

COUNTY OF SULLIVAN INDUSTRIAL DEVELOPMENT AGENCY

548 Broadway

Monticello, New York 12701

845-295-2603

APPLICATION FOR FINANCIAL ASSISTANCE

I. A. APPLICANT INFORMATION:

Company Name: RGG Realty LLC

Address: 171 E Industry Ct., Deer Park, New York 11787

Phone No.: 516-860-6001

Telefax No.: _____

Email Address: Cono@appleice.com

Fed Id. No.: 85-1082932

Contact Person: Cono Cimino

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

Principal Owners (Shareholders/Members/Owners): Cono Cimino

Directors/Managers: Cono Cimino

Officers: Cono Cimino

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

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: _____

Limited Liability Company/Partnership (number of members 1)

Date of organization: April 29, 2020
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___ (If so, please append Certificate of Authority.)

B. APPLICANT INFORMATION:

Company Name: Columbia Ice and Cold Storage Corporation

Address: 2990 US Route 9, Hudson, New York 12534

Phone No.: 516-860-6001

Telefax No.: _____

Email Address: Cono@appleice.com

Fed Id. No.: 26-1167036

Contact Person: Cono Cimino

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

Principal Owners (Shareholders/Members/Owners): Cono Cimino

Directors/Managers: Cono Cimino
Officers: Cono Cimino

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

Form of Entity:

√ Corporation (Sub-s)

Date of incorporation: September 27, 2017
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 √ (If so, please append Certificate of Authority.)

APPLICANT'S COUNSEL

Name: Cliff Gordon, Attorney at Law

Address: 544 Broadway – P.O. Box 803, Monticello, New York 12701

Phone No.: 845-794-4043

Telefax No.: 845-794-7229

Email Address: cgordonlaw@yahoo.com

II. REQUESTED FINANCIAL ASSISTANCE

Estimated Value

Real Property Tax Abatement (estimated)	\$ <u>TBD</u>
Mortgage Tax Exemption	\$ <u>3,150</u>
Sales and Use Tax Exemption	\$ <u>65,136</u>
Issuance by the Agency of Tax Exempt Bonds	\$ <u>N/A</u>

III. PROJECT INFORMATION

A.) Project Location:

Project Address: 33 Plaza Drive, Monticello, New York 12701

Tax Map Number(s): 130-1-17

Located in the Village of: Monticello

Located in Town of Thompson

Located in the School District of Monticello

Located in Hamlet of _____

(i) Are Utilities on Site?

Water/Sewer √

Electric √

Gas _____

Storm Sewer _____

(ii) Present legal owner of the site: County of Sullivan

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

Purchase – under contract for \$425,000

(iii) Zoning of Project Site: Current: See Attachment Proposed: N/A

(iv) Are any variances needed: No

(v) Principal Use of Project upon completion: Ice storage and distribution

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:

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:

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.

G.) COSTS AND BENEFITS OF THE PROJECT

Costs = Financial Assistance

Estimated Sales Tax Exemption	\$ 65,136
Estimated Mortgage Tax Exemption	\$ 3,150
Estimated Property Tax Abatement	\$ TBD
Estimated Interest Savings IRB Issue	\$ N/A

Benefits= Economic Development

Jobs created	<u>5</u>
Jobs retained	<u>0</u>
Private funds invested	\$ <u>1,127,750</u>
Other Benefits	<u>N/A</u>

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

Construction:	10
Permanent:	5
Retained (at current facility):	N/A

Project Costs (Estimates)

Land and Existing Building Purchase	\$ <u>425,000</u>
Soft Costs (5%)	\$ <u>10,000</u>
Other (renovations & equipment)	\$ <u>1,017,750</u>

Total

\$ 1,452,750

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.

Jeff Bank \$ 315,000
Private \$1,127,750

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.

5

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

12 months or less

- 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.

\$15.00 per hour to \$70,000 a year salary

- 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)

1,433,386

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 Due to the project being located in a very high tax area, but for the incentives, the project a cannot work.

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.

RGG Realty LLC



By: Cono Cimino, Sole Member

Date: June 16, 2020

Columbia Ice and Cold Storage Corporation



By: Cono Cimino, President

Date: June 16, 2020

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

Cono Cimino, being first duly sworn, deposes and says:

1. That I am the Sole Member of RGG Realty LLC and the President of Columbia Ice and Cold Storage Corporation (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.



Cono Cimino

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
548 Broadway
Monticello, New York 12701**

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.

RGG Realty LLC


By: Cono Cimino, Sole Member

Date: June 16, 2020

Columbia Ice and Cold Storage Corporation


By: Cono Cimino, President

Date: June 16, 2020

Section 3: Add a new section §250-14 to Article IV, District Regulations, as follows:

250-14 EBG East Broadway Gateway District

The district regulations for the EBG East Broadway Gateway District shall be as set forth in the Schedule of District Regulations included as an attachment to this chapter.

Section 4: Add an additional "Schedule of District Regulations, East Broadway Gateway District" as an attachment to Chapter 250, as depicted below.

ZONING AND PLANNED UNIT DEVELOPMENT
250 Attachment
Town of Thompson
Schedule of District Regulations
EBG East Broadway Gateway District

Accessory Uses	Permitted Uses	Uses Subject to Site Plan Review and Special Use Permit	Uses Subject to Site Plan Review by Planning Board	Minimum Required								Maximum Permitted			
				Lot Area	Lot Width (feet)	Lot Depth (feet)	Front Yard (feet)	Rear Yard (feet)	One Side Yard (feet)	Both Side Yards (feet)	Habitable Floor Area (square feet)	Density per Acre	Percentage of Lot Coverage	Building Height (feet)	
Home occupations	1-family dwelling legally in existence as of January 1, 2020		2-family dwelling legally in existence as of January 1, 2020												
Processing and sale of farm products	With central water and sewer		With central water and sewer	20,000 square feet	100	125	40	40	15	40	1000 square feet and 20 feet wide	2.0	20%	30	
Keeping not more than 2 farm animals on lots of under 5 acres, plus 1 additional farm animal per 1 additional acre in excess of 5 acres, provided that no animal housing or structure for the storage of any odor- or dust-producing substances is within 150 feet of any lot line	Without central water and sewer		Without central water and sewer	40,000 square feet	150	150	50	50	20	50	1000 square feet and 20 feet wide	1.0	10%	30	
		Mixed Use Development		10 acres	150	300	50	50	35	70	NA	4	30	35	
		Gasoline Filling Station		20,000 square feet	100	125	40	50	25	50	NA	NA	30	35	
		Car Wash		40,000 square feet	200	200	40	50	25	50	NA	NA	30	35	
Rental offices		Retail Store Wholesale Establishment Office - Business Eating and Drinking Establishment Motor Vehicle Repair Shop Hotel and Motel		7,500 square feet plus 1,500 square feet per rental unit	200	200	40	50	25	50	NA	NA	30	35	
Related recreational uses not closer than 100 feet to any property line		Storage Facility Manufacturing Establishment Light Manufacturing Warehouse and Distribution Center Trucking Terminal Research Facility and Laboratory Hospital Outdoor Commercial Recreation Public Recreational Facility		3 acres	150	300	50	50	50	100	NA	NA	30	35	
Parking garage		Greenhouse and Nursery		3 acres	150	300	50	50	50	100	NA	NA	30	35	
Dwelling for agricultural employees or security personnel engaged on the premises, provided that such dwellings are located at least 20 feet apart and not closer than 50 feet from any property line. Sewage disposal and water supply systems shall have the approval of the NYS DEC.		Agriculture Operations, but not including cage-type poultry raising, provided that no animal housing or structure for the storage of odor- or dust-producing substances are within 150 feet of any lot line; Growing of crops, orchards		5 acres	150	300	50	50	35	70	NA	NA	30 (applies to bldgs. & structures)	35	
		Keeping of not more than 25 food, plus 1 additional farm animal per 1 additional acre in excess of 5 acres		5 acres	150	300	50	50	35	70	NA	NA	30 (applies to bldgs. & structures)	35	
Outdoor vending machines		Keeping of livestock		25 acres	150	300	50	50	35	70	NA	NA	30 (applies to bldgs. & structures)	35	
		Harvesting of forest products and wild crops		10 acres	No structure shall be within 200 feet of a lot line						NA	NA	NA	NA	

Project Description

RGG Realty LLC/Columbia Ice and Cold Storage, proposes to purchase an existing 22,000 square foot facility at 33 Plaza drive SBL 130-1-17 owned by the County of Sullivan for the appraised value of \$425,000. The facility will be used to distribute bagged ice to end users throughout the Catskills and Northern Hudson Valley territory. As the facility needs to work to meet the requirements for our intended use, we will be investing an additional \$1, 017,750 in order to renovate the building, install a freezer, loading dock and small office. We will need approximately 10 construction people to conduct the needed upgrades and 5 full time employees to run the facility. A change of use permit for the facility has been obtained from the Village from Monticello.

Columbia Ice and Cold Storage has been expanding its service territory rapidly into this area. However, the high tax burden in the Village precludes me from making the business decision to invest here. Our application to the SCIDA if successful, will make that decision possible since we can invest in the building up front and get established so that we can be here for the long term and expand in the future. We will be paying an entry level hourly rate of \$15/hr. with management earning up to \$70,000 per year.