

**TOWN OF COLONIE INDUSTRIAL DEVELOPMENT AGENCY**

**APPLICATION FOR  
INDUSTRIAL DEVELOPMENT  
REVENUE BOND FINANCING**

IMPORTANT NOTICE: The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from the Town of Colonie Industrial Development Agency.

These answers will also be used in the preparation of papers in this transaction. Accordingly, all questions should be answered accurately and completely by an officer, member, partner or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is also thoroughly familiar with the proposed project. This application is subject to acceptance by the Agency.

**TO:** TOWN OF COLONIE INDUSTRIAL DEVELOPMENT AGENCY

Attn: Joseph LaCivita, Executive Director  
Public Operations Center  
347 Old Niskayuna Road  
Latham, NY 12110

Telephone: 518-782-2599  
Fax: 518-783-2888

This application by applicant respectfully states:

APPLICANT: \_\_\_\_\_  
\_\_\_\_\_

APPLICANT'S  
ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP:  
\_\_\_\_\_

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS

APPLICATION: \_\_\_\_\_ TELEPHONE NO.: \_\_\_\_\_  
FAX NO.: \_\_\_\_\_

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF  
ATTORNEY: \_\_\_\_\_

ATTORNEY'S  
ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

TELEPHONE NO.: \_\_\_\_\_

FAX NO.: \_\_\_\_\_

NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 OF THIS APPLICATION BEFORE FILING  
OUT THE REST OF THIS FORM.



## INSTRUCTIONS

1. The Agency will not approve any application unless in the judgment of the Agency said application contains sufficient information upon which to base a decision whether to approve or tentatively approve the project contemplated therein.
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.
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 five (5) copies of this application to the Agency at the address indicated on the first page of this application.
6. The Agency will not give final approval to this application until the Agency receives a completed environmental assessment concerning the project which is the subject of this application.
7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Agency (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 which 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 the Public Officers Law.
8. The applicant shall pay to the Agency all actual costs and expenses (including legal fees) incurred by the Agency in connection with this application and the project contemplated herein (to the extent such costs and expenses are not paid out of the proceeds of the Agency's bonds issued to finance the project). The costs incurred by the Agency, including the Agency's counsel and bond counsel, may be considered as a part of the project and included as a part of the resultant bond issue.
9. The Agency has established an administrative fee to be paid by the applicant said fee being intended to cover the indirect expenses incurred by the Agency in administering the project including compiling reports relating to the project. The administrative fee, 1/2 of 1 % of the total project cost. The fee shall be payable upon the earlier to occur of (a) the sale of the bonds, notes or other evidence of indebtedness or the closing of the straight lease transaction or (b) one (1) year after the applicant is appointed agent of the agency.
10. The Agency has established a non-refundable application fee of TWO HUNDRED FIFTY DOLLARS (\$250) to cover the anticipated costs of the Agency in processing this application. A check or money order made payable to the Agency must accompany each application. THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS ACCOMPANIED BY THE APPLICATION FEE.

**SUMMARY OF PROJECT**

Applicant: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Occupant: \_\_\_\_\_

(If different than Applicant) \_\_\_\_\_

Project Location: \_\_\_\_\_

Approximate Size of Project Site: \_\_\_\_\_

Description of Project: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Type of Project:

- |  |   |
|--|---|
| <input type="checkbox"/> Manufacturing         | <input type="checkbox"/> Warehouse/Distribution |
| <input type="checkbox"/> Commercial            | <input type="checkbox"/> Non-For-Profit         |
| <input type="checkbox"/> Other – Specify _____ |   |

Project Cost: \_\_\_\_\_

Type of Financing:       Bond Financed Tax Exempt       Bond Financed Taxable  
    Straight Lease Transaction

Amount of Bonds Requested: \_\_\_\_\_

Estimated Value of Tax-Exemptions:

N.Y.S. Sales and Compensating Use Tax:	\$
_____	
Mortgage Recording Taxes:	\$
_____	
Tax Exempt Bonds:	\$
_____	
Other (please specify):	\$
_____	

Estimated Benefits of the Project:

Existing jobs:	
_____	
Jobs created:	
_____	
Jobs retained:	
_____	
Estimated payroll:	\$
_____	
Sales tax generated:	\$
_____	
Property tax special dist tax	\$
_____	
Increase in Assessed Value	\$
_____	

Other (please specify):

\$

F6-3

---

PAGE 4

PART I. INFORMATION CONCERNING PERSON TO WHOM THE AGENCY IS TO LEASE OR SELL THE PROJECT (HEREINAFTER REFERRED TO AS THE "COMPANY").

A. Company name: \_\_\_\_\_

Present Address: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

Employer's ID No.: \_\_\_\_\_

B. If the Company differs from the Applicant, give details of relationship: \_\_\_\_\_

\_\_\_\_\_

C. Indicate type of business organization of Company:

1. \_\_\_\_\_ Corporation (If so, indicate type of corporation: \_\_\_\_\_ ;  
country incorporated in: \_\_\_\_\_ ; state incorporated in: \_\_\_\_\_  
date incorporated: \_\_\_\_\_ ;  
date authorized to do business in New York: \_\_\_\_\_ )

2. \_\_\_\_\_ Partnership (If so, indicate type of partnership: \_\_\_\_\_ ;  
state organized in: \_\_\_\_\_ ;  
date authorized to do business in New York: \_\_\_\_\_ ;  
number of general partners: \_\_\_\_\_ ;  
number of limited partners: \_\_\_\_\_ ).

3. \_\_\_\_\_ Trust.

4. \_\_\_\_\_ Limited Liability Company (If so, indicate state organized in: \_\_\_\_\_  
date authorized to do business in New York: \_\_\_\_\_ ;  
number of members: \_\_\_\_\_ ;  
managers: \_\_\_\_\_ ).

5. \_\_\_\_\_ Sole Proprietorship.

6. \_\_\_\_\_ Other (Explain).

D. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)? If so, indicate name of related organization(s) and relationship:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



E. Principal owners of the Company: Is Company publicly held?  Yes  No  
 If yes, list exchanges where stock of the Company is traded: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

If no, list all stockholders, partners, members or managers having a 5% or greater percentage interest in the ownership or profits of the Company:

Name	Address	Percentage of <u>Holding</u>

1. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)?  Yes  No
2. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt?  Yes  No
3. If yes to any of the foregoing questions 1, 2 or 3, furnish detail in a separate attachment.

F. Management of Company: List all officers, directors, members, managers, and partners (complete all columns for each person):

Name	Address	Office <u>Held</u>	Other Principal <u>Business Affiliations</u>

1. Is the company or management of the Company now a plaintiff or a defendant in any criminal litigation?  Yes  No
2. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)?  Yes  No

3. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? \_\_\_ Yes \_\_\_ No

4. If yes to any of the foregoing questions 1, 2 or 3, furnish detail in a separate attachment.

G. Company's Principal Bank(s): \_\_\_\_\_  
\_\_\_\_\_

PART II. INFORMATION CONCERNING PERSON(S) TO WHOM THE COMPANY INTENDS TO LEASE OR SUBLEASE THE PROJECT (HEREINAFTER REFERRED TO AS THE "SUBLESSEES"). Please give the following information with respect to each Sublessee to whom the Company intends to lease or sublease more than 10% (by area, or fair market rental value) of the project:

A. Sublessee name: \_\_\_\_\_

Present Address: \_\_\_\_\_

City: \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

Sublessee is: \_\_\_\_\_ Corporation \_\_\_\_\_ Partnership \_\_\_\_\_ Sole Proprietorship

Relationship to Company: \_\_\_\_\_

Percentage of project to be leased or subleased: \_\_\_\_\_

Use of project intended by Sublessee: \_\_\_\_\_

Date of lease or sublease to Sublessee: \_\_\_\_\_

B. Sublessee name: \_\_\_\_\_

Present Address: \_\_\_\_\_

City: \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

Sublessee is: \_\_\_\_\_ Corporation \_\_\_\_\_ Partnership \_\_\_\_\_ Sole Proprietorship

Relationship to Company: \_\_\_\_\_

Percentage of project to be leased or subleased: \_\_\_\_\_

Use of project intended by Sublessee: \_\_\_\_\_

Date of lease or sublease to Sublessee: \_\_\_\_\_

C. Sublessee name: \_\_\_\_\_

Present Address: \_\_\_\_\_

City: \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

Sublessee is: \_\_\_\_\_ Corporation \_\_\_\_\_ Partnership \_\_\_\_\_ Sole Proprietorship

Relationship to Company: \_\_\_\_\_

Percentage of project to be leased or subleased: \_\_\_\_\_

Use of project intended by Sublessee: \_\_\_\_\_

Date of lease or sublease to Sublessee: \_\_\_\_\_



PART III DATA REGARDING PROPOSED PROJECT

A. Summary: (Please provide a brief narrative description of the project.)

---

---

---

---

---

---

---

B. Location of Proposed project:

1. Street address: \_\_\_\_\_
2. City where located: \_\_\_\_\_
3. Town where located: \_\_\_\_\_
4. Village where located: \_\_\_\_\_
5. School District where located: \_\_\_\_\_
6. Fire District where located: \_\_\_\_\_
7. County where located: \_\_\_\_\_

C. Project Site:

1. Approximate size (in acres or square feet) of project site: \_\_\_\_\_  
\_\_\_\_\_

Is a map, survey or sketch of project site attached? \_\_\_\_ Yes \_\_\_\_ No

2. Are there existing buildings on project site \_\_\_\_ Yes \_\_\_\_ No
  - a. If yes, indicate number and approximate size (in square feet) of each existing building: \_\_\_\_\_

---

b. Are existing  
buildings in operation?  Yes  No

If yes, indicate number and approximate size (in square feet) of each existing building:

---

---

---

c. Are existing  
buildings abandoned?  Yes  No

d. About to be abandoned?  Yes  No  
If yes to either question, please describe: \_\_\_\_\_

3. Does part of the project consist of a new building or buildings?  Yes  No  
(If yes, indicate number and size of new buildings☺)

---

---

---

4. Does part of the project consist of additional and/or renovations to the existing buildings?  
 Yes  No. (If yes, indicate nature of expansion and/or renovation☺)

---

---

---

D. Present legal owner of project site: \_\_\_\_\_

---

1. If the Company (or any Sublessee) owns the project site, indicate date  
of purchase: \_\_\_\_\_

Purchase price: \_\_\_\_\_

2. If the Company is not owner of the project site, does Company (or any Sublessee) have  
option signed with owner to purchase the project site?  Yes  No

If yes, indicate date option signed with owner: \_\_\_\_\_  
date option expires: \_\_\_\_\_

3. If the company (or any Sublessee) does not own the project site, is there a relationship legally  
or by common control between the Company (or any Sublessee) and the present



owners of the project site? \_\_\_\_ Yes \_\_\_\_ No. (If yes, describe in detail on separate attachment).

E. Zoning District in which project site is located: \_\_\_\_\_

\_\_\_\_\_

Are there any variances or special permits affecting the site? \_\_\_\_ Yes \_\_\_\_ No. (If yes, list below and attach copies of all such variances or special permits: \_\_\_\_\_

\_\_\_\_\_

F. Description of the Equipment:

1. Does a part of the project consist of the acquisition or installation of machinery, equipment or other personal property (the "Equipment")? \_\_\_\_ Yes \_\_\_\_ No.

If yes, describe the Equipment: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. With respect to the Equipment to be acquired, will any of the Equipment be Equipment which has previously been used? \_\_\_\_ Yes \_\_\_\_ No.

If yes, please provide detail:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

G. Project Use.

1. What are the principal products to be produced at the project?

---

---

---

---

---

2. What are the principal activities to be conducted at the project?

---

---

---

---

---

3. Does the project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities?  
\_\_\_ Yes \_\_\_ No. If yes, please provide detail: \_\_\_\_\_

---

---

---

4. If the answer to question 3 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 services to customers who personally visit the project? \_\_\_\_\_%

5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33%, indicate whether any of the following apply to the project:

a. Will the project be operated by a not-for-profit corporation?

\_\_\_ Yes \_\_\_ No. If yes, please explain: \_\_\_\_\_

---

---

---

b. 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: \_\_\_\_\_

---

---

---

c. Would the project occupant, but for the contemplated financial assistance from the Agency, locate the related jobs outside the State of New York?

Yes  No. If yes, please explain: \_\_\_\_\_

---

---

---

d. Is the predominant purpose of the project to make available goods or services which would not, but for the project, be reasonably accessible to the residents of the city, town or village within which the project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services?

Yes  No. If yes, please explain: \_\_\_\_\_

---

---

---

e. Will the project be located in one of the following: (i) an area designed as an economic development 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 numbering 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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. If the answers to any of subdivisions c. through e. of question 5 is yes, will the project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York?

\_\_\_\_ Yes \_\_\_\_ No. If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

H. Construction Status:

- 1. a. Has construction work on this project begun? \_\_\_\_ Yes \_\_\_\_ No.  
b. Has acquisition of this job commenced? \_\_\_\_ Yes \_\_\_\_ No.

2. If yes or either or both, please discuss in detail the approximate extent of construction (and/or acquisition) and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations; installation of footings; etc.; \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Please indicate amount of funds expended on this project by the Company in the past three (3) years and the purposes of such expenditures.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I. Method of Construction After Agency Approval:

1. Does the applicant anticipate that in the future it may wish to request being designated as “agent” of the Agency for purposes of construction of the project?  
 \_\_\_ Yes \_\_\_ No

PART IV. EMPLOYMENT IMPACT

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

TYPE OF EMPLOYMENT				
	Professional Managerial Technical	Skilled	Unskilled or Semi-skilled	TOTALS
Present Full Time	( )	( )	( )	( )
Present Part Time	( )	( )	( )	( )
Present Seasonal	( )	( )	( )	( )
PRESENT TOTAL				
First Year Full Time	( )	( )	( )	( )
First Year Part Time	( )	( )	( )	( )
Present Seasonal	( )	( )	( )	( )
FIRST YEAR TOTAL				
Second Year Full Time	( )	( )	( )	( )
Second Year Part Time	( )	( )	( )	( )
Present Seasonal	( )	( )	( )	( )
SECOND YEAR TOTAL				

1. Will the completion of the project which is the subject of this application result in the removal of a plant or facility of the Company (or any Sublessee or other project occupant) from one area of the State of New York to another area of the State of New York?  
 \_\_\_ Yes \_\_\_ No
2. Will the completion of the project result in the abandonment of one or more plants or facilities of the Company (or any Sublessee or other project occupant) located in the State of New York? \_\_\_ Yes \_\_\_ No
3. If the answer to either of the preceding questions is yes, is this project reasonably necessary to preserve the competitive position of the Company (or any Sublessee or other project

occupant) in its industry? \_\_\_\_ Yes \_\_\_\_ No. Is this project reasonably necessary to discourage the Company (or any Sublessee or other project occupant) from removing such other plant or facility to a location outside the State of New York?  
 \_\_\_\_ Yes \_\_\_\_ No If yes to either question in this item 3, please furnish details in separate attachment.

PART V. PROJECT COST:

A. State the costs reasonably necessary for the acquisition of the project site and the construction of the proposed project including the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, including any utilities access roads or appurtenant facilities, using the following categories:

<u>Description of Cost</u>	<u>Amount</u>
Land.....	\$ _____
Buildings.....	\$ _____
Machinery & Equipment Cost.....	\$ _____
Utilities, roads and appurtenant costs.....	\$ _____
Architects & engineering fees.....	\$ _____
Costs of Bond issue (legal, financial & printing)	\$ _____
Construction loan fees & interest (if applicable)	\$ _____
Other (specify.....	\$ _____
.....	\$ _____
.....	\$ _____
.....	\$ _____
.....	\$ _____
.....	\$ _____
.....	\$ _____
TOTAL PROJECT COST	\$ _____

B. Amount of loan requested \_\_\_\_\_ Dollars;  
 Maturity requested \_\_\_\_\_ Years.

PART IV COST/BENEFIT ANALYSIS:

A. Financial Assistance being applied for:

<u>Type</u>	<u>Estimated Value</u>
Mortgage Recording Tax Exemption	\$ _____
Sales and Use Tax Execution	\$ _____
TOTAL	\$ _____

B. Benefits of the Project

Existing jobs:	_____
Jobs created:	_____
Jobs retained:	_____
Estimated payroll:	\$ _____
Sales tax generated:	\$ _____
Property tax/special dist tax	\$ _____
Increase in Assessed Value	\$ _____
Other (please specify):	\$ _____

PART VII. UNDERTAKINGS BY THE APPLICANT:

The Applicant understands and agrees with the Agency as follows:

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

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

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

D. Annual Employment Reports. The Applicant understands and agrees that, if the project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the Agency, 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 Agency a list of the members, officers and employees of the Agency. No member, officers or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:
- F. Payment of Fees and Expenses. The Applicant shall pay all reasonable legal fees and expenses paid or incurred by the Agency arising out of or connected with the Agency's undertaking or attempting to undertake the acquisition, construction, equipping or financing of the project or the Agency's granting or attempting to grant any financial assistance (within the meaning of Article 18-A of the General Municipal Law) with respect to the project, regardless of whether any such acquisition, construction, equipping or financing or granting is consummated.



VERIFICATION  
(If Applicant is sole proprietor)

STATE OF \_\_\_\_\_ )  
 ) SS.:  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, deposes and says that he has read the foregoing application and knows the contents thereof that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application.

Sworn to before me this \_\_\_\_\_  
\_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

\_\_\_\_\_  
Notary Public

VERIFICATION  
(If Applicant is partnership)

STATE OF \_\_\_\_\_ )  
 ) SS.:  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_, deposes and says that he is one of the members of the firm of \_\_\_\_\_ of \_\_\_\_\_ the partnership named \_\_\_\_\_ in the attached application; that he has read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of his knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon his own personal knowledge are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as a member of and from the books and papers of said partnership.

Sworn to before me this \_\_\_\_\_  
\_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

\_\_\_\_\_  
Notary Public

NOTE: THIS APPLICATION WILL NOT BE ACCEPTED BY THE AGENCY UNLESS THE FOLLOWING HOLD HARMLESS AGREEMENT IS SIGNED BY THE APPLICANT.

---

HOLD HARMLESS AGREEMENT

To the maximum extent permitted by law, the Applicant hereby releases the Town of Colonie Industrial Development Agency and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all damages, costs (including without limitation, reasonable attorney's fees) expenses, judgments, orders, claims and liabilities arising from or connected with (i) the Agency'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 requested therein are favorably acted upon by the Agency (ii) the Agency's acquisition, construction, construction and/or installation of the Project described therein and (iii) any further action taken by the Agency with respect to the Project, including, without limiting the generality of the foregoing, all claims, liabilities, causes of action and attorney's fees and any other expense incurred in defending any suits or actions which may arise 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 Applicant is unable to find buyers willing to purchase the total bond issue requested, then, and in that event, upon presentation of an invoice itemizing the same, Applicant shall pay to the Agency, its agents or assigns, all actual costs incurred by the Agency in connection with the project, including attorney's fees, if any.

APPLICANT: \_\_\_\_\_

BY: \_\_\_\_\_

Sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Notary Public



**PART II - ENVIRONMENTAL ASSESSMENT (To be completed by Agency)**

A.	DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, coordinate the review process and use the FULL EAF.
B.	WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If no, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input type="checkbox"/> No	
C.	COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)	
	C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:	
	C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources, or community or neighborhood character? Explain briefly:	
	C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:	
	C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:	
	C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:	
	C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:	
	C7. Other impacts (including changes in use of either quantity or type of energy?) Explain briefly:	
D.	WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CEA? <input type="checkbox"/> Yes <input type="checkbox"/> No	
E.	IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input type="checkbox"/> No      If Yes, explain briefly:	

**PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

<input type="checkbox"/>	Check this box if you identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action <b>WILL NOT</b> result in any significant adverse environmental impacts <b>AND</b> provide, on attachments as necessary, the reasons supporting this determination.
<input type="checkbox"/>	Check this box if you have determined that the proposal is a Type II action per Part 617.13.
<input type="checkbox"/>	Check this box if the Action is in conformance with conditions and thresholds established in a findings statement resulting from a GEIS.
<hr style="border: 0; border-top: 1px solid black; margin: 0;"/> Name of Lead Agency	
<hr style="border: 0; border-top: 1px solid black; margin: 0;"/> Print or Type Name of Responsible Officer in Lead Agency	<hr style="border: 0; border-top: 1px solid black; margin: 0;"/> Title of Responsible Officer
<hr style="border: 0; border-top: 1px solid black; margin: 0;"/> Signature of Responsible Officer in Lead Agency	<hr style="border: 0; border-top: 1px solid black; margin: 0;"/> Signature of Preparer (if different from responsible officer)
<hr style="border: 0; border-top: 1px solid black; margin: 0;"/> Date	