NASSAU COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

APPLICATION OF:

Terwilliger & Bartone Properties LLC

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 \$1,500 nonrefundable 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 \$4,500 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.

11/3/2021
DATE

PART I. APPLICANT

A.	APPLICANT FOR FINANCIAL ASSISTANCE:
	Name: Terwilliger & Bartone Properties LLC
	Address: 141 Merritts Rd, 2nd Floor
	Fax: N/A
	NY State Dept. of Labor Reg #: N/A Federal Employer ID #:
	NAICS Code #: 531110
	www.terwilligerbartone.com Website:
	Name of CEO or Authorized Representative Certifying Application: Anthony Bartone
	Title of Officer:Managing Partner
	Phone Number: 516-249-2022 E-Mail: anthony@terwilligerbartone.com
В,	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: Delaware 2015
	Qualified to do Business in New York: Yes X No No N/A
C.	APPLICANT COUNSEL:

Firm name:	Forchelli Deeg	gan Terrana LLP	
Address:	333 Earle Ovington Bl	vd, Suite 1010, Uniondale, NY 11	553
Comaci	niel Deegan		
Phone: Fax:	516-248-1700 N/A		
E-Mail:	ddeegan@forchellilaw.co	om	
•	kholders, members or pa rights in Applicant):	artners, if any (i.e., owners of 10%	or more of
Name		Percentage owned	
Bartone D	evelopment Partners LLC	<u>50_</u> %	
J. Ror	nald Terwilliger	50 %	
-			
If any of the n	argans described in the		n or a group o
said persons, o	owns more than a 50% is	response to the preceding Question interest in the Applicant, list all oth of such persons having more than	ner entities whi
said persons, of are related to the	owns more than a 50% is	response to the preceding Question interest in the Applicant, list all other	ner entities wh
said persons, of are related to it such entities: N/A Is the Applica	owns more than a 50% in the Applicant by virtue of the Applicant by virtue	response to the preceding Question interest in the Applicant, list all other	ner entities whi a 50% interest
said persons, of are related to it such entities: N/A Is the Applica	owns more than a 50% in the Applicant by virtue of the Applicant by virtue	response to the preceding Question interest in the Applicant, list all oth of such persons having more than entity by reason of more than 50%.	ner entities wh a 50% interest
said persons, of are related to it such entities: N/A Is the Applica	owns more than a 50% in the Applicant by virtue of the Applicant by virtue of the Applicant to any other energy indicate name of the YES, indicate name of the Applicant to the Applicant to any other energy indicate name of the Applicant to the	response to the preceding Question interest in the Applicant, list all other of such persons having more than entity by reason of more than 50% related entity and relationship:	ner entities whi a 50% interest
said persons, of are related to it such entities: N/A Is the Applica ownership? If	owns more than a 50% in the Applicant by virtue of the Applicant by virtue of the Applicant related to any other extra to the same of the YES	response to the preceding Question interest in the Applicant, list all other of such persons having more than entity by reason of more than 50% related entity and relationship:	ner entities whi a 50% interest

Н.	financing in the municipality in another issuer, or in a contiguo	ed for or benefited by which this Project is us municipality? ("M	ary, affiliate or related entity or y any prior industrial development is located, whether by the Agency of funicipality" herein means city, too city or village, Nassau County.) It	or wn
	$_{ m YES}$ X		NO	
	Affiliates of the applicant develope	d 3 TOD mixed use proj	ects in the Village of Farmingdale,	
	and TOD multifamily projects in the Village of Lyr	brook and the Village of Westburg	y with the assistance of the Nassau County IDA	
I.	or any principal(s) of the Appli aware of any threatened litigati	cant or its related ent on that would have a	, affiliate or related entity orperso lities involved in any litigation or material adverse effect on the lition of said principal(s)? If YES,	
	YES		NO X	
J.	concern with which such entitie	ne Applicant or its reles, persons or princip tcy, creditors rights o	lated entities, or any other busines pal(s) have been connected, ever been receivership proceedings or sou	een
	YES		NO X	
K.	any felony or misdemeanor (of persons or principal(s) held post that has been convicted of a fel	ne Applicant or its rel her than minor traffic sitions or ownership i ony or misdemeanor bject of a pending cri	ry, affiliate or related entity or lated entities, ever been convicted offenses), or have any such relate interests in any firm or corporation (other than minor traffic offenses) minal proceeding or investigation	ed n), or
	YES		$NO_{\mathcal{A}}$	
L.	concern with which such entiti- for (or is there a pending proce- federal, state or local laws or re	ne Applicant or its reless, persons or principeding or investigation egulations with respec	lated entities, or any other busines oal(s) have been connected, been con with respect to) a civil violation	ited of

	YES		NO X	
M.	or any principal(s) of the A with which such entities, p any of the foregoing person	applicant or its related ersons or principal(s) ns or entities been del	ary, affiliate or related entite entities, or any other busing have been connected, deling inquent on any New York Sears? If YES, attach details	ess or concern quent or have state, federal
	YES		NO X	
N.	•	e board of directors a	ls (including, in the case of and, in the case of limited liate cant:	_
	Name Anthony Bartone Michael Pellerito J. Ronald Terwilliger	Title Managing Member Member Member	Other Business Affiliat	ions
		of New York State	or appointive positions with r any other governmental a	
	YES	10	NO X	
		epartment, board, or	any federal, state or local recommission thereof or any con?	
	YES		NO X	
O.	Operation at existing location:	ion(s) (Complete sepa	rate Section O for each exis	ting
	1. (a) Location: N/A			
	(b) Number of Em	ployees: Full-Time:	Part-Time:	
	(c) Annual Payroll	, excluding benefits:		
			g, wholesale, distribution, r	
		g facility real property e of land):		

	(g) Applicant's interest in the facility	y
	FEE Title: Other	(describe below):
2.	facility of the Applicant, or of a proper or a relocation of any employee of the user, occupant or tenant of the Projec (but outside of Nassau County) to a labandonment of such a plant or facility	Project result in the removal of a plant of osed user, occupant or tenant of the Project Applicant, or any employee of a proport, from one area of the State of New Yoocation in Nassau County or in the ty located in an area of the State of New YES, complete the attached Anti-Raiding
	YES	NO
3.	facility of the Applicant, or of a prop Project, or a relocation of any employ	e removal or abandonment of a plant or osed user, occupant or tenant of the propee of the Applicant, or any employee of the proposed Project, located within Nan of the plant or facility and provide
	YES	NO
Has	the Applicant considered moving to and	other state or another location within Ne
	k State? If YES, explain circumstances.	VACA COMO CA VALO NACO NACO NACO NACO NACO NACO NACO NAC
N 1 /	YES	NO
<u>N//</u>		
Does	s any one supplier or customer account a ales, respectively? If YES, attach name a omer, as applicable:	

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 suchentities, 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.
$_{ m NO}$ \times
Nature of Applicant's business (e.g., description of goods to be sold, products manufactured, assembled or processed, services rendered):
Luxury multifamily apartment developers
ANY RELATED PARTY PROPOSED TO BE A USER OF THE PROJECT: Name: NAME:
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

Types	s 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):
Туре	of Proposed Project (check all that apply and provide requested information):
	New Construction of a Facility
	Square footage: 46,334
	Addition to Existing Facility
	Square footage of existing facility:
	Square footage of addition:
	Renovation of Existing Facility
	Square footage of area renovated:
	Square footage of existing facility:
	Acquisition of Land/Building
	Acreage/square footage of land: 61 Acre
	Square footage of building: N/A
	Acquisition of Furniture/Machinery/Equipment
	List principal items or categories:
	Furniture, fixtures, and equipment for the new building
	Other (specify):
	Office (specify).
Briefl	y describe the purpose of the proposed Project, the reasons why the Project is
	sary to the Applicant and why the Agency's financial assistance is necessary, and
	fect the Project will have on the Applicant's business or operations:
See A	ttached
JCC A	ttuoriou

but fo	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)				
	$_{ m YES}$ X				
The pro	oject will not be economically viable without the assistance of the NC IDA, further, the contract to acquire the property				
is conti	ngent on receiving IDA assistance. Without assistance the applicant will have no choice but to abandon the project.				
assist Woul finance	Applicant is unable to arrange Agency financing or other Agency financial ance for the Project, what will be the impact on the Applicant and Nassau County? d the Applicant proceed with the Project without Agency financing or other Agency cial assistance? Describe.				
	tion of Project: t Address: 425 Railroad Avenue				
	Village(s): Westbury				
	North hempstead				
Schoo	ol District(s): 1-Westbury				
Tax N	Map Section: 10 Block: 229 Lot: 32				
	us Tract Number: <u>3041.00</u>				
CCIIST	Industrial/Marehouse				
Prese	nt use of the Project site: Industrial/Warehouse.				
(a)	What are the current real estate taxes on the Project site? (If amount of current taxes is not available, provide assessed value for each):				
	General: \$\)18,076.48 School: \$\)36,657.60 Village: \$\)6512.16				
(b)	Are tax certiorari proceedings currently pending with respect to the Project real property? If YES, attach details at Schedule I including copies of pleadings, decisions, etc.				

	YES	NO X
Desc	cribe proposed Project site ownership stru	cture (i.e., Applicant or other entity):
Terwi	villiger & Bartone Properties LLC will form a	new Single Purpose Entity to own the pro
	1.4 20.4 1.20.2 1.20.2	
be us	vhat purpose will the building or building sed by the Applicant? (Include description ufactured, assembled or processed and ser	of goods to be sold, products to be
The p	property will be acquired fee simple, redevelo	oed, and maintained as a multifamily comm
relate remai	by space in the Project is to be leased to or sed to the Applicant), or is currently leased ain as tenants, provide the names and contract total square footage of the Project to loosed use by each tenant:	to or occupied by third parties who wi act information for each such tenant,
N/A	_	
	Α	
 Provi	_	•
Provi and C	vide, to the extent available, the information	he preceding response.
Provi and C	vide, to the extent available, the information O, with respect to any party described in the contract of the c	he preceding response. e Premises with multi-family rental hou
Provi and C The I	vide, to the extent available, the information O, with respect to any party described in the Project calls for the redevelopment of the	he preceding response. Premises with multi-family rental hou no tenants have been identif
Provi and C The I	vide, to the extent available, the information O, with respect to any party described in the Project calls for the redevelopment of the of the date of this application,	he preceding response. Premises with multi-family rental hou no tenants have been identif
Provi and C The I As C	vide, to the extent available, the information O, with respect to any party described in the Project calls for the redevelopment of the of the date of this application, as the proposed Project meet zoning/land unyes X	he preceding response. Premises with multi-family rental hou no tenants have been identifies requirements at proposed location? NO
Provi and C The I As C	vide, to the extent available, the information O, with respect to any party described in the Project calls for the redevelopment of the of the date of this application, as the proposed Project meet zoning/land upon the control of the date of the proposed Project meet zoning/land upon the control of the date of this application, as the proposed Project meet zoning/land upon the control of the control of the date of this application, as the proposed Project meet zoning/land upon the control of the	he preceding response. Premises with multi-family rental hou no tenants have been identifies requirements at proposed location? NO ed use TOD zoning
Provi and C The I As C Does	vide, to the extent available, the information O, with respect to any party described in the Project calls for the redevelopment of the of the date of this application, as the proposed Project meet zoning/land uses. Nescribe present zoning/land uses. Mix Describe required zoning/land use, if of the date of this application.	he preceding response. Premises with multi-family rental hou no tenants have been identifies requirements at proposed location? NO ed use TOD zoning lifferent: N/A red, please provide details/status of any

N.		licant, or any related entity or person, currently hold a lease or license on e? If YES, please provide details and a copy of the lease/license.
		YESNO_X
Ο.	Does the App the Project sit	
		YESNO X
	If YES, indicate	ate:
	(a)	Date of purchase:
	(b)	Purchase price: \$
	(c)	Balance of existing mortgage, if any: \$
	(d)	Name of mortgage holder:
	(e)	Special conditions:
	If NO, indicar	e name of present owner of Project site: 425 Railroad Ave, LLC
P.		licant or any related person or entity have an option or a contract to Project site and/or any buildings on the Project site?
		YES NO
	If YES, attack	copy of contract or option at Schedule I and indicate:
	(a)	Date signed:
	(b)	Purchase price: \$
	(c)	Closing date:
		tionship legally or by virtue of common control or ownership between the d/or its principals) and the seller of the Project (and/or its principals)? ibe:
		YESNO \overline{X}

activities?	If YES with re	y visit the Proj espect to either naire (Schedule	economic act			g economic ow, complete the
Sales of Go	oods: YES	NOX	Sales of	Services:	YES	NO X
or will be l	ocated and the	e impact of the	proposed Proj	ect on the	e commur	e Project site is nity (including ment-provided
See att	ached					
Identify the	e following Pr	oject parties (if	f applicable):			
Architect:	GRCH Archif	tecture, Glen	Cherveny			
Engineer: F	R&M Engineerin	g, Matt Aylward	P.E.			
Contractor	S: Bartone & Pe	ellerito Construction	n Services LLC,			
		ED green build	ding rating tha	-	achieved)	ding Standards?
Building	*	─ vith energy				
Bananig	TTIII DO IIC V	man onlongy	01110101111 04	anpitito.		
		ite located on a		(if YES,	provide d	escription of
	YES	_	1	40 X	e	
9						
						le a service that is site is located?
	$_{ m YES}$ X	<u>=</u>	1	NO	y.	
		new housing op			orce housi	ng, in place of ar

6. Architectural/Engineering Fees \$568,300 7. Applicant's Legal Fees \$250,000 8. Financial Fees \$230,000 9. Other Professional Fees \$350,000 10. Furniture, Equipment & Machinery \$280,000 Acquisition (not included in 3. above) 11. Other Soft Costs (describe) \$TBD		otherwise)? If yes, explain.	
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imated Sources of Funds for Project Costs: Tax-Exempt IDA Bonds: Taxable IDA Bonds: Conventional Mortgage Loans: SBA or other Governmental Financing: Identify:		` '	\$ 500,000 (insurances)
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Conventional Mortgage Loans: \$14,852,880 SBA or other Governmental Financing: \$0 Identify:			
SBA or other Governmental Financing: \$0			T
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onici i dollo obditoto (c.g., gidilio, tax olodio).			\$ 0
Identify:			Ψ

f. g.	Other Loans: Equity Investmen (excluding equity	nt: attributable to grants/	\$ \$ tax credits)	0
		TOTAL	\$_)
		otal project costs are blic sector sources:	%	
purch		osts been paid or incurred attention of this application		
	YES	= ;	NO X	-
	ded in the proposed	pital, moving expenses uses of the bond proce		
actur	15.			
-	YES	NO	N	OT APPLICABLE X
Willappli	YESany of the funds to be cable, be used to rep	be borrowed through thoay or refinance an exi	ne Agency's is sting mortgage	suance of bonds, if e, outstanding loan or an
Willappli	YESany of the funds to be cable, be used to rep	be borrowed through thoay or refinance an exi	ne Agency's is sting mortgage	suance of bonds, if
Willappli	any of the funds to be cable, be used to repanding bond issue?	be borrowed through thoay or refinance an exi	ne Agency's is sting mortgage	suance of bonds, if e, outstanding loan or an
Will applic outsta	any of the funds to be cable, be used to repanding bond issue? If YES	be borrowed through the bay or refinance an exilif YES, provide details NOany arrangement for the third party financing (in a provide party) and provide the borrowed of the borrowed o	ne Agency's is sting mortgages: NOT API ne marketing of applicable)?	suance of bonds, if e, outstanding loan or an PLICABLE X

G.	Construction Cost Breakdown: Total Cost of Construction: \$\\$11,167,800	(sum of 2-5 and 10 in Question A above)
	Cost for materials: \$5,500,000	(
	% Sourced in County:70	%
	% Sourced in State: 95	% (incl. County)
	Cost for labor: \$5,500,000	
	% Sourced in County:70	%
	% Sourced in State: 95	% (incl. County)
	Cost for "other": \$ 167,800	
	% Sourced in County: 65	%
	% Sourced in County: 95	% (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:	\$0	\$85,000	\$150,000	\$150,000
Part-time: 1				

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:

Category of Jobs	Average Salary or Range	Average Fringe Benefits or
to be Retained:	of Salary:	Range of Fringe Benefits
Management		
Professional		
Administrative		
Production		
Supervisor		
Laborer		

 $[\]frac{1}{2}$ 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).

Independent Contractor ²	
Other	

Category of Jobs	Average Salary or Range	Average Fringe Benefits or
to be Created:	of Salary:	Range of Fringe Benefits
Management	\$85,000	\$40,000
Professional	\$45,000	\$10,000
Administrative		
Production		
Supervisor		
Laborer		
Independent		
Contractor ³		
Other		

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:

48	
----	--

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

 $[\]frac{3}{2}$ As used in this chart, this category includes employees of independent contractors.

		\$ <u>N/A</u>	
What perce	entage of the foregoin	ng amount is subject to New Y	ork sales and use tax?
		N/A %	
(including	production, sales or stomers outside the	ant's total dollar amount of pro services rendered following co economic development region	mpletion of the Project)
		5%	
			-
the Applica	ant for each year afte	e annual amount of goods and s	d what portion will be
the Applica	ant for each year afte om businesses located	r completion of the Project and in the County and the State (I what portion will be including the County):
the Applica sourced fro	ant for each year afte	r completion of the Project and	d what portion will be
the Applica sourced fro Year 1 Year 2	Amount \$150,000 \$153,000	r completion of the Project and d in the County and the State (some sourced in County and the State) 70% 70%	what portion will be including the County):
the Applica sourced fro Year 1	ant for each year after om businesses located Amount \$150,000	r completion of the Project and in the County and the State (3	d what portion will be including the County):
the Applica sourced from Year 1 Year 2 Year 3 Describe, i including a	Amount \$\frac{150,000}{\$153,000}\$ \$\frac{156,060}{\$150,000}\$ \$\frac{150,000}{\$156,060}\$ If applicable, other beauty or projected annual estimates a projected an	r completion of the Project and d in the County and the State (some sourced in County and the State) 70% 70%	what portion will be including the County):
Year 1 Year 2 Year 3 Describe, i including a and indirect	Amount \$150,000 \$156,060 f applicable, other be projected annual estatly, as a result of uncertainty.	r completion of the Project and in the County and the State (in the County and in County 70% 70% 70% 20% 20% 20% 20% 20% 20% 20% 20% 20% 2	what portion will be including the County):
Year 1 Year 2 Year 3 Describe, i including a and indirect	Amount \$150,000 \$153,000 \$156,060 f applicable, other be projected annual estably, as a result of unconew workforce housing	r completion of the Project and in the County and the State (1) % Sourced in County 70% 70% 70% enefits to the County anticipate timate of additional sales tax redertaking the project:	what portion will be including the County):
Year 1 Year 2 Year 3 Describe, i including a and indirect	Amount \$150,000 \$153,000 \$156,060 f applicable, other be a projected annual estatly, as a result of understanding and workforce housing eation; sales tax generation for the same application of the same workforce housing eation; sales tax generation for the same application of the same and the same are sales tax generation of the sales tax generation of ta	r completion of the Project and in the County and the State (1) % Sourced in County 70% 70% 70% enefits to the County anticipate timate of additional sales tax redertaking the project: g units in a downtown TOD setting	what portion will be including the County): Sourced in St 95% 95% 95% ed as a result of the Proevenue generated, directly and the county of the proevenue generated.

_{\$} 1	1	1	,397	
				_

Estimated Value of Mortgage Tax Benefit: (i.e., principal amount of mortgage loans loans multiplied by [0.75%])

Estimated Property Tax Benefit:

Will the proposed Project utilize a property tax N_0 exemption benefit other than from the Agency: (if so, please describe)

Term of PILOT Requested: 20

Existing Property Taxes on Land and Building: \$

Estimated Property Taxes on completed Project: \$_______ (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.

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

Permit fees

PART V. PROJECT SCHEDULE

- If applicable, has construction/reconstruction/renovation work on the Project begun? If A. YES, indicate the percentage of completion:
 - 1. (a) Site clearance
- YES ___ NO X
- U__% complete

- (b) Environmental Remediation
- YES____NOX
- 0 % complete

- (c) Foundation

- $_{\text{YES}} \underline{\hspace{1cm}} \text{NO} \underline{\hspace{1cm}} \underline{\hspace{1cm}} \underline{\hspace{1cm}} \underline{\hspace{1cm}} \underline{\hspace{1cm}} \underline{\hspace{1cm}} \underline{\hspace{1cm}} \text{\mathbb{Z} complete}$
- (d) Footings

- YES ___ NO X = 0_% complete

	(e) Steel	YES	NOX	0	_% complete
	(f) Masonry	YES	V	0	_% complete
	(g) Interior		NO X	0	_% complete
	(h) Other (describe below):	YES	NO	0	_% complete
2. Q	If NO to all of the above cate of construction, reconstruction Project?	_			
Pro	vide an estimate of time schedule ject is expected to occur:	-			
In	itial occupancy 24	mont	ns after co	mm	encement
	PART VI. ENV	RONME	NTAL IMPACT		
	at is the expected environmental vironmental Assessment Form (S			nplete th	e attached
	e project is not expected to h			cts, se	e attached EAF
-					
	n environmental impact statements		•		
	YES		NO X		
Appand and Env	ase be advised that the Agency molicant the preparation and delived scope satisfactory to the Agency vironmental Assessment Form. It pared in connection with the Pro	ery to the A y, dependir f an environ	agency of an envi ng on the response nmental report ha	ronmentes set fo	tal report in form
The Pro	e Applicant authorizes the Agenc	y to make	inquiry of the Un	ited Stat	tes Environmental

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: Terwillight & Bartone Properties LLC

Signature:

Name:

Anthony Bartone
Managing Partner

Title: Date:

11/4/21

Sworn to before me this $\frac{4^t}{100}$ day of N_0V . , 2024

Danko

ry Public

DANIELLE ROMANO

NOTARY PUBLIC-STATE OF NEW YORK

No. 01R06380453

Qualified in Nassau County

My Commission Expires 09-04-2022

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, th
provisions of Section 859-a and Section 862(1) thereof.

EIGHTH:

	Project propose the creation of housing?		
YE	$_{ m S}$ NO NO		
If Y	SXNO		
If Y	ES, the Applicant hereby certifies that:		
(a) the	the Applicant has adopted a Fair Housing/Equal Housing Opportunity Policy substantially in form of Exhibit B to this Application;		
incl	the proposed Project complies with applicable fair housing laws and that eligibility criteria for using in any part of the Project will not include any residency requirements or preferences, adding durational ones, age restrictions (unless for senior housing permitted by law), or other criminatory criteria;		
sub Age	(c) the Applicant (1) has posted its Fair Housing/Equal Housing Opportunity Policy publicly; a (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		
pro at n reas	key employees of the Applicant in charge of marketing and rental of the Project have appleted (or will complete within one year of closing) four (4) hours of fair housing training vided by Long Island Housing Services ("LIHS") at a reasonably acceptable time and location and o additional cost to the Applicant. In the event LIHS declines to provide or make available sonably acceptable no-cost fair housing training, the provisions of this Certification VIII(i)(d) shall see to be of any force and effect.		
	YES to (i) above, does the Project propose the creation of "affordable" or "workforce" housing e Housing")?		
YE	$_{\rm S}$ $_{\rm NO}$ $_{\rm NO}$		
affi	YES, the Applicant hereby certifies that the Applicant (1) has adopted a non-discriminatory rmative marketing plan that meets the criteria set forth in <u>Exhibit D</u> to this Application; and (2) I submit such marketing plan to the Agency in writing prior to closing.		
If Y	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?
	80-120% of AMI
(c)	Cite the specific source of such eligibility requirements (e.g., federal, state or local law).
	Local
Name of Applicant: Terv	ginger & Bartone Properties LLC

Name: Anthony Bartone
Title: Managing Partner

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, transaction/bond counsel, economic development consultant, real property tax valuation consultant and other attorneys, experts and consultants (if deemed necessary or advisable by the Agency), and (ii) all other expenses (including attorneys' fees) 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, transaction/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) Straight-Lease Transactions 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
- (D) General Counsel Fee One-tenth (1/10) of one percent (1%) of total project costs, with a minimum fee of \$4,000.
- (E) 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.
- (F) 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, but in accordance with the following schedule.
 - A basic Consent \$750
 - A Transfer of Benefits
 - Basic \$3,000
 - Complex \$6,000
 - Extensions \$1,000
- (H) Terminations The Agency fee shall be determined on a case-by-case basis, but in accordance with the following schedule.
 - Basic \$2,000
 - Complex \$2,500

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

The Agency's transaction/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.

Guided by the above stated schedule amounts, 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/transaction 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.

Subscribed and affirmed to me this 440 day of Nov., 2024

Notary Public

DANIELLE ROMANO
NOTARY PUBLIC-STATE OF NEW YORK
No. 01R06380453
Qualified in Nassau County
My Commission Expires 09-04-2022

Anthony Bartone Managing Partner

TABLE OF SCHEDULES:

Schedule	Title	Complete as Indicated Below	
A.	Tax-Exempt Bond Manufacturing Questionnaire	If Applicant checked "YES" in Part I, Question H of Application, if applicable[[
В.	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	
Е.	Retail Questionnaire	If Applicant checked "YES" in Part II, Question Q of Application	
F.	Applicant's Financial Attachments, consisting of:	All applicants	
	 Applicant's financial statements for the last two fiscal years (unless included in Applicant's annual reports). Applicant's annual reports (or Form 10-K's) for the two most recent fiscal years. Applicant's quarterly reports (Form 10-Q's) and current reports (Form 8-K's) since th most recent Annual Report, if any. In addition, attach the financial information described above in items F1, F2, and F3 o any anticipated Guarantor of the proposed transaction, if different than the Applicant, including the personal financial statement of any anticipated Guarantor that is a natura person. 		
G.	Environmental Assessment Form	All applicants	
H.	Form NYS-45 (and 45-ATT)	All applicants	
I.	Other Attachments	As required	

Not Applicable

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 squarefootage) (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. **FUNCTION** LOCATION SQ. FOOTAGE **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.). **FUNCTION** LOCATION SQ. FOOTAGE

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:

	SQ. 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.		
	GNED HEREBY CERTIFIES that ed hereto are true and correct.	the answers and informa	tion provided above and in any
		Name of Applicant:	Terwilliger & Bartone Properties LLC
		Signature: Name: Title:	Anthony Bartone Managing Partner

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:

Signature:
Name:
Title:
Date:

Managing, Partner

Managing, Partner

Managing, Partner

Managing, Partner

GUIDELINES FOR ACCESS TO EMPLOYMENT OPPORTUNITIES

INITIAL EMPLOYMENT PLAN

Terwilliger & Bartone Properties LLC

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:

141 Merritts Rd, 2nd Floor, Farmingdale, NY 11735 Address: Real Estate Development Type of Business: **Anthony Bartone** 516-249-2022 Tel. No.: Contact Person: Please complete the following table describing the projected full-time equivalent employment plan for the proposed Project following receipt of financial assistance: Estimate of Number of Estimated Number of Full Time Equivalent Residents of the LMA⁵ Jobs After Completion that would fill such jobs of the Project:4 by the third year Current and Present Jobs Planned Occupations Per Occupation 1 year 2 years 3 years 1 Management Professional Administrative Production 0 Supervisor Laborer 0 0 Independent Contractor 0 0 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 anticipal acquisition, construction and/or renovation of the Project: 48			
Please indicate the estimated hiring dates for the new jobs shown above and any special recruitment or training that will be required:			
Q4 2021, OSHA training required			
Are the Applicant's employees currently covered by a collective ba	argaining agreement?		
YES	NO X		
IF YES, Union Name and Local:			

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 <u>Schedule H</u> 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 and 45-ATT). 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:

Signature:
Name:
Title:
Date:

Terwilliger & Bartone Properties LLC

Managing Partner

Managing Partner

Managing Partner

ANTI-RAIDING QUESTIONNAIRE

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

A.	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 pro	vide the following information:	
Addr	ess of the to-be-removed plant or facility	or the plants or facilities from which employees are relocated:	
Name	es of all current users, occupants or tenant	s of the to-be-removed plant or facility:	
В.	facilities of the Applicant, or of a located in an area of the State of I	t result in the abandonment of one or more plants or proposed user, occupant or tenant of the Project, New York other than in Nassau County?	
	YES	NO E	
If the	answer to Question B is YES, please pro	vide the following information:	
Addr		zilities:	
Name	es of all current occupants of the to-be-ab	andoned 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 a	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 _	
Е.	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:	Terwilliger & Bartone Properties LLC
		Signature: Name:	Anthony Bartone
		Title: Date:	Managing/Partner

RETAIL OUESTIONNAIRE

(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 other than Agency financing) consist of facilities or property that are or will be primarily us making retail sales to customers who personally visit the Project?			ty that are or will be primarily used in	
		YES		NO	
Tax La	w of the by (as defi	State of New York (the "Tax	Law") primarily enga	by a registered vendor under Article 28 of ged in the retail sale of tangible personal sales of a service to customers who	
В.	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 we not, but for the Project, be reasonably accessible to the residents of the city, town or villa within which the Project will be located, because of a lack of reasonably accessible retained 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	

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: Terwilliger & Bartone Properties LLC			
		Signature:			
		Name: Anthony Bartone			
		Title: Managing Partner Date: Managing Partner			
		1 -11/14			

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

Schedule F

APPLICANT'S FINANCIAL ATTACHMENTS

Schedule G

ENVIRONMENTAL ASSESSMENT FORM

FORM NYS-45

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

Schedule I

OTHER ATTACHMENTS

Nassau County Industrial Development Agency Application of Terwilliger & Bartone Properties LLC

Part II:

- C. The Village of Westbury has undergone a multi-year process which culminated with the rezoning of properties around the downtown and train station. State grant funds were secured by the Village for this and other initiatives. One of the primary goals of the Village is to encourage redevelopment in this zoning district with new multifamily projects. This application is for a property 770' from the train station and it will replace an old, blighted, underutilized warehouse property with a new vibrant luxury 59-unit multifamily building. Without the assistance of the NC IDA the project will not be economically viable, and Terwilliger & Bartone Properties will have no choice but to exercise its contractual option to terminate the project. In the event the applicant exercises its option to terminate the project, the property will remain as a blighted underutilized warehouse and office.
- E. Without assistance from the NC IDA the project will not be economically feasible due to unpredictable real estate taxes and high construction costs. As a result, the property will not be re-developed, the tax base will not increase over time, no new work force housing units will be created, and it will have a negative impact on the Village's redevelopment goals.
- R. Social and economic impacts on the community: The project will create a new, vibrant, well lit and staffed building in place of a blighted warehouse and office. Truck and tractor-trailer traffic from the warehouse and occupying business will be eliminated. It will introduce new residents into the community and provide a much needed housing option plus create new work force housing units. New discretionary spending being infused by the creation of 59 new housing units is forecasted to be approximately \$2.13M which will help bolster the downtown. The project scores a 75 on the Walkscore.com scale being classified as "very walkable" which will encourage mass transit use and downtown foot traffic.

Infrastructure: Availability letters have been provided by PSEG, National Grid, NC Sewer District, and Westbury Water District. Further, the Village underwent a multi-year study to verify the new zoning laws and area re-development would not strain the local infrastructure. The site has private trash removal which creates zero impact on public sanitation.

Transportation: The project is 770' from the Westbury train station in addition to numerous bus lines which will encourage residents to use mass transit and as such reduce auto dependency thereby easing traffic concerns.

Fire: The building will be constructed by today's standards with fire separations and a NFPA type 13 fire sprinkler system all certified by the NC Fire Marshal. The elevator will be a 3500 lb stretcher rated elevator and the building has good fire department access from Railroad Ave.

Police: The building will be a secure resident access only building with CCTV and onsite staff.

EXHIBIT A

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

EXHIBIT B

Fair Housing/Equal Housing Opportunity Policy to be adopted by Agency Applicants for Housing Projects

As part of our continuing effort to ensure compliance with federal, state, and local anti-discrimination laws, we would like to take this opportunity to remind you of our policies regarding equal housing opportunity. It is important for all employees to review his or her own actions in light of these requirements and for everyone to keep in mind the importance of treating all persons equally.

It is the policy and practice of this company not to engage in or assist the efforts of others to engage in housing discrimination. Consistent with that policy, we remind you that the antidiscrimination laws of the United States, New York State, and local laws are quite specific in the area of housing, and in conformance with those laws, you must not engage in any of the following conduct during the course of your work for this company:

- Refuse to show, rent, sell, negotiate for the rental or sale of, or otherwise make unavailable or deny, housing to any person because of race, color, religion, creed, sex/gender, familial status (having or expecting a child under 18), national origin, ethnicity, disability, marital status, age, sexual orientation, military status, source of income or status as survivor of domestic violence (each a "prohibited basis");
- 2. Discriminate against any person in the terms, conditions or privileges of a rental or sale or in the provision of services or facilities in connection therewith because of a prohibited basis;
- 3. Make any verbal or written statement with respect to the rental or sale of housing that indicates any preference, limitation or discrimination concerning a prohibited basis, or any statement indicating an intention to make any such preference, limitation or discrimination;
- 4. Represent to any person because of a prohibited basis that any housing or unit is not available for inspection, rental or sale when such apartment is in fact so available;
- 5. Steer persons into or away from certain areas of a building, development or neighborhood because of a prohibited basis;
- 6. Refuse to provide a reasonable accommodation in rules, policies, practices or services fortenants, buyers, or applicants with disabilities; and
- 7. Refuse to allow a reasonable modification to individual units or common areas for tenants, buyers, or applicants with disabilities.

We are firmly committed to the goal of fair housing. You should understand that any violation of this Fair Housing/Equal Housing Opportunity Policy will lead to discipline, up to and including discharge.

EXHIBIT C

Sample Fair Housing Posters

U. S. Department of Housing and Urban Development



ED 230



We Do Business in Accordance With the Federal Fair Housing Law

(The Pair Housing Amendments Act of 1988)

It is illegal to Discriminate Against Any Person Because of Race, Color, Religion, Sex, Handicap, Familial Status, or National Origin

- In the sale or rental of housing or residential lots
- In advertising the sale or rental of housing
- In the financing of housing
- In the provision of real estate brokerage services
- In the appraisal of housing
- Blockbusting is also illegal

Anyone who feels he or also link hom discriminated against may flice complaint of homelagelizationalism;

1-800-669-9777 (Tall Pree) 1-800-927-9275 (TTY) www.hud.gov/6úrhousing U.S. Department of Housing and Urban Development Assistant Secretary for Pair Housing and Equal Opportunity Washington, D.C. 20410

Previous schiffens per obselets

Harri (1010-928, 1 46/2011)

HOUSING DISCRIMINATION IS SOMETIMES BLATANT, SOMETIMES , BUT ALWAYS UNLAWFUL.

Do you suspect you have been discriminated against because of your age, race, disability, familian status, or because you are a member of differ protected classes? If you witness or expedience discrimination, contact the New York State Division of Human Rights at 1-888-397-3644 or WWW.DHR.NY.GOV.

EXHIBIT D

Requirements for Affirmative Marketing Plans for Housing Projects

Affirmative marketing plans submitted by the Applicant shall be required only for affordable or "workforce" units and shall contain the following information:

- 1. Street address, village, town, zip code, and census tract number for the Project;
- 2. Number of affordable units to be marketed and whether they will be available for rentor purchase;
- 3. The number, if any, and location of market rate units included in the Project;
- 4. Whether the housing will be "housing for older persons", defined as at least 80% occupancy of units with at least one person 55 or older or 100% occupancy of persons age 62 or older;
- 5. A description of how units will be advertised for sale or rental prior to first occupancy, including whether Applicant will utilize its own website, commercial websites, print media outlets, social media outlets such as Facebook, a sign at the project site, mailings, leaflets/flyers, brochures, and other forms of advertising;
- 6. A statement that the Applicant will use fair housing logo or phrase "Equal Housing Opportunity" on all advertising described above;
- 7. A statement that the Applicant will distribute written information regarding the availability of affordable units at the project to a list of organizations provided to the Applicant by the Agency, which list may be updated annually;
- 8. Whether the Applicant will conduct the marketing and initial rent-up or sales itself or contract with a third-party;
- 9. A statement that an initial application period with a specific start and end date will be utilized for accepting applications for consideration for the initial rental of the units and that the period will last for at least thirty (30) days after the marketing described in this plan is commenced. In addition, a statement that following the initial application period, all the applications submitted during the initial application period will be considered through the use of a lottery and not on a first-come first-served basis, unless the number of applications received during the initial application period is less than the total number of units available for rental.
- 10. A statement that the Applicant will maintain records of the activities it undertakes to implement its marketing plan.