

**COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY**  
**One Cablevision Center**  
**Ferndale, New York 12734**  
**845-295-2603**  
**APPLICATION FOR FINANCIAL ASSISTANCE**

I. A. APPLICANT INFORMATION:

Company Name: Be Neet LLC

Address: PO Box 557, Jeffersonville, NY 12748

Phone No.: (845) 482-0926

Telefax No.: \_\_\_\_\_

Email Address: dhughson8@gmail.com

Fed Id. No.: 47-492-0007

Contact Person: Diane Hughson

Principal Owners/Officers/Directors (list owners with 15% or more in equity holdings with percentage ownership):

Principal Owners (Shareholders/Members/Owners): James R. & Diane K. Hughson

Directors/Managers: same

Officers: same

*Corporate Structure (attach schematic if Applicant is a subsidiary or otherwise affiliated with another entity)*

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Form of Entity:

☐ Corporation (Sub-s)

Date of incorporation: \_\_\_\_\_

State of incorporation: \_\_\_\_\_

☐ Partnership

General \_\_\_\_\_ or Limited \_\_\_\_\_

Number of general partners \_\_\_\_\_

If applicable, number of limited partners \_\_\_\_\_

Date of formation: \_\_\_\_\_

Jurisdiction formation: \_\_\_\_\_

X  Limited Liability Company/Partnership (number of members  2 )

Date of organization:  8/11/15

State of organization:  New York

\_\_\_\_\_ Sole Proprietorship

If a foreign organization, is the Applicant authorized to do business in the State of New York? Yes\_\_\_ No\_\_\_ N/A  X  (If so, please append Certificate of Authority.)

B.  APPLICANT INFORMATION:

Company Name:  Jeff. Sanitation, Inc.

Address:  5239 State Route 52

Phone No.:  (845) 482-0926

Telefax No.: \_\_\_\_\_

Email Address:  dhughson8@gmail.com

Fed Id. No.:  14-1784380

Contact Person:  Diane Hughson

Principal Owners/Officers/Directors (list owners with 15% or more in equity holdings with percentage ownership):

Principal Owners (Shareholders/Members/Owners):  Diane Hughson

Directors/Managers:  James and Diane Hughson

Officers: \_\_\_\_\_

*Corporate Structure (attach schematic if Applicant is a subsidiary or otherwise affiliated with another entity)*

Form of Entity:

X  Corporation (Sub-s)

Date of incorporation: 8/2/1995  
State of incorporation: New York

## Partnership

General \_\_\_\_\_ or Limited \_\_\_\_\_

Number of general partners \_\_\_\_\_

If applicable, number of limited partners \_\_\_\_\_

Date of formation: \_\_\_\_\_

Jurisdiction formation: \_\_\_\_\_

\_\_\_\_\_ Limited Liability Company/Partnership (number of members \_\_\_\_\_)

Date of organization: \_\_\_\_\_

State of organization: \_\_\_\_\_

           Sole Proprietorship

If a foreign organization, is the Applicant authorized to do business in the State of New York? Yes\_\_\_ No\_\_\_ N/A\_\_\_X (If so, please append Certificate of Authority.)

## APPLICANT'S COUNSEL

Name: Martin S. Miller

Address: 10 St. John Street, Ste. 101, Monticello, NY 12701

Phone No.: (845) 794-4440

Telefax No.: (845) 794-1009

Email Address: \_\_\_\_\_

## II. REQUESTED FINANCIAL ASSISTANCE

Estimated Value

Real Property Tax Abatement (estimated)	\$ 69,816
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Mortgage Tax Exemption	\$ 4,500
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Sales and Use Tax Exemption	\$23,472
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Issuance by the Agency of Tax Exempt Bonds	\$ n/a
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III. PROJECT INFORMATION

A.) Project Location:

Project Address: 5239 St. Rt. 52, Jeffersonville, NY

Tax Map Number(s): 21.-1-12.1

Located in the Village of: n/a

Located in Town of Delaware

Located in the School District of Sullivan West

Located in Hamlet of n/a

(i) Are Utilities on Site?

Water/Sewer X

Electric       

Gas       

Storm Sewer       

(ii) Present legal owner of the site: Be Neet LLC

If other than Applicant, by what means will the site be acquired for this Project:

(iii) Zoning of Project Site: Current: Rural Proposed: Rural

(iv) Are any variances needed: Building permits already in place

(v) Principal Use of Project upon completion: Transfer station

B.) Will the Project result in the removal of a plant or facility of the Applicant or a proposed Project occupant from one area of the State of New York to another area of the State of New York? No; If yes, please explain:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C.) Will the Project result in the abandonment of one or more Plants or facilities of the Applicant or a proposed Project occupant located in the State of New York? No; If yes, please explain:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

D.) If the answer to either question B or C above is yes, you are required to indicate



whether any of the following apply to the Project:

1. Is the Project reasonably necessary to preserve the competitive position of the Applicant or such Project Occupant in its industry? Yes \_\_\_\_\_; No \_\_\_\_\_. If yes, please explain:

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2. Is the Project reasonably necessary to discourage the Applicant 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 explain:

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- E.) Will the Project include facilities or property that will be primarily used in making retail sales of goods or provide services to customers who personally visit such facilities? No; If yes, please contact the Agency for additional information.

- F.) Please provide a narrative of the Project and the purpose of the Project (new build, renovations, and/or all equipment purchases). Identify specific uses occurring within the Project. Describe any and all tenants and any/all end users. Describe the proposed acquisitions, construction or reconstruction and a description of the costs and expenditures expected. Attach additional sheets, if necessary.

This project involves property development and construction of a new transfer station building at building at 5239 State Route 52 in Jeffersonville, NY.

Equipment to be purchased include industrial scales to weigh waste material and a loader/excavator to move and load material. The purpose of the project is to provide a more affordable, efficient, and environmentally sound method of handling waste materials. See attached listing of detailed costs.

- G.) COSTS AND BENEFITS OF THE PROJECT

Costs = Financial Assistance

Estimated Sales Tax Exemption	\$23,472
Estimated Mortgage Tax Exemption	\$4,500
Estimated Property Tax Abatement	\$69,816
Estimated Interest Savings IRB Issue	\$

Benefits= Economic Development

Jobs created	<u>3</u>
Jobs retained	<u>10</u>
Private funds invested	\$ <u>666,300</u>
Other Benefits	<u>      </u>

Estimate how many construction/permanent jobs will be created or retained as a result of this Project:

Construction:	<u>5</u>
Permanent:	<u>3</u>
Retained (at current facility):	<u>10</u>

Project Costs (Estimates)	
Land and Existing Buildings	\$ <u>325,900</u>
Soft Costs (5%)	\$ <u>40,000</u>
Other	\$ <u>691,600</u>
Total	\$ <u>1,057,500</u>

In addition to the above estimated capital costs of the project, which must include all costs of real property and equipment acquisition and building construction or reconstruction, you must include details on the amounts to be financed from private sector sources, an estimate of the percentage of project costs financed from public sector sources and an estimate of both the amount to be invested by the Applicant and the amount to be borrowed to finance the Project.

See attached list of funding sources and percentages for the project.

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In addition to the job figures provided above, please indicate the following:

- 1) The projected number of full time equivalent jobs that would be retained and that would be created if the request for financial assistance is granted.

Plans are to retain 10 jobs and create 3 new FTE jobs.

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- 2) The projected timeframe for the creation of new jobs.

Plans are to add three new employees upon project completion.

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- 3) The estimated salary and fringe benefit averages or ranges for categories of the jobs that would be retained or created if the request for financial assistance is granted.

New employees are expected to be hired at \$13/ hour on a full time (40 hour per week) basis. Fringe benefits include contribution to 401k retirement plan, and paid leave time (vacation and sick).

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- 4) An estimate of the number of residents of the economic development region as established pursuant to section two hundred thirty of the Economic Development Law, in which the project is located that would fill such jobs. The labor market area defined by the agency (Mid-Hudson Economic Development Region)

Estimated residents of the Mid-Hudson Economic Dev. Region is 2,308,312

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H.) State whether there is a likelihood that the project would not be undertaken but for the financial assistance provided by the Agency, or, if the project could be undertaken without financial assistance provided by the Agency, a statement indicating why the project should be undertaken by the Agency This project is currently underway and would continue without the Agency's financial assistance. However, the construction would be delayed, purchases of building material and equipment, plus new hiring may not occur, thus reducing economic and environmental benefits to the community.

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#### IV. REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Agency as follows:

- A) Job Listings. In accordance with Section 858-b (2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA") in which the Project is located.
- B) First Consideration for Employment. In accordance with Section 858-b (2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the Applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.
- C) 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, officers or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described.
- F.) The Applicant represents that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:



§ 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

- G.) The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
- H.) The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.
- I.) The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.

The Applicant and the individual executing this Application on behalf of the Applicant acknowledge that the Agency will rely on the representations made herein when acting on this Application and hereby represent that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statements contained herein not misleading.

(APPLICANT)

Diane Hughson President  
By: (NAME, TITLE)

Date: Jan 9, 2017

(APPLICANT)

Diane Hughson  
By: (NAME, TITLE)

Date: Jan 9, 2017

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

Diane Hughson, being first duly sworn, deposes and says:

1. That I am the owner of Be Nert, LLC (collectively, the, "Applicant") and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete.

Diane Hughson  
(NAME)

Subscribed and affirmed to me under penalties of perjury  
this 9th day of January, 2017.

Kathleen Herbert  
(Notary Public)

KATHLEEN HERBERT  
Notary Public, State of New York  
Sullivan County Clerk's #1128  
Commission Expires 2/28/2019

### HOLD HARMLESS AGREEMENT

Applicant hereby releases the COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY and the members, officers, servants, agents and employees thereof ("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 (A) 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 tax exemptions and other assistance requested therein are favorably acted upon by the Agency, (B) the Agency's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project; 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 reach final agreement with the respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

(APPLICANT)

Diane Hugheson President

By: (NAME, TITLE)

Date:

Jan 9, 2017

(APPLICANT)

[Signature]

By: (NAME, TITLE)

Date:

Jan 9, 2017

Sworn to before me this 9th  
day of January, 2017.

Kathleen Herbert  
Notary Public

KATHLEEN HERBERT  
Notary Public, State of New York  
Sullivan County Clerk's #1128  
Commission Expires 2/28/20 19



THIS APPLICATION SHALL BE SUBMITTED WITH (I) TWO CHECKS: ONE COVERING A \$250.00 APPLICATION FEE AND THE SECOND COVERING A \$5,000.00 UP-FRONT ESCROW DEPOSIT; AND (II) APPLICANT'S FORMATION DOCUMENTS (IE: IF A CORPORATION: ITS CERTIFICATE OF INCORPORATION AND BYLAWS; IF A LIMITED LIABILITY COMPANY: ITS ARTICLES OF ORGANIZATION AND OPERATING AGREEMENT; IF A LIMITED PARTNERSHIP: ITS CERTIFICATE OF LIMITED PARTNERSHIP AND LIMITED PARTNERSHIP AGREEMENT; OR IF A PARTNERSHIP: ITS PARTNERSHIP AGREEMENT TO:

COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY  
Executive Director  
ONE CABLEVISION CENTER  
FERNDAL, NEW YORK 12734

**BE NEET LLC - JEFF SANITATION, INC.****TRANSFER STATION PROJECT**

<b>INVESTED ITEMS:</b>	<b>COST</b>
Engineer Fee	\$ 40,000
Land	\$ 325,900
Excavation of foundation and gravel	\$ 58,000
Road work	\$ 14,000
Foundation and concrete	\$ 98,000
Crane and welder	\$ 42,000
Steel beams and bar joists	\$ 83,000
Floor drains and pipe	\$ 5,400
<b>TOTAL INVESTMENT:</b>	<b>\$ 666,300</b>

<b>BUDGETED ITEMS:</b>	<b>COST</b>	<b>EST. TAXABLE</b>	<b>SALES TAX</b>
Purlins and labor	\$ 32,000	\$ 24,000	\$ 1,920
Sheet metal and installation	\$ 73,000	\$ 54,750	\$ 4,380
Lights and installation	\$ 18,500	\$ 13,875	\$ 1,110
Garage door and passenger doors	\$ 28,000	\$ 21,000	\$ 1,680
Sewer system	\$ 6,800	\$ 5,100	\$ 408
Leach tank and installation	\$ 35,000	\$ 26,250	\$ 2,100
Water system	\$ 4,500	\$ 3,375	\$ 270
Windows and installation	\$ 4,800	\$ 3,600	\$ 288
Retaining wall	\$ 18,800	\$ 14,100	\$ 1,128
Bathroom and office	\$ 9,800	\$ 7,350	\$ 588
Storm drain and ground black top	\$ 15,000	\$ 11,250	\$ 900
<b>CONSTRUCTION TOTAL:</b>	<b>\$ 246,200</b>	<b>\$ 184,650</b>	<b>\$ 14,772</b>
Scales	\$ 70,000	\$ 52,500	\$ 4,200
Excavator / loader	\$ 75,000	\$ 56,250	\$ 4,500
<b>TOTAL BUDGET:</b>	<b>\$ 391,200</b>	<b>\$ 293,400</b>	<b>\$ 23,472</b>
<b>TOTAL PROJECT COST</b>	<b>\$ 1,057,500</b>	<b>\$ 293,400</b>	<b>\$ 23,472</b>

<b>SOURCE OF PROJECT FUNDS</b>	<b>Amount</b>	<b>Percent</b>
Less Potential IDA Loan	\$ 50,000.00	5%
Less Potential SCP loan	\$ 50,000.00	5%
Dime Bank - Net Loan Proceeds	\$ 250,000.00	24%
Owner Equity	\$ 666,300.00	63%
Additional Owner Investment Required	\$ 41,200.00	4%
<b>TOTAL PROJECT COST</b>	<b>\$ 1,057,500.00</b>	<b>100%</b>