

TROY INDUSTRIAL DEVELOPMENT AUTHORITY

APPLICATION FOR FINANCIAL ASSISTANCE

IMPORTANT NOTICE: The answers to the questions contained in this application are necessary to determine your firm's eligibility for financing and other assistance from the Troy Industrial Development Authority. These answers will also be used in the preparation of papers in this transaction. Accordingly, an officer or other employee of your firm who is thoroughly familiar with the business and affairs of your firm and who is thoroughly familiar with the proposed project should answer all questions accurately and completely. This application is subject to acceptance by the Authority.

TO: TROY INDUSTRIAL DEVELOPMENT AUTHORITY
City Hall
One Monument Square
Troy, New York 12180
Attention: Chairman

This application by applicant respectfully states:

APPLICANT: Hoosick Hospitality, LLC

APPLICANT'S STREET ADDRESS: 302 Washington Avenue Extension

CITY: Albany STATE: NY PHONE NO.: (518) 862-9133

NAME OF PERSON (S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS APPLICATION: Joseph R. Nicolla

IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF FIRM:
Segel, Goldman, Mazzotta & Siegel, P.C.

NAME OF ATTORNEY: Debra Lambek

ATTORNEY'S STREET ADDRESS: 9 Washington Square

CITY: Albany STATE: NY PHONE NO: (518) 452-0941

NOTE: PLEASE READ THE INSTRUCTIONS ON PAGE 2 BEFORE FILLING OUT THIS APPLICATION.

INSTRUCTIONS

1. The Authority will not approve any application unless, in the judgment of the Authority, said application contains sufficient information upon which to base a decision whether to approve or tentatively approve an action.
2. Fill in all blanks, using "none" or "not applicable" or "N/A" where the question is not appropriate to the project which is the subject of this application (the "Project").
3. If an estimate is given as the answer to a question, put "(est)" after the figure or answer that is estimated.
4. If more space is needed to answer any specific question, attach a separate sheet.
5. When completed, return two (2) copies of this application to the Authority at the address indicated on the first page of this application.
6. The Authority will not give final approval to this application until the Authority receives a completed environmental assessment form concerning the Project that is the subject of this application.
7. Please note that Article 6 of the Public Officers Law declares that all records in the possession of the Authority (with certain limited exceptions) are open to public inspection and copying. If the applicant feels that there are elements of the Project which are in the nature of trade secrets or information, the nature of which is such that if disclosed to the public or otherwise widely disseminated would cause substantial injury to the applicant's competitive position, the applicant may identify such elements in writing and request that such elements be kept confidential in accordance with Article 6 of the Public Officers Law.
8. The applicant will be required to pay to the Authority all actual costs incurred in connection with this application and the Project contemplated herein (to the extent such expenses are not paid out of the proceeds of the Authority's bonds issued to finance the project). The applicant will also be expected to pay all costs incurred by general counsel and bond counsel to the Authority. The costs incurred by the Authority, including the Authority's general counsel and bond counsel, may be considered as a part of the project and included as a part of the resultant bond issue.
9. The Authority has established an application fee of Five Hundred Dollars (\$500) to cover the anticipated costs of the Authority in processing this application. A check or money order made payable to the Authority must accompany each application. **THE AUTHORITY WILL NOT ACCEPT THIS APPLICATION UNLESS ACCOMPANIED BY THE APPLICATION FEE.**
10. The Authority has established a project fee for each project in which the Authority participates. **UNLESS THE AUTHORITY AGREES IN WRITING TO THE CONTRARY, THIS PROJECT FEE IS REQUIRED TO BE PAID BY THE APPLICANT AT OR PRIOR TO THE GRANTING OF ANY FINANCIAL ASSISTANCE BY THE AUTHORITY.**

I. INFORMATION CONCERNING THE PROPOSED OCCUPANT OF THE PROJECT,
HEREINAFTER, THE "COMPANY"

A. Identity of Company:

1. Company Name: Hoosick Hospitality, LLC

Present Address: 302 Washington Avenue Extension, Albany, NY

Zip Code: 12203

Employer's ID No: Applied for

2. If the Company differs from the Applicant, give details of relationship: N/A

3. Indicate type of business organization of Company:

☐ Corporation. If so, incorporated in what country? _____;
What State? _____; Date Incorporated _____;
Type of Corporation? _____; Authorized to do business in New York?
Yes _____ No _____

☐ Partnership. If so, indicate type of partnership _____; Number of general partners
_____; Number of limited partners _____

☒ Limited Liability Company. If so, organized in what State? NY
Authorized to do business in New York? Yes X No _____

☐ Sole proprietorship.

4. Is the Company a subsidiary or direct or indirect affiliate of any other organization(s)? If so, indicate name of related organization(s) and relationship:

BBL Inc. - Parent organization

B. Management of Company:

1. List all owners, officers, directors, partners and members (complete all columns for each person):

NAME AND HOME ADDRESS	OFFICE HELD	OTHER PRINCIPAL BUSINESS
Donald LedDuke	Owner	BBL, Inc.
76 Normanskill Rd		
Voorheesville, NY 12186		

2. Is the Company or management of the Company now a plaintiff or a defendant in any civil or criminal litigation?
Yes ___ No X
3. Has any person listed above ever been convicted of a criminal offense (other than a minor traffic violation)?
Yes ___ No X
4. Has any person listed above or any concern with whom such person has been connected ever been in receivership or been adjudicated a bankrupt? Yes ___ No X
5. If the answer to any of question 2 through 4 is yes, please, furnish details in a separate attachment.
N/A

C. Principal owners of Company:

1. Is Company publicly held? Yes ___ No X. If yes, please list exchanges stock traded:

2. If no, list all stockholders, partners or members having a 5 % or more interest in the Company:

NAME	ADDRESS	PERCENTAGE OF HOLDING
Donald Ledduke	76 Normanskill Rd, Voorheesville, NY	50%
Joseph Nicollia	435 Ridge Hill Rd, Schenectady, NY	50%

- D. Company's principal bank(s) account: _____

NAME OF BANK	ADDRESS
Citizen's Bank	833 Broadway, Albany, NY 12206

II. DATA REGARDING PROPOSED PROJECT

- A. Description of the Project: (Please provide a brief narrative description of the Project.)
106,000SF, 125 Room Select Service Hotel with Associated retail, restaurant and conference space.

d) Attach photograph of present buildings.

3. Utilities serving the Project site:

Water:

- ☒ Municipal
☐ Other, describe

Sewer

- ☒ Municipal
☐ Other, describe

Electricity

- ☒ Utility
☐ Other, describe

Heat

- ☒ Utility
☐ Other, describe

4. Present legal owner of the Project site:

225 & 227 Hoosick Owner: Mark Besse

229 Hoosick Owner: MDG Mill Creek, LLC

237, 239, 241, 243 Hoosick and 2407 Lavin Owner: Troy ENT Realty, LLC

- a) If the Company owns the Project site, indicate date of purchase: N/A purchase price: \$ N/A
- b) If Company does not own the Project site, does Company have an option signed with the owner to purchase the Project site? Yes X No ____ If yes, indicate date option signed with the owner; and the date the option expires: 225 & 227 Hoosick Option signed: 8/8/07 Expires: 10/31/07
229 Hoosick Owned by an affiliate
237, 239, 241, 243 Hoosick & 2407 Lavin Option Signed: 5/4/07 Expires: 5/24/08
- c) If the Company does not own the Project site, is there a relationship legally or by common control between the Company and the present owner of the Project site? Yes X No ____ If yes, describe:
MDG Mill Creek (Owner of 229 Hoosick) is an affiliated company

5. Zoning District in which the Project site is located:
Hoosick Street Commercial District

Are there any variances or special permits affecting the Project site? Yes X No ____ If yes, list below and attach copies of all such variances or special permits:

Building Height Variance
Building Setback Variance
Parking Variance

Troy Industrial Development Authority



Jay Vandenburg
Chairperson
Phone (518) 270-4575
Fax (518) 270-4642

Zoning Board of Appeals

Harry Tutunjian
Mayor
Phone (518) 270-4401
Fax (518) 270-4609

September 25, 2007

Joseph Nicolla
Hoosick Hospitalities, LLC.
302 Washington Ave. Ext.
Albany, NY 12203

ZB2007-058 Major Area Variance to allow excessive setback, excessive height, and excessive parking related to a proposal to construct a hotel and retail facility at 225-243 Hoosick Street and 2407 Lavin Court, a Hoosick Commercial District, IDs 101.32-3-3 and -4,-5,-6,-8,-9,-10,-11. Applicant is Hoosick Hospitalities, LLC. 302 Washington Ave. Ext. Albany, NY 12203.

Dear Mr. Nicolla,

At the REGULAR MEETING of the City of Troy Zoning Board of Appeals held on September 20, 2007 the Zoning Board Members reviewed the above referenced application. After due consideration of same with respect to the Zoning Board's responsibility in this matter, it was voted to declare the proposal to be an Unlisted action under SEQRA, issue a negative declaration, and APPROVE the Major Area Variances.

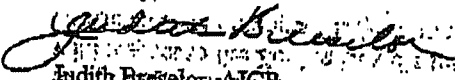
1. Major Area Variance to allow an excessive front setback related to a proposal to construct a hotel facility in the Hoosick Commercial District.
2. Major Area Variance to allow approx. 20ft of excessive height related to a proposal to construct a hotel facility in the Hoosick Commercial District.
3. Major Area Variance to allow excessive off street parking related to a proposal to construct a hotel facility in the Hoosick Commercial District.

Prior to commencing any work on, or use of the property relative to this approval, you are hereby directed to:

Obtain a Work Permit from the Bureau of Code Enforcement within SIX (6) MONTHS of the September 20, 2007 Zoning Board meeting date, or the decision will automatically expire, necessitating that you file a complete, new application.

Should you have any questions relevant to this matter, please contact me at your earliest convenience.

Sincerely,


Judith Bresler, AICP
Commissioner of Planning
270-4575

City Hall, One Monument Square, Troy, New York 12180

- c. *Recommend smoke and fire alarm connection to Fire Dept.*
2. Applicant shall furnish detailed information on traffic and parking. Applicant to demonstrate alternative site access drive locations and the ability to provide access/egress at a signalized intersection on Hoosick Street, per Hoosick Street Plan recommendations. An updated Traffic Evaluation, dated Oct. 11, 2007 was prepared for this project, reflecting elimination of the bank component of the project.
 - a. *The final engineer's Report dated 10-24-07 identifies in detail the four traffic mitigations proposed by the applicant for this project.*
 - b. *Delineated self park spaces are totaled at 281 spaces, of which 8 are h-cap spaces. Valet spaces are listed at 92 spaces. It is noted that valet spaces are crowded into the un-delineated front entryway areas of the building, parallel to the entry drive from Lavin Court and on the flush constructed "stamped asphalt" areas between delineated spaces and the entry drive and other driveways. The Troy Fire Dept. and Police Depts. Are to be notified 24 hours in advance of the days when "valet parking" will be implemented, such as for large meetings or conferences. Final "valet parking" plan to be approved by the City Engineer.*
3. Site is located on a sloped site on the north side of Hoosick Street. Currently there are concrete retaining walls at the west end of the site along Hoosick Street. Show existing and final grades of this site. Furnish soils report and depth to bedrock report. Indicate new or remaining retaining walls. Applicant has submitted a Stormwater Management Report, dated Oct. 4, 2007 for this project.
 - a. *Heights, materials used to construct and colors of the materials are not indicated in the plans. Details to be submitted for final review and approval by the City Engineer.*
4. The existing proposed parcel currently exists as numerous separate lots. The project site also includes a City-owned alley, which may/may not require closure and sale. Prior to final approval, a resubdivision map shall be prepared for final review and approval.
5. The applicant shall submit, but is not limited to the following detailed plans & reports for preliminary review:
 1. Existing site conditions & topography - *submitted.*
 2. Demolition - *in compliance with City Engineer and Code Enforcement standards.*
 3. Project site plan - *submitted.*
 4. Grading plan (existing and proposed contours) - *submitted.*
 5. Storm Water Management Report and Plan - *submitted.*
 6. Underground utility plan - *to be submitted.*
 7. Landscaping & sidewalk plan - *revised plan to be submitted. Existing plan does not correspond to revised parking layout. Also, only a limited number of actual tree plantings are proposed for the site. Details for exterior plaza/waiting area not shown. No walks lead into the parking areas.*
 8. Lighting Plan - *submitted.*
 9. Typical specifications and details - *submitted.*

10. Proposed pre/post construction storm water erosion & sedimentation control plan on project site - *submitted.*

Note: All detailed plans are to be submitted for final detailed review and approval by the City Engineer.

6. Include details regarding proposed business signage for this property and relationship to existing signs. Include details on proposed exterior building materials and finishes.

a. *No signage has been proposed or presented for review. Applicant agrees to develop a signage plan and submit to the Planning Board for review and approval.*

Conclusion: Planning Staff recommends the site plan proposal be reviewed on the **Full Review** agenda at the October 25, 2007 Planning Board meeting.

Prepared for the scheduled public hearing: 10/25/07

Prepared by: Planning Dept. staff

D. Description of Proposed Construction:

1. Does part of the Project consist of the acquisition or construction of a new building or buildings?
Yes X No _____
2. Does part of the Project consist of additions and/or renovations to existing buildings located on the Project site? Yes _____ No X. If yes, indicate the buildings to be expanded or renovated, the size of any expansions and the nature of expansion and/or renovation:
3. Describe the principal uses to be made by the Company of the building or buildings to be acquired, constructed or expanded: 125 Room Hotel & Conference Center with associated restaurant.

E. Description of the Equipment:

1. Does a part of the Project consist of the acquisition or installation of machinery equipment or other personal property (the "Equipment")? Yes X No _____ If yes, describe the Equipment:
2. With respect to the Equipment to be acquired, will any of the Equipment be Equipment that has previously been used? Yes _____ No X If yes, please provided detail:
3. Describe the principal uses to be made by the Company of the Equipment to be acquired or installed: Restaurant

F. Project Use:

1. What are the principal products to be produced at the Project:

N/A

2. What are the principal activities to be conducted at the Project:
Hospitality Services, Dining, Banquets

3. Does the Project include facilities or property that are primarily used in making retail sales of goods or services to customers who personally visit such facilities? Yes X No ____ If yes, please provide detail:
Hotel and retail consisting of proposed Ice Cream/Coffee Shop, and Restaurant.

4. If the answer to question 3 is yes, what percentage of the cost of the Project will be expended on such facilities or property primarily used in making retail sales of goods or services to customers who personally visit the Project? 100 %

5. If the answer to question 3 is yes, and the answer to question 4 is more than 33.33 %, indicate whether any of the following apply to the Project:

- a. Will not-for-profit corporation operate the Project? Yes ____ No X If yes, please explain:

- b. Is the Project likely to attract a significant number of visitors from outside the economic development region in which the Project will be located?
Yes X No ____ If yes, please explain:

- c. Would the Project occupant, but for the contemplated financial assistance from the Authority, locate the related jobs outside the State of New York? Yes ____ No X If yes, please explain:

- d. Is the predominant purpose of the Project to make available goods or services that would not, but for the Project, be reasonably accessible to the residents of the city, town or village within which the Project will be located, because of a lack of reasonably accessible retail trade facilities offering such goods or services?
Yes X No ____ If yes, please provide detail:

e. Will the Project be located in one of the following: (i) an area designed as an empire zone pursuant to Article 18-B of the Public Authorities Law; or (ii) a census tract or block numbering area (or census tract or block numbering area contiguous thereto) which, according to the most recent, census data, has (x) a poverty rate of at least 20 % for the year in which the data relates, or at least 20% of households receiving public assistance, and (y) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates? Yes X No _____. If yes, please explain:

6. If any answers to subdivisions c. through e. of question 5 are yes, will the Project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York? Yes X No _____. If yes, please explain:

increase the overall number of permanent, private sector jobs

7. Will the completion of the Project result in the removal of a plant or facility of the Company or another proposed occupant of the Project (a "Project Occupant") from one area of the State of New York to another area of the State of New York? Yes ____ No X If yes, please explain:

8. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Company located in the State of New York? Yes ____ No X If yes, please explain:

9. If the answer to either question 7 or question 8 is yes, indicate whether any of the following apply to the Project:

N/A

a. Is the Project reasonably necessary to preserve the competitive position of the Company or such Project Occupant in its industry? Yes ____ No X If yes, please provide detail:

b. Is the Project reasonably necessary to discourage the Company or such Project Occupant from removing such other plant or facility to a location outside the State of New York? Yes ____ No X If yes, please provide detail:

G. Project Status:

1. If the Project includes the acquisition of any land or buildings, have any steps been taken toward acquiring same? Yes X No _____. If yes, please discuss in detail the approximate stage of such acquisition: All properties needed are described in Question 4b. and are under contract and will close on or before the dates listed.

Troy Industrial Development Authority

2. If the Project includes the acquisition of any Equipment, have any steps been taken toward acquiring same? Yes ___ No X. If yes, please discuss in detail the approximate stage of such acquisition:

3. If the Project involves the construction or reconstruction of any building or other improvement, has construction work on any such building or improvement begun? Yes ___ No X. If yes, please discuss in detail the approximate extent of construction and the extent of completion. Indicate in your answer whether such specific steps have been completed as site clearance and preparation; completion of foundations; installation of footings, etc.

4. Please indicate amount of funds expended on the Project by the Company in the past three (3) years and the purposes of such expenditures:
\$160,000 (est) spent thus far for the purposes of obtaining options on land and municipal approvals for site.

H. Agent Status for sales tax purposes (See question B.3 in Part V1 below):

1. If the Authority approves the Project, there are two methods that may be used to undertake the Project. The applicant can undertake the Project privately and sell the Project to the Authority upon completion. Alternatively, the applicant can request to be appointed as "agent" of the Authority, in which case certain laws applicable to public construction may apply to the Project. Does the applicant wish to be designated as "agent" of the Authority for purposes of undertaking the Project? Yes X No ___.
2. If the answer to question 1 is yes, does the applicant desire such "agent" status prior to the closing date of the financing? Yes X No ___.

III. INFORMATION CONCERNING LEASES OR SUBLEASES OF THE PROJECT.
PLEASE COMPLETE THE FOLLOWING SECTION IF THE COMPANY INTENDS TO
LEASE OR SUBLEASE ANY PORTION OF THE PROJECT

A. Does the Company intend to lease or sublease more than 10% (by area or fair market value) of the Project? Yes ___ No X. If yes, please complete the following for each existing or proposed tenant or subtenant:

1. Sublessee Name: N/A
Present Address: N/A
City: N/A State: N/A Zip: N/A
Federal ID No: N/A

Sublessee is: ___ Corporation ___ Partnership ___ Sole Proprietorship

Relationship to Company:

Percentage of Project to be leased or subleased:

Use of Project intended by Sublessee:

Date of lease or sublease to Sublessee:

Term of lease or sublease to Sublessee:

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes ___ No ___. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

2. Sublessee Name: N/A
Present Address: N/A
City: N/A State: N/A Zip: N/A

Employer's ID No: N/A

Sublessee is: ___ Corporation ___ Partnership ___ Sole Proprietorship

Relationship to Company:

Percentage of Project to be leased or subleased:

Use of Project intended by Sublessee:

Date of lease or sublease to Sublessee:

Term of lease or sublease to Sublessee:

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes ___ No ___. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

3. Sublessee Name: N/A
Present Address: N/A
City: N/A State: N/A Zip: N/A
Employer's ID No: N/A

Sublessee is: _____ Corporation _____ Partnership _____ Sole Proprietorship

Relationship to Company:

Percentage of Project to be leased or subleased:

Use of Project Intended by Sublessee:

Date of lease or sublease to Sublessee:

Term of lease or sublease to Sublessee:

Will any portion of the space leased by this sublessee be primarily used in making retail sales of goods or services to customers who personally visit the Project? Yes _____ No _____. If yes, please provide on a separate attachment (a) details and (b) the answers to questions II(F)(4) through (6) with respect to such sublessee.

B. What percentage of the space intended to be leased or subleased is now subject to a binding written lease or sublease? 0%

IV. EMPLOYMENT IMPACT.

Indicate below the number of people presently employed at the Project site and the number that will be employed at the Project site at end of the first and second years after the Project has been completed (Do not include construction workers). Also indicate below the number of workers employed at the Project site representing newly created positions as opposed to positions relocated from other project sites of the applicant.

TYPE OF EMPLOYMENT			
	PROFESSIONAL OR MANAGERIAL	UNSKILLED OR SKILLED	SEMI-SKILLED
			TOTALS
Present Full Time	0	0	0
Present Part Time	0	0	0
Present Seasonal	0	0	0
First Year Full Time	1	0	1
First Year Part Time	0	0	0
First Year Seasonal	0	0	0
Second Year Full Time	10	45	65
Second Year Part Time	0	15	20
Second Year Seasonal	0	10	10

V. PROJECT COST.

A. Anticipated Project Costs. State the costs reasonably necessary for the acquisition for the Project site, the construction of the proposed buildings and the acquisition and installation of any machinery and equipment necessary or convenient in connection therewith, and including any utilities, access roads or appurtenant facilities, using the following categories:

Description of Cost	Amount
Land	\$3,000,000 (est)
Buildings	\$16,740,000 (est)
Machinery and equipment costs	\$500,000 (est)
Utilities, roads and appurtenant costs	\$1,000,000 (est)
Architects and engineering fees	\$1,000,000 (est)
Troy Industrial Development Authority	

Costs of Bond issue (legal, financial and printing) \$60,000 (est)
 Construction loan fees and interest (If applicable) \$700,000 (est)
 Other (specify)
 TOTAL PROJECT COSTS \$23,000,000 (est)

B. Have any of the above expenditures already been made by the applicant? Yes ☒ No ☐
 If yes, indicate particulars. \$160,000 (est) spent to option land and obtain municipal approvals for site

VI. FINANCIAL ASSISTANCE EXPECTED FROM THE AUTHORITY.

A. Financing

1. Is the applicant requesting that the Authority issue bonds to assist in financing the Project?
☐ Yes ☒ No. If yes, indicate:
 a. Amount of loan requested: \$ _____; and
 b. Maturity requested: _____ years.
2. If the answer to question 1 is yes, is the interest on such bonds intended to be exempt from federal income taxation? Yes ☐ No ☒
3. If the answer to question 2 is yes, will any portion of the Project be used for any of the following purposes?

Purpose	Yes	No
Retail food and beverage services.		
Automobile sales or service.		
Recreation or entertainment	N/A	
Golf course		
Country club		
Massage parlor		
Tennis club		
Skating facility (including roller skating, skateboard and ice skating):		
Racquet sports facility (including handball and racquetball court)		
Hot tub facility		
Suntan facility		
Racetrack		

4. If the answer to any of the above questions contained in question 3 is yes, please furnish details on a separate attachment.

N/A

B. Tax Benefits.

1. Is the applicant requesting any real property tax exemption in connection with the Project that would not be available to a project that did not involve the Authority? Yes X No _____. If yes, is the real property tax exemption being sought consistent with the Authority's Uniform Tax Exemption Policy? Yes ____ No X

2. Is the applicant expecting that the financing of the Project will be secured by one or more mortgages? Yes X No _____. If yes, what is the approximate amount of financing to be secured by mortgages? \$ 20M

3. Is the applicant expecting to be appointed agent of the Authority for purposes of avoiding payment of N. Y.S. Sales Tax or Compensating Use Tax? Yes X No _____. If yes, what is the approximate amount of purchases that the applicant expects to be exempt from the N. Y.S. Sales and Compensating Use Taxes? \$ _____

4. What is the estimated value of each type of tax-exemption being sought in connection with the Project? Please detail the type of tax-exemption and value of each exemption.

a) N. Y.S. Sales and Compensating Use Taxes:	\$ 500,000
b) Mortgage Recording Taxes	\$ 237,000
c) Real Property Tax Exemptions:	\$ 3,000,000
d) Other (please specify):	\$ 0

5. Are any of the tax-exemptions being sought in connection with the Project inconsistent with the Authority's Uniform Tax exemption Policy? Yes X No _____. If no, please explain how the request of the applicant differs from the Authority's Uniform Tax-Exemption Policy:

VERIFICATION
(If Applicant is a Limited Liability Company)

STATE OF NEW YORK
COUNTY OF ALBANY ss.:

Joseph R. Nicolia deposes and says that they are one of the
(Name of Individual)
members of the firm of HOOSICK Hospitalty LLC, the limited liability company

named in the attached application; that they have read the foregoing application and knows the contents thereof; and that the same is true and complete and accurate to the best of their knowledge. The grounds of deponent's belief relative to all matters in the said application which are not stated upon their own personal knowledge are investigations which deponents has caused to be made concerning the subject matter of this application as well as information acquired by deponents in the course of their duties as an officer of and from the books and papers of said limited liability company.

Sworn to before me this

20th day of November 2007

Pamela Guidi
Notary Public

PAMELA GUIDI
Notary Public, State of New York
No. 01GUS157880
Qualified in Albany County
Commission Expires Dec. 18, 2010

HOLD HARMLESS AGREEMENT

Applicant hereby releases Troy Industrial Development Authority and the members, officers, servants, agents and employees thereof (hereinafter collectively referred to as the "Authority") from, agrees that the Authority shall not be liable for and agrees to indemnify, defend and hold the Authority harmless from and against any and all liability arising from or expense incurred by (A) the Authority's examination and processing of, and action pursuant to or upon, the attached Applicant, regardless of whether or not the application or the Project described therein or the issue of bonds requested therein are favorably acted upon by the Authority (B) the Authority's financing of the Project described therein and (C) any further action taken by the Authority with respect to the Project; including 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 Authority or the Applicant are unable to find buyers willing to purchase the total bond issue requested, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Authority, its agents or assigns, all actual costs incurred by the Authority in the processing of the Application, including attorneys' fees, if any.

(Applicant)

Joseph R. Nicoua
By: Authorized Member
Hoosick Hospitalities, LLC

Sworn to before me this
20th day of November, 2007

Pamela Guidi
Notary Public

PAMELA GUIDI
Notary Public, State of New York
No. 01GU8157880
Qualified in Albany County
Commission Expires Dec. 18, 2010