

**MADISON COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

**APPLICATION**

IMPORTANT NOTICE: The answers to the questions contained in this application are necessary to determine your firm's eligibility for tax exemptions and other assistance from Madison County 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 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: MADISON COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
Madison County Center for Economic Development  
3215 Seneca Turnpike  
Canastota, New York 13032  
Attention: Chairman

This application by applicant respectfully states:

APPLICANT: Superior Metals Manufacturing Co.  
APPLICANT'S STREET ADDRESS: 901 East Genesee Street  
CITY: Chittenango STATE: New York ZIP CODE: 13037  
PHONE NO.: 216-339-3124 FAX NO.: \_\_\_\_\_ E-MAIL: dolestine@superiormetalsmfg.com

NAME OF PERSON(S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION: Donald Bierstine

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

NAME OF FIRM: N/A  
NAME OF ATTORNEY: \_\_\_\_\_  
ATTORNEY'S STREET ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_  
PHONE NO.: \_\_\_\_\_ FAX NO.: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

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NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 BEFORE FILLING OUT THIS APPLICATION.  
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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 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 two (2) 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 form 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 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 the Public Officers Law.
8. The applicant will be required to pay to the Agency 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 Agency's bonds issued to finance the project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel/special counsel to the Agency. The costs incurred by the Agency, including the Agency's general 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 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.
10. The Agency has established a project fee for each project in which the Agency participates. UNLESS THE AGENCY 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 AGENCY.

FOR AGENCY USE ONLY

1. Project Number	
2. Date application Received by Agency	, 20
3. Date application referred to attorney for review	, 20
4. Date copy of application mailed to members	, 20
5. Date notice of Agency meeting on application posted	, 20
6. Date notice of Agency meeting on application mailed	, 20
7. Date of Agency meeting on application	, 20
8. Date Agency conditionally approved application	, 20
9. Date scheduled for public hearing	, 20
10. Date Environmental Assessment Form ("EAF") received	, 20
11. Date Agency completed environmental review	, 20
12. Date of final approval of application	, 20

I. INFORMATION CONCERNING THE PROPOSED OCCUPANT OF THE PROJECT (HEREINAFTER, THE "COMPANY").

A. Identity of Company:

1. Company Name: Superior Metals Manufacturing Co.  
Present Address: 901 E. Genesee Street, Chittenango NY  
Zip Code: 13037  
Employer's ID No.: 85-0799943
2. If the Company differs from the Applicant, give details of relationship: N/A  
\_\_\_\_\_
3. Indicate type of business organization of Company: Corporation
  - a. Corporation. If so, incorporated in what country? US; What State? Delaware; Date Incorporated April 15, 2020; Type of Corporation? For profit; Authorized to do business in New York?  
Yes X; No \_\_\_\_.
  - b. Partnership. If so, indicate type of partnership \_\_\_\_\_; Number of general partners \_\_\_\_\_; Number of limited partners \_\_\_\_\_.
  - c. Limited liability company, Date created? \_\_\_\_\_.
  - d. Sole proprietorship.
4. 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: The Company is a wholly-owned subsidiary of Consolidated Precision Products Corp.

B. Management of Company:

1. List all owners, officers, members, directors and partners (complete all columns for each person):

NAME AND HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS
James Stewart 45 East Juniper Lane Moreland Hills, OH 44022	Director, CEO	Director and Officer of Company's affiliated entities
Richard A. Legenza 1069 Greenwood Ct. Medina, OH 44256	Director, General Counsel and Secretary	Director and Officer of Company's affiliated entities


2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation? Yes \_\_\_; No X.

3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)? Yes \_\_\_; No X.

4. 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 X.

5. If the answer to any of questions 2 through 4 is yes, please, furnish details in a separate attachment.

C. Principal owners of Company:

1. Is Company publicly held? Yes \_\_\_; No X. If yes, please list exchanges where stock traded:

2. If no, list all stockholders having a 5% or more interest in the Company:

NAME	ADDRESS	PERCENTAGE OF HOLDING
Consolidated precision Products Corp.	1621 Euclid Avenue, Suite 1850, Cleveland, OH 44115	100%

D. Company's principal bank(s) of account: PNC Bank, National Association

\_\_\_\_\_

\_\_\_\_\_

II. DATA REGARDING PROPOSED PROJECT.

A. Description of the Project: (Please provide a brief narrative description of the Project.)

An additional manufacturing facility of approximately 137,000 square feet would be constructed at 901 E. Genesee St., Chittenango NY, 13037. The new building would house equipment and processes capable of producing and supplying Aerospace and Defense materials around the globe.

B. Location of the Project:

1. Street Address: 901 E. Genesee Street \_\_\_\_\_
2. City of Chittenango \_\_\_\_\_
3. Town of Sullivan \_\_\_\_\_
4. Village of Chittenango \_\_\_\_\_
5. County of Madison \_\_\_\_\_
6. School District Chittenango Central Schools \_\_\_\_\_
7. Tax Map Number 41.66-1-11

C. Description of the Project site:

1. Approximate size (in acres or square feet) of the Project site: 137,000 ft<sup>2</sup>. Is a map, survey or sketch of the Project site attached? Yes X; No \_\_\_\_\_. See attached PROPOSED PLANT LAYOUT.
2. Are there existing buildings on the Project site? Yes X; No \_\_\_\_\_.
  - a. If yes, indicate the number of buildings on the site: 3. Also, please briefly identify each existing building and indicate the approximate size (in square feet) of each such existing building: Main Manufacturing Plant (95,000 ft<sup>2</sup>), Warehouse (10,000 ft<sup>2</sup>), Learning Center (4400 ft<sup>2</sup>)  
\_\_\_\_\_  
\_\_\_\_\_
  - b. Are the existing buildings in operation? Yes X; No \_\_\_\_\_. If yes, describe present use of present buildings: Investment casting production, storage, testing, and training.
  - c. Are the existing buildings abandoned? Yes \_\_\_\_; No X. About to be abandoned? Yes \_\_\_\_; No X. If yes, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - d. Attach photograph of present buildings. See attached AERIAL VIEW.
3. Utilities serving the Project site:

Water-Municipal: OCWA \_\_\_\_\_  
Other (describe) \_\_\_\_\_  
Sewer-Municipal: Village of Chittenango \_\_\_\_\_  
Other (describe) \_\_\_\_\_  
Electric-Utility: National Grid \_\_\_\_\_  
Other (describe) \_\_\_\_\_  
Heat-Utility: National Grid (gas) \_\_\_\_\_  
Other (describe) \_\_\_\_\_

4. Present legal owner of the Project site: CPP-Syracuse, Inc.  
\_\_\_\_\_  
\_\_\_\_\_

a. If the Company owns the Project site, indicate date of purchase: N/A; purchase price: \$N/A.

b. If Company does not own the Project site, does Company have an option signed with the owner to purchase the Project site? Yes \_\_\_; No X. If yes, indicate date option signed with the owner: \_\_\_\_\_, \_\_\_; and the date the option expires: \_\_\_\_\_, \_\_\_\_.

c. If the Company does not own the Project site, is there a relationship legally or by common control between the Company and the present owner of the Project site? Yes X\_\_\_; No\_\_\_. If yes, describe; Company and Project site owner are related companies under common control. (CONFIDENTIAL) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. a. Zoning District in which the Project site is located: Village of Chittenango\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b. Are there any variances or special permits affecting the Project site? Yes X\_\_\_; No\_\_\_. If yes, list below and attach copies of all such variances or special permits: Total number of parking spaces \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

D. Description of Proposed Construction:

1. Does part of the Project consist of the acquisition or construction of a new building or buildings? Yes X\_\_\_; No\_\_\_. If yes, indicate number and size of new buildings:  
One – 137,000 ft2 \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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2. Does part of the Project consist of additions and/or renovations to existing buildings located on the Project site? Yes X; No \_\_\_\_\_. If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:  
The existing warehouse would be razed.

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3 Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed or expanded: Manufacturing and distribution.

E. 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 X; No \_\_\_\_\_. If yes, describe the Equipment: Furnaces, various material handling and processing equipment, and analytical laboratory equipment \_\_\_\_\_

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2. With respect to the Equipment to be acquired, will any of the Equipment be Equipment which has previously been used? Yes \_\_\_\_; No X. If yes, please provide detail: \_\_\_\_\_

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3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed: The production and processing of Aerospace and Defense materials. \_\_\_\_

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F. Project Use:

1. What are the principal products to be produced at the Project? \_\_\_\_\_  
Aerospace and Defense materials.

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2. What are the principal activities to be conducted at the Project? \_\_\_\_\_  
Manufacturing and distribution.

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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 X. 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 provide detail: \_\_\_\_\_

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:

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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:

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7. Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes\_\_\_\_; No X\_. If yes, please explain: \_\_\_\_\_

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8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company or another Project Occupant located in the State of New York? Yes\_\_\_\_; No X\_. If yes, please provide detail: \_\_\_\_\_

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9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project:

a. 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: \_\_\_\_\_

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b. 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 X. If yes, please provide detail: \_\_\_\_\_

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G. Project Status:

1. If the Project includes the acquisition of any land or buildings, have any steps been taken toward acquiring same? Yes \_\_\_; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition: N/A

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2. If the Project includes the acquisition of any Equipment, have any steps been taken toward acquiring same? Yes X; No \_\_\_\_\_. If yes, please discuss in detail the approximate stage of such acquisition: Down payment has been made on certain equipment. \_\_\_\_\_

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3. If the Project involves the construction or reconstruction of any building or other improvement, has construction work on any such building or improvement begun? Yes \_\_\_; No X. If yes, please discuss in detail the approximate extent of construction 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.: \_\_\_\_\_

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4. Please indicate amount of funds expended on the Project by the Company in the past three (3) years and the purposes of such expenditures: \$350,000 (down payments, site assessments, and staffing) \_\_\_\_\_

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5. Please indicate the date the applicant estimates the Project will be completed: 12/2023

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III. INFORMATION CONCERNING LEASES OR SUBLEASES OF THE PROJECT.  
(PLEASE COMPLETE THE FOLLOWING SECTION IF THE COMPANY INTENDS TO LEASE  
OR SUBLEASE ANY PORTION OF THE PROJECT).

A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes \_\_\_; No X. If yes, please complete the following for each existing or proposed tenant or subtenant:

1. Sublessee name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
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: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_  
Will any portion of the space leased by this sublessee 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 II(F)(4) through (6) with respect to such sublessee.
  
2. Sublessee name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
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: \_\_\_\_\_  
Term of lease or sublease to Sublessee: \_\_\_\_\_  
Will any portion of the space leased by this sublessee 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 II(F)(4) through (6) with respect to such sublessee.
  
3. Sublessee name: \_\_\_\_\_  
Present Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Employer's ID No.: \_\_\_\_\_  
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: \_\_\_\_\_

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

Will any portion of the space leased by this sublessee 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 II(F)(4) through (6) with respect to such sublessee.

B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease? \_\_\_\_\_

IV. EMPLOYMENT IMPACT.

A. Indicate below the number of people presently employed at the Project site and the **additional** number that will be employed at the Project site at the end of the first and second years after the Project has been completed, using the tables below for (1) employees of the Applicant, (2) independent contractors, and (3) employees of independent contractors. (Do not include construction workers). Also indicate below the number of workers employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the applicant. Such information regarding relocated positions should also indicate whether such positions are relocated from other project sites financed by obligations previously issued by the Agency.

<b>TYPE OF EMPLOYMENT</b>					
<b>Employees of Applicant</b>					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present Full Time					
Present Part Time					0
Present Seasonal					0
First Year Full Time	8 (est.)	9 (est.)	39 (est.)		56
First Year Part Time					0
First Year Seasonal					0
Second Year Full Time		4 (est.)	24 (est.)		84
Second Year Part Time					0
Second Year Seasonal					0

<b>TYPE OF EMPLOYMENT</b>					
<b>Independent Contractors</b>					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present Full Time	1				1
Present Part Time	5				5
Present Seasonal					0
First Year Full Time	1				1

First Year Part Time					0
First Year Seasonal					0
Second Year Full Time	1				1
Second Year Part Time					0
Second Year Seasonal					

<b>TYPE OF EMPLOYMENT</b>					
<b>Employees of Independent Contractors</b>					
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled	Totals
Present Full Time					0
Present Part Time					0
Present Seasonal					0
First Year Full Time					0
First Year Part Time					0
First Year Seasonal					0
Second Year Full Time					0
Second Year Part Time					0
Second Year Seasonal					0

B. Indicate below (1) the estimated salary and fringe benefit averages or ranges and (2) the estimated number of employees residing in the Agency's Labor Market Area for all the jobs at the Project site, both retained and created, listed in the tables described in subsection A above for each of the categories of positions listed in the chart below.

<b>RELATED EMPLOYMENT INFORMATION</b>				
	Professional or Managerial	Skilled	Semi-Skilled	Un-Skilled
Estimated Salary and Fringe Benefit Averages or Ranges	CONFIDENTIAL	CONFIDENTIAL	CONFIDENTIAL	N/A
Estimated Number of Employees Residing in the Agency's Labor Market Area <sup>1</sup>	All	All	All	All

C. Please describe the projected timeframe for the creation of any new jobs with respect to the undertaking of the Project:

2021: 14 (est.)

2022: 24 (est.)

<sup>1</sup> The Agency's Labor Market Area consists of the following counties: Madison, Chenango, Cortland, Oneida, Onondaga, and Otsego.

2023: 18 (est.)  
 2024: 28 (est.), 84 cumulative

D. Please prepare a separate attachment describing in detail the types of employment at the Project site. Such attachment should describe the activities or work performed for each type of employment. See attached Job Matrix (CONFIDENTIAL).

V. PROJECT COST AND FINANCING SOURCES.

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

<u>Description of Cost</u>	<u>Amount</u>
Land	\$ 0
Buildings	\$ 15M (est.)
Machinery and equipment costs	\$ 36M (est.)
Utilities, roads and appurtenant costs	\$ 4M (est.)
Architects and engineering fees	\$ 1M (est.)
Costs of financing/bond issue (legal, financial, and printing)	\$ 0
Construction loan fees and interest (if applicable)	\$ 0
Other (specify)	
Inventory	\$ 12M (est.)
_____	\$ _____
_____	\$ _____
<b>TOTAL PROJECT COSTS</b>	<b>\$ 68M (est.)</b>

B. Anticipated Project Financing Sources. State the sources reasonably necessary for the financing of the Project site, the construction of the proposed buildings and

the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

<u>Description of Sources</u>	<u>Amount</u>
Private Sector Financing	\$ N/A
Public Sector	
Federal Programs	\$ N/A
State Programs	\$ N/A
Local Programs	\$ N/A
Applicant Equity	\$ N/A
Other (specify, e.g., tax credits)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>TOTAL AMOUNT OF PROJECT FINANCING SOURCES</b>	<b>\$ _____</b>

C. Have any of the above expenditures already been made by the applicant?  
 Yes \_\_\_\_\_; No   X  . If yes, indicate particulars.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

D. Amount of loan requested: \$   N/A   \_\_\_\_\_;  
 Maturity requested: \_\_\_\_\_ years.

E. Has a commitment for financing been received as of this application date, and if so, from whom? N/A

Yes \_\_\_\_\_; No \_\_\_\_\_. Institution Name: \_\_\_\_\_

Provide name and telephone number of the person we may contact.

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

- F. The percentage of Project costs to be financed from public sector sources is estimated to equal the following: \_\_\_\_\_0\_\_\_\_\_%
- G. The total amount estimated to be borrowed to finance the Project is equal to the following: \$ 0

VI. FINANCIAL ASSISTANCE EXPECTED FROM THE AGENCY.

A. Financing

1. Is the applicant requesting that the Agency issue bonds to assist in financing the project? Yes \_\_\_\_; No X. If yes, indicate:
- a. Amount of loan requested: \_\_\_\_\_Dollars; and
  - b. Maturity requested: \_\_\_\_\_Years.
2. If the answer to question 1 is yes, is the interest on such bonds intended to be exempt from federal income taxation? Yes \_\_\_\_; No \_\_\_\_.
3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes:
- a. retail food and beverage services: Yes \_\_\_\_; No \_\_\_\_
  - b. automobile sales or service: Yes \_\_\_\_; No \_\_\_\_
  - c. recreation or entertainment: Yes \_\_\_\_; No \_\_\_\_
  - d. golf course: Yes \_\_\_\_; No \_\_\_\_
  - e. country club: Yes \_\_\_\_; No \_\_\_\_
  - f. massage parlor: Yes \_\_\_\_; No \_\_\_\_
  - g. tennis club: Yes \_\_\_\_; No \_\_\_\_
  - h. skating facility (including roller skating, skateboard and ice skating):  
Yes \_\_\_\_; No \_\_\_\_
  - i. racquet sports facility (including handball and racquetball court):  
Yes \_\_\_\_; No \_\_\_\_
  - j. hot tub facility: Yes \_\_\_\_; No \_\_\_\_
  - k. suntan facility: Yes \_\_\_\_; No \_\_\_\_
  - l. racetrack: Yes \_\_\_\_; No \_\_\_\_
4. If the answer to any of the above questions contained in question 3 is yes, please furnish details on a separate attachment.

B. Tax Benefits.

1. Is the applicant requesting any real property tax exemption in connection with the Project that would not be available to a project that did not involve the Agency?



Yes ; No \_\_\_\_\_. If yes, is the real property tax exemption being sought consistent with the Agency's Uniform Tax Exemption Policy? Yes ; No \_\_\_\_\_.

2. Is the applicant expecting that the financing of the Project will be secured by one or more mortgages? Yes \_\_\_\_\_; No . If yes, what is the approximate amount of financing to be secured by mortgages? \$ \_\_\_\_\_.

3. Is the applicant expecting to be appointed agent of the Agency for purposes of avoiding payment of N.Y.S. Sales Tax or Compensating Use Tax? Yes \_\_\_\_\_; No . If yes, what is the approximate amount of purchases which the applicant expects to be exempt from the N.Y.S. Sales and Compensating Use Taxes? \$ \_\_\_\_\_.

4. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of each exemption.

- a. N.Y.S. Sales and Compensating Use Taxes: \$     TBD
- b. Mortgage Recording Taxes: \$     TBD
- c. Real Property Tax Exemptions: \$     TBD
- d. Other (please specify):  
\_\_\_\_\_ \$ \_\_\_\_\_  
\_\_\_\_\_ \$ \_\_\_\_\_

5. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Agency's Uniform Tax Exemption Policy? Yes \_\_\_\_\_; No . If yes, please explain how the request of the applicant differs from the Agency's Uniform Tax-Exemption Policy: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C. Project Cost/Benefit Information. Complete the attached Cost/Benefit Analysis so that the Agency can perform a cost/benefit analysis of undertaking the Project. Such information should consist of a list and detailed description of the benefits of the Agency undertaking the Project (e.g., number of jobs created, types of jobs created, economic development in the area, etc.). Such information should also consist of a list and detailed description of the costs of the Agency undertaking the Project (e.g., tax revenues lost, buildings abandoned, etc.).

VII. REPRESENTATIONS 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"), as replaced by the Workforce Investment Act of 1998 (Public Law 105-220), 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. Representation of Financial Information. Neither this Application nor any other agreement, document, certificate, project financials, or written statement furnished to the Agency or by or on behalf of the applicant in connection with the project contemplated by this Application contains any untrue statement of a material fact or omits to state a material fact necessary in order to make the statements contained herein or therein not misleading. There is no fact within the special knowledge of any of the officers of the applicant which has not been disclosed herein or in writing by them to the Agency and which materially adversely affects or in the future in their opinion may, insofar as they can now reasonably foresee, materially adversely affect the business, properties, assets or condition, financial or otherwise, of the applicant.

F. Agency Financial Assistance Required for Project. The Project would not be undertaken but for the Financial Assistance provided by the Agency or, if the Project could be undertaken without the Financial Assistance provided by the Agency, then the Project should be undertaken by the Agency for the following reasons:

G. Compliance with Article 18-A of the General Municipal Law: The Project, as of the date of this Application, is in substantial compliance with all provisions of article 18-A of the General Municipal including, but not limited to, the provisions of Section 859-a and subdivision one of Section 862; and the provisions of subdivision one of Section 862 of the General Municipal Law will not be violated if Financial Assistance is provided for the Project.

H. Compliance with Federal, State, and Local Laws. The applicant is in substantial compliance with applicable local, state, and federal tax, worker protection, and environmental laws, rules, and regulations.

I. False or Misleading Information. The applicant understands that the submission of any knowingly false or knowingly misleading information 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 Agency involvement in the Project.


J. Absence of Conflicts of Interest. The applicant acknowledges that the members, officers, and employees of the Agency are listed on the Agency's website. No member, officer or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

K. Uniform Agency Project Agreement. The applicant agrees to enter into a project benefits agreement with the Agency where the applicant agrees that (1) the amount of Financial Assistance to be received shall be contingent upon, and shall bear a direct relationship to the success or lack of success of such project in delivering certain described public benefits (the "Public Benefits") and (2) the Agency will be entitled to recapture some or all of the Financial Assistance granted to the applicant if the project is unsuccessful in whole or in part in delivering the promised Public Benefits.

L. Additional Information. Additional information regarding the requirements noted in this Application and other requirements of the Agency is included the Agency's Policy Manual which can be accessed at <http://madisoncountyyida.com/>

I affirm under penalty of perjury that all statements made on this application are true, accurate, and complete to the best of my knowledge.

Superior Metals Manufacturing Co.  
Applicant

By: Donald Bierstine   
Title: Vice-President / General Manager

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NOTE: APPLICANT MUST COMPLETE THE APPROPRIATE VERIFICATION APPEARING  
ON PAGES 21 THROUGH 24 HEREOF BEFORE A NOTARY PUBLIC AND MUST SIGN AND  
ACKNOWLEDGE THE HOLD HARMLESS AGREEMENT APPEARING ON PAGE 25.  
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VERIFICATION

(If Applicant is a Corporation)


STATE OF NY )  
COUNTY OF Madison ) SS.:

Donald Bierstine )  
(Name of officer of applicant) )  
Vice-President / General Manager of Superior Metals Manufacturing Co.,  
(Title) ) (Company Name)

deposes and says that he is the  
the corporation 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. Deponent further says that the reason this verification is made by the deponent and not by said Company is because the said Company is a corporation. 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 an officer of and from the books and papers of said corporation.

  
\_\_\_\_\_  
(officer of applicant)

Sworn to before me this  
28 day of May, 2020

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

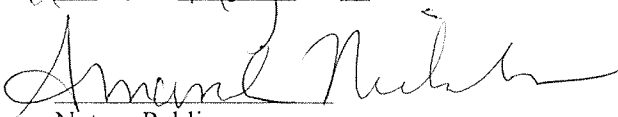
AMANDA NICHOLAS  
NOTARY PUBLIC - STATE OF NEW YORK  
MADISON COUNTY  
LIC # 01NI6191178  
COMMISSION EXPIRES AUGUST 4, 2020

HOLD HARMLESS AGREEMENT

Applicant hereby releases Madison County 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 liability arising from or expense incurred by (A) 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 and other assistance, including the issuance of bonds, requested therein are favorably acted upon by the Agency, (B) the Agency's financing, acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the Agency 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 Agency or the Applicant are unable to reach final agreement with respect to the Project or find buyers willing to purchase the total bond issue requested, then, and in that event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all actual costs incurred by the Agency in the processing of the Application, including attorneys' fees, if any.

Donald Bierstine  
(Applicant)

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

Sworn to before me this  
20 day of May, 2020  
  
Notary Public

AMANDA NICHOLAS  
NOTARY PUBLIC - STATE OF NEW YORK  
MADISON COUNTY  
LIC # 01NI6191178  
COMMISSION EXPIRES AUGUST 4, 2020