



Applicant Contact and Basic Information	
Name:	Conifer Realty, LLC
Address:	183 East Main Street, Suite 600, Rochester, NY 14604
Phone Number(s):	[REDACTED]
Fax Number(s):	[REDACTED]
E-mail Address:	[REDACTED]
Website Address:	<a href="http://www.coniferllc.com">www.coniferllc.com</a>
Applicant EIN Number:	[REDACTED]
Application Date:	October 9, 2014

1. Financial Assistance Requested (check applicable option(s)):

- Bond Financing                       Straight Lease

2. Officer of Applicant serving as contact person:

[REDACTED]	Firm: Conifer Realty, LLC
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

3. Attorney of Applicant:

Name: Daniel P. Deegan	Firm: Forchelli, Curto, Deegan, Schwartz, Mineo, Cohn & Terrana, LLP
Phone #: (516) 248-1700	Fax#: (516) 248-1729
E-mail Address: ddeegan@Forchelliilaw.com	Address: 333 Earle Ovington Blvd., Suite 1010 Uniondale, NY 11553

4. CFO/Accountant of Applicant:

Name: Tim Flaherty	Firm: Flaherty Salmin CPAs
Phone #: (585) 279-0120	Fax#: (585) 279-0166
E-mail Address: tflaherty@scwf-cpa.com	Address: 2300 Buffalo Road, Building 200 Rochester, NY 14624

5. Financial Advisor or Consultant (if applicable): N/A

Name:	Firm:
Phone #:	Fax#:
E-mail Address:	Address:

6. Applicant is (check one of the following, as applicable):
- |  |   |   |
|--|---|---|
| <input type="checkbox"/> General Partnership     | <input type="checkbox"/> Limited Partnership                  | <input type="checkbox"/> C Corporation  |
| <input type="checkbox"/> S Corporation           | <input checked="" type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Natural Person |
| <input type="checkbox"/> 501 (c)(3) Organization | <input type="checkbox"/> Other (specify):                     |   |

7. Are any securities of Applicant publicly traded?
- Yes  No

8. Applicant's state of incorporation or formation:  
New York

1. Applicant's date of incorporation or formation:  
November 9, 2000

8. States in which Applicant is qualified to do business:  
New York, Maryland, New Jersey, Pennsylvania, & Ohio

9. Please provide a brief description of Applicant and nature of its business:

Conifer Realty, LLC is a full service real estate company specializing in the development, construction, management and ownership of high-quality, affordable housing communities.

Established in 1975, Conifer has grown considerably – currently owning and managing over 13,350 multi-family units in over 210 apartment communities. In addition, the Company consistently maintains a pipeline of over 30 projects in various stages of the development process.

With the addition of Conifer-LeChase Construction (CLC), a full-service construction company, in 2005, the company's "one-stop-service" approach is complete; offering development, construction, management, legal, finance, accounting, tax credit compliance and ownership services.

The Company maintains offices in Rochester, New York; Mount Laurel, New Jersey; Erie, Pennsylvania and Columbia, Maryland, to serve the affordable housing market in these states. At the heart of the Conifer organization is an experienced team of more than 600 highly skilled professionals who, with a demonstrated entrepreneurial spirit, have helped our organization assume a leadership role in the affordable housing industry. Today, Conifer is the 13th largest owner, and the 22nd largest developer of affordable housing in the nation according to Affordable Housing Finance Magazine.

Our values based approach remains the cornerstone of the Company's success. Accordingly, we remain focused on: hiring the best people, providing challenges and training yielding positive outcomes, building a superior product to enhance the quality of life for our residents, being a good neighbor and remaining true to our word.

**Please note:** An "Affiliate" means any individual, corporation, partnership, joint venture, sole proprietorship, limited liability company, trust or other entity that controls, is controlled by or is under common control with the Applicant.

12. Please check all that apply:

- Applicant or an Affiliate is the fee simple owner of the Project realty.
- Applicant or an Affiliate is not currently, but expects to be the fee simple owner of the Project realty.
- Applicant or an Affiliate is not the owner of the Project realty, but is the occupant of a material portion thereof for the conduct of its business pursuant to a lease or other occupancy agreement.
- Applicant or an Affiliate is not the owner of the Project realty, but expects, immediately following the closing, to be the occupant of a material portion thereof for the conduct of its business pursuant to a lease or other occupancy agreement.
- None of the above categories fully describe Applicant and its relation to the Project realty, which may be more accurately described as follows (please provide copies of supporting documentation, as applicable):

13. If a special-purpose entity ("SPE") that is owned and controlled by the Applicant will own or otherwise control the Project realty, the SPE will be a (check one of the following as applicable):

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> General Partnership | <input type="checkbox"/> Limited Partnership                  | <input type="checkbox"/> C Corporation                    |
| <input type="checkbox"/> S Corporation       | <input checked="" type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Not-for-profit 501 (c)(3) entity |
| <input type="checkbox"/> Natural Person      | <input type="checkbox"/> Other (specify):                     |   |

Name of SPE: Copiague Commons, LLC

Address: 183 East Main Street, Suite 600, Rochester, NY 1460

Phone Number(s): (585) 324-051

Contact Person: Allen Handelman

Affiliation of SPE to Applicant: Conifer Realty, LLC will be sole member of the co-managing member of the SPE

Owners of SPE and each respective ownership share: Anticipated ownership as follows:

Co-Managing Member, 0.005% - a to-be-formed LLC wholly owned by Conifer, Realty, LLC

Co-Managing Member, 0.005% - Community Development Corporation of Long Island, Inc., or an affiliate thereof

Investor Member, 99.99% - TBD

SPE EIN Number: ██████████

Please note: If information required above for the SPE is unknown at time of Application submission, then please submit any missing information to the Babylon IDA as soon as it becomes available.

14. Give the following information with respect to all proposed tenants and sub-tenants at the proposed project site. Provide information on an additional sheet if space is needed.

There will be no commercial tenants. The project only includes residential rental units. Tenants will be identified closer to project completion.

<b>Company Name:</b>	<b>Phone</b>	<b>Affiliation with Applicant</b>	<b>SF &amp; Floors (Percent of Occupancy)</b>	<b>Lease Expiration</b>	<b>Tenant Business</b>

**Project Site**

District: 0100
Section: 178
Block(s): 1
Lot(s): 29.1, 30, 42.1, & 42.2
Street address and zip code: 54 Railroad Avenue, Copiague, NY 11726
Zoning: G Light Industrial
Area (acreage): 1.906 acres
Square footage of existing building(s): approx. 56,000 square feet
Number of floors: 1
Intended use(s) (e.g., office, retail, etc.): Residential

I. Please provide the following Project information:

a. Please provide a brief description of the proposed Project:

Copiague Commons will create 90 units of affordable housing with 76 units set aside for households earning up to 60% of area median income (“AMI”) and the remaining 14 units will serve families earning up to 90% of AMI. 54 units will be one-bedroom apartments and 36 units will be two-bedroom apartments. The Project will pursue an EnergyStar rating and Enterprise Green Communities certification. Other Project Amenities will include approximately 90 on-site parking spaces, a fitness room, community room, onsite laundry, and an onsite management office.

b. Indicate the estimated date for commencement of the Project: September 30, 2015

c. Indicate the estimated date for the completion of the Project: September 30, 2016

d. Will the Project require any special permits, variances or zoning approval?

Yes

No

If Yes, please explain:

The Town of Babylon is undertaking a rezone of all of downtown Copiague. This process is expected to be completed in December 2014. The Project is anticipated to meet zoning requirements following the rezone.

e. Is any governmental entity intended or proposed to be an occupant at the Project site?

Yes

No

If Yes, please explain:

2. Please complete the following summary of Project sources and uses:

**PROJECT COSTS**

**PROJECT FUNDING**

Land acquisition	5,320,000	Bonds (from NYS HFA)	8,200,000
Building acquisition existing		Loans	
New construction	15,849,078	Affiliate/employee loans	
Renovations		Company funds	11,591,048
Fixed tenant improvements		Other (explain): Suffolk County Infrastructure/Acquisition Funds	1,500,000
Machine and/or equipment		CDBG-DR	9,000,000
Soft costs	6,190,139		
Furnishings			
Other (explain): Finance Costs	2,931,831		
<b>Total Project Costs</b>	<b>30,291,048</b>	<b>Total Project Funding Sources</b>	<b>30,291,048</b>



Background Information on Applicant and Applicant's Affiliates

**Please note:** "Principal" means the following with respect to the Applicant and/or the SPE: all persons (entities or individuals) that control the Applicant and/or the SPE, and/or own more than 10 percent of either; all executive officers; all directors; and all members and general partners for, respectively, limited liability companies and partnerships.

Please answer the following questions and, if necessary, include additional information as an attachment:

1. Has Applicant, or any Affiliate or Principal, ever received, or is any such person or entity currently receiving, financial assistance or any other kind of discretionary benefit from any local, state or federal governmental entity or agency, or any public authority or public benefit corporation, or any local development corporation?

Yes  No

If Yes, please provide details on an attached sheet.

Please note: local, state and federal governmental entities or agencies, public authorities or public benefit corporations, and local development corporations, shall be referred to as "Public Entity(y)(ies)."

2. Has Applicant, or any Affiliate or Principal, or any existing or proposed occupant at the Project site, obtained, or is any such person or entity in the process of obtaining, or contemplating obtaining, other assistance from the Babylon IDA?

Yes  No

If Yes, please provide details on an attached sheet.

3. Has Applicant, or any Affiliate or Principal, ever defaulted on a loan or other obligation to a Public Entity?

Yes  No

If Yes, please provide details on an attached sheet.

4. Has real property in which Applicant, or Affiliate or Principal, holds or has ever held an ownership interest and/or controlling interest of 25 percent or more, now or ever been (i) the subject of foreclosure (including a deed in lieu of foreclosure), or (ii) in arrears with respect to any type of tax, assessment or other imposition?

Yes  No

If Yes, please provide details on an attached sheet.

5. Does Applicant, or any Affiliate or Principal, have any contingent liabilities not already covered above (e.g., judgment liens, lis pendens, other liens, etc.)? Please include mortgage loans and other loans taken in the ordinary course of business only if in default.

Yes  No

If Yes, please provide details on an attached sheet.

**6. List of major customers: Not Applicable**

Company Name	Address	Contact	Phone

**7. List major suppliers: Not Applicable**

Company Name	Address	Contact	Phone

**8. List unions (if applicable): Not Applicable**

Company Name	Address	Contact	Phone

**9. List banks/current accounts:**



**10. List licensing authorities, if applicable: DMV commercial licenses N/A**

Company Name	Address	Contact	Phone

**I, the undersigned officer/member/partner of Applicant, on behalf of Applicant, hereby request, represent, certify, understand, acknowledge and agree as follows:**

I request that this Application, together with all materials and data submitted in support of this Application (collectively, these "Application Materials"), be submitted for review to the Babylon IDA Board, in order to obtain from the Babylon IDA Board an expression of intent to provide the financial assistance for the Project. I understand that this expression of intent will take the form of an inducement resolution to be adopted by the Board.

**I represent** that I have the authority to sign these Application Materials on behalf of, and to bind, Applicant.

**I certify** to the best of my knowledge and belief that all of the information provided in these Application Materials is accurate, true and correct. I understand that an intentional misstatement of fact, or, whether intentional or not, a material misstatement of fact, or the providing of materially misleading information, or the omission of a material fact, may cause the Babylon IDA Board to reject the request made in the Application Materials.

**I understand** the following: that Applicant and Principals will be subject to a background check and actual or proposed subtenants may be subject to a background check; that the Babylon IDA may be required under SEQRA to make a determination as to the Project's environmental impact and that in the event the Babylon IDA does determine that the Project will have an environmental impact, Applicant will be required to prepare, at its own expense, an environmental impact statement; that the decision of the Board to approve or to reject the request made in the Application Materials is a discretionary decision; that no Bonds may be issued (if Bonds are being requested) unless such Bonds are approved by the Supervisor of the Town; that under the New York State Freedom of Information Law ("FOIL"), the Babylon IDA may be required to disclose the Application Materials and the information contained therein; and that Applicant shall be entirely responsible and liable for the fees referred to in these Application Materials, including (in the case of Bonds) but not limited to payment of the New York State bond issuance fees (if applicable to the Bonds in question) based upon the aggregate principal amount of the Bonds.

**I further understand and agree as follows:**

That in the event the Application Materials are not submitted to the Babylon IDA Board for any reason including negative results obtained through the background check, and/or, with respect to Application Materials that are submitted to the Babylon IDA Board, in the event the Babylon IDA Board rejects same, then, under either of said circumstances, Applicant shall have no recourse against the Babylon IDA, or any directors, officers, employees or agents of the Babylon IDA, for the Application Fee, or for other expenses incurred by Applicant or other parties on behalf thereof, or for damages or specific performance; and that the Application Fee is under all circumstances (including but not limited to the ones just described and the ones described in the next succeeding paragraph) non-refundable; and

That if the Town of Babylon IDA Board adopts an inducement resolution with respect to the request made in the Application Materials, such adoption shall not be deemed a guaranty that the Town of Babylon IDA Board will adopt an authorizing resolution; or that the Babylon IDA will then provide the induced financial assistance; and

That Applicant shall indemnify the Babylon IDA for fees and disbursements incurred by bond counsel (in the case of a Bond transaction) or by project counsel (in the case of a straight-lease transaction); and that bond counsel or project counsel (as applicable) shall be a third-party beneficiary of this indemnity to the Babylon IDA regardless of whether financial assistance is granted and a bond closing or straight lease closing occurs and if no closing occurs, regardless of the reason thereafter and regardless of whether a closing was within or without the control of any of the Public Participants; and

That in the event Babylon IDA discloses the Application Materials in response to a request made pursuant to FOIL, Applicant hereby authorizes the Babylon IDA to make such disclosure and hereby releases the Babylon IDA from any claim or action that Applicant may have or might bring against the Babylon IDA, its directors, officers, agents, employees and attorneys, by reason of such disclosure; and that Applicant agrees to defend, indemnify and hold the Babylon IDA and its respective directors, officers, agents, employees and attorneys harmless (including without limitation for the cost of reasonable attorneys fees) against claims arising out of such disclosure as such claims may be made by any party including the Applicant, Affiliate, Owner or Principal, or by the officers, directors, employees and agents thereof.

I acknowledge and agree that the Babylon IDA reserves the right in its sole and absolute discretion to request additional information, waive any requirements set forth herein, and/or amend the form of this Application, to the full extent permitted by applicable law.

Requested, Represented, Certified, Acknowledged, Understood and Agreed by Applicant,

this 9<sup>th</sup> day of October 2014

Name of Applicant: Conifer Realty, LLC

By: Printed Name of Signer: Andrew I. Crossed

Title of Signer: Executive Vice President

Signature: 

**Retail Questionnaire**

1. Will any portion of the Project consist of facilities or property that are or will be primarily used in making retail sales of goods to customers who personally visit the Project?  
 Yes  No
2. If the answer to question 1 is "Yes," will the applicant or any other project occupant be a registered vendor under Article 28 of the Tax Law of the State of New York (the "Tax Law") primarily engaged in the "retail sale of tangible personal property" (as defined in Section 110 l(b)(4)(i) of the Tax Law)?  
 Yes  No
3. Will any portion of the Project consist of facilities or property that are or will be primarily used in making retail sales of services to customers who personally visit the Project?  
 Yes  No
4. If the answer to question 1 or 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? Percent
5. If the answer to question 1 or question 3 is "Yes," and the answer to question 4 is more than 33.33 percent, indicate whether any of the following apply to the Project:
  - a. Will a not-for-profit corporation operate the Project?  
 Yes  No
  - b. Is the Project likely to attract a significant number of visitors from outside the Town of Babylon?  
 Yes  No
  - c. Would the Applicant, but for the contemplated financial assistance from the Babylon IDA, locate the related jobs outside the State of New York?  
 Yes  No



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 Town of Babylon residents because of a lack of reasonably accessible retail trade facilities offering such goods or services?

Yes

No

e. Will the Project be located in one of the following: (a) an area designated as an economic development zone pursuant to Article 18-B of the General Municipal Law; or (b) a census tract or block numbering area (or census tract or block numbering area contiguous thereto) that, according to the most recent census data, has (i) a poverty rate of at least 20 percent for the year to which the data relates, or at least 20 percent of its households receiving public assistance, and (ii) an unemployment rate of at least 1.25 times the statewide unemployment rate for the year to which the data relates?

Yes

No

6. If the answers to any of 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?

If "Yes", please furnish details in a separate attachment.

7. If the answers to any of subdivisions (a) through (e) of question 5 are "Yes," please furnish details in a separate attachment.

THE UNDERSIGNED HEREBY CERTIFIES that the answers and information provided above, and in any statement attached hereto, are true and correct.

Name of Applicant: Conifer Realty, LLC

By: Printed Name of Signer: Andrew J. Crossed

Title of Signer: Executive Vice President

Signature: 

Date: October 9, 2014

**Anti-Pirating Questionnaire**

1. Will the completion of the Project result in the removal of a plant or facility of the Applicant, or of a proposed occupant of the Project, from an area in New York State (but outside of the Town of Babylon) to an area within the Town of Babylon?

Yes  No

If "Yes," please provide the following information:

Address of the to-be-removed plant or facility:

Names of all current occupants of the to-be-removed plant or facility:

2. Will the completion of the Project result in the abandonment of one or more plants or facilities of the Applicant, or of any proposed occupant of the Project, located in an area of New York State other than the Town of Babylon?

Yes  No

If "Yes," please provide the following information:

Addresses of the to-be-abandoned plant(s) or facility(ies):

Names of all current occupants of the to-be-abandoned plants or facilities:

3. Will the completion of the Project in any way cause the removal and/or abandonment of plants and facilities anywhere in New York State (but outside of the Town of Babylon)?

Yes  No

If "Yes," please provide all information relevant to such future removal and/or abandonment:

**If the answer to either question 1, 2 or 3, is "Yes," please continue and answer questions 4 and 5.**

4. Is the Project reasonably necessary to preserve the competitive position of this Applicant, or of any proposed occupants of the Project, in its industry?
- Yes  No
5. Is the Project reasonably necessary to discourage the Applicant, or any proposed occupant of the Project, from removing such plant or facility to a location outside New York State?
- Yes  No

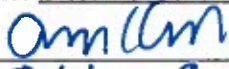
If the answer to question 4 and/or question 5 is "Yes," please provide on a separate sheet of paper a detailed statement explaining same.

THE UNDERSIGNED HEREBY CERTIFIES that the answers and information provided above, and in any statement attached hereto, are true and correct.

Name of Applicant: Conifer Realty, LLC

By: Printed Name of Signor: Andrew J Crossed

Title of Signor: Executive Vice President

Signature: 

Date: October 9, 2014

**Employment Questionnaire**

The Town of Babylon Industrial Development Agency requires all Applicants to fill out this Employment Questionnaire. As used in this Questionnaire, "Company" means the Applicant; "Project Location" means the project location which Applicant has identified in its Application; and "Tenant" means any person or entity to whom or to which Applicant intends to lease part or all of the Project Location. If Applicant is a real estate holding company that is an affiliate of an operating company and Applicant intends to lease the Project Location to such operating company, then the Applicant and the operating company must fill out separate copies of this Questionnaire.

Applicant Name: Conifer Realty, LLC  
Address: 183 East Main Street, Suite 600, Rochester, NY 14604  
Phone Number(s): (585) 324-0500  
I.R.S. Employer ID Number: [REDACTED]  
Department of Labor. Registration Number:  
Project Location: 54 Railroad Avenue, Copiague, NY 11726

1. How many employees does Applicant employ in the Town of Babylon at the time of Application submission?

	Number	Average Annual Salary (FT) Hourly Rate (PT)	On average Part -time Workers Hours per week
Full Time	00	\$ _____	_____
Part Time	0	\$ _____	_____

2. How many employees referred to in question 1 reside in the Town of Babylon at the time of Application submission?

	Number	Average Annual Salary (FT) Hourly Rate (PT)	On average Part -time Workers Hours per week
Full Time	0	\$ _____	_____
Part Time	0	\$ _____	_____

3. How many employees does Applicant employ outside of the Town of Babylon but in New York State at the time of Application submission?

Number	Average Annual Salary (FT) Hourly Rate (PT)	On average Part -time Workers Hours per week
Full Time <u>283</u>	<u>\$42,400</u>	
Part Time <u>111</u>	<u>\$12.83</u>	<u>15</u>

4. How many employees does the applicant employ at the project location (annual average) at the time of Application submission?

Number	Average Annual Salary (FT) Hourly Rate (PT)	On average Part -time Workers Hours per week
Full Time <u>0</u>	<u>\$</u>	
Part Time <u>0</u>	<u>\$</u>	

5. Projected employment at Project Location for the Applicant on December 31 of each of the five calendar years following the completion of the Project.

<i>Year</i>	<i>Number of Full-time Employees</i>	<i>Average Annual Full-time Salary</i>	<i>Number of Part-time Employees</i>	<i>Average Hourly Rate Part-time</i>	<i>Average Hours per week Part-time</i>	<i>Average Annual Part-Salary</i>	<i>Total Estimated Annual Payroll</i>
1	2	42,500	0	N/A	N/A	N/A	85,000
2	2	43,775	0	N/A	N/A	N/A	87,550
3	2	45,088	0	N/A	N/A	N/A	90,177
4	2	46,441	0	N/A	N/A	N/A	92,882
5	2	47,834	0	N/A	N/A	N/A	95,668

6. Describe the occupational composition of the workforce at the Project Location. Please describe pay levels and number of employees at each pay level.

7. Please provide documentary evidence (Form Year end W-2, Form EEO-1 or external or internal payroll statements (last quarter or year-end statements) supporting the answer provided in question numbers 1, 3 and 4.

8. Does Applicant intend to employ new employees at the Project Location, and/or will Applicant transfer current employees from premises currently being used? Please provide details.

All employees at the Project Location will be new hires.

I authorize any private or governmental entity, including but not limited to the New York State Department of Labor ("DOL"), to release to the Babylon IDA and to its successors and assigns, any and all employment information under DOL's control that is pertinent to the Company and the Company's employees. This authorization shall remain in effect throughout the term of this Lease.

Name of Applicant: Conifer Realty, LLC

By: Printed Name of Signor: Andrew I Crossed

Title of Signor: Executive Vice President

Signature: 

Date: October 9, 2014

Attach to this Questionnaire your most recent four quarters of the NYS-45 "Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return." Attach additional pages if necessary.



## Labor Questionnaire

The Applicant and its Affiliates hereinafter will be referred to as the "Companies" or individually as a "Company." If any of the following questions applies to none of these Companies, answer "NONE"; but, for any question that does apply, be sure to specify to which of the Companies the answer is relevant. When the space provided for an answer is insufficient, provide the answer on a separate sheet of paper and attach that paper to this Questionnaire.

1. List all of the labor union contracts and collective bargaining arrangements to which any of the Companies is currently a party:

**Not Applicable**

2. Have any of the Companies during the current calendar year and the five calendar years preceding the current calendar year experienced labor unrest situations, including pending or threatened labor strikes, hand billing, consumer boycotts, mass demonstrations or other similar incidents?

Yes  No If Yes, please explain:

3. Have any of the Companies received any federal and/or state unfair labor practices complaints asserted during the current calendar year and the three calendar years preceding the current calendar year?

Yes  No If Yes, please describe and explain current status of complaints:

4. Have any of the Companies received any federal and/or state unfair labor practices complaints asserted during the current calendar year and the three calendar years preceding the current calendar year?

Yes  No If Yes, please explain:

5. Are all employees of the Companies permitted to work in the United States?  
 Yes     No                      If No, please provide details on an attached sheet.

What steps do the Companies take as a matter of course to ascertain their employees' employment status?

Do the Companies complete and retain all required documentation related to this inquiry, such as Employment Eligibility Verification (I-9) forms?

- Yes                                       No                      If No, please explain:

6. Has the United States Department of Labor, the New York State Department of Labor or any other local, state or federal department, agency or commission having regulatory or oversight responsibility with respect to workers and/or their working conditions and/or their wages, inspected the premises of any Company or audited the payroll records of any Company during the current calendar year or during the three calendar years preceding the current one?

- Yes                                       No

If the answer to this question is "Yes," briefly describe the nature of the inspection, the inspecting governmental entity and when the inspection occurred. Briefly describe the outcome of the inspection, including any reports that may have been issued and any fines or remedial or other requirements imposed upon the Company or Companies as a consequence:

7. Has any Company incurred, or potentially incurred, any liability (including withdrawal liability) with respect to an employee benefit plan, including a pension plan?

- Yes     No

If the answer to this question is "Yes," quantify the liability and briefly describe its nature and refer to any governmental entities that have had regulatory contact with the Company in connection with the liability:

8. Are the practices of any Company now, or have they been at any time during the three calendar years preceding the current calendar year, the subject of any complaints, claims, proceedings or litigation arising from alleged discrimination in the hiring, firing, promoting, compensating or general treatment of employees?

- Yes                                       No

If the answer to this is "Yes," provide details. When answering this question, please consider "discrimination" to include sexual harassment.

See attached.

THE UNDERSIGNED HEREBY CERTIFIES that the answers and information provided above, and in any statement attached hereto, are true and correct.

**Name of Applicant:** Conifer Realty, LLC

**By: Printed Name of Signor:** Andrew I Crossed

**Title of Signor:** Executive Vice President

**Signature:** 

**Date:** October 9, 2014

In the matter of the Application of:  
CONIFER REALTY, LLC  
183 East Main Street, Suite 600  
Rochester, NY 14604

FULL DISCLOSURE  
AFFIDAVIT

to the TOWN OF BABYLON  
BABYLON INDUSTRIAL DEVELOPMENT AGENCY

STATE OF NEW YORK  
Jss.:  
COUNTY OF MONROE

Andrew I. Crossed, Executive Vice President, Conifer Realty, LLC being duly sworn, deposes and says:

1. This affidavit is made by your deponent and intended to be filed with the above board of the Town of Babylon to fulfill requirements of Article XXIII of the Building Zone Ordinance of the Town of Babylon with respect to the above-entitled Application made or intended to be made affecting property located and described as follows:

54 Railroad Avenue  
Copiague, NY 11726

2. The name and address of the Applicant are as follows:

Conifer Realty, LLC  
183 East Main Street, Suite 600  
Rochester, NY 14604

3. The name and address of the person who has made and signed this Application are as follows:

Andrew I. Crossed  
183 East Main Street, Suite 600  
Rochester, NY 14604

4. The names and addresses of all persons having any interest whatsoever in the property described in this Application direct or indirect, vested or contingent, regardless of whatever such person has an interest as a contract vendor, contract vendee, lessor, sub-lessor, contract lessor, lessee, sublessee, contract lessee, holder of any beneficial interest, contract holder of any beneficial interest, mortgagor, mortgagee, holder of any encumbrance of lien, contract holder of any encumbrance or lien, guarantor, assignee, agent or broker, or otherwise, and regardless of whether the interest arises as the result of advancing or lending funds in connection with the acquisition or development of the property and regardless of whether the interest may arise or be affected by the decision to be made by this Board, are as follows:

Conifer Realty, LLC, a New York Limited Liability Company – Applicant & Co-Managing Member of SPE; a list of every member holding more than a 5% interest is below:

- Timothy D. Fournier
- Richard J. Crossed
- Andrew I. Crossed
- Andrew V. Bodewes

Community Development Corporation of Long Island, Inc., a New York not-for-profit corporation – Co-Managing Member of SPE

54 Railroad Avenue, LLC – Seller

5. The names and addresses of all persons who will receive any benefit as a result of their work, effort or services in connection with this Application are as follows :  
None.

6. The names and addresses of all persons hereinabove set forth under paragraph number 4 or paragraph number 5 of this affidavit who also have any interest such as described in paragraph number 4 or in paragraph number 5 of this Affidavit, in any property within one mile of the property described in this Application, are as follows:

None.

7. The names and addresses of all persons hereinabove set forth under paragraph number 4 or paragraph number 5 of this Affidavit who are officers or employees of the Town of Babylon, are as follows:

None

8. In detail, the nature and extent of the Interest in the property described in this Application, of all officers or employees of the Town of Babylon set forth under paragraph number 7 of this Affidavit, are as follows:

None

9. The names and addresses of all persons hereinabove set forth under paragraph 4 or paragraph 5 of this Affidavit, who are related to any officer or employee of the Town of Babylon are as follows:

None

10. In detail, the nature of the relationship between all persons set forth in paragraph number 9 of this Affidavit and any officers or employees of the Town of Babylon, are as follows:

None

11. In detail, the nature and extent of the interest in the property described in the Application of all persons set forth under paragraph number 9 of this Affidavit, are as follows:

None

The undersigned affirms the truth and completeness of the foregoing under penalty of perjury:

Ann Ginn

Sworn before me this day

9th day of 2014  
October



MICHAEL T. BIRKBY  
Notary Public, State of New York  
Reg. No. 02BI6240724  
Qualified in Monroe County  
Commission Expires 5/9/15

CERTIFICATION

Andrew I. Crossed deposes and says that he is the Executive Vice President of Conifer Realty, LLC the corporation named in the attached application; that 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 being made by deponent and not by Conifer Realty, LLC is because the said Company is a corporation.

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 Town of Babylon 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 lease back transaction. 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 invoice, applicant shall pay to the Agency, its agents or assigns, all actual cost incurred with respect to the application, up to that date and time, including fees of project counsel and general counsel for the Agency. 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, which amount is payable at closing.



Andrew I. Crossed, Executive Vice President

Sworn before me this  
9<sup>th</sup> day of October 2014



MICHAEL T. BIRBY  
Notary Public, State of New York  
Reg. No. 02BI6240724  
Qualified in Monroe County  
Commission Expires 5/9/15

Project I.D. Number\_

**Short Environmental Assessment Form**

**Part 1 - Project Information (To be completed by Applicant or Project Sponsor)**

1. Applicant/Sponsor: Conifer Realty, LLC
2. Project Name: Copiague Commons
3. Project Location: 54 Railroad Avenue, Copiague, NY 11726

SCTM# 0100-178-1-29.1, 30, 42.1 and 42.2

4. Precise Location- Municipality/County: Town of Babylon, Suffolk County

(Street address and road Intersections, prominent land marks, etc. or provide map)

5. Is Proposed Action     New     Expansion Modification/  
Alteration

6. Describe Project Briefly:

Copiague Commons involves the demolition an existing one-story agricultural warehouse and new construction of a single, three-story residential building containing 90 residential units.

7. Amount of Land Affected (initially) 1.906 acres (ultimately) 1.906 acres

8. Will proposed action comply with existing zoning or other existing land use restrictions?

The Town of Babylon is currently rezoning the entirety of downtown Copiague. The Project is expected to comply the new zoning once it is adopted.

9. What is present land use in vicinity of project?

- Residential
- Industrial
- Commercial
- Agriculture
- Park / Forrest/ Open Space
- Other

Describe:

Located in downtown Copiague, the Project site is surrounded by a variety of different land uses including traditional Main Street commercial development on Great Neck Road, other commercial/industrial uses and single family homes.

10. Does action involve a permit approval, or funding, now or ultimately from any other governmental agency:  yes  no \_\_\_\_\_ (Federal, State or Local)?

11. Does any aspect of the action have a currently valid permit or approval?

yes

no

If yes, list agency name and permit / approval \_\_\_\_\_

12. As a result of proposed action will existing permit / approval require modification?

yes

no

I certify that the information provided above is true to the best of my knowledge:

Applicant/Sponsor: Conifer Realty, LLC Date 10/9/14

Signature 

Title: Executive Vice President



**Prepared by Project Sponsor**

Notice: This document is assigned to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information requiring such additional work is unavailable, so indicate and specify each instance.

Name of action: Copiague Commons

**Location of Action** (include Street address. Municipality, County)

54 Railroad Avenue  
Copiague, NY 11726  
Town of Babylon, Suffolk County

Location of Applicant/Sponsor:

Business Telephone: (585) 324-0500  
Address: 183 East Main Street, Suite 600  
City/ PO: Rochester  
State: New York  
Zip Code: 14604

Name of Owner (if different):

Business Telephone:  
Address:  
City/PO:  
State:  
Zip Code:

Please complete each question- Indicate N.A. if not applicable

A. Site Description:

The Site is currently occupied by a single-story agricultural warehouse.

Physical setting of overall project, both developed and undeveloped areas:

Located in downtown Copiague, the Project site is surrounded by a variety of different land uses including traditional Main Street commercial development on Great Neck Road, other commercial/industrial uses and single family homes.

1. Present land use:

- Urban
- Industrial
- Commercial
- Resident (suburban)
- Rural (non-farm)
- Forrest
- Agriculture
- Other

2. Total acreage of project area: 1.906 acres.

Approximate Acreage	Presently	After Completion
Meadow or Brush land (Non Agricultural)	<u>0</u> acres	<u>0</u> acres
Forested	<u>0</u> acres	<u>0</u> acres
Agricultural (includes orchards, croplands, pasture, etc.)	<u>0</u> acres	<u>0</u> acres
Wetland (freshwater or tidal as per articles 24, 25 of ECL)	<u>0</u> acres	<u>0</u> acres
Water Surface Area	<u>0</u> acres	<u>0</u> acres
Unvegetate (rock, earth or fill)	<u>0</u> acres	<u>0</u> acres
Roads, Buildings, Other Paved Surfaces	<u>1.906</u> acres	<u>1.906</u> acres
Other: (indicate type)	<u>0</u> acres	<u>0</u> acres

3. What is the predominant soil type (s) on project site? USDA classifies the site as "Urban Land" which provides no further soil data other than to clarify that the area is completely developed. The entire surrounding land area is classified as "Riverhead and Haven Soils"

a. Soil Drainage:

- well drained 100 % of site
- moderately well drained \_\_\_\_\_ % of site
- poorly drained \_\_\_\_\_ % of site

b. If any agricultural land is involved, how many acres of soil are classified within soil group N/A

c. 1 through 4 of the NYS Classification System? \_\_\_\_\_ acres. (See NYCRR 370).

4. Are there bedrock outcroppings on project site? \_\_\_\_\_ yes no

a. What is the depth to bedrock? \_\_\_\_\_ (in feet)

5. Approximate percentage of proposed project site with slopes:

- 0 0-10%
- 0 10-15%
- 0 15% or greater

6. Is project substantially contiguous to, or contain a building, site or district, listed on the State or National Registers of Historic Places: \_\_\_\_\_ yes  no

Is project substantially contiguous to a site listed on the Register of National Natural Landmarks: \_\_\_\_\_ yes  no

7. What is the depth of the Water Table? 11-20 ft (in feet)

8. Is the site located over a primary, principal or sole source aquifer? \_\_\_ yes  no

9. Does hunting, fishing or shell fishing opportunities presently exist in the project area? \_\_\_\_\_ Yes  no

11. Does project site contain any species of plant or animal life that is identified as threatened or endangered? \_\_\_\_\_ Yes  no  
According to \_\_\_\_\_  
Identify each species \_\_\_\_\_

12. Are there any unique or unusual land forms on the project site? (i.e. cliffs, dunes, other geological formations) \_\_\_\_\_ yes  no  
Describe \_\_\_\_\_

13. Is the project site presently used by the community or neighborhood as an open space or recreation area? \_\_\_\_\_ yes  no  
If yes explain \_\_\_\_\_

14. Does present site include scenic views known to be important to the community? \_\_\_ yes  no

15. Are there streams within or contiguous to project area? \_\_\_\_\_ Yes  no  
a. Name of stream and name of river to which it is tributary: \_\_\_\_\_

16. Lakes ponds, wetland areas within or contiguous to project area:  
a. None \_\_\_\_\_  
b. size \_\_\_\_\_

17. Is the site served by existing public utilities:  yes \_\_\_ no  
a. If yes, does sufficient capacity exist to allow connection?  yes \_\_\_ no  
b. If yes, will improvements be necessary to allow connection? \_\_\_ yes  no

18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA Section 303 and 304?  Yes  no
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to article 8 of the ECL and 6 NYCRR 617?  Yes  no
20. Has the site ever been used for disposal of solid or hazardous wastes?  Yes  no

#### B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate)
  - a. Total contiguous acreage owned or controlled by project sponsors: 1.906 acres.
  - b. Project acreage to be developed: 1.906 acres initially 1.906 acres ultimately.
  - c. Project acreage to remain undeveloped: 0 acres.
  - d. Length of project in miles: \_\_\_\_\_ (if appropriate)
  - e. If the project is an expansion, indicate percent of expansion proposed
  - f. Number of off-street parking spaces 24 existing 90 proposed.
  - g. Maximum vehicular trips generated per hour 54 (upon completion of project)?
  - h. If residential: number and type of housing units:
 

One family	<u>0</u>	initially	<u>0</u>	ultimately
Two Family	<u>0</u>	initially	<u>0</u>	ultimately
Multiple Family	<u>0</u>	initially	<u>90</u>	ultimately
Condominium	<u>0</u>	initially	<u>0</u>	ultimately
  - i. Dimension, (in feet) of largest proposed structure  
Height: 35' width: 64'-9" length: 514'-3"
  - j. Linear feet frontage along a public thoroughfare project will occupy
2. How much natural material, (i.e. rock, earth, etc.) will be removed from the site?  
0 tons/cubic yards.
3. Will disturbed areas be reclaimed? \_\_\_\_\_ yes  no N/A
  - a. If yes, for what intended purpose is the site being reclaimed?
  - b. Will topsoil be stockpiled for reclamation?  Yes  no
  - c. Will upper subsoil be stockpiled for reclamation?  Yes  no

4. How many acres of vegetation, (trees, shrubs, ground covers) will be removed from site: 0 acres
5. Will any mature forest, (over 100 years old) or other locally important vegetation be removed by this project?  yes  no
6. If single phase project: Anticipated period of construction 12 months, (including demolition).
7. If Multi-phased: N/A  
 a. \_\_\_\_\_ Total number of phases anticipated (number)  
 b. \_\_\_\_\_ Anticipated date of commencement phase 1: \_\_\_ month \_\_\_ year. (including demolition)  
 c. \_\_\_\_\_ Approximate completion date of final phase: \_\_\_ month \_\_\_ year  
 d. \_\_\_\_\_ Is phase 1 functionally dependent on subsequent phases?  yes  no
8. Will blasting occur during construction? \_\_\_\_\_ Yes  no
9. Number of jobs generated:  
 a. during construction 47  
 b. after project is complete 2
10. Number of jobs eliminated by this project 0.
11. Will project require relocation of any projects or facilities?  Yes  no  
 If yes explain The agricultural warehouse that currently occupies the site will be relocated.
12. Is surface liquid waste disposal involved?  Yes  no  
 a. If yes, indicate type of waste, (sewage, industrial, etc.) and amount \_\_\_\_\_
12. Is subsurface liquid waste disposal involved? \_\_\_\_\_ yes  no.  
 Explain: \_\_\_\_\_
14. Will surface area of existing water body increase or decrease by proposal?  
 yes  no Explain: \_\_\_\_\_
15. Is project or any portion of project located in a 100 year flood plain?  
 yes  no

16. Will the project generate solid waste?  yes  no  
 a. If yes, what is the amount per month 7.2 (tons)  
 b. If yes, will an existing solid waste facility be used?  yes  no  
 c. If yes, give name TBD  
 d. Will any wastes not go into a sewage disposal system or into a sanitary landfill?  Yes  no  
 e. If yes, explain \_\_\_\_\_
17. Will the project involve the disposal of solid waste?  yes  no  
 a. If yes, what is the anticipated rate of disposal? \_\_\_\_\_ tons/month.  
 b. If yes what is the anticipated site life? \_\_\_\_\_ years.
18. Will project use herbicides or pesticides  yes  no
19. Will project routinely produce odors (more than one hour a day)?  
 yes  no
20. Will project produce operating noise exceeding the local ambient noise levels?  
 yes  no
21. Will project result in an increase in energy use?  
 yes  no
22. If water supply is from wells, indicate pumping capacity \_\_\_\_\_ gals/min. N/A
23. Total anticipated water usage per day 11,250 gals/day.
24. Does project involve Local, State or Federal Funding?  yes  no  
 If yes, explain: The Applicant will apply for tax-exempt bonds from New York State Housing Finance Agency and Affordable Housing Acquisition funds from Suffolk County.
25. Approvals required:

			Type	Submittal Date
City, Town, Village Board	yes	no		
City, Town, Village Plan Bd.	yes	no	Site Plan Approval	Jan. 2015
City, Town, Zoning Board	yes	no		
City, County, Health Dept.	yes	no		
Other Local Agencies	yes	no		
Other Regional Agencies	yes	no	Funding (Suffolk County)	Sept. 2014
State Agencies	yes	no	Funding (NYS HFA)	Oct. 2014
Federal Agencies	yes	no		

**C. Zoning and Planning Information**

1. Does proposed action involve a planning or zoning decision  yes  no  
If yes, indicate decision required:  
 zoning amendment  zoning variance  special use permit  
 subdivision  site plan  new revision of master plan  
 resource management plan  other
2. What is the zoning classification of the site? G Light Industry
3. What is the maximum potential development of the site if developed as permitted by the proposed zoning? 90 units
4. What is the proposed zoning of the site? To be included in the Downtown Copiague Overlay District
5. What is the maximum potential development of the site if developed as permitted by the proposed zoning? 90 units
6. Is the proposed action consistent with the recommended uses in adopted local land use plans?  yes  no
7. What are the predominant land use(s) and zoning classifications within a 1/4 mile radius of proposed action? Industrial, commercial, single family
8. Is the proposed action compatible with adjoining/surrounding land uses within a 1/4 mile?  yes  no
9. If the proposed action is the subdivision of land, how many lots are proposed?  
  
N/A
10. Will proposed action require any authorization(s) or the formation of sewer or water districts?  yes  no
11. Will the proposed action create a demand for any community provided services (recreation, education, police, and fire protection)?  yes  no  
if yes, is existing capacity sufficient to handle projected demand?  yes  no
12. Will the proposed action result in the generation of traffic significantly above present levels?  yes  no  
If yes, is the existing road network adequate to handle the additional traffic?  
 yes  no

D. Informational Details

Attach any information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal. Please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant / Sponsor Name: Conifer Realty, LLC

Signature: *[Handwritten Signature]* Date: 10/9/14

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with the assessment.

Project Manager: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



**Copiagua Industrial Development Agency**  
**Background Information on Applicant and Applicant Affiliates**  
**Conifer Realty, LLC**  
**Disclosures**

1. Discretionary benefit:

In New York State, USDA Rural Development offers a Work-out Program for Mortgaged properties in need of improvements or other mortgage relief for up to two years during which time RD has recommended each project to voucher real estate taxes to prevent liens. The following projects have received mortgage modification and/or relief under this Program during the past ten year period: 1-Black Brook; 2-Adam Lawrence; 3-Roderick Rock; 4-Louis Apts.; 5-LaFarge Housing; 6-Penet Square; 7-Carrollton Heights; 8-Cattaraugus Manor.

2. Loan Defaults:

Genesee Commons: The New York State Urban Development Corporation mortgage on Genesee Commons (HUD Property ID 800015172) fell into default while owned by Genesee Gateway Housing, Inc. and Genesee Commons Associates Limited Partnership, prior to the involvement of Conifer Realty, LLC, herein referred to as the Participant. Genesee Riverfront Commons, LLC, a subsidiary of the Participant, bought the general partner interest in the owner of the Property in 2004. On October 23, 2008, Genesee Hamilton, LP, an affiliate of Conifer Realty, LLC, took title at which time the defaulted mortgage was satisfied and a 236 decoupling transaction consummated.

Abraham Lincoln Apartments: The New York State Housing Finance Agency ("HFA") mortgage on Abraham Lincoln Apartments fell into default prior to the involvement of Conifer Realty, LLC. Conifer Realty, LLC bought the partnership interest in the owner of the Property. The property was subject to a Forbearance Agreement with HFA, which permitted lower monthly mortgage payments if there is insufficient cash flow. The property was sold and refinanced on October 31, 2013.

The Meadows: Because of a monetary default, NYS Housing Finance Agency took ownership of the property by deed in lieu of foreclosure and is the current owner of the property. The mortgage fell into monetary default while owned by Pleasant Creek Associates prior to the involvement by Conifer Management, LLC. Conifer Management, LLC continued as property manager following HFAs acquisition until the property was sold on May 18, 2010.

Parkway Overlook East and West: This mortgage was held by DC Housing Finance Agency (HUD Project ID 800214527). The mortgage fell into monetary default while owned by NHTE Parkway, L.P. prior to the involvement by Conifer Management, LLC. Shortly after Conifer Management, LLC took over the management responsibilities, DC Housing Finance Agency terminated the Section 8 assistance and Conifer Management, LLC resigned as management agent.

F.I.G.H.T. Village: (HUD Property ID 800015132) While owned by Ward Street, LTD the property received a 9/18/2007 Notice of Default under the Housing Assistance Payment Contract due to a low

HUD REAC score and had been delinquent in its Section 236 mortgage payments. Conifer Management, LLC took over management on February 1, 2008. On December 10, 2009 Ward Street Redevelopment, LLC, an affiliate of Conifer Realty, LLC, took title at which time the defaulted mortgage was satisfied and a 236 decoupling transaction consummated.

Woodland Townhouses: (HUD Project ID 800016112) Because of a monetary default, the Secretary of Housing and Urban Development took ownership of the property and was the owner of the property prior to the involvement of Conifer Management, LLC. Conifer Management, LLC became the property manager at HUD's request on November 10, 2007. On June 19, 2008, Liberty Townhouses, LLC, an affiliate of Conifer Realty, LLC, took title through a HUD Foreclosure Sale at which time the defaulted mortgage was satisfied.

Westover Manor - The FHA co-insured mortgage on Westover Manor Apartments (FHA Project No. 052-10521) fell into monetary default and was assigned to Susquehanna Bank prior to the involvement of the Conifer Management, LLC. Conifer Realty, LLC, sole Member of Conifer Management, LLC, bought the defaulted mortgage from HUD through a note sale and then created Conifer Cooks Lane Associates, LLC to purchase the property as of May 14, 2002.



HR Employee Claims

Update 06/16/2014	PROF #	LOSS DATE	CLAIMING PARTY	INVOLVED PARTIES	CLAIM	SERVICE DATE	ADDITIONAL INFORMATION - STATUS	RESOLVED DATE	Insured	ATTORNEY ASSIGNED	
	<b>THREATENED OR PENDING MATTERS:</b>										
	720	5/20/2014	James Robertson	Conifer Realty, LLC	Discrimination due to age and disability	5/27/2014	EE transferred claim to private attorney once EEOC claim expired in February 2014.		Yes	Robert Koegel, Underberg & Kessler	
	590	5/30/2014	Meggan Krepp	Conifer Realty, LLC	Discrimination due to disability	6/16/2014	EE claims termination of employment was retaliation because of her alleged disability.		Yes	Kathy O'Malley, Duane Morris	
	<b>RESOLVED MATTERS:</b>										
	720	6/18/2013	James Robertson	Conifer Realty, LLC/ CV Horseheads	Discrimination due to age and disability	7/18/2013	EEOC claim received 7/18/13. EE terminated for threat of physical violence. EE claiming termination was based on age and disability. Claim closed by EEOC 2/28/14-No action	2/28/2014	Yes	Paul Keneally, Underberg & Kessler	
	728	7/1/2013	Steven Schoonover	Conifer Realty, LLC	Discrimination due to sex	7/13/2013	EEOC notice received 8/13/13. EE was co-habiting with supervisor which is against company policy. When discovered employee had to be transferred to another local property which already employed a Maintenance Supervisor therefore EE was demoted to Technician but did not receive cut in pay. Claim closed by EEOC 8/27/13-No Findings	8/27/2013	Yes	Paul Keneally, Underberg & Kessler	
	507/522/523	10/26/2012	Richard Rodriguez	Conifer Realty, LLC	Race discrimination	11/12/2012	NJ Div of Civil Rights formal notice of claim received 11/12/12. EE claims termination was based on race. Claimant worked only one week. Conifer has agreed to offer \$400 and a settlement was agreed upon for \$500. Received signed settlement agreement on 7/15/13	7/15/2013	Yes	Kathy O'Malley, Duane Morris	
	429/883	1/3/2011	Rita Mergen	Conifer Realty, LLC	Age discrimination	2/22/2011	Rac court summons on 8/10/11 filed by claimants attorney. Conifer attorney answered on 8/23/11. EE interviewed by our attorney on 3/7/12. Serena Miller and Deb Abstant deposed on 7/2/12. 12/12/12 EE's attorney offered another settlement demand of \$200,000. Conifer has offered \$15,000. Claimant's attorney countered at \$150,000. Next Conifer offer was \$25,000. Parties agreed to settle for \$27,000.	5/14/2013	Yes	Joseph Ortega, Nixon	
	990	2/27/2012	Ronald Bullard	Conifer Realty, LLC	Discrimination based on disability	5/16/2012	Former EE claiming termination due to disability - not offered reasonable accommodations. Offer of reinstatement made to EE on 6/18/12. EE attorney letter of 7/2/12 proposed settlement of \$5,830.84, attorney fees of \$2,500 and guarantee of employment for 5 years. Investigative conf with NY DHR held 8/22/12. Probable cause found by NY DHR 10/4/12. Pre-hearing 12/4/12 resulted in \$15,000 settlement.	12/18/2012	Yes	Paul Keneally, Underberg & Kessler	
	643	7/15/2011	Kevin Johnson	Conifer Realty, LLC	Race Discrimination/retaliation	9/18/2011	EEOC denied claim so claimants obtained a private attorney. Settlement of \$9,500 paid on November 28, 2011	11/28/2011	Yes	Kathleen O'Malley, Duane Morris	
	643	7/15/2011	Michael Mills	Conifer Realty, LLC	Race Discrimination/retaliation	9/19/2011	EEOC denied claim so claimants obtained a private attorney. Settlement of \$6,500 paid on November 28, 2011	11/28/2011	Yes	Kathleen O'Malley, Duane Morris	
	637	3/29/2011	Alfred King	Conifer Realty, LLC/Tamarack	termination due to workers comp claim retaliation	6/27/2011	Complaint filed with the NJ DLWD after termination. Employee was terminated due to no call no show for several days. Alleged injury was not work related so no WC claim filed. 8/9/11 employee counter responded claiming he required himself while working. A workers comp claim was filed on 6/24/11 based on this statement. WC claim closed by carrier - waiting for documentation			Kathleen O'Malley, Duane Morris	
	716	3/7/2011	Nathaniel McCloud	Conifer Realty, LLC	Age discrimination	3/8/2011	Complaint filed with the NYS DHR after termination. Investigative conference held on June 13, 2010. Closed 9/1/2011. No probable cause. EEOC accepted State determination on 10/11/2011.	9/1/2011	Yes	Tom Fink, Davidson Fink	
	604	2/18/2011	Nancy Jackson	Conifer Village	Race discrimination		Complaint filed with the EEOC 10/17/11. EEOC dismissed claim on January 12, 2012 as unfounded.	1/12/2012	Yes		





















