

## Section 1: Applicant Information

Please answer all questions. Use "None" or "Not Applicable" or "N/A" where necessary

### A. Applicant Information (company receiving benefit)

Company Name: Hatfield Metal Fab, Inc.  
Address: 16 Hatfield Lane, Poughkeepsie, NY 12603  
Phone: 845-454-1460 Fax: 845-454-9036  
Email: mail@hatfieldmetal.com  
Website: www.hatfieldmetal.com  
Federal Employer ID Number: 14-1440933  
State and Year or Incorporation/Organization: NY 1958  
List of stockholders, members, or partners of Applicant: Ann Hatfield  
Christopher Hatfield

Will a Real Estate Holding Company be utilized to own the Project property/facility?  Yes  No

What is the name of the Real Estate Holding Company: Hatfield Properties LLC  
Federal Employer ID Number: 20-1494032  
State and Year or Incorporation/Organization: NY 2004  
List of stockholders, members, or partners of Applicant: Ann Hatfield  
Christopher Hatfield

### B. Individual Completing Application

Name: Henry Hatfield  
Title: V.P.  
Address: 16 Hatfield Lane, Poughkeepsie, NY 12603  
Phone: 845-454-1460 Fax: 845-454-9036  
Email: hh@hatfieldmetal.com

### C. Company Contact (if different from individual completing application)

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email: \_\_\_\_\_



**G. Please list Principal Owners/Officers/Directors**

(Principal owners that hold more than 15% equity ownership:

Ann Hatfield

Henry Hatfield

Christopher Hatfield

If Applicant has a significant relationship with an affiliate company(ies), please list the name and address of such affiliate(s):

N/A

**H. Applicant Business Description:** Brief description of company, operations, products and services  
Description is critical in determining eligibility. Attach additional pages if needed:

Hatfield Metal Fab is a 70 year old metal fabricating business expansion, laser  
Cutting, machining, welding, powder coating, metal contract work,  
Work for pharm, electronic, power, aerospace, medical & construction industries

**I. Brief Description of Company History** (formation, growth, transitions, location):

Hatfield Metal Fab is a family owned business that started on Winnikee Avenue in  
1947 as a welding repair shop. In 1950 the business expanded to 9 Rose Street in  
Poughkeepsie. In 1970 we moved to our current location in LaGrange. The  
business started transitioning in the 1960's from a welding repair to a full service  
metal fabricating facility it is today.

Estimated % of sales within County	<u>50%</u>
Estimated % of sales outside County but within New York State	<u>40%</u>
Estimated % of sales outside NYS but within U.S.	<u>10%</u>
Estimated % of sales outside the US	<u>          </u>
Total Sales	<u>100%</u>

**J. Is or was the Company assisted by DCIDA in the past?**

           Yes        X   No

**K. Has the company received any state or federal subsidies, grants or program assistance in the last 10 years?**

           Yes        X   No

**L.** Have you contacted or been contacted by other Economic Development Agencies for this project? If yes, please identify which agencies and what other assistance or assistance sought and the dollar amount that is anticipated to receive.  Yes  No

If yes, please list:

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**M.** If the company is a party to any significant pending or recently concluded litigation (including bankruptcy), please describe:

N/A

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**N.** Is Company in compliance with local, state and federal taxes, workers' protection, and environmental laws?

Yes

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**O.** Please attach a copy of most recent company annual audit.

**P.** Please attach sales and income projections or a project pro forma for next 3 to 5 years.

## Section 2: Project Description & Details

### A. Industry

Please check off the Project's Industry Sector:

- |  |   |
|--|---|
| <input type="checkbox"/> Natural Resources / Mining  | <input type="checkbox"/> Information Technology           |
| <input checked="" type="checkbox"/> Construction     | <input type="checkbox"/> Financial Services               |
| <input checked="" type="checkbox"/> Utilities        | <input type="checkbox"/> Professional / Business Services |
| <input checked="" type="checkbox"/> Manufacturing    | <input type="checkbox"/> Education or Healthcare Services |
| <input type="checkbox"/> Wholesale / Retail          | <input type="checkbox"/> Leisure and Hospitality          |
| <input type="checkbox"/> Transportation /Warehousing | <input type="checkbox"/> Government                       |
| <input type="checkbox"/> Other (Please write): _____ |   |

North American Industrial Classifications Number (NAICS) \_\_\_\_\_

### B. Project Location

Project Address 16 Hatfield Lane  
Poughkeepsie, NY 12603

Section Block Lot (SBL) Number for Property which proposed Project will be located: SB #133400-6261-02-805774

Property Tax Jurisdiction:

Municipal: Town of Lagrange  
School District: Arlington Central School District

Project Property Value:

Current Assessed Value: \$1,100,000  
Current Property Taxes \$70,000

Are the Real Property Taxes current?  Yes  No  
If no, please explain \_\_\_\_\_

Utilities: Indicate which, if any, utilities are on site

Water  Electric  
 Gas  Sanitary/Storm Water

Does the Applicant or any related entity hold fee title to the Project Site?  Yes  No

If no, Present legal owner of site: \_\_\_\_\_

Does the Applicant or related entity have an option /contract to purchase the Project site?  Yes  No

Describe the present use of the proposed Project Site  
Corn Field

The facility consists of a building/space which will be (check as applicable)

Acquired  Constructed  
 Renovated  Expanded

In the space below briefly describe the proposed project and its purpose (new build, renovations, and equipment purchases). Identify specific uses occurring with the project. Describe any and all tenants and any/all end users. (*Attach detailed information if necessary*).

30,000 square foot expansion of the weld and machining area to enable HMF to  
Contract larger projects to remain competitive and to meet the need of our clients

Describe why the DCIDA's financial assistance is necessary and if the applicant is unable to obtain DCIDA financial assistance, what will be the impact on the Applicant and Dutchess County and/or municipality? Would the applicant proceed with the project without DCIDA assistance? (*Attached additional sheets if necessary*).

HMF is looking for property tax relief for the expansion. HMF cannot absorb the burden  
Of additional property taxes during the early years of this growth period.

HMF will not proceed with the project without financial assistance from the IDA

Please confirm by checking the box below if there is a likelihood that the Project would be not undertaken but for the Financial Assistance provided by the DCIDA.

Yes  No

If the Project could be undertaken without Financial Assistance provided by the DCIDA, then provide a statement below indicating why the Project should be undertaken by the DCIDA.

N/A

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To the extent the project serves a local market area, is there a recognized and demonstrable need for the products or services the project will provide in the project's market area?

Yes, many of our clients are regional

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Is the project compatible with and will significantly assist and enhance all development plans for its area established formally or informally by local, county, state and federal authorities?

Yes, the project is an expansion at its current location

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Is the project of a speculative nature?

No, the project is viable with assistance

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Will the Project include leasing any equipment?

Yes  No

**C. Zoning of Project Site:**

Current

Industrial

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Proposed

Industrial

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Are any variances needed? If so, please list:

No

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If a change in zoning/land use is required, please provide the details/status of any request for change in zoning/land use requirements.

N/A

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The approximate acreage of the land to be purchased or leased:

Currently owns land

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The approximate square footage of the existing building to be purchased or space to be expanded/renovated is:

Expansion – 16,000 sq feet

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The approximate square footage of the planned *new* construction is:

Total square footage of building with expansion is 30,000 sq ft

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Please note that the DCIDA cannot provide any financial assistance until the environmental review required under the State Environmental Quality Review Act (“SEQRA”) has been completed. Please complete the annexed Short Form Environmental Assessment Form. Based upon the information provided in that form and elsewhere in this application, the DCIDA may require further information regarding potential environmental impacts.

If this project is likely to have a significant adverse impact on the environment (a “Type I” action), then the action is probably required to be reviewed by one or more other state or local agencies, such as a local zoning or land use authority. In that event, the DCIDA generally will not act as “lead DCIDA,” and any action by the DCIDA must await completion of the SEQRA review by the other DCIDA. If that is not the case, i.e., if the proposed action is a “Type II” or “unlisted” action under SEQRA, the DCIDA may act independently for SEQRA purposes.

Any known environmental contamination or remediation issues?  Yes  No

If yes, please list: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Has another entity been designated lead agent under the State Environmental Quality Review Act?  Yes  No

If yes, please explain \_\_\_\_\_  
\_\_\_\_\_

*The DCIDA will not provide any financial assistance to the Project until the environmental findings required under SEQR have been made.*





Please answer all questions. Use "None" or "Not Applicable" or "N/A" where necessary

**E. Investment (Uses and Sources)**

Uses (Facility Costs) Please give an accurate estimate of the costs of all of the following items. Applicants are encouraged to discuss the project with DCIDA in order to estimate costs.

1. Real Estate (Acquisition cost of land and /or existing structures)	\$ 0
2. New Building Construction	\$ 1,580,680.00
3. New Building Addition	\$ 0
4. Infrastructure Work	\$ 2,455,000.00
5. Reconstruction/Renovation	\$
6. Equipment (Taxable) (Spending that will be subject to sales tax – i.e. machinery and equipment)	\$ 110,000.00
7. Other Tax Exempt (non-construction spending that will not be subject to sales tax)	\$
8. Professional Services (Architect, Legal Fees <sup>1</sup> , Engineering fees)	\$ 80,000.00
9. Other Taxable	\$
10. Other (please specify)	\$
<b>Total Project Cost</b>	<b>\$ 4,225,680.00</b>

**Uses (Financing, Legal, Miscellaneous)**  
Estimated Fees

IDA Administrative Fees (See page 1)	\$
IDA Counsel	\$
Applicant Counsel	\$
Transaction Counsel	\$
Bond Counsel	\$
Underwriter Counsel	\$
Trustee Counsel	\$
Other Costs of Bond Issue (i.e. printing)	\$
If this is a bond transaction, will you be refunding bonds?	Yes      No
And if so state amount here	\$

DCIDA costs such as public hearings and legal notice fees are the responsibility of the Applicant from the time an application is submitted.



Please answer all questions. Use "None" or "Not Applicable" or "N/A" where necessary

**F. Sources**

Amount of equity	\$ 4,225,680.00
Amount of other conventional financing	\$
Amount financed by bond issue	\$
Public Sources	
(Include sum total of all state and federal grants and tax credits)*	\$
Total Sources of Funds for Project Cost	\$ 4,225,680.00

\*Identify each state and federal grant/credit

\$  
\$  
\$



Please answer all questions. Use "None" or "Not Applicable" or "N/A" where necessary

### C. Project Benefits

#### Financial Assistance Provided

##### 1. Estimated Sales Tax Exemption^

\$ 2,295,340.00	X .08125	=	\$ 186,542.00
Amount of Project Cost Subject to Tax	Sales Tax Rate		Total

##### 2. Estimated Mortgage Recording Tax Exemption

\$	X .0075	=	\$
Projected Amount of Mortgage	Mortgage Recording Tax		Total

\*As of September 2016, DC IDA cannot exempt the MTA portion of the mortgage recording tax

##### 3. Estimated Property Tax Abatement

Project Property Value: \$1,867,000  
 Current Property Taxes \$81,063  
 Estimated Property Value after project completion \$5,000,000

Will the Project utilize the DCIDA's Uniform Tax Exemption Formula?

Yes       No

If no, describe the real property tax exemption formula (attach additional sheets if necessary)

See attachments

Estimated tax abatement resulting from this project:      \$ 920,000  
 (Consult with DCIDA for assistance with this calculation)

*^Note that the DCIDA may utilize the estimate above as well as the proposed total Project Cost as contained within this application to determine the Financial Assistance that will be offered.*

*^Note that the DCIDA may utilize the estimate above as well as the proposed total Project Cost as contained within this application to determine the Financial Assistance that will be offered.*

## **G. Project Construction Schedule**

What is the proposed date for commencement of acquisition or construction of the Project?  
Spring of 2018

Please indicate the actual or expected dates of :

Construction completion: Fall of 2018

Occupancy: Fall of 2018

Will the company be occupying 100% of the completed facility?  Yes  No

If no, will there be tenants in the remaining space?  Yes  No

- *Detailed questions will be asked in Section 5 – Single or Multi-Tenant Determination*

Describe any contracts or agreements (options to purchase, purchase contracts, construction contracts, and equipment orders) which have been entered into with respect to the facility. Please note that the DCIDA may not provide benefits to any purchases made prior to the execution of a Letter of Authorization for Sales Tax Exemption.

none

## **H. Community Benefits – Employment**

### **A. Benefits = Economic Development Impacts (For Project Location Only)**

*By statute, the DCIDA must project the number of FTE jobs that would be retained and created if the request for Financial Assistance is granted. The DCIDA will use job projections upon the two (2) year time period following Project completion.*

*a. Employment should be quantified by “FTE”, which shall mean: (a) a full-time, permanent, private-sector employee on the project’s payroll, who has worked (or is projected to work) at the project facility for a minimum of thirty-five hours per week for not less than four consecutive weeks and who is (or will be) entitled to receive the usual and customary fringe benefits extended by the Applicant to other employees with comparable rank and duties;*

*b. or (b) two part-time, permanent, private-sector employees on the Applicant’s payroll, who have worked (or are projected to work) at the project facility for a combined minimum of thirty-five hours per week for not less than four consecutive weeks and who are (or will be) entitled*

*to receive the usual and customary fringe benefits extended by the Applicant to other employees with comparable rank and duties*

**Employment at Project Location only**

Job Category	Current Number of FTE's	Number of FTE's Retained	Average Salary or Range of Salary	Number of FTE's to be created upon 2 years	Average Salary or Range of Salary
Owner/Executive	3	3	154,000	0	0
Professional	6	6	58,000	0	0
Management	1	1	83,000	2	50,000
Administrative	3	3	24,000	0	0
Production	33	33	39,000	10	30k – 60k
Other	6	6	34,000	0	0
<b>Total*</b>	<b>52</b>	<b>52</b>		<b>12</b>	

Are employees currently covered by a collective bargaining agreement?

If yes, Name and Local?

no

Are employees provided retirement benefits?

Yes  No

Are employees provided health benefits?

Yes  No

**Use of Local Workforce**

(Questions below are applicable for the construction period for the project.)

The Dutchess County IDA supports the use of “local workforce” for projects receiving benefits from the DCIDA. Answers to the following questions will assist the DCIDA in evaluating the application.

The Labor Workforce Area includes residents in the County/Cities/Towns/Villages as well as the following Counties: Dutchess County, Columbia County, Orange County, Putnam County, Sullivan County and Ulster County.

If a “labor workforce plan” has been developed please include that plan as an addendum to this application.

How will the project developer seek out and use the local workforce.

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What specific approaches are to be used in your efforts to identify local workforce candidates if additional project workers are necessary?

N/A

*Projects \$10,000,000 and above are subject to DCIDA's Local Workforce Policy*

### Section 3: Retail Determination

DCIDA assistance to retail projects (including hotels and restaurants) is subject to certain statutory restrictions.

To ensure compliance with Section 862 of the New York General Municipal Law, the DCIDA requires additional information if the proposed Project is one where customers personally visit the Project site to undertake either a retail sale transaction or to purchase services.

1. Will customers personally visit the Project site for either of the following economic activities? If yes with respect to either economic activity indicated below please complete this section.

Retail Sales  Yes  No      Services  Yes  No

For purposes of this question, the term "retail sales" means (i) sales by a registered vendor under Article 28 of the Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sales of tangible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law or (ii) sales of a service to customers who personally visit the Project.

2. Will any portion of the project (including that portion of the cost to be financed from equity or other sources) consist of facilities or property that are or will be primarily used in makes sales of good or services to customers who personally visit the project site?

Yes  No    If yes, please continue. If no, proceed to the next section

3. What percentage of the cost of the Project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the project?   0  % If the answer is less than 33% than proceed to the next section.

If the answer to question 2 is Yes and the answer to question 3 is greater than 33% indicate which of the following questions following apply to the project:

Is the project location or facility likely to attract a significant number of visitors from outside Dutchess County?

Yes  No

If yes, please provide a third party market analysis or other documentation supporting your response.

Is the predominant purpose of the project to make available goods and services which would not, but for the project, be reasonably accessible to the residents of the municipality within which the proposed would be located because of a lack of reasonably accessible retail trade facilities offering such goods or services?

Yes  No

If yes, please provide a third party market analysis or other documentation supporting your response.

Will the project preserve permanent, private sector jobs or increase the overall number of permanent private sector jobs in New York State?

Yes  No If yes, please explain The project will allow us to retain all current Production workers and due to increased facility area, will allow us to hire more Production workers to handle the current and increased work load.

Is the project located in a Highly Distressed Area?

Yes  No

#### Section 4 – Inter-Municipal Move Determination

Will the project result in the removal of a plant or facility of the Applicant from one area of the State of New York to another area of the State of New York:

\_\_\_ Yes X No

Will the project result in the removal of a plant or facility of *another proposed occupant* of the Project from one area of the State of New York to another area of the State of New York?

\_\_\_ Yes X No

Will the Project result in the abandonment of one or more plants or facilities located in the State of New York?

\_\_\_ Yes X No

If the answer to either of the foregoing questions in this subpart is positive, please explain in detail, on as many separate sheets as necessary, the reasons for the relocation, abandonment or closure, including, without limitation, (i) any considerations regarding the applicant's (or other occupant's) ability to remain competitive in its industry, and (ii) any consideration which has been given to relocating to any location outside the State of New York.

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Please note that the DCIDA may ask you to provide additional information regarding the foregoing, including documentary support

**Section 5 – Single or Multi-Tenant Determination**

Permissible projects are defined in the NYS General Municipal Law and the IDA may not be able to grant financial assistance to all tenants of a multi-tenant project. To assist in that determination please complete the following section.

Please note if the tenant qualifies as a permissible project, the Project Applicant will be responsible for collecting the required reporting information from the tenant(s).

Please explain what market conditions support the construction of this multi-tenant facility:  
 N/A

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Have any tenant leases been entered into for this project?

Yes     No

If yes, please list below and provide square footage to be leased to tenant and NAICS code for tenant and nature of business. (Attach additional sheets if necessary)

Tenant Name	Current Location (city, state, zip)	# of sq.ft leased	% of total to be occupied at project location	NAICS and business description (type of business, products, etc)



**Section 6 – Representations, Certifications and Indemnification Forms**

**New York State  
Applicant Requirements  
For Industrial Development Agencies**

The Applicant has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the DCIDA and as follows:

**1. Absence of Conflicts of Interest**

The Applicant has received from the DCIDA a list of the members, officers and employees of the DCIDA. No member, officers or employees of the DCIDA has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as hereinafter described:

N/A

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**2. Job Listing**

In accordance with Section 858-b(2) of the New York General Municipal Law, Applicant understands and agrees that, if the Project receives any Financial Assistance from the DCIDA, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the Project will be listed within the New York State Department of Labor, Division of Employment and Workforce Solutions (the DOL) and with the American Job Center of the service delivery area created by the federal Workforce Innovation and Opportunity Act (WIOA) in which the Project is located.

**3. 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 DCIDA, except as otherwise provided by collective bargaining agreements, Where applicable, the Applicant will first consider persons eligible to participate in WIOA programs who shall be referred by the American Job Center for new employment opportunities created as a result of the Project.

#### **4. Annual Employment Reports**

The Applicant understands and agrees that, if the Project receives any Financial Assistance from the DCIDA, the Applicant agrees to file, or cause to be filed, with the DCIDA, on an annual basis, reports regarding the number of people employed at the project site, salary levels and such other information as part of the DCIDA's Employment Report.

#### **5. Fees**

This obligation includes an obligation to submit DCIDA Fee Payment to the DCIDA in accordance with the DCIDA Fee policy effective as of the date of this Application.

#### **6. Freedom of Information Law (FOIL)**

The Applicant acknowledges that the DCIDA is subject to New York State's Freedom of Information Law (FOIL). Applicants understand that all project information and records related to this application are potentially subject to disclosure under FOIL subject to limited statutory exclusions.

#### **7. Recapture Policy**

The applicant acknowledges that is has been provided with a copy of the DCIDA's *Policy on Maintaining Performance Based Incentives*. The Applicant agrees that it fully understands the Policy on Maintaining Performance Based Incentives is applicable to the Project that is the subject of this application and the DCIDA may implement the Policy if and when it is required to do so.

#### **Financial Reporting Requirements**

Chapter 692 of the Laws of 1989 requires additional financial reporting requirements from all IDA's in New York State.

#### **8. Sales Tax**

Section 874(8) of the New York general Municipal Law requires all entities appointed as agents of the DCIDA for sales tax purposes to file an annual form, as prescribed by the New York State Department of Taxation, describing the value of sales tax exemptions claimed by the Applicant and all its subagents, consultants, or subcontractors. Copies of all filings shall be provided to the DCIDA.

The Applicant hereby agrees to complete "ST-60, IDA Appointment of Project Operator or Agent for Sales Tax Purposes" for itself and each agent, subagent, contractor, subcontractor, contractors or subcontractors of such agents and subagents and to such other parties as the Applicant chooses who provide materials, equipment, supplies or services and deliver said form to the DCIDA within fifteen (15) days of appointment such that the DCIDA can execute and deliver said form to the State Department of Taxation and Finance within thirty (30) days of appointment.

9. The Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:

§862 Restrictions on funds of the DCIDA. (1) No funds of the DCIDA shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the DCIDA shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

10. The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations
11. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18A of the New York General Municipal Law, including, but not limited to, the provisions of Section 859a and Section 862(1) of the New York General Municipal Law.

## 12. Bonds

- a. **All bonds issued, outstanding or retired during the year must indicate the following:**


Month and year issued; Interest rate at year end; outstanding beginning of year; issued during year; principal payments during year; outstanding at end of year; and final maturity date. This information will be requested from you in January of each year.

- b. **All new bonds issued need the following supplemental information:**

Name of the project; tax exemptions separated by State and local sales tax, County and school taxes; Mortgages recording; Payments in lieu of taxes; New tax revenue if no exemption is granted; number of jobs created and other economic benefits. This information is required each year and will be requested from you in September of each year.

The Applicant and the individual executing this Application on behalf of the Applicant acknowledge that the DCIDA will rely on the representations made herein when acting on this Application and hereby represent that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statements contained herein not misleading. The Applicant confirms and acknowledges 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 exemption claimed by reason of the DCIDA's involvement in the Project.


Signature  
Print Name  
Title  
Date

  
Henry Hatfield  
Vice President  
2/12/18

## HOLD HARMLESS AGREEMENT

Applicant hereby releases the Dutchess County Industrial Development DCIDA and its members, officers, servants, agents and employees thereof (the "DCIDA") from, agrees that the DCIDA shall not be liable for and agrees to indemnify, defend and hold the DCIDA harmless from and against any and all liability arising from or expense incurred by (A) the DCIDA's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the DCIDA, (B) the DCIDA's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the DCIDA with respect to the Project; including and 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 DCIDA or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the DCIDA, its agents or assigns, all costs incurred by the DCIDA in the processing of the Application, including attorneys' fees, if any. The DCIDA reserves the right at any time, as a condition to further consideration of this application, to require reimbursement of any such costs incurred, or to require a deposit against such costs and to apply such deposit to the DCIDA's costs as incurred.

Signature  
Print Name  
Title  
Date

  
\_\_\_\_\_  
Henry Hatfield  
\_\_\_\_\_  
Vice President  
\_\_\_\_\_  
2/12/18  
\_\_\_\_\_

**2) Bond Information**

1. State Bond Issuance Fees: N.Y. Public Authorities Law §2976(2) levies upon the DCIDA the following (which amount must be paid to the DCIDA by the applicant):

<u>Principal Amount of Bonds</u>	<u>Percentage Fees</u>
\$1,000,000 or less	.168
\$1,000,000 to \$ 5,000,000	.336
\$5,000,001 to \$ 10,000,000	.504
\$10,000,001 to 20,000,000	.672
More than \$20,000,000	.084

2. Total Funds Required \_\_\_\_\_ Estimated Term \_\_\_\_\_

3. Indicate the date by which the proceeds of the DCIDA's bonds, if issued will be needed

Date Required \_\_\_\_\_

**3) Certification**  
**To Be Completed for Bond Financing only**

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\_\_\_\_\_ deposits and says that he/she is  
(Name of Officer of Company submitting application)

the \_\_\_\_\_ of \_\_\_\_\_  
(Title) (Company Name)

The corporation named in the attached application; that he/she has read the forgoing application and knows the contents thereof; that the same is true to his/her knowledge.

Deponent further says that the reason this verification is being made by the deponent and not by

\_\_\_\_\_ is because the said Company is a Corporation.  
(Company Name)

The grounds of deponent's belief relative to all matters in the said application which are not stated upon his/her 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/her duties as an officer of and from the books and papers of said corporation.

As an officer of said corporation (hereinafter referred to as the "applicant"), deponent acknowledges and agrees that applicant shall be and is responsible for all costs incurred by the Dutchess County Industrial Development DCIDA (hereinafter referred to as the "DCIDA") acting on behalf of the applicant during the attendant negotiations and leading to the issue of bonds. If, for any reason whatsoever, the applicant fails to conclude or consummate necessary negotiations or fails to act within a reasonable or specified time to take reasonable, proper, or request action, or withdraws, abandons, cancels, or neglects the application, or if the DCIDA or applicant are unable to find buyers willing to purchase the total bond issue required, then upon presentation of invoice, applicant shall pay to the DCIDA, its' agents, or assigns, all actual costs incurred with respect to the application, up to that date and time, including fees of bond counsel for the DCIDA and fees of general counsel for the DCIDA.\* Upon successful conclusion and sale of the required bond issue, the applicant shall pay to the DCIDA an administrative fee set by the DCIDA.

\_\_\_\_\_  
(Chief Officer of Company submitting)

\_\_\_\_\_  
Print Name Title

\_\_\_\_\_  
Date

NOTARY: Sworn to me before this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_  
\*Applicant is responsible for payment of any State Bond Issuance Fees.

\_\_\_\_\_  
Notary Public (Please Affix Stamp)

## Section 7 - Local Workforce Utilization Policy and Certification

Construction jobs, though limited in time duration, are vital to the overall employment opportunities in Dutchess County. The Dutchess County Industrial Development Agency (the "Agency") believes that Project Applicants (the "Company"), as a condition to receiving Financial Assistance (including a sales tax exemption, mortgage recording tax exemption, real property tax abatement and/or bond proceeds) from the Agency, will be required to utilize qualified Workforce, as defined below, for all projects involving the construction, expansion, equipping, demolition and/or remediation of new, existing, expanded or renovated facilities (collectively, the "Project Site").

### ***For Projects \$10,000,000 and Above***

#### Local Area Defined

For projects equal to or greater than \$10,000,000 the Local Area is defined as individuals residing in the following County/Cities/Towns/Villages as well as the following Counties (collectively, the "Local Area"): Dutchess County, Orange County, Putnam County, Rockland County, Sullivan County, Ulster County and Westchester County.

#### Local Workforce Requirement

At least **80%** of all project employees of the general contractor, subcontractor, or subcontractor to a subcontractor (collectively the "Workers") working on the Project Site must reside within the Local Workforce Area. Companies do not have to be local companies as defined herein, but must employ local Workers residing within the Local Workforce Area to qualify under the 80% local Workforce criteria.

#### Local Workforce Reporting Requirement

The Local Workforce criteria will be verified based on employment, payroll and related records.

In addition, the Agency, or its designated agents, shall have the right, during normal business hours, to examine and copy records of the Company and to perform spot checks of all Workers at the Project Site to verify compliance with the Local Workforce requirement throughout the construction period.

#### Enforcement

If Agency staff determines that: (1) The Local Workforce Requirement is not being met; or (2) Agency Staff, upon use of its reasonable discretion, discovers or becomes aware of a compliance issue related to the Local Workforce Requirement, then a written warning delivered by Certified Mail of said Local Workforce Requirement violation (the "Warning of Violation") shall be provided to the Company.

In the event a subsequent violation of the policy has occurred, then written notice delivered by Certified Mail of said Local Workforce Requirement violation (the "Notice of Violation") shall be



provided to the Company and the Executive Director shall bring the information to the Board of Directors which may, in its discretion, take action to revoke IDA benefits.

Waiver Request

It is understood that at certain times, Workers residing within the Local Area may not be available with respect to a Project. Under this condition, the Company is required to contact the Agency to request a waiver of the Local Utilization Requirement (the “Local Workforce Utilization Waiver Request”) based on the following circumstances:

- Warranty issues related to installation of specialized equipment or materials whereby the manufacturer requires installation by only approved installers
- Specialized construction for which qualified Local Workforce Area workers are not available;
- Significant cost differentials in bid prices whereby the use of local Workforce significantly increases the cost of the project. A cost differential of 10% is deemed significant. Every effort should be made by the contractor or applicant to get below the 10% cost differential including, but not limited to, meeting with local construction trade organizations and local contractor associations
- Documented lack of workers meeting the Local Workforce Area requirement

The Agency shall evaluate the Local Workforce Utilization Waiver Request and make its determination related thereto based upon the supporting documentation received with such waiver request.

The foregoing terms have been read, reviewed and understood by the Company and all appropriate personnel. The undersigned agrees and understands that the information contained herein must be transmitted and conveyed in a timely fashion to all applicable subcontractors, suppliers and materialmen. Furthermore, the undersigned realizes and understands that failure to abide by the terms herein could result in the Agency revoking all or any portion of Financial Assistance, whether already received or to be received by the Company, as it deems reasonable in its sole discretion for any violation hereof.

\_\_\_\_\_  
Name of Company

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

\_\_\_\_\_  
Title

## Attachment 1 – Agency Standard Fee Schedule and other fees

### DCIDA Standard Fees

Application Fee: \$250 (non-refundable)

Administrative Fee: One percent (1%) of the first \$2.5 million of the estimated project cost and one-quarter of one percent (.25%) for the estimated project in excess of \$2.5 million

Annual Compliance Fee: \$500

The project applicant additionally will be required to pay DCIDA Counsel fees, Bond Counsel fees and other direct expenses of the DC IDA, including, but not limited to, accounting and engineering expenses. The project applicant agrees that such legal fees and other direct expenses of the DC IDA such as publication costs and stenographer's fees are payable separately from the application and processing fees.

The above fees will be payable in full on the sale of the bonds. Failure and neglect to proceed to close will result in pro rata tender of billings.

**TOWN OF LAGRANGE PLANNING BOARD  
NEGATIVE DECLARATION  
NOTICE OF DETERMINATION OF NO SIGNIFICANCE**

**Hatfield Amended Site Plan**

**Overlook Road**

**Whereas**, The Town of LaGrange Planning Board has received a request for approval of an amended site plan, located on Overlook Road containing approximately 16.8 acres of land in the Town of LaGrange known as the Hatfield Amended Site Plan, and

**Whereas**, the Town of LaGrange Planning Board has reviewed the site plan application, site plan, and the Environmental Assessment Form (EAF) prepared by the applicant for the Hatfield Amended Site Plan, and

**Whereas**, the Town of LaGrange Planning Board has determined the Hatfield Amended Site Plan is an Unlisted Action and that a uncoordinated review of the action has been undertaken, and

**Whereas**, the Town of LaGrange Planning Board has compared the proposed action with the Criteria for Determining Significance in 6 NYCRR 617.11 and determined that no significant adverse impacts associated with the proposed amended site plan have been identified, specifically:

1. The amended site plan is proposing to construct a one-hundred forty (140) foot by two-hundred twenty (220) foot pre-engineered steel building for use as large scale fabrication and assembly shop in addition an associated driveway and parking area. The Applicant is proposing to conduct the proposed activities into two (2) phases. Phase 1 will encompass the construction of the driveway and Phase 2 will encompass the construction of the proposed building.
2. The action is not expected to have a significant effect on local air quality, ground or surface water quality or quantity, or traffic or noise levels.
3. The proposed action will not cause a substantial increase in solid waste production, or a substantial increase in the potential for erosion, flooding, leaching, or drainage problems.
4. The proposed action will not result in the removal or destruction of large quantities of vegetation or fauna, and is not expected to substantially interfere with the movement of any resident or migratory fish or wildlife species.
5. No disturbance to or substantial adverse effect on any identified significant habitat areas, threatened or endangered species of animal or plant, the habitat of such a species, or other natural resources has been identified.
6. The proposed action will not result in the impairment or the environmental characteristics of a Critical Environmental Area.
7. The proposed action is not in material conflict with the community's current plans or goals as officially approved or adopted.

8. The proposed activity will not impair the character or quality of important historical, archaeological, or aesthetic resources or the existing community or neighborhood character. There is no anticipated significant adverse effect on local community services such as police and fire protection, or recreational and educational facilities.
9. The proposed action will not result in a major change in the use of either the quantity or type of energy.
10. The proposed action will not create a hazard to human health.
11. The proposed activity will not result in a substantial change in the use, or intensity of use, of land devoted to agricultural, open space, or recreational use.
12. The proposed action will not encourage or attract large numbers of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action.
13. The proposed action will not result in the creation of material demand for other actions that would result in one of the above consequences.
14. The proposed action will not result in changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment.
15. When analyzed with two or more related actions, the proposed action will not have a significant impact on the environment and when considered cumulatively, will not meet one or more of the criteria under 6 NYCRR 617.7, and

**Whereas**, the Town of LaGrange Planning Board has considered all reasonably related long-term, short-term and cumulative environmental effects associated with the Hatfield Amended Site Plan, including other simultaneous or subsequent actions,

**Therefore Be It Resolved**, that the Town of LaGrange Planning Board has determined that the proposed Hatfield Amended Site Plan will not have a significant impact on the environment, and

**Be It Further Resolved**, that the Town of LaGrange Planning Board hereby issues a Negative Declaration pursuant to the requirements of the State Environmental Quality Review Act (6 NYCRR 617.6(g)).

Motion:  
Second:

*Christian Lohrbach*  
*Randy Aldrich*

Stacy Olyha, Chairman  
Mary Morrison  
Dennis Rosenfeld  
Marc Komorsky  
Christian Rohrbach  
Robert Straub  
Frank Sfroza  
Randy Aldrich (Alternate)

Yea

Nay

<u>✓</u>	<u>        </u>
<u>✓</u>	<u>        </u>
<u>Absent</u>	<u>        </u>
<u>        </u>	<u>        </u>
<u>✓</u>	<u>        </u>
<u>✓</u>	<u>        </u>
<u>✓</u>	<u>        </u>

Date: 6-21-18  
Town of LaGrange Planning Board  
120 Stringham Road  
LaGrangeville, New York 12540-5507  
Telephone: (845) 452-8562  
Contact: Stacy Olyha, Chairman  
Verified: Eileen Mary  
Date: 7-2-18

Hatfield PILOT formula

Schedule A

The amount of payments in lieu of taxes payable annually by the Company will be allocated among the Town, the School District and the County pro-rata, based on their tax rates for the particular year.

The Company shall make payments in lieu of taxes equivalent to 100% of the taxes that would have been levied upon the full assessed value of the Existing Facility. In addition, the Company shall make payments in lieu of taxes equivalent to 100% of the taxes that would have been levied on the full assessed value of the New Facility, decreased by the following percentages:

<b>PILOT Year</b>	<b>Percentage</b>
1	100%
2	100%
3	100%
4	55%
5	55%
6	55%
7	45%
8	35%
9	25%
10	15%
thereafter	0%

WHEREAS, the Hatfield Metal Fabrication, Inc has applied to the Dutchess County Industrial Development Agency for financial assistance for a new project to be located at 16 Hatfield Lane in the Town of LaGrange, New York, and

WHEREAS, the Uniform Tax Exemption Policy of the Dutchess County Industrial Development Agency requires support by resolution of the governing body of the Town of LaGrange where a project is located, and

WHEREAS, the Town of LaGrange supports the request of Hatfield Metal Fabrication, Inc for the aforementioned financial assistance, now therefore,

BE IT RESOLVED, by the Town of LaGrange, as follows:

**Section 1.** Conveys its support for the application of Hatfield Metal Fabrication, Inc for financial assistance with the Dutchess County Industrial Development Agency.

Section 2. Supports the adoption of a Payment In Lieu of Tax (PILOT) formula as follows.

Year 1	Stable at current (pre-construction) assessment
Year 2	Stable at current (pre-construction) assessment
Year 3	Stable at current (pre-construction) assessment
Year 4	55%
Year 5	55%
Year 6	55%
Year 7	45%
Year 8	35%
Year 9	25%
Year 10	15%

The foregoing resolution was voted upon with all councilmen voting as follows:

Supervisor Bell Aye  
Councilman Jessup Aye  
Councilman Luna Aye  
Councilwoman Wagner Aye  
Councilman Baright Aye

DATED: LaGrangeville, New York  
\_\_\_\_\_ August 9 \_\_\_\_, 2017

Elizabeth O'Hare  
ELIZABETH O'HARE, Deputy Town Clerk



## **2017-12-12 BOARD OF ED MINUTES:**

### **8. New Business**

Action: A. PILOT Agreement with Dutchess County IDA and Hatfield Metal Fab, Inc.

RESOLUTION APPROVING THE DEVIATION BY THE DUTCHESS COUNTY INDUSTRIAL DEVELOPMENT AGENCY RELATING TO THE TERMS AND CONDITIONS OF A CERTAIN PILOT AGREEMENT TO BE ENTERED INTO BETWEEN DUTCHESS COUNTY INDUSTRIAL DEVELOPMENT AGENCY AND HATFIELD METAL FAB, INC. IN CONNECTION WITH ]THE HATFIELD METAL FAB, INC. PROJECT.

BE IT ENACTED by Board of Education of the Arlington Central School District, New York, as follows:

WHEREAS, pursuant to Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended (the "Enabling Act") and Chapter 335 of the 1977 Laws of New York, as amended (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act"), the County Legislature of

Dutchess County created the Dutchess County Industrial Development Agency (the "Agency") for the

benefit of Dutchess County, New York and the inhabitants thereof;

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act

to acquire, construct, reconstruct and install one or more "projects" (as defined in the Act) or to cause said

projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said

projects with the obligation to purchase; and  
WHEREAS, Hatfield Metal Fab, Inc., a New York corporation (the  
“Company”), submitted an application  
(the “Application”) to the Agency, which Application requested that  
the Agency consider undertaking a  
project (the “Project”), said Project consisting of the following: (A)  
the construction, installation, furnishing  
and equipping of an approximately 30,000 square foot addition (the  
“New Facility”) to its existing building  
(the “Existing Facility”) located on a 16.80 acre parcel located in the  
Town of LaGrange, County of Dutchess,  
State of New York, bearing Tax Map No. 6261-02-805774-0000; (B)  
the granting of certain “financial  
assistance” (within the meaning of Section 854(14) of the Act) with  
respect to the foregoing, including  
potential exemptions from certain sales and use taxes, real property  
taxes, real estate transfer taxes and  
mortgage recording taxes (collectively, the “Financial Assistance”);  
and (C) the lease (with an obligation  
to purchase) for sale of the Facility to the Company or such other  
person as may be designated by the  
Company and agreed upon by the Agency; and  
WHEREAS, in connection with the undertaking of the Project, the  
Company will execute and deliver a certain  
payment in lieu of tax agreement (the “PILOT Agreement”) by and  
between the Agency and the Company  
pursuant to which the Company will agree to pay certain payments in  
lieu of taxes with respect to the Project;  
and  
WHEREAS, the proposed payment terms of the PILOT Agreement  
constitute a deviation from the Agency’s  
Uniform Tax Exemption Policy (the “Policy”); and  
WHEREAS, the Agency desires that the Arlington Central School  
District (the “School District”), through

the Board of Education of the School District, as one of the affected tax jurisdictions with respect to the Project, adopt a resolution indicating whether the School District agrees to the terms of the proposed PILOT Agreement;

WHEREAS, the specific terms of the PILOT Agreement have not yet been determined, but the payments in lieu of taxes will be made in accordance with the schedule of payments substantially described in Schedule A attached hereto; and

WHEREAS, prior to the finalization of the PILOT Agreement, the Agency will provide the School District with a copy of the PILOT Agreement between the Agency and the Company for the School District's review and to invite material comment from the School District on the PILOT Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Arlington Central School District, as follows:

Section 1. For the purpose of satisfying the requirements contained in the Agency's Policy, the School District hereby (1) acknowledges notification of the proposed deviation from the Agency's Policy, (2) waives any formal notice from the Agency of the proposed deviation from the Agency's Policy, and (3) approves the payment terms and other conditions to be contained in the PILOT Agreement, as substantially described in Schedule A attached.

Section 2. The Superintendent of the School District (the "Superintendent") is hereby authorized, on behalf of the School District, to execute and deliver the PILOT Agreement for the purpose of evidencing its approval to the proposed deviation from the Agency's Policy, said PILOT Agreement to be subject to review and material

comment from the school district prior to the execution by the Superintendent, with such changes, variations, omissions and insertions as the Superintendent shall approve, the execution thereof by the Superintendent to constitute conclusive evidence of such approval.

Section 3. The officers, employees and agents of the School District are hereby authorized and directed for and in the name and on behalf of the School District to do all acts and things required or provided for by the applicable provisions of this Resolution in order to ensure compliance with such provisions as they relate to the execution and delivery of the PILOT Agreement, and to execute and deliver all such additional certificates, instruments and documents, and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution.

Section 4. This resolution shall take effect immediately.

Motion by Charles McLeod, second by Mark Tornatore.

Final Resolution: Motion Carries

Yea: Jennifer Eraca, Christine Baxter, Peter Bodnar, Kerri Fasulo, Pauline Herr, Edward McCormick, Charles McLeod, Mark Tornatore, Mary Anne Meaden