Application for Financial Assistance

Town of Islip IDA
40 Nassau Avenue
Islip, New York 11751
Phone 631.224.5512
Fax 631.224.5532
APPLICANT INSTRUCTIONS

- In order for a Town of Islip IDA Application to be reviewed in a timely manner, it must be complete. All questions must be answered and all required attachments must be included.
- Use “None” or “Not Applicable” where necessary.
- Part VI—Bond Information, need only be completed by applicants for Taxable or Tax Exempt Industrial Development Bonds.
- All applicants must submit an original and two (2) copies of all documents to the Agency.
- All applications must be accompanied by a $1000 non-refundable fee to the Town of Islip Industrial Development Agency, and a $500 non-refundable fee to the Town of Islip for the EAF Review required by the State Environmental Quality Review Act (SEQRA). (If the project has already undergone a SEQRA review during the preview process, then applicant can submit the completed EAF for the one attached to the application).

APPLICANT CHECKLIST

☐ I have completed all sections of the attached application.

☐ I have signed and notarized the Certification Section (Part VII-A).

☐ I have signed Part VII-B regarding the Fee Structure for all IDA transactions.

☐ I have attached all company financial information required by Part VIII-A.

☐ I have completed and signed the Environmental Assessment Form required by SEQRA. (If the project has already undergone a SEQRA review during a previous process, substitute the completed EAF for the one that was attached to this application).

☐ I have completed and signed Form RP485-b as required by Real Property Tax Law.

☐ I have submitted the original and two (2) copies of all application materials to the Agency for review.

☐ I have submitted an application fee check for $1000 payable to the Town of Islip IDA.

☐ I have submitted a $500 check payable to the Town of Islip for the SEQRA review. (If the project has already undergone a SEQRA review during a previous process, and the applicant substitutes the completed EAF for the one attached to the application, the $500 SEQRA fee is waived).
VII. REQUIRED ATTACHMENTS

A. Financial Information
   (Attach the following financial information of the owner and user)

   1. Financial statements for the last two fiscal years (unless included in the Owner's or User's Annual Report)

   2. Owner's or User's Annual Reports (or Form 10-K's) for the two most recent fiscal years

   3. Quarterly reports (Form 10-Q's) and current reports (Form 8-K's) since the most recent annual report, if any

   4. In addition, if applicable, please attach the financial information described above in items A, B and C, of any expected guarantor of the proposed bond issue other that the Owner or the User

   5. Upon request of the Applicant, the Agency will review the information submitted pursuant to this Section VIII and return all copies to the Applicant within two weeks after the inducement date. Please indicate whether you require the information to be returned.

      □ Yes    □ No

B. Environmental Assessment Form

   Please complete the attached EAF as required by the State Environmental Quality Review Act (SEQRA).

C. Form RP 485-b

   Please complete the attached Form RP 485-b as required by Section 485-b of the Real Property Tax Law
PART I    Company (Owner/User) Data
PART II    Project Data
PART III   Employment/Sales Data
PART IV    Construction Schedule
PART V     Project Costs/Financing
PART VI    Certifications
PART VII   Required Attachments
           1. Financial Information
           2. EAF
           3. RP 485-b
I. OWNER & USER DATA

A. Owner Data

1. Company Name
   JMDH Real Estate of Bohemia LLC
   Restaurant Depot LLC

2. Company Officer certifying this application
   Name: Brian Emmert
   Mailing Address: 15-24 132 Street, College Point, NY 11356
   Telephone: [Redacted]
   Email: [Redacted]

3. Business Type
   □ Sole Proprietorship
   □ Limited Partnership
   □ Not-for-profit Corporation
   □ Education Corporation
   □ Public Corporation—Listed on Exchange
   □ General Partnership
   □ Private Limited Liability Company
   □ Privately Held Corporation
   □ Other

4. State of Incorporation: Delaware

5. Principal Officers
   Name: Stanley Fleishman
   Title: CEO
   Name: Richard Kirschner
   Title: President
   Name: Brian Emmert
   Title: CFO

6. Principal Stockholders
   Name: John Cash & Carry Enterprises LLC
   Title: Member

7. Owner’s Legal Counsel
   Name: Gene Denicola
   Firm Name: [Redacted]
   Address: 200 Railroad Ave, Sayville, NY 11782
   Telephone: [Redacted]
   Email: [Redacted]

8. Bank References: See Attached

9. Major Trade References: See Attached

10. Nature of Business
    (i.e. “manufacturer of ___ for ___ industry” or “warehouse distributor of ___” or “real estate holding company”) 
    Wholesale distributor of Restaurant Supplies

11. NAICS Code: [Redacted]
    For help determining your NAICS code, please visit http://www.naics.com
I. OWNER & USER DATA

B. User Data

For co-applicants, where a tenant/landlord relationship will exist between the owner and the user, the user must occupy at least 50% of the square footage of the facility

1. Company Name
   Current Address

2. Company Officer certifying this application
   Name
   Mailing Address
   Telephone       Fax
   Email

3. Business Type
   □ Sole Proprietorship
   □ General Partnership
   □ Limited Partnership
   □ Limited Liability Company
   □ Not-for-profit Corporation
   □ Privately Held Corporation
   □ Education Corporation
   □ Other
   □ Public Corporation—Listed on __________________ Exchange

4. State of Incorporation

5. Principal Officers
   Name               Title

6. Principal Stockholders
   Name               Title

7. User’s Legal Counsel
   Name
   Firm Name
   Address
   Telephone       Fax
   Email

8. Bank References

9. Major Trade References

10. Nature of Business
    (i.e. “manufacturer of ___ for ___ industry” or “warehouse distributor of ___” or “real estate holding company”)

11. NAICS Code
    For help determining your NAICS code, please visit http://www.naics.com
II. PROJECT DATA

A. Location

1. Street Address: 1335 LAKE LAND AVE.

2. Tax Map

   District # 507
   Section # 191
   Block # 2
   Lot # 60.3 + 66.1

3. Acreage: 5.40 ACRES

4. Municipal Jurisdictions
   Town: SLIP
   Village:
   School District:

B. Description (Check all that apply)

- New Construction
- Addition to Existing Facility
- Acquisition of Existing Facility
- Acquisition & Renovation of Existing Facility
- Purchase of New Machinery & Equipment
- Other (specify) +/- 20,160 SF CANOPY FOR COVERED PARKING

C. Related Facilities

1. Are other facilities or related companies located within the state? □ Yes □ No
   Address: PROVIDE ADDRESS FOR CLOSEST LOCATIONS? MASPETH AND/OR QUEENS???
   43-40 37 Ave, Maspeth, NY 11378

2. If yes to above (C-1), will any of these facilities close or be subject to reduced activity?
   □ Yes □ No

3. If yes to above (C-2), please describe:

D. Real Estate Search

1. Has the company actively sought sites in another state or outside the New York metropolitan region?
   □ Yes □ No

2. If yes to above (D-1), please list the states/regions considered:
   New Jersey

E. Present Owner

1. Who is the current legal owner of the site? JMDH Real Estate of Bohemia

2. Is there a purchase option or other legal or common control in the project? □ Yes □ No LLC

3. Is there an existing or proposed lease for the project? □ Yes □ No

4. If yes to either above (E-2 or E-3), please explain (i.e. purchase price, term of lease):
III. EMPLOYMENT/SALES DATA

A. Employees

<table>
<thead>
<tr>
<th></th>
<th>First year upon completion</th>
<th>Second year upon completion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full time</td>
<td>61</td>
<td>65</td>
</tr>
<tr>
<td>Part time</td>
<td>24 (12 FTEs)</td>
<td>24</td>
</tr>
<tr>
<td>Seasonal</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total</td>
<td>85</td>
<td>89</td>
</tr>
</tbody>
</table>

B. Payroll

<table>
<thead>
<tr>
<th></th>
<th>First year upon completion</th>
<th>Second year upon completion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td>$2,350,000</td>
<td>$2,675,000</td>
</tr>
<tr>
<td>Total</td>
<td>$2,350,000</td>
<td>$2,675,000</td>
</tr>
</tbody>
</table>

C. Average Annual Wages

<table>
<thead>
<tr>
<th></th>
<th>First year upon completion</th>
<th>Second year upon completion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td>$32,000</td>
<td>$34,000</td>
</tr>
<tr>
<td>Total</td>
<td>$32,000</td>
<td>$34,000</td>
</tr>
</tbody>
</table>

D. Sales

<table>
<thead>
<tr>
<th></th>
<th>First year upon completion</th>
<th>Second year upon completion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td>$100,350,000</td>
<td>$118,000,000</td>
</tr>
<tr>
<td>Total</td>
<td>$100,350,000</td>
<td>$118,000,000</td>
</tr>
</tbody>
</table>

IV. PROJECT CONSTRUCTION SCHEDULE

A. Key Dates (proposed)

1. Construction commencement
   
2. Construction completion
   
3. Building Occupancy

B. Please check if any of the following applications/permits have been filed for the project:
   (Check all that apply)
   
   - Change of Zone
   - Special Use
   - Variance
   - Interior Alterations
   - Building
   - Site plan
II. PROJECT DATA

F. Project Narrative

1. Describe the project in detail, emphasizing the following:
   A. Specific operations of the company to be conducted at the project premises
      (product manufactured/warehoused, services rendered)
   B. Proposed product lines and market demands
   C. Need for the new facility
   D. Square footage of the old facility
   E. Square footage of the new facility
   F. Type of building to be constructed
   G. Major equipment to be purchased

 A wholesale distribution of food, equipment and supplies for the foodservice industry.
 We will be expanding all our lines, specifically an expanded line of fresh, frozen and dry food products.
 Our business has grown over the years and we have outgrown our facility. We needed to either expand or relocate, we decided to purchase
 extra land and expand our current operations.
 Sq footage - 49,386 sq ft - old facility
 Sq footage - 73,545 sq ft - new facility
 Masonry walls over steel structure
 Refrigeration equipment, storage racking, truck dock equipment

2. For pollution controls, also describe:
   A. Type of pollution to be abated
   B. Method of abatement
   C. Existing orders of environmental agencies

   } N/A
V. PROJECT COSTS/FINANCING

A. Estimate the costs necessary for the construction, acquisition, rehabilitation, improvement and/or equipping of the project.

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Land</td>
<td>$2,225,000</td>
</tr>
<tr>
<td>2. Site Work</td>
<td>$1,500,000</td>
</tr>
<tr>
<td>3. Building (new construction)</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>4. Building (rehabilitation)</td>
<td>$1,500,000</td>
</tr>
<tr>
<td>5. Engineering &amp; Architectural Fees</td>
<td>$200,000</td>
</tr>
<tr>
<td>6. Machinery &amp; Equipment</td>
<td>$250,000</td>
</tr>
<tr>
<td>7. Other (specify)</td>
<td>$2,500,000</td>
</tr>
<tr>
<td><strong>TOTAL PROJECT COST</strong></td>
<td><strong>$7,675,000</strong></td>
</tr>
</tbody>
</table>

B. Please provide the amount of sales tax exemptions that your project requires.

B1. If your project has a landlord/tenant arrangement, please provide the breakdown of the number above. N/A

C. How does the company propose to finance the project?

<table>
<thead>
<tr>
<th>Amount</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Tax Exempt IDB*</td>
<td></td>
</tr>
<tr>
<td>2. Taxable IDB*</td>
<td></td>
</tr>
<tr>
<td>3. Conventional Mortgage</td>
<td></td>
</tr>
<tr>
<td>(with IDA sale/leaseback)</td>
<td></td>
</tr>
<tr>
<td>4. Owner/User Self-Financing</td>
<td></td>
</tr>
<tr>
<td>(with IDA sale/leaseback)</td>
<td></td>
</tr>
<tr>
<td>5. JDA/SBA</td>
<td></td>
</tr>
<tr>
<td>6. Other loans</td>
<td></td>
</tr>
<tr>
<td>7. Company/Owner Equity contribution</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL AMOUNT FINANCED</strong></td>
<td><strong>Self Financed</strong></td>
</tr>
</tbody>
</table>

D. Please estimate when the above amounts will be required

Month & Year

* The Agency Fee of one-half of a basis point (0.06) will be applied against the total project cost or, where applicable, against the amount of the IDB issuance.
VI. CERTIFICATIONS

A. Applicant Responsibilities

BRIAN E. EMMERT (name of representative of entity submitting application or name of individual submitting application) deposed and says that s/he (choose and complete one of the following two options) (a) is a/the CHIEF FINANCIAL OFFICER (title) of QNHAGAE STATE OF BOHEMIAN L R ESTAUNANT DEPOT, LLC (company name), the entity named in the attached application, or (b) is the individual named in the attached application; that s/he has read the foregoing application and knows the contents thereof; and that the same is true of his/her knowledge.

Deponent further says that s/he is duly authorized to make this certification on behalf of her/himself or on behalf of the entity named in the attached application. The grounds of deponent’s belief relative to all matters in 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, if deponent is not an individual applicant, information acquired by deponent in the course of his/her duties in connection with said entity and from the books and papers of said entity.

As (a) the representative of said entity, or (b) the individual applicant (such entity or individual applicant hereinafter referred to as the “Applicant”), deponent acknowledges and agrees that the Applicant shall be and is responsible for all costs incurred by the Town of Islip Industrial Development Agency (hereinafter referred to as the “Agency”), acting on behalf of the Applicant in connection with this application and all matters relating to the provision of financial assistance to which this application and all matters relating to the provision of financial assistance to which this application relates. If, for any reason whatsoever, the Applicant fails to conclude or consummate necessary negotiations or fails to act within a reasonable or specified period of time to take reasonable, proper or requested action or withdraws, abandons, cancels or neglects the application, then upon presentation of an invoice, the Applicant shall pay to the Agency, its agents or assigns, all actual costs incurred with respect to the application up to that date and time, including fees to transaction counsel for the Agency and fees of general counsel for the Agency. Upon the successful conclusion of the transaction contemplated herein, the Applicant shall pay to the Agency an administrative fee set by the Agency, in accordance with its fee schedule in effect on the date of the foregoing application, which amount is payable at closing.

BRANDY GONZALEZ
Notary Public - State of New York
No. 01GO6845818
Qualified in Queens County
My Commission Expires 3/19/16
Print Name  BRIAN EMMENT
Title  CFO

NOTARY
Sworn to before me this 23 day of October, 2014
VI. CERTIFICATIONS

B. Fee Structure

1. Application Fee—$1,000. 
An application for IDA assistance must be accompanied by a non-refundable fee of $1,000 
a $500 fee for the Town of Islip review of an Environmental Assessment Form as required by 
the State Environmental Quality Review Act (SEQRA). (The $500 fee will be waived if the 
applicant's project has already undergone a SEQRA review during a previous process, i.e. site 
plan, building permit, change of zone, etc.)

2. Agency Fee—.006
Upon closing of any IDA project, the Agency will assess a fee of 6/10 of one per cent (60 
basis points) against the size of the project. For IDB projects, the .006 will be measured 
against the final bond amount. For straight-lease transactions, the .006 will be measured 
against the projected total costs.

3. Agency Counsel—$250 per hour
The Town of Islip Town Attorney's Office acts as counsel to the Town of Islip IDA and 
must be reimbursed for time spent on IDA-related transactions. The Agency counsel bills all 
time spent on IDA matters at $250 per hour. For IDA closings up to $5 million, the Agency 
counsel bills a minimum of $3,500. For projects greater than $5 million, the Agency counsel 
bills a minimum of $5,000. For all other activities, i.e. terminations, simple consents and 
waivers, transfer of assets, etc., the Agency counsel will bill at the aforementioned $250 per 
hour.

4. Processing Fee—$500
During the course of IDA ownership/involvement, the Agency may occasionally be 
required, by the company, to consent to a variety of items, i.e. pre-payment of bonds, second 
mortgages, additional secured financing, etc. The Agency will charge a $500 processing fee 
for each of these requests.

5. Assignments & Assumptions—$1,500
Occasionally, the IDA is asked to transfer benefits that were assigned to the original 
company, i.e. PILOT or mortgage recording tax benefits, to a different company, typically 
upon a sale of the IDA property. The new company often wishes to continue IDA 
involvement with the property in order to retain the IDA incentives. The Agency will 
charge a $1,500 fee for each of these transactions.

6. PILOT Extensions/Modifications—.006
Occasionally, the Agency is asked to extend or modify an existing Payment In Lieu of Taxes 
Agreement (PILOT). The .006 will be measured against the projected increase of the PILOT 
benefit.
7. Annual Administrative Fee - $1,000
An Annual Administrative Fee of $1,000 will be charged to all projects to cover the cost of all reporting and monitoring of the transaction. This fee is subject to periodic review and may be adjusted at the discretion of the Agency.

8. Bond/Transaction Counsel—fee negotiated separately
While the Town of Islip IDA is represented locally by the Town of Islip Town Attorney’s Office, a separate Bond/Transaction Counsel is also necessary on any IDA project. Bond/Transaction counsels render “third party” opinions that the bond or straight lease transaction is authorized under all federal, state and local statutes. Bond/Transaction counsel also prepares all documents related to IDA transactions and coordinates all activities leading up to closing. The Town of Islip IDA has designated the firm of Nixon Peabody, LLP as its Bond/Transaction counsel and all fees are separately negotiated with them.

I have read and understand the aforementioned explanation of the fees associated with all Town of Islip Industrial Development Agency Transactions.

Signature

[Signature]