Columbia County Industrial Development Agency

COLUMBIA COUNTY INDUSTRIAL DEVELOPMENT AGENCY MEETING NOTICE

Please take notice that there will be a Special meeting of the Columbia County Industrial Development Agency and it's Committees to be held in person on September 11, 2023 at 8:30am, at One Hudson City Centre, Suite 301, Hudson, NY 12534 in accordance with Public Officers Law Section 103-a. This meeting is being held to discuss the 41 Cross Street project. The meeting is open to the public, who will have the opportunity to attend the meeting in person at the One Hudson City Centre address or via Zoom and provide live comments. Meeting packets are posted and available on the IDA website: https://columbiaedc.com/about-cedc/columbia-county-ida/ccida-public-documents-room/ Join Zoom Meeting

https://us06web.zoom.us/j/85124313855?pwd=Ulo4YIJudU9NMm1CUDRvN0INL2VrZz09

Meeting ID: 851 2431 3855, Passcode: 353487, Dial by your location: 1 646 558 8656 Find your local number: <u>https://us06web.zoom.us/u/kdx14xZ7X</u>

Please check the website for updated information. The IDA reserves the option of discussing any other business which comes before the Board:

Dated: September 1, 2023 Nina Fingar-Smith Secretary, Columbia County Industrial Development Agency

IDA Board of Members Agenda

Members:

Nina Fingar-Smith	Bob Galluscio	William Gerlach	Brian Keeler
Carmine Pierro	Rick Rector	Sarah Sterling	

- 1. Draft Minutes, June 6, 2023*
- 2. 41 Cross Street / The Wick*
- 3. Public Comments

Attachments:

June 6, 2023 Minutes
Application HN MacArthur 41 Cross Street Owner, LLC
Resolution

* Requires Action

One Hudson City Centre, Suite 301 Hudson, New York 12534 518-828-4718

Columbia County Industrial Development Agency

MINUTES COLUMBIA COUNTY INDUSTRIAL DEVELOPMENT AGENCY Full Board Tuesday, June 6, 2023

A regular meeting of Columbia County Industrial Development Agency's Board was held Tuesday, June 6, 2023 in person, and accessable to the public via Zoom The meeting was called to order at 8:32 am by Carmine Pierro, Chair.

Attendee Name	Title	Status	Arrived
Nina Fingar-Smith	Secretary	Present in person	
Robert Galluscio	Treasurer	Present in person	
William Gerlach	Board Member	Present in person	
Brian Keeler	Board Member	Absent	
Carmine Pierro	Chair	Present in Person	
Rick Rector	Board Member	Present in person	
Sarah Sterling	Vice-Chair	Present in person	
Andrew Howard	Counsel	Present in person	
F. Michael Tucker	President/CEO	Present in person	
Jessica Gabriel	Senior Economic Developer	Present in person	
Chris Brown	Housing Development Coordinator	Absent	
Martha Lane	Business Development Director	Absent	
Stephen VanDenburgh	Business Development Specialist	Present in person	
Valen Hay	Intern	Present in person	
Cat Lyden	Bookkeeper	Present in person	
Riley Werner	Administrative Assistant	Present in person	
Lisa Drahushuk	Administrative Supervisor	Present in person	

Minutes March 13, 2023:

Mr. Rector made a motion, seconded by *Ms.* Fingar-Smith to approve the minutes of March 13, 2023 as presented. Carried.

Treasurer's Report:

1

Mr. Tucker reviewed the IDA financials with the Board. He suggested that the contract with CEDC be re-evaluated and suggested the Board consider a revised fee for service contract similar to the type the HIDA currently had with CEDC. He stated he needed to bring the contract change to the CEDC board. *Mr. Galluscio made a motion, seconded by Ms. Sterling to approve the Treasurer's Report as presented. Carried.*

Administrative Director's Report:

Mr. Tucker stated they had responded to the ABO regarding the PARIS report . Mrs. Gabriel stated that they required clarification and some slight changes to the way reported. Mrs. Gabriel stated she has begun reviewing the IDA's process and the Uniform Tax Exempt Policy (UTEP). She explained the City of Hudson's new evaluation matrix and other project related documents. She stated this allowed the Board to determine the PILOT according to the number of points earned by the project.

One Hudson City Centre, Suite 301 Hudson, New York 12534 518-828-4718 She reviewed the matrix with the Board, noting this was the first portion of the process addressed. She stated it looked at how the project addressed the basic eligibility requirements and any community impact. It was meant to assist the Board in determining which and amount of benefits which would be approved for the project. She stated this would decrease the number of deviations required for the projects. She stated the HIDA had also examined and amended their UTEP which incorporated the evaluation matrix and the PILOT schedule. The point structure determines the level of PILOT the project would qualify for. She stated the last part was a tax exemption assessment tool. It looks at the requested PILOT and assesses it compared to other scenerios. It shows the impact compared to a standard 485(b) PILOT. The documents also shows the total benefits given to the project. She stated the HIDA had revised their fee structure to ensure the IDA remained whole for the annual reporting, but also that the IDA wouldn't take more than needed to make sure that projects would be discouraged from applying and pursuing projects. She noted the HIDA application had been updated and is now fillable.

Mr. Tucker stated the Board may find they have different goals form the City IDA and the documents can be tailored to fit the County. Mrs. Gabriel walked the Board through the HIDA documents. Mr. Rector asked if the City had any projects currently before the HIDA. Mrs. Gabriel stated there were a couple. Mr. Rector asked how the City enforces something like this and ensuring the applicant is following through on what they say they will do. Mrs. Gabriel stated there has been no project yet approved under the new structure, noting it had been approved early this year. She stated the new structure would require additional administrative work. She stated the issue was taken into account, and the requirements were in the inducement resolution and and other documents. She noted the annual reporting would be the avenue where the project would report on the requirements and it had been amended to include all the requirements needed to be reported. Ms. Sterling felt it would increase community dialog.

Mrs. Gabriel suggested that the Board review the documents and determine if it could be used for the County IDA. Mr. Tucker stated the new forms should cut down on the amount of outside consultant work for the cost-benefit analysis required for the projects. Mr. Rector asked the cost of the HIDA product. Mr. Tucker stated the cost was 4,000 - 6,000, over a over a 3 month period, during which time three public meetings were held. Mrs. Gabriel stated the new documents have been used once and it seemed to focus the board members' discussion about the project.

Klocke Estate Distillery:

Mrs. Gabriel stated the restaurant and event space was nearly 70% complete. She noted the principals had shifted their scope and strategy looking at a environmental stewardship and their approach to farming and production, putting them behind schedule. She noted added additional product lines and land developed for agriculture. Mr. Tucker stated they are essentially an agri-tourism business. Mrs. Gabriel noted they have produced 35,000 gallons of wine and cider and have received their temporary certificate of occupancy for the distillery bay. They have produced 10 barrels of apple and grape brandy equaling 10,000 bottles. They are anticipating a hiring challenge and plan on ramping up hiring for summer. Mr. Tucker stated the Office of Community Renewal had toured the site.

Mr. Tucker stated Flanders would be closing on July 1st, and laying off their entire workforce. He noted he had received 2 calls regarding purchasing the building. Mr. Tucker stated the median income for a family of 4 was \$102,000 this year up from \$87,000 the previous year.

With no public comment or further business, Mr. Galluscio made a motion, seconded by Ms. Fingar-Smith to adjourn the meeting. The meeting adjourned at 9:28am.

Respectfully submitted by Lisa Drahushuk

HN MacArthur 41 Cross Street Owner 1807 Ross Ave, Ste 440 Dallas, TX 75201

August 31, 2023

RE: IDA Application for the Transfer of PILOT Benefits with regards to the Wick Hotel, Hudson

To Whom It May Concern,

We are in the process of acquiring the Wick Hotel at 41 Cross Street. The seller of the hotel is currently the beneficiary of certain benefits from the IDA which includes a PILOT. The matter before the IDA relates to the transfer of these benefits to us as the new owner and therefore is NOT a new application. As such, we utilized the IDA application as a means of providing information on the transfer.

Sincerely,

Jeremy Selman Authorized Signatory

Columbia County Industrial Development Agency One Hudson City Centre, Suite 301 Hudson, New York 12534 Tel: (518) 828-4718 Email: Ldrahus@ColumbiaEDC.com

APPLICATION

IMPORTANT NOTICE: The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from the Columbia County Industrial Development Agency These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Columbia County Industrial Development Agency.

TO: Columbia County Industrial Development Agency One Hudson City Centre, Suite 301 Hudson, New York 12534

APPLICANT: HN MacArthur 41 Cross Street Owner, LLC

APPLICANT'S ADDRESS: 1807 Ross Ave, Ste 440, Dallas, TX 75201

CITY: Dallas STATE: TX ZIP CODE: 75201

PHONE NO.: (917) 363 9472 FAX NO.: N/A E-MAIL: jselman@hncapitalpartners.com

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION: _____ Jeremy Selman, Sean Roland and Gabriel Katz

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF ATTORNEY: Phil Borelli

ATTORNEY'S ADDRESS: 133 S. Fitzhugh Street

CITY: ____ Rochester ____ STATE: __NY ____ ZIP CODE: 14608

PHONE NO.: 585.460.9201 FAX NO.: E-MAIL: Phil@LDTS-Law.com

NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 OF THIS APPLICATION BEFORE COMPLETING THIS FORM.

INSTRUCTIONS

- 1. The Columbia County Industrial Development Agency ("the Agency") will not approve any application unless, in the judgment of the Agency, said application and the summary contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
- 2. Fill in all blanks, using "none" or "not applicable" or "N/A" where the question is not appropriate to the project which is the subject of this application (the "Project").
- 3. If an estimate is given as the answer to a question, put "(est)" after the figure or answer which is estimated.
- 4. If more space is needed to answer any specific question, attach a separate sheet.
- 5. When completed, return five (5) copies of this application to the Agency at the address indicated on the first page of this application.
- 6. The Agency will not give final approval to this application until the Agency receives a completed environmental assessment form concerning the Project which is the subject of this application.
- 7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Agency (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant's competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
- 8. The applicant will be required to pay to the Agency all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Agency's bonds issued to finance the project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel to the Agency. The costs incurred by the Agency, including the Agency's general counsel and bond counsel, may be considered as a part of the project and included as a part of the resultant bond issue.
- 9. The Agency has established an application fee of One Thousand Dollars (\$1,000.00) for projects with a cost of up to but not including Five Million Dollars (\$5,000,000.00) and an application fee of Two Thousand Dollars (\$2,000.00) for projects with a cost of Five Million Dollars (\$5,000,000.00) and above to cover the anticipated costs of the Agency in processing this application. A check or money order made payable to the Agency must accompany each application. THIS APPLICATION WILL NOT BE CONSIDERED COMPLETE BY THE AGENCY UNLESS ACCOMPANIED BY THE APPLICATION FEE.

FOR AGENCY USE ONLY

1.	Project Number	
2.	Date application received by the Agency	, 20
3.	Date application referred to attorney for review	, 20
4.	Date copy of application mailed to members	, 20
5.	Date notice of Agency meeting on application posted	, 20
6.	Date notice of Agency meeting on application mailed	, 20
7.	Date of Agency meeting on application	, 20
8,	Date Agency conditionally approved application	, 20
9.	Date scheduled for public hearing	, 20
10.	Date Environmental Assessment Form ("EAF") received	, 20
11.	Date Agency completed environmental review	, 20
12.	Date of final approval of application	, 20

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SUMMARY OF PROJECT

Applicant:	_HN MacArthur 41 Cross Stre	et Owner, LLC	
Contact Person:Je	remy Selman		
Phone Number:917 30 9472	63		_
Occupant:The Wic	k Hotel		
-	41 Cross Street, Hudson, NY		_
Approximate Size of Pro	pject Site:_ 40,800 sqft		
www.thewickhotel.com	_55 room boutique hotel –		
Type of Project:	 Manufacturing X Commercial 	□ War	ehouse/Distribution er – Specify
Employment Impact:	Existing Jobs: Full Time: 10		
Project Cost: \$12,500.0	New Jobs Full Time:0000000	Part-11111e:0	
Type of Financing:		X Taxable	□ Straight Lease
Amount of Bonds Requ	ested: \$		
Estimated Value of Tax	-Exemptions:		
Real P	Sales and Compensating Use age Recording Taxes: roperty Tax Exemptions: (please specify):	Tax: \$ \$99,999 \$(transfer of existing) \$	
Provide estimates for th	e following:		
Estimate of Job	Time Employees at the Projec os to be Created: os to be Retained:	et Site before IDA Status: Full Time: 10 Part-Ti	0 0 me: 21

Average Estimated Annual Salary of Jobs to be Created: Annualized Salary Range of Jobs to be Created: Estimated Average Annual Salary of Jobs to be Retained:

\$40,000-\$110,000

1

I. <u>INFORMATION CONCERNING THE PROPOSED OCCUPANT OF THE PROJECT</u> (HEREINAFTER, THE "COMPANY").

- A. Identity of Company:
 - 1. Company Name: __HN MacArthur 41 Cross Street Owner, LLC

Present Address: 1807 Ross Ave, Ste 440, Dallas, TX 75201

Zip Code: 75201

Employer's Tax ID No.:

- 2. If the Company differs from the Applicant, give details of relationship:_____
- Indicate type of business organization of Company:(a) Corporation (If so, incorporated in what country?)

If United States which State? ____New York_____

Date Incorporated? ____7/7/2023 ____Type of Corporation? ____LLC _____

Authorized to do business in New York? Yes X___ No ____

(b) Partnership (if so, indicate type)_____

Number of general partners_____, Number of limited partners_____

(c) Sole Proprietorship

4. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)? If so, indicate name of related organization(s) and relationship:

The Company is a wholly owned subsidiary of HN MacArthur 41 Cross Hotel, LLC

B. <u>Management of Company</u>:

1. List all owners, officers, members, directors and partners (complete all columns for each person):

Name Home Address	Office Held	Other Principal Business
Gabriel Katz 837 County Road 54 West Coxsackie, NY 12192	Class A Member (HN MacArthur 41 Cross Hotel, LLC)	MacArthur Holdings
Vipin Nambiar 5534 W. Hanover Ave	Class A Member (HN MacArthur 41 Cross Hotel, LLC)	HN Capital Partners

Dallas, TX 75209	

If the answer to any of questions 2 through 4 is yes, please furnish details in a separate attachment.

- 2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation? Yes ____ No __X_.
- 3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? Yes ____; No __X_.
- 4. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? Yes ____;
- 5. No X . (If yes to any of the foregoing, furnish details in a separate attachment).

C. <u>Principal Owners of Company</u>:

 Principal owners of Company: Is Company publicly held? Yes ____; No __X__.
 If yes, list exchanges where stock traded: _____

2. If no, list all stockholders having	a 5% or more interest in the Company:
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NAME	ADDRESS	PERCENTAGE OF HOLDING
HN MacArthur 41 Cross Owner, LLC	1807 Ross Ave, Ste 440, Dallas, TX 75201	100%

D. Company's Principal Bank(s) of account: TBD_____

II. DATA REGARDING PROPOSED PROJECT

A. <u>Summary</u>: (Please provide a brief narrative description of the Project.)

The Wick Hotel is a 55 Key boutique hotel with an a la cart restaurant, two meetings rooms and a gym. The property is a historic factory which at one point was used as a candle making factory. The hotel conversion was completed in 2017. Over the last six years it has become an integral part of the community and a consistent local employer.

B. Location of Proposed Project:

Street Address: 41 Cross Street, Hudson, NY

C. Project Site:

Approximate size (in acres or square feet) of Project site: _40,800 SF_______
Is a map, survey or sketch of the project site attached? Yes_; No X_______

2. Are there existing buildings on project site? Yes _X___; No ______.

If yes, indicate number and approximate size (in square feet) of each existing building: ___40,800 SF________

b. Are existing buildings in operation? Yes _X__; No ____.
 If yes, describe present use of present buildings: ______

_____55 key hotel_____

- c. Are existing buildings abandoned? Yes ____; No __X_. About to be abandoned? Yes ____; No ____. If yes, describe:_____
- d. Attach photograph of present buildings.



 Utilities serving project site: Water-Municipal:_City of Hudson______ Other (describe):______
 Sewer-Municipal: City of Hudson

	Other (describe) Electric-Utility: National Grid			
	Grid Other (describe) Heat-Utility: National Grid			
	Other (describe)			
4.	Present legal owner of project site:			
	a. If the Company owns project site, indicate date of purchase:, Purchase price: \$			
	b. If Company does not own the Project site, does Company have option signed with owner to purchase the Project site? Yes X; No If yes, indicate date option signed with owner: _July 31, 2024; and the date the option expires:Sept 13, 2024.			
	 c. If the Company does not own the project site, is there a relationship legally or by common control between the Company and the present owners of the project site? Yes _X; No If yes, describe:Purchase and Sale Agreement 			
5.	a. Zoning District in which the project site is located:RSC			
	 Are there any variances or special permits affecting the site? Yes; No If yes, list below and attach copies of all such variances or special permits: 			
<u>Buildir</u>	1			
1,	Does part of the project consist of a new building or buildings? Yes; NoX If yes, indicate number and size of new buildings:			
2.	Does part of the project consist of additions and/or renovations to the existing buildings? Yes; No _X If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:			

3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed or expanded: _____hotel_____

D.

- E. <u>Description of the Equipment</u>:
 - 1. Does a part of the Project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")? Yes_X_; No____. If yes, describe the Equipment: hotel furnishings
 - 2. With respect to the Equipment to be acquired, will any of the Equipment be Equipment which has previously been used? Yes_X_; No____. If yes, please provide detail: The Company is acquiring all of the existing furnishings that have been used in the operation of the hotel
 - 3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed: guestroom and public space furniture for use by the hotel guests

F. <u>Project Use</u>:

- 2. What are the principal activities to be conducted at the Project?_____

hotel

Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities?
 Yes ____; No X____. If yes, please provide detail:______

- 4. If the answer to question 3 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project? _____%
- 5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the Project:
 - a. Will the Project be operated by a not-for-profit corporation? Yes____; No____. If yes, please explain: _____
 - Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes____;
 No . If yes, please explain: ______

Would the Project occupant, but for the contemplated financial assistance from the Agency, locate the related jobs outside the State of New York? Yes____; No____. If yes, please explain: _____

Is the predominant purpose of the Project to make available goods or services which would not, but for the Project, be reasonably accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes____; No____. If yes, please provide detail:

- 6. If the answers to any of subdivisions c. through d. of question 5 is yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? Yes___; No___. If yes, please explain: N/A
- 7. Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes____; No__X__. If yes, please explain: _____

8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York? Yes___; No_X_. If yes, please provide detail:

9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project:

b.

c.

Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes____; No____. If yes, please provide detail:

___N/A_____

Will the Project be sold or leased to a municipality? Yes; No If yes, please provide detail:
Only for PILOT purposes

1. Please indicate all other local agencies, boards, authorities, districts, commissions or governing bodies (including any city, county and other political subdivision of the State of New York and all state departments, agencies, boards, public benefit corporations, public authorities or commissions) involved in approving or funding or directly undertaking action with respect to the Project. For example, do you need a municipal building permit to undertake the Project? Do you need a zoning approval to undertake the Project? If so, you would list the appropriate municipal building department or planning or zoning commission which would give said approvals.

CITY OF HUDSON

Describe the nature of the involvement of the federal, state or local agencies described above:
 N/A

H. Construction Status:

G.

1. Has construction work on this project begun? Yes ____; No ____. If yes, please discuss in detail the approximate extent of construction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations; installation of footings; etc.:

PROJECT IS AND WILL CONTINUE OPERATING AS A HOTEL. THIS IS AN APPLICATION FOR TRANSFER OF EXISTING BENEFITS

- 2. Please indicate amount of funds expended on this project by the Company in the past three (3) years and the purposes of such expenditures:
- 3. Please indicate the date the applicant estimates the Project will be completed:

- I. Method of Construction After Agency Approval:
 - 1. If the Agency approves the project which is the subject of this application, there are two methods that may be used to construct the project. The applicant can construct the project privately and sell the project to the Agency upon completion. Alternatively, the applicant can request to be appointed as "agent" of the Agency, in which case certain laws applicable to public construction may apply to the project. Does the applicant wish to be designated as "agent" of the Agency for purposes of constructing the project? Yes ; No

PROJECT IS AND WILL CONTINUE OPERATING AS A HOTEL. THIS IS AN APPLICATION FOR TRANSFER OF EXISTING BENEFITS

2. If the answer to question 1 is yes, does the applicant desire such "agent" status prior to the closing date of the financing? Yes____; No____.

III. <u>INFORMATION CONCERNING LEASES OR SUBLEASES OF THE PROJECT. (PLEASE</u> <u>COMPLETE THE FOLLOWING SECTION IF THE COMPANY INTENDS TO LEASE OR</u> <u>SUBLEASE ANY PORTION OF THE PROJECT).</u>

A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes___; No_X_. If yes, please complete the following for <u>each</u> existing or proposed tenant or subtenant:

1.	Sublessee name	; <u> </u>				
	Present Address	s:				
	City:	State:		Zip:		
	Employer's ID	No.:				
	Sublessee is:	Corporation:	Partnership:	Sole Proprietorship		
	Relationship to	Relationship to Company:				
	Percentage of P	Percentage of Project to be leased or subleased:				
	Use of Project i	Use of Project intended by Sublessee:				
	Date of lease or	sublease to Subles	see:			
	Term of lease or sublease to Sublessee:					
	retail sales of Yes; No	goods or services If yes, please p	to customers whorovide on a separ	see be primarily used in making no personally visit the Project? ate attachment (a) details and (b) spect to such sublessee.		

B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease?

IV. <u>Employment Impact</u>

A. Indicate the number of people presently employed at the Project site and the <u>additional</u> number that will be employed at the Project site at the end of the first and second years after the Project has been completed, using the tables below for (1) employees of the Applicant, (2) independent contractors, and (3) employees of independent contractors. (Do not include construction workers). Also indicate below the number of workers employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the applicant. Such information regarding relocated positions should also indicate whether such positions are relocated from other project sites financed by obligations previously issued by the Agency.

TYPE OF EMPLOYMENT Employees of Applicant					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present Full Time	3	4		3	10
Present Part Time	1	6		14	21
Present Seasonal					
First Year Full Time	3	4		3	10
First Year Part Time	1	6		14	21
First Year Seasonal					
Second Year Full Time	3	4		3	10
Second Year Part Time	1	6		14	21
Second Year Seasonal					

ý		EMPLOYN ent Contrac			
		N/A			
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present Full Time					
Present Part Time					
Present Seasonal					¢
First Year Full Time					
First Year Part Time					
First Year Seasonal					
Second Year Full Time					
Second Year Part Time					
Second Year Seasonal					

	TYPE OF Employees of In	EMPLOYN dependent (
		N/A			
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present Full Time	1				

Present Part Time			
Present Seasonal			
First Year Full Time			
First Year Part Time			
First Year Seasonal			
Second Year Full Time			
Second Year Part Time			
Second Year Seasonal			

B. Indicate below (1) the estimated salary and fringe benefit averages or ranges and (2) the estimated number of employees residing in the Capital District Economic Development Region for all the jobs at the Project site, both retained and created, listed in the tables described in subsection A above for each of the categories of positions listed in the chart below.

	RELATED EMP	LOYMENT INFOR	MATION	
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled
Estimated Salary and Fringe Benefit Averages or Ranges	\$70,000- \$110,000	\$38,000- \$65,000		\$35,000- \$42,000
Estimated Number of Employees Residing in the Capital District Economic Development Region ¹	3	10		16

C. Please describe the projected timeframe for the creation of any new jobs with respect to the undertaking of the Project:

PROJECT IS AND WILL CONTINUE OPERATING AS A HOTEL. THIS IS AN APPLICATION FOR TRANSFER OF EXISTING BENEFITS

¹ The Capital District Economic Development Region consists of the following counties: Albany, Schenectady, Rensselaer, Greene, Columbia, Saratoga, Warren and Washington.

D. Please prepare a separate attachment describing in detail the types of employment at the Project site. Such attachment should describe the activities or work performed for each type of employment. Operations Managers, Sales Manager, Housekeepers, Check-In Agents

V. Project Cost

A. <u>Anticipated Project Costs</u>. State the costs reasonably necessary for the acquisition of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

Description of Cost	Amount
Land	\$
Buildings	\$
Machinery and equipment costs	\$
Utilities, roads and appurtenant costs	\$
Architects and engineering fees	\$
Costs of Bond Issue (legal, financial and printing)	\$
Construction loan fees and interest (if applicable)	\$
Other (specify)	
	\$
Closing and Related	\$ \$1,200,000
Acquisition of Existing Hotel	\$\$12,500,000
TOTAL PROJECT COSTS	\$\$13,700,000

B. <u>Anticipated Project Financing Sources</u>. State the sources reasonably necessary for the financing of the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

Description of Sources			<u>Amou</u>	int	
Private Sector Financing	\$	\$7	,700,00	0	
Public Sector					
Federal Programs	\$				
State Programs	\$				
Local Programs	\$				
Applicant Equity	\$	\$6,	,000,00	0	
Other (specify, e.g., tax credits)					
	\$				
	\$				
	\$				~
TOTAL AMOUNT OF PROJECT FINANCING SOURCES	\$	9	513,700	,000 <u></u>	
ave any of the above expenditures already es; NoX If yes, indicate particulars.	been	made	by t	he	applicar
mount of loan requested: \$\$7,700,000_		;			

Yes ____; No _X ___. Institution Name: _____

Provide name and telephone number of the person we may contact.

Name:	Phone:

F. The percentage of Project costs to be financed from public sector sources is estimated to equal the following: ______0%

C.

D.

E.

G. The total amount estimated to be borrowed to finance the Project is equal to the following: \$7,700,000

VI. <u>BENEFITS EXPECTED FROM THE AGENCY</u>

A. <u>Financing</u>

1. Is the applicant requesting that the Agency issue bonds to assist in financing the project? Yes ____; No __X_. If yes, indicate:

Amount of loan requested: ______ Maturity requested (in years): ______

- Is the interest on such bonds intended to be exempt from federal income taxation? Yes
 No X_.
- 3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes:
 - a. retail food and beverage services: Yes____; No_____
 - b. automobile sales or service:Yes___; No____
 - c. recreation or entertainment:Yes___; No____;
 - d. golf course:Yes___; No____
 - e. country club:Yes___; No___
 - f. massage parlor:Yes___; No____
 - g. tennis club:Yes___; No____
 - h. skating facility :Yes ; No
 - j. racquet sports facility (including
 - handball and racquetball court):Yes____; No____
 - j. hot tub facility:Yes___; No____
 - k. suntan facility:Yes___; No____
 - l. racetrack:Yes___; No____
- 4. If the answer to any of the above questions contained in question 3 is yes, please furnish details on a separate attachment.

B. <u>Tax Benefits</u>

1. Is the applicant requesting any real property tax exemption in connection with the Project that would not be available to a project that did not involve the Agency? Yes_X___; No____. If yes, is the real property tax exemption being sought consistent with the Agency's Uniform Tax Exemption Policy? Yes___; No____. WE ARE REQUESTING A TRANSFER OF THE EXISTING BENEFIT.

2. Is the applicant expecting that the financing of the Project will be secured by one or more mortgages? Yes $X_{,}$; No _____. If yes, what is the approximate amount of financing to be secured by mortgages? 7,700,000 _____.

3. Is the applicant expecting to be appointed agent of the Agency for purposes of avoiding payment of N.Y.S. Sales Tax or Compensating Use Tax? Yes ____; No _X___. If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes?

4. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of the exemption.

a. N.Y.S. Sales and Compensating Use Taxes: \$___0____

b. c.	Mortgage Recording Taxes: Real Property Tax Exemptions:	\$\$99,999 \$TRANSFER OF EXISTING
d.	Other (please specify):	\$
		\$

5. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Agency's Uniform Tax Exemption Policy? Yes _____; No _____. If yes, please explain.

PILOT SCHEDULE DICTACTED BY CITY

C. <u>Project Cost/Benefit Information</u>. Complete the attached Cost/Benefit Analysis so that the Agency can perform a cost/benefit analysis of undertaking the Project. Such information should consist of a list and detailed description of the benefits of the Agency undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Agency undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

VI. <u>**REPRESENTATIONS BY THE APPLICANT**</u>. The applicant understands and agrees with the Agency as follows:

A. <u>Job Listings</u>. 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 "DOC") and with the administrative entity (collectively with the DOC, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA"), as replaced by the Workforce Investment Act of 1998 (Public Law 105-220), in which the Project is located.

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

C. <u>Annual Sales Tax Filings</u>. In accordance with Section 874(8) of the New York General Municipal Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.

D. <u>Annual Employment Reports</u>. 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, including (1) the NYS-45 – Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return – for the quarter ending December 31 (the "NYS-45"), and (2) the US Dept. of Labor BLS 3020 Multiple Worksite report if applicable.

E. <u>Uniform Agency Project Agreement</u>. The applicant agrees to enter into a project benefits agreement with the Agency where the applicant agrees that (1) the amount of Financial Assistance to be received shall be contingent upon, and shall bear a direct relationship to the success or lack of success of such project in delivering certain described public benefits (the "Public Benefits") and (2) the Agency will be entitled to recapture some or all of the Financial Assistance granted to the applicant if the project is unsuccessful in whole or in part in delivering the promised Public Benefits.

F. <u>Representation of Financial Information</u>. Neither this Application nor any other agreement, document, certificate, project financials, or written statement furnished to the Agency or by or on behalf of the applicant in connection with the project contemplated by this Application contains any untrue statement of a material fact or omits to state a material fact necessary in order to make the statements contained herein or therein not misleading. There is no fact within the special knowledge of any of the officers of the applicant which has not been disclosed herein or in writing by them to the Agency and which materially adversely affects or in the future in their opinion may, insofar as they can now reasonably foresee, materially adversely affect the business, properties, assets or condition, financial or otherwise, of the applicant.

G. <u>Agency Financial Assistance Required for Project</u>. The Project would not be undertaken but for the Financial Assistance provided by the Agency or, if the Project could be undertaken without the Financial Assistance provided by the Agency, then the Project should be undertaken by the Agency for the following reasons:

H. <u>Compliance with Article 18-A of the General Municipal Law</u>: The Project, as of the date of this Application, is in substantial compliance with all provisions of article 18-A of the General Municipal including, but not limited to, the provisions of Section 859-a and subdivision one of Section 862; and the provisions of subdivision one of Section 862 of the General Municipal Law will not be violated if Financial Assistance is provided for the Project.

I. <u>Compliance with Federal, State, and Local Laws</u>. The applicant is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.

J. <u>False or Misleading Information</u>. The applicant understands that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemptions claimed by reason of Agency involvement in the Project.

K. <u>Absence of Conflicts of Interest</u>. The applicant acknowledges that the members, officers and employees of the Agency are listed on the Agency's website. 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:

L. <u>Additional Information</u>. Additional information regarding the requirements noted in this Application and other requirements of the Agency are included in the Agency's Policies which can be accessed at <u>http://www.columbiaedc.com/?page_id=10</u>.

7

I affirm under penalty of perjury that all statements made on this application are true, accurate and complete to the best of my knowledge

Applicant Ĭ

NOTE: APPLICANT MUST ALSO COMPLETE THE APPROPRIATE VERIFICATION APPEARING ON PAGES 23 THROUGH 26 HEREOF BEFORE A NOTARY PUBLIC <u>AND</u> MUST SIGN AND ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 27

By: Title:

VERIFICATION

(If applicant is a limited liability company)

STATE OF NY SS.: COUNTY OF <u>Greene</u>

Gabriel Katz , deposes and says (Name of Individual)

that he is one of the members of the firm of <u>HN Monarthur 47. Cross a Whar</u>, (Limited Liability Company)

the limited liability company named in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said limited liability company.

Sworn to before me this 5th day of Sept., 2023.

otarv

AMELIA BUTLER Notary Public - State of New York No. 01BU6435010 Qualified in Greene County My Commission Expires 06/21/2026

HOLD HARMLESS AGREEMENT

Applicant hereby releases Columbia County Industrial Development Agency and the member, officers, servants, agents and employees thereof (hereinafter collectively referred to as 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 (i) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the application or the project described therein or the issuance of bonds requested therein are favorably acted upon by the Agency, (ii) the Agency's financing of the Project described therein; and (iii) any further action taken by the Agency with respect to the Project, including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. 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 find buyers willing to purchase the total bond issue requested, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all actual costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

(Applicant)

Sworn to before me this 5^{th} day of Sect., 2023

AMELIA BUTLER Notary Public - State of New York No. 01BU6435010 Qualified in Greene County My Commission Expires 06/21/2026

TO:	Project Applicants
FROM:	Columbia County Industrial Development Agency
RE:	Cost/Benefit Analysis

In order for the Columbia County Industrial Development Agency (the "Agency") to prepare a Cost/Benefit Analysis for a proposed project (the "Project"), the Applicant must answer the questions contained in this Project Questionnaire (the "Questionnaire") and complete the attached Schedules. This Questionnaire and the attached Schedule will provide information regarding various aspects of the Project, and the costs and benefits associated therewith.

This Questionnaire must be completed before we can finalize the Cost/Benefit Analysis, please complete this Questionnaire and forward it to us at your earliest convenience.

PROJECT QUESTIONNAIRE

1.	Name of Project Beneficiary ("Company"):	HN MacArthur 41 Cross Owner, LLC
2.	Brief Identification of the Project:	The Wick Hotel
3.	Estimated Amount of Project Benefits Sought:	
	A. Amount of Bonds Sought:	\$
	B. Value of Sales Tax Exemption Sought	\$0
	C. Value of Real Property Tax Exemption Sought	\$TRANSFER OF EXISTING
		EXEMPTION
	D. Value of Mortgage Recording Tax Exemption Sought	\$99,999
4.	Likelihood of accomplishing the Project in a timely fashion:	

PROJECTED PROJECT INVESTMENT

Α.	Land-Related Costs	
1.	Land acquisition	\$
2.	Site preparation	\$
3.	Landscaping	\$
4.	Utilities and infrastructure development	\$
5.	Access roads and parking development	\$
6.	Other land-related costs (describe)	
В.	Building-Related Costs	
 A second second second second 		
1.	Acquisition of existing structures	\$10,000,000 (including land and)
1. 2.	Acquisition of existing structures Renovation of existing structures	
1. 2. 3.		
· ···· · · · · · · · · · · · ·	Renovation of existing structures	
3.	Renovation of existing structures New construction costs Electrical systems	
3. 4.	Renovation of existing structures New construction costs	

C.	Machinery and Equipment Costs	,, , , , , , , , , , , , , , , , , , ,
1.	Production and process equipment	\$
2.	Packaging equipment	\$
3.	Warehousing equipment	\$
4.	Installation costs for various equipment	\$
5.	Other equipment-related costs (describe)	\$
1		
D.	Furniture and Fixture Costs	
1.	Office furniture	\$
2.	Office equipment	\$
3.	Computers	\$
4.	Other furniture-related costs (describe)	\$2,500,000 (hotel
	a a construction and a construction of the second second second second second second second second second secon	furnishings)
E.	Working Capital Costs	
1.	Operation costs	\$ \$
2.	Production costs	\$
3.	Raw materials	\$
4.	Debt service	\$
5.	Relocation costs	\$
6.	Skills training	<u> </u>
7.	Other working capital-related costs (describe)	.
F.	Professional Service Costs	
1.	Architecture and engineering	\$
2.	Accounting/legal	\$
3.	Other service-related costs (describe)	<u>\$</u>
G.	Other Costs	¢1 000 000
1.	Closing and Related	\$1,200,000
2.		\$
H.	Summary of Expenditures	· · · · · · · · · · · · · · · · · · ·
1.	Total Land-Related Costs	\$
2.	Total Building-Related Costs	\$ 10,000,000 (includes
		land)
3.	Total Machinery and Equipment Costs	<u>\$</u>
4.	Total Furniture and Fixture Costs	\$_2,500,000
5.	Total Working Capital Costs	\$
6.	Total Professional Service Costs	\$
7.	Total Other Costs	\$_1,200,000
	nanta kana ala na na nanana ala ili kana na	

PROJECTED CONSTRUCTION EMPLOYMENT IMPACT

I. Please provide estimates of total construction jobs and the total annual wages and benefits of construction jobs at the Project: EXISTING HOTEL. SEEKING TRANSFER OF EXISTING BENEFITS

Year	Number of Construction Jobs	Total Annual Wages and Benefits	Estimated Additional NYS Income Tax
Current Year		\$	\$
Year 1		\$	\$
Year 2		\$	\$
Year 3		\$	\$
Year 4		\$	\$
Year 5		\$	\$

PROJECTED PERMANENT EMPLOYMENT IMPACT

- I. Estimates of the total number of existing permanent jobs to be preserved or retained as a result of the Project are described in the tables in Section IV of the Application. 31
- II. Estimates of the total new permanent jobs to be created at the Project are described in the tables in Section IV of the Application. 0
- III. Please provide estimates for the following:

A. Creation of New Job Skills relating to permanent jobs. Please complete Schedule A.

- IV. Provide the projected percentage of employment that would be filled by Columbia County residents: $\sim 95\%$
 - A. Provide a brief description of how the project expects to meet this percentage: EXISTING EMPLOYEES

PROJECTED OPERATING IMPACT

I. Please provide estimates for the impact of Project operating purchases and sales:

Additional Purchases (1 st year following project completion)	<pre>\$\$500,000-\$1,000,000 in operating supplies and goods</pre>
Additional Sales Tax Paid on Additional Purchases	\$approx \$45,000- \$90,000
Estimated Additional Sales (1 st full year following project completion)	\$5,000,000 total revenue
Estimated Additional Sales Tax to be collected on additional sales (1 st full year following project completion)	\$approx \$450,000

II. Please provide estimates for the impact of Project on existing real property taxes and new payments in lieu of taxes ("Pilot Payments"): TRANSFER OF EXISTING BENEFITS

Year	Existing Real Property Taxes (Without IDA involvement)	New Pilot Payments (With IDA)	Total (Difference)
Current Year			
Year 1			
Year 2			
Year 3			
Year 4			
Year 5			
Year 6			
Year 7			
Year 8			
Year 9			
Year 10			

III. Please provide a detailed description for the impact of other economic benefits and all anticipated community benefits expected to be produced as a result of the Project (attach additional pages as needed for a complete and detailed response): THE PROJECT INTENDS TO CONTINUE TO SUPPORT ONGOING EMPLOYEE TRAINING AND WILL CONTINUE TO IMPROVE THE PROPERTY LEADING TO MORE CONSTRUCTION JOBS, GREATER REVENUES, AND GREAT OPERATING JOBS. WE ALSO INTEND TO BE A PRODCUTIVE MEMBER OF THE LOCAL COMMUNITY SUPPORTING CITY WIDE INITIATIVES AND TOURISM>

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CERTIFICATION

I certify that I have prepared the responses provided in this Questionnaire and that, to the best of my knowledge; such responses are true, correct, and complete.

I understand that the foregoing information and attached documentation will be relied upon, and constitute inducement for, the Agency in providing financial assistance to the Project. I certify that I am familiar with the Project and am authorized by the Company to provide the foregoing information, and such information is true and complete to the best of my knowledge. I further agree that I will advise the Agency of any changes in such information, and will answer any further questions regarding the Project prior to the closing.

I affirm under penalty of perjury that all statements made on this application are true, accurate and complete to the best of my knowledge.

Date Signed: September 5, 2023.	Name of Person Completing Project Questionnaire on behalf of the Company.
Ĩ	Name: Cubre Katt
	Title: $p_{0.1}$ where $p_{0.1}$ Phone Number: $p_{1.1}$ $p_{1.1}$ $p_{2.2}$ $p_{1.2}$
	Address: 32 Allen St, Ind Sn MA
	Signature:
	\sim

SCHEDULE A

CREATION OF NEW JOB SKILLS

Please list the projected new job skills for the new permanent jobs to be created at the Project as a result of the undertaking of the Project by the Company.

New Job Skills	Number of Positions Created	Range of Salary and Benefits
	······································	
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· · · · · · · · · · · · · · · · · · ·		
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Should you need additional space, please attach a separate sheet.

HN MacArthur 41 Cross Street Owner 1807 Ross Ave, Ste 440 Dallas, TX 75201

August 31, 2023

RE: IDA Application for the Transfer of PILOT Benefits with regards to the Wick Hotel, Hudson

To Whom It May Concern,

I, Jeremy Selman, authorized signatory of HN MacArthur 41 Cross Owner, LLC, grant Gabriel Katz of MacArthur Holdings, the authorization to sign as applicable the above referenced application on behalf of HN MacArthurs 41 Cross Owner, LLC.

Sincerely,

Jeremy Selman Authorized Signatory