

Tompkins County
Development Corporation
Not-for-Profit Application for Incentives

Applicant Information

Date: 08/10/2012

Name of Company/Applicant: Kendal at Ithaca, Inc.	
Address: 2230 N. Triphammer Road	
City/State/ZIP: 14850	
Primary Contact: Ann E. Wall	
Phone: 607-266-5304	Fax: 607-266-5353
Email: awall@kai.kendal.org	

Applicant Attorney: Miller Mayer LLP	
Address: 202 East State Street, 7 th floor	
City/State/ZIP: Ithaca, NY 14850	
Primary Contact: Elena Flash	
Phone: 607-273-4200	Fax: 607-272-6694
Email: esf@millermayer.com	

Applicant Accountant: CliftonLarsonAllen	
Address: 610 West Germantown Pike, Suite 400	
City/State/ZIP: Plymouth Meeting, PA 19462	
Primary Contact: Bernadette O'Toole	
Phone: 267-419-1127	Fax:
Email: Bernadette.OTOole@cliftonlarsonallen.com	

Applicant Engineer/Architect (if known): NOT APPLICABLE	
Address:	
City/State/ZIP:	
Primary Contact:	
Phone:	Fax
Email:	

Applicant Contractor (if known): NOT APPLICABLE	
Address:	
City/State/ZIP:	
Primary Contact:	
Phone:	Fax:
Email:	

Business History

Year Company was Founded: 1992 Type of ownership (**Corporation**, LLC, Sole Proprietor)
 NAICS Code: 62331 - NONPROFIT 501(c)(3)

Product or Service: Continuing care retirement community

Major Customers: Senior citizens
<i>The IDA avoids offering incentives to businesses that will compete with or displace existing Tompkins County businesses.</i>

Major Suppliers: Sysco Food Services of Syracuse P.O. Box 80, Rte 173N Warners, NY 13164-0080	John J. Pausley, Inc. 5139 Jacksonville Road Trumansburg, NY 14886
Omnicare of Syracuse d/b/a Pharmacy Solutions PO Box 740391 Cincinnati, OH 45274-0391	B&B Flooring 2217 Dryden Road Dryden, NY 13053

Who are your major competitors in Tompkins County? There are no other CCRCs locally. Longview does offer a continuum of senior housing and care, but it is a very different model and we do not consider them a competitor.

Has your business ever received incentives tied to job creation from local governments in New York State?
 ___ Yes x No

If Yes, please describe _____

Were the goals met? ____ Yes ____ No

If No, why were goals not met? _____

Project Description

Please give a brief narrative description of the project.

Kendal at Ithaca, Inc., a New York not-for-profit corporation, having offices at 2230 North Triphammer Road, Village of Cayuga Heights, New York 14850 (the "Company"), is requesting that the Issuer issue its tax-exempt revenue bonds in one or more issues or series in an aggregate principal amount not to exceed \$10,000,000 (the "Bonds") for the purpose of financing a certain project (the "Project") consisting of: (A) the refunding of the outstanding principal amount of the Tompkins County Industrial Development Agency's \$12,830,000 original principal amount Continuing Care Retirement Community Revenue Bonds (Kendal at Ithaca, Inc. Project), Series 2003A (the "Series 2003A Bonds"), which were issued for the benefit of the Company for the purpose of refunding in part the \$23,255,000 original principal amount Tompkins County Industrial Development Agency Life Care Community Bonds (Kendal at Ithaca, Inc. Project), Series 1994 (the "Series 1994 Bonds"), the proceeds of which were used to finance a certain project (the "1994 Project") consisting of (i) the acquisition of an approximately 100-acre parcel of land located in the Village of Cayuga Heights, Tompkins County, New York (the "Land"); (ii) the construction on the Land of a Life Care Community facility consisting of approximately 210 independent living units, 35 nursing care beds, 12 adult care units and related facilities; (iii) the acquisition and installation in and around the 1994 Project of certain items of equipment, machinery, furniture and other tangible personal property (collectively, the "Equipment" and together with the Land and the 1994 Project, the "Series 1994 Facility"); and (iv) the payment of certain costs incidental to the issuance of the Series 1994 Bonds; and (B) the payment of certain costs incidental to the issuance of the Bonds ((A) and (B) hereinafter referred to as "Project Costs").

Location: 2230 N. Triphammer Road, Ithaca, NY 14850

Property size (acres) – both **existing** and proposed: 103 acres

Building size (square feet) – both **existing** and proposed: 354,195

Proposed project start and completion dates: N/A

What types of green building practices do you plan to use, if any? Kendal has completed a NYSERDA energy management project and is committed to developing green building practices in any future building projects. We have internal policies and procedures regarding reuse and recycling and use of energy efficient products throughout the facility. In purchasing equipment, green practices are a primary factor.

Do you certify that the project will not result in the relocation of all or part of any business or jobs from within New York State to Tompkins County? x Yes ____ No

Will this project result in a regular increase in overnight visitors to your facility (e.g. for training purposes)?

___ Yes x No

If Yes, number of visitors per year _____ average duration of stay _____ days

Occupancy

List the name(s), nature of business of proposed tenant(s), and percentage of total square footage to be used for each tenant. (Additional sheets may be attached if necessary.)

Not applicable

Project Costs-(Not Applicable)

Amount

Value of land to be acquired (if any): _____

Value of building to be acquired (if any): _____

Cost of New Construction: _____

Value of improvements to existing building: _____

Value of equipment to be acquired: _____

Other: _____

TOTAL \$ _____

Financing

Without Bonds

With Bonds

First year debt service \$ 1,032,862.50 \$ 895,500.00

Total debt service \$ 13,433,768.76 \$ 11,385,087.50

Amount of anticipated financing from a lending institution \$0

(Please note: The applicant must inform the TCDC at the time of issuance of commitment letter if the financing will exceed the amount stated here.)

Need for Incentives

If the applicant is requesting incentives that are greater than the Development Corporation Standard Policies, please include a detailed justification for this provision.

Not applicable

Employment Information (please note that during the course of the abatement you will be required to provide employment information annually.)

Please provide a description of the benefits that you offer to your employees.

Benefits for full-time employees hired to work 30-40 hours/week are listed below.

Health insurance; dental insurance; group life & accidental death and dismemberment insurance (AD&D); voluntary life and AD&D insurance; NYS disability insurance; workers' compensation insurance; long-term disability insurance; flexible spending accounts; Kendal pension plan; tax-deferred annuities (403(b)); Kendal provides one percent match for 403(b); PTO (paid time off); sick leave; holiday pay (7 holidays observed); lunch provided for those working on Kendal-observed holidays; service awards (2nd-year and every 5th year); anniversary holiday (every 5th year); direct deposit; shift differentials; bereavement leave; jury duty leave; military leave; employee assistance program; educational reimbursement program; on-site child care; child care scholarship program; Family and Medical Leave; personal leave of absence; annual health screening, PPD and flu shot at no cost to employee.

Please provide a description of internal training and advancement opportunities offered to your employees.

Internal Training: New hires and on-going employees attend an 8-hour Orientation/Annual In-Service Program

each year. Major topics covered during Orientation include: Resident Rights, Fire Safety, Corporate Compliance, HIPAA, Infection Control, and Back Safety. In addition, we have mandatory one-hour training sessions each year; recent topics included: “Caring While Getting the Job Done”, “Teamwork”, “Learning About Other Cultures”, “Customer Service”, and “Dementia Education”. Some staff members are required to attend CPR, First Aid, and Defensive Driving training offered at Kendal. We also offer non-mandatory training sessions each year.

Advancement Opportunities – All position vacancies are posted and current staff may apply. A few positions are posted for “internal candidates only”. When staff members obtain certification/licensure for positions such as certified nursing assistant, LPN or RN, they can apply for positions at Kendal, and in many cases, are promoted into those roles.

What percentage of your current positions do women occupy? 72%

What percentage of your current positions do minorities occupy? 17%

What percentage of your current workforce and management are: in Tompkins County? 72% In New York State? 100% Out of state? 0%

Are you willing to pay a livable wage as defined by the Alternatives Federal Credit Union (AFCU) of Ithaca, NY (see attached) to all employees for the duration of the abatements?

Yes No

Do you have a strategy for ensuring diversity in hiring? Yes No

If yes, please describe.

We have a strategy for ensuring diversity in our applicant pool, which helps us to achieve diversity in hiring. Our goal is to have a large enough pool of candidates so that managers have enough qualified applicants to make hiring decisions that increase the likelihood of adding to diversity among our employees. Our weekly job list is posted in hard copy and/or on websites of various organizations/agencies within and around Tompkins County including NYS Dept of Labor, high schools, colleges, churches, GIAC, Southside Community Center, Latino Civic Association, Finger Lakes Independence Center. We also participate in the World of Skills job fair every year, and others when possible.

Please provide your Employment Plan

Permanent Occupations in Company	Current Permanent Full-Time Jobs by Occupation		Projection of New Permanent Full-Time Jobs			
	Annual Salary Ranges/ Hourly Wage	Number of Employees	Added in Year 1	Added in Year 2	Added in Year 3	Total New Jobs
Professional:	\$44,526-\$152,250	49	N/A			
Clerical:	\$27,518-\$39,978	18				
Sales:	\$45,295-\$66,962	2				
Services:	\$22,610-\$42,598	167				
Construction:						
Manufacturing:						
High Skilled:						
Medium Skilled:						
Basic Skilled:						
Other (Describe):						
Total:		236				

Estimated percentage of new hires who are currently not employed Not Applicable %

Construction Labor N/A

Will you use contractors who:

- Have a certified apprenticeship program Yes ___ No ___
- Pay a prevailing wage Yes ___ No ___
- Use local labor Yes ___ No ___

Environmental Review N/A

Environmental Assessment Form – short or long

Submitted to: _____

Agency name: _____

Agency address: _____

Date of submission: _____ Status of submission: _____

(please note: an environmental review must be completed before TCDC can vote on proposed financial incentive. It is the applicant's responsibility to provide a copy of the determination of environmental impact by another agency to TCDC.)

Permits

Describe other permits required and status of approval process.

The NYS Bureau of Continuing Care and Department of Insurance must approve this refinance. That application is pending. We anticipate approval because the refinance will result in a significant saving in debt service payments.

Other

Do you have any thing else you would like to tell Development Corporation regarding this project?

CERTIFICATION

_____ deposits that she/he is the _____
(Name of chief executive officer of company submitting application) (Title)

of _____, the corporation named in the attached application; that
(Company Name)

he has read the foregoing application and knows the contents thereof; that the same is true to his knowledge.

Deponent further says that the reason this verification is 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 own personal knowledge, are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said corporation.

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 nonprofit Tompkins County Industrial Development Agency (hereinafter referred to as the "Agency") acting in behalf of the attached application whether or not the application, the project it describes, the attendant negotiations and ultimately the necessary issue of bonds or transfer of title are ever carried to successful conclusion. 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 are unable to find buyers willing to purchase the total bond issue required or financing for the project, then upon presentation of invoice, the Applicant shall pay to the Agency, its agents, or assigns all actual costs involved in conduct of the application, up to that date and time, including but not limited to fees of bond counsel for the Agency and fees of general counsel for the Agency. Upon successful conclusion and sale of the required bond issue or transfer of title the Applicant shall pay to the Agency an administrative fee set by the Agency, not to exceed an amount equal to 1% of the total project cost. The cost incurred by the Agency and paid by the Applicant, including bond counsel, the Agency's general counsel's fees and the Agency's administrative fees, may be considered as a cost of the project and included as part of the resultant bond issue.

Signature of chief officer of company submitting application

NOTARY

Sworn to before me this

_____ day of _____, 20_____

CERTIFICATION

Daniel Governanti deposes that she/he is the Executive Director
(Name of chief executive officer of company submitting application) (Title)

of Kendal at Ithaca, Inc., the corporation named in the attached application; that
(Company Name)

he has read the foregoing application and knows the contents thereof; that the same is true to his knowledge.

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

Kendal at Ithaca, Inc. 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 own personal knowledge, are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his duties as an officer of and from the books and papers of said corporation.

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 nonprofit Tompkins County Industrial Development Agency (hereinafter referred to as the "Agency") acting in behalf of the attached application whether or not the application, the project it describes, the attendant negotiations and ultimately the necessary issue of bonds or transfer of title are ever carried to successful conclusion. 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 are unable to find buyers willing to purchase the total bond issue required or financing for the project, then upon presentation of invoice, the Applicant shall pay to the Agency, its agents, or assigns all actual costs involved in conduct of the application, up to that date and time, including but not limited to fees of bond counsel for the Agency and fees of general counsel for the Agency. Upon successful conclusion and sale of the required bond issue or transfer of title the Applicant shall pay to the Agency an administrative fee set by the Agency, not to exceed an amount equal to 1% of the total project cost. The cost incurred by the Agency and paid by the Applicant, including bond counsel, the Agency's general counsel's fees and the Agency's administrative fees, may be considered as a cost of the project and included as part of the resultant bond issue.

Daniel Governanti
Signature of chief officer of company submitting application

KELLEY M. CAMPBELL
Notary Public State of New York
No. 01CA 4939115
Qualified in Tompkins County
Term Expires July 25, 2014

NOTARY

Sworn to before me this

9th day of Aug, 2012
Kelley M Campbell