

NYS Consolidated Funding Application

Application Number 17918

File created July 13, 2012 - 10:04 AM

Application finalized on July 13, 2012 - 10:03 AM

Region

- Capital District

Questionnaire Questions & Answers

THRESHOLD

Empire State Development Grant Funds

1. Funds can only be used for capital expenditures. Please note that ESD grants generally fund no more than 20% of the project cost and require a 10% equity contribution from the applicant. By selecting yes, you are confirming that project funding will be used only for one or more of the following categories:

- Acquisition or leasing of land, building, machinery and/or equipment
- Acquisition of existing business and/or assets;
- Demolition and environmental remediation;
- New construction, renovation or leasehold improvements;
- Acquisition of furniture and fixtures;
- Soft costs up to twenty-five percent (25%) of total project costs; and
- Planning and feasibility studies related to a specific capital project Q_1451

Yes

BASIC

General Project Information

2. Legal Name of Applicant Q_546
Columbia County
-
3. If you are a DBA, what is your DBA name? Q_550
No Answer
-
4. Applicant Street Address Q_551
4303 Route 9
-
5. Applicant City Q_552
Hudson
-
6. Applicant State Q_553
New York
-
7. Applicant Zip Code. (please use Zip+4 if known) Q_554
12534
-
8. Type of Applicant (select all that apply) Q_549
County
-
9. Applicant Telephone Number, (please include area code) Q_651

518-828-4718

10. Applicant Email Address Q_555
kenneth.flood@columbiacountyny.com

11. If you are a business, have you been certified as an Minority or Women-owned Business Enterprise (MWBE)?
Q_969
N/A

12. Select an applicant ID type from the list below that you normally use to identify your organization on application forms. Q_556
Federal Tax ID Number

13. Contact Last Name Q_1049
Flood

14. Contact Title Q_1050
Commissioner of Planning & Economic Development

15. Additional Project Contact Last Name Q_970
Stiffler

16. Contact First Name Q_547
Kenneth

17. Additional Project Contact First Name Q_1052
Edward

18. Additional Contact Title Q_1051
Economic Developer

19. Project Street Address: if the project does not have a definite street address, please skip to "Project without a Street Address" below. Q_928
No Answer

20. Project City Q_565
Town of Ghent

21. Project State Q_568
New York

22. Additional Contact Email Address Q_561
Estiffler@columbiaedc.com

23. Project Zip Code. (please use Zip+4 if known) Q_1034
12075

24. Additional Contact Phone Number. (please include area code) Q_562
518-828-4718

25. Project Without a Street Address: please enter a description of the project location. Include project starting/ending street addresses, cities & zip codes if applicable. Q_971
Columbia County Airport/Gerald R. Simons Commerce Park, Routes 9H & 66, Town of Ghent

26. Project county or counties. Q_972
Columbia

27. Project Latitude Q_572
42.29204

28. Project Longitude Q_573
73.710709

29. Project Description. Concisely describe the project, indicating the location, what will be planned, designed, and/or constructed, the issues/opportunities to be addressed, and expected outcomes and deliverables. Additional details will be collected later in the application process. Q_575

“Columbia County Airport strives to be a gateway to the Hudson Valley and first choice for business and personal air travel, providing outstanding service and serving as an engine for economic growth, while maintaining a safe environment for aircraft owners, operators, and the flying public.” The project is comprehensive and regionally significant comprising of two major components. First, in order to continue the aviation operations of the Columbia County Airport, an airport that has one of the longest asphalt runways in the region (about a mile long) and home to Richmor Aviation’s corporate headquarters <http://www.richmor.com>, the required infrastructure needs to be extended and capacity increased for more intense airport operations and development of nearly 70 county owned acres of land for aviation and non-aviation companies. More specifically, there is an immediate need for the extension of municipal water and sewer services to the aviation structures located at the County airport. These structures house the corporate head-quarters and operations of Richmor Aviation Corp. whose total employment exceeds 100 persons. At the present time, these structures are served by private well and an aged sand filter septic system that is rapidly reaching a point where it will need replacement. The extension of the water and sewer services would not only address this impending replacement of the existing sand filter system, but would allow for the development of approximately 70 acres of county owned land within the airport perimeter with a prioritization for the attraction of corporate aviation businesses. These county owned lands have been identified in the FAA approved Airport Master Plan for development. In addition, real property and existing private businesses located outside of the airport perimeter would connect to the new water and sewer lines, increasing the number of users within the special district and thereby reducing individual business costs for these necessary developmental services. In order to service Richmor’s Corporate HQ, expand airport operations (construction of new hangars, new terminal, pilot lounge), develop 70 acres of county owned land for high tech aviation businesses and develop the area as a cornerstone of the southern Capital Region, it is also necessary increase the capacity of the deteriorated wastewater treatment plant that now services the existing Columbia County developed Gerald R. Simons Commerce Park. The existing facility was installed in the early 1990's. This "package" plant presently treats the effluent from 20 businesses that employ in excess of 300 full and part time employees. These businesses range from warehousing operations to skill nursing and elder assisted living facilities. In recent years, due to changing conditions among them tighter effluent quality controls, the facility has not been able to operate within the permit standards established by NYSDEC and defined in the facility's operating permit. Consent orders have been issued as a result of the permit violations and after numerous consultations with NYSDEC, it appears that the only solution is to install a replacement facility that would be able to meet the stringent permit standards. Unfortunately, due to the limited number of parcels and businesses CURRENTLY within the district and with no possibility to expand the district without the required replacement, the costs of such facility without state assistance, would mean extremely large increases in special district taxes and user fees. These increased costs could force many of the small businesses to scale back operations, reduce workforce numbers or close down completely. However with the new facility, the service area will be expanded to include additional adjacent county and privately owned lands that are presently zoned commercial/industrial. In fact one nearby property owner needs to connect to the existing facilities in order to progress a planned commercial/light industrial development project. This proposal would include several sites and the potential for 200+ additional jobs to the community.

30. Current State of Project Development (i.e. planning, preliminary engineering, final design, etc) Q_929
Preliminary Layout

31. Was this project or a phase of this project awarded funding in CFA Round I ? Q_1603
No

32. If yes, with which agency(s)? Q_1604

No Answer

33. If funding was received in a prior round of the CFA, indicate the amount of funding received. Q_1605

No Answer

34. Status of Permits Q_580

Incomplete

35. NYS Assembly District(s) where the project is located. (please enter a number between 1 and 150 that represents your Assembly District) Q_184

103

36. NY Senate District(s) where the project is located. (please enter a number between 1 and 62 that represents your Senate District) Q_190

41

37. Explain what makes your project a regional economic priority - for example creates jobs, economic investment, sustainability and community revitalization, etc. Q_930

The future development at the Columbia County Airport (proposed AKA Upper Hudson Valley Regional Airport) that will occur as a result of the improved infrastructure will allow this facility to absorb a substantial amount of corporate and smaller freight aircraft operations that are causing congestion at other airports in the region. The proposed wastewater treatment facility replacement is a major regional economic priority due to the fact that this facility serves one of only two commercial industrial parks within the County that has municipal water and sewer services available. The importance is magnified due to the fact that the other park, located in the City of Hudson has little or no additional space available for the attraction of new businesses. With the proposed increased capacity and efficiency of the new wastewater treatment facility coupled with the 70+ acres that would be available within the airport perimeter for future development and over 100+ acres of nearby land proposed for commercial/light industrial development, the regional economic importance becomes very evident. The County as a whole, but more specifically this Commerce Center location is in a unique position to attract and capture key suppliers that would support the growing nanoscience center located less than 30 miles away in the Capital District.

38. Status of State and/or Federal Environmental Review. Q_973

Incomplete

39. Statement of Need Q_976

The wastewater treatment facility located at the Commerce Center has been undergoing operational difficulties for several months that have resulted in the effluent discharge not meeting the NYSDEC Permit Standards. As such the County has been issued consent orders that will require major renovations to the existing facility. Consultations with DEC staff have lead to a recommendation from DEC that the facility be replaced as soon as possible. Estimates for such replacement are \$3,000,000. Due to the limited number of parcels/businesses that would be responsible for this debt, the increase in special district taxes and operating fees would be extremely high, so high that it may lead to cutbacks or closures of some of the businesses. The replacement of the existing facility with a more cost effective and higher capacity facility would allow the expansion of the service area to include additional nearby commercial/industrial zoned lands resulting in lower special district taxes and user fees. Without state grant funds the replacement cannot occur. NYSDEC Email outlining present plant issues with needed solutions: To Columbia County: Region 4 Division of Water (R4-DOW) has reviewed the document entitled Engineer's Report For Simmons Industrial Park WWTP as prepared by Morris Associates and dated May 2012. The report cannot be approved in its current form. The following comments and concerns are provided for you to address in conjunction with your Columbia County government representatives. 1. As we discussed during our meeting at the site on March 2, 2012, R4-DOW recommends that additional flow equalization and sludge storage capacity be provided at the WWTP, however, the above mentioned report does not provide for such improvements. Our request is based on continued violations of the SPDES permit during CY 2011 and 2012 while the WWTP is operating under an Order on Consent (R4-2010-1021-119). The most recent Discharge Monitoring Reports (DMR) have documented violations in January 2012 (BOD), April 2012 (pH & BOD), and May 2012 (BOD). As we discussed yesterday, Columbia County has recently informed us of a proposed development project in the industrial park/airport that may generate 5,000 to 10,000 gallons of sanitary septage per day. Therefore, R4-DOW believes that sufficient technical rationale exists for our request. Please discuss the improvements with John Moksczycki and provide the engineering plans/schedule for installation of additional flow equalization and sludge holding capacity by August 30, 2012. 2. The remaining

portion of the project schedule as noted on page 23 is not acceptable to R4-DOW as there is no rationale for the delay in designing the improvements. The schedule should be revised accordingly to note new dates for Task No. 4 (Complete Design/Bid Solicitation): October 30, 2012, Task 5 (Award Contract): December 2012, Task 6 (Begin Construction): January 2013, and Task 7 (End Construction): April 2013. R4-DOW wishes to acknowledge the hard work of John and his fellow operators and your firm's professional and cooperative attitude with this project, Jamie Malcolm, P.E. Environmental Engineer II New York State Department of Environmental Conservation Region 4 - Division of Water 1130 N. Westcott Rd. Schenectady, New York 12306 (518) 357-2385 (Office) (518) 357-2398 (Fax) The extension of the water and particularly the sewer service to the airport facilities is needed for two reasons. The first is an immediate replacement is needed for the aged sand filter septic system presently serving the structures at the airport. In addition, there exists approximately 70 acres of land within the perimeter of the airport that could be developed for air service uses or other support type facilities. However, without the extension of the municipal services, the sites would not be marketable due to the extremely high costs for individual wells and non-traditional septic systems that would be required. As with the wastewater treatment facility, without State grant money, the extension of these services cannot occur.

40. If project review pursuant to the National Environmental Policy Act (NEPA) has been completed has a Finding of No Significant Impact or Record of Decision been issued? [Q_1053](#)

N/A

41. If National Environmental Policy Act (NEPA) Record of Decision has been issued, please explain (include date of Record of Decision). [Q_1054](#)

No Answer

42. Estimated Project Timeline: including project start/completion dates, estimates for design, permitting and construction or other major steps. [Q_975](#)

Project start date: January 15, 2013 RFP Design: January 15 - February 28 Award Design: March 10 Project Design: March 10 - April 30 Project Bid Period: May 1 - May 21 Award Bid: June 1 Construction Period: June 1 - December 15, 2013

43. If review of the project is underway pursuant to the State Environmental Quality Review Act (SEQRA), please indicate the lead agency (if applicable). [Q_1056](#)

No Answer

STANDARD QUESTION

Empire State Development Grant Funds

44. Will the proposed project result in the creation of construction jobs? If so, estimate the number of construction jobs to be created.

Enter zero if not applicable.

[Q_1450](#)

25

45. Will the proposed project directly or indirectly result in the creation of permanent jobs? If so, estimate the number of permanent full-time equivalent jobs that will be created.

Enter zero if not applicable.

[Q_1459](#)

200

46. Does the proposed project involves acquisition, renovation, or construction of a commercial, industrial or mixed-use facilities that is privately owned (or publicly owned, but will be leased to a private enterprise)? [Q_1608](#)

No

47. Is the proposed project located in a highly distressed area? If so, please provide information that will help ESD confirm that the area is highly distressed. [Q_1609](#)

No

48. Is the applicant a publicly traded company? Indicate Y/N. If "Yes", provide the link to the web page or website that lists the company's financial statements.

For applicants to Environmental Investment Program/Capital, click "View Help" for information. [Q_1414](#)

No

49. Indicate the Primary North American Industrial Classification System (NAICS) Code at the PROJECT LOCATION. [Q_1142](#)

481211, 481212, 621492, 623110, 562920

50. Briefly describe what the project involves in terms of product(s) or services(s) that will be provided at the project location. [Q_1410](#)

NA

51. What is the first project year? (e.g. the year equipment will be ordered or when first expenditures are expected to be made) [Q_1409](#)

2012

52. Does the project involve demolition or rehabilitation of a building(s) more than 50 years old and/or demolition or rehabilitation of a building(s) or new construction on or contiguous to a site listed on or eligible for listing on the State or National Registers of Historic Places? Indicate Y/N/NA. If Y, click "Help" for more information. [Q_1371](#)

No

53. Is the project owner/occupant/operator or any facilities which are under the supervision of the project owner/occupant/operator in violation of any federal, state or local environmental or other laws, or listed on the registry of Inactive Hazardous Waste Disposal Sites? Indicate Y/N/NA. If "Y", explain. [Q_1043](#)

The existing wastewater treatment facility is experiencing operating and design deficiencies that are leading to the operators' inability to meet the discharge limits specified in the facility's NYSDEC permit. NYSDEC personnel have been working closely with the County and the operators of the wastewater facility and have recommended replacement of the existing facility with a more efficient wastewater plant with an increased capacity.

54. Provide a list of all federal, state, and local environmental and other reviews, approvals, or permits needed, including the dates by when they are expected. If Not Applicable, indicate "NA". [Q_1041](#)

The NYSDEC will have to approve the design and siting of the replacement wastewater treatment facility. The FAA will be asked to review and sign off on the location of the water and sewer service lines that will be installed within the airport perimeter.

55. Investment Year 1: Provide a breakdown of qualified investments that will be made at the project location in Year 1. List by category, including: Building acquisition; building renovation; new construction; production machinery & equipment; furniture, fixtures & equipment. [Q_1398](#)

NA

56. Investment Year 2: Provide a breakdown of qualified investments that will be made at the project location in Year 2. List by category, including: Building acquisition; building renovation; new construction; production machinery & equipment; furniture, fixtures & equipment. [Q_1396](#)

NA

57. Investment Year 3: Provide a breakdown of qualified investments that will be made at the project location in Year 3. List by category, including: Building acquisition; building renovation; new construction; production machinery & equipment; furniture, fixtures & equipment. [Q_1395](#)

NA

58. Investment Year 4: Provide a breakdown of qualified investments that will be made at the project location in Year 4. List by category, including: Building acquisition; building renovation; new construction; production machinery

& equipment; furniture, fixtures & equipment. Q_1394
NA

59. Investment Year 5: Provide a breakdown of qualified investments that will be made at the project location in Year 5. List by category, including: Building acquisition; building renovation; new construction; production machinery & equipment; furniture, fixtures & equipment. Q_1393
NA

60. Have any expenditures for the project been made prior to the date of this application? If yes, explain. Q_1224
No

61. Describe how the capital investment for which you are seeking funding will make it possible to reach your business goals. For example recycling, pollution prevention or waste reduction goals, changes to your businesses profitability, sales, market share, productivity and sales per employee, cycle time reduction, quality, cost saving, etc. Q_1242

As part of Columbia County Airport's Business Plan, several potential on-airport development areas were identified. There is a significant amount of land that can be utilized for both airside and landside development. Airport improvements proposed in the business plan that impact revenue production include the construction of at least one 8-Bay T-Hangar and one corporate hangar in the immediate five year period. Other development actions include the identification of non-aviation development areas that can be used by the County to generate revenues for the Airport. While there are areas of environmental concern, these can be avoided in the overall development plan. The replacement of the wastewater treatment facility with a greener, more efficient and larger capacity packaged plant will allow for the expansion of the service area of the facility, thereby increasing the number of parcels/users that will contribute to the costs of the facility's operation, thus reducing the individual business' cost of doing business. This will enable the existing businesses to maintain operations and make expansions to their operations more economically feasible. The retained jobs coupled with increased employment opportunities will add to the overall improvement of the County's economy. The extension of the municipal services to the airport facilities likewise will both retain jobs and expand employment opportunities by providing the necessary municipal infrastructure and services required for the operation of the airport and the businesses located there. The availability of future shovel ready sites within the perimeter of the airport will add greatly to the short and long term economic growth of that facility.

62. Indicate how many existing full-time equivalent jobs the applicant and its related entities employ in all NYS LOCATIONS. Q_1197
0

63. Indicate the average annual wage for existing full-time equivalent employees the applicant and its related entities employ in all NYS locations as of the date this application is finalized. Q_1263
No Answer

64. Indicate how many of the total existing full-time equivalent employees in New York State are contract employees. Q_1365
No Answer

65. Indicate how many existing full-time equivalent jobs the applicant and its related entities employ in all the PROJECT LOCATION(S). Q_1262
No Answer

66. Indicate the average annual wage for the employees at the Project Location as of the date this application is finalized. Q_1186
No Answer

67. How many of the existing jobs at the project location(s) are at risk if the project does not go forward. Q_1196
No Answer

68. Indicate how many of the total existing full-time equivalent employees at the Project Location are contract employees. Q_1366
No Answer

69. Net New Jobs Created Year 1: Indicate the total number of net new jobs at the project location for Year 1.

Q_1189

No Answer

70. Describe the type of job, by general category, and list the gross annual wages for each job type at the project location for Year 1. Please note if any of these positions are contract employees and list separately. Q_1392

No Answer

71. Net New Jobs Created Year 2: Indicate the total number of net new jobs at the project location for Year 2.

Q_1190

No Answer

72. Describe the type of job, by general category, and list the gross annual wages for each job type at the project location for Year 2. Please note if any of these positions are contract employees and list separately. Q_1391

No Answer

73. Net New Jobs Created Year 3: Indicate the total number of net new jobs at the project location for Year 3.

Q_1191

No Answer

74. Describe the type of job, by general category, and list the gross annual wages for each job type at the project location for Year 3. Please note if any of these positions are contract employees and list separately. Q_1390

No Answer

75. Net New Jobs Created Year 4: Indicate the total number of net new jobs at the project location for Year 4.

Q_1192

No Answer

76. Describe the type of job, by general category, and list the gross annual wages for each job type at the project location for Year 4. Please note if any of these positions are contract employees and list separately. Q_1389

No Answer

77. Net New Jobs Created Year 5: Indicate the total number of net new jobs at the project location for Year 5.

Q_1193

No Answer

78. Describe the type of job, by general category, and list the gross annual wages for each job type at the project location for Year 5. Please note if any of these positions are contract employees and list separately. Q_1387

No Answer

79. Indicate what the average percentage is of the applicants' total employees' gross wages paid in benefits (exclude mandated benefits such as Federal Insurance Contributions Act (FICA), Medicare tax, unemployment insurance or workers' compensation insurance. Q_1415

18

80. What percentage of the project's employees are residents of NYS? Q_1375

100

81. What tasks and steps need to be completed before the project can begin (e.g. obtaining permits, licenses, hiring staff, etc.) Q_1233

Design of the wastewater treatment plant and service extension lines, preparation of the competitive bidding documents, selecting a successful bidder

82. Describe the business challenges or opportunities in the company that are driving the project. Q_1246

The "company" in this application is the County of Columbia. In the early 1990's, the County recognizing the need for additional tax base and employment opportunities within the County, undertook the development of the Gerald R. Simons Commerce Park. The park presently has over 20 businesses and has only 2 undeveloped sites remaining. Both of these sites are limited in size. In recent years the wastewater treatment plant has experienced wear and tear that now makes it unable to operate in a manner that meets the discharge requirements of the NYSDEC operating permit. NYSDEC has issued consent orders regarding the failure to meet these standards. After numerous consultations with the NYSDEC authorities, it is their opinion that the wastewater treatment facility must be replaced. Unfortunately due to the economic conditions, this replacement cannot be undertaken without funding assistance from the State. Recognizing the success that this commerce park has had on the local economy and the opportunity to extend the area serviced by this facility to other nearby business/commercial zoned lands, it became evident that a more efficient and a larger capacity treatment plant would be the best way to go to ensure that there were continued opportunities for commercial /industrial growth in the County. It also became evident that the 70+ acres of land within the perimeter of the adjacent County Airport offered a unique opportunity to attract aviation related businesses that were not able to access the larger airports within the region.

SMART GROWTH

83. Does the proposed project use, maintain, or improve existing infrastructure? Y/N/Not Relevant. Please explain all responses. [Q_1059](#)

Yes, the replacement plant will service the existing wastewater collection system as well as adding the capacity to the facility that will allow adjacent commercial and industrial areas to be served by the municipal services. Those new areas will increase the very limited amount of lands presently served by municipal sewer. The extension of the services to the County airport will substantially increase the total land area within the airport perimeter that would be shovel ready for aviation related businesses as well as addressing the failing on-lot sand filter system presently serving the structures housing the corporation headquarters of Richmor Aviation and its 100+ employees.

84. Is the proposed project located in a municipal center? Y/N/Not Relevant. Please explain all responses. [Q_1060](#)
No

85. Is the proposed project located in a developed area or an area designated for concentrated infill development in a municipally approved comprehensive land use plan, local waterfront revitalization plan and/or brownfield opportunity area plan? Y/N/Not Relevant. Please explain all responses. [Q_1061](#)

The increased service area proposed for this project encompasses land areas that are designated in the local zoning ordinances as highway commercial, business/commercial and commercial light industrial.

86. Will the proposed project protect, preserve and enhance the State's resources, including agricultural land, forests, surface and groundwater, air quality, recreation and open space, scenic areas, and significant historic and archeological resources? Y/N/Not Relevant. Please explain all responses. [Q_1062](#)

Yes. The project is located in and adjacent to the existing Commerce Park and airport. This location at the intersection of NYS Routes 9H & 66 has been identified in the Master Plans of the Towns of Ghent and Claverack as the preferred locations for business, commercial and light industrial development. This identification was made by both Towns after an extensive review process that included committee reviews and public input and legislative action. Throughout all of these processes an emphasis was placed on minimizing the impacts on the environment. By providing developable sites that have all of the necessary infra-structure for commercial and business uses, other land resources such as farmland, forests, historic and scenic areas will be protected from the developmental pressures associated with commercial and business growth. In addition, the replacement treatment facility will minimize the present potential for contamination of the effluent receiving stream when permit standards are not met.

87. Will the proposed project foster mixed land uses and compact development, downtown revitalization, Brownfield redevelopment, the enhancement of beauty in public spaces, the diversity and affordability of housing in proximity to places of employment, recreation and commercial development and the integration of all income and age groups? Y/N/Not Relevant. Please explain all responses. [Q_1063](#)

Yes, the increased service area resulting from the replacement of the wastewater treatment system and the extension of the services to the airport facility will allow for the expansion of the existing Commerce Center, will foster the development on adjacent similarly zoned business/commercial lands resulting in the establishment of much needed "shovel ready" sites that will offer employment opportunities to the residents of the County while increasing the tax base in the Town of Ghent.

88. Will the proposed project provide mobility through transportation choices including improved public transportation and reduced automobile dependency? Y/N/Not Relevant. Please explain all responses. Q_1064
Not Relevant

89. Will the proposed project involve coordination between state and local government and inter-municipal and regional planning? Y/N/Not Relevant. Please explain all responses. Q_1065
The proposed project will involve coordination between the Columbia County Board of Supervisors, the Board of Commissioners of the Sewer & Water District #1, the County Commissioner of Public Works, the NYSDEC, the NYSDOH, the FAAhend the Towns of Ghent & Claverack .

90. Will the proposed project involve participation in community based planning and collaboration? Y/N/Not Relevant. Please explain all responses. Q_1066
The project involves participation from public and private entities, some of whom work directly with traditionally underserved populations.

91. Will the proposed project ensure predictability in building and land use codes? Y/N/Not Relevant. Please explain all responses. Q_1067
The construction of the treatment facility will be required to adhere to the State Building & Fire Code standards, the NYSDOH standards for the installation of new public water supply lines and all individual commercial, business and light industrial uses established within the proposed enlarged service areas must comply with the NYS Fire & Building Codes and the local zoning regulations of the Towns of Ghent and/or Claverack.,

92. Will the proposed project promote sustainability by strengthening existing and creating new communities which reduce greenhouse gas emissions and do not compromise the needs of future generations, by among other means encouraging broad based public involvement in developing and implementing a community plan and ensuring the governance structure is adequate to sustain its implementation? Y/N/Not Relevant. Please explain all responses. Q_1068
Not relevant

CERTIFICATION

93. By entering your name in the box below, you certify and agree that you are authorized on behalf of the applicant and its governing body to commit the applicant to comply with the requirements of Article 15-A of the New York State Executive Law: Participation By Minority Group Members and Women With Respect To State Contracts by providing opportunities for MBE/WBE participation. You further certify that the applicant will maintain such records and take such actions necessary to demonstrate such compliance throughout the completion of the project. Q_1037
Kenneth J. Flood

94. By entering your name in the box below, you certify that you are authorized on behalf of the applicant and its governing body to submit this application. You further certify that all of the information contained in this Application and in all statements, data and supporting documents which have been made or furnished for the purpose of receiving Assistance for the project described in this application, are true, correct and complete to the best of your knowledge and belief. You acknowledge that offering a written instrument knowing that the written instrument contains a false statement or false information, with the intent to defraud the State or any political subdivision, public authority or public benefit corporation of the State, with the knowledge or belief that it will be filed with or recorded by the State or any political subdivision, public authority or public benefit corporation of the State, constitutes a crime under New York State Law. Q_1038
Kenneth J. Flood

95. Litigation: Is the company presently a party to any litigation or is any litigation pending or anticipated that could have an adverse material effect on the company's financial condition? Indicate "Yes" or "No". If your answer is "Yes", please provide explanation in space provided. Q_1069
No

96. Does the company have any contingent liabilities that could have a material effect on its solvency? Indicate "Yes" or "No". If your answer is "Yes", please explain in space provided. Q_1070
No

97. Has the company, its affiliates or any member of its management or any other concern with which such members of management have been officers or directors, ever been involved in bankruptcy, creditor's rights, or receivership proceedings or sought protection from creditors or has any senior manager or principal of the company ever been charged with or convicted of any felony, or misdemeanor other than minor traffic offenses, or been a member of the management, an owner or majority stockholder of any firm or corporation convicted of any felony? Indicate "Yes" or "No". If your answer is "Yes", please provide an explanation. Q_1071

No

98. Are there any outstanding judgments or liens pending against the company other than liens in the normal course of business? Indicate "Yes" or "No". If your answer is "Yes", please provided explanation in space provided. Q_1072

No

99. By entering your name in the box below, you certify, under penalty of perjury, that the information given herein is true and correct in all respects for the company or organization applying for funding (the "Company"), presently and for the past five years: -the Company is not a party to any litigation or any litigation is not pending or anticipated that could have an adverse material effect on the company's financial condition; -the Company does not have any contingent liabilities that could have a material effect on its solvency; -the Company, its affiliates or any member of its management or any other concern with which such members of management have been officers or directors, have never been involved in bankruptcy, creditor's rights, or receivership proceedings or sought protection from creditors; -the Company is not delinquent on any of its state, federal or local tax obligations; -no senior manager or principal of the Company has ever been charged with or convicted of any felony, or misdemeanor other than minor traffic offenses, or been a member of the management, an owner or majority stockholder of any firm or corporation convicted of any felony; -the Company or any of the Company's affiliates, principal owners or Officers has not received a violation of State Labor Law deemed "willful"; -the Company or any of its affiliates has never been cited for a violation of State, Federal, or local laws or regulations with respect to labor practices, hazardous wastes, environmental pollution or other operating practices; -there are not any outstanding judgments or liens pending against the Company other than liens in the normal course of business. -the Company or any of its affiliates, principal owners or officers the company has not been the subject of any judgments, injunctions, or liens including, but not limited to, judgments based on taxes owed, fines and penalties assessed by any governmental agency, or elected official against the Company. - the Company or any of its affiliates, principal owners or officers the company has not been investigated by any governmental agency, including, but not limited to, federal, state and local regulatory agencies -the Company or any of its affiliates, principal owners or officers the company has not been debarred from entering into any government contract; been found non-responsible on any government contract; been declared in default ore terminated for cause on any government contract; been determined to be ineligible to bid or propose on any contract; been suspended from bidding on any government contract; received an overall unsatisfactory performance rating from any government agency on any contract; agree to a voluntary exclusion from bidding or contracting on a government contract. - the Company or any of its affiliates, principal owners or officers the company has not failed to file any of the required forms with any government entity regulating the Company. By entering your name in the box below, you agree to allow the Department of Taxation to share the Company tax information with ESD. By entering your name in the box below, you agree to allow the Department of Labor to share tax and employer information with ESD. Note: If any of the statements above are not true, in addition to entering your name, also include an explanation in the box below, indicating which issue you are addressing. Q_1776

Kenneth J. Flood

Funding Requested

Program	Amount Requested
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Empire State Development Grant Funds \$

Budget

Empire State Development Grant Funds

Use	Source	Amount	Indicate Source/Comments
<input type="text" value="Construction/Renovation"/> ▼	<input type="text" value="State"/> ▼	\$ <input type="text" value="2500000"/>	
<input type="text" value="Architectural/Engineering"/> ▼	<input type="text" value="Local"/> ▼	\$ <input type="text" value="375000"/>	
<input type="text" value="Construction/Renovation"/> ▼	<input type="text" value="Local"/> ▼	\$ <input type="text" value="1250000"/>	