

Port Jervis Industrial Development Agency

Application

Return To:

**Robert Schultz
Chairperson
Port Jervis IDA
20 Hammond Street
Port Jervis, NY 12771
Phone: 845-858-4000**

City of Port Jervis

Industrial Development Agency

Port Jervis Industrial Development Agency Application Instructions

1. Fill in all blanks, using “none” or “not applicable” or “N/A” where the question is not appropriate to the Project that is the subject of this application.
2. If an estimate is given as the answer to a question, put “(est.)” after the figure or answer that is estimated.
3. If more space is needed to answer any specific question, attach a separate sheet.
4. When completed return this application by mail or fax to the Agency at the address indicated on the cover page of the application. However, the application will not be considered by the Agency until the application fee and non-refundable deposit as referenced below have been received.
5. Note that Article 6 of the New York Public Officers Law declares that all records in the possession of the Agency (with certain limited exceptions) are open to public inspection and copying. Be advised that applications for financial assistance will be posted in entirety on the Agency’s website. If the applicant feels that there are elements of the Project that 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.
6. The applicant will be required to pay to the Agency all actual costs incurred in connection with this application and the Project contemplated as stated in the Agency fee schedule attached to this application.
7. The Agency has established an application and processing fee 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. Additionally the Agency requires a non-refundable deposit that shall be applied towards PJIDA’s legal fees. A check or money order payable to Port Jervis IDA covering both must accompany this application. Applicant shall be responsible for any additional legal fees above and beyond the non-refundable deposit. **THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS ACCOMPANIED BY BOTH THE APPLICATION FEE AND THE NON REFUNDABLE DEPOSIT.**
8. The Agency will not give final consideration nor deem applications to be complete until the following documents are submitted each of which is intended to be part of and incorporated into the application:
 1. Application for Financial Assistance.
 2. Attachment 1: Narrative Project Description.
 3. Appendix A: Employment Plan.
 4. Appendix B: Local Access Agreement.
 5. Appendix C: Environmental Assessment.
 6. Appendix D: Verification.
 7. Appendix E: Hold Harmless Agreement.

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PORT JERVIS INDUSTRIAL DEVELOPMENT AGENCY APPLICATION

I. APPLICANT DATA

A. Identity of Company to Receive Benefits:

- 1. Company Name:
Present Address:
Mailing Address (if different):
Contact Person:
Phone: () E-mail Address:
Employer's ID No.:

B. Company Structure:

- 1. Corporation:
Public Private
Partnership:
General Limited
Number of General Partners:
Number of Limited Partners:
Limited Liability Company LLC/PLLC
Number of Members:
Sole Proprietorship

2. Date and Location of Incorporation/Organization:

3. Yes No Is the Applicant authorized to do business in the State of New York?

4. Yes No 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:

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C. Principal Stakeholders:

List principal owners/officers/directors/members, owning 5% or more in equity holdings with percentage of ownership, Public companies should list corporate directors.

Name	% Ownership	Office Held	Home Address	Email Address

D. Applicant History:

- 1. Yes No Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation?

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

- 3. Yes No Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt?

4. If the answer to any of questions 1 through 3 is yes, please furnish details below:

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E. Applicant's Counsel:

Name: _____

Firm: _____

Mailing Address: _____

City/State/Zip: _____

Phone: () _____ Fax: () _____

Email Address: _____

F. Applicant's Accountant:

Name: _____

Firm: _____

Mailing Address: _____

City/State/Zip: _____

Phone: () _____ Fax: () _____

Email Address: _____

G. Applicant Prior Benefits with Agency

1. Yes

No

Has Applicant received Agency assistance in the past?
If yes, please give year and description of benefits and location of Project.

II. PROJECT DATA:

A. Project Description:

In a separate document, please provide a narrative of the Project including proposed acquisitions, construction, renovation, building and site improvements, and equipment. Information should also include a detailed description of the benefits for the Agency to undertake the Project, including proposed private investment, the number and types of jobs to be created, the number of jobs being preserved, and the resulting economic development benefits to be realized so that the Agency may perform a cost/benefit analysis with respect to the Project. Additionally a description of Project financing should be included. If a payment in lieu of tax agreement (PILOT) is being requested a justification for the requested exemption should be discussed and a 15 year pro-forma operating budget attached. Also, please attach a copy of the site plans, sketches and photos if available. *(SEE ATTACHMENT #1)*

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B. Location:

Legal Address as Determined by the City's Assessment Dept: _____

Mailing Address (if different): _____

Census Tract: _____

Yes No High Distressed Area

Yes No Empowerment Zone

C. Type (check all that apply):

Manufacturing Warehouse/Distribution

Commercial Not-for-Profit

Retail sale of goods or services Housing/Mixed-Use

Other – Specify:

D. Employment Impact:

Permanent Existing Jobs: _____ Permanent New Jobs: _____

Construction Jobs: _____

**Appendix A must be completed and submitted with Application

E. Ownership:

Present legal owner of Project site: _____

1. If the Company owns Project site, indicate:

 Date of Purchase: _____

 Purchase Price: \$ _____

2. Yes No If Company does not own the Project site; does Company have a purchase contract or option signed

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with owner to purchase the Project site: If yes, indicate:

Date of Purchase: _____

Purchase Price: \$ _____

3. Yes No

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? If yes, describe:

F. Site Information:

1. Approximate size (in acres or square feet) of Project site: _____

2. Yes No

Is a map, survey or sketch of the Project site attached?

3. Yes No

Are there existing building(s) on the Project site? If yes, indicate number and approximate size (in square feet) of each existing building:

4. Yes No

Are existing buildings in operation? If yes, Describe present use of buildings:

5. Yes No

Are the existing building(s) abandoned?

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6. Yes No About to be abandoned? If yes, describe:

G. Buildings to be Renovated or Constructed:

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

2. Yes No Does part of the Project consist of additions and/or renovations to the existing buildings? 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:

H. Equipment Acquisition and Installation:

1. Yes No Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")? If yes, describe the Equipment:

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2. Yes No With respect to the Equipment to be acquired, has any of the Equipment been previously used? If yes, please provide detail:

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

I. Project Use:

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

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

3. Yes No Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit the facilities? If yes, please provide detail:

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

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

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

b. Yes No Is the Project likely to attract a significant number of visitors from outside the economic development region (established by Section 230 of the Economic Development Law) in which the Project will be located? If yes, please explain:

c. Yes No Would the Project occupant, but for the contemplated financial assistance from the Agency, locate the related jobs outside the State of New York? If yes, please explain:

d. Yes No 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 of Port Jervis, because of a lack of reasonably accessible retail trade facilities offering such goods or services? If yes, please provide detail:

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e. Yes No

Will the Project be located in one of the following: a census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? If yes, please explain and identify the census tract:

f. Yes No

If the answers to any of subdivisions c. through 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? If yes, please explain:

6. Yes No

Will the completion of the Project result in the removal of a plant or facility of the Company or Occupant”) from one area of the State of New York to another area of the State of New York? If yes, please explain:

7. Yes No

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? If yes, please provide detail:

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8. If the answer to either question 6 or question 7 is yes, indicate whether any of the following apply to the Project:

a. Yes No

Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? If yes, please provide detail:

b. Yes No

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? If yes, please provide detail:

9. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? If yes, please complete the following for each existing or proposed tenant or subtenant:

a. Sub-lessee Name: _____

Present Address: _____

City: _____ State: _____ Zip: _____

Employer's ID No.: _____

Sub-lessee is: Corporation Partnership
 Sole Proprietorship

Relationship to Company: _____

Percentage of Project to be leased or sublease: _____

Intended use of subleased portion of Project by Sub-lessee: _____

Date of lease or sublease to Sub-lessee: _____

Term of lease or sublease to Sub-lessee: _____

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- b. Yes No Will any portion of the space lease by this sub-lessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? If yes, please provide details:

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

J. 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?

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

K. Environmental Information:

1. Yes No The Agency must make a determination of environmental significance for the Project. Are there known environmental issues on the property? If yes, please explain.

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2. Yes No Has any public body issued a SEQRA determination for this Project?

(An Environmental Assessment Form (EAF) must be completed and submitted with application.

L. Project Schedule:

Targeted Construction Commencement Date: _____

Targeted Construction Completion Date: _____

Targeted Occupancy Date: _____

1. Yes No Has construction work on this Project begun? 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.:

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

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M. Project Cost:

1.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:

Description of Cost	Amount
Land — acquisition	\$ _____
General requirements	\$ _____
Site work/Demo	\$ _____
Foundation and footings	\$ _____
Masonry	\$ _____
Metals	\$ _____
Wood/casework	\$ _____
Thermal & moisture proof	\$ _____
Doors, windows, glazing	\$ _____
Finishes	\$ _____
Electrical	\$ _____
HVAC	\$ _____
Plumbing	\$ _____
Specialties	\$ _____
Machinery and equipment	\$ _____
Furniture and fixtures	\$ _____
Utilities, roads and appurtenant costs	\$ _____
Architects and engineering fees	\$ _____
Management fee	\$ _____
Costs of Bond issue (legal, financial and printing)	\$ _____
Construction loan fees and interest (if applicable)	\$ _____
Other (specify) _____	\$ _____
TOTAL PROJECT COST	\$ _____

1.b. Of the total project cost, please indicate the amount attributable to labor:
 \$ _____

1.c. Of the total project cost, please indicate the amount subject to NYS and local sales tax: \$ _____

2. Yes No Have any of the above expenditures already been made by applicant? If yes, indicate particulars.

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III. BENEFITS EXPECTED FROM THE AGENCY

A. Financing:

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

a. Principal Amount of Bonds requested: \$ _____

b. Maturity requested: _____ Years

2. Yes No Is the interest on such bonds intended to be exempt from federal income taxation?

3. Will any portion of the Project be used for any of the following purposes?

- | | | | |
|----|------------------------------|-----------------------------|---|
| a. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | retail food and beverage services |
| b. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | automobile sales or service |
| c. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | recreation or entertainment |
| d. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | golf course |
| e. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | country club |
| f. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | massage parlor |
| g. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | tennis club |
| h. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | skating facility (including roller skating, skateboard and ice skating) |
| i. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | racquet sports facility (including handball and racquetball court) |
| j. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | hot tub facility |
| k. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | suntan facility |
| l. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | racetrack |

4. If the answer to any of the above questions contained in question 3 is yes, please furnish details below:

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B. Tax Benefits:

1. Yes No Is the applicant requesting a payment in lieu of tax agreement (PILOT) for the purpose of a real property tax exemption? If yes, please include in the Project narrative (Attachment 1) a justification for the requested exemption, and attach a 15 year pro-forma operating budget.
2. Yes No Is the applicant requesting any real property tax exemption in connection with the Project that is inconsistent with the Agency's Uniform Tax Exemptions Policy ([Appendix G](#))? If yes, please provide a justification in the Project narrative for the requested deviation.
3. Yes No Is the applicant expecting that the financing of the Project will be secured by one or more mortgages? If yes, what is the approximate amount of financing to be secured by mortgages?
\$ _____
4. Yes No 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? If yes, what is the total amount of purchases subject to exemption from the N.Y.S. and Local Sales and Compensating Use Taxes based on taxable project costs outlined on page 15 of this application?
\$ _____

5. Please detail the type of tax-exemption requested and the amount saved as a result of the exemption. (Please note the answer to this question differs from questions 3 and 4 above).

N.Y.S. and Local Sales and Compensating Use Tax: \$ _____

Mortgage Recording Taxes: \$ _____

Real Property Tax Exemptions: \$ _____

Other (please specify): \$ _____

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IV. 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 “DOL”) and with the administrative entity of the service delivery area created by the Workforce Investment Act (“WIA”) in which the Project is located.
- B. **First Consideration for Employment.** In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant will first consider persons eligible to participate in WIA programs who shall be referred by the WIA for new employment opportunities created as a result of the Project.
- C. **City Human Rights Law** The Applicant agrees to endeavor to comply with the provisions of Article XI, Division 2 of the City Code, entitled “The Omnibus Human Rights Law,” which prohibits discrimination in employment based upon: age, race, sex, creed, color, religion, national origin, sexual orientation, disability or marital status. The Applicant hereby agrees to adhere to this policy or equal employment opportunity in the requirement, hiring, training, promotion and termination of employees.
- D. **City of Port Jervis and MWBE Preference** The applicant understands and agrees that it is the preference of the Agency that the applicant provide, and use its best efforts to provide, opportunities for the purchase of equipment, goods and services from: (i) business enterprises located in the City of Port Jervis; (ii) certified minority and/or women-owned business enterprises; and (iii) business enterprises that employ residents of the City of Port Jervis. Consideration will be given by the Agency to the Project Applicant’s efforts to comply, and compliance, with this objective at any time an extension of benefits awarded, or involvement by the Agency with the Project, is requested by the Project Applicant.
- E. **Local Labor Policy.** The applicant understands and agrees that local labor and contractors will be used for the construction, renovation, reconstruction and equipping of the Project unless a written waiver is received from the Agency. Failure to comply may result in the revocation or recapture of benefits awarded to the Project by the Agency. [Appendix B](#), the *Local Access Agreement*, must be completed and included with this application.
- F. **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.

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- G. 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, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance and the Agency, 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.
- H. 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:

NOTE: APPLICANT MUST ALSO COMPLETE THE APPROPRIATE VERIFICATION APPEARING ON PAGES 24 THROUGH 26 HEREOF BEFORE A NOTARY PUBLIC AND MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 27 HEREOF.

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APPENDIX A
Employment Plan

[\(go back\)](#)

INSTRUCTIONS: 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 (N) as opposed to positions relocated (R) 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	UNSKILLED OR SEMI-SKILLED	TOTALS
Present Full Time				
Present Part Time				
Present Seasonal				
First Year Full Time				
First Year Part Time				
First Year Seasonal				
Second Year Full Time				
Second Year Part Time				
Second Year Seasonal				

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APPENDIX B
Local Access Agreement

[\(go back\)](#)

_____ (the Company) understands and agrees that local labor, contractors and suppliers will be used for the construction, renovation, reconstruction and equipping of the Project unless a written waiver is first received from the Agency, and agrees to provide the information requested below as a way to provide access for local participation.

Company				General Contractor							
Representative for Contract Bids and Awards				Contact							
Address				Address							
City		ST		Zip		City		ST		Zip	
Phone		Fax		Phone		Fax					
Email				Email							
Project Address				Construction Start Date							
City		ST		Zip		Occupancy Date					

Project Components – Indicate those for which bids will be sought:

Item	Estimated Value	Bid Date	Contact
Site work/Demolition			
Foundation and footings			
Building			
Masonry			
Metals			
Wood/casework			
Thermal/moisture proof			
Doors, windows, glazing			
Finishes			
Electrical			
HVAC			
Plumbing			
Specialties			
Machinery & Equipment			
Furniture and Fixtures			
Utilities			
Paving			
Landscaping			
Other (identify)			

Date: _____
Signature: _____

Company: _____
Name: _____

Appendix C Short Environmental Assessment Form

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:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:		Telephone:		
		E-Mail:		
Address:				
City/PO:		State:	Zip Code:	
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	YES
			<input type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO	YES
			<input type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ acres				
b. Total acreage to be physically disturbed? _____ acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres				
4. Check all land uses that occur on, adjoining and near the proposed action.				
<input type="checkbox"/> Urban	<input type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input type="checkbox"/> Commercial	<input type="checkbox"/> Residential (suburban)
<input type="checkbox"/> Forest	<input type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other (specify) _____	
<input type="checkbox"/> Parkland	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>				

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input 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? If Yes, describe: _____ _____	NO	YES
	<input 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? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: _____		Date: _____
Signature: _____		

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

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

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

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

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

City of Port Jervis

Industrial Development Agency

APPENDIX D

Verification

INSTRUCTIONS: Complete and sign the verification that applies to your application.

VERIFICATION

(If Applicant is a Corporation)

STATE OF _____)
) SS.:
COUNTY OF _____)

_____ [Name of Officer of Applicant] deposes and says that he/she is the _____
_____ [Title of Officer of Applicant] of _____ [Name of Company], the corporation
named in the attached application; that he/she 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/her
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. The deponent also acknowledges the receipt of a
schedule of all Agency fees and assumes responsibility for payment of any and all applicable fees as
described in that schedule.

[Name of Officer of Applicant]

Subscribed and sworn to before me this
_____ day of _____, 20 ____.

Notary Public

City of Port Jervis

Industrial Development Agency

VERIFICATION

(If Applicant is Sole Proprietor)

STATE OF)
) SS.:
COUNTY OF)

_____ [Name of Individual], deposes and says that he/she 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/her knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his/her own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application. The deponent also acknowledges the receipt of a schedule of all Agency fees and assumes responsibility for payment of any and all applicable fees as described in that schedule.

[Name of Individual]

Subscribed and sworn to before me this
____ day of _____, 20____.

Notary Public

City of Port Jervis

Industrial Development Agency

VERIFICATION

(If Applicant is Partnership)

STATE OF)
) SS.:
COUNTY OF)

_____ [Name of Individual], deposes and says that he/she is one of the members of the firm of _____ [Name of Partnership], the partnership named in the attached application; that he/she 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/her knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his/her own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his/her duties as a member of and from the books and papers of said partnership. The deponent also acknowledges the receipt of a schedule of all Agency fees and assumes responsibility for payment of any and all applicable fees as described in that schedule.

[Name of Individual]

Subscribed and sworn to before me this
_____ day of _____, 20____.

Notary Public

City of Port Jervis

Industrial Development Agency

APPENDIX E

Hold Harmless Agreement

Applicant hereby releases City of Port Jervis 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.

NAME OF APPLICANT

By: _____

Subscribed and sworn to before me
this ____ day of _____, 20 .

Notary Public

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

City of Port Jervis
Industrial Development Agency

APPENDIX F
Agency Fee Schedule

(Revised 4/21/09)

Bond and Straight Lease Transactions:

Application & Processing Fee	\$1000.00
Project Commitment/Legal Fee	\$2,500.00
(Due with fully executed Application; Amount applied to PJIDA's counsel fee)	

Administrative Fee:

Issuance of Bonds	1% Project Cost
(Without regard to principal amount of bonds issued.)	
Straight Lease/Agency Appointment.....	1% Project Cost
(Exemption from one or more mortgage recording, real property or sales and use taxes)	
Refunding of Bonds	1% of Project Cost
All Other Refinancing of Existing Project	¼ of 1% of Mortgage Amount
New Money/Additional Financing on Existing Project	1% of Amount Financed
(Exemption from mortgage recording tax only; if exemption from real property or sales and use tax also granted, fee is 1% project cost.)	

Post-Closing Items for Bond and Straight Lease Transactions:

Annual Administrative Reporting Fee	\$250.00
(Paid at time of closing and annually thereafter for duration of PJIDA's interest in Project Facility)	
Extension of sales tax exemption.....	\$500.00
Modification or Amendment of Closing Documents	\$1,000.00
Subsequent lender closing	\$250.00

Applicants are responsible for payment of all costs and expenses incurred by PJIDA in connection with application or project including without limitation publication costs, copying costs, SEQRA compliance and fees and costs of PJIDA's attorneys, engineers and consultants. PJIDA reserves the right to require a deposit to cover anticipated costs. Application fees are payable at time application/request submitted. All fees are non-refundable. Applicants for bond transactions are responsible for payment of Bond Issuance Charge payable to State of New York.

PJIDA reserves the right to modify this schedule at any time and to assess fees and changes in connection with other transactions such as grants of easement or lease of PJIDA-owned property.

City of Port Jervis

Industrial Development Agency

APPENDIX G
Uniform Tax Exemption Policy (UTEP)

I. APPLICATION FOR EXEMPTION

The interested Applicant (“the Company”) must file an application with PJIDA (“the Agency”) and request a Payment in Lieu of Tax (PILOT) Agreement. A copy of this application is attached hereto. The Agency may commission, at the expense of the Company, an appraisal of the subject property if, for any reason, the assessed value of the property is in question.

The Agency and the City of Port Jervis Common Council approvals of the proposed PILOT are required. The approved Agreement shall take effect during the tax year immediately following the taxable status date (January 1 of each year) after the Agency acquires an interest in the project.

II. PROCEDURES FOR PILOT PAYMENT

The Company shall make periodic payments in lieu of property taxes, in the amounts authorized under the approved PILOT Agreement to the City of Port Jervis, for each year of the Agreement. Such payment shall be made within the period the City allows payment of taxes levied without penalty. The Company shall be entitled to receive receipts from the City for such payments.

Unless otherwise agreed upon and authorized, the City of Port Jervis shall submit to the Company semi-annual statements specifying the amount and due date or dates of any payments due to the Agency under the approved PILOT. Statement shall be submitted to the Company (or to an agent designated in writing to the Agency by the Company) at the same time that tax bills are mailed by the City of Port Jervis to the owners of privately owned property.

If the Company shall fail to make payment required under the PILOT Agreement, its obligation to make the payment so in default shall continue as an obligation of the Company until such payment in default shall have been made in full, and the Company shall pay the same, together with interest thereon, to the extent permitted by law, at the greater of (i) eighteen percent (18%) per annum, or (ii) the rate per annum which would be payable if such amounts were delinquent taxes, until so paid in full.

The Company understands and, by submitting a request for a PILOT agreement, agrees that PJIDA can impose on the company penalties and/or sanctions for projects that do not meet performance standards and/or project goals, including job creation, as set forth in the company’s application (collectively, the “Standards”) to PJIDA for benefits (the “Application”) relative to the Project Facility (as that term is defined in the applicable resolutions adopted by PJIDA authorizing the PILOT Agreement relative to the Project Facility). If the Company has failed to meet and continuously maintain its Project Standards through the term of the PILOT Agreement, as set forth in the Application, the Agency reserves

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the right to impose these penalties and/or sanctions at its discretion. Any monetary penalties and/or sanctions so imposed shall be deemed an additional payment in lieu of taxes. These penalties and/or sanctions may include, but are not limited to, the termination of the PILOT Agreement and the return by the company of all or part of the benefits received through and as a result of the PILOT Agreement. The City of Port Jervis shall be responsible for disbursement of proportionate PILOT payments and any additional payment to affected taxing jurisdictions as applicable.

III. DEVIATION POLICY

In the event the Agency is presented with a project that does not fit within the scope of the defined PILOT schedules (see Page 3), or a project that requires special consideration, the Agency may invoke its right to deviate from its published policy, and may devise a project-specific PILOT Agreement with regard to the policy described above. The Company shall be required to provide the Agency with project projections and written justification of the requested deviation. The Agency shall consider any special facts and circumstances, the projections, the anticipated type and level of occupancy of the anticipated project, and any other circumstances deemed appropriate when deciding to deviate from its standard PILOT Policy.

IV. PILOT SCHEDULES

Year	Class 1	Class 2a	Class 2b	Class 2c	Class 2d	Class 3	Class 4	Class 5	Class 6
1	50%	75%	100%	100%	100%	100%	100%	100%	100%
2	45%	50%	75%	100%	100%	100%	100%	100%	100%
3	40%	45%	50%	75%	100%	100%	100%	100%	100%
4	35%	40%	45%	50%	75%	100%	100%	100%	100%
5	30%	35%	40%	45%	50%	100%	100%	100%	100%
6	25%	30%	35%	40%	45%	80%	100%	100%	100%
7	20%	25%	30%	35%	40%	60%	100%	100%	100%
8	15%	20%	25%	30%	35%	40%	75%	100%	100%
9	10%	15%	20%	25%	30%	20%	50%	80%	100%
10	5%	10%	15%	20%	25%	0%	25%	60%	100%
11	0%	5%	10%	15%	20%	0%	0%	40%	80%
12	0%	0%	5%	10%	15%	0%	0%	20%	60%
13	0%	0%	0%	5%	10%	0%	0%	0%	40%
14	0%	0%	0%	0%	5%	0%	0%	0%	20%
15	0%	0%	0%	0%	0%	0%	0%	0%	0%

*Percentage represents a reduction of the increase in the assessment

Class 1: Commercial: Commercial, business or industrial properties constructed, altered, installed or improved in an amount exceeding \$10,000 are eligible. Properties must meet the requirements of New York State Real Property Tax Law, Section 485-b.

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Class 2: Green: LEED certified commercial, business, or industrial properties are eligible. The exemption uses the Class 1 schedule as a base and adds additional years of exemptions to coincide with the four different levels of LEED certification: **(a)** LEED Certified; **(b)** LEED Silver; **(c)** LEED Gold; **(d)** LEED Platinum. Properties must provide documentation of the registration, application and certification process through the U.S. Green Building Council.

Class 3: Historic: Commercial, business, or industrial properties designated as a Local Protected Site by the Port Jervis Landmark Preservation Board, as well as properties eligible to be listed, or listed individually or as part of a district on the National Register of Historic Places are all eligible Properties designated as a Local Protected Site must meet the requirements of New York State Real Property Tax Law, Section 444-a.

Class 4: Distressed: Commercial, business or industrial properties not defined under Class 1, 2, or 3 where rehabilitation or redevelopment is complicated by one or more of the following: **(1)** the presence or potential presence of environmental contamination; or, **(2)** the presence of chronically blighted and vacant properties, which may include the subject property, in the immediate vicinity. Satisfaction of the criteria will be determined by the Agency.

Class 5: Mixed Use: Non-residential properties converted to a mix of residential and commercial uses are eligible. Properties must meet the requirements of New York State Real Property Tax Law, Section 485-a.

Class 6: Jobs Plus: Commercial, business or industrial properties that satisfy all of the following three criteria: **(1) Investment** - A minimum \$15 million investment in new plant, machinery and equipment, or renovation of existing building(s); and, **(2) Jobs** - A minimum of 100 new permanent full time and part time jobs created in the City of Port Jervis within three years of the Final Approving Resolution of the Agency; and, **(3) Local Labor** - In the absence of a waiver from PJIDA permitting otherwise, project must use all local labor for the construction of new, expanded or renovated facilities.

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ATTACHMENT #1

Project Description Narrative

INSTRUCTIONS Below, please provide a narrative of the project including proposed acquisitions, construction, renovation, building and site improvements, and equipment. Information should also include a detailed description of the benefits for the Agency to undertake the Project, including proposed private investment, the number and types of jobs to be created, the number of jobs being preserved, and the resulting economic development benefits to be realized so that the Agency may perform a cost/benefit analysis with respect to the Project. Additionally a description of project financing should be included. If a payment in lieu of tax agreement (PILOT) is being requested a justification for the requested exemption should be discussed and a 15 year pro-forma operating budget attached. Also, please attach a copy of the site plans, sketches and photos if available.