



**NASSAU COUNTY INDUSTRIAL
DEVELOPMENT AGENCY**

APPLICATION FOR FINANCIAL ASSISTANCE

APPLICATION OF:

Seviroli Foods, Inc.

APPLICANT NAME

Please respond to all questions in this Application for Financial Assistance (the "Application") by, as appropriate:

- filling in blanks;
- checking the applicable term(s);
- attaching additional text (with notation in Application such as "see Schedule H, Item # 1", etc.); or
- writing "N.A.", signifying "not applicable".

All attachments responsive to questions found in this Application should be clearly labeled and attached as Schedule I to the Application. If an estimate is given, enter "EST" after the figure. One signed original and one photocopy of the Application (including all attachments) must be submitted.

The following amounts are payable to the Nassau County Industrial Development Agency (the "Agency") at the time this Application is submitted to the Agency: (i) a \$1,000 non-refundable application fee (the "Application Fee"); (ii) a \$3,500 expense deposit for the Agency's Transaction/Bond Counsel fees and expenses (the "Counsel Fee Deposit"), (iii) a \$2,500 expense deposit for the cost/benefit analysis with respect to the project contemplated by this Application (the "Cost/Benefit Deposit"), and (iv) a \$500 expense deposit for the real property tax valuation analysis, if applicable, with respect to the project contemplated by this Application (the "Valuation Deposit"). The Application Fee will not be credited against any other fees or expenses which are or become payable to the Agency in connection with this Application or the project contemplated herein (the "Project"). In the event that the subject transaction does not close for any reason, the Agency may use all or any part of the Counsel Fee Deposit, the Cost/Benefit Deposit and/or the Valuation Deposit to defray the cost of Transaction/Bond Counsel fees and expenses, the cost of obtaining a cost/benefit analysis and/or the cost of obtaining a real property tax valuation with respect to the Project. In the event that the subject transaction does close, the Counsel Fee Deposit, the Cost/Benefit Deposit and the Valuation Deposit shall be credited against the applicable expenses incurred by the Agency with respect to the Project.

Every signature page comprising part of this Application must be signed by the Applicant or this Application will not be considered complete or accepted for consideration by the Agency.

The Agency's acceptance of this Application for consideration does not constitute a commitment on the part of the Agency to undertake the proposed Project, to grant any financial assistance with respect to the proposed Project or to enter into any negotiations with respect to the proposed Project.

Information provided herein may be subject to disclosure under the New York Freedom of Information Law (New York Public Officers Law § 84 et seq.) ("FOIL"). If the Applicant believes that a portion of the material submitted with this Application is protected from disclosure under FOIL, the Applicant should mark the applicable section(s) or page(s) as "confidential" and state the applicable exception to disclosure under FOIL.

March 13, 2018

DATE

PART I. APPLICANT

A. APPLICANT FOR FINANCIAL ASSISTANCE:

Name: Seviroli Foods, Inc.

Address: 579 Brook Street, Garden City, NY 11530

Fax: _____

NY State Dept. of

Labor Reg #: _____ Federal Employer ID #:

NAICS Code #: 311412

Website: www.seviroli.com

Name of CEO or

Authorized Representative Certifying Application: Paul Vertullo

Title of Officer: COO

Phone Number: 516-222-6220 E-Mail: pVertullo@seviroli.com

B. BUSINESS TYPE (Check applicable status. Complete blanks as necessary):

Sole Proprietorship ☐ General Partnership ☐ Limited Partnership ☐

Limited Liability Company ☐ Privately Held Corporation ☒

Publicly Held Corporation ☐ Exchange listed on _____

Not-for-Profit Corporation ☐

Income taxed as: Subchapter S ☒ Subchapter C ☐
501(c)(3) Corporation ☐ Partnership ☐

State and Year of Incorporation/Organization: New York 1960

Qualified to do Business in New York: Yes ☒ No ☐ N/A ☐

C. APPLICANT COUNSEL:

Primary

Contact: Gary Meltzer

Address: 190 Willis Ave , Mineola, NY 11501

Phone: 516.747.0300, ext. 146

Fax: 516.747.0653

E-Mail: gmeltzer@meltzerlippe.com

- D. Principal stockholders, members or partners, if any (i.e., owners of 10% or more of equity/voting rights in Applicant):

<u>Name</u>	<u>Percentage owned</u>
Joseph J. Seviroli [incl Trust]	30.85%
Maria Beau [incl Trust]	30.85%
John J. Seviroli	28.73%

If any of the persons described in the response to the preceding Question, or a group of said persons, owns more than a 50% interest in the Applicant, list all other entities which are related to the Applicant by virtue of such persons having more than a 50% interest in such entities: None

- F. Is the Applicant related to any other entity by reason of more than 50% common ownership? If YES, indicate name of related entity and relationship:

YES ☐

NO ☒

- G. List parent corporation, sister corporations and subsidiaries, if any:

N/A

- H. Has the Applicant (or any parent company, subsidiary, affiliate or related entity or person) been involved in, applied for or benefited by any prior industrial development financing in the municipality in which this Project is located, whether by the Agency or another issuer, or in a contiguous municipality? ("Municipality" herein means city, town or village, or, if the Project is not in an incorporated city or village, Nassau County.) If YES, describe:

YES ☐

NO ☒

- I. Is the Applicant (or any parent company, subsidiary, affiliate or related entity or person) or any principal(s) of the Applicant or its related entities involved in any litigation or aware of any threatened litigation that would have a material adverse effect on the Applicant's financial condition or the financial condition of said principal(s)? If YES, attach details at Schedule I.

YES ☐

NO ☒

- J. Has the Applicant (or any parent company, subsidiary, affiliate or related entity or person) or any principal(s) of the Applicant or its related entities, or any other business or concern with which such entities, persons or principal(s) have been connected, ever been involved, as debtor, in bankruptcy, creditors rights or receivership proceedings or sought protection from creditors? If YES, attach details at Schedule I.

YES ☐

NO ☒

- K. Has the Applicant (or any parent company, subsidiary, affiliate or related entity or person) or any principal(s) of the Applicant or its related entities, ever been convicted of any felony or misdemeanor (other than minor traffic offenses), or have any such related persons or principal(s) held positions or ownership interests in any firm or corporation that has been convicted of a felony or misdemeanor (other than minor traffic offenses), or are any of the foregoing the subject of a pending criminal proceeding or investigation? If YES, attach details at Schedule I.

YES

NO X

- L. Has the Applicant (or any parent company, subsidiary, affiliate or related entity or person) or any principal(s) of the Applicant or its related entities, or any other business or concern with which such entities, persons or principal(s) have been connected, been cited for (or is there a pending proceeding or investigation with respect to) a civil violation of federal, state or local laws or regulations with respect to labor practices, hazardous wastes, environmental pollution, taxation, or other operating practices? If YES, attach details at Schedule I.

YES

NO X

- M. Is the Applicant (or any parent company, subsidiary, affiliate or related entity or person) or any principal(s) of the Applicant or its related entities, or any other business or concern with which such entities, persons or principal(s) have been connected, delinquent or have any of the foregoing persons or entities been delinquent on any New York State, federal or local tax obligations within the past five (5) years? If YES, attach details at Schedule I.

YES

NO X

- N. Complete the following information for principals (including, in the case of corporations, officers and members of the board of directors and, in the case of limited liability company, members and managers) of the Applicant:

<u>Name</u>	<u>Title</u>	<u>Other Business Affiliations</u>
Joseph J Seviroli	CEO	Vertullo Imports LLC
Paul Vertullo	COO	Vertullo Imports LLC

Do any of the foregoing principals hold elected or appointive positions with New York State, any political division of New York State or any other governmental agency? If YES, attach details at Schedule I.

YES

NO X

Are any of the foregoing principals employed by any federal, state or local municipality or any agency, authority, department, board, or commission thereof or any other governmental or quasi-governmental organization?

YES

NO X

O. Operation at existing location(s) (Complete separate Section O for each existing location);

1. (a) Location: 601 Brook Street Garden City NY 11530 (SBL 34-100-6 and SBL 34-100-7)

(b) Number of Employees: Full-Time: 133 Part-Time:

(c) Annual Payroll, excluding benefits: \$ 8,690,077

(d) Type of operation (e.g. manufacturing, wholesale, distribution, retail, etc.) and products or services: Manufacturing

(e) Size of existing facility real property (i.e., acreage of land): 43,861 sq. ft.

(f) Buildings (number and square footage of each): 2 buildings, 47,026 sq. ft. combined

(g) Applicant's interest in the facility

FEE TITLE: LEASE: OTHER (describe below): X

Owned by and leased from an affiliate of Applicant.

2. Will the completion of the proposed Project result in the removal of a plant or facility of the Applicant, or of a proposed user, occupant or tenant of the Project, or a relocation of any employee of the Applicant, or any employee of a proposed user, occupant or tenant of the Project, from one area of the State of New York (but outside of Nassau County) to a location in Nassau County or in the abandonment of such a plant or facility located in an area of the State of New York outside of Nassau County? If YES, complete the attached Anti-Raiding Questionnaire (Schedule D).

YES

NO X

3. Will the proposed Project result in the removal or abandonment of a plant or facility of the Applicant, or of a proposed user, occupant or tenant of the proposed Project, or a relocation of any employee of the Applicant, or any employee of a proposed user, occupant or tenant of the proposed Project, located within Nassau County? If YES, identify the location of the plant or facility and provide explanation.

YES

NO X

O. Operation at existing location(s) (Complete separate Section O for each existing location):

1. (a) Location: 585 Brook Street Garden City NY 11530 (SBL 34-100-5)

(b) Number of Employees: Full-Time: 13 Part-Time:

(c) Annual Payroll, excluding benefits: \$ 240,746

(d) Type of operation (e.g. manufacturing, wholesale, distribution, retail, etc.)
and products or services: Maintenance shop

(e) Size of existing facility real property
(i.e., acreage of land): 3,891 sq. ft.

(f) Buildings (number and square footage of each): 1 building, 1,612 sq. ft.

(g) Applicant's interest in the facility
FEE TITLE: LEASE: OTHER (describe below): X

Owned by and leased from an affiliate of Applicant.

2. Will the completion of the proposed Project result in the removal of a plant or facility of the Applicant, or of a proposed user, occupant or tenant of the Project, or a relocation of any employee of the Applicant, or any employee of a proposed user, occupant or tenant of the Project, from one area of the State of New York (but outside of Nassau County) to a location in Nassau County or in the abandonment of such a plant or facility located in an area of the State of New York outside of Nassau County? If YES, complete the attached Anti-Raiding Questionnaire (Schedule D).

YES

NO X

3. Will the proposed Project result in the removal or abandonment of a plant or facility of the Applicant, or of a proposed user, occupant or tenant of the proposed Project, or a relocation of any employee of the Applicant, or any employee of a proposed user, occupant or tenant of the proposed Project, located within Nassau County? If YES, identify the location of the plant or facility and provide explanation.

YES

NO X

O. Operation at existing location(s) (Complete separate Section O for each existing location):

1. (a) Location: 10 Commercial Avenue, Garden City NY 11530 (SBL 44-D-8)

(b) Number of Employees: Full-Time: 0 Part-Time: 0

(c) Annual Payroll, excluding benefits: 0

(d) Type of operation (e.g. manufacturing, wholesale, distribution, retail, etc.)
and products or services: Parking Lot

(e) Size of existing facility real property
(i.e., acreage of land): 18,094 sq. ft.

(f) Buildings (number and square footage of each): 0

(g) Applicant's interest in the facility
FEE TITLE: LEASE: OTHER (describe below): X

Owned by and leased from an affiliate of Applicant.

2. Will the completion of the proposed Project result in the removal of a plant or facility of the Applicant, or of a proposed user, occupant or tenant of the Project, or a relocation of any employee of the Applicant, or any employee of a proposed user, occupant or tenant of the Project, from one area of the State of New York (but outside of Nassau County) to a location in Nassau County or in the abandonment of such a plant or facility located in an area of the State of New York outside of Nassau County? If YES, complete the attached Anti-Raiding Questionnaire (Schedule D).

YES

NO X

3. Will the proposed Project result in the removal or abandonment of a plant or facility of the Applicant, or of a proposed user, occupant or tenant of the proposed Project, or a relocation of any employee of the Applicant, or any employee of a proposed user, occupant or tenant of the proposed Project, located within Nassau County? If YES, identify the location of the plant or facility and provide explanation.

YES

NO X

O. Operation at existing location(s) (Complete separate Section O for each existing location):

1. (a) Location: 620 Commercial Avenue, Garden City NY 11530 (SBL 34-100-18)

(b) Number of Employees: Full-Time: 0 Part-Time:

(c) Annual Payroll, excluding benefits: 0

(d) Type of operation (e.g. manufacturing, wholesale, distribution, retail, etc.)
and products or services: Parking Lot

(e) Size of existing facility real property
(i.e., acreage of land): 5,750 sq. ft.

(f) Buildings (number and square footage of each): 0

(g) Applicant's interest in the facility
FEE TITLE: LEASE: OTHER (describe below): X

Owned by and leased from an affiliate of Applicant.

2. Will the completion of the proposed Project result in the removal of a plant or facility of the Applicant, or of a proposed user, occupant or tenant of the Project, or a relocation of any employee of the Applicant, or any employee of a proposed user, occupant or tenant of the Project, from one area of the State of New York (but outside of Nassau County) to a location in Nassau County or in the abandonment of such a plant or facility located in an area of the State of New York outside of Nassau County? If YES, complete the attached Anti-Raiding Questionnaire (Schedule D).

YES

NO X

3. Will the proposed Project result in the removal or abandonment of a plant or facility of the Applicant, or of a proposed user, occupant or tenant of the proposed Project, or a relocation of any employee of the Applicant, or any employee of a proposed user, occupant or tenant of the proposed Project, located within Nassau County? If YES, identify the location of the plant or facility and provide explanation.

YES

NO X

- O. Operation at existing location(s) (Complete separate Section O for each existing location):
1. (a) Location: 600 Commercial Avenue, Garden City NY 11530 (SBL 34-100-12, 17 and 19)
- (b) Number of Employees: Full-Time: 83 Part-Time:
- (c) Annual Payroll, excluding benefits: \$ 2,599,600
- (d) Type of operation (e.g. manufacturing, wholesale, distribution, retail, etc.) and products or services: Manufacturing
- (e) Size of existing facility real property (i.e., acreage of land): 26,599 sq. ft.
- (f) Buildings (number and square footage of each): 1 building, 24,187 sq. ft.
- (g) Applicant's interest in the facility
FEE TITLE: LEASE: OTHER (describe below): X
Owned by and leased from an affiliate of Applicant.
-
2. Will the completion of the proposed Project result in the removal of a plant or facility of the Applicant, or of a proposed user, occupant or tenant of the Project, or a relocation of any employee of the Applicant, or any employee of a proposed user, occupant or tenant of the Project, from one area of the State of New York (but outside of Nassau County) to a location in Nassau County or in the abandonment of such a plant or facility located in an area of the State of New York outside of Nassau County? If YES, complete the attached Anti-Raiding Questionnaire (Schedule D).
YES NO X
3. Will the proposed Project result in the removal or abandonment of a plant or facility of the Applicant, or of a proposed user, occupant or tenant of the proposed Project, or a relocation of any employee of the Applicant, or any employee of a proposed user, occupant or tenant of the proposed Project, located within Nassau County? If YES, identify the location of the plant or facility and provide explanation.
YES NO X
-
-

O.

1.

(b)

(c)

(d)

(e)

①

(g)

FEE TITLE: _____

LEASE: X

OTHER (describe below): _____

2.

YES _____

NO X

3.

YES _____

NO X

O. Operation at existing location(s) (Complete separate Section O for each existing location):

1. (a) Location: 557-579 Brook Street, Garden City NY 11530 (SBL 34-100-4)

(b) Number of Employees: Full-Time: 6 Part-Time:

(c) Annual Payroll, excluding benefits: \$240,037

(d) Type of operation (e.g. manufacturing, wholesale, distribution, retail, etc.)
and products or services: Manufacturing/Warehouse

(e) Size of existing facility real property
(i.e., acreage of land): 41,814 sq. ft.

(f) Buildings (number and square footage of each): 1 building, 32,880 sq. ft.

(g) Applicant's interest in the facility
FEE TITLE: LEASE: X OTHER (describe below):

2. Will the completion of the proposed Project result in the removal of a plant or facility of the Applicant, or of a proposed user, occupant or tenant of the Project, or a relocation of any employee of the Applicant, or any employee of a proposed user, occupant or tenant of the Project, from one area of the State of New York (but outside of Nassau County) to a location in Nassau County or in the abandonment of such a plant or facility located in an area of the State of New York outside of Nassau County? If YES, complete the attached Anti-Raiding Questionnaire (Schedule D).

YES

NO X

3. Will the proposed Project result in the removal or abandonment of a plant or facility of the Applicant, or of a proposed user, occupant or tenant of the proposed Project, or a relocation of any employee of the Applicant, or any employee of a proposed user, occupant or tenant of the proposed Project, located within Nassau County? If YES, identify the location of the plant or facility and provide explanation.

YES

NO X

- P. Has the Applicant considered moving to another state or another location within New York State? If YES, explain circumstances.

YES X

NO

Yes, we are considering moving to New Jersey. We have recently acquired D'orazio Foods which has its manufacturing location in Bel Mawr, New Jersey. New Jersey offers some considerable cost reductions vs. our locations on Long Island. As a result, we are reviewing all financials to determine where to allocate our manufacturing capacity and production.

- Q. Does any one supplier or customer account for over 50% of Applicant's annual purchases or sales, respectively? If YES, attach name and contact information for supplier and/or customer, as applicable:

YES _____

NO X

- R. Does the Applicant (including any related entity or person) or any principal(s) of the Applicant or its related entities, or any other business or concern with which such entities, persons or principal(s) have been connected, have any contractual or other relationship with the Agency or the County of Nassau? If YES, attach details at Schedule I.

YES

NO X

- S. Nature of Applicant's business (e.g., description of goods to be sold, products manufactured, assembled or processed, services rendered):

Family owned and operated in New York since 1960, Seviroli Foods, Inc. is not only the world's largest tortellini manufacturer, but also offers a full line of authentic & innovative filled pasta, sauces and Italian desserts. Seviroli, where four generations of our Italian-American family have dedicated their lives to creating pasta of exceptional quality. From a shop in Ozone Park, Queens in 1960 to our facility in Garden City today, our commitment to quality has not changed.

- T. ANY RELATED PARTY PROPOSED TO BE A USER OF THE PROJECT:

Name: NONE

Relationship to Applicant: _____

Provide the information requested in Questions A through S above with respect to each such party by attachment at Schedule I.

PART II. PROPOSED PROJECT

A. Types of Financial Assistance Requested:

- ☐ Tax-Exempt Bonds
- ☐ Taxable Bonds
- ☐ Refunding Bonds
- ☒ Sales/Use Tax Exemption
- ☒ Mortgage Recording Tax Exemption
- ☒ Real Property Tax Exemption
- ☐ Other (specify): _____

B. Type of Proposed Project (check all that apply and provide requested information):

- ☐ New Construction of a Facility
Square footage: _____
- ☐ Addition to Existing Facility
Square footage of existing facility: _____
Square footage of addition: _____
- ☒ Renovation of Existing Facility
Square footage of area renovated: 72,825 sq. ft.
Square footage of existing facility: 72,825 sq. ft.
- ☒ Acquisition of Land/Building
Acreage/square footage of land: 47,534 sq. ft.
Square footage of building: 32,880 sq. ft.
- ☒ Acquisition of Furniture/Machinery/Equipment
List principal items or categories:
Additional Equipment-cooler, racking, lifts, materials handling

- ☐ Other (specify): _____

C. Briefly describe the purpose of the proposed Project, the reasons why the Project is necessary to the Applicant and why the Agency's financial assistance is necessary, and the effect the Project will have on the Applicant's business or operations:

The project incorporates the acquisition of a warehouse and manufacturing facility contiguous to the current Seviroli Foods, Inc. manufacturing facilities in Garden City. The addition of this facility and the significant renovation to be performed on the facility will allow increased investment, and the consequent increase in employment, to the Company's current facilities. In February of 2016, Seviroli Foods, Inc. acquired the assets and operations of D'orazio Foods Inc., in New Jersey. Without

the IDA assistance for which we are applying, a decision may very well be made to make our investments at the NJ facility. The total budget for this project is \$6,445,015 and we are seeking to partner with the Nassau County IDA and New York State.

- D. Is there a likelihood that the proposed Project would not be undertaken by the Applicant but for the granting of the financial assistance by the Agency? (If yes, explain; if no, explain why the Agency should grant the financial assistance with respect to the proposed Project)

YES X

NO _____

The cost of manufacturing on Long Island and the distribution costs associated with a Long Island location put tremendous strains on Sevioli's ability to remain a national brand in an extremely competitive marketplace.

Our project will improve our supply chain, enhance quality, control costs and help Sevioli Foods, Inc. to stay competitive in our manufacturing facility on Long Island. The frozen food industry has become fiercely competitive within the past several years. Investing in core equipment will innovate and differentiate our world-class products from our competitors.

- E. If the Applicant is unable to arrange Agency financing or other Agency financial assistance for the Project, what will be the impact on the Applicant and Nassau County? Would the Applicant proceed with the Project without Agency financing or other Agency financial assistance? Describe.

If not awarded with the full amount of our request, we will proceed at a much slower rate of investment and growth, significantly affecting our ability to compete with national and foreign competition. The shortfall will also delay the critical line expansion project that has a significant upside potential for our facility in terms of new products and job growth. We have always partnered with the county, region and state of New York when growing our business. The testament to that is our continued investment in our Long Island facility. While we have discussed potential locations in other states including our NJ facility, Long Island remains our global headquarters and the primary manufacturing facility.

- F. Location of Project:

Street Address: 10 Commercial Ave, 600 Commercial Ave, 620 Commercial Ave,
Vacant Lot at Commercial Ave, 557-579 Brook St, 585 Brook St and 601 Brook St

City/Village(s): Garden City

Town(s): _____

School District(s): 2

Tax Map Section: 34 Block: 100 Lot: 4, 5, 6, 7, 8, 12,
17, 18, and 19

Tax Map Section: 44 Block: D Lot: 8

Census Tract Number: 4073.01

1. Describe present zoning/land use: Commercial
2. Describe required zoning/land use, if different: _____
3. If a change in zoning/land use is required, please provide details/status of any request for change of zoning/land use requirements: No zone changes

N. Does the Applicant, or any related entity or person, currently hold a lease or license on the Project site? If YES, please provide details and a copy of the lease/license.

YES X

NO _____

O. Does the Applicant, or any related entity or person, currently hold fee title to (i.e. own) the Project site?

YES _____

NO X

If YES, indicate:

- (a) Date of purchase: _____
- (b) Purchase price: \$ _____
- (c) Balance of existing mortgage, if any: \$ _____
- (d) Name of mortgage holder: _____
- (e) Special conditions: _____

If NO, indicate name of present owner of Project site: Rosid Properties, Inc.

P. Does the Applicant or any related person or entity have an option or a contract to purchase the Project site and/or any buildings on the Project site?

YES X

NO _____

If YES, attach copy of contract or option at Schedule I and indicate:

- (a) Date signed: 08/15/2017
- (b) Purchase price: \$ 3,795,015.30
- (c) Closing date: Simultaneously with IDA closing

Is there a relationship legally or by virtue of common control or ownership between the Applicant (and/or its principals) and the seller of the Project (and/or its principals)?

If YES, describe:

YES _____

NO X

- Q. 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 attached Retail Questionnaire (Schedule E).

Sales of Goods: YES _____ NO X Sales of Services: YES _____ NO X

- R. Describe the social and economic conditions in the community where the Project site is or will be located and the impact of the proposed Project on the community (including impact on infrastructure, transportation, fire and police and other government-provided services):

Industrial manufacturing uses. We do not anticipate any impacts on infrastructure, transportation, fire or police and/or any other government related services.

- S. Identify the following Project parties (if applicable):

Architect: TBD
Engineer: TBD
Contractors: TBD

- T. Will the Project be designed and constructed to comply with Green Building Standards? (if YES, describe the LEED green building rating that will be achieved):

YES _____ NO X

- U. Is the proposed Project site located on a Brownfield? (if YES, provide description of contamination and proposed remediation)

YES _____ NO X

- V. Will the proposed Project produce a unique service or product or provide a service that is not otherwise available in the community in which the proposed Project site is located?

YES _____ NO X

- W. Is the proposed Project site currently subject to an IDA transaction (whether through the Agency or otherwise)? If yes, explain.

YES _____ NO X

PART III. CAPITAL COSTS OF THE PROJECT

A. Provide an estimate of cost of all items listed below:

	<u>Item</u>	<u>Cost</u>
1.	Land and/or Building Acquisition	\$ 3,795,015
2.	Building Demolition	\$
3.	Construction/Reconstruction/Renovation	\$ 1,400,000
4.	Site Work	\$ 500,000
5.	Infrastructure Work	\$
6.	Architectural/Engineering Fees	\$ 50,000
7.	Applicant's Legal Fees	\$
8.	Financial Fees	\$
9.	Other Professional Fees	\$ 700,000
10.	Furniture, Equipment & Machinery Acquisition (not included in 3. above)	\$
11.	Other Soft Costs (describe)	\$
12.	Other (describe)	\$
	Total	\$ 6,445,015

B. Estimated Sources of Funds for Project Costs:

a.	Tax-Exempt IDA Bonds:	\$
b.	Taxable IDA Bonds:	\$
c.	Conventional Mortgage Loans:	\$ 3,795,015
d.	SBA or other Governmental Financing:	\$
	Identify:	
e.	Other Public Sources (e.g., grants, tax credits):	\$
	Identify:	
f.	Other Loans:	\$
g.	Equity Investment:	\$ 2,650,000
	(excluding equity attributable to grants/tax credits)	
	TOTAL	\$ 6,445,015

What percentage of the total project costs are
funded/financed from public sector sources: _____ %

C. Have any of the above costs been paid or incurred (including contracts of sale or purchase orders) as of the date of this application? If YES, describe particulars on a separate sheet.

YES _____

NO X

- D. Are items of working capital, moving expenses, work in progress, or stock in trade included in the proposed uses of the bond proceeds (if applicable)? If YES, provide details:

YES _____ NO X NOT APPLICABLE _____

- E. Will any of the funds to be borrowed through the Agency's issuance of bonds, if applicable, be used to repay or refinance an existing mortgage, outstanding loan or an outstanding bond issue? If YES, provide details:

YES _____ NO X NOT APPLICABLE _____

- F. Has the Applicant made any arrangement for the marketing or the purchase of the bonds or the provision of other third party financing (if applicable)? If YES, indicate with whom (subject to Agency approval) and provide a copy of any term sheet or commitment letter issued with respect to such financing.

YES _____ NO X NOT APPLICABLE _____

G. Construction Cost Breakdown:

Total Cost of Construction: \$ 1,900,000 (sum of 2-5 and 10 in
Question A above)

Cost for materials: \$ 760,000
% Sourced in County: 50 %

% Sourced in State: 100 % (incl. County)

Cost for labor: \$ 1,140,000
% Sourced in County: 50 %
% Sourced in State: 100 % (incl. County)

Cost for "other": \$
% Sourced in County: %
% Sourced in County: % (incl. County)

The Applicant acknowledges that the transaction/bond documents may include a covenant by the Applicant to undertake and document the total amount of capital investment as set forth in this Application.

PART IV. COST/BENEFIT ANALYSIS

- A. If the Applicant presently operates in Nassau County, provide the current annual payroll. Estimate projected payroll at the Project site in First Year, Second Year and Third Year after completion of the Project:

	Present	First Year	Second Year	Third Year
Full-time:	\$ 11,791,079	\$ 12,819,472	\$ 13,075,861	\$ 13,337,377
Part-time: ¹		0	0	0

List the average salaries or provide ranges of salaries for the following categories of jobs (on a full-time equivalency basis) projected to be retained/created in Nassau County as a result of the proposed Project:

<u>Category of Jobs to be Retained:</u>	<u>Average Salary or Range</u>	<u>Average Fringe Benefits or Range of Fringe Benefits</u>
Management	\$ 200,992	\$ 7,778-\$ 22,812
Professional	\$ 79,512	\$ 7,778-\$ 22,812
Administrative	\$ 47,066	\$ 7,778-\$ 22,812
Production	\$ 26,419	\$ 6,420-\$ 11,700
Supervisor	\$ 83,285	\$ 7,778-\$ 22,812
Laborer		
Independent Contractor ²		
Other		

<u>Category of Jobs to be Created:</u>	<u>Average Salary or Range</u>	<u>Average Fringe Benefits or Range of Fringe Benefits</u>
Management		
Professional		
Administrative		
Production	26,419	\$ 7,778-\$ 22,812
Supervisor		
Laborer		
Independent Contractor ³		
Other		

¹ NOTE: The Agency converts part-time jobs into FTE's for evaluation and reporting purposes by dividing the number of part-time jobs by two (2).

² As used in this chart, this category includes employees of independent contractors.

³ As used in this chart, this category includes employees of independent contractors.

The Agency may utilize the foregoing employment projections and the projections set forth in Schedule C, among other things, to determine the financial assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction/bond documents may include a covenant by the Applicant to retain the number of jobs, types of occupations and amount of payroll with respect to the Project set forth in this Application.

- B. (i) Will the Applicant transfer current employees from existing location(s)? If YES, describe, please describe the number of current employees to be transferred and the location from which such employees would be transferred:

YES _____

NO X

-
- (ii) Describe the number of estimated full time equivalent construction jobs to be created as a result of undertaking the project, to the extent any:

8-10 average per day for a period of 6-8 months

- C. What, if any, is the anticipated increase in the dollar amount of production, sales or services following completion of the Project?

\$ 116,100,000 for 2018

\$ 124,807,500 for 2019

What percentage of the foregoing amount is subject to New York sales and use tax?

0%

What percentage of the Applicant's total dollar amount of production, sales or services (including production, sales or services rendered following completion of the Project) are made to customers outside the economic development region (i.e., Nassau and Suffolk Counties)?

95%

Describe any other municipal revenues that will result from the Project (excluding the above and any PILOT payments):

- D. What is the estimated aggregate annual amount of goods and services to be purchased by the Applicant for each year after completion of the Project and what portion will be sourced from businesses located in the County and the State (including the County):

	<u>Amount</u>	<u>% Sourced in County</u>	<u>% Sourced in State</u>
Year 1	<u>\$ 4,650,000</u>	20%	80%
Year 2	<u>\$ 4,998,750</u>	20%	80%
Year 3	<u>\$ 5,373,656</u>	20%	80%

- E. Describe, if applicable, other benefits to the County anticipated as a result of the Project, including a projected annual estimate of additional sales tax revenue generated, directly and indirectly, as a result of undertaking the project:

No Sales Tax-project will result in purchases of raw ingredients, packaging for food manufacturing

- F. Estimated Value of Requested Financial Assistance:

Estimated Value of Sales Tax Benefit: \$96,000

(i.e., gross amount of cost of goods and services that are subject to state and local sales and use taxes multiplied by [8.625%])

Estimated Value of Mortgage Tax Benefit: \$ 28,462.61

(i.e., principal amount of mortgage loans multiplied by [.75%])

Estimated Property Tax Benefit:

Will the proposed Project utilize a property tax exemption benefit other than from the Agency: No
(if so, please describe)

Term of PILOT Requested: 20

Existing Property Taxes on Land and Building: \$ 403,130.56

Estimated Property Taxes on completed Project: \$ TBD
(without Agency financial assistance)

NOTE: Upon receipt of this Application by the Agency, the Agency's staff will create a PILOT schedule and estimate the amount of PILOT Benefit/Cost utilizing anticipated tax rates and assessed valuation, and attach such information as Exhibit A hereto.

- G. Describe and estimate any other one-time municipal revenues (not including fees payable to the Agency) that the Project will create:

Permit Fees

PART V. PROJECT SCHEDULE

- A. If applicable, has construction/reconstruction/renovation work on the Project begun? If YES, indicate the percentage of completion:

- | | | | | |
|----|-------------------------------|----------|----------------|----------------|
| 1. | (a) Site clearance | YES ____ | NO <u>X</u> __ | ____% complete |
| | (b) Environmental Remediation | YES ____ | NO <u>X</u> __ | ____% complete |
| | (c) Foundation | YES ____ | NO <u>X</u> __ | ____% complete |
| | (d) Footings | YES ____ | NO <u>X</u> __ | ____% complete |
| | (e) Steel | YES ____ | NO <u>X</u> __ | ____% complete |
| | (f) Masonry | YES ____ | NO <u>X</u> __ | ____% complete |
| | (g) Interior | YES ____ | NO <u>X</u> __ | ____% complete |
| | (h) Other (describe below): | YES ____ | NO <u>X</u> __ | ____% complete |
2. If NO to all of the above categories, what is the proposed date of commencement of construction, reconstruction, renovation, installation or equipping of the Project?

Upon closing with IDA

- B. Provide an estimate of time schedule to complete the Project and when the first use of the Project is expected to occur:

To Be Determined

PART VI. ENVIRONMENTAL IMPACT

- A. What is the expected environmental impact of the Project? (Complete the attached Environmental Assessment Form (Schedule G)).

N/A

- B. Is an environmental impact statement required by Article 8 of the N.Y. Environmental Conservation Law (i.e., the New York State Environmental Quality Review Act)?

YES ☐ NO ☒

- C. Please be advised that the Agency may require at the sole cost and expense of the Applicant the preparation and delivery to the Agency of an environmental report in form and scope satisfactory to the Agency, depending on the responses set forth in the Environmental Assessment Form. If an environmental report has been or is being prepared in connection with the Project, please provide a copy.

- D. The Applicant authorizes the Agency to make inquiry of the United States Environmental Protection Agency, the New York State Department of Environmental Conservation or any other appropriate federal, state or local governmental agency or authority as to whether the Project site or any property adjacent to or within the immediate vicinity of the Project site is or has been identified as a site at which hazardous substances are being or have been used, stored, treated, generated, transported, processed, handled, produced, released or disposed of. The Applicant will be required to secure the written consent of the owner of the Project site to such inquiries (if the Applicant is not the owner), upon request of the Agency.

THE UNDERSIGNED HEREBY CERTIFIES, under penalties of perjury, that the answers and information provided above and in any schedule, exhibit or statement attached hereto are true, accurate and complete, to the best of the knowledge of the undersigned.

Name of
Applicant: Seviroli Foods, Inc.


Signature: 

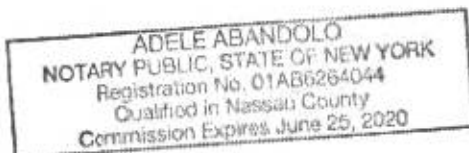
Name: Joseph J Sevirph Jr.

Title: CEO

Date: 3/9/18

Sworn to before me this 9
day of March, 20 18


Notary Public



CERTIFICATIONS AND ACKNOWLEDGMENTS OF THE APPLICANT

FIRST:

The Applicant hereby certifies that, if financial assistance is provided by the Agency for the proposed project, no funds of the Agency (i) shall be used in connection with the Project for the purpose of preventing the establishment of an industrial or manufacturing plant or for the purpose of advertising or promotional materials which depict elected or appointed government officials in either print or electronic media, (ii) be given to any group or organization which is attempting to prevent the establishment of an industrial or manufacturing plant within the State

SECOND:

The Applicant hereby certifies that no member, manager, principal, officer or director of the Applicant or any affiliate thereof has any blood, marital or business relationship with any member of the Agency (or any member of the family of any member of the Agency).

THIRD:

The Applicant hereby certifies that neither the Applicant nor any of its affiliates, nor any of their respective partners, members, shareholders or other equity owners (other than equity owners of publicly-traded companies), nor any of their respective employees, officers, directors, or representatives (i) is a person or entity with whom United States persons or entities are restricted from doing business under regulations of the Office of Foreign Asset Control (OFAC) of the Department of the Treasury, including those named on OFAC's Specially Designated and Blocked Persons List, or under any statute, executive order or other governmental action, or (ii) has engaged in any dealings or transactions or is otherwise associated with such persons or entities.

FOURTH:

The Applicant hereby acknowledges that the Agency shall obtain and hereby authorizes the Agency to obtain credit reports and other financial background information and perform other due diligence on the Applicant and/or any other entity or individual related thereto, as the Agency may deem necessary to provide the requested financial assistance.

FIFTH:

The Applicant hereby certifies that each owner, occupant or operator that would receive financial assistance with respect to the proposed Project is in substantial compliance with applicable federal, state and local tax, worker protection and environmental laws, rules and regulations.

SIXTH:

The Applicant hereby acknowledges that the submission to the Agency of any knowingly false or knowingly misleading information may lead to the immediate termination of any financial assistance and the recapture from the Applicant of an amount equal to all or any part of any tax exemption claimed by reason of the Agency's involvement in the Project.

SEVENTH:

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

EIGHTH:

- (i) Does the Project propose the creation of housing?

YES ____ NO X

If YES, how many units? _____

If YES, the Applicant hereby certifies that:

- (a) the Applicant has adopted a Fair Housing/Equal Housing Opportunity Policy substantially in the form of Exhibit B to this Application;
- (b) the proposed Project complies with applicable fair housing laws and that eligibility criteria for housing in any part of the Project will not include any residency requirements or preferences, including durational ones, age restrictions (unless for senior housing permitted by law), or other discriminatory criteria;
- (c) the Applicant (1) has posted its Fair Housing/Equal Housing Opportunity Policy publicly; and (2) will display fair housing law posters for consumers in its rental or sales office(s), in a form substantially similar to the model fair housing posters attached to this Application as Exhibit C (the Agency will provide applicants with fair housing law posters for display upon request by an applicant); and
- (d) key employees of the Applicant in charge of marketing and rental of the Project have completed (or will complete within one year of closing) four (4) hours of fair housing training provided by Long Island Housing Services ("LIHS") at a reasonably acceptable time and location and at no additional cost to the Applicant. In the event LIHS declines to provide or make available reasonably acceptable no-cost fair housing training, the provisions of this Certification VIII(i)(d) shall cease to be of any force and effect.

- (ii) If YES to (i) above, does the Project propose the creation of "affordable" or "workforce" housing ("Affordable Housing")?

YES ____ NO ____

If YES, the Applicant hereby certifies that the Applicant (1) has adopted a non-discriminatory affirmative marketing plan that meets the criteria set forth in Exhibit D to this Application; and (2) will submit such marketing plan to the Agency in writing prior to closing.

If YES, answer the following questions:

- (a) What portion of the Project would consist of Affordable Housing (e.g., number of units)?

- (b) What are the eligibility requirements for the Affordable Housing?

- (c) Cite the specific source of such eligibility requirements (e.g., federal, state or local law).

Name of
Applicant: Seviroli Foods, Inc.

By: 
Name: Joseph J. Seviroli Jr.
Title: CEO

**CERTIFICATION AND AGREEMENT
WITH RESPECT TO FEES AND COSTS**

Capitalized terms used but not otherwise defined in this Certification and Agreement shall have the meanings assigned to such terms in the Application.

The undersigned, being duly sworn, deposes and says, under penalties of perjury, as follows: that I am the chief executive officer or other representative authorized to bind the Applicant named in the attached application for financial assistance ("Application") and that I hold the office specified below my signature at the end of this Certification and Agreement, that I am authorized and empowered to deliver this Certification and Agreement and the Application for and on behalf of the Applicant, that I am familiar with the contents of said Application (including all schedules, exhibits and attachments thereto), and that said contents are true, accurate and complete to the best of my knowledge and belief.

The grounds of my belief relative to all matters in the Application that are not based upon my own personal knowledge are based upon investigations I have made or have caused to be made concerning the subject matter of this Application, as well as upon information acquired in the course of my duties and from the books and records of the Applicant.

As an authorized representative of the Applicant, I acknowledge and agree on behalf of the Applicant that the Applicant hereby releases the Nassau County Industrial Development Agency, its members, officers, servants, attorneys, agents and employees (collectively, the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend (with counsel selected by the Agency) and hold the Agency harmless from and against any and all liability, damages, causes of actions, losses, costs or expenses incurred by the Agency in connection with: (A) examination and processing of, and action pursuant to or upon, the Application, regardless of whether or not the Application or the financial assistance requested therein are favorably acted upon by the Agency, (B) the acquisition, construction, reconstruction, renovation, installation and/or equipping of the Project by the Agency, and (C) any further action taken by the Agency with respect to the Project; including, without limiting the generality of the foregoing, (i) all fees and expenses of the Agency's general counsel, bond counsel, economic development consultant, real property tax valuation consultant and other experts and consultants (if deemed necessary or advisable by the Agency), and (ii) all other expenses incurred by the Agency in defending any suits, actions or proceedings that may arise as a result of any of the foregoing. If, for any reason whatsoever, 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 Applicant is unable to find buyers willing to purchase the total bond issue required or is unable to secure other third party financing or otherwise fails to conclude the Project, then upon presentation of an invoice by the Agency, its agents, attorneys or assigns, the Applicant shall pay to the Agency, its agents, attorneys or assigns, as the case may be, all fees and expenses reflected in any such invoice.

As an authorized representative of the Applicant, I acknowledge and agree on behalf of the Applicant that each of the Agency's general counsel, bond counsel, economic development consultant, real property tax valuation consultant and other experts and consultants is an intended third-party beneficiary of this Certification and Agreement, and that each of them may (but shall not be obligated to) enforce the provisions of the immediately preceding paragraph, whether by lawsuit or otherwise, to collect the fees and expenses of such party or person incurred by the Agency (whether or not first paid by the Agency) with respect to the Application.

Upon successful closing of the required bond issue or other form of financing or Agency assistance, the Applicant shall pay to the Agency an administrative fee set by the Agency (which amount is payable at closing) in accordance with the following schedule:


- (A) Taxable Bond Issues Six-tenths (6/10) of one percent (1%) for the first twenty million dollars (\$20,000,000) of total project costs and, if applicable, two-tenths (2/10) of one percent (1%) for any additional amounts in excess of twenty million dollars (\$20,000,000) of total project costs.
- (B) Tax-Exempt Bond Issues - Six-tenths (6/10) of one percent (1%) of total project costs.
- (C) General Counsel Fee - One-tenth (1/10) of one percent (1%) of total project costs, with a minimum fee of \$2,000.
- (D) All Initial Transactions - Two Thousand Five Hundred Dollars (\$2,500) closing compliance fee payable at closing and One Thousand Dollars (\$1,000) per year (or part thereof) administrative fee, payable in advance, at the closing for the first year (or part thereof) and on January 1st of each year for the term of the financing. The annual service fee is subject to periodic review and may be adjusted from time to time in the discretion of the Agency.
- (E) Refundings - The Agency fee shall be determined on a case-by-case basis.
- (F) Assumptions - The Agency fee shall be determined on a case-by-case basis.
- (G) Modifications - The Agency fee shall be determined on a case-by-case basis.

The Agency's bond counsel fees and expenses are payable at closing and are based on the work performed in connection with the Project.

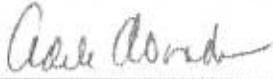
The Agency's bond counsel's fees, general counsel fee and the administrative fees may be considered as a cost of the Project and included as part of any resultant financing, subject to compliance with applicable law.

Upon the termination of the financing of the Project, Applicant agrees to pay all costs in connection with any conveyance by the Agency to the Applicant of the Agency's interest in the Project and the termination of all related Project documents, including the fees and expenses of the Agency's general counsel, bond counsel, and all applicable recording, filing or other related fees, taxes and charges.

I further acknowledge and agree on behalf of the Applicant that, in the event the Agency shall have used all of its available tax-exempt bond financing allocation from the State of New York, if applicable, and shall accordingly be unable to obtain an additional allocation for the benefit of the Applicant, the Agency shall have no liability or responsibility as a result of the inability of the Agency to issue and deliver tax-exempt bonds for the benefit of the Applicant.


Name: Joseph J. Seviroff Jr.
Title: CEO

Subscribed and affirmed to me this 9
day of March, 2018



Notary Public

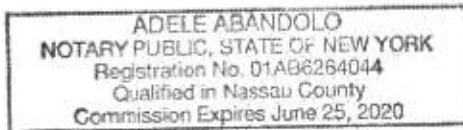


TABLE OF SCHEDULES:

<u>Schedule</u>	<u>Title</u>	<u>Complete as Indicated Below</u>
A.	Tax-Exempt Bond Manufacturing Questionnaire	If Applicant checked "YES" in Part I, Question H of Application, if applicable[]
B.	New York State Financial and Employment Requirements for Industrial Development Agencies	All applicants
C.	Guidelines for Access to Employment Opportunities	All applicants
D.	Anti-Raiding Questionnaire	If Applicant checked "YES" in Part I, Question O.2. of Application
E.	Retail Questionnaire	If Applicant checked "YES" in Part II, Question Q of Application
F.	Applicant's Financial Attachments, consisting of:	All applicants
	1. Applicant's financial statements for the last two fiscal years (unless included in Applicant's annual reports).	
	2. Applicant's annual reports (or Form 10-K's) for the two most recent fiscal years.	
	3. Applicant's quarterly reports (Form 10-Q's) and current reports (Form 8-K's) since the most recent Annual Report, if any.	
	4. In addition, attach the financial information described above in items F1, F2, and F3 of any anticipated Guarantor of the proposed transaction, if different than the Applicant, including the personal financial statement of any anticipated Guarantor that is a natural person.	
G.	Environmental Assessment Form	All applicants
H.	Form NYS-45-MN	All applicants
I.	Other Attachments	As required

TAX-EXEMPT BOND MANUFACTURING QUESTIONNAIRE

(To be completed by the Applicant if the Applicant checked "YES" in Part I, Question H of the Application for Financial Assistance, if applicable).

Please complete the following questions for each facility to be financed. Use additional pages as necessary.

1. Describe the production process which occurs at the facility to be financed.

2. Allocate the facility to be financed by function (expressed in square footage) (e.g., production line, employee lunchroom, offices, restrooms, storage, warehouse, loading dock, repair shop, parking, research, sales, etc.) and location in relation to production (e.g., same building, adjacent land or building, off-site, etc.). Please attach blueprints of the facility to be financed.

<u>FUNCTION</u>	<u>LOCATION</u>	<u>SQ. FOOTAGE</u>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>

TOTAL

3. Of the space allocated to offices above, identify by function (e.g., executive offices, payroll, production, etc.) and location in relation to production (e.g., same building, adjacent land or building, off-site, etc.).

<u>FUNCTION</u>	<u>LOCATION</u>	<u>SQ. FOOTAGE</u>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>

TOTAL

4. Of the space allocated to storage or warehousing above, identify the square footage and location of the areas devoted to storage of the following:

SO. FOOTAGE**LOCATION**

Raw Materials used
for production of
manufactured goods

Finished product storage

Component parts of
goods manufactured at
the facility

Purchased component
parts

Other (specify)

TOTAL

5. List raw materials used at the facility to be financed in the processing of the finished product(s).

6. List finished product(s) which are produced at the facility to be financed.

The UNDERSIGNED HEREBY CERTIFIES that the answers and information provided above and in any statement attached hereto are true and correct.

Name of
Applicant: _____

Signature: _____

Name: _____

Title: _____

Date: _____

**NEW YORK STATE FINANCIAL AND EMPLOYMENT REPORTING
REQUIREMENTS FOR INDUSTRIAL DEVELOPMENT AGENCIES**

- A. Pursuant to applicable law, the Agency requires the completion of an Initial Employment Plan (see Schedule C) and a year-end employment plan status report, both of which shall be filed by the Nassau County Industrial Development Agency (the "Agency") with the New York State Department of Economic Development. The Project documents will require the Applicant to provide such report to the Agency on or before February 11 of the succeeding year, together with such employment verification information as the Agency may require.

Except as otherwise provided by collective bargaining agreements, the Applicant agrees to list any new employment opportunities with the New York Department of Labor Community Services Division and the administrative entity of the service delivery area created by the Federal Job Training Partnership Act (P.L. 97-300), or any successor statute thereto (the "JTPA Entities"). In addition, except as otherwise provided by collective bargaining agreements, the Applicant, where practicable, will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for such new employment opportunities.

- B. The Applicant will be required to file annually a statement with the New York State Department of Taxation and Finance and the Agency of the value of all sales or use tax exemptions claimed in connection with the Project by reason of the involvement of the Agency.
- C. The following information must be provided for all bonds issued, outstanding or retired during the year:

Name, address and owner of the project; total amount of tax exemptions granted (broken out by state and local sales tax, property taxes, and mortgage recording tax); payments in lieu of taxes made; total real estate taxes on the Project prior to exemption; number of jobs created and retained, and other economic benefits realized.

Date of issue; interest rate at end of year; bonds outstanding at beginning of year; bonds issued during year; principal payments made during year; bonds outstanding at end of year; federal tax status; and maturity date(s).

Failure to provide any of the aforesaid information will be constitute a DEFAULT under the Project documents to be entered into by the Agency and the Applicant in connection with the proposed Project.

Please sign below to indicate that the Applicant has read and understood the above and agrees to provide the described information on a timely basis.

Name of Applicant:	Seviroli Foods, Inc.
Signature:	
Name:	Joseph J. Seviroli
Title:	CEO
Date:	3/9/18

GUIDELINES FOR ACCESS TO EMPLOYMENT OPPORTUNITIES**INITIAL EMPLOYMENT PLAN**

Prior to the expenditure of bond proceeds or the granting of other financial assistance, the Applicant shall complete the following initial employment plan:

Applicant Name: Sevioli Foods, Inc.

Address: 579 Brook Street, Garden City, NY 11530

Type of Business: Frozen Food Manufacturing

Contact Person: Paul Vertullo Tel. No.: 516-222-6220 x183

Please complete the following table describing the projected full-time equivalent employment plan for the proposed Project following receipt of financial assistance:

<u>Current and Planned Occupations</u>	<u>Present Jobs Per Occupation</u>	<u>Estimated Number of Full Time Equivalent Jobs After Completion of the Project:⁴</u>			<u>Estimate of Number of Residents of the LMA⁵ that would fill such jobs by the third year</u>
		<u>1 year</u>	<u>2 years</u>	<u>3 years</u>	
Management	3	3	3	3	1
Professional	16	16	16	16	9
Administrative	204	234	234	234	187
Production	12	12	12	12	8
Supervisor					
Laborer					
Independent Contractor					
Other (describe)					

⁴ NOTE: Convert part-time jobs into FTE's for evaluation and reporting purposes by dividing the number of part time jobs by two (2).

⁵ The "LMA" means the Local Market Area, which is defined by the Agency as Nassau and Suffolk Counties. The Labor Market Area is the same as the Long Island Economic Development Region, as established pursuant to Section 230 of the New York State Economic Development Law.

Please indicate the number of temporary construction jobs anticipated to be created in connection with the acquisition, construction and/or renovation of the Project: 64

Please indicate the estimated hiring dates for the new jobs shown above and any special recruitment or training that will be required: Beginning January 2017

Are the Applicant's employees currently covered by a collective bargaining agreement?

YES X

NO _____

IF YES, Union Name and Local: Eastern States Joint Board Local 298 AFL-CIO

Please note that the Agency may utilize the foregoing employment projections, among other things, to determine the financial assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction/bond documents may include a covenant by the Applicant to retain the above number of jobs, types of occupations and amount of payroll with respect to the proposed project.

Attached hereto as Schedule H is a true, correct and complete copy of the Applicant's most recent Quarterly Combined Withholding, Wage Reporting, and Unemployment Insurance Return (Form NYS-45-MN). Upon request of the Agency, the Applicant shall provide such other or additional information or documentation as the Agency may require with respect to the Applicant's current employment levels in the State of New York.

The UNDERSIGNED HEREBY CERTIFIES that the answers and information provided above and in any statement attached hereto are true, correct and complete.

Name of
Applicant: Seviroli Foods, Inc.

Signature: 

Name: Joseph J Seviroli Jr.

Title: CEO

Date: 3/9/18

ANTI-RAIDING QUESTIONNAIRE

(To be completed by Applicant if Applicant checked "YES" in Part I, Question O of the Application for Financial Assistance)

- A. Will the completion of the Project result in the removal of a plant or facility of the Applicant, or of a proposed user, occupant or tenant of the Project, or a relocation of any employee of the Applicant or of a proposed user, occupant or tenant of the Project, from an area in New York State (but outside of Nassau County) to an area within Nassau County?

YES ____

NO ____

If the answer to Question A is YES, please provide the following information:

Address of the to-be-removed plant or facility or the plants or facilities from which employees are relocated: ____

Names of all current users, occupants or tenants of the to-be-removed plant or facility: _____

- B. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Applicant, or of a proposed user, occupant or tenant of the Project, located in an area of the State of New York other than in Nassau County?

YES ____

NO ____

If the answer to Question B is YES, please provide the following information:

Addresses of the to-be-abandoned plants or facilities: _____

Names of all current occupants of the to-be-abandoned plants or facilities:

- C. Has the Applicant contacted the local industrial development agency at which its current plants or facilities in New York State are located with respect to the Applicant's intention to move or abandon such plants or facilities?

YES _____

NO _____

If the answer to Question C is YES, please provide details in a separate attachment.

IF THE ANSWER TO EITHER QUESTION A OR B IS "YES", ANSWER QUESTIONS D AND E.

- D. Is the Project reasonably necessary to preserve the competitive position of the Applicant, or of a proposed user, occupant or tenant of the Project, in its industry?

YES _____

NO _____

- E. Is the Project reasonably necessary to discourage the Applicant, or a proposed user, occupant or tenant of the Project, from removing such plant or facility to a location outside of the State of New York?

YES _____

NO _____

IF THE ANSWER TO EITHER QUESTION D OR E IS "YES", PLEASE PROVIDE DETAILS IN A SEPARATE ATTACHMENT.

Accordingly, the Applicant certifies that the provisions of Section 862(1) of the General Municipal Law will not be violated if financial assistance is provided by the Agency for the proposed Project.

NOTE: If the proposed Project involves the removal or abandonment of a plant or facility of the Applicant, or a proposed user, occupant or tenant of the Project, within the State of New York, notification will be made by the Agency to the chief executive officer(s) of the municipality or municipalities in which such plant or facility was located.

THE UNDERSIGNED HEREBY CERTIFIES that the answers and information provided above and in any statement attached hereto are true, correct and complete.

Name of
Applicant: _____

Signature: _____

Name: _____

Title: _____

Date: _____

RETAIL QUESTIONNAIRE

(To be completed by Applicant if Applicant checked either "YES" in Part II, Question Q of the Application for Financial Assistance)

- A. Will any portion of the Project (including that portion of the cost to be financed from equity or sources other than Agency financing) consist of facilities or property that are or will be primarily used in making retail sales to customers who personally visit the Project?

YES _____

NO _____

For purposes of Question A, the term "retail sales" means (i) sales by a registered vendor under Article 28 of 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. If the answer to Question A is YES, what percentage of the cost of the Project (including that portion of the cost to be financed from equity or sources other than Agency financing) 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?

_____ %

- C. If the answer to Question A is YES, and the amount entered for Question B is greater than 33.33%, indicate whether any of the following apply to the Project:

1. Is the Project likely to attract a significant number of visitors from outside the economic development region (i.e., Nassau and Suffolk Counties) in which the Project is or will be located?

YES _____

NO _____

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 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 _____

3. Will the Project be located in one of the following: (a) an area designated as an empire zone pursuant to Article 18-B of the General Municipal Law; or (b) a census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent census data, has (i) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of the 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?

YES _____

NO _____

If the answer to any of the subdivisions 1 through 3 of Question C is YES, attach details.

- D. If the answer to any of the subdivisions 2 through 3 of Question C 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? If YES, attach details.

YES _____

NO _____

- E. State percentage of the Applicant's annual gross revenues comprised of each of the following:

Retail Sales: _____%

Services: _____%

- F. State percentage of Project premises utilized for same:

Retail Sales: _____%

Services: _____%

The UNDERSIGNED HEREBY CERTIFIES that the answers and information provided above and in any statement attached hereto are true, correct and complete.

Name of
Applicant: _____

Signature: _____

Name: _____

Title: _____

Date: _____

APPLICANT'S FINANCIAL ATTACHMENTS

ENVIRONMENTAL ASSESSMENT FORM

Short Environmental Assessment Form

Part I - Project Information


Instructions for Completing

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

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

Part I - Project and Sponsor Information			
Seviroli Foods, Inc.			
Name of Action or Project: Building purchase			
Project Location (describe, and attach a location map): 600 Commercial Avenue, Garden City NY 11530			
Brief Description of Proposed Action: The project incorporates the acquisition of a warehouse and manufacturing facility contiguous to the current Seviroli Foods, Inc manufacturing facilities in Garden City. The addition of this facility and the significant renovation to its roof to be performed on the facility will allow increased investment, and the consequent increase in employment, to the company's current facilities.			
Name of Applicant or Sponsor: Joe Seviroli		Telephone: 516-222-6220 x183 E-Mail: JSeviroli@seviroli.com	
Address: 579 Brook Street			
City/PO: Garden City	State: NY	Zip Code: 11530	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO	YES
Nassau County permit to Raise Roof		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES If Yes, briefly describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: _____	Date: <u>3/9/18</u>	
Signature: 		

FORM NYS-45-MN

Attach most recent quarterly filing of Form NYS-45-MN, as well as the most recent fourth quarter filing. Please remove the employee social security numbers and note which employees are part-time.

OTHER ATTACHMENTS

Exhibit A

Upon acceptance of the Application of the Application by the Agency and completion of the Cost/Benefit Analysis, the Agency will attach the proposed PILOT Schedule hereto, together with an estimate of the net tax benefit/cost of the proposed PILOT Schedule.

NCIDA/Seviroli Foods Inc.
PILOT Analysis
620 Commercial Avenue
Section: 34; Block: 100; Lot: 18
(As of 5/17/18)

Property	Tax Year	PILOT Payment
Base Year:		
S: 34; B: 100; L: 18		
	2018 General	\$3,183.11
	2017/18 School	\$4,217.27
	Total Base Year PILOT (rounded to next highest dollar)	\$7,401
	PILOT Year	PILOT Payment¹
	1	\$7,401
	2	\$7,401
	3	\$7,401
	4	\$7,401
	5	\$7,401
	6	\$7,455
	7	\$7,509
	8	\$7,564
	9	\$7,619
	10	\$7,675
	11	\$7,731
	12	\$7,788
	13	\$7,844
	14	\$7,902
	15	\$7,959
	16	\$8,017
	17	\$8,076
	18	\$8,135

¹ PILOT Formula: The Total Base Year PILOT is payable without adjustment for a period of five (5) fiscal tax years followed by increases of 0.73% per annum (compounded), rounded to the nearest dollar.

				19	\$8,194
				20	\$8,254

Please note that the foregoing PILOT analysis is an initial draft only for the proposed transaction. The proposed transaction has not been approved by the members of the IDA and no representation or promise is made whether and/or when such approval may be obtained. Accordingly, nothing herein constitutes a commitment on the part of the IDA to enter into the proposed transaction or a commitment to commence or continue any negotiations with respect to the proposed transaction.

In addition, the attached is being transmitted to the IDA simultaneously herewith and, therefore, remains subject to their review and approval.

NCIDA/Seviroli Foods Inc.
PILOT Analysis
600 Commercial Avenue
Section: 34; Block: 100; Lots: 12, 17, 19
(As of 5/17/18)

<u>Property</u>	<u>Tax Year</u>	<u>PILOT Payment</u>
<u>Base Year:</u>		
S: 34; B: 100; L: 12 & 17	2018 General	\$26,993.62
	2017/18 School	\$35,763.44
S: 34; B: 100; L: 19	2018 General	\$3,129.74
	2017/18 School	\$4,146.56
	Total Base Year PILOT (rounded to next highest dollar)	\$70,034
	PILOT Year	PILOT Payment¹
	1	\$70,034
	2	\$70,034
	3	\$70,034
	4	\$70,034
	5	\$70,034
	6	\$70,545
	7	\$71,060
	8	\$71,579
	9	\$72,101
	10	\$72,628
	11	\$73,158
	12	\$73,692
	13	\$74,230
	14	\$74,772
	15	\$75,318

¹ PILOT Formula: The Total Base Year PILOT is payable without adjustment for a period of five (5) fiscal tax years followed by increases of 0.73% per annum (compounded), rounded to the nearest dollar.

				16	\$75,868
				17	\$76,421
				18	\$76,979
				19	\$77,541
				20	\$78,107

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NCIDA/Seviroli Foods Inc.

PILOT Analysis

557-579 Brook Street

Section: 34; Block: 100; Lot: 4

(As of 5/17/18)

Property	Tax Year	PILOT Payment
Base Year:		
S: 34; B: 100; L: 4	2018 General	\$50,136.99
	2017/18 School	\$66,425.75
	Total Base Year PILOT (rounded to next highest dollar)	\$116,563
	PILOT Year	PILOT Payment¹
	1	\$116,563
	2	\$116,563
	3	\$116,563
	4	\$116,563
	5	\$116,563
	6	\$117,414
	7	\$118,271
	8	\$119,134
	9	\$120,004
	10	\$120,880
	11	\$121,763
	12	\$122,651
	13	\$123,547
	14	\$124,449
	15	\$125,357
	16	\$126,272
	17	\$127,194
	18	\$128,123

¹ PILOT Formula: The Total Base Year PILOT is payable without adjustment for a period of five (5) fiscal tax years followed by increases of 0.73% per annum (compounded), rounded to the nearest dollar.

				19	\$129,058
				20	\$130,000

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Vacant Lot at Commercial Avenue
Section: 34; Block: 100; Lot: 8
(As of 5/17/18)

¹ PILOT Formula: The Total Base Year PILOT is payable without adjustment for a period of five (5) fiscal tax years followed by increases of 0.73% per annum (compounded), rounded to the nearest dollar.

				19	\$10,176
				20	\$10,251

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NCIDA/Seviroli Foods Inc.

PILOT Analysis

585 Brook Street

Section: 34; Block: 100; Lot: 5

(As of 5/17/18)

<u>Property</u>	<u>Tax Year</u>	<u>PILOT Payment</u>
<u>Base Year:</u>		
S: 34; B: 100; L: 5	2018 General	\$5,121.33
	2017/18 School	\$3,865.49
	Total Base Year PILOT (rounded to next highest dollar)	\$8,987
	<u>PILOT Year</u>	<u>PILOT Payment¹</u>
	1	\$8,987
	2	\$8,987
	3	\$8,987
	4	\$8,987
	5	\$8,987
	6	\$9,053
	7	\$9,119
	8	\$9,185
	9	\$9,252
	10	\$9,320
	11	\$9,388
	12	\$9,456
	13	\$9,525
	14	\$9,595
	15	\$9,665
	16	\$9,736
	17	\$9,807
	18	\$9,878

¹ PILOT Formula: The Total Base Year PILOT is payable without adjustment for a period of five (5) fiscal tax years followed by increases of 0.73% per annum (compounded), rounded to the nearest dollar.

				19	\$9,950
				20	\$10,023

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NCIDA/Seviroli Foods Inc.

PILOT Analysis

601 Brook Street

Section: 34; Block: 100; Lots: 6 & 7

(As of 5/17/18)

Property Base Year:	Tax Year		PILOT Payment
S: 34; B: 100; L: 6 & 7	2018 General		\$73,695.90
	2017/18 School		\$97,638.59
		Total Base Year PILOT (rounded to next highest dollar)	\$171,335
		PILOT Year	PILOT Payment¹
		1	\$171,335
		2	\$171,335
		3	\$171,335
		4	\$171,335
		5	\$171,335
		6	\$172,586
		7	\$173,846
		8	\$175,115
		9	\$176,393
		10	\$177,681
		11	\$178,978
		12	\$180,284
		13	\$181,600
		14	\$182,926
		15	\$184,261
		16	\$185,607
		17	\$186,961
		18	\$188,326

¹ PILOT Formula: The Total Base Year PILOT is payable without adjustment for a period of five (5) fiscal tax years followed by increases of 0.73% per annum (compounded), rounded to the nearest dollar.

				19	\$189,701
				20	\$191,086

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NCIDA/Seviroli Foods Inc.
PILOT Analysis
10 Commercial Avenue
Section: 44; Block: D; Lot: 8
(As of 5/17/18)

Property Base Year:	Tax Year		PILOT Payment
S: 44; B: D; L: 8	2018 General		\$8,440.04
	2017/18 School		\$11,182.07
		Total Base Year PILOT (rounded to next highest dollar)	\$19,623
		PILOT Year	PILOT Payment¹
		1	\$19,623
		2	\$19,623
		3	\$19,623
		4	\$19,623
		5	\$19,623
		6	\$19,766
		7	\$19,911
		8	\$20,056
		9	\$20,202
		10	\$20,350
		11	\$20,498
		12	\$20,648
		13	\$20,799
		14	\$20,951
		15	\$21,103
		16	\$21,258
		17	\$21,413
		18	\$21,569

¹ PILOT Formula: The Total Base Year PILOT is payable without adjustment for a period of five (5) fiscal tax years followed by increases of 0.73% per annum (compounded), rounded to the nearest dollar.

				19	\$21,726
				20	\$21,885

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