

There will be a **Regular Meeting**

of the

Seneca County IDA

as follows:

Thursday,
August 4, 2022

Heroes Conference Room
Seneca County Office Bldg., 3rd Floor
One DiPronio Drive
Waterloo, New York

****This meeting is being held "in person" and is open to the public****

The meeting will be livestreamed on our website at:
<https://www.senecacountyida.org/livestream>



LOCAL VALUES. FORWARD VISION.

SENECA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY

Thursday August 4, 2022
12:00 PM
Heroes Conference Room
One DiPronio Dr., Waterloo NY

Agenda

1. Approval of IDA Meeting Minutes of July 7, 2022 V_____
2. Approval of IDA Financial Statements thru June 2022 V_____
3. Presentation of Project / Discussion/Approval of IDA Inducement Resolution No 2022- 14 / Wilkins Recreation Vehicles, Inc R_____
4. Review of EDA Revolving Loan Fund Semi Annual Report
5. Standing Item – Update / Seneca County Chamber of Commerce– Jeff Shipley
6. Standing Item – Update / Seneca County Board of Supervisors – Don Trout
7. Other Business
8. Executive Session
9. Adjournment

SENECA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY
MEETING MINUTES

Regular Meeting
July 7, 2022
12:00 Noon
Heroes Conference Room
One DiPronio Drive, Waterloo NY 13165

Attendance:

Board Members Present: Steven Brusso, Chair; Ralph Lott (*left at 12:40pm*); Thomas Kime; Tom Murray; Bruce Murray; Jeff Shipley and Ben Guthrie (*arrived at 12:14pm*)
Board Members Absent: Don Trout
Staff Attending: Sarah Davis, Executive Director and Kelly Kline, Office Manager
Others Attending: Robert Kernan, CFO; Genevieve Trigg, Nexamp, Inc; Liza Schepps, Nexamp Inc.; Laverne Sessler, Sessler Wrecking; Vern Sessler, Sessler Wrecking; Bruce Sherman, Sessler Wrecking

Call to Order:

Chairman Brusso called the meeting to order at 12:00 p.m. A quorum of the Agency's members were present.

Approval of IDA Meeting Minutes of May 5, 2022:

The minutes of the Agency's meeting of May 5, 2022 had been sent to Board members prior to the meeting. A motion was made by Mr. Kime to approve the minutes. Seconded by Mr. Bruce Murray. Motion carried.

Approval of IDA Financial Statements thru May 2022:

The May 2022 financial statements had been mailed to board members prior to the meeting. Mr. Brusso summarized the financial statements for the board. A motion was made by Mr. Tom Murray to approve the financial statements. Seconded by Mr. Lott. Motion carried.

Presentation of Project / Discussion/Approval of IDA Resolution No. 2022-12 / 5s Development Project:

A copy of the proposed resolution was provided to board members prior to the meeting. Mrs. Davis advised the board that 5S Development (aka Sessler Wrecking) is seeking property, mortgage recording, and sales tax exemptions to support a \$4.66 million expansion of their office space in Waterloo. Mr. Laverne Sessler, representing the third generation of the company, provided the board with an overview of the business and the proposed expansion. Sessler Wrecking began operations in 1958 in Waterloo NY, and while the headquarters of the company has been located in Waterloo for the last 64 years, the business is currently transitioning to the third generation and is looking to expand the companies. Currently, the third generation also has a 20,000 sq. ft. facility located in Macedon, NY with 100+ employees. The company is looking to expand their headquarter offices at one of the two facilities. The proposed expansion in Waterloo, NY would retain 25 jobs and create 9 over the next three years. Mr. Sessler noted that while they are looking at both locations for the expansion, they would prefer to stay in Seneca County, and the requested incentive package would make that feasible. The proposed resolution will allow staff to move forward with PILOT negotiations, conduct a cost-benefit analysis, and schedule a public hearing for the project. The inducement resolution was presented as follows:

RESOLUTION OF THE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") (i) ACCEPTING THE APPLICATION OF 5S DEVELOPMENT, LLC (THE "COMPANY") DATED JUNE 23, 2022 WITH RESPECT TO A CERTAIN PROJECT, (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PROJECT, (iii) NAMING TOWN OF WATERLOO AS LEAD AGENCY UNDER ARTICLE 8 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW IN CONNECTION WITH THE PROJECT, (iv) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED WITH

RESPECT TO THE PROJECT, AND (v) AUTHORIZING THE NEGOTIATION OF A LEASE AGREEMENT, LEASEBACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS

A motion was made by Mr. T. Murray approving Resolution No. 2022-12. Seconded by Mr. Lott. Members Brusso, Guthrie, Lott, B. Murray, T. Murray and Shipley voted "yea". Mr. Trout was absent and Mr. Kime abstained, due to a conflict of interest with the company. Motion carried.

Discussion/Approval of IDA Resolution No. 2022-13 / Seneca Gardens Solar, LLC:

A copy of the proposed resolution was provided to board members prior to the meeting. Solar developer Nexamp Capital is seeking property and sales tax exemptions for an \$11.04 million, 5MW solar farm (Seneca Gardens Solar LLC) in Seneca Falls. Liz Schepps, of Nexamp provided an overview of the project to the board. Nexamp was founded in 2007 by two army veterans from Boston, Massachusetts. The company currently has solar projects in 13 states. Ms. Schepps stated that what makes Nexamp unique from other developers in the solar industry, is that they design, build, own and operate all of their facilities for the lifetime of the project. They also have their own construction management group, asset management group, and maintenance group as well. The proposed project is located on Garden Street extension in Seneca Falls. It's a 5-megawatt AC, single-axis access tracker system within about 27 acres of fenced area. It was also noted that all permits have been issued from the town, and they are currently in the financial stage of the project. Board member Guthrie questioned their request for a 30-year Pilot when the typical life span of a solar project is 20 years. Ms. Schepps stated that because they have their own internal operations and maintenance team, they are able to monitor the farm remotely and be notified of issues as they happen which increases the lifespan of the project; therefore the need for a longer PILOT. The proposed resolution will allow staff to move forward with PILOT negotiations, conduct a cost-benefit analysis, and schedule a public hearing for the project. The inducement resolution was presented as follows:

RESOLUTION OF THE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") (i) ACCEPTING THE APPLICATION OF SENECA GARDENS SOLAR, LLC (THE "COMPANY") DATED JUNE 30, 2022 WITH RESPECT TO A CERTAIN PROJECT, (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PROJECT, (iii) ACKNOWLEDGING THE DETERMINATION OF THE LEAD AGENCY / NAMING ITSELF AS LEAD AGENCY UNDER ARTICLE 8 OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW IN CONNECTION WITH THE PROJECT, (iv) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED WITH RESPECT TO THE PROJECT, AND (v) AUTHORIZING THE NEGOTIATION OF A LEASE AGREEMENT, LEASEBACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS

A motion was made by Mr. Lott approving Resolution No 2022-13. Seconded by Mr. Kime. Members Brusso, Guthrie, Lott, Kime, B. Murray, T. Murray and Shipley voted "yea". Mr. Trout was absent. Motion carried.

Standing Item – Update / Seneca County Chamber of Commerce– Jeff Shipley:

Mr. Shipley note that the Chamber has had a couple big events since the last update to the board. The most recent was a legislative luncheon held by the Chamber where all three state elected officials for Seneca County were present. They answered questions from the public and addressed key issues that happened over this past legislative session. A Tourism Summit was also held for the tourism-based businesses in the county and there was a great turnout and discussion.

One Seneca continues to meet every Thursday via Zoom at 10:00 am. Most recently the focus has been on broadband and the redevelopment of the Willard Campus. The county has set up a specific committee to study and to put forward ideas for building out broadband in our area. The state has indicated that there are around 700 properties within our county that have no access to broadband. The hope is to build out the infrastructure needed to equip those properties with access to high-speed broadband.

Standing Item – Update / Seneca County Board of Supervisors:

Mrs. Davis advised the board that the Board of Supervisors continues to push for an in-person meeting from state officials to come and tour the recently closed Willard Campus. While they have committed to come, we have been

given no indication of when that will be. The goal is to have state representatives come and tour the Willard campus and meet with our local elected officials in hopes to see what their plans are for the state-owned property and whether they would want to transfer the property for local control, or whether they would want to continue to own it for potential redevelopment. Also, Mrs. Davis advise the board that the county has started the process of undergoing a housing study. It's been said that three proposals have been received, and by all indications, all three of them are very strong.

Quarterly Report | IDA Executive Director – Sarah Davis:

Mrs. Davis provided the following quarterly report to the board:

We are continuing to see growth in particular in hospitality/tourism, craft beverage production, agriculture/food production, and renewable energy. We have 31 prospective projects in our pipeline, 7 of which we expect to see applications from sometime this year. This does not include 2 projects that are ongoing from 2021: Bestmade Products whose revolving loan application is being processed before going to the loan committee for review, and Wilkins RV who has identified a new site in Junius for expansion and will be resubmitting an updated PILOT application.

While our Business Retention & Expansion program had a slower start this year than normal, staff has since made up the difference. We are well over halfway toward our year-end goal of 50 visits, having completed 36 to date.

In addition to our projects and BR & E program, IDA staff have been working on the following items:

- We participated in the Chamber's Small Business Week panel discussion on resources to help small businesses. 2 of the projects in our pipeline (and that we expect to receive applications from) came as a direct result of our participation on the panel.
- The IDA continues to participate in One Seneca, which has been particularly focused lately on the redevelopment of the Willard campus. Additionally, the IDA arranged a meeting between Empire State Development officials and their consultants, the NYS Economic Development Council, the Chamber, and the County to discuss some of the history of Willard and potential for future economic development at the site.
- We are in the process of conducting interviews for a Grant & Development Specialist. In total, the IDA received 13 applicants for the position, which we have subsequently narrowed to 4 that will be coming in for in-person interviews mid-July.
- IDA staff will be reaching out to the joint interview committee members in the fall to begin the search for a 9th board member to fill Sue Cirencione's empty seat.
- Staff recently responded to a survey from Empire State Development (ESD) regarding the FAST-NY shovel ready grant program. ESD will be using the results of the survey to inform the design of the grant program.
- Seneca County is being featured in *Trade & Industry Development* magazine's editorial on agriculture and food processing. A digital copy of the article can be found at: <https://www.mydigitalpublication.com/publication/?m=2642&i=751576&p=18&ver=html5>.

Executive Session:

None

Adjournment:

A motion to adjourn the meeting was made by Mr. T. Murray. Seconded by Mr. Shipley. Motion carried. The meeting adjourned at 12:54 p.m.

The next regular scheduled meeting will be held on **August 4, 2022, 12:00 Noon**, Heroes Conference Room, One DiPronio Dr, Waterloo NY 13165

Respectfully submitted,

Sarah R. Davis

Executive Director

pc: Margret Li, Clerk to the Board of Supervisors

INDUCEMENT RESOLUTION
(Wilkins Recreational Vehicles, Inc. Project)

A meeting of the Seneca County Industrial Development Agency was convened on August 4, 2022.

The following resolution was duly offered and seconded, to wit:

Resolution No. 2022 – 14

RESOLUTION OF THE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") (i) ACCEPTING THE APPLICATION OF WILKINS RECREATIONAL VEHICLES, INC. (THE "COMPANY") DATED AUGUST 2, 2021 WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DESCRIBED BELOW), (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PROJECT, (iii) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED WITH RESPECT TO THE PROJECT, AND (iv) AUTHORIZING THE NEGOTIATION OF A LEASE AGREEMENT, LEASEBACK AGREEMENT, PILOT AGREEMENT AND RELATED DOCUMENTS

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 63 of the Laws of 1972 of the State of New York, as amended (hereinafter collectively called the "Act"), the **SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY** (hereinafter called "Agency") was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping civic, industrial, manufacturing and commercial facilities as authorized by the Act; and

WHEREAS, **WILKINS RECREATIONAL VEHICLES, INC.**, a New York corporation, for itself or on behalf of an entity to be formed by it or on its behalf (the "Company") has submitted an application (the "Application"), a copy of which is on file with the Agency, requesting the Agency's assistance with respect to a certain project (the "Project") consisting of: (i) the acquisition of approximately 40 acres located at State Route 318, Town of Junius, Seneca County, New York (the "Land"), (ii) the construction on the Land of a recreational vehicle sales dealership and service center and related amenities (collectively, the "Improvements"), and (iii) the acquisition and installation by the Company in and around the Improvements of certain items of equipment and other tangible personal property (the "Equipment" and, collectively with the Land and the Improvements, the "Facility"); and

WHEREAS, it is contemplated that the Agency will hold a public hearing and (i) negotiate and enter into an agent agreement, pursuant to which the Agency will appoint the Company as its agent for the purpose of undertaking the Project (the "Agent Agreement"), (ii) negotiate and enter into a lease agreement (the "Lease Agreement"), leaseback agreement (the "Leaseback Agreement"), and an agreement providing for a partial real property tax abatement (the "PILOT

Agreement"), (iii) take a leasehold interest in the Land, the Improvements and personal property constituting the Facility (once the Agent Agreement, Lease Agreement, Leaseback Agreement and PILOT Agreement have been negotiated), and (iv) provide Financial Assistance to the Company in the form of (a) a sales and use tax exemption for purchases and rentals related to the acquisition, construction and equipping of the Facility, (b) a partial real property tax abatement structured within the PILOT Agreement; and (c) a mortgage recording tax exemption (collectively, the "Financial Assistance"); and

WHEREAS, pursuant to the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto at 6 N.Y.C.R.R. Part 617, as amended (collectively referred to as "SEQRA"), the Agency must satisfy the applicable requirements set forth in SEQRA, as necessary, prior to making a final determination whether to undertake the Project; and

WHEREAS, pursuant to Article 18-A of the Act, the Agency desires to adopt a resolution describing the Project and the Financial Assistance that the Agency is contemplating with respect to the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE SENECA COUNTY INDUSTRIAL AGENCY AS FOLLOWS:

Section 1. The Company has presented an Application in a form acceptable to the Agency. Based upon the representations made by the Company to the Agency in the Company's Application and other materials provided by the Company to the Agency, and in furtherance of the foregoing recitals, which are hereby incorporated, the Agency hereby finds and determines that:

(A) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and

(B) The Agency has the authority to take the actions contemplated herein under the Act; and

(C) The action to be taken by the Agency will facilitate the undertaking of the Project, thereby enabling the Company's development of the Project, thereby increasing employment opportunities in Seneca County, New York, and otherwise furthering the purposes of the Agency as set forth in the Act; and

(D) The Project will result in the removal of a civic, commercial, industrial, or manufacturing plant of the Company or any other proposed occupant of the Project from one area of the State of New York (the "State") to another area of the State or result in the abandonment of one or more plants or facilities of the Company located within the State; and the Agency hereby finds that, based on the Company's application, the Project is reasonably

necessary to discourage the Project occupants from removing such other plant or facility to a location outside the State and/or is reasonably necessary to preserve the competitive position of the Project occupant in its industry; and

(E) The Agency hereby finds that, as set forth Section 862(2)(a) of the Act, the Project is likely to attract a significant number of visitors from outside the economic development region in which the Project is located as established by section two-hundred thirty of the New York State Economic Development Law; and

(F) The Project will promote and maintain the job opportunities, general prosperity and economic welfare of the citizens of the County of Seneca and State of New York, improve their standard of living, and prevent economic deterioration in Seneca County. The Agency therefore determines that the Project constitutes a "commercial" facility as contemplated by the Act, and that the Agency's grant of assistance to the Project will thereby serve the public purposes of the Act.

Section 2. The Agency is hereby authorized to prepare or cause to be prepared a cost-benefit analysis with respect to the Project prior to the Agency making its final determination with respect to the Project. The Agency is hereby authorized to negotiate the terms of the Lease Agreement, Leaseback Agreement, PILOT Agreement and Agent Agreement, and other such contracts and agreements as may be necessary in connection with the contemplated Financial Assistance.

Section 3. The Agency is hereby authorized to conduct a public hearing (the "Public Hearing") in compliance with the Act.

Section 4. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 5. These Resolutions shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

	Yea	Nay	Abstain	Absent
Steven Brusso				
Thomas L. Kime				
Donald Trout				
Bruce Murray				
Jeffrey Shipley				
Thomas Murray				
Benjamin Guthrie				
Ralph Lott				

The Resolutions were thereupon duly adopted.

2/19/22

Amended 7/28/22

SENECA
COUNTY

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APPLICATION TO
SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
FOR FINANCIAL ASSISTANCE

I. APPLICANT INFORMATION:

Company Name: Wilkins Recreational Vehicles, Inc.

Address: 7520 State Rte 415, Bath, NY 14810

Phone No.: 607-776-3103 Email: bwilkins@wilkinsrv.com

Fax No.: 607-776-5315

Fed I.D. No.: 16-0950202

Contact Person: Brian Wilkins

Principal Owners/Officers/Directors:

(List owners with 15% or more in equity holdings with percentage ownership)

Brian Wilkins - 100%

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

Form of Entity:



Corporation



Partnership (General ☐ or Limited ☐; Number of General Partners _____ and, if applicable, Number of Limited Partners _____).



Limited Liability Company/Partnership (number of members _____)



Sole Proprietorship

If a corporation, partnership, limited liability company/partnership:

What is the date of establishment 1960 ish

Place of organization NY State

and, If a foreign organization, is the Applicant authorized to do business in the State of New York? ☐ Yes ☐ No

APPLICANT'S COUNSEL:

Name: Cassandra Rich - BarclayDamon

Address: 2000 Five Star Bank Plaza, 100 Chestnut Street, Rochester, NY 14604

Phone No: 585-295-4400 Email: crich@barclaydamon.com

Fax No: 585-295-8425

II. PROJECT INFORMATION

Project Address: State Route 318, Junius, NY 13165

Block(s) & Lot(s): Tax No. 15.00-2-03.12

A) Are Utilities on Site? (Yes/No)

Water Yes Electric Yes Gas Yes Sanitary/Storm Sewer Yes

B) Present legal owner of the site: Upstate NY Property Development, LLC

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

C) Zoning of Project Site: Current: Commercial Proposed: Commercial

D) Are any variances needed: Not sure yet

E) Statement describing project (i.e. land acquisition, construction of manufacturing facility, etc.):
Development of 40 acres into a RV Sales and Service Center/Dealership

Location of Project: State Route 318, Junius, NY 13165, Tax No. 15.00-2-03.12

Purpose of Project: Development of 40 acres into a RV Sales and Service Center/Dealership

Desired Closing Date:

~~10/1/2021~~

10/1/2022

Estimated Construction Start and End Date: ~~10/1/2021 - 9/1/2022~~ 10/1/2022 - 9/1/2023

F) Principal Use of Project upon completion: RV Sales and Service center

G) Estimated Project Costs, including

Value of property to be acquired: \$ 1,950,000

Cost of Construction/Reconstruction: \$ 10,000,000

Value of equipment to be purchased: \$ 350,000

Estimated cost of engineering/architectural services: \$ 100,000

Other: \$ 0

Total Capital Costs: \$ 12,400,000

Project refinancing; estimated amount
(for refinancing of existing debt only)

\$ n/a

Sources of Funds for Project Costs:

Bank Financing:

\$ 10,000,000

Equity (excluding equity that is attributed to grants/tax credits)

\$ 2,400,000

Tax Exempt Bond Issuance (if applicable)

\$ _____

Taxable Bond Issuance (if applicable)

\$ _____

Public Sources (Include sum total of all state and federal
grants and tax credits)

\$ _____

Identify each state and federal grant/credit:

_____ \$ _____

_____ \$ _____

_____ \$ _____

_____ \$ _____

Total Sources of Funds for Project Costs: \$ 12,400,000

The Agency will collect 1% origination fee on the total capital costs at the time of closing

H) Inter-Municipal Move Determination

Will the project result in the removal of a plant or facility of the applicant from one area of the State of New York to another?

☒ Yes or ☐ No

Will the project result in the removal of a plant or facility of another proposed occupant of the project from one area of the State of New York to another area of the State of New York?

☐ Yes or ☒ No

Will the project result in the abandonment of one or more plants or facilities located in the State of New York?

☒ Yes or ☐ No

If Yes to any of the questions above, explain how, notwithstanding the aforementioned closing or activity reduction, the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry: We feel the Junius Property is a better investment as it is not land-locked, which will provide the ability to build a larger facility. We feel the larger facility will allow us to better serve our customers and it should certainly result in more jobs, as outlined in section iii.

FINANCIAL ASSISTANCE BEING REQUESTED

A) Benefits Requested:

☒ Sales and Use Tax Exemption ([8]%)

☐ IRB

☒ Mortgage Recording Tax Exemption(.075%)

☒ Real Property Exemption and Tax Agreement

B.) Value of Incentives:

Real Property Tax Exemption and Tax Agreement: Agency staff will calculate the estimated value of a requested real property tax exemption and tax agreement based on estimated Project costs as contained herein and current tax rates and assessed valuation, and the annual tax agreement payment amounts for each year of the tax agreement. This calculation is set forth on the addendum to this Application entitled "Real Property Tax Benefits (Detailed)," which addendum is incorporated herein by reference.

Estimated duration of Real Property Tax exemption: 10 years

Sales and Use Tax:

Estimated value of Sales Tax exemption for facility construction: \$ \$600,000

Estimated Sales Tax exemption for fixtures and equipment: \$ \$25,000

Estimated duration of Sales Tax exemption: two years

Mortgage Recording Tax Exemption Benefit:

Estimated value of Mortgage Recording Tax exemption: \$ ~~100~~ * 75,000

IRB Benefit:

☐ IRB inducement amount, if requested: \$ n/a

Is a purchaser for the Bonds in place?

☐ Yes or ☐ No

Percentage of Project Costs financed from Public Sector sources:

Agency staff will calculate the percentage of Project Costs financed from Public Sector sources based upon Sources of Funds for Project Costs as depicted above under the heading "Estimated Project Costs" (Section II(G)) of the Application.

C.) Likelihood of Undertaking Project without Receiving Financial Assistance:

Is there is likelihood that the Project would not be undertaken but for the Financial Assistance provided by the Agency?

☒ Yes or ☐ No

If the Project could be undertaken without Financial Assistance provided by the Agency, then provide a statement in the space provided below indicating why the Project should be undertaken by the Agency:

III. EMPLOYMENT PLAN

	1	2	3	4	5
	Current # of jobs at proposed project location or to be relocated to project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number jobs to be RETAINED	IF FINANCIAL ASSISTANCE IS GRANTED – project the number jobs to be CREATED:	IF FINANCIAL ASSISTANCE IS GRANTED – project the number Construction Jobs to be CREATED:	Estimate number of residents of the *Labor Market Area that will fill the jobs described
*Full Time	36	36	Year 1: <u>5</u> Year 2: <u>5</u> Year 3: <u>10</u>	100-120	20
*Part Time <i>Calculated as .5 for every 1 part time Job</i>	1.5	1.5	Year 1: <u>2</u> Year 2: <u>2</u> Year 3: <u>2</u>	100-120	6
Total	37.5	37.5		100-120	26

*GUIDANCE ON JOB REPORTING

A Full-Time Employee shall work at least 35 hours per week. A part-time employee will count as a fraction of a Full-Time Employee (an employee working at least 17.5 hours per week will count as .5). A seasonal employee will also count as a fraction of a Full-Time Employee based on the number of full months worked in a year (an employee hired to work only for three months in a year will count as .25).

** The Labor Market Area is defined as Seneca County, Ontario County, Wayne County, Cayuga County, Schuyler County and Tompkins County, New York.

Salary and Fringe Benefits for Jobs to be Retained and/or Created:

Average Estimated Annual Salary of Jobs to be Created (at current market rates)	\$ <u>60,000</u> to \$ <u>65,000</u>
Annualized Salary Range of Jobs to be Created	\$ <u>10,000-200,000</u>
Estimated Average Annual Salary of Jobs to be Retained (at current market rates)	\$ <u>62,000</u>

IV. REPRESENTATIONS AND COVENANTS 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) **Compliance with N.Y. GML Sec. 862(1):** Applicant certifies 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.

- F) **Compliance with Applicable Laws:** 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.
- G) **False and Misleading Information:** 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.
- H) **Recapture:** Should the Applicant not expend or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.
- 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 Applicant, except as hereinafter described:

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

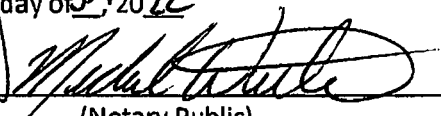
BRIAN WILKINS, being first duly sworn, deposes and says:

1. That I am the President (Corporate Office) of WILKINS Recreational Vehicles, Inc (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.


(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury this

8th day of July, 2022


(Notary Public)

MICHAEL WURTH
Notary Public, State of New York
Reg. No. 01WU6400828
Qualified in Steuben County
Commission Expires Nov. 25th 2023

This Application should be submitted with a \$350.00 Application fee to Seneca County Industrial Development Agency, One DiPronio Drive, Waterloo, New York 13165-1681 (Attn.: Sarah Davis, Executive Director).

HOLD HARMLESS AGREEMENT

Applicant hereby releases the SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY and the members, officers, servants, agents and employees thereof (the "Agency") from and 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 tax exemptions and other assistance requested therein are favorably acted upon by the Agency, (ii) the Agency's acquisition, construction and/or installation of the Project described therein and (iii) 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. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law, that any New York State and local sales and use tax exemption claimed by Applicant and approved by the Agency in connection with the Project may be subject to recapture by the Agency under such terms and conditions as will be set forth in the Agent Agreement to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this Application, including without limitation information regarding the amount of New York State and local sales and use tax exemption benefits, is true, accurate and complete. If, for any reason, 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 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 agent or assigns, all costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

Applicant: Wilkins RV, Inc

By: Brian Wilkins
(Print Name)

Title: President

Signature: _____

ADDENDUM TO IDA APPLICATION FOR FINANCIAL ASSISTANCE

Local Labor: The Company hereby represents and warrants that it will use commercially reasonable efforts to hire, and cause any agent of the Company, general contractor, subcontractor, or subcontractor to a subcontractor working on the Project, to hire employees who live within Seneca County. The Agency understands and acknowledges that at certain times local labor may not be available. Upon such an occurrence, the Company shall request the Agency to waive the local labor requirement.

**SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
UNIFORM PROJECT EVALUATION POLICY**

Pursuant to and in accordance with Section 859-a(5) of the General Municipal Law ("GML"), the Seneca County Industrial Development Agency (the "Agency") hereby establishes a Uniform Project Evaluation Policy for the evaluation and selection for all qualifying categories of projects for which the Agency may provide "Financial Assistance" (as defined herein). "Financial Assistance" shall include any of the following: (i) the issuance by the Agency of tax- exempt bonds; (ii) sales and use tax exemption; (iii) mortgage recording tax exemption; and (iv) real property tax exemption (with or without a related agreement for payments in lieu of taxes).

For each Application for Financial Assistance received by the Agency, the following must occur prior to authorizing the provision of Financial Assistance:

- 1) The Agency shall undertake an assessment of all material information included in connection with the Application for Financial Assistance as necessary to afford a reasonable basis for the decision by the Agency to provide Financial Assistance for a project. Such information may include, without limitation, qualification of the proposed project under the GML (including any retail analysis, as applicable), the applicant's financial history, project pro-formas, and consideration of local development priorities.
- 2) A written cost-benefit analysis shall be utilized by the Agency that identifies the extent to which a project will create or retain permanent, private sector jobs, the estimated value of any tax exemptions to be provided; the amount of private sector investment generated or likely to be generated by the proposed project; the likelihood of accomplishing the proposed project in a timely fashion; and the extent to which the proposed project will provide additional sources of revenue for municipalities and school districts; and any other public benefits that might occur as a result of the project, taking into account the economic condition of the area at the time of the application, the effect of the proposed project upon the environment and surrounding property, and the extent to which the proposed project will provide a benefit (economic or otherwise) not otherwise available within the municipality in which the project is located.
- 3) The Agency's Application for Financial Assistance shall include a statement by the applicant that the project, as of the date of the application, is in substantial compliance with all provisions of GML Article 18-A, including, but not limited to, the provisions of GML Section 859-a(5) and 862(1); and
- 4) If the proposed project involves the removal or abandonment of a facility or plant within the State of New York, the Agency shall notify the chief executive officer or officers of the municipality or municipalities in which the facility or plant was located of the Agency's receipt of an application for Financial Assistance.

**SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
PROJECT REVIEW AND RECAPTURE POLICY**

The Seneca County Industrial Development Agency (the "IDA") reserves the right to review the performance of projects for which the IDA's financial assistance has been granted (a "Project") to determine if a Project has met the obligations and conditions set forth in the IDA approvals and agreements related to the Project (the "Project Documents"). The terms and conditions of the Project Documents (the "Material Factors") will serve as the benchmark for determining a Project's compliance.

Material Factors should be explicit and measurable and may include items such as investment, job creation, retention or other factors as determined by the board. Material Factors may vary from Project to Project.

Non-Compliance Review Process:

If a Project is found to be non-compliant with the Material Factors, the IDA shall undertake the following:

1. The IDA shall notify the Project owner/operator (the "Company") in writing that, in the IDA's determination, the Company has violated a Material Factor.
2. The Company shall be given an opportunity to remedy the violation.
3. If the Company is unable or unwilling to remedy the violation, the IDA shall seek additional information/explanation from the company as to why a Material Factor was not achieved. These may include economic or natural factors that led to the violation. These factors should be discussed and predetermined to the extent possible by the Board and may include items such as, natural disaster, industry dynamics, unfair competition or economic events that were outside the control of the Company.
4. The Company shall be provided the opportunity to present to the IDA any information as outlined above regarding why the Material Factor was not achieved.

Board Actions:

Following completion of the Non-Compliance Review Process described above, the IDA Board will consider whether to keep benefits in place, reduce, terminate, and/or recapture financial assistance. The following options will be reviewed and considered by the IDA Board:

1. Upon a review of the facts the Board may determine that the non-compliance was justified and/or adequately explained and may consider the matter closed without further action, or set a specific time period for the Company to achieve compliance. This may also be accompanied by a period of increased reporting or such other conditions as the IDA Board may reasonably impose. (e.g., review violated Material Factor(s) quarterly until remedied.)
2. In the event of non-compliance with a Material Factor that is not, in the IDA Board's determination, justified by factors outside the Company's control and/or otherwise adequately explained, the IDA Board may determine that such non-compliance will

result in the reduction, suspension, termination and/or recapture of financial assistance, as provided below.

Reduction of Financial Assistance: The IDA Board may determine that a reduction in financial assistance is appropriate, which reduction may include, without limitation, increased required payments under an agreement for payments in lieu of taxes.

Termination of Financial Assistance: The IDA Board may elect to terminate any ongoing financial assistance to a Company. Reasons for termination should be explicit and may include, without limitation, continued violation of the Material Factors or failure to comply with ongoing reporting or compliance requirements of the IDA.

Recapture of Financial Assistance: An IDA Board may require that all or part of the financial assistance for a Project be returned, including all or part of the amount of any tax exemptions. Events justifying recapture may include, without limitation, a Company knowingly providing false information on an application or a compliance/monitoring report; a finding that the Company did not make a good faith effort or have any intention of meeting a Material Factor; a company ceases operations and/or relocates; material non-compliance with state and/or local laws or regulations; and material shortfalls in job creation and retention projections.

In the event an IDA is successful in recapturing financial assistance, such funds shall be returned to the appropriate affected taxing jurisdictions on a pro rata basis unless otherwise agreed upon by the local taxing jurisdiction.

Annual Review

The IDA shall annually assess the progress of each Project for which bonds or notes remain outstanding or straight-lease transactions have not been terminated, or which continue to receive financial assistance or are otherwise active, toward achieving the investment, job retention or creation, or other objectives of the Project indicated in the Project applications. Such assessments shall be provided to the IDA Board.

Retail Tourism Justification for IDA Application

Brian Wilkins provided the IDA with a breakdown of his dealership's customers by zip code for their Bath, NY location, which he claims will be most comparable to Junius as the stores will be similar size and they are both in close proximity to a major highway (I-86 and the NYS Thruway).

The data provided showed 21% of the dealership's customers came from out of state and another 18% came from within New York State but outside of the region (more than 60 miles away).

Additionally, Brian explained that the location on the Thruway should be especially attractive to transient customers traveling to New England, Ohio, etc. And the proximity to attractions like del Lago Resort & Casino, campgrounds, and state parks would entice customers having service done on their RVs to stay a few days before heading home, bringing business into the area that otherwise would not be here.

Additional Explanation to Part H of IDA Application

RE: Revised IDA Application



Brian Wilkins <bwilkins@wilkinsrv.com>
To: Sarah Davis

Reply

Reply All

Forward



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Tue 7/19/2022 12:35 PM

Our site in Victor is land-locked on two sides by wetlands and two sides by roads. So it will always be an eight acre site that can sell and service 400-500 RV's per year. The site in Junius offers unlimited potential. Our guess is that the sales potential is double, the employment potential is double, but the ability to service customers, and maybe more importantly transient customers, could be triple to quadruple. This is especially critical with the recent growth in interest, the RV industry has seen since the Covid pandemic. The RV industry has seen unprecedented growth as people are choosing local, domestic travel over international or air travel. Having more service capacity will allow us to better service our customers, but also allow us to better service those customers who travel to this area from out-of-state or out-of-region. Additionally, assistance will help to offset the increased costs to building in today's inflationary environment. Building costs have gone up substantially over the past year – and assistance would help keep our facility competitive. The pilot helps us to budget at least one component of cost, during a time when many costs are difficult to budget. Additionally, assistance would help keep us competitive in an environment where many retailers are choosing to sell their products online, versus in-person. This is great in many industry, but in the RV industry, after the sale service is important, and often the experience that consumers are getting when they buy on-line, is not as good as those when customers are buying from their local dealer and being serviced by their local dealer. We truly feel this project provides more potential, its good for our employees, its good for our customers and even those that are not our customers and it will help us grow jobs in our region, versus this business, and thus the jobs that go with that position, go out-of-region, or out-of-state.

EDA Revolving Loan Fund

Semi Annual Report

SENECA COUNTY IDA
REVOLVING LOAN FUND STATUS REPORT
as of June 30, 2022

ACTIVE LOANS	TYPE OF LOAN	LOAN AMOUNT	DATE CLOSED	LOAN TERMS	REPAYMENT STATUS	OUTSTANDING PRINCIPAL as of 06/30/2022	Scheduled End Date of Loan
BONADENT	Fixed Asset	\$400,000	12/01/10	2.4375% / 15 YRS	CURRENT	\$116,503	04/01/26
PINE TREE FARMS	Fixed Asset	\$350,000	05/03/18	3.5625% / 5 YRS	CURRENT	\$93,420	09/01/23
SCHRADER FARMS	Fixed Asset	\$185,000	6/23/2021	2.44% / 10 YRS	CURRENT	\$169,856.00	7/1/2031

Current Balance Available for Lending:	\$774,634
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Financial Report:

Seneca County Industrial Development Agency-3652SENE-2022.06.30

Grantee Information

RLF Name:	Seneca County Industrial Development Agency-3652SENE
EDA Award Number:	01-49-03685
Reporting Period End Date:	June 30, 2022
Status:	Submitted
RLF Due Date:	July 30, 2022
Report Type:	Semiannual
End of Year Financial Report:	false
Regional Office:	Philadelphia
State:	NY

Approval Process Information

Validation on Authority :	true
Extra Approval Needed:	false
Certification Statement :	true
Return for Corrections :	
Submission Date:	July 26, 2022
Submitter:	Kelly Kline
Approval Date:	

Portfolio Financial Status: RLF Funding Sources

EDA Funding:	\$540,000.00
Federal Grant Rate:	67.50%
RLF Local Match:	\$260,000.00
Total RLF Funding:	\$800,000.00

Portfolio Financial Status: Cumulative RLF Income Fund

Interest Earned on Loans:	\$386,268.26
Interest Earned on Deposit Accounts:	\$29,891.55
Fees Earned on Closed Loans:	\$4,250.00
RLF Income from Application Fees:	\$250.00
Other RLF Income:	\$77.76
Explanation of Other Income:	late fees
Total RLF Income:	\$420,737.57
Portion RLF Income Admin. Expense:	\$66,324.98
RLF Income Added to Capital Base:	\$354,412.59

Portfolio Financial Status: Status of RLF Capital

Total RLF Funding:	\$800,000.00
RLF Income Added to RLF Capital:	\$354,412.59
Voluntarily Contributed Capital:	\$0.00
Loan Losses:	\$0.00
Disallowance:	\$0.00
RLF Capital Base:	\$1,154,412.59

Portfolio Financial Status: Current Balance Available for New Loans

Principal Outstanding on Loans:	\$379,778.37
RLF Cash Available for Lending:	\$774,634.22
RLF \$ Committed Not Disbursed:	\$0.00
Cash Available Net of Commitments:	\$774,634.22
Percentage Cash Available for Lending:	67.10%

Loan Portfolio Summary: Portfolio Status

	Number	RLF Loaned	RLF Principal Outstanding	Loan Losses
Current Loans:	3	\$935,000.00	\$379,778.37	
Delinquent Loans:	0	\$0.00	\$0.00	
Loans in Default:	0	\$0.00	\$0.00	
Total Active Loans:	3	\$935,000.00	\$379,778.37	
Written Off Loans:	0	\$0.00		\$0.00
Fully Repaid Loans:	16	\$1,796,000.00		
Total Loans:	19	\$2,731,000.00	\$379,778.37	\$0.00

Number of Applications Recieved:	1
Number of Loans Closed During Reporting:	0
Aggregate PLLs:	false
Count of Aggregate PLLs:	

Risk Scoring Measures

Capital Base Index:	1.4430
Net RLF Income:	15.76%
Default Rate:	0.00%
Default Rate Over Time (Months):	0
Administrative Expenses % of Income:	31.63%
RLF Income used for Admin. Expenses:	\$1,825.00
RLF Income earned during Fiscal Year:	\$5,769.04
Loan Write Off Ratio:	0.00
Dollars Written Off:	0.00
Allowable Cash Percentage:	31.65%
Cash Percentage:	67.10%
Cash Percentage over Time (Months):	53%

	RLF Plan Target	Active Loans	Total Loans
Total \$ Leveraged:		\$14,737,250.00	\$42,173,810.00
Loan Leverage Ratio:	2.00 : 1.00	15.76 : 1.00	15.44 : 1.00
Jobs Created:		45.00	549.00
Jobs Saved:		243.00	1188.00
Total Jobs:		288.00	1737.00
Cost per Job:	\$35,000.00	\$3,246.53	\$1,572.25

RLF Management Summary

Date of EDA Approved RLF Plan:	July 12, 2018
Fiscal Year End Date:	December 31, 2022
Date of Annual RLF Plan Certification:	August 6, 2020
Date of Most Recent Audit:	March 24, 2022
Single Audit:	true
Any key staff turnover:	No
If yes please explain:	
Program Specific Audit:	false
Audit Submitted to FAC on Time?:	Yes
If not why not?:	
Does the Audit Contain any Findings?:	No

Key Contact	Name	Title	Tenure
Executive Director	Sarah R. Davis	Executive Director	2 - 3 Years
Lending Director	Sarah R. Davis	Executive Director	2 - 3 Years
Finance Director	Robert E. Kernan Jr.	CFO	3+ years
Reporting Official	Kelly M. Kline	Office Manager	3+ years