**JOB DESCRIPTIONS**