



FitzGerald Morris  
Baker Firth

Donna L. Derway  
Legal Assistant  
dld@fmbf-law.com

October 31, 2016

NYS Tax Department  
IDA Unit  
WA Harriman Campus  
Albany, New York 12227

**Certified RRR**

Re: Counties of Warren and Washington IDA  
(Kenny & Dittrich Amherst, LLC Project)  
(#5202-15-01A)  
NYS Form ST-60 Submission -- EXTENSION

Dear Sir or Madam:

Please find enclosed an executed Form ST-60 Extension Form for the above-captioned IDA Project for the following agent:

-Kenny & Dittrich Amherst, LLC- Direct Agent

A copy of the original filing, with a completion date of September 30, 2016, is included for your reference. The extension was approved at the IDA's regular meeting on October 17, 2016.

Thank you very much for your attention to this matter. Please do not hesitate to contact me with any questions or comments.

Very truly yours,

Donna Derway  
Legal Assistant

Cc: D. Mineconzo, WWIDA (*via email*)  
J. Lapper, Esq., Developer's Counsel (*via email*)



# IDA Appointment of Project Operator or Agent For Sales Tax Purposes

# ST-60

(4/13)

The industrial development agency or authority (IDA) must submit this form within 30 days of the appointment of a project operator or agent, whether appointed directly by the IDA or indirectly by the operator or another agent.

**For IDA use only**

Name of IDA Counties of Warren and Washington Industrial Development Agency		IDA project number (use OSC numbering system for projects after 1998) 5202-15-01A	
Street address 5 Warren Street		Telephone number (518) 792-1312	
City Glens Falls		State NY	ZIP code 12801
Name of IDA project operator or agent Kenny & Dittich Amherst, LLC		Mark an X in the box if directly appointed by the IDA: <input checked="" type="checkbox"/>	Employer identification or social security number 45-4366315
Street address 365 Canada Street		Telephone number (518) 796-7652	Primary operator or agent? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
City Lake George		State NY	ZIP code 12845
Name of project Kenny & Dittich Amherst LLC Project		Purpose of project (see instructions) Retail Trade	
Street address of project site 365 Canada Street			
City Lake George		State NY	ZIP code 12845
Description of goods and services intended to be exempted from New York State and local sales and use taxes construction materials, fixtures, and furnishings			

Date project operator or agent appointed (mm/dd/yy) 03/10/15	Date project operator or agent status ends (mm/dd/yy) 09/30/17	Mark an X in the box if this is an extension to an original project: <input type="checkbox"/>
Estimated value of goods and services that will be exempt from New York State and local sales and use tax: \$18,000,000.00	Estimated value of New York State and local sales and use tax exemption provided: \$1,440,000.00 (8.0%)	

**Certification:** I certify that the above statements are true, complete, and correct, and that no material information has been omitted. I make these statements with the knowledge that willfully providing false or fraudulent information with this document may constitute a felony or other crime under New York State Law, punishable by a substantial fine and possible jail sentence. I also understand that the Tax Department is authorized to investigate the validity of any information entered on this document.

Print name of officer or employee signing on behalf of the IDA Kara Lais	Print title Agency Counsel
Signature 	Date 10/28/16
	Telephone number (518) 745-1400

### \*\*\*Amendment. Extension Granted. Instructions

#### Filing requirements

An IDA must file this form within 30 days of the date the IDA appoints any project operator or other person as agent of the IDA, for purposes of extending any sales and compensating use tax exemptions.

The IDA must file a separate form for each person it appoints as agent, whether directly or indirectly, and regardless of whether the person is the primary project operator or agent. If the IDA authorizes a project operator or agent to appoint other persons as agent of the IDA, the operator or agent making such an appointment must advise the IDA that it has done so, so that the IDA can file a form within 30 days of the date of the new agent's appointment. The IDA should not file this form for a person hired to work on an IDA project if that person is not appointed as agent of the IDA. The IDA need not file this form if the IDA does not extend any sales or use tax exemption benefits for the project.

If an IDA modifies a project, such as by extending it beyond its original completion date, or by increasing or decreasing the amount of sales and use tax exemption benefits authorized for the project, the IDA must, within 30 days of the change, file a new form with the new information.

If an IDA amends, revokes, or cancels the appointment of an agent, or if an agent's appointment becomes invalid for any reason, the IDA must, within 30 days, send a letter to the address below for filing this form, indicating that the appointment has been amended, revoked, or cancelled, or is no longer valid, and the effective date of the change. It should attach to the letter a copy of the form it originally filed. The IDA need not send a letter for a form that is not valid merely because the "Completion date of project" has passed.

#### Purpose of project

For Purpose of project, enter one of the following:

- Services
- Agriculture, forestry, fishing
- Finance, insurance, real estate
- Transportation, communication, electric, gas, sanitary services
- Construction
- Wholesale trade
- Retail trade
- Manufacturing
- Other (specify)

#### Mailing instructions

Mail completed form to:

**NYS TAX DEPARTMENT  
IDA UNIT  
W A HARRIMAN CAMPUS  
ALBANY NY 12227**

#### Privacy notification

The Commissioner of Taxation and Finance may collect and maintain personal information pursuant to the New York State Tax Law, including but not limited to, sections 5-a, 171, 171-a, 287, 308, 429, 475, 505, 697, 1096, 1142, and 1415 of that Law; and may require disclosure of social security numbers pursuant to 42 USC 405(c)(2)(C)(i).

This information will be used to determine and administer tax liabilities and, when authorized by law, for certain tax offset and exchange of tax information programs as well as for any other lawful purpose.

Information concerning quarterly wages paid to employees is provided to certain state agencies for purposes of fraud prevention, support enforcement, evaluation of the effectiveness of certain employment and training programs and other purposes authorized by law.

Failure to provide the required information may subject you to civil or criminal penalties, or both, under the Tax Law.

This information is maintained by the Manager of Document Management, NYS Tax Department, W A Harriman Campus, Albany NY 12227; telephone (518) 457-5181.

#### Need help?

**Internet access: [www.tax.ny.gov](http://www.tax.ny.gov)**  
(for information, forms, and publications)

**Sales Tax Information Center** (518) 485-2889  
To order forms and publications: (518) 457-5431

**Text Telephone (TTY) Hotline**  
(for persons with hearing and speech disabilities using a TTY): (518) 485-5082



FitzGerald Morris  
Baker Firth

Donna L. Derway  
dld@fmbf-lf.w.com

March 10, 2015

NYS Tax Department  
IDA Unit  
WA Harriman Campus  
Albany, New York 12227

Re: Counties of Warren and Washington IDA  
(Kenny & Dittrich Amherst, LLC Project)  
(#5202-15-01A)  
NYS Form ST-60 Submission

**Certified RRR**

Dear Sir or Madam:

Please find enclosed an executed Form ST-60 for the above-captioned IDA Project.

Thank you very much for your attention to this matter. Please do not hesitate to contact me with any questions or comments.

Very truly yours,

Donna Derway  
Legal Assistant

Cc: D. Mineconzo, WWIDA (*via email*)  
J. Lapper, Esq., Developer's Counsel (*via email*)



# IDA Appointment of Project Operator or Agent For Sales Tax Purposes

# ST-60

(4/13)

The industrial development agency or authority (IDA) must submit this form within 30 days of the appointment of a project operator or agent, whether appointed directly by the IDA or indirectly by the operator or another agent.

**For IDA use only**

Name of IDA Counties of Warren and Washington Industrial Development Agency		IDA project number (use OSC numbering system for projects after 1998) 5202-15-01A	
Street address 5 Warren Street		Telephone number (518) 792-1312	
City Glens Falls		State NY	ZIP code 12801
Name of IDA project operator or agent Kenny & Dittrich Amherst, LLC		Mark an X in the box if directly appointed by the IDA: <input checked="" type="checkbox"/>	Employer identification or social security number 45-4366315
Street address 365 Canada Street		Telephone number (518) 796-7652	Primary operator or agent? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
City Lake George		State NY	ZIP code 12845
Name of project Kenny & Dittrich Amherst LLC Project		Purpose of project (see instructions) Retail Trade	
Street address of project site 365 Canada Street			
City Lake George		State NY	ZIP code 12845
Description of goods and services intended to be exempted from New York State and local sales and use taxes construction materials, fixtures, and furnishings			

Date project operator or agent appointed (mm/dd/yy) 03/10/15	Date project operator or agent status ends (mm/dd/yy) 09/30/16	Mark an X in the box if this is an extension to an original project: <input type="checkbox"/>
Estimated value of goods and services that will be exempt from New York State and local sales and use tax: \$18,000,000.00	Estimated value of New York State and local sales and use tax exemption provided: \$1,440,000.00 (8.0%)	

**Certification:** I certify that the above statements are true, complete, and correct, and that no material information has been omitted. I make these statements with the knowledge that willfully providing false or fraudulent information with this document may constitute a felony or other crime under New York State Law, punishable by a substantial fine and possible jail sentence. I also understand that the Tax Department is authorized to investigate the validity of any information entered on this document.

Print name of officer or employee signing on behalf of the IDA Kara . Lais	Print title Agency Counsel	Date 03/10/2015	Telephone number (518) 745-1400
Signature 			

### Instructions

**Filing requirements**  
An IDA must file this form within 30 days of the date the IDA appoints any project operator or other person as agent of the IDA, for purposes of extending any sales and compensating use tax exemptions.

The IDA must file a separate form for each person it appoints as agent, whether directly or indirectly, and regardless of whether the person is the primary project operator or agent. If the IDA authorizes a project operator or agent to appoint other persons as agent of the IDA, the operator or agent making such an appointment must advise the IDA that it has done so, so that the IDA can file a form within 30 days of the date of the new agent's appointment. The IDA should not file this form for a person hired to work on an IDA project if that person is not appointed as agent of the IDA. The IDA need not file this form if the IDA does not extend any sales or use tax exemption benefits for the project.

If an IDA modifies a project, such as by extending it beyond its original completion date, or by increasing or decreasing the amount of sales and use tax exemption benefits authorized for the project, the IDA must, within 30 days of the change, file a new form with the new information.

If an IDA amends, revokes, or cancels the appointment of an agent, or if an agent's appointment becomes invalid for any reason, the IDA must, within 30 days, send a letter to the address below for filing this form, indicating that the appointment has been amended, revoked, or cancelled, or is no longer valid, and the effective date of the change. It should attach to the letter a copy of the form it originally filed. The IDA need not send a letter for a form that is not valid merely because the "Completion date of project" has passed.

- Purpose of project**  
For Purpose of project, enter one of the following
- Services
  - Agriculture, forestry, fishing
  - Finance, insurance, real estate
  - Transportation, communication, electric, gas, sanitary services
  - Construction
  - Wholesale trade
  - Retail trade
  - Manufacturing
  - Other (specify)

**Mailing instructions**  
Mail completed form to:  
**NYS TAX DEPARTMENT  
IDA UNIT  
W A HARRIMAN CAMPUS  
ALBANY NY 12227**

**Privacy notification**  
The Commissioner of Taxation and Finance may collect and maintain personal information pursuant to the New York State Tax Law, including but not limited to, sections 4-a, 171, 171-a, 387, 308, 429, 475, 505, 597, 1098, 1142, and 1415 of that Law; and may require disclosure of social security numbers pursuant to 42 USC 405(c)(2)(C)(i).  
This information will be used to determine and administer tax liabilities and, when authorized by law, for certain tax offset and exchange of tax information programs as well as for any other lawful purpose.  
Information concerning quarterly wages paid to employees is provided to certain state agencies for purposes of fraud prevention, support enforcement, evaluation of the effectiveness of certain employment and training programs and other purposes authorized by law.  
Failure to provide the required information may subject you to civil or criminal penalties, or both, under the Tax Law.  
This information is maintained by the Manager of Document Management, NYS Tax Department, W A Harriman Campus, Albany NY 12227; telephone (518) 457-5181.

**Need help?**

**Internet access: [www.tax.ny.gov](http://www.tax.ny.gov)**  
(for information, forms, and publications)

**Sales Tax Information Center:** (518) 485-2889

**To order forms and publications:** (518) 457-5431

**Text Telephone (TTY) Hotline**  
(for persons with hearing and speech disabilities using a TTY): (518) 485-5082