SEDC
Saratoga Economic Development Corporation
Building Futures Together

December 2, 2016

To: Saratoga County IDA Members and Staff

From: Jim Angus, SEDC

Re: **SKS Bottle and Packaging, Inc.** application

IDA Members and Staff:

Attached please find an application and project narrative for your consideration from **SKS Bottle and Packaging, Inc.** for IDA benefits related to the purchase of land and construction of a facility on Geyser Road, Saratoga Springs, NY, and the acquisition and installation of machinery, equipment, furniture and fixtures at the site.

The proposed project is the purchase of approximately 22 acres off Geyser Road in Saratoga Springs to the northeast of the railroad bridge. There will be constructed on the site a 128,000 square foot building that will be the company's corporate headquarters and include warehouse and distribution functions. This new facility will greatly improve SKS's operational efficiency and provide space for anticipated future growth.

Please see the Project Narrative and Application for complete details. We have also provided a location map and a conceptual site plan for reference.

The IDA is requested to provide a 10 Year Commercial Services PILOT as shown in the application and on the attached SEDC spreadsheets. Additionally, sales tax and mortgage tax exemptions are requested as detailed in the application and the spreadsheets

.

For your consideration following are Key IDA Project Evaluation Criteria (NYSEDC Best Practices):

- Create or Retain Jobs – about 100 new jobs in Saratoga County, growing +/-20% in 3 yrs.
- Private Sector Investment - $16 million
- Local Labor Construction – Munter Enterprises will construct the facility
- Wages Above Area Median – SKS average wage is +/-$38,750 vs. Capital Region Average for their Sector of $31,648 (source: NYSDOL)

The fully executed application package and the application fee check will be delivered to the IDA office prior to the December 12 meeting.

Please contact me at 598-8717 prior to the meeting if there are any questions.

2600 7th Avenue, Building 60 West, Watervliet, NY 12189 • **Tel: (518) 880-6980 • Fax: (518) 880-6990**

History

In 1986 Paul & Barbara Horan founded SKS Bottle & Packaging Inc., named after their three sons Steven, Kendall and Shaun. SKS began selling labels and served as a wholesaler/distributor for glass and plastic bottles along with associated closures. The primary focus was and remains to be "take care of our customers", and to provide the best service and products possible. As time passed and clients grew, SKS was able maintain larger inventories and add more products, including glass jars, plastic jars, metal cans and tins. The business growth from 1986 thru 1990 required them to relocate 8 different times to larger buildings/warehouses. Finally, in 1990 a 10,000 square foot building was built in Malta, NY.

The twentieth century brought on many changes in global commerce and SKS embraced new technology and developed a comprehensive on-line, web-based catalogue. SKS was now able to expand their sales radius to cover the globe, add new products quicker and increase efficiency. Paul's vision of an online store in the mid 1990's gave SKS an advantage, being one of the first bottle companies to the e-commerce market. As competitors were looking overseas for products to reduce costs, SKS recognized the quality in American manufacturing and continued to purchase inventories directly from USA manufacturers.

In 2005, SKS sales growth required relocation to a 52,000 sq. ft. leased facility comprised of warehouse, processing and office space in Watervliet. This current location has been expanded twice and is now 102,000 sq. ft.

In 2014 SKS decided based on significant west coast sales to expand its operations with a 30,000 sq. ft. distribution warehouse in Reno, NV.

Reasons for Relocation

SKS has enjoyed continuing expanded sales through the last 10 years. At the same time our Watervliet facility has become considerably less efficient as we add space in a piecemeal manner. Additionally, the building has low ceilings and insufficient fire protection for us to efficiently stock our inventory.

To assess our current and future needs we instructed The United Parcel Service engineers to draw a Warehouse layout for the sales demand we had in 2016 and 10 year projected growth. After UPS made their presentation to SKS, we confirmed that we were out of space, and over utilizing the majority of our Distribution functions. In other words, we would be at 100% capacity in almost all of our Distribution functions by the end of 2016. Also, we confirmed that the amount of space allocated per pick face and the number of pick faces we had, were far less than what was needed for efficient operations.

SKS
2600 7th Avenue, Building 60 West, Watervliet, NY 12189 • Tel: (518) 880-6980 • Fax: (518) 880-6990

In the short term we will rent more space from our current landlord. While this will have to work in the short term, it will not work long term. Therefore, we decided to assess our future needs and make a decision to either stay in Watervliet with substantial changes or seek another site.

We did give the current landlord an opportunity to bid on our proposal of our expansion, but the current facility will not allow us to expand beyond the 200K we will need in 6-8 years. If we do stay in Watervliet, which at this time is more economical, we would need to look for another location in 6-8 years.

Also a consideration in finding a new location is the fact that SKS is at a point in its growth and life that capital investment makes business sense. Shareholders have agreed that this is the time to do so.

SKS looked at several locations in the Capital Region. And while not a high priority choice, we did think about expansion at tour Reno, NV location. After due consideration locations outside Saratoga County were eliminated due to costs, distances and other criteria. Four sites were considered in Saratoga County with the ultimate choice being the Geyser Road property owned by Munter Land Holdings.

Benefits of the Geyser Road Site

- Efficient working space
- Sufficient area for future building expansion
- Improved and energy efficient lighting and added windows/skylights to the facility.
- Better and energy efficient heating and cooling system.
- Area amenities

Finally, it is our plan to expand our facility to approximately 250,000 square feet within the next 10 years. This will be another substantial capital investment and will add more jobs to our workforce. We hope the Saratoga County IDA will consider an application for benefits at that time.

Thank you for your consideration of our request.

Adopted: March 21, 2001
As Amended: May 14, 2012
As Amended: January 14, 2013
As Amended: August 8, 2013
As Amended:June 13, 2016

TO APPLICANTS

(Project Sponsor)

The County of Saratoga Industrial Development Agency was established by special act of the New York State Legislature in 1971.

Industrial Development Agencies were first legally authorized in 1969 when the New York State Legislature added a new Article 18-A to the General Municipal Law to provide for the establishment, by special act of the legislature, of local industrial development agencies as public benefit corporations.

Once established, a local industrial development agency is authorized to issue "taxable" industrial revenue bonds for the purposes of acquiring machinery, equipment, and other facilities deemed necessary or desirable in connection therewith, or incidental thereto, whether or not now in existence or under construction, which shall be suitable for manufacturing, warehousing, research, commercial or industrial purposes. Projects may also be financed through a "Straight Lease" transaction which may entail a conventional mortgage or other form of private financing.

Industrial Development Agencies offer attractive incentives to industry seeking new locations or expansion of existing facilities. The advantages to a business in financing a project through the Agency are substantial in providing the following:

- The project is exempt from real property taxes during the term of the bond issue and lease agreement. However, each project shall be required to enter into an agreement to pay a negotiated sum in lieu of taxes.
- Project related construction purchases and rentals as well as equipment purchases are exempt from state and local sales tax.
- A mortgage given by the Agency to secure project-related indebtedness is exempt from the state mortgage recording tax.

APPLICATION PROCEDURES

1. Completed application submitted to Agency with a check of $250 for application fee.

2. Agency subcommittee meeting scheduled for initial project review.

3. A meeting will be scheduled between project applicant and representatives of the Agency to review supporting financial data relating to the applicant and the Project.

4. If the application is deemed appropriate for Agency financial assistance, a public hearing to be held in the host municipality is scheduled.

5. At least 10 days prior to the public hearing, notice of the hearing is published in a suitable newspaper and notice is given by mail to the chief executive officer of each affected taxing jurisdiction.

6. Following the close of the public hearing, the Agency will consider adoption of an inducement resolution which (1) grants preliminary authorization for the extension by the Agency of financial assistance for a project, (2) describes the financial assistance to be rendered, and (3) sets forth the conditions for final approval including, but not limited to, compliance by the Agency with the provisions of the new York State Environmental Quality Review Act.

7. Following drafting of the necessary financing documents and prior to the issuance of bonds or closing on conventional financing, the Agency will meet to adopt a bond resolution or financing resolution.

8. An administration fee will be due the Agency at closing.

It is the responsibility of the applicant to arrange for financing with respect to a given Agency project. Taxable bonds issued by the Agency are non-recourse to the Agency and the County of Saratoga and thus the credit-worthiness of a project is a factor solely of the applicant and the project itself.

The providing of financial assistance by the Agency triggers certain filing and/or reporting requirements with respect to employment and tax benefits received.

REQUIRED SUBMISSIONS

1. An original and eleven (11) fully completed and executed copies of the Application.

2. Non-refundable application fee in the amount of Two Hundred and Fifty Dollars ($250.00) payable to: COUNTY OF SARATOGA INDUSTRIAL DEVELOPMENT AGENCY.

3. One copy of the audited (if available) financial statements of the applicant for the immediately preceding three (3) years together with pro-forma relating to the project (if project relates to new business operation).

4. If available, four (4) copies of a letter of intent or commitment letter from proposed lender for the Project.

5. Two (2) copies of a site plan or building plan with respect to the project.

6. An original and eleven (11) copies of fully completed and executed Environmental Assessment Questionnaire. (Attachment "A").

7. An original and eleven (11) copies of fully completed and executed Employment Reporting Agreement and Plan. (Attachment "B").

9. An original and eleven (11) copies of fully completed and executed Sales Tax Reporting Agreement. (Attachment "C").

10. An original and eleven (11) copies of a fully executed Labor Policy Form. (Attachment ""D").

11. An original and eleven (11) copies of a fully executed Construction Employment Agreement. (Attachment ""D-1").

PURSUANT TO THE PROVISIONS OF ARTICLE SIX OF THE NEW YORK STATE PUBLIC OFFICERS LAW, ALL SUBMISSIONS TO THE AGENCY ARE SUBJECT TO PUBLIC INSPECTION SUBJECT TO THE PROVISIONS OF SECTION 87(2) THEREOF.

Section I: Applicant Information

Please answer all questions. Use "None" or "Not Applicable" where necessary.

A) Applicant Information-company receiving benefit:

Applicant Name: SKS BOTTLE & PACKAGING INC.

Applicant Address: 2600 7th Avenue, Bldg. 60 West, Watervliet, NY 12189

Phone: 518- 880-6980 Fax:

Website: www.sks-bottle.com E-mail: kendo22@sks-bottle.com

Federal ID#: 14-1687374 NAICS: 561910

State and Year of Incorporation/Organization: New York 1986

List of stockholders, members, or partners of Applicant: Paul Horan, Barbara Horan, Steven Horan, Kendall Horan, Shaun Horan

Will a Real Estate Holding Company be utilized to own the Project property/facility? ☑ Yes or ☐ No

What is the name of the Real Estate Holding Company: Twinbrook Realty LLC

Federal ID# of Real Estate Holding Company: 45-4403328

State and Year of Incorporation/Organization: New York 2012

List of stockholders, members, or partners of Real Estate Holding Company: Steven Horan, Kendall Horan

Agency assisting in application (SCPP or SEDC): SEDC

B) Individual Completing Application:

Name: Kendall Horan

Title: President

Address: 2600 7th Avenue, Bldg. 60 West, Watervliet, NY 12189

Phone: 518-880-6980 Fax:

E-Mail: kendo22@sks-bottle.com

C) Company Contact (if different from individual completing application):

Name: Same

Title:

Address:

Phone: Fax:

E-Mail:

D) Company Counsel:

Name of Attorney: Debbie Cutler

Firm Name: Cutler, Trainor & Cutler LLP

Address: 2 Hemphill Place, #153, Ballston Spa, NY 12020

Phone: 518-899-9200 Fax: 518-899-9300

E-mail: debbiec@ctclawfirm.com

E) Identify the assistance being requested of the Agency (select all that apply):

1. Exemption from Sales Tax ■ Yes or ☐ No
2. Exemption from Mortgage Recording Tax ☑ Yes or ☐ No
3. Exemption from Real Property Tax ■ Yes or ☐ No
4. Tax Exempt Financing * ☐ Yes or ■ No

* (typically small qualified manufacturers)

F) Business Organization (check appropriate category):

S Corporation	☐		
Corporation	☑	Partnership	☐
Public Corporation	☐	Joint Venture	☐
Sole Proprietorship	☐	Limited Liability Company	☐
Other (please specify) _____			☐

Year Established: 1986

State in which Organization is established: New York

G) List all stockholders, members, or partners with % of ownership greater than 20%:

Name	% of ownership
Paul Horan - 38%	
Kendall Horan - 20%	
Steven Horan - 20%	

H) Applicant Business Description:

Describe in detail company background, products, customers, goods and services. Description is critical in determining eligibility: SKS supplies a wide variety of glass, plastic and metal containers, as well as caps and closures, for end uses such as personal care products, food, beverage, medical and chemical packaging.

Estimated % of sales within Saratoga County: 1%

Estimated % of sales outside Saratoga County but within New York State: 13%

Estimated % of sales outside New York State but within the U.S.: 78%

Estimated % of sales outside the U.S. 8%

(*Percentage to equal 100%)

I) What percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Saratoga County. Include list of vendors, raw material suppliers and percentages for each. Provide supporting documentation including estimated percentage of local purchases.

None at this time, however, on relocation to Saratoga County new and/or additional vendor services may be required.

Section II: Project Description & Details

A) Project Location:

Municipality or Municipalities of current operations: Town of Colonie, Albany County

Will the Proposed Project be located within the Municipality, or within a Municipality, identified above?

☐ Yes or No ■

If Yes, in which Municipality will the proposed project be located? _____

If No, in which Municipality will the proposed project be located? Saratoga Springs, NY

Provide the Property Address of the proposed Project:

Geyser Road (east of railroad bridge), Saratoga Springs, NY

Property to be subdivided from larger parcel

SBL (Section, Block, Lot) # for Property upon which proposed Project will be located: part of 178.-1-43.11

What are the current real estate taxes on the proposed Project Site? approximately $2,613

If amount of current taxes is not available, provide assessed value for each:

Land: $+/-102,182 Buildings(s): $0

*** If available please include a copy of current tax bill.***

Are Real Property Taxes current? ☒ Yes or ☐ No. If no, please explain _____

Town/City/Village: City of Saratoga Springs School District: Saratoga Springs

Does the Applicant or any related entity currently hold fee title to the Project site? ☐ Yes or ☒ No

If No, indicate name of present owner of the Project Site: Munter Land Holdings LLC

Does Applicant or related entity have an option/contract to purchase the Project site? ☐ Yes or ☒ No

Describe the present use of the proposed Project site: Vacant Industrial Land

B) Please provide narrative of project, the purpose of the project (new build, renovations, and/or equipment purchases), and the type of project (educational, recreational, historic preservation, etc.). Identify specific uses occurring within the project. Describe any and all tenants and any/all end users: (This information is critical in determining project eligibility – Attach additional pages if necessary):

Acquisition of approximately 22.3 acres on which a 128,000 sf building will be constructed for use by SKS Bottle and Packaging as our corporate headquarters and distribution/ warehouse facility.

Describe the reasons why the Agency's financial assistance is necessary, and the effect the Project will have on the Applicant's business or operations. Focus on competitiveness issues, project shortfalls, etc... Your eligibility determination will be based in part on your answer (attach additional pages if necessary):

SKS needs a larger and more efficient facility for current and short term business, and a location where we can expand in the long term. Our substantial capital investment would be difficult without assistance as we adjust to the much higher costs of owning the facility.

Please confirm by checking the box below if there is likelihood that the Project would not be undertaken but for the Financial Assistance provided by the Agency?

☒ **Yes or** ☐ **No**

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

If the Applicant is unable to obtain Financial Assistance for the Project, what will be the impact on the Applicant and County/City/Town/Village? SKS would have to start another search for a location outside Saratoga County, causing a serious delay in necessary business operations. Saratoga County would not get 100+ new jobs and capital investment that would increase the tax base.

C) Will Project include the leasing of any equipment? ☒ Yes or ☐ No

If Yes, please describe: construction and relocation related product and services

D) Site Characteristics:

Will the Project meet zoning/land use requirements at the proposed location? ☒ Yes or ☐ No

Describe the present zoning/land use: Industrial - General - Vacant

Describe required zoning/land use, if different: same

If a change in zoning/land use is required, please provide details/status/timeline of any request for change of zoning/land use requirements:

N/A

1. Utilities serving project site:

   a. Water - Municipal: City of Saratoga Springs

      Other (Describe): _____

   b. Sewer - Municipal: City of Saratoga Springs

      Other (Describe): _____

c. Electric – Utility: National Grid

Other (Describe): _____

d. Heat – Utility: _____

Other (Describe): _____

e. Gas – Utility: National Grid

Other (describe): _____

2. Are there public infrastructure improvements required or proposed? ☐ Yes ■ No
If yes, please describe:

_____

_____

_____

_____

Is the proposed project located on a site where the known or potential presence of contaminants is complicating the development/use of the property? If yes, please explain: No

_____

_____

E) Has a Phase I Environmental Assessment been prepared or will one be prepared with respect to the proposed project site? ■ Yes or ☐ No If yes, please provide a copy.

F) Have any other studies or assessments been undertaken with respect to the proposed project site that indicate the known or suspected presence of contamination that would complicate the site's development?

☐ Yes or ■ No. If yes, please provide copies of the study

G) Provide any additional information or details: _____

Phase 1 Environmental Assessment will need to be updated for the applicant.

Owners Phase 1 revealed no contamination issues, so no studies required.

_____

_____

H) Select Project Type for all end users at project site (you may check more than one):

** Please check any and all end users as identified below.
** Will customers personally visit the Project site for either of the following economic activities? If yes with respect to either economic activity indicated below, complete the Retail Questionnaire contained in **Section IV** of the Application.

Retail Sales: ☐ Yes or ■ No Services: ☐ Yes or ■ No

For purposes of this question, the term "retail sales" means (i) sales by a registered vendor under Article 28 of the Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

Industrial	☐	Back Office	☐
Acquisition of Existing Facility	☐	Mixed Use	☐
Housing	☐	Facility for Aging	☐
Equipment Purchase	☐	Other_____	☐
Multi-Tenant	☐		
Commercial	☑		

I) Project Information:

Estimated costs in connection with Project:

1.	Land and/or Building Acquisition: 22.3 acres _____ square feet	$1,315,700
2.	New Building Construction: 128,000 square feet	$ 12,800,000
3.	New Building Addition(s): _____ square feet	$_____
4.	Infrastructure Work	$_____
5.	Reconstruction/Renovation: _____ square feet	$_____
6.	Manufacturing Equipment:	$_____
7.	Non-Manufacturing Equipment (furniture, fixtures, etc.):	$600,000
8.	Soft Costs: (professional services, etc.):	$100,000
9.	Other, Specify: Machinery & Equipment	$1,144,657
	TOTAL Capital Costs:	$15,960,357

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

Sources of Funds for Project Costs:

Bank Financing: $ 14,600,000

Equity (excluding equity that is attributed to grants/tax credits): $ 1,360,357

Tax-Exempt Bond Issuance (if applicable): $ _____

Taxable Bond Issuance (if applicable): $ _____

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

Identify each state and federal grant/credit:

_____ $ _____

_____ $ _____

_____ $ _____

_____ $ _____

Other: _____ $ _____

Total Sources of Funds for Project Costs: $ _____

Total Investment by applicant: $ 1,360,357

Total Amount being financed: $ 14,600,000

Percent of total costs be financed through the public sector _____%

Percent of total costs be financed through the private sector 100 %

Have any of the above costs been paid or incurred as of the date of this Application? ☐ Yes or ■ No

If Yes, describe particulars:_____

_____

Mortgage Recording Tax Exemption Benefit: Amount of mortgage that would be subject to mortgage recording tax:

Mortgage Amount (include sum total of construction/permanent/bridge financing): $ 12,704,130

Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above multiplied by current mortgage recording tax in Saratoga County):

$ 95,281

Construction Cost Breakdown:

Total Cost of Construction (sum of 2,3,4,5, and/or 7 in Question I, above)	$12,800,000
Cost for materials	$7,680,000
% sourced in Saratoga County:	90 %
% sourced in New York State:	95 %
Cost for labor:	$+/-2,000,000

Sales and Use Tax: Gross amount of costs for goods and services that are subject to State and local Sales and Use tax - said amount to benefit from the Agency's Sales and Use Tax exemption benefit:

$9,424,657

Estimated State and local Sales and Use Tax Benefit (product of _7__% multiplied by the figure, above):

$659,726

** *Note that the estimate provided above will be provided to the New York State Department of Taxation and Finance. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to undertake the total amount of investment as proposed within this Application, and that the estimate above represents the maximum amount of sales and use tax benefit that the Agency may authorize with respect to this Application. The Agency may utilize the estimate above as well as the proposed total Project Costs as contained within this Application, to determine the Financial Assistance that will be offered.*

Real Property Tax Benefit:

Identify and describe if the Project will utilize a real property tax exemption benefit OTHER THAN the Agency's PILOT benefit: None

IDA PILOT Benefit: Indicate the amount of PILOT Benefit based on estimated Project Costs as contained herein and anticipated tax rates and assessed valuation, including the annual PILOT Benefit abatement amount for each year of the PILOT benefit year and the sum total of PILOT Benefit abatement amount for the term of the PILOT as depicted in Section V of the Application.

Percentage of Project Costs financed from Public Sector sources: Calculate the percentage of Project Costs financed from Public Sector sources based upon Sources of Funds for Project Costs as depicted above in Section II(I) of the Application.

J) For the proposed facility, please indicate the square footage for each of the uses outlined below:

*If company is paying for FFE for tenants, please include in cost breakdown

	Square Footage	Cost	% of Total Cost of Project
Manufacturing/Processing	7,800	780,000	6%
Warehouse	89,900	8,990,000	70%
Research & Development			
Commercial			
Retail (see section K)			
Office	30,300	3,030,000	24%
Specify Other			

K) What is your project timetable (Provide dates):

1. Start date: acquisition of equipment or construction of facilities: 1st quarter 2017
2. Estimated completion date of project: 6/30/2018
3. Project occupancy – estimated starting date of operations: 6/30/2018
4. Have construction contracts been signed? ☐ Yes or ■ No
5. Has financing been finalized? ☐ Yes or ■ No
6. Indicate number of full-time construction jobs to be created by the project 25.

** *If construction contracts have been signed, please provide copies of executed construction contracts and a complete project budget. The complete project budget should include all related construction costs totaling the amount of the new building construction, and/or new building addition(s), and/or renovation.*

L) Have site plans been submitted to the appropriate Planning Department?

☐ Yes or ■ No

** If yes, provide the Agency with a copy of the related State Environmental Quality Review Act ("SEQR") Environmental Assessment Form.

Has the Project received site plan approval from the Local Planning Board? ☐ Yes or ■ No.

If No, What is the anticipated approval date? 1st quarter 2017

If Yes, provide the Agency with a copy of the Planning Board's approval resolution along with the related SEQR determination. [NOTE: SEQR Determination is required for final approval and sales tax agency appointment].

M) Is the project necessary to expand project employment: ■ Yes or ☐ No

Is project necessary to retain existing employment: ■ Yes or ☐ No

N) Employment Plan (Specific to the proposed project location):

Indicate below the number of people presently employed at the site of the project and the number that will be employed at the site at the end of the first and second years after the project has been completed. (Do not include construction workers.)

		TYPE OF EMPLOYMENT			
		Professional Managerial Technical	Skilled	Unskilled or Semi – Skilled	Totals
PRESENT:	Full Time	14	29	57	100
	Part Time				
	Seasonal				
FIRST YEAR:	Full Time	17	32	62	111
	Part Time				
	Seasonal				
SECOND YEAR:	Full Time	17	33	66	116
	Part Time				
	Seasonal				

Indicate number of construction jobs expected to be generated by the project and the expected duration of such jobs:

Number of Jobs 25 Length of Employment 9 months

*** By statute, project the number of FTE jobs that would be retained and created if the request for Financial Assistance is granted. Project such jobs over the TWO-Year time period following Project completion. Convert PTE jobs into FTE jobs by dividing the number of PTE jobs by two (2).

Note: Agency Staff will review and verify all projections.

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

Category of Jobs to be Retained and Created	Average Salary or Range of Salary	Average Fringe Benefits or Range of Fringe Benefits
Management	71,900	+/- 12.5% of salary for all positions
Professional	42,500	including healthcare and 401k matching
Administrative	56,100	plus paid vacations and holidays
Production	29,000	
Independent Contractor		
Other		

Annual Payroll Current: $3,880,000

Annual Payroll, Yr. 1 (after project completion) $4,190,000 est

Annual Payroll, Yr. 2 $4,520,000 est

Employment at other locations in Saratoga County: (provide address and number of employees at each location):

	Address	Address	Address
Full time	NONE		
Part Time	NONE		
Total	NONE		

O) Will any of the facilities described above be closed or subject to reduced activity? ☐ Yes or ☐ No

** *If any of the facilities described above are located within the State of New York, and you answered Yes to the question, above, you must complete Section IV of this Application.*

** *Please note that the Agency may utilize the foregoing employment projections, among other items, to determine the Financial Assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to retain the number of jobs and create the number of jobs with respect to the Project as set forth in this Application.*

P) Is the project reasonably necessary to prevent the project occupant from moving out of New York State? ☐ Yes or ■ No.

If yes, please explain and identify out-of-state locations investigated, type of assistance offered and provide supporting documentation if available: _____

_____

Q) What competitive factors led you to inquire about sites outside of New York State? _____
company has a warehouse location in Reno, NV

_____

_____

R) Have you contacted or been contacted by other Local, State and/or Federal Economic Development Agencies? ☐ Yes or ■ No.

If yes, please identify which agencies and what other Local, State and/or Federal assistance and the assistance sought and dollar amount that is anticipated to be received: N/A

_____

Section III Retail Questionnaire

To ensure compliance with Section 862 of the New York General Municipal Law, the Agency requires additional information if the proposed Project is one where customers personally visit the Project site to undertake either a retail sale transaction or to purchase services.

Please answer the following:

A. Will any portion of the project (including that portion of the cost to be financed from equity or other sources) consist of facilities or property that are or will be primarily used in making sales of goods or services to customers who personally visit the project site?

☐ Yes or ■ No. If the answer is yes, please continue. If no, proceed to section V

For purposes of Question A, the term "retail sales" means (i) sales by a registered vendor under Article 28 of the Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

B. What percentage of the cost of the Project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the project? _____ %. **If the answer is less than 33% do not complete the remainder of the retail determination and proceed to section V.**

If the answer to A is Yes AND the answer to Question B is greater than 33.33%, indicate which of the following questions below apply to the project:

1. Is the Project location or facility likely to attract a significant number of visitors from outside the (8) county economic development region (Albany, Columbia, Greene, Rensselaer, Saratoga, Schenectady, Washington, Warren Counties) in which the project will be located?

☐ Yes or ☐ No

If yes, please provide a third party market analysis or other documentation supporting your response.

2. 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 municipality within which the proposed project would be located because of a lack of reasonably accessible retail trade facilities offering such goods or services?

☐ Yes or ☐ No

If yes, please provide a third party market analysis or other documentation supporting your response.

3. 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 or ☐ No.

If yes, explain _____

_____

4. Is the project located in a Highly Distressed Area? ☐ Yes or ☐

"Highly distressed area" – As defined in NY General Municipal Law § 854 (18)

(a) a census tract or tracts or block numbering areas or areas or such census tract or block numbering area contiguous thereto which, according to the most recent census data available, has:

(i) a poverty rate of at least twenty percent for the year to which the data relates or at least twenty percent of households receiving public assistance; and

(ii) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates; or

(b) a city, town, village or county within a city with a population of one million or more for which:

(i) the ratio of the full value property wealth, as determined by the comptroller for the year nineteen hundred ninety, per resident to the statewide average full value property wealth per resident; and

(ii) the ratio of the income per resident; as shown in the nineteen hundred ninety census to the statewide average income per resident; are each fifty-five percent or less of the statewide average; or

(c) an area which was designated an empire zone pursuant to article eighteen-B of this chapter

Section IV Inter-Municipal Move Determination

The Agency is required by state law to make a determination that, if completion of a Project benefiting from Agency Financial Assistance results in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, Agency Financial Assistance is required to prevent the project occupant from relocating out of the state, or is reasonably necessary to preserve the project occupant's competitive position in its respective industry.

Will the Project 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?

☐ **Yes or** ■ **No**

Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the state?

■ **Yes or** ☐ **No**

If Yes to either question, explain how, notwithstanding the aforementioned closing or activity reduction, the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry: ___

Present company location is no longer conducive to efficient operations and company growth.

Does the Project involve relocation or consolidation of a project occupant from another municipality?

Within New York State ■ **Yes or** ☐ **No**

Within Saratoga County/City/Town/Village ☐ **Yes or** ■ **No**

If Yes to either question, please, explain: Moving from Watervliet to Saratoga Springs.

Section V: Estimate of Real Property Tax Abatement Benefits*** and Percentage of Project Costs financed from Public Sector sources

**** Section V of this Application will be: (i) reviewed & verified by IDA staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application.**

PILOT Estimate Table Worksheet

Dollar Value of New Construction and Renovation Costs	Estimated New Assessed Value of Property Subject to IDA*	County Tax Rate/1000	Local Tax Rate(s) (Town/City/Village)/1000	School Tax Rate/1000
14,115,700	10,586,775	3.123735	5.982	16.471052

*Apply equalization rate to value

1	2	3	4	5	6	7	8
PILOT Year	% Payment	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT (3+4+5)	Full Tax Payment w/o PILOT	Net Exemption (7-6)
1st	land only	3,082	5,903	16,253	25,239	270,776	245,537
2nd	land only	3,082	5,903	16,253	25,239	270,776	245,537
3rd	land only	3,082	5,903	16,253	25,239	270,776	245,537
4th	land only	3,082	5,903	16,253	25,239	270,776	245,537
5th	land only	3,082	5,903	16,253	25,239	270,776	245,537
6th	land + 50%	18,076	34,616	95,314	148,004	270,776	122,796
7th	land + 60%	21,075	40,359	111,126	172,561	270,776	98,215
8th	land + 70%	24,074	46,102	126,939	197,115	270,776	73,661
9th	land + 80%	27,073	51,845	142,751	221,668	270,776	49,108
10th	land + 90%	30,071	57,587	158,563	246,222	270,776	24,554
TOTAL		135,782	260,024	715,960	1,111,765	2,707,760	1,595,992

***** Estimates provided are based on current property tax rates and assessment value (current as of date of application submission) and will be reviewed and verified by IDA staff**

Percentage of Project Costs financed from Public Sector Table Worksheet:

Total Project Cost	Estimated Value of Property Tax Exemptions	Estimated Value of Sales Tax Exemptions	Estimated Value of Mortgage Tax Exemptions	Total of Other Public Incentives (Tax Credits, Grants, ESD Incentives, etc.)
15,960,357	1,595,992	659,726	95,281	0

Percentage of Project Costs financed from Public Sector (Est. Property Tax + Est. Sales Tax+ Est. Mortgage Tax+ Other) / Total Project Cost): 14.7 **%**

Section VI Representations, Certifications and Indemnification

**** This Section of the Application <u>can only</u> be completed upon the Applicant receiving, and <u>must be completed</u> after the Applicant receives, IDA staff confirmation that Section I through Section V of the Application are complete.**

Kendall Horan (name of CEO or other authorized representative of Applicant) confirms and says that he/she is the President (title) of SKS Bottle & Packaging Inc. (name of corporation or other entity) named in the attached Application (the "Applicant"), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and as follows:

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

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

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

D. 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, at least annually or as otherwise required by the Agency, reports regarding the number of people employed at the project site, salary levels, contractor utilization and such other information (collectively, "Employment Reports") that may be required from time to time on such appropriate forms as designated by the Agency. Failure to provide Employment Reports within 30 days of an Agency request shall be an Event of Default under the PILOT Agreement between the Agency and Applicant and, if applicable, an Event of Default under the Agent Agreement between the Agency and Applicant. In addition, a Notice of Failure to provide the Agency with an Employment Report may be reported to Agency board members, said report being an agenda item subject to the Open Meetings Law.

E. The Applicant acknowledges that certain environmental representations will be required at closing. The Applicant shall provide with this Representation, Certification and Indemnification Form copies of any known environmental reports, including any existing Phase I Environmental Site Assessment Report(s) and/or Phase II Environmental Investigations. The Agency may require the Company and/or owner of the premises to prepare and submit an environmental assessment and audit report, including but not necessarily limited to, a Phase I Environmental Site Assessment Report and a Phase II Environmental Investigation, with respect to the Premises at the sole cost and expense of the owner and/or the Applicant. All environmental assessment and audit reports shall be completed in accordance with ASTM Standard Practice E1527-05, and shall be conformed over to the Agency so that the Agency is authorized to use and rely on the reports. The Agency, however, does not adopt, ratify, confirm or assume any representation made within reports required herein.

F. The Applicant and/or the owner, and their successors and assigns, hereby release, defend and indemnify the Agency from any and all suits, causes of action, litigations, damages, losses, liabilities, obligations, penalties, claims, demands, judgments, costs, disbursements, fees or expenses of any kind or nature whatsoever (including, without limitation, attorneys', consultants' and experts' fees) which may at any time be imposed upon, incurred by or asserted or awarded against the Agency, resulting from or arising out of any inquiries and/or environmental assessments, investigations and audits performed on behalf of the Applicant and/or the owner pursuant hereto, including the scope, level of detail, contents or accuracy of any environmental assessment, audit, inspection or investigation report completed hereunder and/or the selection of the environmental consultant, engineer or other qualified person to perform such assessments, investigations, and audits.

G. Hold Harmless Provision: The Applicant acknowledges and agrees that the Applicant shall be and is responsible for all costs of the Agency incurred in connection with any actions required to be taken by the Agency in furtherance of the Application including the Agency's costs of general counsel and/or the Agency's bond/transaction counsel whether or not the Application, the proposed Project it describes, the attendant negotiations, or the issue of bonds or other

transaction or agreement are ultimately ever carried to successful conclusion and agrees that the Agency shall not be liable for and agrees to indemnify, defend, and hold the Agency harmless from and against any and all liability arising from or expense incurred by: (i) the Agency's examination and processing of, and action pursuant to or upon, the Application, regardless of whether or not the Application or the proposed Project described herein or the tax exemptions and other assistance requested herein are favorably acted upon by the Agency; (ii) the Agency's acquisition, construction and/or installation of the proposed Project described herein; and (iii) any further action taken by the Agency with respect to the proposed Project including, without limiting the generality of the foregoing, all causes of action and attorney's fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law and the policies of the Agency that any New York State and local sales and use tax exemption claimed by the Applicant and approved by the Agency, any mortgage recording tax exemption claimed by the Applicant and approved by the Agency, and/or any real property tax abatement claimed by the Applicant and approved by the Agency, in connection with the Project, may be subject to recapture and/or termination by the Agency under such terms and conditions as will be established by the Agency and set forth in transaction documents to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this Application, including without limitation information regarding the amount of the New York State and local sales and use tax exemption benefit, the amount of the mortgage recording tax exemption benefit, and the amount of the real property tax abatement, if and as applicable, to the best of the Applicant's knowledge, is true, accurate and complete.

H. This obligation includes an obligation to submit an Agency Fee Payment to the Agency in accordance with the Agency Fee policy effective as of the date of this Application

I. By executing and submitting this Application, the Applicant covenants and agrees to pay the following fees to the Agency and the Agency's general counsel and/or the Agency's bond/transaction counsel, the same to be paid at the times indicated:

(i) a non-refundable $ 250 application and publication fee (the "Application Fee");

(ii) a $_____ expense deposit for the Agency's Counsel Fee Deposit. .

(iii) Unless otherwise agreed to by the Agency, an amount equal to _____ percent (_____%) of the total project costs.

(iv) All fees, costs and expenses incurred by the Agency for (1) legal services, including but not limited to those provided by the Agency's general counsel and/or the Agency's bond/transaction counsel, thus note that the Applicant is entitled to receive a written estimate of fees and costs of the Agency's general counsel and the Agency's bond/transaction counsel; and (2) other consultants retained by the Agency in connection with the proposed project, with all such charges to be paid by the Applicant at the closing.

J. If the Applicant fails to conclude or consummate the 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 Applicant is unable to find buyers willing to purchase the bond issue requested, or if the Applicant is unable to facilitate the sale/leaseback or lease/leaseback transaction, then, upon the presentation of an invoice, Applicant shall pay to the Agency, its agents, or assigns all actual costs incurred by

the Agency in furtherance of the Application, up to that date and time, including but not necessarily limited to, fees of the Agency's general counsel and/or the Agency's bond/transaction counsel.

K. The Applicant acknowledges and agrees that all payment liabilities to the Agency and the Agency's general counsel and/or the Agency's bond and/or transaction counsel as expressed in Sections H and I are obligations that are not dependent on final documentation of the transaction contemplated by this Application.

L. The cost incurred by the Agency and paid by the Applicant, the Agency's general counsel and/or bond/transaction counsel fees and the processing fees, may be considered as a cost of the Project and included in the financing of costs of the proposed Project, except as limited by the applicable provisions of the Internal Revenue Code with respect to tax-exempt bond financing.

M. The Applicant acknowledges that the Agency is subject to New York State's Freedom of Information Law (FOIL). **Applicant understands that all Project information and records related to this application are potentially subject to disclosure under FOIL subject to limited statutory exclusions**.

N. The Applicant acknowledges that it has been provided with a copy of the Uniform Tax Exemption Policy, Attachment A, being the Uniform Modification of Real Property Tax Abatement AND Claw Back Penalty for Failure to Meet Employment Levels. The Applicant covenants and agrees that it fully understands that the Termination and Recapture Policy is applicable to the Project that is the subject of this Application, and that the Agency will implement the Termination and Recapture Policy if and when it is so required to do so. The Applicant further covenants and agrees that its Project is potentially subject to termination of Agency financial assistance and/or recapture of Agency financial assistance so provided and/or previously granted.

O. The Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:

§ 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

P. The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.

Q. The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.

R. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.

S. The Applicant and the individual executing this Application on behalf of Applicant acknowledge that the Agency and its counsel will rely on the representations and covenants made in this Application when acting hereon and hereby represents 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.

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

Kendall Horan, being first duly sworn, deposes and says:

1. That I am the President (Corporate Office) of SKS Bottle & Packaging Inc. (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.

2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete.

(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury
this 7th day of December, 2016.

Susan S. Rowland
(Notary Public)

SUSAN S. ROWLAND
Notary Public
State of New York, Saratoga County
My Commission Expires 4/30/18
01RO4710593

PROJECTED EMPLOYMENT PLAN

COMPANY: SKS Bottle & Packaging Inc.

ADDRESS: 2600 7th Avenue, Bldg. 60 West, Watervliet, NY 12189

TYPE OF BUSINESS: Distribution/Warehouse

CONTACT PERSON: Kendall Horan

TELEPHONE NUMBER: 518-880-6980

Please complete the following chart describing your projected employment plan following receipt of financing.

Current and Planned Full Time Occupations in Company	Current Number Full Time Jobs Per Occupation	Estimated Number of Full Time Jobs After Completion of the Project		
		1 Year	2 Year	3 Year
Admin, Office	9	9	9	10
Sales	25	30	31	34
Support	9	10	10	11
Warehouse	29	34	36	38
Assembly	28	28	30	30

Please indicate the estimated hiring dates for new jobs shown above and any special recruitment or training that will be required.

Are the employees of your firm currently covered by a collective bargaining agreement? Yes ☐ No ■

If Yes, provide Trade's Name and Local Number: _____

Prepared by: Kendall Horan

Title: President

Signature: _____

ATTACHMENT "A"

ENVIRONMENTAL ASSESSMENT QUESTIONNAIRE

NAME OF APPLICANT: SKS Bottle & Packaging Inc.

Are approvals, consents, permits, funding or other actions required from any other governmental agency (including municipal Planning Boards, State agencies, etc.)

YES ■ NO ☐

If "NO," skip the rest of this form and request a "long form environmental assessment form" from the Agency.

If "YES," list below the names of the other agency and the type of action required.

Name of Agency	Type of Action

Attach copies of all Environmental Assessment Forms or Environmental Impact Statements submitted to any of the agencies you have listed.

ATTACHMENT "B"

EMPLOYMENT REPORTING AGREEMENT AND PLAN

In consideration of the extension of financial assistance by COUNTY OF SARATOGA INDUSTRIAL DEVELOPMENT AGENCY, SKS Bottle & Packaging Inc. (Project Beneficiary), agrees to cause any new employment opportunities created in connection with projects financed by the proceeds of such obligations to be listed with the New York State Department of Labor Community Services Division and with the Saratoga County Dept. of Employment & Training. SKS Bottle & Packaging Inc. (Project Beneficiary) also agrees to report to the County of Saratoga Industrial Development Agency on or before January 10 of each year on the status of employment plans filed with the Department of Economic Development, including the number of new employment opportunities created, the number listed and the number filled. SKS Bottle & Packaging Inc. (Project Beneficiary) further agrees, subject to the requirements of any existing collective bargaining agreement, to first consider for new employment opportunities those persons eligible for service under the Job Training Partnership Act.

DATED: 12/7/16

SKS Bottle & Packaging Inc.
Name of Applicant

By: _____

Its: PRESIDENT

ATTACHMENT "C"

Report to Agency added 09/14/09
Abatement requires Cert.05/14/12
Recapture language in bold 08/12/13

SALES TAX REPORTING AGREEMENT

Upon being designated as an agent of the County of Saratoga Industrial Development Agency in conjunction with the issuance of Industrial Revenue Bonds or the provision of other forms of financial assistance by the Agency, SKS Bottle & Packaging Inc. (Project Beneficiary) agrees to annually file a statement with the New York State Department of Taxation and Finance on a form and in such manner as is prescribed by the Commissioner, describing the value of all sales tax exemptions claimed by SKS Bottle & Packaging Inc. (Project Beneficiary) as agent for the County of Saratoga Industrial Development Agency, including but not limited to, consultants and subcontractors. The SKS Bottle & Packaging Inc. (Project Beneficiary) recognizes that failure to file such statement will result in its removal of authority to act as an agent of the Agency. SKS Bottle & Packaging Inc. (Project Beneficiary) further agrees that it will provide the Agency a report of all sales tax abated during any applicable calendar year. Such report shall include the name, city and state of any company providing materials or a service which was subject to New York State and local sales tax; a description of the materials purchased or service provided the cost of those materials or services and the amount of sales tax abated in each case. The report shall be submitted by the last day in February following the close of the calendar year in which sales tax abatement occurred. **The Company acknowledges and agrees to the extent it (i) utilizes the exemption from New York State and local sales and use tax in a manner inconsistent with the intent of this application and/or (ii) attempts to obtain an exemption from New York State and/or local sales and/or use tax which exceeds the scope of the exemption provided in this application it will be subject to a recapture of such inconsistent or excessive exemption benefits by the Agency in accordance with the provisions of Section 875 of the General Municipal Law of the State, the provisions of which are hereby incorporated herein by reference. The Company agrees to cooperate with the efforts of the Agency to recapture such inconsistent or excessive exemption benefits and shall pay said amounts to the Agency or the State of New York as required and any failure to do so shall constitute an Event of Default.**

[signature] 12/7/16
Signature Date

President
Title

NOTE: Abatement of NYS Sales Tax on eligible purchases of goods and services by approved companies is subject to the issuance of a valid sales tax exemption certificate by the Agency.

ATTACHMENT "D"

LABOR POLICY

Saratoga County Industrial Development Agency
Declaration of Motivation
For the Employment of Local Tradespeople
During the Construction Phase of IDA-Benefited Projects

The County of Saratoga Industrial Development Agency (IDA), formed pursuant to Section 856 of the New York State Industrial Development Act (the "Act"), was created for the purpose of promoting employment opportunities for and the general prosperity and economic welfare of Saratoga County residents. The IDA is authorized by Section 858 of the Act to enter into agreements requiring payments in lieu of taxes ("PILOT Agreements") with private companies in order to facilitate the location or the expansion of their businesses in Saratoga County. A PILOT Agreement essentially extends, either in whole or in part, an IDA's exemption from real property and other taxes to private companies participating in IDA programs.

Construction jobs, although limited in time duration, are vital to the overall employment opportunities within Saratoga County since construction wages earned by local residents are reinvested in the local economy, adding greatly to its vitality. It is the IDA's strong conviction that companies benefiting from its programs should employ New York State residents during the construction phase of projects. Only in that way can the public benefits accruing from the IDA's efforts be maximally distributed to the residents and taxpayers of Saratoga County. It is, therefore, the request of the IDA that firms benefiting from its programs be fully cognizant of the IDA's mission to promote employment opportunities during all project phases, including the construction phase.

The IDA hereby declares its right to request companies benefiting from its programs to engage Saratoga County residents in and during the project construction phase through the addition of an amendment to the IDA project application requiring applicants, prior to and during the construction phase of the development project, to:

1. Identify the name, title, mailing address, phone/FAX/E-Mail of the project contact person who will be responsible and accountable for providing information about the bidding for and awarding of future construction contracts relative to the application and project.
2. Describe, in the best way possible, the nature of construction jobs created by the project. The description should provide as much detail as possible, including the number, type and duration of construction positions.
3. Submit to the IDA a "Construction Completion Report" listing the names and business locations of prime contractors, subcontractors and vendors who have been engaged for the construction phase of the project by companies benefiting from IDA programs.

In turn the IDA will:

1. Post all applications approved for a public hearing to its web site (www.saratogacountyida.org) within two business days of such authorization.
2. Following the public hearing and after Agency approval has been granted for an inducement resolution, the website will be promptly updated for all current data.
3. Reserve the right to modify and/or rescind benefits granted to any company under the IDA's Uniform Tax Exemption Policy for the failure to comply with any of the provision listed herein.

ATTACHMENT "D-1"

CONSTRUCTION EMPLOYMENT AGREEMENT

Recognizing the mission of the Industrial Development Agency of Saratoga County (IDA) to promote construction employment opportunities for residents of Saratoga County and in consideration of the extension of financial assistance by the IDA, SKS Bottle & Packaging Inc. (Project Beneficiary) understands that it is the Agency's policy that benefiting companies should employ New York State residents and agrees to provide the information requested below as a way to provide local construction opportunities. SKS Bottle & Packaging Inc. (Project Beneficiary) also agrees to provide an estimate of the number, type and duration of construction jobs to be created through IDA financial assistance, whether employment is gained directly through the Company, its general contractor, or individual vendors.

Upon project completion SKS Bottle & Packaging Inc. (Project Beneficiary) shall, if requested by the Agency, submit to the IDA a Construction Completion Report in which is identified names and business addresses of the prime contractor, sub-contractors and vendors engaged in the construction of the facility.

Company: SKS Bottle & Packaging Inc.

Company Representative for Contract Bids and Awards:
Kendall Horan

Mailing Address: 2600 7th Avenue, Bldg. 60 West,
Watervliet, NY 12189

Phone: 518-880-6980 Fax: _____

Email: kendo22@sks-bottle.com

General Contractor, if determined

Company: Munter Enterprises,

Representative: John Munter

Mailing Address: 881 Murray Rd.
Middle Grove, NY 12850

Phone: 518-584-6174 Fax: _____

Email: john@munterenterprises.com

Construction start date is estimated to be 1st quarter 2017 with occupancy to be taken on 6/30/2018

Construction Phase or Process	Duration of Construction Phase	# to be Employed
Sitework	10 weeks	10
Concrete	10 weeks	14
Masonry	4 weeks	10
Steel	12 weeks	12
Interiors	16 weeks	12
Plumbing	8 weeks	6
Electric	20 weeks	8
HVAC	8 weeks	6

Construction Phase or Process	Duration of Construction Phase	# to be Employed
Sprinkler	8 weeks	8
Utilities	2 weeks	6
Paving	2 weeks	10
Landscaping	1 weeks	4
Ext. Doors & Windows	3 weeks	8

12/7/16
Dated

SKS Bottle & Packaging Inc.
Name of Applicant

Signed

President
Company Position

Client:	**SKS Bottle & Packaging, Inc.**							
Property:	**Geyser Road - (east of railroad bridge)**							
SBL #:	**part of 178.-1-43.11**							
	Land Cost			**Building Cost**			**Other Costs**	
	Total Acres	22.30		Blg. Size	128,000		Machinery & Equipment	$1,144,657
	Price/Acre	$59,000		Cost/Sq.ft.	$100.00		Fixtures & Furniture	$600,000
	Land Cost (Acres x Price)	**$1,315,700**		Blg. Cost (Size x Cost)	**$12,800,000**		Soft Costs	$100,000
							Total Other Costs	**$1,844,657**
				Land & Building Costs	***$14,115,700***		**TOTAL PROJECT COST**	***$15,960,357***
	Current Tax Rates		Total					
	Town / City Tax Rate	5.982000	**$63,330**	**Benefits Assumptions**				
	County Tax Rate	3.123735	**$33,070**	Cost of Contruction Materials (60% of building cost)	$7,680,000		**Estimated Benefits Costs**	
	School Tax Rate	16.471052	**$174,375**	Mortgage Amt. - 90%	$12,704,130		Application Fee	$250
	Other	0.000000					Est. Bond Counsel Fee	$7,500
	Total Tax Rate	**25.576787**		**Proposed Tax Benefits**			Est. IDA Counsel Fee	$7,500
				Mortgage Tax Benefit - 3/4% of mortgage amount	**$95,281**		IDA Fee ***	**$104,532**
	Equalization Rate	75.0000		**7% Sales Tax Benefit** - cost of Construction Materials, Equipment, Fixtures & Furniture	**$659,726**			
							Est. Total Cost of Benefits	**$119,782**
	Assessment Estimates							
	Estimated Building Assessment	***$9,600,000***		**Sales & Mortgage Tax Benefits**	**$755,007**			
	Estimated Land Assessment	***$986,775***					**Present Assessed Value of property** (Land Only)	$102,182
	Estimated Total Assessment	***$10,586,775***						based on 22.3 acres
							Present Annual Taxes (Land Only)	***$2,613***
	Annual Taxes without Incentive (Land & Building)	***$270,776***						**ESTIMATE**

SEDC
Saratoga Economic Development Corporation

COMMERCIAL/SERVICE - 10 YEAR PILOT

YEAR	ESTIMATED TOTAL ASSESSMENT	FULL VALUE TAXES PAID	PILOT ASSESSMENT	PILOT PAYMENT	ESTIMATED TAX SAVINGS
1	$10,586,775	$270,776	$986,775	$25,239	$245,537
2	$10,586,775	$270,776	986,775	25,239	245,537
3	$10,586,775	$270,776	986,775	25,239	245,537
4	$10,586,775	$270,776	986,775	25,239	245,537
5	$10,586,775	$270,776	986,775	25,239	245,537
6	$10,586,775	$270,776	5,786,775	148,007	122,769
7	$10,586,775	$270,776	6,746,775	172,561	98,215
8	$10,586,775	$270,776	7,706,775	197,115	73,661
9	$10,586,775	$270,776	8,666,775	221,668	49,108
10	$10,586,775	$270,776	9,626,775	246,222	24,554
Totals	N/A	$2,707,760	N/A	$1,111,768	$1,595,992

Total Pilot Paid	$1,111,768
Total Abatement	$1,595,992

Mort. Rec. Tax	$95,281
Sales Tax	$659,726
Property Tax	$1,595,992
Application Fee	$250
Bond Counsel Fee	$7,500
IDA Counsel Fee	$7,500
IDA Fee	$104,532

Total Savings **$2,350,999**

Total Costs **$119,781.79**

Present Assessed Value of property ***(Land Only)***	$102,182
Present Annual Taxes ***(Land Only)***	$2,613

Bottom Line Savings **$2,231,217.18**

ESTIMATE

SEDC
Saratoga Economic Development Corporation

Rates	$3.123735	$5.982000	$16.471052	$0.000000	
% Pmt	Cty PILOT	Local PILOT	School PILOT	Other	Total PILOT
0%	$3,082	$5,903	$16,253	$0	$25,239
0%	$3,082	$5,903	$16,253	$0	$25,239
0%	$3,082	$5,903	$16,253	$0	$25,239
0%	$3,082	$5,903	$16,253	$0	$25,239
0%	$3,082	$5,903	$16,253	$0	$25,239
50%	$18,076	$34,616	$95,314	$0	$148,007
60%	$21,075	$40,359	$111,126	$0	$172,561
70%	$24,074	$46,102	$126,939	$0	$197,115
80%	$27,073	$51,845	$142,751	$0	$221,668
90%	$30,071	$57,587	$158,563	$0	$246,222
	$135,782	$260,024	$715,960		$1,111,765

SKS Site Location -Geyser Rd

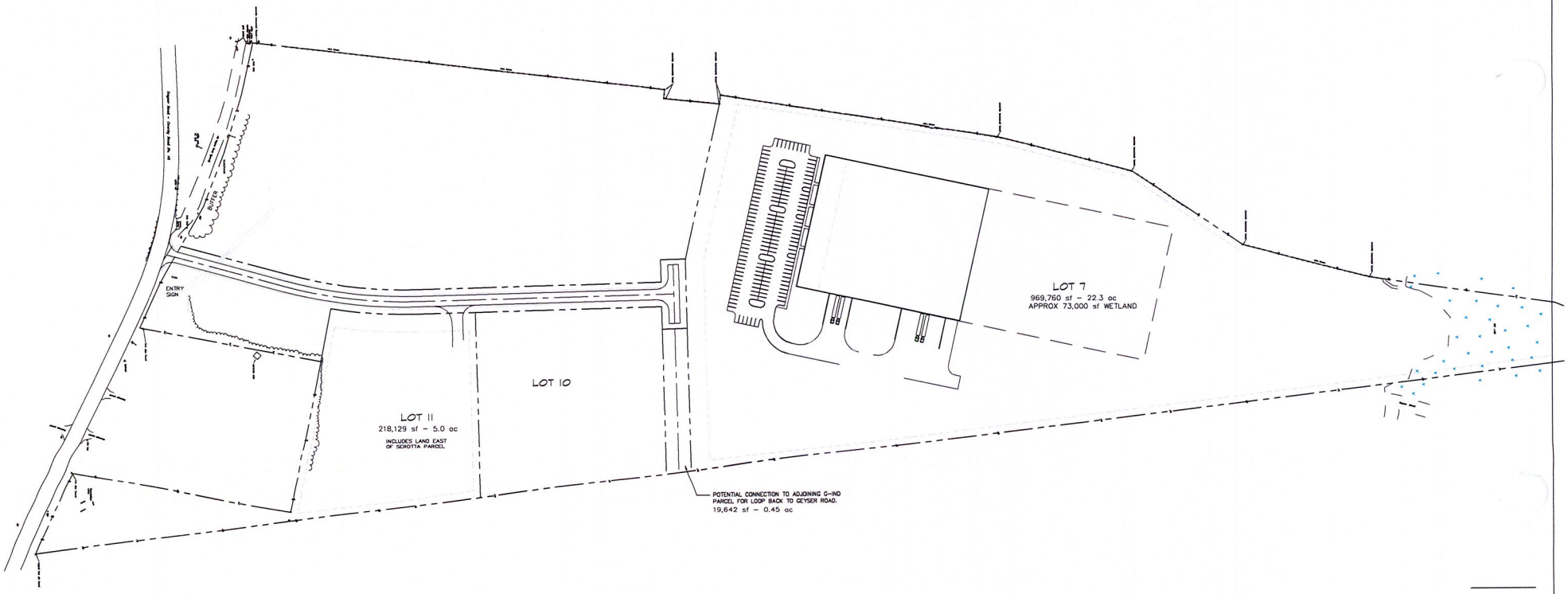
Legend

- County
- Municipal Boundaries
- Lc Local Roads
- Parcels



Disclaimer: This map was prepared by the Saratoga County Internet Geographic Information System (GIS). The map was compiled using the most current GIS data available. The aerial photography (orthoimagery) was prepared by the N.Y.S. Office of Cyber Security and Critical Infrastructure Coordination during the year 2004-2011. Parcel and municipal boundaries are derived from tax maps and do not represent a land survey.

December 1, 2016



Miller Associates
LANDSCAPE ARCHITECTS

Nace Engineering, PC
CIVIL ENGINEERS

CONCEPT 11-17-20

Planning Board No. 14-___

INDUSTRIAL PARK SUBDIVISION

Geyser Road, City of Saratoga Springs, Saratoga County, New York
Owner/Applicant: Hunter Enterprises, 861 Murray Rd, Middle Grove NY 12850

CONCEPTUAL SUBDIVISION PLAN

NORTH
SCALE 1" = 100'

APPROVED UNDER AUTHORITY OF A DECISION ADOPTED ON _____ 2014 BY THE PLANNING BOARD OF THE CITY OF SARATOGA SPRINGS

CHAIRPERSON _____

DATE SIGNED _____

Date: , 2014
Revisions
1 -

CP-1

SHEET 1 OF 1