Application to
Troy Industrial Development Authority (TIDA)
For
Tax Exempt Bond Financing
and/or
Straight-Lease Transaction
and
Fee Schedule

Please contact the Authority for more information regarding project eligibility and application process.

FORM ADOPTED
MAY 20, 2016

FEE SCHEDULE
MODIFIED
JUNE 4, 2021

Type3/2

Troy Industrial Development Authority (TIDA)

433 River Street, Suite 5001, Troy New York 12180

AUTHORITY ADMINISTRATIVE FEE SCHEDULE

Taxable and Tax Exempt Industrial Development Revenue Bonds

Application Fee:	A non-refundable fee of $5,000.00 and a $500.00 processing fee are payable to the TIDA at the time the application is submitted. The $5,000.00 fee will be credited towards the total fee at closing.
Fee:	First $10,000,000: .75% of the principal amount of the bond series. Over $10,000,000: .5% of the bond series Annual (post-closing) administrative fee of $1,500.00

Straight Lease Transactions (including PILOT Agreement)

Application Fee:	A non-refundable fee of $5,000.00 and a $500.00 processing fee are payable to the TIDA at the time the application is submitted. The $5,000.00 fee will be credited towards the total fee at closing.
Fee:	.75% of total Project Cost Annual administrative fee of $500.00

Sales Tax and/or Mortgage Recording Tax only Transactions (No PILOT Agreement)

Application Fee:	A non-refundable fee of $2,500.00 and a $500.00 processing fee are payable to the TIDA at the time the application is submitted. The $2,500.00 fee will be credited towards the total fee at closing.
Fee:	Minimum $4,500.00 or 10% estimated exemption amount, whichever is greater Annual administrative fee of $500.00

INSTRUCTIONS

1. The Authority will not approve any applications unless, in the judgment of the Authority, said application contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.

2. Fill in all blanks, using "none" or "not applicable" or "N/A" where the question is not appropriate to the project which is the subject of this application (the "Project").

3. If an estimate is given as the answer to a question, put "(est)" after the figure or answer, which is estimated.

4. If more space is needed to answer any specific question, attach a separate sheet.

5. When completed, return this application to the Authority at the address indicated on the first page of this application.

6. The Authority will not accept this application as complete until the Authority receives (i) a completed environmental assessment form concerning the Project; (ii) the Applicant has met with Authority representatives and has received the Authority's review and completed **Project Summary and Financial Assistance Cost Benefit Analysis (See, last 2 pages of this Application)**; and payment of all required fees and escrows, as applicable.

7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Authority (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant's competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of Public Officers Law.

8. The applicant will be required to pay to the Authority all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Authority's bonds issued to finance the project. The applicant will also be expected to pay all costs incurred by general counsel and bond counsel to the Authority. The costs incurred by the Authority, including the Authority's general counsel and bond counsel, may be considered a part of the project and included as a part of the resultant bond issue.

9. The Authority has established a combined application fee of $5,500.00 ($5,000 + $500) to cover the anticipated costs of the Authority and counsel in processing this application. A check or money order made payable to the Authority must accompany each application. THIS APPLICATION WILL NOT BE ACCEPTED BY THE AUTHORITY UNLESS ACCOMPANIED BY THE APPLICATION FEE.

10. The Authority has established a project fee for each project in which the Authority participates. **UNLESS THE AUTHORITY AGREES IN WRITING TO THE CONTRARY, THIS PROJECT FEE IS REQUIRED TO BE PAID BY THE APPLICANT AT OR PRIOR TO THE GRANTING OF ANY FINANCIAL ASSISTANCE BY THE AUTHORITY**.

This application should be submitted to the Troy Industrial Development Authority, 433 River Street, Suite 5001, Troy NY 12180 (Attn: Chief Executive Officer).

PLEASE NOTE: APPLICANTS SEEKING FINANCIAL ASSISTANCE IN THE FORM OF SALES AND USE TAX EXEMPTIONS AFTER MARCH 28, 2013 SHALL BE SUBJECT TO THE ENHANCED REPORTING, COMPLIANCE AND RECAPTURE REQUIREMENTS SET FORTH WITHIN SECTION 875 OF THE GENERAL MUNICIPAL LAW OF THE STATE OF NEW YORK ("GML"). IN ADDITION, APPLICANTS SEEKING ANY FINANCIAL ASSISTANCE ON OR AFTER JUNE 1, 2016 SHALL BE SUBJECT TO THE PROVISIONS CONTAINED WITHIN GML Section 859-a (4)-(6). APPLICANTS SHOULD CONSULT WITH COUNSEL AND ACCOUNTANT PROFESSIONALS TO UNDERSTAND THESE NEW REQUIREMENTS.

Troy Industrial Development Authority (TIDA)

Application for Tax Exempt Bond Financing and/or Straight-Lease Transaction

I. APPLICANT INFORMATION

Company Name: Hendrick Hudson Building, LLC

Address: 18 Division Street, Suite 401, Saratoga Springs, NY 12866

Phone No.: 518 992-4406 ex 401

Fax No.:

Federal Tax ID: 81-1251822

Contact Person: Amber Mathias, Director of Project Development

E-Mail: Amber@bonaciodev.com

Date: September 27, 2024

a. Form of Entity:

____ Corporation

____ Partnership (General ___or Limited ___; Number of General Partners ___ and, if applicable, Number of Limited Partners ___, List Partners in section below.

X Limited Liability Company, Number of Members 2

____ Sole Proprietorship

Please also indicate whether the Company will utilize any affiliates and/or real estate holding companies to undertake the proposed project. If so, please provide names and details for all such entities.

b. Principal Owners/Officers/Directors: (List owners with 5% or more in equity holdings with percentage of ownership)

Name	Address	Percentage Ownership/Office
Hampstead America LLC	18 Division Street, Suite 401, Saratoga Springs	89%
Alfio Bonacio	18 Division Street, Suite 401, Saratoga Springs	11%

(Use attachments if necessary)

c. If a corporation, partnership, limited liability company:

What is the date of establishment? 12/4/2015 Place of organization Saratoga County NY

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

(Attach organizational chart or other description if applicant is a subsidiary or otherwise affiliated with another entity)

d. Attach certified financial statements for the company's last three complete fiscal years. If the company is publicly held, attach the latest Form 10K as well.

II. APPLICANT'S COUNSEL

Name/Firm:	Andrew Brick, Esq., Brick Law Firm, PC
Address:	2 Computer Drive West, Ste 100
	Albany, NY 12205
Phone No.:	518-489-9423
Fax No.:	518-489-9428
E-Mail:	Andy@Brickfirm.com

III. PROJECT INFORMATION:

a. Please provide a brief narrative description of the Project (attach additional sheets or documentation as necessary).

Hendrick Hudson Building is a mixed use commercial/residential building. Currently the building includes 4 commercial tenancies on the first floor. The second floor was converted to residential tenancies in 2022. The residential use of the property is currently comprised of 27 units located on the 2nd, 3rd, and 4th floors. The 5th, 6th, and 7th floors have remained commercial office use. In August of 2023 the 5th and 6th floors lost their commercial tenant and since that time approximately 23,064 SF of leasable space has remained vacant. We are seeking an amendment to our current PILOT, or a new PILOT, to reflect the the current use of the property as well as our proposed plan to convert the 5th, 6th, and 7th floors to residential use, adding 27 additional residential units for a total of 54 in the building.

b. Location of Project (all information mandatory – attach current tax bills with proof of current payment)

Project Address:	200 Broadway
City:	Troy, NY
Name of School District:	Troy City Schools
Tax Map No.:	101.53-3-1.1

Describe Existing Improvements, if any:

1st Floor is commercial/retail uses; 2nd, 3rd and 4th floors are apartments. 5th, 6th and 7th floors are vacant commercial.

c. Are Utilities on Site? Water: yes Electric: yes Gas: yes Sanitary/Storm Sewer: yes Telecom: yes

d. Identify Present legal owner and all tenants of the site if other than Applicant and by what means will the site be acquired for this Project (please include details regarding purchase and sale agreement, if applicable, including all contingencies):

Applicant is property owner. Project will not effect any existing tenants.

e. Zoning of Project Site:

Current: DMU/DT II Proposed: Same

f. Are any zoning approvals needed? Identify: Site Plan Approval obtained September 24, 2024

g. Local Permitting and Approvals – Does the project require local planning or permitting approvals? If so, please explain. Site Plan Approval -Troy PB Will a site plan application to be filed? Yes If so, please include copy if prepared.

h. Has another entity been designated lead agent under the State Environmental Quality Review Act ("SEQRA")? Yes ; If yes, please explain:

Troy Planning Board as SEQRA lead agency determined Site Plan Approval was a Type II SEQRA Action requiring no further review on July 17, 2024.

i. Will the Project result in the removal of a plant or facility of the Applicant or a proposed Project occupant from one area of the State of New York to another area of the State of New York? No. ; If yes, please explain:

j. Will the Project result in the abandonment of one or more plants or facilities of the Applicant or a proposed Project occupant located in the State of New York? No ; If yes, explain:

____

k. If the answer to either question i. or j. is yes, **you are required to** indicate whether any of the following apply to the Project:

1. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes_____; No______. If yes, please provide detail:

____

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

____

NOTES: If you answer "yes" to questions i. or j., above, and fail to provide a detailed response within question k.(1) or k.(2), above, then the Authority will be barred from providing any financial assistance.

THE AUTHORITY IS REQUIRED TO NOTIFY THE CHIEF EXECUTIVE OFFICER OF THE MUNICIPALITY FROM WHICH YOUR FACILITY IS BEING RELOCATED OR ABANDONED. THIS NOTIFICATION WILL BE SENT PRIOR TO THE AUTHORITY'S CONDUCT OF REQUIRED PUBLIC HEARINGS(S).

CERTIFICATION: Based upon the answers provided within i. j., k(1), and k(2), above, the Company hereby certifies to the Authority that the undertaking of the proposed project and provision of financial assistance to the Company by the Authority will not violate GML Section 862(1).

l. Does the Project include facilities or property that are primarily used in making retail sales of goods **or provide** services to customers who personally visit such facilities? yes; If yes, please explain:

The 1st floor of the building currently has 4 commercial tenants. Bootleggers on Broadway - 5,112 SF, Engine 7 Design Inc - 470 SF, Shmaltz Brewing Company LLC - 1,960 SF, amd Tenda Asian Fusion Inc - 2,300 SF.

m. If the answer to l. is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods **or** any services to customers who personally visit the Project? 0 %

n. If more than 33.33%, indicate whether any of the following apply to the Project:

1. Will the Project be operated by a not-for-profit corporation? Yes ___; No____. If yes, please explain:

____

2. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located? Yes______; No ______. If yes, please explain:

____

3. Would the Project occupant, but for the contemplated financial assistance from the Authority, locate the Project and related jobs outside of New York State? Yes _____; No _____. If yes, please explain:

____

4. 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 within which the Project will be located because of a lack of reasonably accessible retail trade facilities offering such goods or services? Yes____; No____. If yes, please explain:

____

5. Will the Project be located in one of the following: (i) an area designed as an Empire Zone pursuant to Article 18-B of the General Municipal Law; or (ii) a census tract or block numbering area (or census tract or block number area contiguous thereto) which, according to the most recent census data, has (x) a poverty rate of at least 20% for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes______; No_______. If yes, please explain:

____

o. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes_X_; No ____. If yes, please complete the following for EACH existing or proposed tenant or subtenant:

Sub lessee name: See attached separate page titled Commercial Tenant Roster

Present Address:____

City:___________________________ State:_______________ Zip:_______________

Employer's ID No.:____

Sub lessee is a: ______________________________ (Corporation, LLC, Partnership, Sole Proprietorship)

Relationship to Company:____

Percentage of Project to be leased or subleased:_____________________

Use of Project intended by Sub lessee:____

Date and Term of lease or sublease to Sub lessee: ____

Will any portion of the space leased by this sub lessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes____; No____. If yes, please provide on a separate attachment (a) details and (b) the answers to questions l. 1-5 with respect to such sub lessee.

p. Project Costs (Estimates):

Category	Amount
Land-acquisition	0
Buildings-Construction/Renovation (No FF&E)	5,689,325
Utilities, roads and appurtenant costs	207,000 (Development and Municipal Fees)
Machinery and Equipment (All FF&E)	227,950
Soft Costs (Architect, Legal and Engineering)	107,500
Costs of Bond issue	0
Construction Loan Fees and interest	300,740
Other (specify)	60,000 lease up and marketing costs
Total Project Costs	6,592,515

Please include supplemental sheets as necessary with all project cost details, including the following:

Mandatory: In addition to the above estimated of capital costs of the project, which must include all costs of real property and equipment acquisition and building construction or reconstruction, you must include details on the amounts to be financed from private sector sources, an estimate of the percentage of project costs financed from public sector sources (all public grants, loans and tax credits to be applied for), and an estimate of both the amount to be invested by the applicant and the amount to be borrowed to finance the project.

See attached Full Project Finance Details

BURNS MANAGEMENT
TAKING CARE OF YOU

Commercial Tenant Roster
Hendrick Hudson Building

Barley Legal, Inc.
d/b/a Bootleggers on Broadway
200 Broadway
Suite 101
Troy, NY 12180
TIN: 45-1754554
Entity Type: corporation
Use of Project: restaurant

Engine 7 Design, Inc.
200 Broadway
Suite 102
Troy, NY 12180
TIN: 80-0639311
Entity Type: corporation
Use of Project: graphic design

Shmaltz Brewing Company LLC
200 Broadway
Suite 103
Troy, NY 12180
TIN: 26-4169256
Entity Type: Limited Liability Company
Use of Project: restaurant

Tenda Asian Fusion, Inc.
200 Broadway
Suite 104
Troy, NY 12180
TIN: unknown
Entity Type: corporation
Use of Project: restaurant

q. Job Creation:

Construction jobs created by the Project: 70-80 Anticipated Dates of Construction: Mar 2025- Dec 2025

Permanent jobs created by the Project

Column A: Insert the job titles that exist within the company at the time of application, as well as any job titles that will be established as a result of the Project.

Column B: Indicate the entry level wage for each listed job title either in terms of hourly pay or annual salary.

Column C: For each listed job title insert the number of positions that exist at the time of application.

Column D: Insert the number of jobs to be created during year one of the Project for each listed job title.

Column E: Insert the number of jobs to be created during year two of the Project for each listed job title.

Column F: Insert the number of jobs to be created during year three of the Project for each listed job title.

Column G: Indicate the total number of jobs to be created for each listed title as a result of the Project. (Column D + Column E + Column F = Column G)

(A) Job Title	(B) Annual or Hourly Wages	(C) Current Number of Positions	(D) Jobs Created: Year One	(E) Jobs Created: Year Two	(F) Jobs Created: Year Three	(G) Total Jobs Created
Property Manager	$57,500	1	Exisiting	0	0	Existing
Maintenance Foreman	$63,000	1	Exisiting	0	0	Existing
Maintenance Technician	$43,680	1	Exisiting	0	0	Existing
Construction Jobs	$50,000-$150,000	0	70-80	0	0	70-80
TOTALS:						70-80

In addition to the job figures provided above, please indicate the following:

1) The projected number of full time equivalent jobs that would be retained and that would be created if the request for financial assistance is granted.

Property managment and leasing manager positions will be retained

2) The projected timeframe for the creation of new jobs.

Permanent

3) The estimated salary and fringe benefit averages or ranges for categories of the jobs that would be retained or created if the request for financial assistance is granted.

Property Manager $57,500, Maintenance Foreman $63,000, Maintainance Technician $43,680

4) An estimate of the number of residents of the economic development region as established pursuant to section two hundred thirty of the economic development law, in which the project is located that would fill such jobs. The labor market area defined by the Authority (Capital Economic Development Region)

TIDA Financial Assistance Requested and Company Estimates

A. Estimated Project Costs eligible for Industrial Development Authority Financial Assistance

1. Sales and Use Tax (_X) Check if Requested

   A. Amount of Project Cost Subject to Sales and Use Tax: $ 1,775,183

   Sales and Use Tax Rate: 8.00 %

   B. Estimated Sales Tax (A X .08): $ 142, 015

2. Mortgage Recording Tax Exemption (X) Check if Requested

   A. Projected Amount of Mortgage: $ 5,109,200

   Mortgage Recording Tax Rate: 1.25 %

   B. Estimated Mortgage Recording Tax (A X .0125): $ 63,865

3. Real Property Tax Exemption (X_) Check if Requested

   A. Projected Increase in Assessed Value on Project: $

   B. Total Applicable Tax Rates Per $1000: $

   C. Estimated Annual Taxes without PILOT (A X B)/1,000: $

4. Interest Exemption (Bond transactions only) (__) Check if Requested

   a. Total Estimated Interest Expense Assuming Taxable Interest: $

   b. Total Estimated Interest Expense Assuming Tax-exempt Interest Rate: $

B. Estimated Benefits of Industrial Development Authority Financial Assistance

1. Current Company employment in Capital Economic Development Region
2. Current Company payroll in Capital Economic Development Region $
3. Project Jobs to be Created over 3 years

Is the company delinquent in the payment of any state or municipal property taxes? ☐ Yes ☑ No

Is the company delinquent in the payment of any income tax obligation? ☐ Yes ☑ No

Is the company delinquent in the payment of any loans? ☐ Yes ☑ No

Is the company currently in default on any of its loans? ☐ Yes ☑ No

Are there currently any unsatisfied judgments against the company? ☐ Yes ☑ No

Are there currently any unsatisfied judgments against any of the company's principals? ☐ Yes ☑ No

Has the company ever filed for bankruptcy? ☐ Yes ☑ No

Have any of the company's principals ever personally filed for bankruptcy, or in any way sought protection from creditors? ☐ Yes ☑ No

Are there any current or pending real estate tax assessment challenges associated with the proposed project realty and/or improvements? ☐ Yes ☑ No

Is the proposed project realty currently subject to any exemption from real estate taxes? ☐ Yes ☑ No

Are there any current or pending criminal investigations or indictments of the Company or any of its principals or equity holders (including any and all holders of equity or ownership of Company parent organizations)? ☐ Yes ☑ No

If the answer to any of the questions above is "Yes," please provide additional comments in the space below and on additional pages if necessary.

____

____

r. **For Industrial Revenue Bonds ONLY, including this project,** list capital expenditures of the company at Project location:

Category	Last Three Years	Next Three Years
Land		
Building		
Equipment		
Soft Costs		
Other		
Total		

s. State whether there is a likelihood that the project would not be undertaken but for the financial assistance provided by the Authority, or, if the project could be undertaken without financial assistance provided by the Authority, a statement indicating why the project should be undertaken by the Authority

The project would not be undertaken without the assitance of the Agency. Assistance by the Agency will allow for the significant investment needed to convert the property to apartments to be enable a better chance for the property to once again become economically viable. Applicant believes that the project should be undertaken by the Agency because the project will allow a well known and historic downtown landmark being brought back to its full use and occupancy and will help provide much needed housing opportunities to the City's downtown along with the accompanying economic benefits to the City of increasing the downtown residential population and City's population as a whole.

t. List any other positive impacts that the Project may have on the City of Troy:

Increased housing availability, increased economic activity resulting from downtown residences, increased overall livability and vitality in a popular and historic portion of the downtown.

V. REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Authority as follows:

A. **Job Listings:** In accordance with Section 1967-a(2) of the New York Public Authorities Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Authority, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entities") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA") in which the Project is located.

B. **First Consideration for Employment:** In accordance with Section 1967-a(2) of the New York Public Authorities Law, the applicant understands and agrees that, if the Project receives any Financial Assistance from the Authority, except as otherwise provided by collective bargaining agreements, where practicable, the applicant will first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the Project.

C. **Annual Sales Tax Filings:** In accordance with Section 1964-a(9) of the New York Public Authorities Law, the applicant understands and agrees that, if the Project receives any sales tax exemptions as part of the Financial Assistance from the Authority, in accordance with Section 1964-a(9) of the Public Authorities Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the applicant.

D. **Annual Employment Reports:** The applicant understands and agrees that, if the Project receives any Financial Assistance from the Authority, the applicant agrees to file, or cause to be filed, with the Authority, on an annual basis, reports regarding the number of people employed at the project site.

E. **Absence of Conflicts of Interest:** The applicant has received from the Authority a list of the members, officers, employees and Counsel of the Authority. No member, officer, employee, or Counsel of the Authority has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

HOLD HARMLESS AGREEMENT AND APPLICATION DISCLAIMER
CERTIFICATION PURSUANT TO NEW YORK STATE FREEDOM OF INFORMATION LAW ("FOIL")

Applicant hereby releases the TROY INDUSTRIAL DEVELOPMENT AUTHORITY and the members, officers, servants, agents and employees thereof (the "Authority") from, agrees that the Authority shall not be liable for and agrees to indemnify, defend and hold the Authority harmless from and against any and all liability arising from or expense incurred by (A) the Authority's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Authority, (B) the Authority's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the Authority with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Authority or the Applicant are unable to reach final agreement with the respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Authority, its agents or assigns, all costs incurred by the Authority in the processing of the Application, including attorneys' fees, if any.

Through submission of this Application for Financial Assistance (this "Application"), the Company acknowledges that the Authority, as a public benefit corporation, is subject to the New York State Freedom of Information Law ("FOIL") and Open Meetings Law ("OML"), as codified pursuant to the Public Officers Law ("POL") of the State of New York (the "State"). Accordingly, unless portions hereof are otherwise protected in accordance with this Certification, this Application, including all Company-specific information contained herein, is subject to public disclosure in accordance with applicable provisions of the POL, Article 18-A of the General Municipal Law ("GML") and the Public Authorities Accountability Act of 2005, as codified within the Public Authorities Law ("PAL") of the State. Specifically, this Application may be disclosed by the Authority to any member of the public pursuant to a properly submitted request under FOIL and the Authority is further required to affirmatively disclose certain provisions contained herein pursuant to the GML and PAL, including the identification of the Company, general project description, location proposed capital investment and job estimates.

Notwithstanding the foregoing, the Company, pursuant to this Certification, may formally request that the Authority consider certain information contained within this Application and other applicable supporting materials proprietary information and "trade secrets", as defined within POL Section 87(2)(d). To the extent that any such information should qualify as trade secrets, the Company hereby requests that the Authority redact same in the event that formal disclosure is requested by any party pursuant to FOIL. Application Sections or information requested by Company for Redaction*:

____
____
____
____

(* - Please indicate specific sections within Application that the Company seeks to qualify as "trade secrets". Additional correspondence or supporting information may be attached hereto. Please also note that notwithstanding the Company's request, the Authority shall make an independent determination of the extent to which any information contained herein may be considered as such)

In the event that the Authority is served with or receives any subpoena, request for production, discovery request, or information request in any forum that calls for the disclosure of the Application, in entirety, specifically including but not limited to any demand or request for production or review of Company-designated trade secrets, the Authority agrees to notify the Company as promptly as is reasonably possible, and to utilize its best efforts to: oppose or decline any such request; preserve the confidentiality and non-disclosure of such requested confidential material; and maintain such information and prevent inadvertent disclosure in responding to any such discovery or information request. The Company understands and agrees that all reasonable costs, including attorney's fees, associated with any such formal undertaking by the Authority to protect the trade secrets from disclosure shall be reimbursed by the Company to the Authority.

The undersigned officer of the applicant deponent acknowledges and agrees that the applicant shall be and is responsible for all costs incurred by the Authority and legal counsel for the Authority, whether or not the Application, the proposed project it describes, the attendant negotiations, or the issue of bonds or other transaction or agreement are ultimately ever carried to successful conclusion and agrees that the Authority shall not be liable for and agrees to indemnify, defend and hold the Authority harmless from and against any and all liability arising from or expense incurred by (A) the Authority's examination and processing of, and action pursuant to or upon, the Application, regardless of whether or not the Application or the proposed project described herein or the tax exemptions and other assistance requested herein are favorably acted upon by the Authority, (B) the Authority's acquisition, construction and/or installation of the proposed project described herein and (C) any further action taken by the Authority with respect to the proposed project; including without limiting the generality of the foregoing, all causes of action and attorney's fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing.
By executing and submitting this Application, the applicant covenants and agrees to pay the following fees to the Authority, the same to be paid at the times indicated:

(a) The sum of $5,000, plus the sum of $500 as a non-refundable processing fee, to be paid upon submission of the Application;
(b) An Administrative Fee amounts to be determined using the schedule on Page 2 hereof for all other projects for which the Authority provides financial assistance, to be paid at transaction closing;
(c) An amount to be determined by Authority Staff payable to the Authority's bond/transaction counsel for the preparation and review of the inducement resolution, the environmental compliance resolution, TEFRA hearing proceedings and the tax questionnaire assuming no further activity occurs after the completion of the inducement proceedings, to be paid within ten (10) business days of the receipt of bond/transaction counsel's invoice;
(d) All fees, costs and expenses incurred by the Authority for (1) legal services, including but not limited to those provided by the Authority's general counsel or bond/transaction counsel, and (2) other consultants retained by the Authority in connection with the proposed project; with all such charges to

be paid by the applicant at the closing or, if the closing does not occur, within ten (10) business days of receipt of the Authority's invoices therefore please note that the applicant is entitled to receive a written estimate of fees and costs of the Authority's bond/transaction counsel;

(e) The cost incurred by the Authority and paid by the applicant, including bond/transaction counsel and the Authority's general counsel's fees and the processing fees, may be considered as a costs of the project and included in the financing of costs of the proposed project, except as limited by the applicable provisions of the Internal Revenue Code with respect to tax-exempt bond financing.

The applicant further covenants and agrees that the applicant is liable for payment to the Authority of all charges referred to above, as well as all other actual costs and expenses incurred by the Authority in handling the application and pursuing the proposed project notwithstanding the occurrence of any of the following:

(a) The applicant's withdrawal, abandonment, cancellation or failure to pursue the Application;
(b) The inability of the Authority or the applicant to procure the services of one or more financial institutions to provide financing for the proposed project;
(c) The applicant's failure, for whatever reason, to undertake and/or successfully complete the proposed project; or
(d) The Authority's failure, for whatever reason, to issue tax-exempt revenue bonds in lieu of conventional financing.

The applicant and the individual executing this Application on behalf of applicant acknowledge that the Authority and its counsel will rely on the representations made in this Application when acting hereon and hereby represents that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statements contained herein not misleading.

Company Acknowledgment and Certification:

The undersigned, being a duly authorized representative of the Company, hereby and on behalf of the Company, certifies to the best of his or her knowledge and under the penalty of perjury that all of the information provided by the Company within this Application for Financial Assistance is true, accurate and complete.

The Company, on behalf of itself and all owners, occupants and/or operators receiving or that will receive financial assistance from the Authority (collectively, the "Recipients") hereby certifies that the Recipients are in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.

The Company, on behalf of itself and all Recipients, hereby further acknowledges that the submission of any knowingly false or knowingly misleading information herein or within any agreement with the Authority may lead to the immediate termination of any financial assistance and the reimbursement of an amount equal to all or part of any tax exemptions claimed by reason of the Authority's involvement in the project, including all costs of the Authority relating to same. The Company has reviewed and accepts the terms of the Authority's Project Recapture and Termination Policy.

By: [signature]

Name: Alfio Bonacio Jr

Title: Member

State of New York)

County of Saratoga) ss.:

On the 30th day of October in the year 2024 before me, the undersigned, personally appeared Alfio Bonacio Jr, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signatures on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Brandee Armer

Notary Public

BRANDEE ARMER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01AR6335030
Qualified in SARATOGA County
Commission Expires 12/28/2027

Troy IDA Annual Employment and Financial Assistance Certification Letter	Fiscal Year Jan.1, 2023-Dec. 31, 2023

Company name and address: Hendrick Hudson Building LLC

Project Name: Hendrick Hudson Building LLC

Job Information (Please include job numbers for the entire site, including commercial tenants - if applicable)

Current number of full time equivalent employees ("FTE = 35 hours") retained at the project location, including FTE contractors or employees of independent contractors that work at the project location, by job category:

Category	FTE	Average Salary and Fringe Benefits or Ranges
Management	3	40,000 to 50,000
Professional	1	70,000
Administrative		
Production		
Other	5	45,000 to 62,143
Other	2	24,000 to 36,000

Current number of full time equivalent employees ("FTE = 35 hours") created at the project location, including FTE contractors or employees of independent contractors that work at the project location, by job category:

Category	FTE	Average Salary and Fringe Benefits or Ranges
Management	1	40,000
Professional		
Administrative		
Production		
Other	1	45,000
Other	2	50,000
Construction Jobs Created in 2023		

A copy of the NYS 45 form for the project location is required to be submitted with this report. If the NYS 45 form is not available for the specific project location or the form does not accurately reflect the full time jobs created, an internal payroll report verifying the total jobs by employment category as outlined above at the location is required with this submission.

Financing Information

Has the Authority provided project financing assistance (generally through issuance of a bond or note) ☐ ☐

If financing assistance was provided, please provide:

- Original principal balance of bond or note issued ______

- Outstanding principal balance of such bond or note as of December 31 ______________
- Outstanding principal balance of such bond or note as of December 31 ______________

Final maturity date of the bond or note ______________

Sales Tax Abatement Information

Did your Company or any appointed subagents receive Sales Tax Abatement for your Project During the prior year? ☐ ☐

If so, please provide the amount of sales tax savings received by the Company and all appointed subagents ______________

(Attach copies of all ST-340 sales tax reports that were submitted to New York State by the Company and all subagents for the reporting period. Please also attached all ST-60's filed for subagents for the reporting period)

Mortgage Recording Tax Information

Did your company receive Mortgage Tax Abatement on your Project During the prior year? ☐ ☐

(Note this would only be applicable to the year that a mortgage was placed upon the Project, so if the Authority did not close a mortgage with you during the reporting period, the answer should be no)

The amount of the mortgage recording tax that was exempted during the reporting period: ______________

PILOT INFORMATION:

County Real Property Tax without PILOT (Assessed Value / $1,000) x County Tax Rate of $7.109537 = $______________
City/Town Property Tax without PILOT (Assessed Value / $1,000) x City Tax Rate of $15.433762 = $______________
School Property Tax without PILOT (Assessed Value / $1,000) x School Tax Rate of $22.382231 =$______________
TOTAL PROPERTY TAXES WITHOUT PILOT $______________

Whether paid separately or lump sum to Authority for distribution, please provide break down of allocation of PILOT Payment to individual taxing jurisdictions:

County and City PILOT (1st Installment) $______________
School PILOT (2nd Installment) $______________
--OR--
One lump sum PILOT $______________
TOTAL PILOTS paid in 2023 $______________
Net Exemptions (Subtract Total PILOTS from TOTAL property taxes without PILOT) $______________

I certify that to the best of my knowledge and belief all of the information on this form is correct. I further certify that the salary and fringe benefit averages or ranges for the categories of jobs retained and the jobs created that was provided in the Application for Financial Assistance is still accurate and if not, I hereby attach a revised list of salary and fringe benefit averages or ranges for categories of jobs retained and jobs created. I also understand that failure to report completely and accurately may result in enforcement of provisions of my agreement, including but not limited to voidance of the agreement and potential claw back of benefits.

Name: Kevin Bishop Signature: [signature]

Title: CFO Date: 3/25/24

(authorized company representative)

Hendrick Hudson Building LLC

18 Division Street, Suite 401
Saratoga Springs NY 12866

November 7th, 2024

Troy Industrial Development Agency
433 River Street, Suite 5001
Troy NY 12180

Dear TIDA Authority,

I am writing on behalf of the investors of Hendrick Hudson Building LLC regarding the property located at 200 Broadway, Troy, NY, to request a modification to the existing PILOT agreement in support of an approved change of use project.

Since its acquisition in 2017, $7.8 million has been invested into the Hendrick Hudson building, including substantial improvements and the conversion of the second floor into residential units in 2022. Currently, the first floor of the seven-story, approximately 80,000-square-foot building is fully occupied with commercial tenants, and the second, third, and fourth floors have an average residential occupancy rate of around 95%. However, the fifth, sixth, and seventh floors have remained designated for commercial office space. Up until August 2023 the fifth and sixth floors were leased to the Attorney General's office. Since the Attorney General's office vacated, approximately 23,064 square feet of leasable space have remained vacant.

This vacancy has placed the property in a difficult financial position, with projected annual losses between $370,000 and $400,000. Despite our best efforts to re-lease the available commercial space, there has been no viable interest from the market.

While the investors of Hendrick Hudson Building LLC remain confident in the long-term potential of Troy's real estate market, they are now faced with two options: either wait and hope for a commercial market rebound that would allow them to lease the space with minimal additional capital investment or move forward with a conversion of the fifth, sixth, and seventh floors into residential apartments. Given the ongoing strength of the residential rental market in Troy, we strongly believe that the latter option is the best path forward to stabilize the property, even though it requires a substantial additional equity investment.

For this conversion to be financially feasible, a modification to the existing PILOT agreement is crucial. Without this modification, this project cannot move forward, and the investors would be forced to consider selling the property at a loss rather than continue incurring annual losses of approximately $370,000.

We kindly ask for your consideration and support in this matter to help us move forward with this vital change of use project. Thank you for your time and attention, and we look forward to the opportunity to discuss this further with you.

Sincerely,

Hendrick Hudson Building LLC

Hendrick Hudson – Change of Use
Finance Narrative and Sources & Uses

Finance Narrative:

The financing need for this project coincides with the maturity of the current loan, making a full refinance necessary for the entire property. Based on the bank's requirement of a Debt Service Coverage Ratio (DSCR) of 1.2, the total allowable debt is projected to be approximately approx. $7 million, necessitating an estimated $5.5 million in cash equity contribution from the investors. The below sources and uses are specific to the change of use scope for the fifth, sixth, and seventh floor only and the uses are subject to change based on final lender finance package.

In addition, we are pursuing Historic Tax Credits (HTC) for the renovation. These credits will not be syndicated and are therefore not included in the project's funding sources. The estimated total value of the Historic Tax Credits for the renovation of the 5th, 6th, and 7th floors is approximately $1.8 million.

Sources & Uses:

Uses	
Land Acquisition	$0
Hard Costs - Buildings- Construction/Renovation	$5,917,275
Development Fees	$115,000
Architect & Engineering	$82,500
Municipal and IDA Fees	$92,000
Bank and Finance Costs	$300,740
Lease up and Marketing	$60,000
Soft Cost Contingency	$25,000
Total Uses	**$6,592,515**

Sources	
Sales Tax Abatement	$142,015
Mortgage Tax Abatement	$63,865
Lender Financing	$5,109,200
Cash Equity	$1,277,300
Total Sources	**$6,592,380**

Hendrick Hudson
Proforma

The following Proforma is reflective of the actual 2024 budget for Hendrick Hudson and a Forecast for 2025-2028 that makes two key assumptions.

- Commercial vacancies continue as is
- Ownership refinancing the property due to current term maturing 1/1/25. This will require cash equity of $5M to pay off current debt and a refi of $1.1M to meet an acceptable DSCR for the property.
-

As you can see in the below projections there was a loss of $370,000 in 2024 and there is a projected loss of $226,126 in 2025 even after the refinance and additional cash equity input. We have outlined the DSCR numbers, and the current estimated value of the property based on a cap rate of 8.5%

Hendrick Hudson - As Is ProForma						
Income	**2024 Budget**	**2025 Forecast**	**2026 Forecast**	**2027 Forecast**	**2028 Forecast**	**Notes:**
Net Rent Potential	$533,875	$544,553	$555,444	$566,552	$577,883	
Vacancies	($27,096)	($27,228)	($27,772)	($28,328)	($28,894)	
Net Commercial Rent Potential	$530,725	$538,686	$546,766	$554,968	$563,292	
Commercial Vacancies	($366,044)	($371,693)	($377,269)	($382,928)	($388,672)	Assumes current commercial vacancy continues
Other **NNN	$12,488	$12,863	$13,249	$13,646	$14,056	
Concessions & Delinquents	($7,500)	($7,725)	($7,957)	($8,195)	($8,441)	
Miscellaneous Income	$10,480	$10,794	$11,118	$11,452	$11,795	
Total Income	**$686,928**	**$700,249**	**$713,579**	**$727,168**	**$741,020**	
Operating Expenses						
Salaries & Personnel	$90,459	$92,268	$94,113	$95,995	$97,915	
G&A	$22,549	$23,000	$23,460	$23,929	$24,408	
Marketing	$16,876	$17,214	$17,558	$17,909	$18,267	
Management Fee	$20,644	$21,056	$21,478	$21,907	$22,345	
Professional Fees	$8,300	$8,466	$8,635	$8,808	$8,984	
Repairs & Maintenance	$42,931	$43,790	$44,666	$45,559	$46,470	
Contract Labor	$52,300	$53,346	$54,413	$55,501	$56,611	
Utilities	$137,182	$139,926	$142,724	$145,579	$148,490	
Taxes (Exisiting PILOT)	$124,471	$126,960	$129,499	$132,089	$134,731	
Insurance	$63,679	$64,954	$66,253	$67,578	$68,929	
Total Operating Expenses	**$579,391**	**$590,980**	**$602,799**	**$614,854**	**$627,150**	
Net Operating Income	**$107,537**	**$109,269**	**$110,780**	**$112,314**	**$113,870**	
P&I Payments - Primary Mortgage	$328,059	$ 93,178.59	$ 93,178.59	$ 93,178.59	$ 93,178.59	2025 - Assumes Refi for 2025. Requires $5M in cash equity and debt of $1.1M to meet DSCR. Current Debt on the Property is $6,093,335 which matures 1/1/25
Cash Flow from Operations	($220,522)	$16,091	$17,601	$19,135	$20,691	
Partner Distributions/ **(Contributions)**	**($370,000)**	0	0	0	0	2024 shows owner contributions of $370k. Owner contribution of $130k will be necessary for 2025
Operating Funded Capital Improvements	$150,637	$140,816	$145,041	$149,392	$153,874	
Net Cash Flow from Operations	**($1,159)**	**($124,725)**	**($127,440)**	**($130,257)**	**($133,183)**	

DSCR		1.17	1.19	1.21	1.22
CAP RATE	8.50%	8.50%	8.50%	8.50%	8.50%
Estimated Property Value Based on Cap Rate	**$1,265,141**	**$1,285,523**	**$1,303,293**	**$1,321,339**	**$1,339,646**

Total Investment in Property		
2017 - Original Property Purchase	$2,400,000	
2017- Original Renovation Cost	$3,108,251	
2022 - 2nd Floor Renovation Cost	$2,383,030	
Total Investment in Property	**$7,891,281**	
Potential Return off Sale at 8.5% Cap Rate in 2028	**-$6,551,635**	**Loss of $6.5M**

The following Proforma is reflective of the potential property performance once the 5th, 6th, and 7th floor are converted to residential units. The debt service calculated below is reflective of the maximum debt load the property can take on and still meet the acceptable DSCR for the property

Even with the conversion the property is still showing a potential loss at year end of approximately $67,000 in Year 1. We have outlined the DSCR numbers, and the current estimated value of the property based on a cap rate of 8.5%.

Projection w/Residential Conversion of 5,6,7th Floor

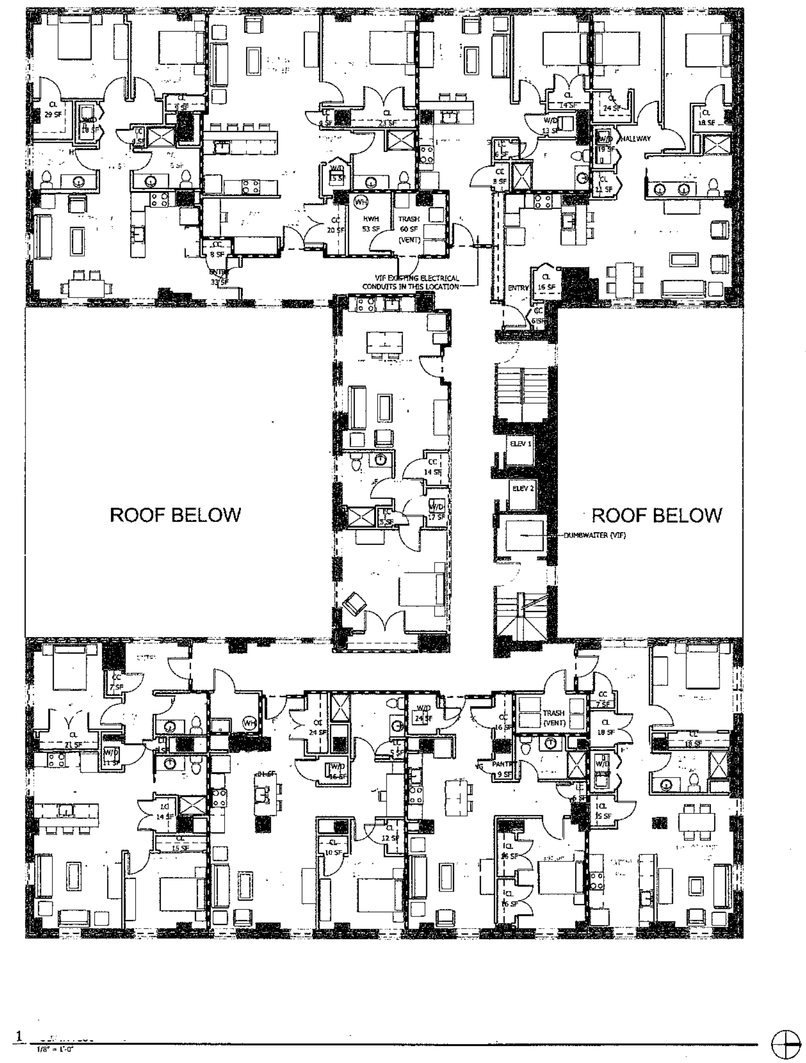
Income	**2024 Budget**	**Year 1 Forecast**	**Year 2 Forecast**	**Year 3 Forecast**	**Year 4 Forecast**	**Notes:**
Net Rent Potential	$533,875	$1,109,038	$1,142,310	$1,176,579	$1,211,876	Assumes New Units are available January 1st * Year 1
Vacancies	($27,096)	($55,452)	($57,115)	($58,829)	($60,594)	
Net Commercial Rent Potential	$530,725	$171,110	$176,243	$181,530	$186,976	
Commercial Vacancies	($366,044)	($8,555)	($8,812)	($9,077)	($9,349)	
Other **NNN	$12,488	$12,863	$13,249	$13,646	$14,056	
Concessions & Delinquents	($7,500)	($7,725)	($7,957)	($8,195)	($8,441)	
Miscellaneous Income	$10,480	$10,794	$11,118	$11,452	$11,795	
Total Income	**$686,928**	**$1,232,073**	**$1,269,036**	**$1,307,106**	**$1,346,319**	
Operating Expenses						
Salaries & Personnel	$90,459	$92,268	$94,113	$95,995	$97,915	
G&A	$22,549	$23,000	$23,460	$23,929	$24,408	
Marketing	$16,876	$17,214	$17,558	$17,909	$18,267	
Management Fee	$20,644	$21,056	$21,478	$21,907	$22,345	
Professional Fees	$8,300	$8,466	$8,635	$8,808	$8,984	
Repairs & Maintenance	$42,931	$43,790	$44,666	$45,559	$46,470	
Contract Labor	$52,300	$53,346	$54,413	$55,501	$56,611	
Utilities	$137,182	$139,926	$142,724	$145,579	$148,490	
Taxes (Exisiting PILOT)	$124,471	$126,960	$129,499	$132,089	$134,731	
Insurance	$63,679	$64,954	$66,253	$67,578	$68,929	
Total Operating Expenses	**$579,391**	**$590,980**	**$602,799**	**$614,854**	**$627,150**	
Net Operating Income	**$107,537**	**$641,093**	**$666,237**	**$692,252**	**$719,169**	
P&I Payments - Primary Mortgage	$328,059	$ 567,174.02	$567,174	$567,174	$567,174	Assumes a refinance of $7M in debt @ 6.5%/25 year amort, and a cash equity input of $5.5M. Current Debt on the Property is $6,093,335 which matures 1/1/25
Cash Flow from Operations	($220,522)	$73,919	$99,063	$125,078	$151,995	
Partner Distributions/ **(Contributions)**	**($370,000)**	0	0	0	0	
Operating Funded Capital Improvements	$150,637	$140,816	$145,041	$149,392	$153,874	
Net Cash Flow from Operations	**($1,159)**	**($66,897)**	**($45,978)**	**($24,314)**	**($1,879)**	

DSCR	0.33	1.13	1.17	1.22	1.27
CAP RATE	8.50%	8.50%	8.50%	8.50%	8.50%
Estimated Property Value Based on Cap Rate	**$1,265,141**	**$7,542,271**	**$7,838,082**	**$8,144,141**	**$8,460,812**

Total Investment in Property

2017 - Original Property Purchase	$2,400,000	
2017- Original Renovation Cost	$3,108,251	
2022 - 2nd Floor Renovation Cost	$2,383,030	
2025 - Projected Cost of 5th, 6th, 7th Floor Conversion	$6,386,501	Assumes Sales and Mortgage Tax Abatement
Total Investment in Property	**$14,277,782**	
Potential Return off Sale at 8.5% Cap Rate in Year 4	**-$5,816,970**	**Loss of $5.8M**

Location	Gross SF	Total Net Rentable	Per SF Rate	Monthly Revenue
Residential 5th Floor **Includes heat/AC/HW	10,115	7,688		
Common Area	2,427			
Unit 501 2 BR / 1.5 BA		983	$2.07	$ 2,038.00
Unit 502 1 BR / 1 BA		919	$1.72	$ 1,581.00
Unit 503 1 BR / 1 BA		660	$2.40	$ 1,581.00
Unit 504 2 BR / 1 BA		984	$2.01	$ 1,973.00
Unit 505 1 BR / 1 BA		729	$2.17	$ 1,581.00
Unit 506 1 BR / 1 BA		817	$1.94	$ 1,581.00
Unit 507 1 BR / 1 BA		769	$2.06	$ 1,581.00
Unit 508 1 BR / 1 BA		867	$1.82	$ 1,581.00
Unit 509 2 BR / 1.5 BA		960	$2.12	$ 2,038.00
Residential 6th Floor **Includes heat/AC/HW	10,115	7,688		
Common Area	2,427			
Unit 601 2 BR / 1.5 BA		983	$2.07	$ 2,038.00
Unit 602 1 BR / 1 BA		919	$1.72	$ 1,581.00
Unit 603 1 BR / 1 BA		660	$2.40	$ 1,581.00
Unit 604 2 BR / 1 BA		984	$2.01	$ 1,973.00
Unit 605 1 BR / 1 BA		729	$2.17	$ 1,581.00
Unit 606 1 BR / 1 BA		817	$1.94	$ 1,581.00
Unit 607 1 BR / 1 BA		769	$2.06	$ 1,581.00
Unit 608 1 BR / 1 BA		867	$1.82	$ 1,581.00
Unit 609 2 BR / 1.5 BA		960	$2.12	$ 2,038.00
Residential 7th Floor **Includes heat/AC/HW	10,115	7,688		
Common Area	2,427			
Unit 701 2 BR / 1.5 BA		983	$2.07	$ 2,038.00
Unit 702 1 BR / 1 BA		919	$1.72	$ 1,581.00
Unit 703 1 BR / 1 BA		660	$2.40	$ 1,581.00
Unit 704 2 BR / 1 BA		984	$2.01	$ 1,973.00
Unit 705 1 BR / 1 BA		729	$2.17	$ 1,581.00
Unit 706 1 BR / 1 BA		817	$1.94	$ 1,581.00
Unit 707 1 BR / 1 BA		769	$2.06	$ 1,581.00
Unit 708 1 BR / 1 BA		867	$1.82	$ 1,581.00
Unit 709 2 BR / 1.5 BA		960	$2.12	$ 2,038.00
Unit Count		27		$ 46,605.00



For Illustration Only - Example Conceptual Floor Plan for the 5th, 6th, and 7th floors at Hendrick Hudson.

Hendrick Hudson

200 Broadway Troy NY 12180

Building Location:

Exterior Photos