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**City of Syracuse**  
**Industrial Development Agency**  
201 East Washington Street, 6<sup>th</sup> Floor  
Syracuse, NY 13202  
Tel (315) 473-3275

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To: Finance Committee Members  
City of Syracuse Industrial Development Agency

From: Judith DeLaney

Date: August 15, 2019

Re: Finance Committee Agenda – August 19, 2019

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The City of Syracuse Industrial Development Agency will hold a Finance Committee Meeting on Monday August 19, 2019 at 8:00 a.m. in City Hall Commons, **6<sup>th</sup> Floor Conference Room**, 201 East Washington Street, Syracuse, N.Y. 13202.

The Agenda is as follows:

**I. Call Meeting to Order –**

**II. Roll Call –**

**III. Proof of Notice – 1**

**IV. Minutes – 2**

Approval of the minutes from the July 18, 2019 Finance Committee Meeting.

**V. New Business –**

**Gerharz Equipment Inc. (Sage Teall Properties LLC) - 3**

Review of a request for an increase in the amount of the sales tax exemption approved for the Project and an extension of the appointment through September 30, 2019.

*Attachments:*

- 1. Supplemental Application.*
- 2. Correspondence.*
- 3. Cost Benefit Analysis.*

**Syracuse SOMA Project LLC – 4**

Review of the Project.

*Attachments:*

1. *Correspondence.*
2. *Summary*
3. *Application for Financial Assistance.*
4. *Project Description.*
5. *Cost Benefit Analysis.*

**327 Montgomery Street – 5**

Review of correspondence received by the Agency relative to the property.

*Attachment:*

1. *Correspondence.*

**VI. Adjournment –**

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**City of Syracuse**  
**Industrial Development Agency**  
201 East Washington Street, 6<sup>th</sup> Floor  
Syracuse, NY 13202  
Tel (315) 473-3275

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**PLEASE POST**

**PLEASE POST**

**PLEASE POST**

**PUBLIC MEETING NOTICE**

**SYRACUSE INDUSTRIAL DEVELOPMENT AGENCY**

**HAS SCHEDULED**

**A**

**FINANCE COMMITTEE MEETING**

**ON**

**August 19, 2019**

**AT**

**8:00 A.M**

**In City Hall Commons  
6<sup>th</sup> Floor Conference Room  
201 E. Washington St  
Syracuse, NY 13202**

**For More Information, Please Contact the Office of the Agency at (315) 473-3275**

**City of Syracuse**  
**Industrial Development Agency**  
201 East Washington Street, 6<sup>th</sup> Floor  
Syracuse, NY 13202  
Tel (315) 473-3275

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Minutes  
SIDA  
Board of Directors Finance Committee Meeting  
Tuesday July 8, 2019

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**Board Members Present**, Michael Frame, Rickey Brown, Kenneth Kinsey.

**Staff Present:** Judith DeLaney, Sue Katzoff, Esq., John Vavonese, Debra Ramsey-Burns.

**Others Present:** Kathy Murphy, James Trasher, Sarah Stephens, Rich Pascarella, Susan Ecker, Andrew Mather, Kevin McAuliffe, Stephen Byer.

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**I. Call Meeting to Order**

Mr. Frame called the meeting to order at 8:04 a.m.

**II. Roll Call**

Mr. Frame acknowledged all Board members were present.

**III. Proof of Notice**

Mr. Frame noted notice of the meeting had been timely and properly provided.

**IV. Minutes**

Mr. Frame asked for a motion approving the minutes from the March 15, 2019 Finance Committee meeting. Mr. Kinsey made the motion. Mr. Frame seconded the motion. **ALL BOARD MEMBERS PRESENT UNANIMOUSLY APPROVED THE MINUTES FROM THE MARCH 15, 2019 FINANCE COMMITTEE MEETING.**

**V. New Business**

**Syracuse SOMA Project LLC**

Ms. DeLaney reviewed the Project for the Committee noting it was a third phase of the Amos Building Project located adjacent to Clinton Square on West Water Street. She said the Project proposed the construction of a nine story addition to include 1200 sq. ft. of commercial space, 104 residential units, and 72 parking spaces with an automated lift parking system. She noted a history of the first two phases of the Project was included in a summary attached to the agenda. She said the cost of the Phase 3 Project is estimated to be \$19,130,000.00 and the owner was requesting benefits from the Agency including exemptions from sales and mortgage tax along with a 10 Year PILOT Agreement.

James Trasher of CHA Engineers and Richard Pascarella of Granite Development Company were present and discussed the Project further. Mr. Trasher distributed drawings of the Project and noted the lift system which will be a first in Onondaga County was very expensive.

Mr. Pascarella discussed the financing and noted there were unusually large costs with the Project including substantial utility work required by National Grid, site work, and the planned parking spaces each of which are estimated to cost \$30,000.00 per space. There were also a series of revisions to the plan required by the City's Planning Commission that added to the expense. He said the requested abatements being requested would provide needed relief to Project's finances.

Ms. DeLaney asked about the commercial space in the building. Mr. Pascarella replied currently the building housed a restaurant (Saltine Warrior), caterer, beauty salon, a yoga studio and a fitness center. He noted the businesses were all start-ups. He said the proposed commercial space had yet to be leased.

Mr. Brown noted the application indicated the hiring of only one new employee and said he had concerns about the number of jobs for community members. Mr. Trasher noted there would be other jobs filled by the new commercial tenants similar to the jobs created by the small businesses in the first two phases.

Mr. Frame also indicated he would like to have a clearer understanding of the jobs created for the first two phases and what could be expected from this final phase along with construction jobs

Mr. Trasher said the Project has always used MWBE contractors in the past and they could provide information on the numbers.

Ms. Murphy asked for clarification on the number of apartments. Mr. Pascarella responded the mix would be 75% one bedroom and 25% two bedroom. She also asked if the parking spaces are for tenants only. Mr. Trasher said they were in the process of deciding how many spaces would be made available to the public.

**The Committee decided to delay further consideration of the Project until updated information on job impact was received from the owners.** Mr. Pascarella agreed to provide the information within the next ten days.

### **Steri-Pharma LLC**

Ms. DeLaney reviewed the current status of the project for the Committee and advised a summary was attached to the agenda for their further review. She noted the Project approved in 2017 and closed in March of 2018 proposed the construction of 18,500 sq. ft. addition to the existing 73,000 sq. ft. facility to house a "clean room", sterile production and filling rooms and warehouse space to accommodate a new pharmaceutical production line along with site improvements including the stabilization of a retaining wall along Onondaga Creek, utility work, and a covered corridor to connect the two buildings. Cost of the Project was estimated to be \$50,000,000.00.

She further advised the Agency with Board approval also entered into an agreement with the Company for the repair of the creek retaining wall and related infrastructure in the public right of way and dedicated the Agency fee for the Project to the work (\$331,317.00). That work was completed by the Company at a cost of \$1,671,773.00.

Ms. DeLaney said with the exception of the Creek and infrastructure work associated with it the Project has not moved forward which is a concern. She said the mortgage and sales tax benefits have not been used however the PILOT agreement did go into effect July 1, 2019. In discussions with the Company they advised an additional \$500,000 has been invested in the current line and an additional 21 new employees have been hired.

At the request of the Board, Andrew Mather, the managing director of the Company was present to speak to the Committee regarding progress on the proposed Project.

Mr. Mather told the Committee the delay in the Project has occurred due to issues with the drug manufacturer's (Steri-Pharma's customer) delay in volume commitment along with tightened regulatory requirements and newer technology. He said he hoped by the end of August to have more of a definitive answer as to when the Project would commence. He further said in response to questions by Mr. Frame and Mr. Brown the Company was committed to hiring from the local community and willing to work with community organizations to facilitate local hires.

**After discussion among the members, the Committee agreed to delay any action on the project until September when the Company will report back to the Agency on its progress in moving forward with the Project as originally proposed.**

#### **Alan Byer Auto Sales Inc.**

Ms. DeLaney reminded the members the Board of Directors had previously approved a Project for Company for the renovation and upgrade of its Volvo facility on West Genesee Street. Benefits approved included exemptions from mortgage and sales tax along with a PILOT agreement. After approval the Company's attorney advised of a discrepancy in the application relative to the number of parcels involved in the transaction - all owned by different entities. The Company then submitted an amended application and a Public hearing was held on April 16<sup>th</sup>.

Committee members met with Stephen Byer (owner) and Kevin McAulliffe (counsel) to review the Project and clarify issues relative to the properties involved. After a review of the improvements to be made on each of the three parcels (dealership, repair shop, used car facility) and a discussion of employment opportunities, Mr. Frame asked for a motion to make a recommendation to the Board of Directors.

Mr. Kinsey made the motion, Mr. Brown seconded the motion. **The Committee members unanimously approved a motion to recommend to the Board of Directors approval of an amended inducement resolution and extension of a temporary sales tax appointment through September 13, 2019 and further requested staff work with the Assessor to structure a PILOT agreement inclusive of the three parcels.**

#### **Gerharz Equipment Inc. (SageTeall Properties LLC)**

Ms. DeLaney briefly reviewed the Project for the Committee members saying the Agency had received a request from the owner for an increase in the sales tax appointment for the Project due to a substantial and unanticipated increase in the construction budget. She said as the requested increase in the exemption is over \$100,000.00 a new Public Hearing would need to be held.

**After a brief discussion among the members, the Committee decided to delay any action until the owner and/or his representatives could be present to update the Committee on the Project.**

#### **VI. Adjournment**

There being no further business to discuss, Mr. Frame asked for a motion to adjourn the meeting. Mr. Kinsey made the motion. Mr. Frame seconded the motion. **ALL COMMITTEE MEMBERS PRESENT UNANIMOUSLY APPROVED TO ADJOURN THE MEETING AT 9:51 a.m.**

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**Industrial Development Agency**  
201 East Washington Street  
Syracuse, NY 13202  
Tel (315) 473-3275

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**EXECUTIVE SUMMARY**

**Agenda Item: 3 - Finance Committee**

**Title: Gerharz Equipment Inc.**

**Requested By: Judv DeLaney**

**OBJECTIVE:** Review of a request relative to an increase in the sales tax exemption approved for the Project and extension of the appointment through 9-30-20..

**DESCRIPTION:**

**Direct expenditure of fund:**  Yes  No

**Type of financial assistance requested**

**PILOT**

**Sales Tax Exemption**

**Mortgage Recording Tax Exemption**

**Tax Exempt Bonds**

**Other**

**SUMMARY:** In July of 2018 the Agency Board of Directors approved financial assistance to the Company for a Project to be undertaken at 222 Teall Avenue (adjacent to the Teall Avenue Post Office). The Company proposed the acquisition of an 85,000 sq. ft. partially vacant building to be renovated to accommodate the merged operation of Gerharz Equipment Inc. a restaurant supply company along with that of Central Restaurant Supply, recently purchased by Gerharz. At completion of the project the merged company will occupy 65,000 sq. ft. of the building with the additional space to be leased to companies serving the food industry. The Company advised and continues to anticipate a job count of 41 retained jobs and 8 new FTEs. The cost of the Project was originally estimated to be \$4,965,000.00 and the Company was approved for benefits in the form of a mortgage tax exemption valued at \$37,700, a sales tax exemption valued at \$96,000 and a 10 Year PILOT agreement valued at 154,966.79. The project is now underway and the Agency has received correspondence from the Company requesting an increase in the sales tax exemption benefit by \$124,800.00 due to an unexpected increase in the cost of construction as it has progressed. Cost of the Project is now estimated to be \$7,215,000.00. Because the increase in benefits exceeds \$100,000.00 a new Public Hearing is required. A Public Hearing on the Project is scheduled immediately preceding the Board meeting of August 20, 2019.

**ATTACHMENTS:**

1. Supplemental Application
2. Correspondence.
3. Cost Benefit Analysis

**REVIEWED BY:**

- Executive Director
- Audit Committee
- Governance Committee
- Finance Committee

**Meeting:** August 19, 2019

**Prepared By: J. A. Delaney**

City of Syracuse Industrial Development Agency  
Supplemental Application and Verification

Project Name:

GERHARD Equipmat / Sage-Tessell Properties

Date:

7/2/2019

### III. PROJECT COSTS & FINANCING

#### A. Estimated Project Costs

i. State the costs reasonably necessary for the acquisition, construction, and/or renovation of the Project:

Description of Cost Type	Total Budget Amount
Land Acquisition	1,650,000 <sup>00</sup>
Site Work/Demo	772,540 <sup>00</sup>
Building Construction & Renovation	2,225,000 Phase I / 1,200,000 Phase II starts 1/1/2020
Furniture & Fixtures	560,000
Equipment	200,000
Equipment Subject to NYS Production Sales Tax Exemption (Manufacturing)	
Engineering/Architects Fees	226,380 <sup>00</sup>
Financial Charges	
Legal Fees	30,000 <sup>00</sup>
Other	
Management /Developer Fee	
Total Project Cost	6,863,920

ii. State the sources reasonably anticipated for the acquisition, construction, and/or renovation of the Project:

Amount of capital the Applicant has invested to date:	2,900,000 <sup>00</sup>
Amount of capital Applicant intends to invest in the Project through completion:	6,863,920 <sup>00</sup>
Total amount of public sector source funds allocated to the Project:	
Identify each public sector source of funding:	
Percentage of the Project to be financed from private sector sources:	100%
Total Project Cost	

#### B. Financial Assistance sought (estimated values):

Applicants requesting exemptions and/or abatements from SIDA must provide the estimated value of the savings they anticipate receiving. **New York State regulations require SIDA to recapture any benefit that exceeds the amount listed in this application.**

i. Is the Applicant expecting that the financing of the Project will be secured by one or mortgages?  Yes  No

If yes, amount requested and name of lender:

3,700,000 NBT Bank

ii. Is the Applicant expecting to be appointed agent of the Agency for purposes of abating payments of NYS Sales and Use Tax?  Yes  No

If yes, what is the TOTAL amount of purchases subject to exemption based on taxable Project costs?

2,760,000

iii. Is the Applicant requesting a payment in lieu of tax agreement (PILOT) for the purpose of a real property tax abatement?  Yes  No

If yes, Category of PILOT requested:

iv. Is the Applicant requesting any real property tax abatement that is **inconsistent** with the Agency's UTEP?

Yes  No

If yes, please contact the Executive Director prior to submission of this Application.

v. Upon acceptance of this Application, the Agency staff will create a PILOT schedule and indicate the estimated amount of PILOT Benefit based on anticipated tax rates and assessed valuation and attach such information as Exhibit A hereto. At such time, the Applicant will certify that it accepts the proposed PILOT schedule and requests such benefit be granted by the Agency.

**\*\* This Application will not be deemed complete and final until Exhibit A hereto has been completed and executed\*\***

C. Type of Exemption/Abatement Requested:

Amount of Exemption/Abatement Requested:

<input checked="" type="checkbox"/>	Real Property Tax Abatement (PILOT)	
<input checked="" type="checkbox"/>	Mortgage Recording Tax Exemption (.75% of amount mortgaged)	10,125 (.75% of 1,350,000)
<input checked="" type="checkbox"/>	Sales and Use Tax Exemption (\$4% Local, 4% State)	220,800 (8% of 2,760,000)
<input type="checkbox"/>	Tax Exempt Bond Financing (Amount Requested)	
<input type="checkbox"/>	Taxable Bond Financing (Amount Requested)	

D. Company's average yearly purchases or anticipated yearly purchases from vendors within Onondaga County, subject to sales tax:

250,000 <sup>most of our purchases</sup> are tax exempt for resale.

E. Estimated capital investment over the next 5 years, beyond this Project, if available:

500,000 <sup>est</sup>

#### IV. EMPLOYMENT AND PAYROLL INFORMATION

\* Full Time Equivalent (FTE) is defined as one employee working no less than 40 hours per week or two or more employees together working a total of 40 hours per week.

A. Are there people currently employed at the Project site? *We hoped to be moved in by mid-August*

Yes  No If yes, provide number of full time equivalent (FTE) jobs at the facility:

B. Complete the following:

Estimate the number of full time equivalent (FTE) jobs to be retained as a result of this Project:	40.5
Estimate the number of construction jobs to be created by this Project:	125
Estimate the average length of construction jobs to be created (months):	8 months
Current annual payroll at facility:	1.9 million
Average annual growth rate of wages:	3%
Please list, if any, benefits that will be available to either full and/or part time employees:	paid medical (50%), paid vacation, 401k with Safe Harbor Match, paid holidays
Average annual benefit paid by the company (\$ or % salary) per FTE job:	Approx 30% of salary
Average growth rate of benefit cost:	15% a year on medical
Amount or percent of wage employees pay for benefits:	10%
Provide an estimate of the number of residents in the Economic Development Region (Onondaga, Madison, Cayuga, Oneida, Oswego, and Cortland Counties) to fill new FTE jobs:	100%

C. Complete the following chart indicating the number of FTE jobs presently employed at the Project and the number of FTE jobs that will be created at the Project site at the end of the first, second, third, fourth, and fifth years after the Project is completed. Jobs should be listed by title or category (see below), including FTE independent contractors or employees of independent contractors that work at the Project location. **Do not include construction workers.**

Current & Planned Full Time Occupations (Job Titles)	Current Number of FTEs	Annual Salary	Estimated Number of FTE Jobs After Project Completion					
			End of Year 1	End of Year 2	End of Year 3	End of Year 4	Total New Jobs After 5 Years	Total Retained Jobs After 5 Years
Skilled	28	Aug 25 <sup>02</sup> /hr	28	29	32	34	36	9
Semi-Skilled	9	Aug 10 <sup>02</sup> /hr	9	10	11	12	12	3

For purposes of completing the chart, refer to the following definitions, in lieu of current titles:

- **Professional/Managerial/Technical** - includes jobs which involve skill or competence of extraordinary degree and may include supervisory responsibilities (examples: architect, engineer, accountant, scientist, medical doctor, financial manager, programmer).
- **Skilled** - includes jobs that require specific skill sets, education, training, and experience and are generally characterized by high education or expertise levels (examples: electrician, computer operator, administrative assistant, carpenter, sales representative).
- **Unskilled or Semi-Skilled** - includes jobs that require little or no prior acquired skills and involve the performance of simple duties that require the exercise of little or no independent judgment (examples: general cleaner, truck driver, typist, gardener, parking lot attendant, line operator, messenger, information desk clerk, crop harvester, retail salesperson, security guard, telephone solicitor, file clerk).

D. Are the employees of your company currently covered by a collective bargaining agreement?

Yes

No

If yes, provide the Name and Local:

### V. Environmental Information

\*An Environmental Assessment Form (EAF) MUST be completed and submitted along with this application. Please visit <https://www.dec.ny.gov/permits/6191.html> for the online EAF Mapper Application and EAF Forms.

A. Have any environmental issues been identified on the property?

Yes

No

Seller has addressed all issues

If yes, please explain:

B. Has any public body issued a State Environmental Quality Review Act determination for this Project?

Yes

No

If yes, please attach to this application.

**APPENDIX B**

**Verification**

STATE OF New York )  
 ) SS.:

COUNTY OF Onondaga

Scott A. Gerharz, deposes and says that s/he is the  
(Name of Individual)

President  
(Title)

of Gerharz Equipment / Sage Tech / Properties  
(Applicant Name)

that s/he is the CEO or a person authorized to bind the company/applicant, and has personally completed and read the foregoing Application and knows the contents thereof and that the same is true, accurate, and complete to the best of her/his knowledge, as subscribed and affirmed under the penalties of perjury. The grounds of deponent's beliefs relative to all matters in the said Application which are not stated upon her/his own personal knowledge are investigations which the deponent has caused to be made concerning the subject matter of the Application as well as, if applicable, information acquired by deponent in the course of her/his duties/responsibilities for the Applicant and from the books and papers of the Applicant. The deponent also acknowledges the receipt of the schedules attached to the Application, including but not limited to the Agency's fee schedule and assumes responsibility for payment of any and all applicable fees as described therein. Deponent further acknowledges review and understanding of the Agency's published policies, including but not limited to the Agency's Recapture Policy, and agrees on behalf of the Applicant to be bound by and comply with, all such policies.

[Signature]  
Applicant Representative's Signature

President  
Title

Subscribed and sworn to before me this

22<sup>nd</sup> day of July, 2019

[Signature]  
Notary Public

SANDRA J. HALLIHAN  
Lic. #4860160  
Notary Public - State of New York  
Qualified in Onondaga County  
My Commission Expires MAY 27, 2022

PAUL W. REICHEL, ESQ.  
[preichel@bsk.com](mailto:preichel@bsk.com)  
P: 315.218.8135  
F: 315.218.8100

June 14, 2019

**VIA EMAIL**City of Syracuse Industrial Development Agency  
333 West Washington Street, Suite 130  
Syracuse, New York 13202  
Attention: Ms. Judith DeLaneyRe: Sage Teall Properties, LLC Project

Dear Judy:

We are writing on behalf of Sage Teall Properties, LLC (the "Company") to request an increase in the amount of sales tax exemptions authorized by Syracuse Industrial Development Agency ("SIDA") for the Company's project, and to request an extension of the term of SIDA's sales tax exemption.

In its original Application for Financial Assistance dated June 18, 2018, the Company estimated its purchases subject to sales tax would total \$1,200,000, resulting in a sales tax exemption of \$96,000. SIDA approved a sales tax exemption in this amount. SIDA's sales tax exemption letter dated November 1, 2018 allocated the sales tax exemption between (1) Company-controlled space and (2) space currently leased to third parties, which Company cannot renovate until the leases expire ("Leased Space"), as follows:

<u>Description</u>	<u>Estimated Completion Date</u>	<u>Estimated Costs</u>		<u>Estimated Sales Tax Exemption Needed</u>	
		<u>Construction</u>	<u>FF&amp;E</u>	<u>Construction</u>	<u>FF&amp;E</u>
Exterior Work and Company-Controlled Space	July 1, 2019	\$1,950,000	\$230,000	\$47,000 (by 07/01/19)	\$18,400 (by 07/01/19)
Leased Space	April 1, 2020	<u>\$ 850,000</u>	<u>\$120,000</u>	<u>\$21,000</u> (by 04/01/20)	<u>\$ 9,600</u> (by 04/01/20)
Total		<u>\$2,800,000</u>	<u>\$350,000</u>	<u>\$68,000</u>	<u>\$28,000</u>

The Company closed on its purchase of the property on November 13, 2018. Its contractors and design professionals then provided more specific budgets/estimates, which were significantly higher than expected. Also, during the course of the work over

the last few months, there have been change orders that increased the project cost. Moreover, the Company originally estimated that 30 percent of construction costs are attributable to taxable materials. The better estimate is 40 percent. As a result, although the project scope has not significantly changed, the estimated cost and sales tax have increased substantially.

Following is an updated table showing the revised cost and sales tax exemption estimates (including updated completion dates):

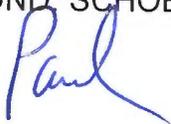
<u>Description</u>	<u>Estimated Completion Date</u>	<u>Estimated Costs</u>		<u>Estimated Sales Tax Exemption Needed</u>	
		<u>Construction</u>	<u>FF&amp;E</u>	<u>Construction</u>	<u>FF&amp;E</u>
Exterior Work and Company-Controlled Space	September 1, 2019	\$3,000,000	\$ 600,000	\$96,000 (by 09/01/19)	\$48,000 (by 09/01/19)
Leased Space	July 1, 2020	<u>1,400,000</u>	<u>\$ 400,000</u>	<u>\$44,800</u> by 07/01/20	<u>\$32,000</u> (by 07/01/20)
Total		<u>\$4,400,000</u>	<u>\$1,000,000</u>	<u>\$140,800</u>	<u>\$80,000</u>

On behalf of the Company, we request that SIDA please authorize an increase in the amount of sales tax exemptions for the project, from \$96,000 to \$220,800, allocated between Company-controlled space and Leased Space as set forth above.

Thank you for your consideration. Please let us know if you have any questions or need further information.

Very truly yours,

BOND, SCHOENECK & KING, PLLC



Paul W. Reichel

PWR/cy

cc: Mr. Scott Gerharz  
Susan Katzoff, Esq.

## DeLaney, Judith

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**From:** Scott Gerharz <Scott.G@gerharzequipment.com>  
**Sent:** Tuesday, July 2, 2019 5:23 PM  
**To:** DeLaney, Judith  
**Cc:** Reichel, Paul  
**Subject:** RE: SIDA/Sage Teall (Gerharz) - Request for Sales Tax Exemption Increase  
**Attachments:** city of syracuse-07022019162220.pdf

Hi Judy,

Attached is our re-submitted application for more sales tax exemptions. Essentially we thought we were going to be all in at 5,000,000, including the 1.65M real estate purchase, for just the space that Gerharz Equipment will occupy in Phase I and Phase II. We are about 15% over that in Phase I alone mainly because of unforeseen mechanical and demo/abatement issues that required a lot more engineering expertise and frankly under budgeting on the FFE to fill a building of this size, even with the factory direct deals we get.

The application shows a total project cost of 6,863,920. This total includes a budget of 1,200,000 for the phase II additional work we need for an additional 10,000 square feet of space we will be using for our operation. This is a budget derived using a figure of 120.00 a square foot. This figure is based on the 5.7 million we are spending on the first 35,000 square feet that we will be occupying next month. A tenant is moving out on 10/31/19. As soon as they leave we are hopeful to start renovations on their 10,000 square feet adjacent to our 35,000 square feet. Hopefully it will be less than 120.00 a square foot because some of the 5.7 million used to get to the per square foot figure is for work that already takes care of some of that space's needs such as sidewalks, parking lot and architects' fees. But we never know what we will find. For instance there is a space similar to this space that we needed to pour a whole new \$30,000 concrete floor for that was an unexpected expense. So the idea is that those renovations will take place between November '19 and April 2020. As soon as that is done we will have over 45,000 square feet of the building for our use. So every penny of this approximately 6.8 million is for the space we need for our use. At this point none of this money is going to spaces that will be leased to tenants other than Gerharz Equipment. After that there is 17,000 square foot of warehouse that is occupied by a furnace wholesaler. Their lease expires on 12/31/2021, at which point we will take over that warehouse space giving us 62,000 square feet of the building. We never figured that warehouse work in our renovation cost application because there should not be much work to do and we will take that money out of cash flow, if all goes well, when the time comes. The remaining spaces are 1200 square feet that was occupied by the Teall Ave road work project manager but they left, 4500 square feet by Arctic Enterprises that will remain a tenant for the long term, 4500 square feet of long time vacant space that we are starting to market, another 4500 square feet that we may keep for our use (some expensive mechanical work already done for that space included on this application) but Pyramid Brokerage thinks we can

attract a first class tenant there, and two 1500 sq. feet spaces upstairs. One is a long term tenant, NexLevel Computer Systems, who we hired for all of our IT and phone needs (just about everything we have bought for this project are from companies located within a few miles of the building). They are actually interested in leasing the other space upstairs. They were planning on moving until they see all the work going in to the building and now they have a landlord who fixes their A/C.

Our plan is good. We are just spending a ton of money to get there. However a total per square foot cost of 125.00 to 150.00 for a building that is going to look as good as this will, is actually a pretty great all-in price. Hopefully this and my previous jobs email explains the time frames and the tenant spaces. If anyone on the board needs further info call me anytime, cell: 315-882-4469.

Anything you can do to help will be greatly appreciated. I truly think this type of owner occupied development attracting small businesses on the rise is extremely beneficial to the City.

Sincerely,

**Scott Gerharz**  
President

**See our Online Catalog by clicking below!**



Gerharz Equipment  
6146 East Molloy Road  
East Syracuse, NY 13057  
tel: (315) 463-0639 ext. 114  
fax: (315) 463-1939  
[www.gerharzequipment.com](http://www.gerharzequipment.com)



Please consider the environment before printing this email.

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**From:** DeLaney, Judith <JDeLaney@syrgov.net>  
**Sent:** Wednesday, June 19, 2019 11:59 AM  
**To:** Reichel, Paul <reicp@bsk.com>; Scott Gerharz <Scott.G@gerharzequipment.com>  
**Cc:** Katzoff, Susan R. <skatzoff@bhlawpllc.com>; McRobbie, Lori L. (lmcrobbie@bhlawpllc.com) <lmcrobbie@bhlawpllc.com>  
**Subject:** RE: SIDA/Sage Teall (Gerharz) - Request for Sales Tax Exemption Increase

Scott and Paul – Thank you for the correspondence submitted relative to your request for both an extension and an increase in the sales tax exemption benefit approved by the Agency. As you know the request came in too late to add

## DeLaney, Judith

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**From:** Scott Gerharz <Scott.G@gerharzequipment.com>  
**Sent:** Saturday, June 29, 2019 9:02 PM  
**To:** DeLaney, Judith; Reichel, Paul  
**Cc:** Katzoff, Susan R.; McRobbie, Lori L. (lmcrobbie@bhlawpllc.com); Scott Gerharz  
**Subject:** Gerharz Equipment employment numbers

Hi Judy,

I am working on everything you requested below and plan on sending you the supplemental application along with the explanation of the increased construction expenses (much to my chagrin) soon.

In the meantime, I am reviewing resumes for open positions now, so I figured I would send the employment numbers explanation first.

We knew we were not going to add jobs before our move. We simply do not have physical space at either of our locations to add one more additional worker.

Starting July 8th we have two very qualified candidates joining us. One in accounts receivable and one in the warehouse. Over the past year we simply have been having a difficult time attracting and retaining our hourly warehouse and bookkeeping positions but we have a real good feeling about the two starting in just over a week on July 8th. We also are paying a fair amount more than we usually would start these positions at.

When they start we will have 36 full time and 4 part time employees. There are 4 part time employees, up from 3 in mid-June, because we recently added a couple of weeks ago a part time designer who hopefully will work into a full time position.

Also we have ads out currently for a counter showroom sales person and two driver/installer positions. The counter sales person will not be hired until we move in to our expanded facility but we have some real good candidates who want the job. We want to hire one installer and will most likely make him an offer next week. Not a very deep pool to choose from to fill the second installer position. If we hire him that will give us 37 full time and 4 part time employees.

As for this being a less amount than our application from last summer there are a couple of reasons. We hired in our warehouse a couple people that simply were not up to our standards because we had few options. We knew this when they were hired but we needed people so we decided to take a chance. They did not perform well and we had to let them go.

With unemployment so low it is difficult to find good workers for these positions and we do not put up very long with people who could bring down the rest of the team. We will keep trying. The candidate we are about to hire looks very promising.

The other reason we have a few less employees is due to some full time workers from last year now going part time or leaving the workforce. One of our full time A/P people is a single mother who had a child at the end of last year and now is back only part time. A salesman went out on family leave when his wife had a child and decided not to re-enter the workforce while his wife pursues her medical degree. We have a line of qualified salespeople we want to hire. We don't even have to advertise those positions, there are great candidates coming to us. Once we are in our great new facility we will start bringing them on board. I am 100% confident we will have 48 FTE employees as promised within 48 months after we move in to our new building. Business has been great and profitable, as we continue to move well beyond the borders of CNY, despite so many of our

resources focused on turning this underutilized building from the 1930's into a state of the art office and training center.

We appreciate your support. I would love for you to come and see the progress. Especially Nora. She was there when we first bought the building. She will be amazed by the transformation. We are going to make the City proud.

Do not hesitate to contact me with any questions.

Thanks,

Scott Gerharz

President

Gerharz Equipment

Sent from my Verizon, Samsung Galaxy smartphone

**Project Summary**

**1. Project:** Gerharz Equipment Inc      **2. Project Number:** 0

**3. Location:** Syracuse      **4. School District:** SCSD

**5. Tax Parcel(s):** 032.1-01-27.0      **6. Type of Project:** Commercial

<b>7. Total Project Cost:</b>		<b>\$ 6,863,920</b>	<b>8. Total Jobs</b>		<b>48</b>
Land	\$	1,650,000	8A. Job Retention		40
Site Work	\$	772,540			
Building	\$	3,425,000	8B: Job Creation		8
Furniture & Fixtures	\$	560,000	(Next 5 Years)		
Equipment	\$	200,000			
Equipment Subject to NYS Production Exemption	\$	-			
Engineering/Architecture Fees	\$	226,380			
Financial Charges	\$	-			
Legal Fees	\$	30,000			
Other	\$	-			

<b>Cost Benefit Analysis:</b>	Gerharz Equipment Inc	
	<b>Fiscal Impact (\$)</b>	
<b>Abatement Cost:</b>		<b>\$413,267</b>
Sales Tax	\$220,800	
Mortgage Tax	\$37,500	
Property Tax Relief (PILOT) 10yr	\$154,967	
<b>New Investment:</b>		<b>\$44,952,301</b>
PILOT Payments 10yrs	\$752,556	
Project Wages (10 yrs)	\$26,588,893	
Construction Wages	\$2,720,625	
Employee Benefits (10 years)	\$7,976,668	
Project Capital Investment	\$6,833,920	
New Sales Tax Generated	\$10,000	
Agency Fees	\$69,639	
<b>Benefit:Cost Ratio</b>		<b>108.77 :1</b>

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**City of Syracuse**  
**Industrial Development Agency**  
201 East Washington Street  
Syracuse, NY 13202  
Tel (315) 473-3275

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**EXECUTIVE SUMMARY**

**Agenda Item: 4 - Finance Committee**

**Title: Syracuse SOMA Project LLC**

**Requested By: Judv DeLaney**

**OBJECTIVE:** Project Review.

**DESCRIPTION:**

**Direct expenditure of fund:**  Yes  No

**Type of financial assistance requested**

**PILOT**

**Sales Tax Exemption**

**Mortgage Recording Tax Exemption**

**Tax Exempt Bonds**

**Other**

**SUMMARY:**

The Finance Committee met on July 8, 2019 and requested both clarification and additional information from the Project owner on job creation. The owner has since submitted the attached correspondence in response to the request and reports the exiting phases of the AMOS project have created 22 jobs (indirect retail commercial first floor) and anticipate 2 to 4 additional jobs to be created at the completion of this phase. The owner also reported past percentages of MWBE construction jobs on this and other projects and has committed to continue the practice of hiring MWBEs for this phase of the construction also. Additionally the owner has committed to allocating 10% of the residential units to meet affordable housing standards based on the City's median income. This commitment will become part of the Agency's agreement with the owner and will be subject to monitoring by the Agency over the term of the benefits. The attached summary by staff has also updated the PILOT numbers.

**ATTACHMENTS:**

1. Correspondence.
2. Summary.
3. Cost Benefit Analysis.
3. Application for Financial Assistance.
4. Project Narrative .

**REVIEWED BY:**

- Executive Director
- Audit Committee
- Governance Committee
- Finance Committee

**Meeting:** August 19, 2019

**Prepared By: J.A. DeLaney**

The Jacob  
4 Clinton Square, Suite 102  
Syracuse, NY 13202

Syracuse Industrial  
Development Agency  
Re: The Jacob

08/05/2019

Members of the Board,

It is with great anticipation that we look forward to our continued discussion with SIDA on August 20<sup>th</sup>.

Per our commitment made at the public meeting on July 16<sup>th</sup>, our project (owned by Syracuse Soma Project LLC) is providing additional information relative to the public benefits which the development and completion of the Jacob will provide.

Upon the Jacob being approved, Syracuse Soma Project LLC will commit to contracting MBEs/MWBEs to comprise our contracted workforce pool. Additionally, Syracuse Soma Project LLC will commit to maintaining local labor to utilize for the majority of our construction work. These factors are essential to our concept of success.

Additionally, upon the Jacob be approved to move forward, we will commit to allocating ten percent (10%) of our residential units to provide financially attainable housing based upon a rate that is marked between thirty-five (35) and forty (40) percent of the City of Syracuse's median income amount.

We believe these units, among other things, will facilitate and provide high quality of home and service yet affordable residential choices for our city's workforce constituency.

These commitments are more than worthwhile in our consideration to provide mutual progress in our city.

Below please find a matrix relative to our previous projects' construction job creation and diversity.

We look forward to discussing further.

The Jacob  
4 Clinton Square, Suite 102  
Syracuse, NY 13202

**Granite Development Company Estimated Job & Project Summary  
(2015-2017)**

<b>JOBS</b>	<b>Jacob</b>	<b>Amos II</b>	<b>Geddes</b>	<b>Destiny Arms**</b>	<b>Total (Incl. Jacob)</b>
Construction	80	25	40	75	220
Indirect Jobs	2 to 4	22*	-	1*	26
% MWBE Contractor Entities	-	25%	25%	20%	23%
<i>*All tenants were 1st time business owners, Amos II was their startup location.</i>					

\*\* 1st ever Universal Design in  
Upstate NY

Kindest Regards,

Mark J. Congel

Owner

Pursuant to the original application dated December 3, 2003, the original project involved six parcels of improved real property located at 200-238 Water Street West in the City of Syracuse, New York (the "**Land**"); and included both the renovation of the existing building located thereon and commonly known as the Amos Building as well as the construction of two new five to six story buildings on the site and related site improvements, all for use as a mixed use facility consisting of street level retail with the initial renovations to include approximately 19 apartment units and parking (the "**Original Project**").

The first closing occurred on January 1, 2006 and the Company received a 10 year PILOT (the "**Original PILOT**"). The Original PILOT covered the Land and the renovation of the Amos Building to accommodate approximately 19 apartment units, related site improvements and parking (**Phase 1**). The Original PILOT, if not amended, would have expired in 2017. The Company made payments on a PILOT schedule with a starting assessment of \$35,000.00 which in 2015, the 9th year of the PILOT had increased to \$69,300.00 based on the value of the original building.

In 2015, the Company submitted a second application for the next phase (Amos Building Addition Project) which involved approximately .577 acres of the Land; (ii) the construction of an approximately 27,310 square foot four (4) story addition to the exiting approximately Amos Building to house approximately 20,989 square feet on floors two (2) through (4) containing twenty-four (24) handicapped accessible (or conversion ready) one (1) and two (2) bedroom apartment units; and approximately 6,321 square feet of retail space on the first floor, all located Land ("**Phase 2**").

The second closing occurred on September 20, 2015 and the Company received \$264,000 in State and local sales and use tax exemptions and a 12 year PILOT per an Amended and Restated PILOT Agreement (the "**Amended PILOT**"). Total project costs were \$3,698,535.00 per the second application. Per the latest reporting information, 1 new job was created, exclusive of the retail space within Phase 2. The Amended PILOT is set to expire on June 30, 2028. The Amended PILOT base assessment was changed from \$69,300.00 to \$1,896,000.00 the 2015 assessed value of Phase 1.

In May 2019 the Company submitted a third application for the next phase which involves the construction of an approximately 11,300 sq.t. 9 -story addition to the Phase 1 and Phase 2 existing buildings consisting of: approximately 1,200 sq.ft of commercial/retail space on the first floor facing Fayette Street; approximately 21,400 sq.ft of parking including an automated parking lift system providing approximately 72 parking spaces on floors one and two; approximately 90,400 sq.ft. containing approximately 78 one-bedroom units and approximately 26 two-bedroom units on floors 3-9, all located on the Land (**Phase3**).

In conjunction with Phase 3, the Company has requested approximately \$720,000 in State and local sales and use tax exemptions, approximately \$107,606 in mortgage recording tax exemptions; and a 10 year PILOT. Benefits calculated for the PILOT will now be based on a starting assessment of \$4,106,000 the full assessed value of Phases 1 & 2. The value of the PILOT benefit over 10 years will be \$3,785,089.43. The Project will pay \$2,542,389.87 in PILOT payments over the same period of time.

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The cost of the third phase of the Project is \$19,130,000.00. As noted above, in the Company's original application they did anticipate all 3 Phases of the Project.

**City of Syracuse Syracuse Industrial Development Agency  
Application**

**I. APPLICANT DATA**

A. Contact Information

Company Name:	Syracuse Soma Project LLC			("Applicant")	
Mailing Address:	4 Clinton Square Suite 102				
City:	Syracuse	State:	NY	Zip:	13202
Phone:	3154239140	Fax:			
Contact Person:	Richard J Pascarella				
Email Address:	info@granitedevco.com				
Industry Sector:	Real Estate				
NAICS Code:	531311	Federal Employer Identification Number:	06-1718568		

B. Will the Applicant be the Project Beneficiary (i.e. Project tenant or owner/operator)

Yes  No  If No, Who will:

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C. Principal Stakeholders

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

Name	% Ownership	Business Address	Phone	Email
Mark J Congel	75	4 Clinton Square, Suite 102, Syracuse NY 13202	3154239140	mcongel@granitedevco.com
DANIEL M QUERI	15	314 BRADFORD PARKWAY SYRACUSE, NY 13224		
Paulo Cassenli	10	PAOLO CASINELLI, JR 6805 WOODCHUCK HILL		

D. Corporate Structure: Attach a schematic if Applicant is a subsidiary or otherwise affiliated with another entity.

- Corporation  
 Private     Public  
 Partnership  
 General     Limited  
 Other     Sole Proprietorship  
 Limited Liability Company/Partnership

Date and Location of Incorporation/Organization: 2/24/2004

If a foreign corporation, is the Applicant authorized to do business in the State of New York?

E. Applicant's Counsel:

Name:	Stephen G. Etoll		
Firm:	Hancock Estabrook, LLP		
Mailing Address:	1800 AXA Tower I		
City:	Syracuse	State:	NY Zip: 13202
Phone:	8004431118	Fax:	
Email Address:	setoll@shulmanlawpc.com		

F. Applicant's Accountant:

Name:	L Richard Pascarella & Dave Turon		
Firm:	DiMarco Abiusi & Pascarella		
Mailing Address:	4 Clinton Square, Suite 104		
City:	Syracuse	State:	NY Zip: 13202
Phone:	3154756954	Fax:	
Email Address:	rpascarella@dimarcocpa.com		

G. Applicant History: If the answer to any of the following is "Yes", please explain below. If necessary, attach additional information.

1. Is the Applicant, its management, or its principal owners now a plaintiff or defendant in any civil or criminal litigation?  Yes  No
2. Has any person listed in Section 1(c) ever been convicted of a criminal offense (other than a minor traffic violation)?  Yes  No
3. Has any person listed in Section 1 (C) or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt?  Yes  No

H. Has the Applicant, or any entity in which the Applicant or any of its members or officers are members or officers, received assistance from SIDA in the past? If yes, please give year, Project name, description of benefits, and address of Project.

Yes  No

1. Syracuse Soma Project 2006 PILOT. Syracuse Soma Project 2016 Amended & Restated PILOT, sales tax exemption, mortgage re

## II. PROJECT INFORMATION

### A. Project Location

Address:	214 West Water Street	Legal Address (if different)	
City:	Syracuse		
Zip Code:	13202		
Tax Map Parcel ID(s):	104.-19-03.4		
Current Assessment:	\$4,106,000	Square Footage /Acerage of Existing Site:	25,377.55
Square Footage of Existing Building, if any:	Approx. 53,000	Census Tract: (Please See Appendix E for Census Tracts)	32

### B. Type (Check all that apply):

- New Construction
  Commercial  
 Expansion/Addition to Current Facility
  Brownfield/Remediated Brownfield  
 Manufacturing
  Residential/Mixed Use  
 Warehouse/Distribution  
 Other

C. Description of Project: Please provide a detailed narrative of the proposed Project. This narrative should include, but not be limited to: (i) the size of the Project in square feet and a breakdown of square footage per each intended use; (ii) the size of the lot upon which the Project sits or is to be constructed; (iii) the current use of the site and the intended use of the site upon completion of the Project; (iv) the principal products to be produced and/or the principal activities that will occur on the Project site; and (v) an indication as to why the Applicant is undertaking the Project and the need for the requested benefits (Attach additional sheets if necessary). Attach copies of any site plans, sketches or maps.

See Attached

Exhibit I

D. Is the Applicant the owner of the property?

- Yes
  No

If not, who is the owner and by what means will the site be acquired? If leasing, when does the lease end?

E. Infrastructure: Please indicate whether the following are onsite, need to be constructed, or need to be renovated/expanded:

Water	To be Renovated/Expanded	Electric	Onsite
Sanitary/ Storm Sewer	Onsite	Private Roads	Onsite
Gas	Onsite	Telecommunication	Onsite

F. Zoning Classification: Please list the current zoning:

Current Zoning

COM-1

G. Are variances needed to complete the Project?

Yes

No

If yes, please describe nature of variances and if municipal approvals have been granted:

H. Will the Project generate sales tax for the community?

Yes

No

If yes, what is the company's average annual sales or estimated annual sales?

20,000.00

I. In accordance with N.Y. GML Sec. 862(1):

1. Will any other companies or related facilities within the state close or be subjected to reduced activity as a result of this Project? If so please list the town and county of the location(s):

Yes

No

2. Will the completion of the Project result in the removal of a plant or facility of the Applicant from one area of the State New York to another area of the State of New York?

Yes

No

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

Yes

No

i. If any answer to questions 1, 2 or 3 above is yes, is the Project reasonably necessary to discourage the Applicant from removing such other plant or facility to a location outside the State of New York?

Yes

No

ii. If any answer to questions 1, 2 or 3 above is yes, is the Project reasonably necessary to preserve the competitive position of the Applicant in its respective industry?

Yes

No

4. Will the Project primarily consist of retail facilities?

Yes

No

Yes

No

i. If yes, will the cost of these facilities exceed one-third of the total Project cost?

Yes

No

J. Is the Project located in a distressed Census Tract?

Yes

No

Please see Appendix E for the map of distressed census tracts in the city of Syracuse.

K. Is the Project site designated as an Empire Zone?

Yes

No

L. Construction

1. Project Timeline (approximate):

Construction Commencement

09/01/2019

Construction Completion

04/01/2020

Date of Occupancy

04/05/2020

2. Please list any other key Project milestones:

3. Has work begun?

Yes

No

If so, indicate the amount of funds expended in the past 3 years?

1,550,000

**III. PROJECT COSTS & FINANCING**

**A. Estimated Project Costs**

i. State the costs reasonably necessary for the acquisition, construction, and/or renovation of the Project:

Description of Cost Type	Total Budget Amount
Land Acquisition	0
Site Work/Demo	300,000
Building Construction & Renovation	15,750,000
Furniture & Fixtures	1,500,000
Equipment	500,000
Equipment Subject to NYS Production Sales Tax Exemption (Manufacturing)	0
Engineering/Architects Fees	400,000
Financial Charges	300,000
Legal Fees	100,000
Other	200,000
Management /Developer Fee	80,000
<b>Total Project Cost</b>	<b>19,130,000</b>

ii. State the sources reasonably anticipated for the acquisition, construction, and/or renovation of the Project:

Amount of capital the Applicant has invested to date:	1,550,000
Amount of capital Applicant intends to invest in the Project through completion:	5,000,000
Total amount of public sector source funds allocated to the Project:	0
Identify each public sector source of funding:	N/A
Percentage of the Project to be financed from private sector sources:	75% to 80%
<b>Total Project Cost</b>	<b>19,130,000</b>

**B. Financial Assistance sought (estimated values):**

Applicants requesting exemptions and/or abatements from SIDA must provide the estimated value of the savings they anticipate receiving. **New York State regulations require SIDA to recapture any benefit that exceeds the amount listed in this application.**

i. Is the Applicant expecting that the financing of the Project will be secured by one or mortgages?  Yes  No

If yes, amount requested and name of lender: 14,347,500

ii. Is the Applicant expecting to be appointed agent of the Agency for purposes of abating payments of NYS Sales and Use Tax?  Yes  No

If yes, what is the TOTAL amount of purchases subject to exemption based on taxable Project costs? 9,000,000

iii. Is the Applicant requesting a payment in lieu of tax agreement (PILOT) for the purpose of a real property tax abatement?  Yes  No

If yes, Category of PILOT requested: Standard

iv. Is the Applicant requesting any real property tax abatement that is **inconsistent** with the Agency's UTEP?  
 Yes  No

If yes, please contact the Executive Director prior to submission of this Application.

v. Upon acceptance of this Application, the Agency staff will create a PILOT schedule and indicate the estimated amount of PILOT Benefit based on anticipated tax rates and assessed valuation and attach such information as Exhibit A hereto. At such time, the Applicant will certify that it accepts the proposed PILOT schedule and requests such benefit be granted by the Agency.

**\*\* This Application will not be deemed complete and final until Exhibit A hereto has been completed and executed\*\***

C. Type of Exemption/Abatement Requested: Amount of Exemption/Abatement Requested:

<input checked="" type="checkbox"/>	Real Property Tax Abatement (PILOT)	7,000,000 (est.)
<input checked="" type="checkbox"/>	Mortgage Recording Tax Exemption (.75% of amount mortgaged)	107,606.25 (est.)
<input checked="" type="checkbox"/>	Sales and Use Tax Exemption (\$4% Local, 4% State)	720,000 (est.)
<input type="checkbox"/>	Tax Exempt Bond Financing (Amount Requested)	
<input type="checkbox"/>	Taxable Bond Financing (Amount Requested)	

D. Company's average yearly purchases or anticipated yearly purchases from vendors within Onondaga County, subject to sales tax:

E. Estimated capital investment over the next 5 years, beyond this Project, if available:

**IV. EMPLOYMENT AND PAYROLL INFORMATION**

\* Full Time Equivalent (FTE) is defined as one employee working no less than 40 hours per week or two or more employees together working a total of 40 hours per week.

A. Are there people currently employed at the Project site?  
 Yes  No If yes, provide number of full time equivalent (FTE) jobs at the facility:

B. Complete the following:

Estimate the number of full time equivalent (FTE) jobs to be retained as a result of this Project:	<input type="text" value="2"/>
Estimate the number of construction jobs to be created by this Project:	<input type="text" value="80"/>
Estimate the average length of construction jobs to be created (months):	<input type="text" value="4"/>
Current annual payroll at facility:	<input type="text" value="20,000 (est.)"/>
Average annual growth rate of wages:	<input type="text" value="2%"/>
Please list, if any, benefits that will be available to either full and/or part time employees:	<input type="text" value="Reduced Cost of Rent"/>
Average annual benefit paid by the company (\$ or % salary) per FTE job:	<input type="text"/>
Average growth rate of benefit cost:	<input type="text" value="1%"/>
Amount or percent of wage employees pay for benefits:	<input type="text"/>
Provide an estimate of the number of residents in the Economic Development Region (Onondaga, Madison, Cayuga, Oneida, Oswego, and Cortland Counties) to fill new FTE jobs:	<input type="text" value="60"/>

C. Complete the following chart indicating the number of FTE jobs presently employed at the Project and the number of FTE jobs that will be created at the Project site at the end of the first, second, third, fourth, and fifth years after the Project is completed. Jobs should be listed by title or category (see below), including FTE independent contractors or employees of independent contractors that work at the Project location. **Do not include construction workers.**

Current & Planned Full Time Occupations (Job Titles)	Current Number of FTEs	Annual Salary	Estimated Number of FTE Jobs After Project Completion					
			End of Year 1	End of Year 2	End of Year 3	End of Year 4	Total New Jobs After 5 Years	Total Retained Jobs After 5 Years
Project Manager	1	21000	2	2	2	2	2	2
On Site Supervisor	1	18000	2	2	2	2	2	2
Admin/Professional	1	20000	1	1	1	1	1	1

For purposes of completing the chart, refer to the following definitions, in lieu of current titles:

- **Professional/Managerial/Technical** - includes jobs which involve skill or competence of extraordinary degree and may include supervisory responsibilities (examples: architect, engineer, accountant, scientist, medical doctor, financial manager, programmer).
- **Skilled** - includes jobs that require specific skill sets, education, training, and experience and are generally characterized by high education or expertise levels (examples: electrician, computer operator, administrative assistant, carpenter, sales representative).
- **Unskilled or Semi-Skilled** - includes jobs that require little or no prior acquired skills and involve the performance of simple duties that require the exercise of little or no independent judgment (examples: general cleaner, truck driver, typist, gardener, parking lot attendant, line operator, messenger, information desk clerk, crop harvester, retail salesperson, security guard, telephone solicitor, file clerk).

D. Are the employees of your company currently covered by a collective bargaining agreement?

Yes  No If yes, provide the Name and Local: \_\_\_\_\_

### V. Environmental Information

**\*An Environmental Assessment Form (EAF) MUST be completed and submitted along with this application. Please visit <https://www.dec.ny.gov/permits/6191.html> for the online EAF Mapper Application and EAF Forms.**

A. Have any environmental issues been identified on the property?

Yes  No

If yes, please explain:

In 2005-2006, two former fuel tanks were found buried on the property site which is currently a vacant lot. The issue was addressed, the area was re-remediated, and a close out letter on the matter was received from NYS.

B. Has any public body issued a State Environmental Quality Review Act determination for this Project?

Yes  No

If yes, please attach to this application.

## VI. REPRESENTATIONS & AFFIRMATIONS BY THE APPLICANT

I hereby represent and warrant that I am [the CEO of the company/applicant] or [a person authorized to bind the company/applicant] and make the following representations and/or warranties and understand and agrees with the Agency as follows:

**A. Jobs Listings:** Except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity of the service delivery area created by the Workforce Investment Act ("WIA") in which the Project is located.

Initial  MC

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

Initial  MC

**C. Other NYS Facilities:** In accordance with §862 (1) of the New York General Municipal Law, the Applicant understands and agrees that projects which will 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 within the state is ineligible for Agency Financial Assistance, unless otherwise approved by the Agency as reasonably necessary to preserve the competitive position of the Project in its respective industry.

Initial  MC

**D. City Human Right Law:** The Applicant agrees to endeavor to comply with the provisions of Article XI, Division 2 of the City Code, entitled "The Omnibus Human Rights Law," which prohibits discrimination in employment based upon age, race, sex, creed, color, religion, national origin, sexual orientation, disability or marital status. The Applicant hereby agrees to adhere to this policy or equal opportunity employment in the requirement, hiring, training, promotion, and termination of employees.

Initial  MC

**E. City of Syracuse and MWBE Preference:** The applicant understands and agrees that it is the preference of the Agency that the applicant provide, and use its best efforts to provide, opportunities for the purchase of equipment, goods and services from: (i) business enterprises located in the city of Syracuse; (ii) certified minority and/or women-owned business enterprises; and (iii) business enterprises that employ residents in the city of Syracuse. Consideration will be given by the Agency to the Project Applicant's efforts to comply, and compliance, with this objective at any time an extension of benefits awarded, or involvement by the Agency with the Project, is requested by the Project Applicant.

Initial  MC

**F. Local Labor Policy:** The applicant understands and agrees that local labor and contractors will be used for the construction, renovation, reconstruction, equipping of the Project unless a written waiver is received from the Agency. Failure to comply may result in the revocation or recapture of benefits awarded to the Project by the Agency. For the purposes of the policy, "Local" is defined as Onondaga, Cayuga, Cortland, Madison, Oneida, and Oswego Counties.

Initial  MC

**G. Annual Sales Tax Filings:** In accordance with §874(8) of the New York General Municipal Law, the Applicant understands and agrees that if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, 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

Initial  MC

**H. Annual Employment Reports and Outstanding Bonds:** 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 FTE at this Project site. The Applicant also understands and agrees to provide on an annual basis any information regarding bonds, if any, issued by the Agency for the Project that is requested by the Comptroller of the State of New York.

Initial  MC

**I. Absence of Conflicts of Interest:** The Applicant has received from the Agency a list of the members, officers and employees of the Agency. No member, officer or employee of the Agency has an interest, whether direct or indirect in any transaction contemplated by this Application, except as hereinafter described in Appendix B.

Initial  MC

**J. Compliance:** The Applicant understands and agrees that it is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.

Initial  MC

**K. False or Misleading Information:** The Applicant understands and agrees that the submission of knowingly false or knowingly misleading information in this Application may lead to the immediate termination of any financial assistance and the reimbursement of an amount equal to all or part of any tax exemptions claimed by reason of Agency involvement in the Project.

Initial  MC

**L. GML Compliance:** The Applicant certifies that, as of the date of the Application, the proposed project is in substantial compliance with all provisions of NYS General Municipal Law Article 18-A, including but not limited to Sections 859-a and 862(1).

Initial  MC

**M. SIDA's Policies:** The Applicant is familiar with all of SIDA's policies posted on its website ([http://www.syr.gov.net/Syracuse\\_Industrial\\_Development\\_Agency.aspx](http://www.syr.gov.net/Syracuse_Industrial_Development_Agency.aspx)) and agrees to comply with all applicable policies.

MC

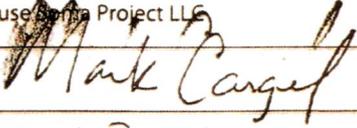
**N. Disclosure:** The Applicant has read paragraph 6 of the instructions contained on the cover of this Application and understands that the Applicant must identify in writing to SIDA any information it deems proprietary and seeks to have redacted.

MC

**O. Reliance:** THE APPLICANT ACKNOWLEDGES THAT ALL ESTIMATES OF PROJECTED FINANCIAL IMPACTS, VALUE OF FINANCIAL ASSISTANCE REQUESTED, AND OTHER INFORMATION CONTAINED IN THIS APPLICATION WILL BE RELIED UPON BY SIDA AND ANY CHANGES IN SUCH INFORMATION MUST BE MADE IN WRITING AND MAY IMPACT THE GRANT OF FINANCIAL ASSISTANCE TO THE PROJECT.

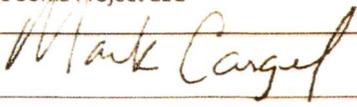
MC

**I am the CEO or a person authorized to bind the company/applicant, and have read the foregoing and agree to comply with all the terms and conditions contained therein as well as the policies of the City of Syracuse Industrial Development Agency.**

Name of Applicant Company	Syracuse Soma Project LLC
Signature of Officer or Authorized Representative	
Name & Title of Officer or Authorized Representative	Mark J Congel, Principal
Date	04-30-19

## VI. HOLD HARMLESS AGREEMENT

Applicant hereby releases the City of Syracuse Industrial Development Agency and the members, officers, servants, agents and employees thereof (collectively the "Agency" from, agrees that the Agency shall not be liable for, and agrees to indemnify, defend, and hold the Agency harmless from and against any and all liability arising from or expense incurred by: (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 cause of action and attorney's fees and any other expenses incurred in defending any suits or action 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 respect to the Project, or the inability of the Applicant, for any reason, to proceed with 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 or in connection with the Application, including attorney's fees, if any.

Name of Applicant Company	Syracuse Soma Project LLC
Signature of CEO or a person authorized to bind the company/applicant	
Name & Title of Officer or Authorized Representative	Mark Congel, Principal
Date	04-30-19

CITY OF SYRACUSE INDUSTRIAL DEVELOPMENT AGENCY APPLICATION  
**APPENDIX A**  
**CONFLICT OF INTEREST STATEMENT**

Agency Board Members

1. Michael Frame
2. Kathleen Murphy
3. Steven P. Thompson
4. Rickey T. Brown
5. Kenneth J. Kinsey

Agency Officers/Staff

1. Honora Spillane
2. Judith DeLaney
3. Debra Ramsey-Burns

Agency Legal Counsel & Auditor

1. Susan Katzoff, Esq., Bousquet Holstein, PLLC
2. Grossman St. Amour, PLLC.

The Applicant has received from the Agency a list of members, officers and staff of the Agency. To the best of my knowledge, no member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

Signature:

*Mark Cengel*

Authorized Representative:

*Mark Cengel*

Title:

*Principal*

Date:

*05-01-14*

City of Syracuse Industrial Development Agency

APPENDIX B

Agency Fee Schedule

(Revised 1/15/19)

Bond and Straight Lease Transactions:

Application & Processing Fee .....	\$1,000.00
Project Commitment/Legal Fee .....	\$2,500.00
(Due with fully executed Application; Amount applied to SIDA's counsel fee)	

Administrative Fee:

Issuance of Bonds .....	1% Project Cost
(Without regard to principal amount of bonds issued.)	
Straight Lease/Agency Appointment .....	1% Project Cost
(Exemption from one or more mortgage recording, real property or sales and use taxes)	
Refunding of Bonds .....	1% of Project Cost

New Money/Additional Financing on Existing Project:

- Refinancing of project where no additional Financial Assistance is sought (other than MRTE) – ¼ of new money financed (exclusive of original mortgage amount).
- Refinancing of project where additional Financial Assistance is sought (in addition to MRTE) – 1% of new money financed.

Post-Closing Items for Bond and Straight Lease Transactions:

Annual Administrative Reporting Fee (Paid at time of closing and annually thereafter for duration of SIDA's interest in Project Facility)	\$250.00
Extension of sales tax exemption .....	\$500.00
Modification or Amendment of Closing Documents* .....	\$1,000.00
<u>*including but not limited to refinancing of original mortgage</u>	
Subsequent lender closing .....	\$250.00

In addition to the foregoing, Applicants are responsible for payment of all costs and expenses incurred by SIDA in connection with application or Project including without limitation publication, copying costs, SEQRA compliance and fees and costs to SIDA's attorneys, engineers, and consultants. SIDA reserves the right to require a deposit to cover anticipated costs. Application fees are payable at time application/request is submitted. All fees are non-refundable. Applicants for bond transactions are responsible for payment of Bond Issuance Charge payable to the State of New York. Applicants are also responsible for payment of post-closing fees and costs associated with the appointment of additional agents. SIDA reserves the right to modify the this schedule at any time and to assess fees and charges in connection with other transactions such as grants of easement or lease of SIDA-owned property.

**APPENDIX B**

**Verification**

STATE OF NY )  
 ) SS.:

COUNTY OF Onondaga )

Mark J. Congel, deposes and says that s/he is the  
(Name of Individual)

Principal of Syracuse Solar Project LLC  
(Title) (Applicant Name)

that s/he is the CEO or a person authorized to bind the company/applicant, and has personally completed and read the foregoing Application and knows the contents thereof and that the same is true, accurate, and complete to the best of her/his knowledge, as subscribed and affirmed under the penalties of perjury. The grounds of deponent's beliefs relative to all matters in the said Application which are not stated upon her/his own personal knowledge are investigations which the deponent has caused to be made concerning the subject matter of the Application as well as, if applicable, information acquired by deponent in the course of her/his duties/responsibilities for the Applicant and from the books and papers of the Applicant. The deponent also acknowledges the receipt of the schedules attached to the Application, including but not limited to the Agency's fee schedule and assumes responsibility for payment of any and all applicable fees as described therein. Deponent further acknowledges review and understanding of the Agency's published policies, including but not limited to the Agency's Recapture Policy, and agrees on behalf of the Applicant to be bound by and comply with all such policies.

[Handwritten Signature]  
Applicant Representative's Signature

Principal  
Title

Subscribed and sworn to before me this

2 day of MAY, 2019

Kristin M. Slayton  
Notary Public

KRISTIN M. SLAYTON  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01SL6361525  
Qualified in Cayuga County  
My Commission Expires 07-10-2021

The Jacob  
4 Clinton Square  
Suite 102  
Syracuse, NY 13202

Re: The Jacob

Applicant, Mark Congel and his related companies Syracuse Soma Project LLC and Granite Development Company LLC have sought to construct what is the logical next step in adding to the Amos block, the Jacob. Currently, the proposed location of the project consists of an enclosed parking lot containing roughly 30 spaces, which service the Amos (I & II). The Amos Block is currently located at 204 and 208 West Water Street in Syracuse, NY.

In 2016, Mark Congel, owner of Syracuse Soma Project completed the Amos II which is a four (4) story brick veneer cavity wall and wood framed construction totaling 27,310 SF. Amos II included 21 residential units and three (3) commercial spaces on the 1<sup>st</sup> floor. Amos II was an addition to the original Amos building. The original Amos building was renovated by Mark Congel, from a vacant building in disrepair in 2006. Amos I consisted of roughly 30,000 SF and 19 residential units along with three (3) commercial spaces on the 1<sup>st</sup> Floor. In both Amos I & Amos II, each apartment consisted of a full kitchen with stackable washer and dryer along with a gas fired furnace and 100-amp electrical service. To date Amos I & II have averaged over 90% occupancy over the life of the projects.

The Jacob has been planned for roughly two years. In order to prepare this development plan and application for this unique and progressive build, the Applicant has been in continual discussions and negotiations with contractors, parking experts, consultants, lenders, etc. The uniqueness of the project and premiums associated with accompanying the reduced footprint and residential demand require the assistance of the Syracuse Industrial Development Agency.

The Jacob is contemplated as a 24' tall podium to provide Syracuse's first ever automated parking lift system, providing 88 parking spaces. Additionally, there will be a mixed-use space located on the Franklin and Water St. side of the building, consisting of roughly 1,200 SF. This will be on the 1<sup>st</sup> level and is designated for a commercial/retail use.

There will be 8 floors of light gauge metal frame structure above totaling 104 residential units, totaling a gross area of approximately 98,000 SF. The anticipated unit mix for the building is approximately 75% one-bedroom units and 25% two-bedroom units.

The Jacob will consist of apartments which include full kitchen with stackable washer and dryer along with a gas fired furnace and 100-amp electrical service.

The Jacob will provide, what we believe is the capstone to the Amos Block. We look forward to working with SIDA on another successful and progressive development for the City of Syracuse.



Exhibit I

The Jacob  
4 Clinton Square  
Suite 102  
Syracuse, NY 13202

08-09-19

Re: The Jacob

Applicant, Mark Congel and his related companies Syracuse Soma Project LLC and Granite Development Company LLC have sought to construct what is the logical next step in adding to the Amos block, the Jacob. Currently, the proposed location of the project consists of an enclosed parking lot containing roughly 30 spaces, which service the Amos (I & II). The Amos Block is currently located at 204 and 208 West Water Street in Syracuse, NY.

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The Jacob has been planned for roughly two years. In order to prepare this development plan and application for this unique and progressive build, the Applicant has been in continual discussions and negotiations with contractors, parking experts, consultants, lenders, etc. The uniqueness of the project and premiums associated with accompanying the reduced footprint and residential demand require the assistance of the Syracuse Industrial Development Agency.

The Jacob is contemplated as a 24' tall podium to provide Syracuse's first ever automated parking lift system, providing 72 parking spaces. Additionally, there will be a mixed-use space located on the Franklin and Water St. side of the building. This will be on the 1<sup>st</sup> level and is designated for a commercial/retail use.

There will be 8 floors of light gauge metal frame structure above totaling 104 residential units. The anticipated unit mix for the building is approximately 75% one-bedroom units and 25% two-bedroom units.

Exhibit I

The Jacob  
4 Clinton Square  
Suite 102  
Syracuse, NY 13202

The estimated breakdown building square footage is as follows:

Res. Units	90,400
Parking	21,400
Retail	1,200
<b>Total</b>	<b>113,000</b>

The Jacob will consist of apartments which include full kitchen with stackable washer and dryer along with a gas fired furnace and 100-amp electrical service.

The Jacob will provide, what we believe is the capstone to the Amos Block. We look forward to working with SIDA on another successful and progressive development for the City of Syracuse.

**Project Summary**

**1. Project:** Syracuse SOMA Project LLC      **2. Project Number:** 0

**3. Location:** Syracuse      **4. School District:** SCSD

**5. Tax Parcel(s):** 104.-19-03.4      **6. Type of Project:** Mixed Use

<b>7. Total Project Cost:</b>	<b>\$ 19,130,000</b>
Land	\$ -
Site Work	\$ 300,000
Building	\$ 15,750,000
Furniture & Fixtures	\$ 1,500,000
Equipment	\$ 500,000
Equipment Subject to NYS Production Exemption	\$ -
Engineering/Architecture Fees	\$ 400,000
Financial Charges	\$ 300,000
Legal Fees	\$ 100,000
Other	\$ 200,000

<b>8. Total Jobs</b>	26
8A. Job Retention	22
8B: Job Creation (Next 5 Years)	4

**Cost Benefit Analysis:** Syracuse SOMA Project LLC

	Fiscal Impact (\$)
<b>Abatement Cost:</b>	<b>\$4,612,695</b>
Sales Tax	\$720,000
Mortgage Tax	\$107,606
Property Tax Relief (PILOT) 10yr	\$3,785,089
<b>New Investment:</b>	<b>\$23,489,241</b>
PILOT Payments 10yrs	\$2,542,390
Project Wages (10 yrs)	\$1,143,751
Construction Wages	\$1,160,800
Employee Benefits (10 years)	\$0
Project Capital Investment	\$18,450,000
New Sales Tax Generated	\$0
Agency Fees	\$192,300
<b>Benefit:Cost Ratio</b>	<b>5.09 :1</b>

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**City of Syracuse**  
**Industrial Development Agency**  
201 East Washington Street  
Syracuse, NY 13202  
Tel (315) 473-3275

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**EXECUTIVE SUMMARY**

**Agenda Item: 5 – Finance Committee**

**Title: 327 Montgomery Street**

**Requested By: Sue Katzoff**

**OBJECTIVE:** Review of correspondence received by the Agency.

**DESCRIPTION:**

**Direct expenditure of fund:**  Yes  No

**Type of financial assistance requested**

PILOT

Sales Tax Exemption

Mortgage Recording Tax Exemption

Tax Exempt Bonds

Other

**SUMMARY:**

See attached.

**ATTACHMENTS:**

1. Correspondence.

**REVIEWED BY:**

Executive Director

Audit Committee

Governance Committee

Finance Committee

**Meeting:** August 19, 2019

**Prepared By: J.A. DeLaney**

RESEARCH CENTER  
321 MONTGOMERY STREET  
SYRACUSE, NEW YORK 13202  
315-428-1862



MUSEUM & ADMINISTRATION  
321 MONTGOMERY STREET  
SYRACUSE, NEW YORK 13202  
315-428-1864  
315-471-2133 FAX

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Syracuse Industrial Development Agency

August 8, 2019

RE: Donation of 327 Montgomery Street to OHA

Dear SIDA Board,

The Onondaga Historical Association (OHA) has been an anchor institution in downtown Syracuse since it was formed in 1862, making it the oldest cultural organization in Onondaga County. Our main purpose is, and always has been, to collect, preserve, catalogue, interpret, store, and exhibit the rich history of Syracuse and Onondaga County. As history is made every day, items that chronicle our history are added to our vast collections every day. Approximately 98% of items come to us with no accompanying funds, so almost everything we do concerns making, or raising, the necessary money needed to fund our main purpose.

The historic documents and artifacts we collect comprise the content that fills our five museums, and are the sources that form the basis of our educational programs (over 150 annually), our publications (magazines, books, and online content), and countless publications produced by others, including regular contributions to all local media, as well as national publications, such as the recent Pulitzer Prize winning biography of Frederick Douglass by David Blight and the current best selling book, "Theodore Roosevelt for the Defense" by Dan Abrams and David Fisher.

It is the nature of our business that our collections continue to grow. It is inevitable that, eventually, our building at 321-325 Montgomery Street will run out of space to house these irreplaceable important collections that define our community's very identity.

327 Montgomery Street is adjacent to our building. It would provide the additional storage space that would allow OHA to remain in our current location for many decades to come. Some adjustments would be needed to make 327 appropriate to properly accommodate the storage of our growing collections. OHA would be willing to make those adjustments at our expense.

OHA is an entrepreneurial nonprofit organization and a major component of our strategic operating plan is focused on utilizing our history to directly, and tangibly, contribute to the economic development of our community. 327 contains the last storefront currently existing in the 300 block of Montgomery Street. It is our wish to develop that first-floor space to house a business that will draw patrons to our block, contribute to our city's economic development, and attract more people who will patronize the other businesses in our neighborhood, including our own retail store, Research Center, and museum. As a landlord, the rent we would charge would also help sustain OHA's operations.

Therefore, we are requesting that SIDA consider donating 327 to OHA for the above mentioned uses. I am available to answer any questions that you may have in this regard and to meet with you to discuss the potential.

Cordially,

A handwritten signature in cursive script that reads "Gregg A. Tripoli". The signature is written in black ink and is positioned above the printed name.

Gregg A. Tripoli  
Executive Director

[Gregg.tripoli@cnyhistory.org](mailto:Gregg.tripoli@cnyhistory.org)  
315-428-1864, ext. 311