

**CAYUGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**  
**APPLICATION FOR FINANCIAL ASSISTANCE**

Please answer all questions either by filling in the blanks or by attachment where necessary. All information will be kept confidential.

**A. APPLICANT DATA**

Company Name: **D&W Diesel**

Address 1: 1503 Clark Street Road

Address 2:

City/State/ZIP: Auburn NY 13021-9593

Contact Person: Douglas J. Wayne Title: President

Contact Telephone: 315-253-2324 Contact Fax: 315-253-7377

Contact Email:

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**Attorney:** Robert E. Barry

**Firm:** Boyle & Anderson, P.C.

Phone: 315-253-0326

Email: rbarry@boylefirm.com

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**Accountant:** Daniel Gilheney

**Firm:** Firley, Moran, Freer & Eassa, PC

Phone: 315-472-7045

Email: dgilheney@fmfecpa.com

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**Business Type:** Privately Held Corporation

If other, describe:

If a corporation, incorporated in what state? NY

Principal Officers, Partners or Shareholders with 15% or greater interest in Applicant organization:

<b>Name</b>	<b>Mailing Address</b>	<b>Telephone #</b>
Douglas J. Wayne	1501 Clark Street Road, Auburn NY 13021	315-253-2324
David D. Wayne	5681 Dunning Avenue	315-253-2324

*Attach additional sheets if necessary.*

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**B. PROJECT DATA**

1. a. See Attached

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b. Is any component of this Project a retail operation? **No**

If yes, what percentage is considered retail? %

2. a) Location of project including the City, Town, or Village within which it is located.

Street Address: 1503 Clark St. Road

City/State/ZIP: Aurelius, NY 13021

Tax Map ID (if available): 114.00-1-43.7 (may include portions of 114.00-1-43.6 and/or 114.00-1-43.4)

b) Attach map showing the general location of the project.

c) If this project will result in closing or relocating from an existing facility, is the move necessary in order to remain competitive? **No**

3. Attach copies of preliminary plans or sketches of proposed construction, site plans or floor plans of existing facility.

4. Utilities on Site:

a) Water Supply      Municipal      **Describe source / supplier: Town of Aurelius (Source: Auburn)**

b) Sewer              Municipal      **Describe other: N/A**

c) Electricity Utility      NYSEG      **Describe other:**

d) Gas Utility              NYSEG      **Describe other:**

5. Who presently is legal owner of the project building or site described in # 2 above?

Green Meadows Ltd.

6. Is there an existing or proposed lease for the project? **Yes**. If yes, attach a copy of the lease.

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**C. PAYROLL INFORMATION**

1. Annual Payroll – Auburn Location 2009	7,506,456
Present Payroll	
First Year After Completion of Project	7,956,456
Second Year After Completion of Project	8,356,456
2. Employment Plan- Complete Appendix I	

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**D. PROJECT COSTS**

**1. Give an accurate estimate of the following costs:**

Land	\$0.00
Building Construction	1,050,000
Site Work	350,000
Legal Fees (Other than Company’s Attorney)	\$0.00
Engineering Fees	\$0.00
Financial Charges	\$0.00
Machinery & Equipment	400,000
Agency Fee (calculated at 3/4 of 1% of Total Project Cost)	13,500
Other (Describe: )	\$0.00
Subtotal:	\$ 0.00

2. Total Funds Required: NA Term: NA

3. Has the Applicant ever applied to this or any other issuer of Industrial Revenue Bonds for financing? **No**

If yes, explain: NA

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**E. INDICATE THE TYPE(S) OF ASSISTANCE APPLIED FOR:**

Yes	Real Property Tax Abatement
No	Issuance by the Agency of Tax Exempt Bonds
Yes	Mortgage Tax Exemption
Yes	Sales and Usage Tax Exemption
Yes	NYS Excelsior Program Benefits (or other State ESD benefit TBD)

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**F. PROJECT CONSTRUCTION SCHEDULE**

1. Provide an accurate estimate of schedule to complete Project.  
Construction during 2011, Machinery and equipment 2011-2012
2. At what times and in what estimated amounts will funds be required?  
NA

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**G. COMPANY FINANCIAL INFORMATION ATTACHMENTS:**

1. Copies of two most recent financial statements.
2. Copy of most recent Annual Report, or for new ventures, attach your business plan.
3. As available, sales and income projections for future years.

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**H. ENVIRONMENTAL INFORMATION**

Has a copy of the Environmental Assessment Form been completed and submitted? **Select one**  
If yes, attach a copy.

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**I. REMARKS OR COMMENTS:**

Please feel free to provide additional information that might be of assistance to the Agency in making a decision on your application.

Employment at our Auburn Location has grown by 50 persons in the last five years. This accounts for over \$2,500,000 in additional payroll.

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**J. APPLICATION/PUBLIC HEARING FEES:**

After the application has been reviewed and the Agency has agreed to schedule a public hearing, the project will be scheduled to appear before the full Agency Board for action. At the time the application is submitted to the Agency Board, an application fee of \$250 is due.

Send your completed application to:

**CAYUGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

Cayuga County Office Building, 5<sup>th</sup> Floor

160 Genesee Street

Auburn, NY 13021

ATTENTION: Stephen F. Lynch, Executive Director, CCIDA

Telephone: (315) 253-1276

**The Agency will collect a fee of three quarter of one percent of Total Project Cost at the time of closing.**

**K. ESTIMATED FINANCIAL BENEFITS TO COMPANY (To be determined)**

For information on town, city, school and special district tax rates, visit <http://co.cayuga.ny.us/realproperty/index.htm>

**1. Sales and Use Tax Exemption**

a. Amount of Project Cost Subject to Tax: \_\_\_\_\_  
Applicable sales and use tax rate: x .08

b. Financial benefit if fully exempt: \$ \_\_\_\_\_

**2. Mortgage Recording Tax Exemption**

a. Projected amount of Mortgage: \_\_\_\_\_  
Mortgage recording tax rate: \$ \_\_\_ x .01 = \$

b. Financial benefit if fully tax exempt: \$ \_\_\_\_\_

**3. Payment of Lieu of Taxes (PILOT) \***

a. Investment in real property \_\_\_\_\_

b. Equalization rate \_\_\_\_\_

c. Probable assessed value \_\_\_\_\_

d. Total applicable tax rates per \$1000 \_\_\_\_\_

e. Total taxes ( c x d ) \_\_\_\_\_

f. Proposed exemption rates: \_\_\_\_\_ / \$1000

g. PILOT payments ( e x f ) \_\_\_\_\_

h. Financial benefit of PILOT ( e-g ) \_\_\_\_\_

\* Pilot Worksheet to be determined and attached in coordination with CCIDA staff.

For information on town, city, school and special district tax rates, visit <http://co.cayuga.ny.us/realproperty/index.htm>

## APPENDIX I - EMPLOYMENT PLAN (PART 1)

Company Name:	D&W Diesel, Inc.		
Address 1:	1503 Clark Street Road		
Address 2:			
City/State/ZIP	Auburn	NY	13021-9593
Type of Business:	MANUFACTURING		
Contact Person:	Douglas Wayne	Title:	President
Contact Telephone:	315-253-2324	Contact Fax:	315-253-7377
Contact Email:			

1. Complete this chart describing your projected employment plan following receipt of financing.

Job Title of Current and Planned Full Time Occupations in Company	Current # Full Time Jobs per Occupation	Estimated # of Full Time Jobs after Completion of the Project		
		1st Year	2nd Year	3rd Year
<b>Production</b>	69	5	6	4
<b>Material Handling</b>	26	1	0	0
<b>Administration</b>	20	3	2	4
<b>Sales</b>	40	0	0	0
	0	0	0	0
	0	0	0	0
	0	0	0	0
	0	0	0	0
	0	0	0	0
	0	0	0	0
	0	0	0	0
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	0	0	0	0
	0	0	0	0

*Attach additional Sheets if required.*

2. Are the employees of your firm currently covered by a collective bargaining agreement? **No**

If yes, enter the Union Name and Local

List the union contact person, address, phone #:

3. Indicate whether labor pool in Cayuga County is adequate to fill new jobs. **Yes**

If no, explain why not:

Under New York State Municipal Law, an IDA must consider project elements like job creation and job retention when approving projects.

Prepared by: Douglas Wayne

Title: President

Signature: Douglas Wayne

Date: 11/1/10

## APPENDIX I - EMPLOYMENT PLAN (PART II)

In consideration of the issuance of Industrial Development bonds by the Cayuga County Industrial Development Agency, **D&W Diesel, Inc.**, project beneficiary, agrees to cause any new employment opportunities created in connection with industrial or commercial projects financed by the proceeds of such obligations to be listed with the New York State Department of Labor Community Services Division (DOL) and with the Cayuga County Employment and Training Department.

**D&W Diesel, Inc.**, project beneficiary, also agrees to report to the Cayuga County Industrial Development Agency on or before September 1 of each year on the status of employment opportunities filed with DOL, including the number of new employment opportunities created, the number listed, and the number filled.

Signed: Douglas Wayne (President) *Douglas Wayne*  
(Company Officer)

Date: 11/1/10

Address: 1501 Clark Street Road  
Auburn, NY 13021

Phone: 315-253-2324

Email:



**APPLICATION CERTIFICATION**

**CAYUGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

Each Applicant must complete one of the two certifications below (strike the section not used):

**Corporate Applicants:**

Douglas D Wayne, Douglas D Wayne deposes and says that s/he is the

President of D&W Diesel, Inc.

the corporation named in the attached application; s/he has read the foregoing and knows the contents thereof; that the same are true to his/her knowledge. S/he further deposes and says that s/he is authorized by the corporation (the "Applicant") to submit to application and incur the following legal obligations on its behalf.

**Individual Applicants:**

~~\_\_\_\_\_ deposes and says that s/he is submitting~~

~~this application on behalf of \_\_\_\_\_ (the Applicant) That s/he has read the foregoing and knows the contents thereof, that the same are true to his/her knowledge, or are the result of investigation, which deponent has caused to be made concerning the subject matter of the application.~~

All applicants do agree to the following:

Deponent acknowledges and agrees that the Applicant shall be and is responsible for all costs incurred by the Cayuga County Industrial Development Agency (Hereinafter referred to as the "Agency") in processing the application, in negotiating with the Applicant and others, in preparing necessary financing documents, and in taking any other action necessary or appropriate toward the issuance of Bonds to provide the financing requested in this application. 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 or if the Agency or Applicant is unable to find buyers willing to purchase the total Bond issue, then upon presentation of invoice, Applicant shall pay to the Agency, its agents, or assigns all actual costs incurred by the Agency with respect to the application, up to that date and time, including fees of bond counsel for the Agency and fees of general counsel for the Agency.

The costs incurred by the Agency and paid by the Applicant, including fees of the Agency's bond counsel and general counsel and the Agency fee, may be considered as a cost of the Project and included as part of the Bond issue to the extent provided by law.

Sworn to before me this 1<sup>st</sup>

day of November, 2010

Jamie L. Sears  
Notary Public

County of Cayuga  
State of New York

JAMIE L SEARS  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01SE6179231  
Qualified in Cayuga County

## APPLICANT OBLIGATIONS

### NEW YORK STATE FINANCIAL REPORTING REQUIREMENTS FOR INDUSTRIAL DEVELOPMENT AGENCIES

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

1. 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 the year, Principal payments during the year, Outstanding at end of year, and Final maturity date.

This information is required annually and will be requested from you in January each year.

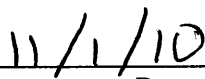
2. All new bonds issued need the following supplemental information, Name of the project, Tax exemptions separated by State and local sales tax, County and school taxes, Mortgage recording tax, Payment of lieu of taxes, New tax revenue if no exceptions granted, Number of jobs created, and Other economic benefits.

This information is required annually and will be requested from you in September each year.

B. Chapter 356 and 357 of the Laws of 1993 require all entities appointed as agents of the CCIDA for sales tax purposes to file on an annual basis with the State Department of Taxation information as to all sales tax exemptions claimed by such agent or its subagents.

Please sign below to indicate that you have read and understood the above and will provide information on a timely basis.

  
\_\_\_\_\_  
Chief Executive Officer of Applicant

  
\_\_\_\_\_  
Date

**HOLD HARMLESS AGREEMENT**

Applicant hereby releases the Cayuga County Industrial Development Agency and its members, officers, servants, agents and employees thereof (the "Agency"), and agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Agency, (B) the Agency's acquisition, construction and /or installation of the Project described therein and(C) any further action taken by the Agency with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorney's fees and any other expenses incurred without limiting the generality of the foregoing, all causes of actions and attorney's 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 reasons, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in the processing of the application, including attorney's fees, if any.

Douglas D Wayne  
(Applicant)

By:

Name: Douglas D. Wayne

Title: President

Sworn to before me this 1st

day of November, 2010

Jamie L Sears  
Notary Public

**JAMIE L SEARS**  
**NOTARY PUBLIC-STATE OF NEW YORK**  
**No. 01SE6179231**  
**Qualified in Cayuga County**  
**My Commission Expires December 24, 2011**

*This page must be signed in the presence of a Notary Public.*



## **B. 1**

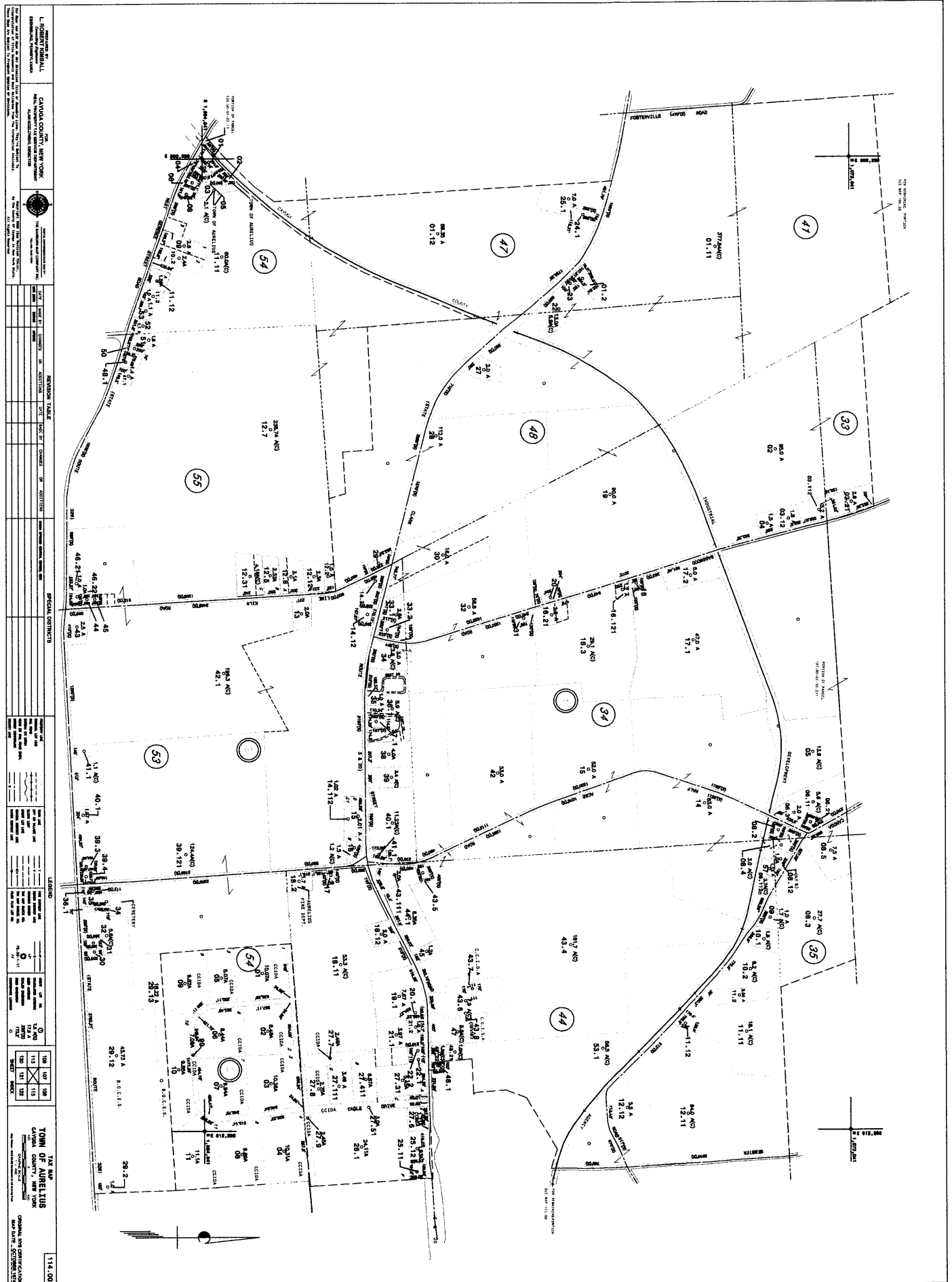
D&W Diesel was founded in January 1976 by Doug Wayne. Originally named D.W. Auto Electric and located in a rented one-bay garage, Doug and one employee rebuilt starters, generators and alternators. In 1978, the business had outgrown its location, and moved to the former family farm on Routes 5 & 20, where it remains today. In 1979 Doug's brother, Dave, became an equal partner in the business.

D&W Diesel, Inc. is a remanufacturer and distributor of diesel engine components, tank truck equipment, and industrial equipment. It has expanded its product lines from an original offering of only diesel engine components to a diverse array of products which now includes a wide variety of hose and couplings, pneumatic conveying equipment, vacuum and liquid pumps, hydraulic drive systems, tank truck accessories, and industrial products.

D&W Diesel, Inc. is preparing to undertake a multimillion dollar project at the Auburn headquarters. This project will include the construction of a 30,000 sq ft warehouse and distribution center adjacent to our existing 64,000 sq ft remanufacturing and warehouse facility. We expect the construction portion of the project to cost \$1,400,000 with an additional expenditure of \$400,000 for production and warehousing equipment. This will be followed by an additional investment of approximately \$500,000 for additional inventory growth.

D&W Diesel, Inc. has exhibited steady growth for the last thirty four years. We are requesting assistance to help us continue our growth in New York. This growth will help us become a better competitor in the national and international marketplaces and bring dollars from throughout the country, and the world, back to New York State and Cayuga County.

See Highlighted



**L. ROBERTSON & SONS, INC.**  
 100 WEST 27th STREET, NEW YORK, N.Y. 10001  
 ENGINEERS AND ARCHITECTS

**CAYUGA COUNTY, NEW YORK**  
 TOWN OF AUBERLIUS  
 CADASTRAL MAP

**SECTION 27**  
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**SPECIAL CONDITIONS**

**LEGEND**

**TAX MAP**

**TOWN OF AUBERLIUS**  
 CAYUGA COUNTY, NEW YORK  
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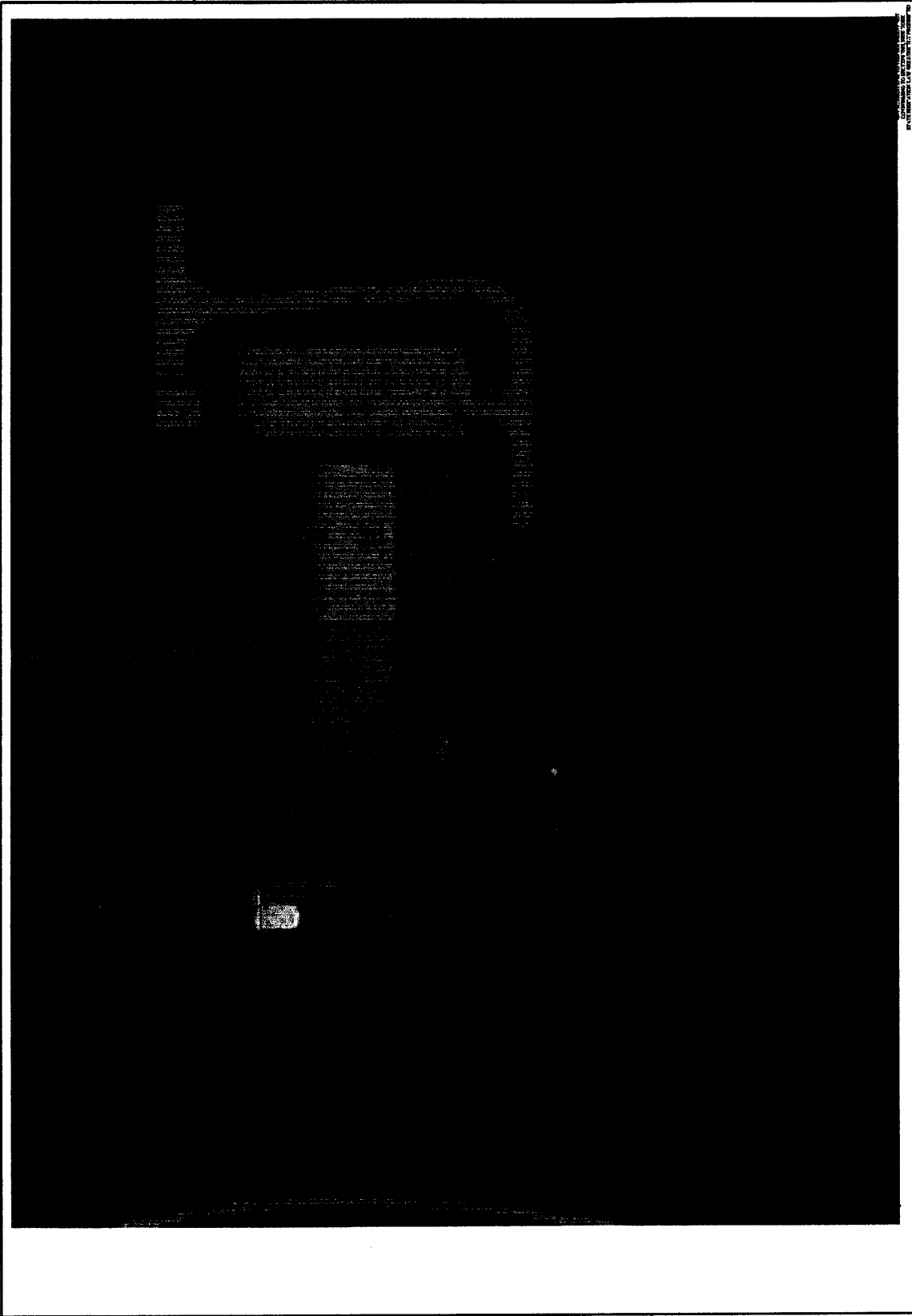
**BDA BEARDSLEY DESIGN ASSOCIATES**  
 Architecture, Engineering, Landscape Architecture, P.C.  
 3700 WILLOW PARKWAY  
 DOWNTOWN, NEW YORK, NY 10018  
 Tel: 212 692-8888  
 Fax: 212 692-8889  
 www.bda.com

NO.	DATE	DESCRIPTION
1	10/27/10	ISSUED FOR PERMIT
2	11/15/10	ISSUED FOR PERMIT
3	12/15/10	ISSUED FOR PERMIT
4	01/15/11	ISSUED FOR PERMIT
5	02/15/11	ISSUED FOR PERMIT
6	03/15/11	ISSUED FOR PERMIT
7	04/15/11	ISSUED FOR PERMIT
8	05/15/11	ISSUED FOR PERMIT
9	06/15/11	ISSUED FOR PERMIT
10	07/15/11	ISSUED FOR PERMIT
11	08/15/11	ISSUED FOR PERMIT
12	09/15/11	ISSUED FOR PERMIT

**2010 FACILITY EXPANSION**  
**D & W DIESEL, INC.**  
 1503 CLARK STREET ROAD  
 TOWN OF AURELIUS, NEW YORK

CIVIL  
 CONCEPT  
 SITE LAYOUT  
 PLAN  
 [REV 1]

Project No. 1002/10  
 Drawing Number  
**C-101**  
 of



115516

1 CAYUGA COUNTY INDUSTRIAL DEVELOPMENT AG 250.00  
D&W Diesel Inc.

11-01-10

CHECK NO.

OUR REF. NO.	YOUR INV. NO.	INVOICE DATE	INVOICE AMOUNT	AMOUNT PAID	DISCOUNT TAKEN	NET CHECK AMOUNT
	2011PILOT	01 NOV 10	250.00	250.00	0.00	250.00

Account Number

D&W Diesel Inc.

115516  
CHECK NO.

OUR REF. NO.	YOUR INV. NO.	INVOICE DATE	INVOICE AMOUNT	AMOUNT PAID	DISCOUNT TAKEN	NET CHECK AMOUNT
	2011PILOT	01 NOV 10	250.00	250.00	0.00	250.00

DOCUMENT IS PRINTED ON CHEMICALLY REACTIVE PAPER - THE BACK OF THIS DOCUMENT INCLUDES A TAMPER EVIDENT CHEMICAL WASH WARNING BOX



D&W Diesel, Inc.  
1503 Clark Street Road  
Auburn, NY 13021  
315-253-2324

FIRST NIAGARA  
50-7044/2223

115516

CHECK NO.	CHECK DATE	VENDOR NO.
115516	11 01 10	

CHECK AMOUNT
*****250.00

TWO HUNDRED FIFTY DOLLARS AND 0 CENTS

CAYUGA COUNTY INDUSTRIAL DEVELOPMENT AG

PAY  
TO THE  
ORDER OF

FINANCIAL MANAGEMENT ACCOUNT

*Bregan, R W*



115516 222370440 7900172078

ORIGINAL DOCUMENT HAS RED KEYHOLE ICON THAT DISAPPEARS WITH HEAT