



# TOWN OF ISLIP

## INDUSTRIAL DEVELOPMENT AGENCY

**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 than 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

JMDH Real Estate of Bohemia LLC

1. Company Name Restaurant Depot LLC  
Current Address 1335 Lakeland Ave Bohemia NY 11716
2. Company Officer certifying this application  
Name Brian Emmert  
Mailing Address 15-24 132 Street College Point NY 11356  
Telep [redacted]  
Email [redacted]
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 Delaware
5. Principal Officers Name Title  
Stanley Fleishman CEO  
Richard Kirschner President  
Brian Emmert CFO
6. Principal Stockholders Name Title  
Jetco Cash & Carry Enterprises LLC Member
7. Owner's Legal Counsel  
Name Gene Denicola  
Firm Name \_\_\_\_\_  
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

II. 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")  
\_\_\_\_\_
- II. NAICS Code \_\_\_\_\_  
*For help determining your NAICS code, please visit <http://www.naics.com>*

## II. PROJECT DATA

### A. Location

1. Street Address 1335 LAKELAND AVE.
2. Tax Map  
500                      191                      2                      60.3 + 66.1  
District #                      Section #                      Block #                      Lot #
3. Acreage 5.40 ACRES
4. Municipal Jurisdictions  
Town ISLIP  
Village \_\_\_\_\_  
School District \_\_\_\_\_

### B. Description (Check all that apply)

- New Construction \_\_\_\_\_ Square Feet
- Addition to Existing Facility +/- 22,600 Square Feet
- Acquisition of Existing Facility \_\_\_\_\_ Square Feet
- Acquisition & Renovation of Existing Facility \_\_\_\_\_ Square Feet
- 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 57 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	Current	First year upon completion	Second year upon completion
Full time	61	65	70
Part time	24 (12 FTE's)	24	24
Seasonal	-	-	-
Total	85	89	94

B. Payroll	Current	First year upon completion	Second year upon completion
Total \$	2,350,000	2,500,000	2,675,000

C. Average Annual Wages	Current	First year upon completion	Second year upon completion
Total \$	32,000	33,000	34,000

D. Sales	Current	First year upon completion	Second year upon completion
Total \$	100,350,000	107,375,000	118,000,000

### IV. PROJECT CONSTRUCTION SCHEDULE

#### A. Key Dates (proposed)

Month & Year

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)

- |   |   |
|---|---|
| <input type="checkbox"/> Change of Zone | <input type="checkbox"/> Interior Alterations |
| <input type="checkbox"/> Special Use    | <input type="checkbox"/> Building             |
| <input type="checkbox"/> Variance       | <input type="checkbox"/> 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.

B) We will be expanding all our lines, specifically an expanded line of fresh, frozen and dry food products.

C) 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.

D) Sq Footage - 49,386 sqft - old facility

E) Sq Footage - 72,545 sqft - new facility

F) Masonary walls over steel structure

G) 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.

Item	Amount
1. Land	\$ 2,225,000
2. Site Work	1,500,000
3. Building (new construction)	2,000,000
4. Building (rehabilitation)	1,500,000
5. Engineering & Architectural Fees	200,000
6. Machinery & Equipment	250,000 2,500,000 to
7. Other (specify)	

TOTAL PROJECT COST\* ~~\$ 7,675,000~~ \$ 9,925,000 to

B. Please provide the amount of sales tax exemptions that your project requires \$464,888  
*we estimate about 2.5 million of equipment purchases, not sure what it is taxable but probably most of it*

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?

	Amount	Term
1. Tax Exempt IDB*	_____	_____
2. Taxable IDB*	_____	_____
3. Conventional Mortgage (with IDA sale/leaseback)	_____	_____
4. Owner/User Self-Financing (with IDA sale/leaseback)	_____	_____
5. JDA/SBA	_____	_____
6. Other loans	_____	_____
7. Company/Owner Equity contribution	_____	_____

TOTAL AMOUNT FINANCED \$ Self Financed

D. Please estimate when the above amounts will be required

\_\_\_\_\_ Month & Year

\* The Agency Fee of one-half of a basis point (.006) 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 JMDH REAL ESTATE OR BOHEMIALE & RESTAURANT 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. 01G06257818  
Qualified in: Queens County  
My Commission Expires 3/19/16

Brian E Emmert  
Print Name Brian Emmert  
Title CFO

NOTARY Brandy Gonzalez  
Sworn to before me this 23<sup>rd</sup> 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**

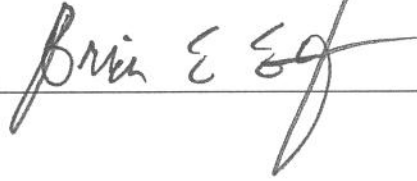
An Annual Administrative Fee of \$1,000 will be charged to all projects to cover the cost of all reporting and monitoring of the transaction. This fee is subject to periodic review and may be adjusted at the discretion of the Agency.

**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 \_\_\_\_\_

A handwritten signature in black ink, appearing to read "Brian E. [unclear]", is written over a horizontal line. The signature is stylized and cursive.