



**APPLICATION TO
HERKIMER COUNTY INDUSTRIAL DEVELOPMENT AGENCY
FOR FINANCIAL ASSISTANCE**

I. APPLICANT INFORMATION:

Company Name: Feldmeier Equipment, Inc.
Address: 6715 Robert Feldmeier Parkway
Syracuse, New York 13211
Product/Services: Manufacture of highly specialized stainless steel processing equipment
Phone No.: 315.454.8608 x4022 **Fax No.:** _____
Email Address: colby@feldmeier.com
Fed ID No.: 15-0599364 **NAICS Code:** 332420
Contact Person/Title: Colby Clark, Vice President

Principal Owners/Officers/Directors:

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

Hunt Lane Associates, LLC (59.09%)

_____	_____	_____
_____	_____	_____

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:

Date of establishment June 15, 1953

Place of organization New York

If a foreign organization, is the Applicant authorized to do business in the State of New York? N/A

APPLICANTS' COUNSEL

Name: Kevin R. McAuliffe, Esq. Barclay Damon LLP
Address: Barclay Damon Tower
125 East Jefferson Street, 12th Floor
Phone No.: 315.425.2875 (office) 315.382.8703 (mobile)
Telefax No.: _____

II. PROJECT INFORMATION

A) Describe the proposed project, acquisition, construction or reconstruction in as much detail as possible, along with a timeline.

See attached.

B) Project Description (check all applicable)

- Manufacturing**
- Warehousing/Distribution**
- Tourism Destination Facility**
- Retail**
- Other – Specify** _____

C) Name of all sub-lessees or other occupants of the facility:

N/A

D) Principals of any sub-lessee or occupant.

N/A

ATTACHMENT TO
FELDMEIER EQUIPMENT, INC. 2021
APPLICATION FOR FINANCIAL ASSISTANCE

II (A).

To remain competitive and meet customers' demands, the Company must make technological and mechanical updates and acquisitions and expand available manufacturing space within the Company's existing Riverside Industrial Parkway facility. The Project includes an approximately 89,250-square foot expansion of the existing facility, the modernization of existing equipment, the construction of expanded infrastructure at the existing facility and the adjoining parcel (which is also owned by the Company), and the purchase of new equipment.

The Company anticipates the construction of the expansion will take approximately 9 to 14-months' and targets completion in the third quarter of 2022.

III. COST BENEFIT ANALYSIS:**A) Project Cost (Estimates) (where applicable)**

1. Land	\$ _____
2. Building	\$ _____
3. Renovation Costs	\$ 10,000,000.00
4. Machinery and Equipment	\$ 2,793,000.00
5. Soft Costs	\$ 255,000.00
6. Legal Costs	\$ _____
7. Other (specify) FFE, Demo, & Remediation	\$ 450,000.00
Total Estimated Project Amount	\$ 13,498,000.00

B) FINANCING (Source of funds where applicable)

Bank (TBD, but not to exceed)	\$ 10,798,400.00
Private Funds Invested	\$ 2,699,600.00
Industrial Revenue Bond	\$ _____
Other	\$ _____
Total (should equal III. A)	\$ 13,498,000.00

C) Financial Assistance Requested (Proposed Benefit Estimates) (Please note n/a in any line where you are not seeking assistance)

Type of Financing: Tax-Exempt Taxable Straight Lease

Amount of Bonds Requested: \$ N/A

Amount of New Mortgage (s) required for project: \$ 10,798,400.00 (est)

Project-Related Costs Subject to Sales Tax: \$ 5,352,500.00

Estimated Value of Tax Exemptions:

1. NYS Sales and Compensating Use Tax (State 4% + Local 4.25% = Total 8.25%) \$ 441,582.00

2. Mortgage Recording Taxes (1% of total proposed mortgage amount) \$ 107,984.00

3. Real Property Tax Exemptions (the Agency will assist with this estimation at your request) \$ TBD

4. Estimated interest savings on Issuance by the Agency of Industrial Revenue Bonds \$ N/A

Total Estimated Value of Tax Exemptions \$ TBD

D) Employment Information/Job Creation

The Agency recommends the following standard when reporting FTE – Full Time Equivalent jobs: Full-time equivalent is a ratio that compares the number of hours worked during a pay period by an employee to the number of work hours during the pay period that equates to full time employment. For example, an employee who works hours equal to full time is 1.0 FTE. An employee who works half the hours of full time employment is 0.5 FTE, while an employee that works one-third the hours of full time employment would be considered .3 FTE. Please contact the Agency for assistance if needed.

Please provide the current number of existing jobs.
FTE 17 (please attach a list of current employees)

Please provide an estimated number of jobs to be retained as a result of this project.
FTE 17

Please provide an estimated number of jobs that will be created as a result of this project.
FTE 0

Please provide the total number of jobs you anticipate upon completion of this project.
FTE 17

Please provide the average estimated annual salary of jobs to be created as a result of this project.
N/A

Please provide the annualized salary range of jobs to be created. From \$ N/A To \$ N/A

Please provide the average annual salary of jobs to be retained. \$46,072.00

Please note any proposed fringe benefits for jobs to be created by job title.

E) Estimate number of construction jobs to be used for this Project: FTE 150

F) Other Public Benefits:

IV. PROJECT LOCATION/UTILITIES/IMPACT

- A) Project Address: Riverside Industrial Park Tax Parcel Numbers: 121.2-5-1.11 and 121.2-5-1.12
Little Falls, New York 13365
- B) Are Utilities on Site
 Water X Electric X
 Gas X Sanitary/Storm Sewer X
- C) Present legal owner of the site Feldmeier Equipment, Inc.
- D) Zoning of Project Site: Current: High Tech Manufacturing Proposed: High Tech Manufacturing
- E) Are any variances needed: No
- F) Principal use of Project upon completion: Manufacturing
- G) 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? No
- H) 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? No
- I) Will the Project result in the abandonment of one or more plants or facilities located in the State of New York? No
 If you answered yes to G-H or I please indicate whether the project is reasonably necessary for the company to maintain its competitive position in the industry. Please explain in detail. Attach supporting documentation.
- _____
- _____
- _____
- _____
- _____

V. REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Agency as follows:

- A.) **Job Listings.** In accordance with Section 858-b(2) of the New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA") in


which the Project is located. The IDA encourages to the fullest extent possible, the hiring of local labor for all construction projects.

- B.) 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. A copy of such form should be provided to the Agency annually upon submission to the State.
- C.) Sales Tax Tracking.** The Applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance that they will submit to the Agency, a quarterly tracking form (form will be provided) listing all sales tax savings incurred to allow for the Agency to monitor and report to the State as required.
- D.) Recapture of Benefits.** The Applicant understands and agrees that the benefits received from tax abatements/exemptions shall be subject to recapture in accordance with the Agency's tax exemption policy. The Agency reserves the right to include in the transaction documents the recapturing of the total value of real property/sales tax exemptions approved for a Project if any of the following conditions arise:
- a. The Project Facility as defined in the PILOT/Lease Agreement is sold or closed and the Applicant leaves or departs Herkimer County.
 - b. There is a significant change in the use of the Project Facility and/or business activities of the Applicant.
 - c. There is a significant reduction in the number of full/part-time jobs at the Project Facility in comparison to what was estimated in the Applicant's Project Application that are not reflective of the Applicant's normal business cycle or national economic conditions.
 - d. The Applicant fails to fully comply with all periodic and/or annual reporting requirements of the Agency, State or Federal government.
 - e. The Applicant failed to achieve any minimal new job creation figures specified by and within the time frames specified by the Agency
- E.) 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 in addition to any additional project information as may be required. The Chief Executive Office shall submit to the Agency prior to February 1st of each year, a written certification setting forth:
- a. Number of full-time equivalent employees at the Project location as of the last date of the prior year
 - b. Number of construction jobs during the fiscal year as a result of the Project
- F.) Absence of Conflicts of Interest.** The Applicant has received from the Agency a list (see page 10) of the members, officers and employees of the Agency. No member, officers or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:
-

VI. FINANCIAL INFORMATION (attach the following):

1. Financial Statements for the last three fiscal years.
2. Proforma balance sheet as at start of operations at project site.
3. Projected profit and loss statements for first two years of operation at project site.
4. Projected "cash flow" statement, by quarters, for first year of operation at project site.

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

Applicant: Feldmeier Equipment, Inc.
 Date: 7/21/21
 Signature: 
 Name: Colby Clark
 Title: Vice President

Submit this application with a general application fee of \$500.00. If this application is for Market Rate Housing Benefits, please submit \$1,500.00 which includes a non-refundable application fee of \$500.00 and a commitment fee of \$1,000.00 that will be applied at closing; if the project does not close the \$1,000.00 is not refundable. Make check payable to: Herkimer County Industrial Development Agency, 420 E. German Street, Suite 101A, Herkimer, New York 13350, to the attention of John J. Piseck, Jr., Executive Director. The Agency will collect ½ (one-half) of its Project Fee at the time of the signing of an inducement agreement. The final half of the Agency fee will be payable at which time the HCIDA takes title to the Facility, or upon issuance of bonds. The applicant will also be responsible for all HCIDA legal fees related to this project. Should your company for any reason decide to withdraw this application for financial assistance after submission but prior to completion, you will be responsible for any legal fees involved to that point. In addition the Agency will assess a fee for services rendered and costs incurred.

Agency fees will be assessed at 1% of the total project cost.

The Agency will assess your company an annual administration fee in the form of rent under the Lease Agreement in the amount of \$750.00.

Please call 315-866-3000 with any questions

"This institution is an equal opportunity provider, employer and lender"

HOLD HARMLESS AGREEMENT

Applicant hereby releases the Herkimer County Industrial Development Agency and the members, officers, servants, agents and employees thereof (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 expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax exemptions and other Assistance requested therein are favorably acted upon by the Agency, (B) the Agency's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing.

Feldmeier Equipment, Inc.

(Applicant)
July 21, 2021

(Date) *Colby Clark*

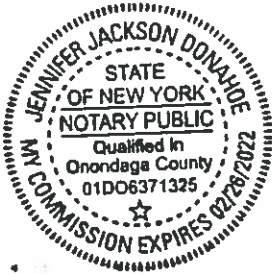
(Signature)
Colby Clark

(Name)
Vice President

(Title)

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

On the 21 day of July, in the year 2021, before me, the undersigned a Notary Public in and for said State, personally appeared Colby Clark, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individuals, or the person or behalf of which the individuals acted, executed this instrument.



Jennifer Jackson Donalde

Notary Public

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The Company anticipates the construction of the expansion will take approximately 9 to 14-months' and targets completion in the third quarter of 2022.

Short Environmental Assessment Form

Part 1 - Project Information

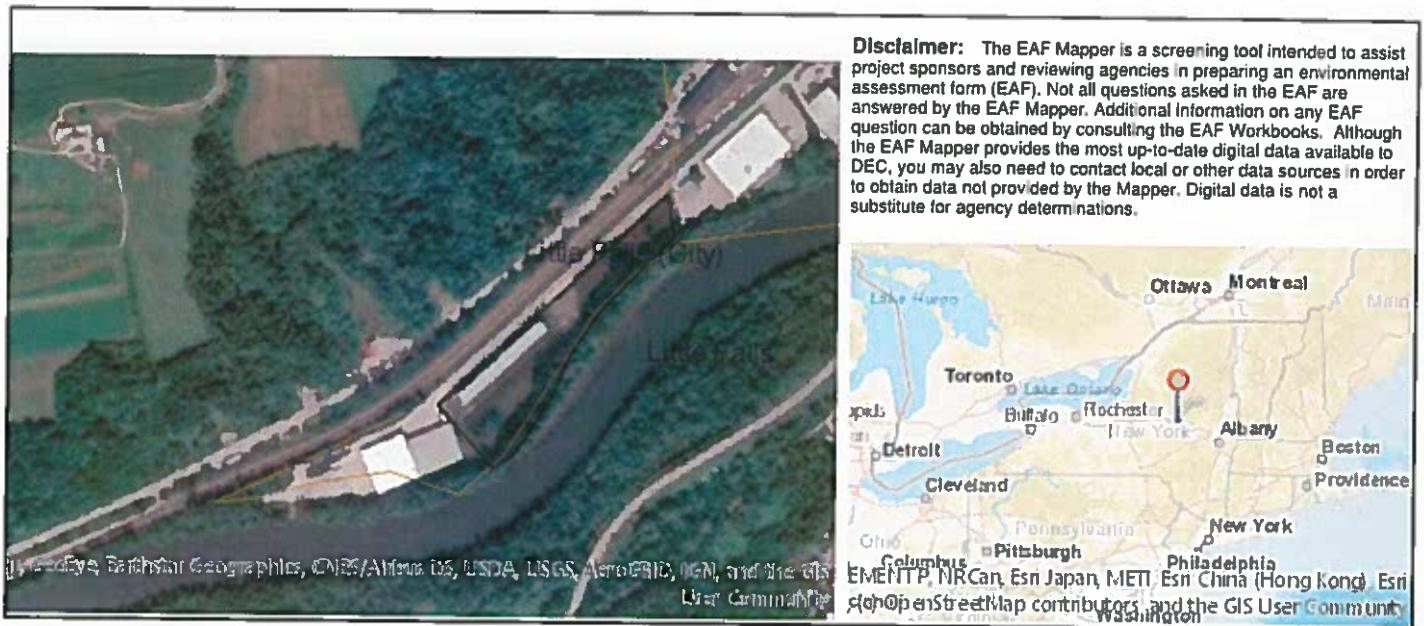
Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

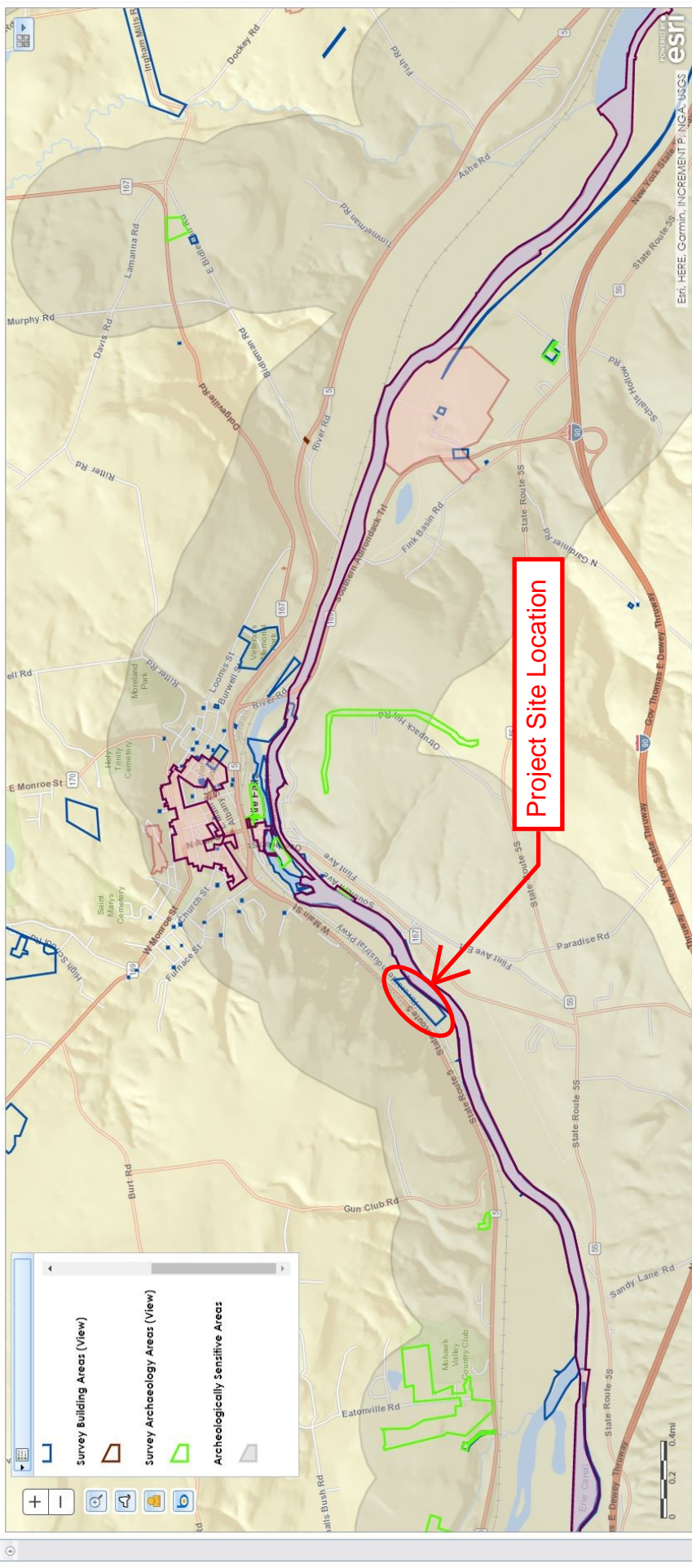
Part 1 – Project and Sponsor Information			
Name of Action or Project: Feldmeier Equipment, Inc. Expansion Project			
Project Location (describe, and attach a location map): Feldmeier Equipment, Inc., 245 Riverside Industrial Parkway, Little Falls, NY 13365 Tax Map 121.2-5-1.11 & 121.2-5-1.12 Riverside Industrial Park			
Brief Description of Proposed Action: The site improvements involve a 71,000 square foot expansion of the manufacturing facility, new asphalt parking areas, new asphalt drive isles, new loading docks, and drainage improvements.			
Name of Applicant or Sponsor: Feldmeier Equipment, Inc.		Telephone: (315)527-1684	
		E-Mail: emoore@feldmeier.com	
Address: Riverside Industrial Parkway (Tax Map 121.2-5-1.11 & 121.2-5-1.12)			
City/PO: Little Falls		State: NY	Zip Code: 13365
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: City of Little Falls - Building Permit, City of Little Falls - Flood Plain Permit, DEC - Gernereral Permit for SWPPP			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		10.97 acres	
b. Total acreage to be physically disturbed?		4.55 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		10.97 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No





**Parks, Recreation,
and Historic Preservation**

ANDREW M. CUOMO
Governor

ERIK KULLESEID
Commissioner

March 16, 2020

Cynthia Zatwarnicki
Delta Engineers, Architects, & Land Surveyors
4873 NYS Route 5
Vernon, NY 13476

Re: DEC
Feldmeier Manufacturing Expansion Construction/Site Improvements Project
Riverside Industrial Parkway, Little Falls, Herkimer County
20PR01150

Dear Cynthia Zatwarnicki:

Thank you for continuing to consult with the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the submitted materials in accordance with the New York State Historic Preservation Act of 1980 (section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources.

Since the undertaking is adjacent to the New York State Barge Canal National Historic Landmark we have reviewed the elevations and plans received 3/4/2020. Based upon our review, it is the OPRHP's opinion that the project will have No Adverse Impact on historic resources.

If you have any questions, I can be reached at (518) 268-2187.

Sincerely,

Derek Rohde
Historic Site Restoration Coordinator
e-mail: derek.rohde@parks.ny.gov

via e-mail only

Cc: J. Fennell