

Niagara County Industrial Development Agency

Niagara County Center for Economic Development • 6311 Inducon Corporate Drive, Ste. 1 • Sanborn, NY 14132

REGULAR NCIDA/NCDC/NADC BOARD MEETING

DATE: February 10, 2021

MEETING TIME: 9:00 a.m.

Held by Conference Call: 716-439-7740 enter 8763# and pin 1234#

Board of Directors:

___ **Mark A. Onesi**, Chairperson
___ **Jerald I. Wolfgang**, 1st Vice Chairperson
___ **Kevin McCabe**, 2nd Vice Chairperson
___ **William L. Ross**, Secretary
___ **Mary Lynn Candella**, Asst. Secretary
___ **Robert B. Cliffe**, Member
___ **Scott Brydges**, Member
___ **Clifford Scott**, Member
___ **Jason Krempa**, Member

Staff Members:

___ **Susan C. Langdon**, Executive Director
___ **Andrea Klyczek**, Assistant Director
___ **Michael S. Dudley**, Finance Manager
___ **Caroline Caruso**, Accounting Associate
___ **Susan Barone**, Project Manager
___ **Mark J. Gabriele**, Agency Counsel

Due to the Novel Coronavirus (COVID-19) Emergency and State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 220.1 issued on March 12, 2020 suspending the Open Meetings Law, the Niagara County Industrial Development Agency, the Niagara County Development Corporation and the Niagara Area Development Corporation ("Agency") Board and Committee Meetings scheduled for February 10, 2021 will be held electronically via conference call instead of a public meeting open for the public to attend in person. Members of the public may listen to the Board meeting by logging into the meeting using number 716-439-7740 enter 8763# and pin 1234#. Minutes of the Board Meeting will be transcribed and posted on the Agency's website.

1.0 Meeting Called to Order – M. Onesi

2.0 Roll Call – S. Barone

3.0 Introduction of Guests – M. Onesi

4.0 Pledge of Allegiance – M. Onesi

5.0 Approval of Meeting Minutes

5.1 Regular NCIDA/NCDC/NADC – November 18, 2020

6.0 Finance & Audit Committee Reports – *K. McCabe*

6.1 Agency Payables

6.1.1 November 2020

6.1.2 December 2020

6.1.3 January 2021

6.2 Budget Variance Report

6.2.1 November 2020

6.2.2 December 2020

6.2.3 January 2021

7.0 Unfinished Business

7.1 Merani Hospitality Inc. – *M. Gabriele*

7.1.1 Inducement Extension

7.2 Niagara Club LLC – *M. Gabriele*

7.1.1 Inducement Extension

8.0 New Business

8.1 Olcott Yacht Club Inc. – *A. Klyczek*

8.1.1 Accept Application

8.1.2 Final Resolution

8.2 Trek Inc. – *A. Klyczek*

8.2.1 Preliminary Resolution

8.2.2 Authorize Public Hearing Date

8.3 Cerrone Estate Properties LLC – *A. Klyczek*

8.3.1 Preliminary Resolution

8.3.2 Authorize Public Hearing Date

9.0 Agency Counsel – *M. Gabriele*

10.0 Information Items

11.0 Any Other Matters the Board Wishes to Discuss

12.0 Next Regular NCIDA/NCDC/NADC Meeting:

DATE: March 10, 2021

TIME: ** 9:00 a.m. **

PLACE: Niagara County Center for Economic Development

13.0 Adjournment - *M. Onesi*

REGULAR NCIDA/NCDC/NADC BOARD MEETING MINUTES

Meeting Date: Wednesday, November 18, 2020
Meeting Time: 9:00 a.m.
Meeting Place: Niagara County Industrial Development Agency
6311 Inducon Corporate Drive, Suite One
Sanborn, New York 14132

1.0 Meeting Called to Order

The regular meeting of the Niagara County Industrial Development Agency was called to order by Chairperson Onesi at 9:00 a.m.

2.0 Roll Call

Mark A. Onesi, Chairperson	Present
Jerald I. Wolfgang, 1 st Vice Chairperson	Present
Kevin McCabe, 2 nd Vice Chairperson	Present
William L. Ross, Secretary	Present
Mary Lynn Candella, Assistant Secretary	Excused
Robert B. Cliffe, Member	Present
Clifford Scott, Member	Present
Scott Brydges, Member	Excused
Jason Krempa, Member	Present

3.0 Introductions

Guests Present:

Jim Fink, Business First
Jon Penna, DePaul/Vincent Properties

Staff Present:

Susan C. Langdon, Executive Director
Andrea Klyczek, Assistant Director
Michael S. Dudley, Finance Manager
Caroline Caruso, Accounting Associate
Susan Barone, Administrative Assistant
Mark J. Gabriele, Agency Counsel

4.0 Mr. Wolfgang led the Pledge of Allegiance.

5.0 Approval of NCIDA Meeting Minutes

5.1 Meeting Minutes of October 21, 2020

Mr. Wolfgang motioned to approve the meeting minutes; Mr. Krempa seconded the motion. The motion passed.

6.0 Finance & Audit Committee Reports

6.1 Agency Payables

Mr. McCabe stated that the monthly payables have been reviewed and found to be in order.

Mr. McCabe made a motion to approve the monthly payables; Mr. Ross seconded the motion. The motion passed.

6.2 Budget Variance Report

Mr. McCabe stated that the reports have been reviewed and found to be in order.

Mr. McCabe made a motion to approve the reports; Mr. Ross seconded the motion. The motion passed.

6.3 2021 Proposed Budgets

Michael Dudley, Finance Manager, stated that he sent the Budgets to the Niagara County Clerk and Legislature for a mandatory 20-day review. After hearing no comments or concerns, the Board is now being asked to formally adopt the 2021 Budgets.

Mr. Krempa made a motion to adopt the three (3) the budgets; Mr. Cliffe seconded the motion. The motion passed.

7.0 Unfinished Business

7.1 Vincent Properties

Ms. Langdon stated the board had accepted an application from Vincent Properties for a nursing home and assisted living project back in September. A public hearing was held on October 19th and there was correspondence submitted and read from the City of Lockport which was forwarded to all board members.

7.1 (continued)

Mr. Gabriele reviewed some previous details of the project including the deviation letter that was sent to all affected taxing jurisdictions giving them an opportunity to reply whether they support it or not. The letter explained that normally the PILOT amount is based on a fixed percentage of assessment, but in this case the company proposes a fixed annual payment along with an annual increase of 2%. There were no responses except for the letter from City of Lockport. We postponed any action on the project so we could get more information and get the parties together to discuss concerns and clear up any potential miscommunication. There was a conference call yesterday with Mr. Penna from Vincent Properties and officials of the City of Lockport and many questions were addressed. After the City work session last night, Ms. Langdon received an email from Mayor Roman, stating they appreciate us facilitating the meeting regarding this project and after hearing the additional information and receiving confirmation of the resident's stability in the facility, the Mayor personally agrees with the project and Rick Abbott, 5th Ward Alderman, now supports it also.

7.1.1 Final Resolution

Mr. Scott made a motion to approve the Final Resolution; Mr. Krempa seconded the motion. The motion passed.

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF VINCENT PROPERTIES INC. AND/OR AN INDIVIDUAL(S) OR AFFILIATE, SUBSIDIARY, OR ENTITY FORMED OR TO BE FORMED ON ITS BEHALF (AS MORE FULLY DEFINED BELOW); (ii) DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; (iii) NEGOTIATE AND EXECUTE A LEASE AGREEMENT, LEASEBACK AGREEMENT, PAYMENT-IN-LIEU-OF-TAX AGREEMENT, PILOT MORTGAGE AND RELATED DOCUMENTS; AND (iv) PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A MORTGAGE RECORDING TAX EXEMPTION FOR THE FINANCING RELATED TO THE PROJECT; AND (B) A MORTGAGE RECORDING TAX EXEMPTION FOR THE MORTGAGE RELATED TO THE PILOT AGREEMENT.

7.1.1 (Continued)

The question of the approval of the Resolution was duly put to a vote on roll call, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mark Onesi	X			
Jerald I. Wolfgang	X			
Kevin McCabe	X			
William L. Ross	X			
Mary Lynn Candella				X
Robert B. Cliffe	X			
Scott Brydges				X
Clifford Scott	X			
Jason Krempa	X			

The Resolution was thereupon duly adopted.

8.0 New Business

8.1 Macerich Niagara LLC

Mr. Gabriele stated that Macerich Niagara and Fashion Outlets II, also known as Factory Outlet Mall, were two projects the NCIDA assumed from the Town of Niagara IDA when it was closed. The company is going through a refinancing and modification of their mortgage since rates are extraordinarily low at this time. The Board needs to provide consent to these mortgages as required by our documentation. There were two entities, one for the existing mall and the other for the new portion, they are now merging both into one, but NCIDA must consent to them as two separate projects. Mr. Krempa asked if there would be any changes to our agreements due to the refinancing. Mr. Gabriele replied there would be no impact to the original IDA agreements.

8.1.1 Consent to Mortgage

***Mr. Wolfgang made a motion to approve the Consent to Mortgage;
Mr. McCabe seconded the motion. The motion passed.***

RESOLUTION CONSENTING TO THE EXECUTION AND DELIVERY OF A MORTGAGE AND OTHER RELATED DOCUMENTS WITH REGARD TO THE MACERICH NIAGARA LLC PROJECT.

8.2 Fashion Outlets II LLC

Mr. Gabriele stated that Macerich Niagara and Fashion Outlets II, also known as Factory Outlet Mall, were two projects the NCIDA assumed from the Town of Niagara IDA when it was closed. The company is going through a refinancing and modification of their mortgage since rates are extraordinarily low at this time. The Board needs to provide consent to these mortgages as required by our documentation. There were two entities, one for the existing mall and the other for the new portion, they are now merging both into one, but NCIDA must consent to them as two separate projects. Mr. Krempa asked if there would be any changes to our agreements due to the refinancing. Mr. Gabriele replied there would be no impact to the original IDA agreements.

8.2.1 Consent to Mortgage

Mr. Cliffe made a motion to approve the Consent to Mortgage; Mr. Ross seconded the motion. The motion passed.

RESOLUTION CONSENTING TO THE EXECUTION AND DELIVERY OF A MORTGAGE AND OTHER RELATED DOCUMENTS WITH REGARD TO THE FASHION OUTLETS II LLC PROJECT.

9.0 Agency Counsel

Mr. Gabriele stated that there was a need to hold an executive session to discuss personnel matters.

Mr. Onesi motioned to enter into Executive Session; Mr. Ross seconded the motion. Executive session began at 9:15 a.m.

Executive session ended at 9:28 a.m. There was no action was taken at this time.

10.0 Information Items

There were no information items at this time.

11.0 Any Other Matters the Board Wishes to Discuss

Mr. Gabriele stated that as there are no new projects at this time, there will not be a December 2020 Board Meeting. If the need arises, it will most likely be a virtual meeting due to NYS COVID executive orders.

12.0 Next: NCIDA/NCDC/NADC Board Meeting:

DATE: JANUARY 13, 2021

TIME: 9:00 a.m.

PLACE: Niagara County Center for Economic Development

13.0 Adjournment

Mr. Ross made a motion to adjourn; Mr. Krempa seconded the motion. The meeting adjourned at 9:30 a.m.

Respectfully submitted:

Reviewed by:

Approved by:

Susan L. Barone
Administrative Assistant

Susan C. Langdon
Executive Director

William L. Ross
Secretary

Niagara County Industrial Devel. Agency
Check Register
 For the Period From Nov 1, 2020 to Nov 30, 2020

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
29118	11/2/20	THE HARTFORD	10001.100	196.10
29119	11/2/20	National Grid	10001.100	490.41
29120	11/2/20	Pitney Bowes Global Financial Services	10001.100	189.42
29121	11/2/20	WORLD TRADE CENTER BUFFALO	10001.100	2,000.00
11/5/20	11/5/20	PAYCHEX, INC.	10001.100	49.27
11/6/20	11/6/20	NYS DEFERRED COMPENSATION PLAN	10001.100	675.89
29122	11/9/20	360 PSG.com	10001.100	60.00
29123	11/9/20	Caroline M. Caruso	10001.100	62.49
29124	11/9/20	Professional Janitorial Services, Inc.	10001.100	793.17
29125	11/9/20	Selective Insurance Company	10001.100	1,764.94
29126	11/17/20	CoStar Realty Information, Inc.	10001.100	217.31
29127	11/17/20	First Choice Coffee Services	10001.100	99.02
29128	11/17/20	Gabriele & Berrigan, P.C.	10001.100	10,000.00
29129	11/17/20	Guardian	10001.100	227.46
29130	11/17/20	SAM'S CLUB/SYNCHRONY BANK	10001.100	6.98
29131	11/17/20	H. SICHERMAN & CO., INC.	10001.100	6,579.30
11/19/20	11/19/20	PAYCHEX, INC.	10001.100	60.90
11/20/20	11/20/20	NYS DEFERRED COMPENSATION PLAN	10001.100	860.43
29132	11/23/20	County of Niagara	10001.100	50.63
29133	11/23/20	County of Niagara	10001.100	309.08
29134	11/23/20	Gabriele & Berrigan, P.C.	10001.100	24,711.80
29135	11/23/20	NIAGARA GAZETTE	10001.100	184.00
29136	11/23/20	STAPLES CONTRACT & COMMERCIAL	10001.100	144.44
11/25/20	11/25/20	NEW YORK STATE AND LOCAL	10001.100	284.66
Total				50,017.70

NCIDA - MTF - Operating Fund
Check Register

For the Period From Nov 1, 2020 to Nov 30, 2020

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
2966	11/2/20	National Grid	10001.600	30.13
2967	11/2/20	Niagara Falls Water Board	10001.600	529.11
2968	11/17/20	VERIZON	10001.600	118.79
Total				678.03

NCIDA VIP-MTF Operating
Check Register
For the Period From Nov 1, 2020 to Nov 30, 2020

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
4422	11/2/20	DAVIS-ULMER Sprinkler Co.	10001.600	170.00
4423	11/2/20	Frontier	10001.600	174.97
4424	11/2/20	National Grid	10001.600	534.47
4425	11/9/20	Blue Ox Roofing	10001.600	472.00
4427	11/9/20	Professional Janitorial Services, Inc.	10001.600	219.42
4426	11/9/20	VOID CHECK	10001.600	
4428	11/17/20	Modern Electrical Construction Inc.	10001.600	639.00
4429	11/17/20	Modern Disposal Services, Inc.	10001.600	177.23
4430	11/17/20	Town of Wheatfield	10001.600	108.95
4431	11/23/20	H.W.BRYK & SONS, INC.	10001.600	315.40
4432	11/23/20	County of Niagara	10001.600	212.07
4433	11/23/20	Town of Wheatfield Water/	10001.600	210.00
Total				3,233.51

Niag. Cnty Dev. Corp. - EDA RLF**Check Register**

For the Period From Nov 1, 2020 to Nov 30, 2020

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1323	11/3/20	NCRAS Five Inc.	10001.100	22,753.00
1324	11/3/20	Shree Ganpati LLC	10001.100	35,766.00
1325	11/3/20	Har Gange, LLC	10001.100	27,956.00
1326	11/6/20	AMBE Corp.	10001.100	13,826.00
1327	11/6/20	Wandering Gypsy Brewing Company, Inc.	10001.100	200,000.00
1328	11/17/20	Niagara County Industrial	10001.100	7,121.57
Total				307,422.57

NCDC - CDBG/HUD - RLF

Check Register

For the Period From Nov 1, 2020 to Nov 30, 2020

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
178	11/17/20	Niagara County Industrial Dev Agency	10200-300	12,604.08
Total				12,604.08

Niag. Cnty Dev. Corp. - Micro RLF
Check Register
For the Period From Nov 1, 2020 to Nov 30, 2020

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
2029	11/12/20	Brenda L. Kephart dba B&B BBQ	10004.400	22,240.43
2030	11/12/20	Brigitte R. Peters dba BP Sign Co.	10004.400	16,390.00
2031	11/12/20	Calhoon's Pub of Newfane, Inc.	10004.400	5,967.99
2032	11/12/20	Craft Coffee House, LLC	10004.400	25,000.00
2033	11/12/20	Graham Brothers Enterprises, LLC	10004.400	25,000.00
2034	11/12/20	Northridge Printing Inc.	10004.400	25,000.00
2035	11/17/20	H. Sicherman & Company, Inc.	10004.400	17,361.50
2036	11/17/20	Niagara County Industrial	10004.400	12,807.96
Total				149,767.88

Niagara Industrial Incubator Associates**Check Register**

For the Period From Nov 1, 2020 to Nov 30, 2020

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1145	11/2/20	National Grid	10000.100	634.95
1146	11/2/20	Niagara Falls Water Board	10000.100	980.39
1147	11/9/20	Blue Ox Roofing	10000.100	812.00
1148	11/17/20	Modern Electrical Construction Inc.	10000.100	415.30
1149	11/23/20	H.W. Bryk & Sons, Inc.	10000.100	3,325.00
1150	11/23/20	Gabriele & Berrigan, P.C.	10000.100	1,875.00
1151	11/23/20	Niagara Lock & Key Service, Inc.	10000.100	120.00
Total				8,162.64

NIAG ECONOMIC DEV FUND

Check Register

For the Period From Nov 1, 2020 to Nov 30, 2020

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1319	11/9/20	Selective	10000-200	3,426.06
1320	11/23/20	Gabriele & Berrigan P.C.	10000-200	45.00
Total				3,471.06

Niagara County Industrial Devel. Agency
Check Register
For the Period From Dec 1, 2020 to Dec 31, 2020

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
29137	12/1/20	THE BUFFALO NEWS	10001.100	312.00
29138	12/1/20	Cintas Corporation #782	10001.100	87.64
29139	12/1/20	THE HARTFORD	10001.100	197.00
29140	12/1/20	Independent Health	10001.100	2,664.36
29141	12/1/20	National Grid	10001.100	467.42
29142	12/1/20	NEW YORK STATE AND LOCAL	10001.100	57,072.00
29143	12/1/20	PETTY CASH	10001.100	73.06
29144	12/1/20	Time Warner Cable	10001.100	123.85
12/3/20	12/3/20	PAYCHEX, INC.	10001.100	67.35
12/4/20	12/4/20	NYS DEFERRED COMPENSATION PLAN	10001.100	917.43
29147	12/8/20	M&T Bank	10001.100	93.09
29145	12/8/20	VOID CHECK	10001.100	
29146	12/8/20	VOID CHECK	10001.100	
29148	12/8/20	VOID CHECK	10001.100	
29149	12/8/20	VOID CHECK	10001.100	
29150	12/8/20	360 PSG.com	10001.100	60.00
29151	12/8/20	Gabriele & Berrigan, P.C.	10001.100	8,873.40
29152	12/8/20	Niag Cnty Dept of Economic Development	10001.100	177.01
29153	12/8/20	Telesco Creative Group	10001.100	60.00
29154	12/15/20	Center for Governmental Research Inc.	10001.100	1,750.00
29155	12/15/20	CoStar Realty Information, Inc.	10001.100	217.31
29156	12/15/20	County of Niagara	10001.100	503.01
29157	12/15/20	First Choice Coffee Services	10001.100	95.28
29158	12/15/20	PITNEY BOWES	10001.100	158.98
29159	12/15/20	PURCHASE POWER	10001.100	150.00
29160	12/15/20	SAM'S CLUB/SYNCHRONY BANK	10001.100	98.30
29161	12/15/20	STAPLES CONTRACT & COMMERCIAL	10001.100	42.10
12/17/20	12/17/20	PAYCHEX, INC.	10001.100	60.90
12/18/20	12/18/20	NYS DEFERRED COMPENSATION PLAN	10001.100	860.64
12/21/20	12/21/20	NEW YORK STATE AND LOCAL	10001.100	242.72
29162	12/22/20	Guardian	10001.100	227.46
29163	12/22/20	SUSAN C. LANGDON	10001.100	72.51
29164	12/22/20	Selective Insurance Company	10001.100	14,375.03
29165	12/29/20	MICHAEL S. DUDLEY	10001.100	36.92

Niagara County Industrial Devel. Agency
Check Register
For the Period From Dec 1, 2020 to Dec 31, 2020

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
29166	12/29/20	Independent Health	10001.100	2,664.36
29167	12/29/20	STAPLES CONTRACT & COMMERCIAL	10001.100	83.77
29168	12/29/20	Time Warner Cable	10001.100	123.85
Total				<u>93,008.75</u>

NCIDA - MTF - Operating Fund
Check Register
For the Period From Dec 1, 2020 to Dec 31, 2020

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
2969	12/1/20	LARABA ENTERPRISES	10001.600	1,300.00
2970	12/1/20	NCIDA-MTF-CAPITAL ACCOUNT	10001.600	10,000.00
2971	12/1/20	National Grid	10001.600	21.02
2972	12/15/20	VERIZON	10001.600	118.83
2973	12/22/20	DAVIS-ULMER Sprinkler Co.	10001.600	160.00
2974	12/22/20	Selective Insurance Company	10001.600	9,193.50
Total				<u><u>20,793.35</u></u>

NCIDA VIP-MTF Operating
Check Register
For the Period From Dec 1, 2020 to Dec 31, 2020

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
4434	12/1/20	H.W.BRYK & SONS, INC.	10001.600	442.50
4435	12/1/20	LARABA ENTERPRISES	10001.600	2,050.00
4436	12/1/20	National Grid	10001.600	409.90
4437	12/1/20	NCIDA VIP MTF OPERATING	10001.600	10,000.00
4438	12/8/20	H.W.BRYK & SONS, INC.	10001.600	712.50
4439	12/8/20	Frontier	10001.600	174.97
4440	12/8/20	National Grid	10001.600	77.88
4441	12/8/20	Town of Wheatfield Water/	10001.600	40.00
4442	12/15/20	H.W.BRYK & SONS, INC.	10001.600	190.00
4443	12/15/20	JGM Installation & Svc. Co. Inc.	10001.600	234.00
4444	12/15/20	Modern Disposal Services, Inc.	10001.600	177.23
4445	12/15/20	County of Niagara	10001.600	309.06
4446	12/22/20	Blue Ox Roofing	10001.600	261.00
4447	12/22/20	H.W.BRYK & SONS, INC.	10001.600	1,202.49
4448	12/22/20	Selective Insurance Company	10001.600	15,230.50
4449	12/29/20	Modern Electrical Construction Inc.	10001.600	4,250.00
Total				35,762.03

Niag. Cnty Dev. Corp. - EDA RLF

Check Register

For the Period From Dec 1, 2020 to Dec 31, 2020

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1329	12/15/20	H. Sicherman & Company, Inc.	10001.100	<u>3,287.50</u>
Total				<u><u>3,287.50</u></u>

NCDC - CDBG/HUD - RLF

Check Register

For the Period From Dec 1, 2020 to Dec 31, 2020

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
179	12/15/20	H. Sicherman & Company, Inc.	10200-300	2,404.50
Total				2,404.50

NIAG ECONOMIC DEV FUND
Check Register
For the Period From Dec 1, 2020 to Dec 31, 2020

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1321	12/8/20	Gabriele & Berrigan P.C.	10000-200	345.00
1322	12/22/20	Niagara County Industrial	10000-200	<u>50,000.00</u>
Total				<u><u>50,345.00</u></u>

Niagara Industrial Incubator Associates
Check Register
For the Period From Dec 1, 2020 to Dec 31, 2020

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1152	12/1/20	Laraba Enterprises	10000.100	1,337.50
1153	12/1/20	National Grid	10000.100	517.42
1154	12/8/20	Gabriele & Berrigan, P.C.	10000.100	525.00
1155	12/8/20	M&T Bank	10000.100	74.25
1156	12/15/20	SAM'S CLUB/SYNCHRONY BANK	10000.100	17.96
1157	12/15/20	Town of Wheatfield	10000.100	46.50
1158	12/22/20	H.W. Bryk & Sons, Inc.	10000.100	3,895.00
1159	12/22/20	LM Venture	10000.100	7,230.00
1160	12/22/20	Modern Electrical Construction Inc.	10000.100	1,925.00
1161	12/29/20	Hanna Commercial	10000.100	3,600.00
Total				19,168.63

Niagara County Industrial Devel. Agency
Check Register
For the Period From Jan 1, 2021 to Jan 31, 2021

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1/1/2021	1/1/21	NYS DEFERRED COMPENSATION PLAN	10001.100	872.94
1/1/121	1/1/21	PAYCHEX, INC.	10001.100	60.90
29169	1/1/21	NEW YORK STATE ECONOMIC	10001.100	1,500.00
29170	1/6/21	360 PSG.com	10001.100	60.00
29171	1/6/21	Susan L. Barone	10001.100	43.12
29172	1/6/21	BUSINESS FIRST OF BUFFALO	10001.100	85.00
29173	1/6/21	Caroline M. Caruso	10001.100	69.83
29174	1/6/21	Cintas Corporation #782	10001.100	131.46
29175	1/6/21	Cooper Electric	10001.100	78.10
29176	1/6/21	Gabriele & Berrigan, P.C.	10001.100	5,000.00
29177	1/6/21	THE HARTFORD	10001.100	211.42
29178	1/6/21	M&T Bank	10001.100	482.84
29179	1/6/21	National Grid	10001.100	508.93
29180	1/6/21	Niag Cnty Dept of Economic Development	10001.100	32,460.57
29181	1/6/21	Selective Insurance Company	10001.100	2,798.00
29182	1/6/21	STAPLES CONTRACT & COMMERCIAL	10001.100	70.61
29183	1/11/21	The Hartford	10001.100	490.10
29184	1/11/21	Magavern Magavern Grimm LLP	10001.100	75.00
29185	1/11/21	Niag Cnty Dept of Economic Development	10001.100	80.69
29186	1/11/21	Professional Janitorial Services, Inc.	10001.100	1,498.17
1002	1/11/21	Town of Niagara	10650.100	274,338.43
1/14/21	1/14/21	PAYCHEX, INC.	10001.100	218.85
1/15/21	1/15/21	NYS DEFERRED COMPENSATION PLAN	10001.100	932.03
29187	1/19/21	County of Niagara	10001.100	494.22
29188	1/19/21	PURCHASE POWER	10001.100	150.00
29189	1/25/21	CoStar Realty Information, Inc.	10001.100	217.31
29190	1/25/21	County of Niagara	10001.100	311.79
29191	1/25/21	Guardian	10001.100	227.46
29192	1/25/21	Independent Health	10001.100	2,664.36
29193	1/25/21	Time Warner Cable	10001.100	123.85
1/28/21	1/28/21	PAYCHEX, INC.	10001.100	60.90
1/29/21	1/29/21	NYS DEFERRED COMPENSATION PLAN	10001.100	875.03
1/30/21	1/30/21	NEW YORK STATE AND LOCAL	10001.100	371.38
Total				327,563.29

NCIDA - MTF - Operating Fund
Check Register
For the Period From Jan 1, 2021 to Jan 31, 2021

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
2975	1/1/21	Kathy Harrington-McDonell	10001.600	8,690.22
2976	1/11/21	Modern Electrical Construction Inc.	10001.600	1,510.00
2977	1/11/21	National Grid	10001.600	21.02
2978	1/19/21	LARABA ENTERPRISES	10001.600	2,536.00
2979	1/25/21	Modern Electrical Construction Inc.	10001.600	1,257.00
2980	1/25/21	VERIZON	10001.600	120.67
Total				14,134.91

NCIDA VIP-MTF Operating
Check Register
For the Period From Jan 1, 2021 to Jan 31, 2021

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
4450	1/1/21	KATHY HARRINGTON-MCDONELL	10001.600	9,227.86
4451	1/6/21	H.W.BRYK & SONS, INC.	10001.600	300.00
4452	1/6/21	Cooper Electric	10001.600	61.00
4453	1/6/21	Frontier	10001.600	174.97
4454	1/6/21	National Grid	10001.600	315.43
4455	1/11/21	Professional Janitorial Services, Inc.	10001.600	414.42
4456	1/19/21	LARABA ENTERPRISES	10001.600	4,186.00
4457	1/19/21	County of Niagara	10001.600	302.28
4458	1/25/21	Modern Disposal Services, Inc.	10001.600	164.10
4459	1/25/21	National Grid	10001.600	82.46
4460	1/25/21	County of Niagara	10001.600	173.19
Total				15,401.71

NCDC - CDBG/HUD - RLF
Check Register
For the Period From Jan 1, 2021 to Jan 31, 2021

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
180	1/25/21	H. Sicherman & Company, Inc.	10200-300	3,038.50
Total				<u><u>3,038.50</u></u>

Niag. Cnty Dev. Corp. - Micro RLF
Check Register
For the Period From Jan 1, 2021 to Jan 31, 2021

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
2037	1/19/21	Brenda L. Kephart dba B&B BBQ	10004.400	2,759.57
2038	1/19/21	Brewed and Bottled, LLC d/b/a	10004.400	17,773.68
2039	1/19/21	Calhoun's Pub of Newfane, Inc.	10004.400	<u>6,670.77</u>
Total				<u><u>27,204.02</u></u>

NIAG ECONOMIC DEV FUND
Check Register
For the Period From Jan 1, 2021 to Jan 31, 2021

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1323	1/25/21	H. Sicherman & Company, Inc.	10000-200	2,475.50
Total				2,475.50

Niagara Industrial Incubator Associates
Check Register
For the Period From Jan 1, 2021 to Jan 31, 2021

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1162	1/6/21	National Fuel	10000.100	35.72
1163	1/6/21	National Grid	10000.100	126.31
1164	1/6/21	Kathy Harrington-McDonell	10000.100	3,941.06
1165	1/11/21	Modern Electrical Construction Inc.	10000.100	1,675.00
1166	1/19/21	Laraba Enterprises	10000.100	2,837.50
1167	1/19/21	National Grid	10000.100	757.76
Total				<u><u>9,373.35</u></u>

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
BUDGET VARIANCE REPORT AS OF November 30, 2020
UN-AUDITED STATEMENT FOR INTERNAL MANAGEMENT USE ONLY

	Current Month Actual	Current Month Budget	Year To Date Actual	Year To Date Budget	Year To Date Variance	Total Budget
Operating Revenues						
Project Administrative Fees	\$ 0.00	\$ 78,826.00	\$ 117,570.00	\$ 435,606.00	(318,036.00)	\$ 543,163.00
Project Application Fees	0.00	1,000.00	9,000.00	11,000.00	(2,000.00)	12,000.00
Bad Debt Recovery - Fees	0.00	0.00	322.03	0.00	322.03	0.00
NEDF Origination Fees	0.00	0.00	1,875.00	0.00	1,875.00	0.00
NEDF RLF Administrative Fee	4,166.67	4,166.67	45,833.37	45,833.37	0.00	50,000.00
Administrative Fees - Other	0.00	0.00	3,866.34	0.00	3,866.34	7,354.00
Interest Earnings	145.25	228.75	7,945.88	8,919.25	(973.37)	9,148.00
Training Room Income	0.00	33.33	140.00	366.63	(226.63)	400.00
Miscellaneous Income	0.00	0.00	116.34	0.00	116.34	0.00
Distrib From Niag. Ind. Suites	0.00	0.00	0.00	0.00	0.00	100,000.00
Distributions From Affiliates	0.00	0.00	0.00	0.00	0.00	80,000.00
Distribution from VIP MTF	0.00	0.00	0.00	0.00	0.00	100,000.00
Total Operating Revenues	4,311.92	84,254.75	186,668.96	501,725.25	(315,056.29)	902,065.00
Operating Expenses						
Salaries	26,075.96	30,161.76	334,890.68	361,941.12	(27,050.44)	392,103.00
Benefits	3,181.13	5,740.00	47,299.22	63,140.00	(15,840.78)	68,880.00
Retirement Benefits	4,470.33	4,470.33	49,173.63	49,173.63	0.00	53,644.00
Payroll Taxes	2,046.43	2,315.09	26,219.18	27,680.91	(1,461.73)	29,996.00
Unemployment Taxes	24.47	0.00	556.94	614.00	(57.06)	614.00
Consultants	2,500.00	2,500.00	34,763.24	27,500.00	7,263.24	30,000.00
Assistant Director	5,201.25	5,201.25	55,985.50	57,213.75	(1,228.25)	62,415.00
Legal Services	3,873.40	5,000.00	50,405.40	55,000.00	(4,594.60)	60,000.00
Accounting Services	0.00	0.00	18,401.00	18,700.00	(299.00)	18,700.00
Accounting Services - NADC	0.00	0.00	2,000.00	2,000.00	0.00	2,000.00
Marketing	277.31	1,833.33	8,021.51	20,166.63	(12,145.12)	22,000.00
Printing	0.00	208.33	53.78	2,291.63	(2,237.85)	2,500.00
Office Supplies	93.92	250.00	731.61	2,750.00	(2,018.39)	3,000.00
Postage	0.00	280.00	2,152.93	3,293.00	(1,140.07)	3,296.00
Telephone & Fax	88.32	126.67	847.25	1,393.37	(546.12)	1,520.00
Internet Service	185.81	328.33	1,959.32	3,611.63	(1,652.31)	3,940.00
Common Area Charges	680.00	687.50	7,480.00	7,562.50	(82.50)	8,250.00
Energy	1,056.53	1,210.00	11,077.98	14,597.00	(3,519.02)	16,063.00
Conference & Travel	0.00	291.67	933.72	3,208.37	(2,274.65)	3,500.00
Employee Training	0.00	1,250.00	500.00	13,750.00	(13,250.00)	15,000.00
Insurance Expense	1,424.55	1,570.25	15,666.43	17,272.75	(1,606.32)	18,843.00
Library & Membership	496.00	54.45	2,525.00	2,044.50	480.50	2,099.00
General Office	513.20	774.67	7,896.13	8,521.37	(625.24)	9,296.00
Repairs & Maintenance	851.72	1,221.08	9,806.76	13,431.88	(3,625.12)	14,653.00
Computer Support	0.00	666.67	1,435.00	7,333.37	(5,898.37)	8,000.00
Public Hearings	0.00	16.67	251.17	183.37	67.80	200.00
Furniture & Equipment Purchase	0.00	166.67	259.18	1,833.37	(1,574.19)	2,000.00
Other Expense	0.00	83.33	0.00	916.63	(916.63)	1,000.00
Total Operating Expenses	53,040.33	66,408.05	691,292.56	787,124.78	(95,832.22)	853,512.00
Net Operating Income/(<Loss>)	(48,728.41)	17,846.70	(504,623.60)	(285,399.53)	(219,224.07)	48,553.00
Non-Operating Revenue & Expense						
Grant Rev. - OCR	6,579.30	0.00	6,579.30	0.00	6,579.30	0.00
Grant Rev- City NF Initiative	0.00	74,437.50	193,317.00	818,812.50	(625,495.50)	893,250.00
Grant Sub-City NF Initiative	0.00	74,437.50	193,317.00	818,812.50	(625,495.50)	893,250.00
Net Non-Operating Income/(<Loss>)	6,579.30	0.00	6,579.30	0.00	6,579.30	0.00
Total Net Income/(<Loss>)	(\$ 42,149.11)	\$ 17,846.70	(\$ 498,044.30)	(\$ 285,399.53)	(212,644.77)	\$ 48,553.00

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Balance Sheet
November 30, 2020

ASSETS

Current Assets	
Cash - Checking	\$ 145,332.91
Petty Cash	300.00
Mmkt Acct. - M&T Bank	1,687,262.22
Cash - First Response	3.58
Cash - City of N.F.	819.65
Mmkt Acct. - Cataract Tourism	4,371,021.36
Accts Rec - Public Hearings	1,627.56
Accounts rec.- Fees/Var.	666.09
Accounts Rec. EDA - RLF	6,676.39
Due To/From Micro RLF	9,166.63
Accounts Rec - NEDF	45,833.37
Due To/From VIP - MTF	354,052.43
Due From NCDC CDBG/HUD	9,166.74
Due To/Due From NADC	406.56
Prepaid Insurance	<u>3,990.67</u>
 Total Current Assets	 6,636,326.16
Other Assets	
Deferred Outflows	105,908.00
Investment in NIIA	<u>342,500.00</u>
 Total Other Assets	 448,408.00
Fixed Assets	
Furniture & Equipment	199,360.75
Furn & Fixtures - Fed purchase	5,861.08
Accum Dep. - Furn & Equip	(198,952.59)
Accum Dep. - F&F Fed Purch	<u>(5,861.00)</u>
 Total Fixed Assets	 408.24
 Total Assets	 <u>\$ 7,085,142.40</u>

LIABILITIES AND NET ASSETS

Current Liabilities	
Accrued Retirement	\$ 49,173.63
Deferred Rev. - First Repsonse	3.58
Def. Rev. - City of N.F.	4,371,841.01
Accounts Payable	14,402.88
Acct. Payable - Niag. County	<u>26,006.25</u>
 Total Current Liabilities	 4,461,427.35
Long-Term Liabilities	
Pension Liability	80,244.00
Deferred Inflows of Resources	<u>30,743.00</u>
 Total Long-Term Liabilities	 <u>110,987.00</u>
 Total Liabilities	 4,572,414.35
Net Assets	
Fund Balance - Operating Fund	3,010,772.35
Net Income	<u>(498,044.30)</u>
 Total Net Assets	 <u>2,512,728.05</u>
 Total Liabilities & Net Assets	 <u>\$ 7,085,142.40</u>

**Niagara County Industrial
Development Agency
Aged Payables
As of November 30, 2020**

Vendor ID Vendor	Invoice #	Amount Due
BUFNEW THE BUFFALO NEWS	12/15/20-6/14/21	312.00
cin Cintas Corporation #782	7556805;6206157	87.64
GABRIELE Gabriele & Berrigan, P.C.	Nov 2020 Engage Nov 2020 11/1/20-11/30/20 Lit	5,000.00 3,813.40 60.00
ind Independent Health	Dec 2020	2,664.36
M&TBUS M&T Bank	Oct 2020 Nov 2020	-13.42 106.51
NATGRID National Grid	39004 11/20	467.42
NCDED Niag Cnty Dept of Economic Development	Copier Sep-Oct 2020	177.01
tim Time Warner Cable	Nov 2020	123.85
Report Total		<u>12,798.77</u>

Adjusting Journal Entries

Estimated Nov 2020 Copier usage	250.00
Estimated Oct - Nov 2020 Telephone	60.00
Estimated Nov 2020 Niagara County Electric	300.00
Estimated Nov 2020 Niagara County Gas	289.11
Estimated Nov 2020 Cleaning service	705.00

14,402.88

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

12/8/2020

**Project Income - 2020
Lease/Lease Back and Bonds**

Closed 2020	Project Type	Total Project Amount	IDA Project Amount	Fees	Application Fee	Amount Received to Date	Date Received	Balance Due	Date Closed
Penn Terra - USRE Corp.	L/L Back	5,635,000	5,285,000	52,850	1,000	53,850	2/25/20	-	2/25/20
Rock One Development				5,000		5,000	3/19/20	-	
Neighborhood Redevelopment LLC	L/L Back	338,000	315,000	3,150	1,000	4,150	5/1/20	-	4/14/20
LMR Real Property Holdings LLC	L/L Back	516,000	485,000	4,850	1,000	5,850	5/1/20	-	4/14/20
Buffalo Fuel Corp.	L/L Back	2,240,000	2,217,000	22,170	1,000	23,170	9/3/20	-	8/8/20
LSNY Holdings, LLC	L/L Back	2,000,000	1,700,000	17,000	1,000	18,000	10/1/20	-	8/28/20
Santarosa Holdings, Inc.	L/L Back	820,000	820,000	8,200	1,000	9,200	9/24/20	-	7/27/20
Zimmie's Service	L/L Back	435,000	435,000	4,350	1,000	5,350	10/9/20	-	10/1/20
Global Dominion Access USA Corp.	Assumption of		Ascension Industries, Inc.	0	1,000	1,000	10/21/20	-	11/4/20
TOTAL				117,570	8,000	125,570		-	

Fees received in prior year -

Total fees received to date in 2020 117,570

Total 2020 Budgeted Fees 543,163

Balance of Budgeted Fees 425,593

Projected 2020	Project Type	Total Project Amount	IDA Project Amount	Anticipated Fees	Application Fee	Amount Received to Date	Date Received	Anticipated Balance Due	Inducement Expiration
Merani Hotel Group	Sales Tax Only	22,500,000	20,286,000	75,000	1,000	1,000	3/13/19	75,000	11/30/20
1300 Pine Avenue LLC	Sales Tax Only	900,000	425,000	-	1,000	1,000	5/8/19	-	5/31/20
DLC Diversified Holdings, LLC(Dominick Cili	L/L Back	2,500,000	2,230,000	22,300	1,000	1,000	6/17/19	22,300	4/30/21
Hotel Niagara Development, LLC	L/L Back	34,075,020	33,032,832	230,000	1,000	1,000	6/4/18	230,000	1/31/21
The Niagara Club	L/L Back	3,036,700	2,872,000	28,720	1,000	1,000	1/3/19	28,720	2/28/21
Iskalo 1 East Avenue LLC	L/L Back	6,057,760	4,100,000	41,000	1,000	1,000	7/28/20	41,000	9/30/21
Stavatti Aerospace Ltd.	L/L Back	25,875,000	25,875,000	258,750	1,000	1,000	8/31/20	258,750	10/31/21
Vincent Properties, Inc.	L/L Back	6,650,000	6,650,000	66,500	1,000	1,000	9/4/20	66,500	11/30/21
TOTAL				722,270	8,000	8,000		722,270	0
TOTAL - Projected Income 2020				839,840	16,000	133,570		722,270	0

Projected 2021	Project Type	Total Project Amount	IDA Project Amount	Anticipated Fees	Application Fee	Amount Received to Date	Date Received	Anticipated Balance Due	Inducement Expiration
TOTAL				0	0	0		0	0

* Pending Board Approval

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

BUDGET VARIANCE REPORT AS OF December 31, 2020

UN-AUDITED STATEMENT FOR INTERNAL MANAGEMENT USE ONLY

	Current Month Actual	Current Month Budget	Year To Date Actual	Year To Date Budget	Year To Date Variance	Total Budget
<u>Operating Revenues</u>						
Project Administrative Fees	\$ 0.00	\$ 107,557.00	\$ 117,570.00	\$ 543,163.00	(425,593.00)	\$ 543,163.00
Project Application Fees	0.00	1,000.00	9,000.00	12,000.00	(3,000.00)	12,000.00
Bad Debt Recovery - Fees	0.00	0.00	322.03	0.00	322.03	0.00
NEDF Origination Fees	0.00	0.00	1,875.00	0.00	1,875.00	0.00
NEDF RLF Administrative Fee	4,166.63	4,166.63	50,000.00	50,000.00	0.00	50,000.00
EDA RLF-Grant 2020 Admin Fees	20,567.72	0.00	20,567.72	0.00	20,567.72	0.00
Administrative Fees - Other	6,494.83	7,354.00	10,361.17	7,354.00	3,007.17	7,354.00
Interest Earnings	129.44	228.75	8,075.32	9,148.00	(1,072.68)	9,148.00
Training Room Income	0.00	33.37	140.00	400.00	(260.00)	400.00
Miscellaneous Income	0.00	0.00	116.34	0.00	116.34	0.00
Distrib From Niag. Ind. Suites	100,000.00	100,000.00	100,000.00	100,000.00	0.00	100,000.00
Distributions From Affiliates	0.00	80,000.00	0.00	80,000.00	(80,000.00)	80,000.00
Distribution from VIP MTF	100,000.00	100,000.00	100,000.00	100,000.00	0.00	100,000.00
Total Operating Revenues	231,358.62	400,339.75	418,027.58	902,065.00	(484,037.42)	902,065.00
<u>Operating Expenses</u>						
Salaries	21,914.70	30,161.88	356,805.38	392,103.00	(35,297.62)	392,103.00
Benefits	3,355.32	5,740.00	50,654.54	68,880.00	(18,225.46)	68,880.00
Retirement Benefits	7,898.37	4,470.37	57,072.00	53,644.00	3,428.00	53,644.00
Payroll Taxes	1,740.87	2,315.09	27,960.05	29,996.00	(2,035.95)	29,996.00
Unemployment Taxes	0.00	0.00	556.94	614.00	(57.06)	614.00
Consultants	742.72	2,500.00	35,505.96	30,000.00	5,505.96	30,000.00
Assistant Director	6,454.32	5,201.25	62,439.82	62,415.00	24.82	62,415.00
Legal Services	5,075.00	5,000.00	55,480.40	60,000.00	(4,519.60)	60,000.00
Accounting Services	0.00	0.00	18,401.00	18,700.00	(299.00)	18,700.00
Accounting Services - NADC	0.00	0.00	2,000.00	2,000.00	0.00	2,000.00
Marketing	737.29	1,833.37	8,758.80	22,000.00	(13,241.20)	22,000.00
Printing	0.00	208.37	53.78	2,500.00	(2,446.22)	2,500.00
Office Supplies	142.24	250.00	873.85	3,000.00	(2,126.15)	3,000.00
Postage	314.28	3.00	2,467.21	3,296.00	(828.79)	3,296.00
Telephone & Fax	48.90	126.63	896.15	1,520.00	(623.85)	1,520.00
Internet Service	185.81	328.37	2,145.13	3,940.00	(1,794.87)	3,940.00
Common Area Charges	(278.41)	687.50	7,201.59	8,250.00	(1,048.41)	8,250.00
Energy	1,314.94	1,466.00	12,306.82	16,063.00	(3,756.18)	16,063.00
Conference & Travel	185.46	291.63	1,156.10	3,500.00	(2,343.90)	3,500.00
Employee Training	0.00	1,250.00	500.00	15,000.00	(14,500.00)	15,000.00
Insurance Expense	1,480.00	1,570.25	17,146.43	18,843.00	(1,696.57)	18,843.00
Library & Membership	0.00	54.50	2,525.00	2,099.00	426.00	2,099.00
General Office	407.72	774.63	8,134.54	9,296.00	(1,161.46)	9,296.00
Bank Fees	3.95	0.00	3.95	0.00	3.95	0.00
Repairs & Maintenance	1,114.46	1,221.12	10,921.22	14,653.00	(3,731.78)	14,653.00
Computer Support	1,750.00	666.63	3,185.00	8,000.00	(4,815.00)	8,000.00
Public Hearings	0.00	16.63	251.17	200.00	51.17	200.00
Furniture & Equipment Purchase	0.00	166.63	259.18	2,000.00	(1,740.82)	2,000.00
Other Expense	0.00	83.37	0.00	1,000.00	(1,000.00)	1,000.00
Total Operating Expenses	54,587.94	66,387.22	745,662.01	853,512.00	(107,849.99)	853,512.00
Net Operating Income/<Loss>	176,770.68	333,952.53	(327,634.43)	48,553.00	(376,187.43)	48,553.00
<u>Non-Operating Revenue & Expense</u>						
Grants Rev.	274,338.43	0.00	274,338.43	0.00	274,338.43	0.00
Grant Rev. - OCR	0.00	0.00	6,579.30	0.00	6,579.30	0.00
Grant Rev- City NF Initiative	0.00	74,437.50	193,317.00	893,250.00	(699,933.00)	893,250.00
Grant to Subrecipient	274,338.43	0.00	274,338.43	0.00	274,338.43	0.00
Grant Sub-City NF Initiative	0.00	74,437.50	193,317.00	893,250.00	(699,933.00)	893,250.00
Net Non-Operating Income/<Loss>	0.00	0.00	6,579.30	0.00	6,579.30	0.00
Total Net Income/<Loss>	\$ 176,770.68	\$ 333,952.53	(\$321,055.13)	\$ 48,553.00	(369,608.13)	\$ 48,553.00

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Balance Sheet
December 31, 2020

ASSETS

Current Assets		
Cash - Checking	\$	96,148.67
Petty Cash		300.00
Mmkt Acct. - M&T Bank		1,687,391.66
Cash - First Response		279,468.06
Cash - City of N.F.		819.67
Mmkt Acct. - Cataract Tourism		4,371,356.68
Accts Rec - Public Hearings		1,627.56
Accounts rec. - Fees/Var.		666.09
Accounts Receivable Niag. Cnty		1,658.50
Accounts Rec. EDA - RLF		9,267.00
A/R EDA - RLF 2020 Grant		20,567.72
Due To/From Micro RLF		9,999.96
Due To/From VIP - MTF		442,848.83
Due From NCDC CDBG/HUD		10,000.08
Due To/Due From NADC		406.56
Due To/From MTF Operating		102,780.95
Prepaid Insurance		<u>19,585.53</u>
 Total Current Assets		 7,054,893.52
Other Assets		
Deferred Outflows		105,908.00
Investment in NIIA		<u>342,500.00</u>
 Total Other Assets		 448,408.00
Fixed Assets		
Furniture & Equipment		199,360.75
Furn & Fixtures - Fed purchase		5,861.08
Accum Dep. - Furn & Equip		(198,952.59)
Accum Dep. - F&F Fed Purch		<u>(5,861.00)</u>
 Total Fixed Assets		 408.24
 Total Assets		 <u>\$ 7,503,709.76</u>

LIABILITIES AND NET ASSETS

Current Liabilities		
Deferred Rev. - First Repsonse	\$	5,129.63
Def. Rev. - City of N.F.		4,372,176.35
Accounts Payable		<u>325,699.56</u>
 Total Current Liabilities		 4,703,005.54
Long-Term Liabilities		
Pension Liability		80,244.00
Deferred Inflows of Resources		<u>30,743.00</u>
 Total Long-Term Liabilities		 <u>110,987.00</u>
 Total Liabilities		 4,813,992.54
Net Assets		
Fund Balance - Operating Fund		3,010,772.35
Net Income		<u>(321,055.13)</u>
 Total Net Assets		 <u>2,689,717.22</u>
 Total Liabilities & Net Assets		 <u>\$ 7,503,709.76</u>

Niagara County Industrial
Development Agency
Aged Payables
As of December 31, 2020

Vendor ID Vendor	Invoice #	Amount Due
BARONE Susan L. Barone	12/1/20-12/31/20	43.12
CARUSO Caroline M. Caruso	11/4/20 - 12/29/20	69.83
cin Cintas Corporation #782	824757,177156,428715	131.46
CNIT County of Niagara	Oct-Dec 2020	50.58
COOPER Cooper Electric	So42789641.001	78.10
County County of Niagara	Dec 2020 Gas Dec 20 Elec	494.22 311.79
GABRIELE Gabriele & Berrigan, P.C.	Dec 2020 Engagement	5,000.00
HART The Hartford	LNy72598 Oct-Dec 20	490.10
M&TBUS M&T Bank	Dec 2020	482.84
MAGAVERN Magavern Magavern Grimm LLP	86917	75.00
NATGRID National Grid	39004 12/20	508.93
NCDED Niag Cnty Dept of Economic Development	Copier Nov 2020 Copier Dec 2020 7/1/20-12/31/20	80.69 58.62 32,460.57
ProJan Professional Janitorial Services, Inc	1420 1419	705.00 793.17
SELECTIVE Selective Insurance Company	Pub. Off. 11/20-11/21 Worker's Comp '20-'21	1,620.00 1,178.00
SICHER H. SICHERMAN & CO., INC.	#12-2020	1,658.50
STAPLES STAPLES CONTRACT & COMMERCIAL	8060703654	70.61
TOWNNIAG Town of Niagara		274,338.43
Report Total		<u>320,699.56</u>
Adjusting Journal Entries		
	Estimated Dec 2020 Legal Fees	5,000.00
		<u><u>325,699.56</u></u>

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

2/2/2021

**Project Income - 2020
Lease/Lease Back and Bonds**

Closed 2020	Project Type	Total Project Amount	IDA Project Amount	Fees	Application Fee	Amount Received to Date	Date Received	Balance Due	Date Closed
Penn Terra - USRE Corp.	L/L Back	5,635,000	5,285,000	52,850	1,000	53,850	2/25/20	-	2/25/20
Rock One Development		Mortgage Refinance		5,000		5,000	3/19/20	-	
Neighborhood Redevelopment LLC	L/L Back	338,000	315,000	3,150	1,000	4,150	5/1/20	-	4/14/20
LMR Real Property Holdings LLC	L/L Back	516,000	485,000	4,850	1,000	5,850	5/1/20	-	4/14/20
Buffalo Fuel Corp.	L/L Back	2,240,000	2,217,000	22,170	1,000	23,170	9/3/20	-	8/8/20
LSNY Holdings, LLC	L/L Back	2,000,000	1,700,000	17,000	1,000	18,000	10/1/20	-	8/28/20
Santarosa Holdings, Inc.	L/L Back	820,000	820,000	8,200	1,000	9,200	9/24/20	-	7/27/20
Zimmie's Service	L/L Back	435,000	435,000	4,350	1,000	5,350	10/9/20	-	10/1/20
Global Dominion Access USA Corp.	Assumption of		Ascension Industries, Inc.	0	1,000	1,000	10/21/20	-	11/4/20
1300 Pine Avenue LLC	No assistance provided.			-	1,000	1,000	5/8/19	-	
TOTAL				<u>117,570</u>	<u>9,000</u>	<u>126,570</u>		<u>-</u>	
				Fees received in prior year	-	-			
				Total fees received to date in 2020	<u>117,570</u>				
				Total 2020 Budgeted Fees	<u>543,163</u>				
				Balance of Budgeted Fees	<u>425,593</u>				

Projected 2020	Project Type	Total Project Amount	IDA Project Amount	Anticipated Fees	Application Fee	Amount Received to Date	Date Received	Anticipated Balance Due	Inducement Expiration
TOTAL				<u>0</u>	<u>0</u>	<u>0</u>		<u>0</u>	<u>0</u>
TOTAL - Projected Income 2020				<u>117,570</u>	<u>9,000</u>	<u>126,570</u>		<u>0</u>	<u>0</u>

Projected 2021	Project Type	Total Project Amount	IDA Project Amount	Anticipated Fees	Application Fee	Amount Received to Date	Date Received	Anticipated Balance Due	Inducement Expiration
Merani Hotel Group	Sales Tax Only	22,500,000	20,286,000	75,000	1,000	1,000	3/13/19	75,000	11/30/20
DLC Diversified Holdings, LLC(Dominick Cili	L/L Back	2,500,000	2,230,000	22,300	1,000	1,000	6/17/19	22,300	4/30/21
Hotel Niagara Development, LLC	L/L Back	34,075,020	33,032,832	230,000	1,000	1,000	6/4/18	230,000	1/31/21
The Niagara Club	L/L Back	3,036,700	2,872,000	28,720	1,000	1,000	1/3/19	28,720	2/28/21
Iskalo 1 East Avenue LLC	L/L Back	6,057,760	4,100,000	41,000	1,000	1,000	7/28/20	41,000	9/30/21
Stavatti Aerospace Ltd.	L/L Back	25,875,000	25,875,000	258,750	1,000	1,000	8/31/20	258,750	10/31/21
Vincent Properties, Inc.	L/L Back	6,650,000	6,650,000	66,500	1,000	1,000	9/4/20	66,500	11/30/21
TOTAL				<u>722,270</u>	<u>7,000</u>	<u>7,000</u>		<u>722,270</u>	<u>0</u>

* Pending Board Approval

**Cataract Tourism Fund
Grant Program**

Grantee Name	Grant Awards	Outst'd'g Awards	Approval Date	Disbursement Date	Disbursement Amount	Offer Expiration	Project Description
Niagara County Dept. of Economic Development	37,667	0	10/11/2017	1/23/2018	37,667		Feasibility study for Niagara Falls area multi-use facility
Niagara Aquarium Foundation	88,147	0	2/14/2018	7/15/2019	88,147		Jellyfish exhibit and equipment
The Tourism Research Entrepreneurship Center (TReC)	176,600	0	8/8/2018	6/2/2020	176,600		Buildout, audio/visual equipment and network connectivity hardware
Niagara Aquarium Foundation	16,717	0	2/12/2020	10/21/2020	16,717		Renovations to second floor event room
Niagara Falls Center for Tourism LLC	1,000,000	1,000,000	6/12/2019	To Be Disbursed	0	5/31/2021	Construction of an indoor family entertainment center and outdoor improvements
Red Star Builders, LLC (The Niagara Club)	523,250	523,250	7/10/2019	To Be Disbursed	0	11/30/2020	Rooftop bar and lounge, banquet space, virtual entertainment lounge & Spot Coffee
Niagara Aquarium Foundation	370,000	370,000	8/14/2019	To Be Disbursed	0	5/31/2020	Interactive touch pools adjacent to main entrance of the Aquarium
The Center for Kashmir, Inc.	273,000	273,000	8/12/2020	To Be Disbursed	0	8/31/2021	Renovations to vacant church for a museum of art and culture for kashmir
To Date Sub-Total	2,485,381	2,166,250			319,131		

Grant Fund Cash Balance as of 12/31/2020 4,372,176.35

Less: Outstanding Awards (2,166,250.00)

Available for awarding grants 2,205,926.35

Grant Fund Balance

Grant Funding from NYS 11/22/2016 1,600,000.00
 Grant Funding from NYS 10/16/2017 1,440,000.00
 Grant Funding from NYS 10/12/2018 1,600,000.00

Bank Interest 51,350.61
 Bank Fees (43,26)

Grant Disbursements (319,131.00)

Grant Fund Balance 4,372,176.35

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
BUDGET VARIANCE REPORT AS OF January 31, 2021
UN-AUDITED STATEMENT FOR INTERNAL MANAGEMENT USE ONLY

	Current Month Actual	Current Month Budget	Year To Date Actual	Year To Date Budget	Year To Date Variance	Total Budget
Operating Revenues						
Project Administrative Fees	\$ 82,550.00	\$ 8,922.00	\$ 82,550.00	\$ 8,922.00	73,628.00	\$ 543,976.00
Project Application Fees	0.00	1,000.00	0.00	1,000.00	(1,000.00)	12,000.00
NEDF RLF Administrative Fee	4,166.67	4,166.67	4,166.67	4,166.67	0.00	50,000.00
Administratve Fees - Other	0.00	0.00	0.00	0.00	0.00	42,668.00
Interest Earnings	110.05	148.92	110.05	148.92	(38.87)	1,787.00
Training Room Income	0.00	11.67	0.00	11.67	(11.67)	140.00
Distrib From Niag. Ind. Suites	0.00	0.00	0.00	0.00	0.00	100,000.00
Distributions From Affiliates	0.00	0.00	0.00	0.00	0.00	80,000.00
Distribution from VIP MTF	0.00	0.00	0.00	0.00	0.00	150,000.00
Total Operating Revenues	86,826.72	14,249.26	86,826.72	14,249.26	72,577.46	980,571.00
Operating Expenses						
Salaries	33,293.51	38,180.88	33,293.51	38,180.88	(4,887.37)	330,901.00
Benefits	2,776.94	3,329.25	2,776.94	3,329.25	(552.31)	39,951.00
Retirement Benefits	5,331.42	5,331.42	5,331.42	5,331.42	0.00	63,977.00
Payroll Taxes	2,576.07	2,911.39	2,576.07	2,911.39	(335.32)	25,314.00
Unemployment Taxes	138.54	173.15	138.54	173.15	(34.61)	443.00
Consultants	2,500.00	2,500.00	2,500.00	2,500.00	0.00	30,000.00
Assisstant Director	5,412.00	5,412.00	5,412.00	5,412.00	0.00	64,944.00
Legal Services	30,133.20	5,000.00	30,133.20	5,000.00	25,133.20	60,000.00
Accounting Services	0.00	0.00	0.00	0.00	0.00	18,900.00
Accounting Services - NADC	0.00	0.00	0.00	0.00	0.00	2,000.00
Marketing	277.31	1,833.33	277.31	1,833.33	(1,556.02)	22,000.00
Printing	0.00	125.00	0.00	125.00	(125.00)	1,500.00
Office Supplies	0.00	208.33	0.00	208.33	(208.33)	2,500.00
Postage	339.42	1,038.00	339.42	1,038.00	(698.58)	3,344.00
Telephone & Fax	91.56	91.67	91.56	91.67	(0.11)	1,100.00
Internet Service	155.81	231.67	155.81	231.67	(75.86)	2,780.00
Common Area Charges	680.00	623.08	680.00	623.08	56.92	7,477.00
Energy	1,445.51	1,782.00	1,445.51	1,782.00	(336.49)	15,140.00
Conference & Travel	150.00	250.00	150.00	250.00	(100.00)	3,000.00
Employee Training	0.00	83.33	0.00	83.33	(83.33)	1,000.00
Insurance Expense	1,480.00	1,580.25	1,480.00	1,580.25	(100.25)	18,963.00
Library & Membership	1,585.00	1,585.00	1,585.00	1,585.00	0.00	2,545.00
General Office	590.65	824.33	590.65	824.33	(233.68)	9,892.00
Repairs & Maintenance	935.51	1,188.67	935.51	1,188.67	(253.16)	14,264.00
Computer Support	0.00	666.67	0.00	666.67	(666.67)	8,000.00
Public Hearings	0.00	16.67	0.00	16.67	(16.67)	200.00
Furniture & Equipment Purchase	0.00	166.67	0.00	166.67	(166.67)	2,000.00
Other Expense	0.00	83.33	0.00	83.33	(83.33)	1,000.00
Total Operating Expenses	89,892.45	75,216.09	89,892.45	75,216.09	14,676.36	753,135.00
Net Operating Income/<Loss>	(3,065.73)	(60,966.83)	(3,065.73)	(60,966.83)	57,901.10	227,436.00
Non-Operating Revenue & Expense						
Grant Rev- City NF Initiative	0.00	0.00	0.00	0.00	0.00	1,796,250.00
Grant Sub-City NF Initiative	0.00	0.00	0.00	0.00	0.00	1,796,250.00
Net Non-Operating Income/<Loss>	0.00	0.00	0.00	0.00	0.00	0.00
Total Net Income/<Loss>	(\$ 3,065.73)	(\$ 60,966.83)	(\$ 3,065.73)	(\$ 60,966.83)	57,901.10	\$ 227,436.00

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Balance Sheet
January 31, 2021

ASSETS

Current Assets	
Cash - Checking	\$ 193,320.70
Petty Cash	300.00
Mmkt Acct. - M&T Bank	1,587,501.71
Cash - First Response	5,134.04
Cash - City of N.F.	370,823.64
Mmkt Acct. - Cataract Tourism	4,001,643.16
Accts Rec - Public Hearings	1,248.40
Accounts rec. - Fees/Var.	666.09
Accounts Receivable Niag. Cnty	1,658.50
Accounts Rec. EDA - RLF	9,267.00
A/R EDA - RLF 2020 Grant	20,567.72
Due To/From Micro RLF	9,999.96
Accounts Rec - NEDF	4,166.67
Due To/From VIP - MTF	442,052.57
Due From NCDC CDBG/HUD	10,000.08
Due To/Due From NADC	406.56
Due To/From MTF Operating	102,780.95
Prepaid Insurance	<u>18,007.36</u>
Total Current Assets	6,779,545.11
Other Assets	
Deferred Outflows	105,908.00
Investment in NIIA	<u>342,500.00</u>
Total Other Assets	448,408.00
Fixed Assets	
Furniture & Equipment	199,360.75
Furn & Fixtures - Fed purchase	5,861.08
Accum Dep. - Furn & Equip	(198,952.59)
Accum Dep. - F&F Fed Purch	<u>(5,861.00)</u>
Total Fixed Assets	408.24
Total Assets	<u>\$ 7,228,361.35</u>

LIABILITIES AND NET ASSETS

Current Liabilities	
Accrued Retirement	\$ 5,331.42
Deferred Rev. - First Repsonse	5,134.04
Def. Rev. - City of N.F.	4,372,466.80
Accounts Payable	42,378.60
Acct Payable - Niag. County	<u>5,412.00</u>
Total Current Liabilities	4,430,722.86
Long-Term Liabilities	
Pension Liability	80,244.00
Deferred Inflows of Resources	<u>30,743.00</u>
Total Long-Term Liabilities	110,987.00
Total Liabilities	4,541,709.86
Net Assets	
Fund Balance - Operating Fund	2,689,717.22
Net Income	<u>(3,065.73)</u>
Total Net Assets	2,686,651.49
Total Liabilities & Net Assets	<u>\$ 7,228,361.35</u>

**Niagara County Industrial
Development Agency
Aged Payables
As of January 31, 2021**

Vendor ID Vendor	Invoice #	Amount Due
cin Cintas Corporation #782	2767423:4078298	87.64
CNIT County of Niagara	Oct-Dec 2020	50.58
GABRIELE Gabriele & Berrigan, P.C.	Windrose-term Somerset-finance DSAV-ext. Leaseback-Enterprise Leaseback-1300 Pine Leaseback-NFNY Hotel	345.20 4,262.20 260.20 6,846.20 5,587.20 7,832.20
M&TBUS M&T Bank	Jan 2021	181.96
NATGRID National Grid	39004 1/21	545.51
NCDED Niag Cnty Dept of Economic Development	Copier Dec 2020	58.62
PITBOW Pitney Bowes Global Financial	3312883994	189.42
SICHER H. SICHERMAN & CO., INC.	#12-2020	1,658.50
Report Total		<u>27,905.43</u>

Adjusting Journal Entries

Estimated Dec 2020 Legal Fees	5,000.00
Estimated Jan 2021 Legal Fees	5,000.00
Estimated Jan 2021 Copier usage	250.00
Estimated Jan 2021 Telephone	30.00
Estimated Jan 2021 Niagara County Electric	300.00
Estimated Jan 2021 Niagara County Gas	600.00
Estimated Jan 2021 Cleaning service	793.17
Estimated Jan 2021 Consulting	2,500.00
	<u>42,378.60</u>

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

2/3/2021

**Project Income - 2021
Lease/Lease Back and Bonds**

Closed 2021	Project Type	Total Project Amount	IDA Project Amount	Fees	Application Fee	Amount Received to Date	Date Received	Balance Due	Date Closed	
	Vincent Properties, Inc.	L/L Back	6,650,000	6,100,000	61,000	1,000	62,000	1/12/21	-	1/4/2021
	DLC Diversified Holdings, LLC(Dominick Cili	L/L Back	2,500,000	2,230,000	21,550	1,000	22,550	1/19/21	-	1/14/21
	Hotel Niagara Development, LLC	No assistance provided.				1,000	1,000	6/4/18	-	
TOTAL				<u>82,550</u>	<u>3,000</u>	<u>85,550</u>		<u>-</u>		
				Fees received in prior year	-	-				
				Total fees received to date in 2021	<u>82,550</u>					
				Total 2021 Budgeted Fees	<u>543,976</u>					
				Balance of Budgeted Fees	<u>461,426</u>					

Projected 2021	Project Type	Total Project Amount	IDA Project Amount	Anticipated Fees	Application Fee	Amount Received to Date	Date Received	Anticipated Balance Due	Inducement Expiration	
	Merani Hotel Group	Sales Tax Only	22,500,000	20,286,000	75,000	1,000	1,000	3/13/19	75,000	5/31/21
	The Niagara Club	L/L Back	3,036,700	2,872,000	28,720	1,000	1,000	1/3/19	28,720	2/28/21
	Iskalo 1 East Avenue LLC	L/L Back	6,057,760	4,100,000	41,000	1,000	1,000	7/28/20	41,000	9/30/21
	Stavatti Aerospace Ltd.	L/L Back	25,875,000	25,875,000	258,750	1,000	1,000	8/31/20	258,750	10/31/21
TOTAL				<u>403,470</u>	<u>4,000</u>	<u>4,000</u>		<u>403,470</u>	<u>0</u>	
TOTAL - Projected Income 2020				<u>486,020</u>	<u>7,000</u>	<u>89,550</u>		<u>403,470</u>	<u>0</u>	

Projected 2022	Project Type	Total Project Amount	IDA Project Amount	Anticipated Fees	Application Fee	Amount Received to Date	Date Received	Anticipated Balance Due	Inducement Expiration
TOTAL				<u>0</u>	<u>0</u>	<u>0</u>		<u>0</u>	<u>0</u>

* Pending Board Approval

**Cataract Tourism Fund
Grant Program**

Grantee Name	Grant Awards	Outst'd'g Awards	Approval Date	Disbursement Date	Disbursement Amount	Offer Expiration	Project Description
Niagara County Dept. of Economic Development	37,667	0	10/11/2017	1/23/2018	37,667		Feasibility study for Niagara Falls area multi-use facility
Niagara Aquarium Foundation	88,147	0	2/14/2018	7/15/2019	88,147		Jellyfish exhibit and equipment
The Tourism Research Entrepreneurship Center (TReC)	176,600	0	8/8/2018	6/2/2020	176,600		Buildout, audio/visual equipment and network connectivity hardware
Niagara Aquarium Foundation	16,717	0	2/12/2020	10/21/2020	16,717		Renovations to second floor event room
Niagara Falls Center for Tourism LLC	1,000,000	1,000,000	6/12/2019	To Be Disbursed	0	5/31/2021	Construction of an indoor family entertainment center and outdoor improvements
Red Star Builders, LLC (The Niagara Club)	523,250	523,250	7/10/2019	To Be Disbursed	0	11/30/2020	Rooftop bar and lounge, banquet space, virtual entertainment lounge & Spot Coffee
Niagara Aquarium Foundation	370,000	370,000	8/14/2019	To Be Disbursed	0	5/31/2020	Interactive touch pools adjacent to main entrance of the Aquarium
The Center for Kashmir, Inc.	273,000	273,000	8/12/2020	To Be Disbursed	0	8/31/2021	Renovations to vacant church for a museum of art and culture for kashmir
To Date Sub-Total	2,485,381	2,166,250			319,131		
Grant Fund Cash Balance as of 1/31/2021	4,372,466.80						
Less: Outstanding Awards	(2,166,250.00)						
Available for awarding grants	2,206,216.80						
Grant Fund Balance							
Grant Funding from NYS 11/22/2016	1,600,000.00						
Grant Funding from NYS 10/16/2017	1,440,000.00						
Grant Funding from NYS 10/12/2018	1,600,000.00						
Bank Interest	51,641.06						
Bank Fees	(43.26)						
Grant Disbursements	(319,131.00)						
Grant Fund Balance	4,372,466.80						

Niagara County Industrial Development Agency

Project Summary Sheet

Merani Hospitality Inc. (7/1/09)

Project No. 09-07

Applicant: Merani Hospitality Inc

Project Location: 401 Buffalo Avenue
City of Niagara Falls

Assistance: Sales tax exemptions
Mortgage recording tax exemption
2- 5 Years: No Taxes with Benchmarks
15-Year PILOT Thereafter

Description:

Merani Hospitality Inc. operates a very successful hotel in Niagara Falls New York and has an opportunity to acquire the long vacant hotel at 401 Buffalo Avenue. It is the desire and intent of Merani Hospitality Inc. to acquire the existing property and invest approximately \$20,000,000 in a new hotel complex.

The hotel at 401 Buffalo Avenue is one of the prime properties along the Niagara River in the City of Niagara Falls. As a gateway to the area Merani Hospitality Inc. would like to create a signature hotel complex that would improve and complement the riverfront area.

Based on the current economy conditions and level of work that must be done just to stabilize the property before improvements the company is seeking property tax abetment considerations that will create tax stability and predictability during the first several years of the project. The project requires substantial work and investment, but once completed the complex is expected to add a new level of attractiveness to the Niagara River front area along the rapids.

This project is located in the City of Niagara Falls and within the City's Empire Zone. Because of the questionable future of the Empire Zone program the company is seeking the assistance of the Niagara County Industrial Development Agency.

Due to the state of the existing hotel complex, it will take two or more years to assess and reconstruct the complete facilities. The Company is seek a zero (0) PILOT payment during the redevelopment period with a 15 year PILOT to go into effect upon the hotels certificate of occupancy to do business.

Estimated Project Costs:	Acquisition (total cost)	\$ 3,000,000
	Construction	15,500,000
	Furniture and Fixtures	<u>1,500,000</u>
	Total	\$20,000,000

Employment: Create 75 **Skills:** Housekeeping, Office, Sales, Hospitality
Maintenance, Chefs, Management

Niagara County Industrial Development Agency

Project Summary Sheet

Merani Hospitality Inc. (7/1/09)

Project No. 09-07

Page 2

Staff Recommendations:

- Project is consistent with Agency policy and IDA legislation
- Agency Counsel has reviewed this request.
 - Zero Pilot period not to exceed 5 years
 - Investment and employment milestones will affect PILOT Schedule
 - Abatement claw backs should the company fail to meet development objectives
- Project will enhance the tourist accommodations serving Niagara Falls.
- Project will create employment, sales tax revenues and enhance the property tax base.
- Staff has met with the company on several occasions to discuss Merani Hospitality Inc. and is confident the company can be successful

PROJECT SUMMARY

The Niagara Club



Applicant:	The Niagara Club	
Project Location:	24 Buffalo Avenue City of Niagara Falls	
Assistance:	10 year PILOT on improvements Sales Tax Abatement Mortgage Recording Tax Abatement	
Description:	<p>The Niagara Club, located at 24 Buffalo Avenue, has been vacant since it closed in the mid-2000's. The owners see enormous potential for the property as a dining and entertainment destination. It is located just across from Niagara Falls State park and highly visible from major thoroughfares.</p> <p>Development will include renovation and modernization of the lower and ground level floors to house <i>Charged Escape Rooms, The Niagara Club Restaurant and Banquet Facility and The Gold Cure Urban Rooftop Bar and Lounge</i>. Key to the renovations will be utilization of the classic décor embedded within the historic building.</p>	
Project Costs:	Acquisition Construction/Renovation Furniture, Fixtures & Equipment Soft costs & other <p style="text-align: right;">TOTAL</p>	\$1,750,000 \$ 772,000 \$ 350,000 <u>\$ 164,700</u> \$3,036,700
Employment:	Current jobs in Niagara County 0 Jobs in Niagara County within 3 years: 20 FTEs Total Annual Payroll End Year 3: \$760,000 Skills: Management, Restaurant, Foodservice	

REGIONAL ECONOMIC IMPACT ANALYSIS
The Niagara Club

Estimated State & Regional Benefits / Estimated Project Incentives Analysis

Total State and Regional Benefits	\$ 598,173
Total Project Incentives	\$ 383,424
Benefit to Cost Ratio	1.6:1

Projected Employment	State	Region
Total Employment	33	33
Direct**	20	20
Indirect***	2	2
Induced****	3	3
Temporary Construction (Direct and Indirect)	8	8

Estimated State & Regional Benefits (Discounted Present Value *)

Total State and Regional Benefits	\$ 598,173
Income Tax Revenue	\$ 141,613
Property Tax/PILOT Revenue	\$ 284,996
Sales Tax Revenue	\$ 171,564

Estimated Project Incentives (Discounted Present Value *)

Total Project Incentives	\$ 383,424
Mortgage Tax	\$ 11,250
Property Tax	\$ 313,294
Sales Tax	\$ 58,880

* Figures over 15 years and discounted by 3.49%

** Direct - The recipient of IDA assistance adds new jobs to the regional economy and/or retains jobs at risk of being lost to another region. Investments that result in displacing existing jobs (e.g., most retail and many service sector industries) do not fall under this definition.

*** Indirect - The recipient of IDA assistance makes purchases from regional firms, which stimulates suppliers to add jobs and payroll that are new to the regional economy or are saved from being lost to competitors outside the region.

**** Induced - The recipient of IDA assistance by adding to and/or retaining payroll stimulates household spending that is new to the regional economy and/or saved from being lost to competitors outside the region.

Utilizing informANALYTICS modeling software, an economic impact analysis was conducted to measure new investment and employment for the project. This software is a widely accepted and an industry standard for economic impact modeling measuring employment and salary impacts and facility output on the community for a given project.

PROJECT SUMMARY
Olcott Yacht Club



Applicant:	Olcott Yacht Club Inc.	
Project Location:	Intersection of Van Buren & Beach Street 1535 Van Buren St. Olcott, NY 14126	
Assistance:	Sales Tax Abatement Mortgage Recording Tax Abatement	
Description:	Olcott Yacht Club is located on the southern shore of Lake Ontario. The Club provides sailing and boating experiences for its members, as well as club racing, cruises, sailing instruction, and sponsors a variety of other gatherings and events. The Olcott Yacht Club will be constructing a 3,000 sq. ft. clubhouse at their current location. This new construction will be at a higher elevation to avoid future flooding. The club has received a \$200,000 New York State Resiliency grant that requires a 5% local match. The sales and mortgage recording tax abatement will account for the required match.	
Project Costs:	Construction/Improvements	\$ 400,000
	Furniture, Fixtures & Equipment	\$ 50,000
	Soft costs & other	<u>\$ 6,000</u>
	TOTAL	\$ 456,000
Employment:	Current jobs in Niagara County	2
	New Jobs in Niagara County within 3 years:	2
	Total Annual Payroll End Year 3:	\$ 70,000
	Skills: Management, Administrative, Kitchen Staff	
Evaluative Criteria:	Leverages additional public funds for Niagara County, Regional Wealth Creation, Supports Local Business, Retention/Flight Risk, LEED/Renewable Resources.	

REGIONAL ECONOMIC IMPACT ANALYSIS
Olcott Yacht Club Inc.

Estimated State & Regional Benefits / Estimated Project Incentives Analysis

Total State and Regional Benefits	\$ 492,000
Total Project Incentives	\$ 23,420
Community Benefit to Cost Ratio	21:1

Projected Employment	State	Region
Total Employment	11	11
Direct**	4	4
Indirect***	3	3
Temporary Construction (Direct and Indirect)	4	4

Estimated State & Regional Benefits

Total State and Regional Benefits	\$ 492,000
(Includes- Income, Property, and Sales Tax Revenue)	

Estimated Project Incentives

Total Project Incentives	\$ 23,420
Property Tax (No PILOT)	\$ 0
Sales Tax	\$ 20,000
Mortgage Tax	\$ 3,420

* Figures over 15 years and discounted by 3.49%

** Direct - The recipient of IDA assistance adds new jobs to the regional economy and/or retains jobs at risk of being lost to another region. Investments that result in displacing existing jobs (e.g., most retail and many service sector industries) do not fall under this definition.

*** Indirect - The recipient of IDA assistance makes purchases from regional firms, which stimulates suppliers to add jobs and payroll that are new to the regional economy or are saved from being lost to competitors outside the region.

**** Induced - The recipient of IDA assistance by adding to and/or retaining payroll stimulates household spending that is new to the regional economy and/or saved from being lost to competitors outside the region.

Utilizing informANALYTICS modeling software, an economic impact analysis was conducted to measure new investment and employment for the project. This software is a widely accepted and an industry standard for economic impact modeling measuring employment and salary impacts and facility output on the community for a given project.

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

Olcott Yacht Club Inc

(Applicant Name)

6311 Inducon Corporate Drive, Suite One
Sanborn, New York 14132
Phone: 716-278-8760 Fax: 716-278-8769
<http://niagaracountybusiness.com>

Updated 2020

- I. Subject to the applicable statute, information provided by applicant will be treated as confidential until such time as the Agency takes action on the request. However, in accordance with Article 6 of the Public Officers Law, all records in possession of the Agency are open to public inspection and copy.
- II. The Niagara County Industrial Development Agency has a one thousand dollar (\$1000.00) non-refundable application fee that must accompany the application submission.
- III. At the time of the project closing, project applicant is required to pay certain costs associated with the project. The applicant shall be responsible for the payment of an Agency fee in the amount of one percent (1.00%) of the total value of the project, together with Agency counsel fees as set forth in the Agency fee policy schedule, together with various related costs, including but not limited to public hearing expenses. Upon request, a fee summary will be provided to each applicant.
- IV. One (1) original signed copy of the Application and Environmental Assessment form should be submitted with the Application for Assistance.

The Niagara County Industrial Development Agency does not discriminate on the basis of race, color, religion, sex, sexual orientation, marital status, age, national origin, disability or status as a disabled or Vietnam Veteran or any other characteristic protected by law.

6311 Inducon Corporate Drive ■ Sanborn, NY 14132-9099 ■ 716-278-8760
Fax 716-278-8769 ■ www.niagaracountybusiness.com

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

I. APPLICANT INFORMATION

Company Name: Olcott Yacht Club Inc

Mailing Address: P.O. Box 715,

City/Town/Village & Zip code: Olcott, NY 14126

Phone: (716) 622-1304

Website: olcottyachtclub.com

Fed Id. No.: 16-0576476

Contact Person, and Title: Mike Layman

Email: mikelayman@hotmail.com

Principal Owners/Officers/Directors (list owners with 15% or more in equity holdings with percentage ownership):

Corporate Structure (*attach schematic if applicant is a subsidiary or otherwise affiliated with another entity*)

Form of Entity



Corporation

Date of Incorporation: 1-21-1921

State of Incorporation: New York



Partnership

General _____ or Limited _____

Number of general partners _____

If applicable, number of limited partners _____

Date of formation _____

Jurisdiction of Formation _____

Limited Liability Company/Partnership (number of members _____)

Date of organization: _____

State of Organization: _____

**Sole Proprietorship**If a foreign organization, is the applicant authorized to do business in the State of New York?

APPLICANT'S COUNSELCompany Name: Seaman Norris LLPContact Person, and Title: Daniel SeamanMailing Address: 744 Davison RdCity/Town/Village & Zip code: Lockport NY 14094Email: danseaman@seamannorris.comPhone: (716) 434-3361Fax No.: (716) 210-7254**II. PROJECT INFORMATION****A)** Project Address: 1535 Van Buren StTax Map Number (SBL) 5.19-2-7
(Section/Block/Lot)

SWIS Number _____

Located in City of _____

Located in Town of Newfane

Located in Village of _____

School District of Newfane**B)** Current Assessment of Property:Land 93,900Total 231,900**C)** Present legal owner of the site Olcott Yacht Club Inc.If other than from applicant, by what means will the site be acquired for this project?

D) Furnish a copy of any environmental application presently in process of completion concerning this project, providing name and address of the agency, and copy all pending or completed documentation and determinations.

E) Describe the project:

F) *Estimated Project Costs:*

Property Acquisition	\$	
Construction (Improvements)	\$	400,000
Equipment Purchases/Fixtures/Furnishings	\$	50,000
Soft costs (i.e., engineering, architectural)	\$	6,000
Other (describe)	\$	
TOTAL USES OF FUNDS	\$	456,000

G) Sources of Funds for Project Costs (*Must match Total uses of Funds*):

Bank Financing Member Loans to Club	\$	256,000
Equity	\$	
Grants/Tax Credits	\$	200,000
Tax Exempt Bond	\$	
Taxable Bond	\$	
TOTAL SOURCES OF FUNDS	\$	456,000

Identify each state and federal grant/credit:

Lake Ontario Resiliency Program	\$	200,000
	\$	
	\$	
	\$	
TOTAL PUBLIC FUNDS	\$	200,000

H) Inter-Municipal Move Determination

Will the project result in the removal of a plant or facility of the applicant from one area of the State of New York to another?

Yes or No

Will the project result in the removal of a plant or facility of another proposed occupant of the project from one area of the State of New York to another area of the State of New York?

Yes or No

Will the project result in the abandonment of one or more plants or facilities located in the State of New York?

Yes or No

If Yes to any of the questions above, explain how, notwithstanding the aforementioned closing or activity reduction, the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry:

Project Data

1. Project site (land)

(a) Indicate approximate size (In acres or square feet) of project site.

3000 sq ft (3' higher elevation)

(b) Indicate the present use of the project site.

3000 sq ft clubhouse (1920, flooding issues)

2. Indicate number, size (in square feet) and approximate age of existing buildings on site
 3 buildings - 1920 Clubhouse, 1995 Jr. Sailing Building, 2012 Pavilion

3. Does the project consist of the construction of a new building or buildings?
 If yes, indicate number and size (in square feet) of new buildings.
 Yes, one, 3000 sq ft (Plans Attached)

4. Does the project consist of additions and/or renovations to existing buildings? If yes, indicate nature of expansion and/or renovation.
 No

5. If any space in the project is to be leased to third parties, indicate total square footage of the project amount to be leased to each tenant and proposed use by each tenant.
 No

6. List principal items/categories of equipment to be acquired as part of the project.
 Kitchen equipment for meal preparation, HVAC equipment, ADA Compliant ramps/lifts for handicap access

7. Has construction work on this project begun?
 No

III. FINANCIAL ASSISTANCE REQUESTED

A) Benefits Requested:

- Sales Tax Exemption Mortgage Recording Tax Exemption
 Real Property Tax Abatement (PILOT)

B) Value of Incentives:

Property Tax Exemption (To be estimated by NCIDA Staff. See Page 14)

Estimated duration of Property Tax exemption: _____

Sales and Use Tax

Estimated value of Sales Tax exemption for facility construction: \$ 16,000

Estimated value of Sales Tax exemption for fixtures and equipment: \$ 4,000

Estimated duration of Sales Tax exemption: 1 yr (Aug 2021 - Aug 2022)

Mortgage Recording Tax Exemption Benefit

Estimated value of Mortgage Recording Tax exemption: \$ 3,420

C.) Likelihood of Undertaking Project without Receiving Financial Assistance:

Please confirm by checking the box, below, if there is likelihood that the Project would not be undertaken but for the Financial Assistance provided by the Agency?

Yes or No

If the Project could be undertaken without Financial Assistance provided by the Agency, then provide a statement in the space provided below indicating why the Project should be undertaken by the Agency:

The Lake Ontario Resiliency Program requires a 5% local matching contribution equal to at least \$10,000. The local matching contribution can be provided through a sales tax abatement.

IV. EMPLOYMENT PLAN

	Current # of jobs at proposed project location or to be relocated to project location	If financial assistance is granted, what is the number of Full Time Equivalent (FTE) jobs to be RETAINED	If financial assistance is granted, what is the number of Full Time Equivalent (FTE) jobs to be CREATED upon three years after project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PTE jobs to be created upon THREE Years after Project Completion **
Full time (FTE)	1	1	1	2
Part Time (PTE)	1	1	1	2
Total Payroll	\$ 35,000	\$ 35,000	\$ 35,000	\$ 70,000

** For purposes of this question, please estimate the number of FTE and PTE jobs that will be filled, as indicated in the third column, by residents of the Local Labor Marker Area, in the fourth column. The Local Labor Marker Area includes Niagara County, Erie County, Chautauqua County, Cattaraugus County, Allegany County, Wyoming County, Genesee County, and Orleans County.

Salary and Fringe Benefits for Jobs to be Retained and Created:

Category of Jobs to be Retained and Created	Number of Jobs Per Category	Average Salary or Range of Salary	Average Fringe Benefits or Range of Fringe Benefits
Management			
Professional	2	\$ 35,000	\$ 1,000
Administrative			
Production			
Other			

III. REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Agency as follows:

- A. Job Listings: In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the proposed project must be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entitle") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA") in which the project is located.
- B. First Consideration for Employment: In accordance with Section 858-b(2) of the General Municipal Law, the applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant must first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the proposed project.
- C. A liability and contract liability policy for a minimum of three million dollars will be furnished by the Applicant insuring the Agency.
- D. Annual Sales Tax Fillings: In accordance with Section 874(8) of the General Municipal Law, the Applicant understands and agrees that, if the proposed project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the Applicant.

- E. Annual Employment Reports: The applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, the applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site.
- F. Compliance with N.Y. GML Sec. 862(1): Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:
- § 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.
- G. Compliance with Applicable Laws: The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
- H. False and Misleading Information: The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.
- I. Recapture: Should the Applicant not expend or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.
- J. Absence of Conflicts of Interest: The applicant has received from the Agency a list of the members, officers, and employees of the Agency. No member, officers or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as herein described.

The Applicant and the individual executing this Application on behalf of applicant acknowledge that the Agency and its counsel will rely on the representations made in this Application when acting hereon and hereby represents that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statements contained herein not misleading.

FLORIDA
STATE OF NEW YORK)
COUNTY OF ~~NIAGARA~~ LEE) ss.:

MICHAEL LAYMAN, being first duly sworn, deposes and says:

1. That I am the COMMISSIONER (Corporate Office) of ALCOTT YACHT CLUB INC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete.

Michael Layman
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury
this 12 day of JANUARY, 2021

OSMANY TIANGA
(Notary Public)



OSMANY TIANGA
Commission # GG 320073
Expires June 16, 2023
Bonded Thru Budget Notary Services

This Application should be submitted to the Niagara County Industrial Development Agency, 6311 Inducon Corporate Drive, Suite One, Sanborn, New York 14132.

Attach copies of preliminary plans or sketches of proposed construction or rehabilitation or both.

HOLD HARMLESS AGREEMENT

Applicant hereby releases the NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY and the members, officers, servants, agents and employees thereof (the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Agency, (B) the Agency's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project; including without limiting the generality of the foregoing, all causes of action and 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 Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in processing of the Application, including attorneys' fees, if any.

Michael Jay
(Applicant Signature)

By: ELCOTT YACHT CLUB INC.
Name: MICHAEL LAYMAN
Title: COMMANDER

[Signature]
(Notary Public)

Sworn to before me this 12 day
of January, 2021



OSMANY TIANGA
Commission # 6632973
Expires June 16, 2023
Bonded Thru Budget Notary Services

Real Property Tax Benefits (Detailed):

** This section of this Application will be: (i) completed by IDA Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application.

PILOT Estimate Table Worksheet

*** No PILOT Benefit***

Dollar Value of New Construction and Renovation Costs	Estimated New Assessed Value of Property Subject to IDA*	County Tax Rate/1000	Local Tax Rate (Town/City/Village)/1000	School Tax Rate/1000

*Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
TOTAL							

*Estimates provided are based on current property tax rates and assessment value

Cost Benefit Analysis:

To be completed/calculated by AGENCY

	<u>Costs =</u> <u>Financial Assistance</u>	<u>Benefits =</u> <u>Economic Development</u>
*Estimated Sales Tax Exemption	\$ <u>20,000</u>	New Jobs Created Permanent <u>1</u> Temporary <u>0</u>
		Existing Jobs Retained Permanent <u>1</u> Temporary <u>0</u>
Estimated Mortgage Tax Exemption	\$ <u>3,420</u>	Expected Yearly Payroll \$ <u>70,000</u>
Estimated Property Tax Abatement	\$ <u>0</u>	Additional Revenues to School Districts <u>\$ 11,605</u>
		Additional Revenues to Municipalities County: <u>\$ 3,693</u> City: <u>\$ 0</u>
		Other Benefits _____
Estimated Interest Savings IRB Issue	\$ _____	Private Funds invested \$ <u>456,000</u>
		Likelihood of accomplishing proposed project within three (3) years <input checked="" type="checkbox"/> Likely or <input type="checkbox"/> Unlikely

* Estimated Value of Goods and Services to be exempt from sales and use tax as a result of the Agency's involvement in the Project. PLEASE NOTE: These amounts will be verified and there is a potential for a recapture of sales tax exemptions (see "Recapture" on page 11).

\$ 250,000 (to be used on the NYS ST-60)

UPDATED 2020

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information				
New Construction of Olcott Yacht Club Inc.				
Name of Action or Project: Lake Ontario Resiliency Project				
Project Location (describe, and attach a location map): 1535 Van Buren Street, Newfane NY				
Brief Description of Proposed Action: New club house approx. 3 feet above ground level to stop flooding from Lake Ontario high water levels.				
Name of Applicant or Sponsor: Michael Layman, Commodore		Telephone: 716-622-1304		
		E-Mail: mikelayman@hotmail.com		
Address: 4665 Perry Ct				
City/PO: Lewiston		State: NY	Zip Code: 14092	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO	YES
			<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Building Permit, Town of Newfane			NO	YES
			<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ 2.2 acres		
b. Total acreage to be physically disturbed?		_____ 1.0 acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 2.2 acres		
4. Check all land uses that occur on, adjoining and near the proposed action.				
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)				
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____				
<input type="checkbox"/> Parkland				

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Michael Layman</u>		Date: _____
Signature: <u>Michael Layman</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

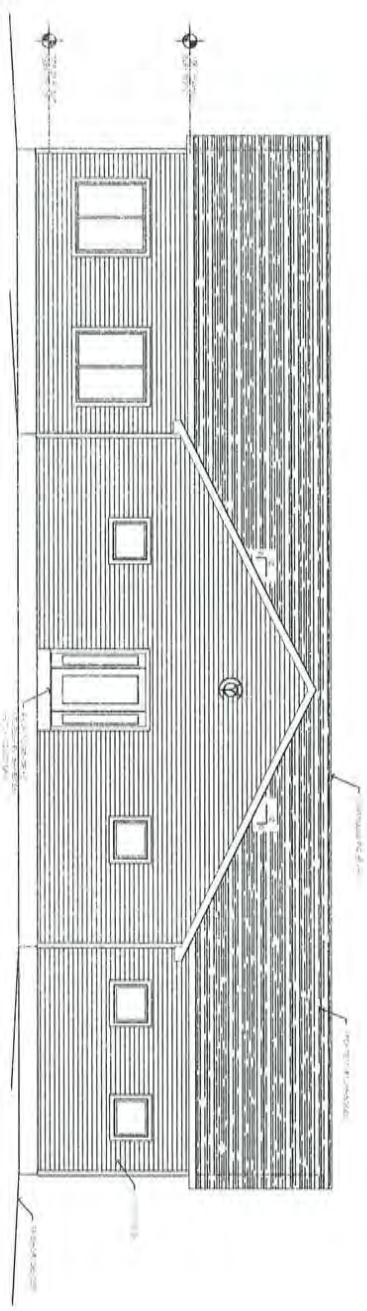
	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

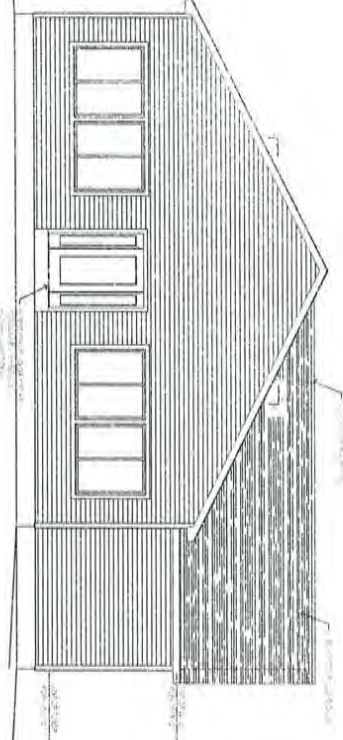
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT



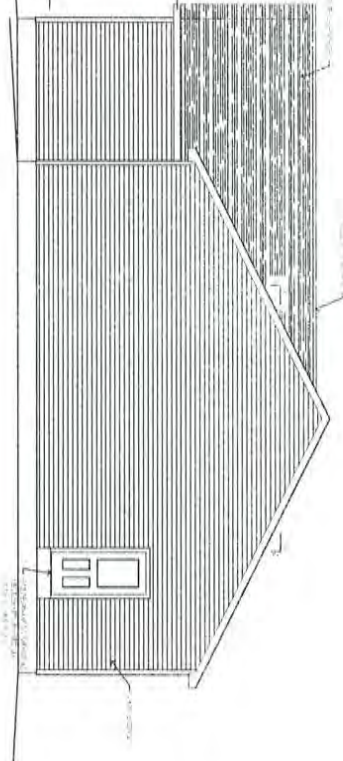
WEST ELEVATION

1



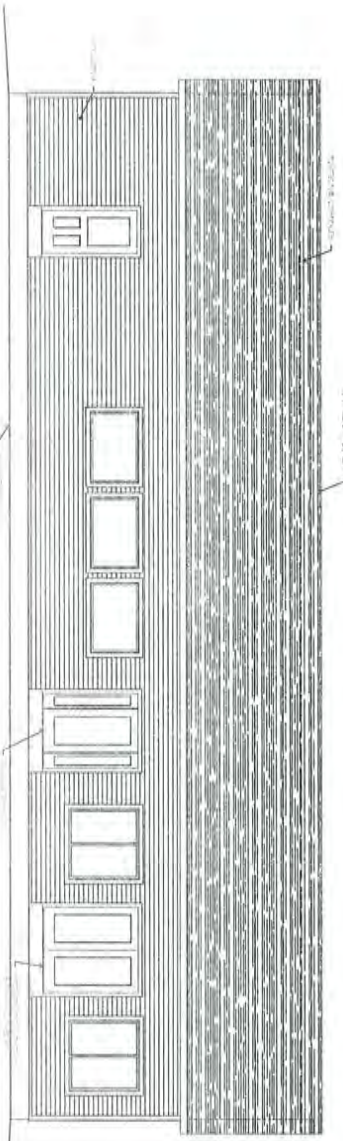
NORTH ELEVATION

2



SOUTH ELEVATION

3



EAST ELEVATION

4

Life by design
A-1

PROJECT OLCOTT YACHT CLUB	LOCATION 1 WATER ST OLCOTT, NEW YORK
DATE YACHT CLUB BUILDING	DESCRIPTION ELEVATIONS

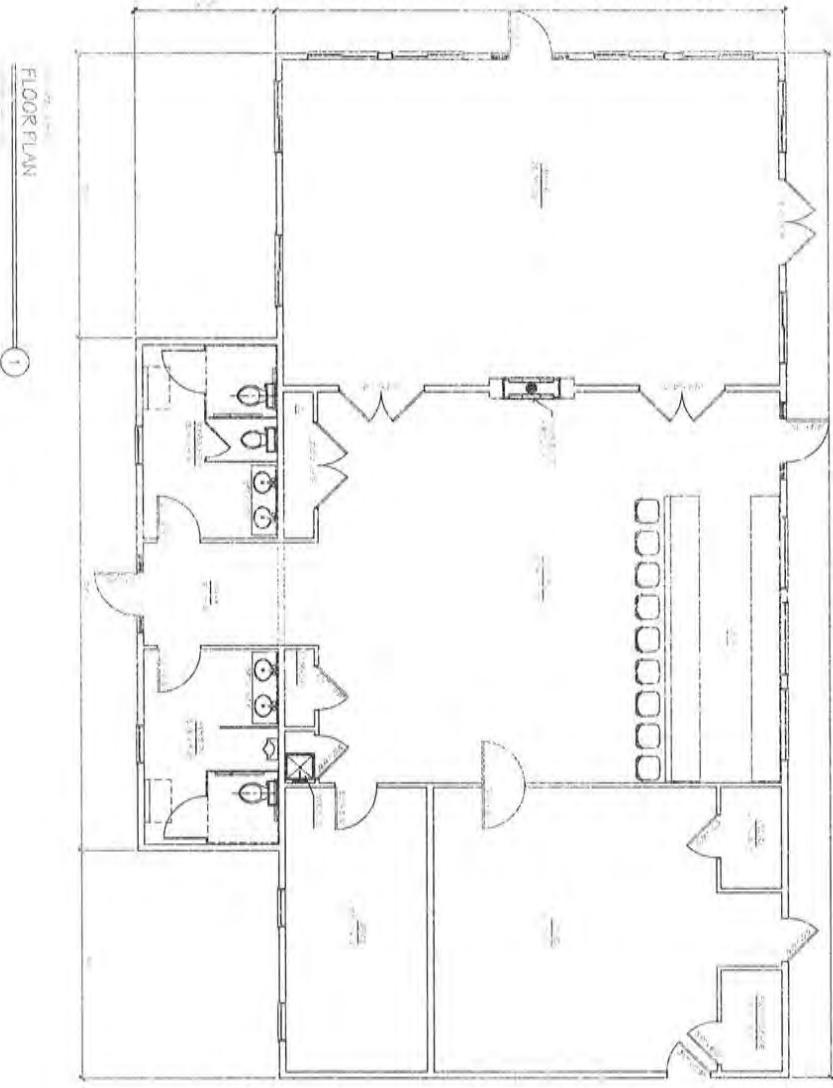
SHEET 1 OF 2



DESIGNER
Christine A. Burgett
Building Design Group
100 West 10th Street
New York, NY 10011

Life by Design
Architectural Firm
716-727-3191
www.lifebydesign.com





FLOOR PLAN

1

Life
by design
A-2

PROJECT
OLCOTT YACHT CLUB
YACHT CLUB BUILDING

ADDRESS
1 WATER ST
OLCOTT, NEW YORK

CONTRACT
FLOOR PLAN

DATE
MAY 2, 1971



ARCHITECT
CHRISTOPHER A. BOURGONNE
BUILDING DESIGN PROFESSIONAL
CORPORATION
100 EAST 42ND STREET
NEW YORK, N.Y. 10017

SCALE
AS SHOWN

DATE
MAY 2, 1971
BY
CHRISTOPHER A. BOURGONNE
CHECKED BY
L. A. BOURGONNE



LOCAL MATCHING CONTRIBUTION REQUIREMENT

As described in Section IV, each Grantee is required to seek a Local Matching Contribution. This form describes potential sources for securing a Local Matching Contribution, different forms and valuations for Local Matching Contributions and advice on how to receive, document, and submit evidence of good faith efforts to obtain a Local Matching Contribution.

A. Sources of Local Matching Contributions

For assistance with obtaining Local Matching Contributions, all Grantees should contact their local Industrial Development Agency (IDA). Contact information for each county is attached.

After speaking with your IDA, depending on the nature of their project, a Grantee may be encouraged to pursue a Local Matching Contribution from one or more of the following sources:

- Industrial Development Agency
- County
- Municipality
- Local Development Corporations and Other Governmental and Quasi-Governmental Local Entities

B. Eligible Forms of Local Matching Contributions

A non-exhaustive list of forms of assistance that ESD expects to accept as Local Matching Contributions includes the following:

Local Match Option	Description	Valuation
Loan	Grantee receives a loan from a Local Partner	<p><i>Ordinary Loan:</i> valued as the sum of: a) the sum of all customary loan fees, if any, that are waived by the lender; and b) the difference in annual interest to be paid to the lender against the standard market rate, where the standard market rate is defined as one of the following:</p> <ul style="list-style-type: none">• A quote given directly to the business by a private commercial lender; or• A rate identified by the lending organization as in line with prevailing market terms for the majority of private commercial lenders; or• A precedent rate on a loan of similar size and structure attained by the business within the past 12 months. <p><i>IDA State Disaster Emergency Loan:</i> where an IDA provides credit counseling and offers a zero-interest loan under General Municipal Law §859-c, the local matching contribution will be, for a loan of \$25,000, valued at \$10,000, and, for a loan of less than \$25,000, valued at the pro-rated share thereof.</p>

Grant	Grantee receives a grant from a Local Partner	<i>Grants</i> : valued at the amount of the grant to be provided over time provided that such grant is: a) directly related to one or more resiliency components, and/or; b) if made under General Municipal Law §859-c, for the purpose of acquiring personal protective equipment or installing fixtures necessary to prevent the spread of the novel coronavirus, COVID-19.
Sales tax exemption	Grantee receives a sales tax exemption from a Local Partner	<i>Sales tax exemption</i> : valued at the amount of sales tax exempted in connection with the resiliency project component(s).
Property tax abatement	Grantee receives a property tax abatement from a Local Partner	<i>Property tax abatement</i> : valued at the amount of property tax abated in connection with the resiliency project component(s) over time. Abatements may include payment-in-lieu-of-taxes (PILOT) agreements with IDAs as well as real property tax exemptions for commercial, business or industrial real properties under Real Property Tax Law (RPTL) §485-b.
Expenditures on project-related infrastructure costs	Local Partner makes expenditures on infrastructure.	<i>Infrastructure expenditures</i> : valued at the amount of expenditures by a Local Partner on infrastructure in connection with the resiliency project component(s), including expenditures that may occur on adjacent public property.
Waivers of ordinarily due permits and fees	Local Partner waives permit or fee costs.	<i>Waived costs</i> : valued at the amount of fees waived by a Local Partner in connection with the resiliency project component(s).

C. Required Amount of Local Matching Contributions

All Grantees are required to procure a Local Matching Contribution equal to at least 5% of the State grant amount awarded. Local Matching Contributions may be provided upfront (such as a loan) or may be provided over time (such as a property tax abatement).

As an example, in the case of a project with costs totaling \$400,000 and a State grant totaling \$200,000, a Grantee will be required to procure a Local Matching Contribution of 5% of the State grant, equal to \$10,000. Below are two examples of how this amount would be considered depending on the actions of the Grantee:

- *Scenario A: Applicant secures full local match for project with \$400,000 or more in total costs:*
 - Grantee pays total project costs of \$400,000.
 - Local Partner provides a Local Matching Contribution valued at \$10,000 to Grantee.
 - ESD provides grant funding of \$200,000 to Grantee.

- *Scenario B: Applicant documents good faith efforts, with such good faith efforts determined in ESD's sole discretion, but fails to secure a 5% local match:*
- Grantee pays total project costs of \$400,000.
 - Grantee solicits and documents good faith efforts to secure but does not receive a Local Matching Contribution; less than \$10,000 or no Local Matching Contribution is provided to Grantee.
 - ESD provides grant funding of \$200,000 to Grantee.

D. Documentation of Good Faith Efforts to Secure Local Matching Contributions

All Grantees must document their good faith efforts to secure their Local Matching Contribution. Such good faith efforts are determined in ESD's sole discretion. Documentation should include, but not be limited to, copies of written solicitations (e.g., letters, emails) to Local Partner(s) and corresponding Local Partner responses, points of contact or referrals, and summaries of progress.

Prior to disbursing grant funds, ESD will require demonstration of the satisfaction of the Local Matching Contribution Requirement and/or documentation of a Grantee's good faith efforts to secure one.

Section 854

Definitions

General Municipal (GMU)

As used in this act, unless the context otherwise requires:

(1) "Agency"--shall mean an Industrial Development Agency created pursuant to this act.

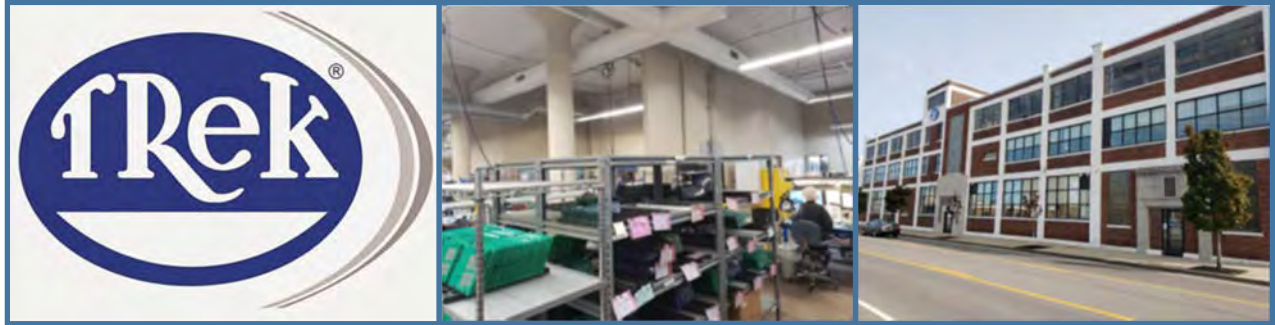
(2) "Bonds"--shall mean the bonds, notes, interim certificates and other obligations issued by the agency pursuant to this act.

(3) "Municipality"--shall mean any county, city, village, town or Indian reservation in the state.

(4) "Project" - shall mean any land, any building or other improvement, and all real and personal properties located within the state of New York and within or outside or partially within and partially outside the municipality for whose benefit the agency was created, including, but not limited to, machinery, equipment and other facilities deemed necessary or desirable in connection therewith, or incidental thereto, whether or not now in existence or under construction, which shall be suitable for manufacturing, warehousing, research, commercial or industrial purposes or other economically sound purposes identified and called for to implement a state designated urban cultural park management plan as provided in title G of the parks, recreation and historic preservation law and which may include or mean an industrial pollution control facility, a recreation facility, educational or cultural facility, a horse racing facility, a railroad facility or an automobile racing facility, provided, however, no agency shall use its funds or provide financial assistance in respect of any project wholly or partially outside the municipality for whose benefit the agency was created without the prior consent thereto by the governing body or bodies of all the other municipalities in which a part or parts of the project is, or is to be, located, and such portion of the project located outside such municipality for whose benefit the agency was created shall be contiguous with the portion of the project inside such municipality.

PROJECT SUMMARY

Trek Inc.



Applicant:	Trek Inc.	
Project Location:	190 Walnut Street Lockport, NY 14094	
Assistance:	Sales Tax Abatement	
Description:	<p>Trek Inc., is a subsidiary of Advanced Energy Industries of Denver, Colorado. Advanced Energy (AE) manufactures highly engineered, precision power conversion measurement, and control solutions to several industries. Advanced Energy plans to develop a high voltage center of excellence (HVCOE), which will reduce new product development costs, lead times, and operating expense. AE will also be able to onshore currently outsourced manufacturing. The estimated project cost is \$8M with significant job creation.</p> <p>Following site selection and successful completion of this project, there will potentially be a phase II within 4-6 years that projects an additional 50-100 jobs and \$4-\$7M in capital expense. Factors that will help determine project location will be: government incentives and talent availability.</p>	
Project Costs:	Construction/Improvements Furniture, Fixtures & Equipment Soft costs & other <p align="right">TOTAL</p>	\$ 3,085,000 \$ 3,415,000 <u>\$ 1,735,000</u> \$ 8,235,000
Employment:	Current jobs in Niagara County 127 New Jobs in Niagara County within 3 years: 60 Total Annual Payroll End Year 3: \$12,206,304 Skills: Management, professional production (engineering & manufacturing), Administrative	
Evaluative Criteria:	Regional Wealth Creation, Research and Development Activities, Retention, Workforce Access, Locally Designated Development, Distressed Area.	

REGIONAL ECONOMIC IMPACT ANALYSIS
Trek Inc.

Estimated State & Regional Benefits / Estimated Project Incentives Analysis

Total State and Regional Benefits	\$ 19,741,100
Total Project Incentives	\$ 396,600
Community Benefit to Cost Ratio	50:1

Projected Employment

Total Employment	410
Direct**	187
Indirect***	192
Temporary Construction	31

Estimated State & Regional Benefits

Total State and Regional Benefits	\$ 19,741,000
(Includes- Income, Property, and Sales Tax Revenue)	

Estimated Project Incentives

Total Project Incentives	\$ 396,600
Property Tax (No PILOT)	\$ 0
Sales Tax	\$ 396,600
Mortgage Tax	\$ 0

* Figures over 15 years and discounted by 3.49%

** Direct - The recipient of IDA assistance adds new jobs to the regional economy and/or retains jobs at risk of being lost to another region. Investments that result in displacing existing jobs (e.g., most retail and many service sector industries) do not fall under this definition.

*** Indirect - The recipient of IDA assistance makes purchases from regional firms, which stimulates suppliers to add jobs and payroll that are new to the regional economy or are saved from being lost to competitors outside the region.

**** Induced - The recipient of IDA assistance by adding to and/or retaining payroll stimulates household spending that is new to the regional economy and/or saved from being lost to competitors outside the region.

Utilizing informANALYTICS modeling software, an economic impact analysis was conducted to measure new investment and employment for the project. This software is a widely accepted and an industry standard for economic impact modeling measuring employment and salary impacts and facility output on the community for a given project.

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

Trek Inc.
(Applicant Name)

6311 Inducon Corporate Drive, Suite One
Sanborn, New York 14132

Phone: 716-278-8760 Fax: 716-278-8769

<http://niagaracountybusiness.com>

Updated 2020

- I. Subject to the applicable statute, information provided by applicant will be treated as confidential until such time as the Agency takes action on the request. However, in accordance with Article 6 of the Public Officers Law, all records in possession of the Agency are open to public inspection and copy.
- II. The Niagara County Industrial Development Agency has a one thousand dollar (\$1000.00) non-refundable application fee that must accompany the application submission.
- III. At the time of the project closing, project applicant is required to pay certain costs associated with the project. The applicant shall be responsible for the payment of an Agency fee in the amount of one percent (1.00%) of the total value of the project, together with Agency counsel fees as set forth in the Agency fee policy schedule, together with various related costs, including but not limited to public hearing expenses. Upon request, a fee summary will be provided to each applicant.
- IV. One (1) original signed copy of the Application and Environmental Assessment form should be submitted with the Application for Assistance.

The Niagara County Industrial Development Agency does not discriminate on the basis of race, color, religion, sex, sexual orientation, marital status, age, national origin, disability or status as a disabled or Vietnam Veteran or any other characteristic protected by law.

6311 Inducon Corporate Drive ■ Sanborn, NY 14132-9099 ■ 716-278-8760
Fax 716-278-8769 ■ www.niagaracountybusiness.com

NIAGARA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

I. APPLICANT INFORMATION

Company Name: Trek Inc.
Address: 190 Walnut Street. Lockport, NY 14094
Phone: 716-438-7555
Website: www.advancedenergy.com
Fed Id. No.: 84-0846841
Contact Person: Jake Feldman (jake.feldman@aei.com)

Principal Owners/Officers/Directors (list owners with 15% or more in equity holdings with percentage ownership):

Information on corporate leadership team and board of directors can be found at:

www.advancedenergy.com/about-us/leadership-team/

Corporate Structure (*attach schematic if applicant is a subsidiary or otherwise affiliated with another entity*)

Trek, Inc. is 95% owned by Trek Holding Co., Ltd. of Japan.

Trek Holding Co., Ltd. is 100% owned by TJ Acquisition Subsidiary, Inc., a NY corporation.

TJ Acquisition is 100% owned by UltraVolt, Inc., which is 100% owned by UltraVolt Group, Inc., which is 100% owned by Advanced Energy Industries, Inc.

Form of Entity

Corporation

Date of Incorporation: July 22, 1968
State of Incorporation: New York

Partnership

General _____ or Limited _____
Number of general partners _____
If applicable, number of limited partners _____

Date of formation _____

Jurisdiction of Formation _____

Limited Liability Company/Partnership (number of members _____)

Date of organization: _____

State of Organization: _____

Sole Proprietorship

If a foreign organization, is the applicant authorized to do business in the State of New York?

APPLICANT'S COUNSEL

Name: Steven Mason

Address: 1595 Wynkoop St. Suite 800. Denver, CO 80202

Phone: 970-407-6162

Fax No.: N/A

II. **PROJECT INFORMATION**

A) Project Address: 190 Walnut Street. Lockport, NY 14094

Tax Map Number: 109.14-4-20.2

Swiss Number: 290900

Located in City of: Lockport

Located in Town of N/A

Located in Village of N/A

School District of: City of Lockport School

B) Current Assessment:

Land: 46,600

Total: 1,215,000

C) Present legal owner of the site 210 Walnut Street LLC

If other than from applicant, by what means will the site be acquired for this project?

(Note: Tenant currently leases the property from the landlord)

D) Furnish a copy of any environmental application presently in process of completion concerning this project, providing name and address of the agency, and copy all pending or completed documentation and determinations.

N/A

E) Describe the project:

Advanced Energy is developing a High Voltage Center of Excellence as part of its strategic roadmap and is currently evaluating several of its existing sites as candidates, including Lockport, NY.

This strategy allows Advanced Energy to:

- 1) Reduce new product development costs & lead-times by centralizing engineering resources
- 2) Increase business continuity by developing new manufacturing capabilities
- 3) Provide higher levels of customer service through reduced touchpoints
- 4) Minimize operating expenses by leveraging shared resources, equipment and and people.

F) *Estimated Project Costs:*

Property Acquisition	\$ N/A
Construction (Improvements)	\$ 3,085,000
Equipment Purchases/Fixtures/Furnishings	\$ 3,415,000
Soft costs (i.e., engineering, architectural)	\$ (Included in the construction costs)
Other (describe) – Additional one-time costs that would be incurred by AE in order to execute transition (travel, transportation, etc.)	\$ 1,735,000
TOTAL USES OF FUNDS	\$ 8,235,000

G) *Sources of Funds for Project Costs (Must match Total uses of Funds):*

Bank Financing	\$
Equity (AE would self-fund all expenses)	\$ 8,235,000
Grants/Tax Credits	\$
Tax Exempt Bond	\$
Taxable Bond	\$
TOTAL SOURCES OF FUNDS	\$

Identify each state and federal grant/credit:

New York Power Authority	350 kW allocation for 10 years
	\$
	\$
	\$
TOTAL PUBLIC FUNDS	\$

H) Inter-Municipal Move Determination

Will the project result in the removal of a plant or facility of the applicant from one area of the State of New York to another?

Yes or No

Will the project result in the removal of a plant or facility of another proposed occupant of the project from one area of the State of New York to another area of the State of New York?

Yes or No

Will the project result in the abandonment of one or more plants or facilities located in the State of New York?

Yes or No

If Yes to any of the questions above, explain how, notwithstanding the aforementioned closing or activity reduction, the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry:

Project Data

1. Project site (land)

(a) Indicate approximate size (In acres or square feet) of project site

Total site = 96K sq. ft (3 floors each 32K)

(b) Indicate the present use of the project site

Currently, AE leases the first two floors (64K sq. ft). This program would require expansion to the third floor (additional 32K)

2. Indicate number, size and approximate age of existing buildings on site

1 Building, Built in 1909, 96K sq. feet

3. Does the project consist of the construction of a new building or buildings?
If yes, indicate number and size of new buildings

No

4. Does the project consist of additions and/or renovations to existing buildings? If yes, indicate nature of expansion and/or renovation
- Yes, details & photos are on slides 9-12 of attached business case.
 - 1st floor needs finished floors, wall removal, lighting & paint upgrades as well as power and plumbing changes.
 - 2nd floor requires finished floors, lighting & paint upgrades, HVAC, and wall/ceiling finishes
 - 3rd floor would require complete demolition, lead and asbestos abatement, lighting, HVAC, fire control, power, and windows.
 - Exterior of building needs masonry repair, paint, and awnings.
5. If any space in the project is to be leased to third parties, indicate total square footage of the project amount to be leased to each tenant and proposed use by each tenant.

N/A

6. List principal items/categories of equipment to be acquired as part of the project.
1. ATE – PCM
 2. HVAC
 3. Process equipment (potting, assembly tools/fixtures, engineering test fixtures, etc)
 4. Lab equipment (high voltage chambers, test stations, etc)
 5. Manufacturing equipment (work benches, fixturing, test equipment, inventory racks)
 6. ESD flooring
 7. LED Lighting
 8. Wall removal/room construction

8. Has construction work on this project begun?

No, construction work has not begun for this project. AE has started to upgrade areas of the building currently being utilized by existing operations, but the work for the HVCOE would be incremental to this work.

III. FINANCIAL ASSISTANCE REQUESTED

A) Benefits Requested:

- Sales Tax Exemption Mortgage Recording Tax Exemption
- Real Property Tax Abatement (PILOT)

B.) Value of Incentives:

Property Tax Exemption (To be estimated by NCIDA Staff. See Page 14)

Estimated duration of Property Tax exemption: _____

Sales and Use Tax

Estimated value of Sales Tax exemption for facility construction: \$ 123,400

Estimated value of Sales Tax exemption for fixtures and equipment: \$ 273,200

Estimated duration of Sales Tax exemption: 1 year

Mortgage Recording Tax Exemption Benefit

Estimated value of Mortgage Recording Tax exemption: \$ n/a

C.) Likelihood of Undertaking Project without Receiving Financial Assistance:

Please confirm by checking the box, below, if there is likelihood that the Project would not be undertaken but for the Financial Assistance provided by the Agency?

Yes or No

If the Project could be undertaken without Financial Assistance provided by the Agency, then provide a statement in the space provided below indicating why the Project should be undertaken by the Agency:

AE is currently investing in minor improvements to the facility to support the existing production and workforce. The decision about where to execute the broader HVCOE strategy (which impacts the job creation numbers outlined below and the capital budget) is extremely dependent on the incentives received by The State of New York and Niagara County. After AE receives feedback from all parties, the leadership team will compare the benefits & total project costs estimates of each site under consideration.

IV. EMPLOYMENT PLAN

	Current # of jobs at proposed project location or to be relocated to project location	If financial assistance is granted, what is the number of Full Time Equivalent (FTE) jobs to be RETAINED	If financial assistance is granted, what is the number of Full Time Equivalent (FTE) jobs to be CREATED upon three years after project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PTE jobs to be created upon THREE Years after Project Completion **
Full time (FTE)	122	100%	60	55
Part Time (PTE)	10	100%		
Total Payroll	\$8,158,784	100%	\$4,047,520	

** For purposes of this question, please estimate the number of FTE and PTE jobs that will be filled, as indicated in the third column, by residents of the Local Labor Marker Area, in the fourth column. The Local Labor Marker Area includes Niagara County, Erie County, Chautauqua County, Cattaraugus County, Allegany County, Wyoming County, Genesee County, and Orleans County.

Salary and Fringe Benefits for Jobs to be Retained and Created:

Category of Jobs to be Retained and Created	Number of Jobs Per Category	Average Salary or Range of Salary	Average Fringe Benefits or Range of Fringe Benefits
Management	15	\$83,124	\$12,804
Professional	35	\$83,124	\$12,804
Administrative	10	\$40,420	\$12,804
Production	122	\$40,420	\$12,804
Other			

III. REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Agency as follows:

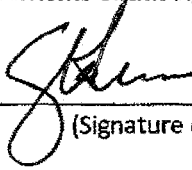
- A. Job Listings: In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the proposed project must be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entitle") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA") in which the project is located.
- B. First Consideration for Employment: In accordance with Section 858-b(2) of the General Municipal Law, the applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant must first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the proposed project.

- C. A liability and contract liability policy for a minimum of three million dollars will be furnished by the Applicant insuring the Agency.
- D. Annual Sales Tax Fillings: In accordance with Section 874(8) of the General Municipal Law, the Applicant understands and agrees that, if the proposed project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the Applicant.
- E. Annual Employment Reports: The applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, the applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site.
- F. Compliance with N.Y. GML Sec. 862(1): Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:
- § 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.
- G. Compliance with Applicable Laws: The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
- H. False and Misleading Information: The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.
- I. Recapture: Should the Applicant not expend or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.
- J. Absence of Conflicts of Interest: The applicant has received from the Agency a list of the members, officers, and employees of the Agency. No member, officers or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as herein described.

STATE OF NEW YORK)
COUNTY OF) ss.:

Steven Mason being first duly sworn, deposes and says:

1. That I am the Secretary (Corporate Office) of Trek, Inc. (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete.



(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury
this 28 day of Jan, 2021



(Notary Public)

Michelle Cariye
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20034021485
MY COMMISSION EXPIRES JULY 11, 2023

This Application should be submitted to the Niagara County Industrial Development Agency, 6311 Inducon Corporate Drive, Suite One, Sanborn, New York 14132.

Attach copies of preliminary plans or sketches of proposed construction or rehabilitation or both.

HOLD HARMLESS AGREEMENT

Applicant hereby releases the NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY and the members, officers, servants, agents and employees thereof (the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Agency, (B) the Agency's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project; including without limiting the generality of the foregoing, all causes of action and 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 Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in processing of the Application, including attorneys' fees, if any.



(Applicant Signature)

By: Steven Mason

Name: Steven Mason

Title: Secretary Trek, Inc.



(Notary Public)

Sworn to before me this 28 day

of January 2021

[stamp]

Michelle Carlye
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20034021485
MY COMMISSION EXPIRES JULY 11, 2023

** This section of this Application will be: (i) completed by IDA Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application.

PILOT Estimate Table Worksheet **NO PILOT**

Dollar Value of New Construction and Renovation Costs	Estimated New Assessed Value of Property Subject to IDA*	County Tax Rate/1000	Local Tax Rate (Town/City/Village)/1000	School Tax Rate/1000
\$ 3,085,000	\$ 3,200,000	8.677701	18.667600	29.018851

*Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
TOTAL							

*Estimates provided are based on current property tax rates and assessment value

Cost Benefit Analysis:

To be completed/calculated by AGENCY

	<u>Costs =</u> <u>Financial Assistance</u>	<u>Benefits =</u> <u>Economic Development</u>
*Estimated Sales Tax Exemption	\$ <u>396,600</u>	New Jobs Created Permanent <u>60</u> Temporary _____
		Existing Jobs Retained Permanent <u>127</u> Temporary _____
Estimated Mortgage Tax Exemption	\$ <u>0</u>	Expected Yearly Payroll \$ <u>12,206,304</u> Expected Gross Receipts \$ _____
Estimated Property Tax Abatement	\$ <u>0</u>	Additional Revenues to School Districts <u>895,232</u>
		Additional Revenues to Municipalities County: \$ <u>267,707</u> City: \$ <u>575,895</u>
		Other Benefits <u>N/A</u>
Estimated Interest Savings IRB Issue	\$ <u>N/A</u>	Private Funds invested \$ <u>8,235,000</u> Likelihood of accomplishing proposed project within three (3) years <input checked="" type="checkbox"/> Likely or <input type="checkbox"/> Unlikely

* Estimated Value of Goods and Services to be exempt from sales and use tax as a result of the Agency's involvement in the Project. PLEASE NOTE: These amounts will be verified and there is a potential for a recapture of sales tax exemptions (see "Recapture" on page 11).

\$ 4,957,500 (to be used on the NYS ST-60)

UPDATED 2020

617.20
Appendix B
Short Environmental Assessment Form

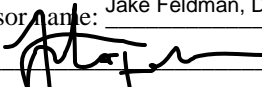
Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Trek Inc. HVCOE			
Name of Action or Project: Advanced Energy (Trek, Inc.) High Voltage Center of Excellence			
Project Location (describe, and attach a location map): 190 Walnut Street, Lockport, NY, 14094.			
Brief Description of Proposed Action: Finish, refit, and expansion of space to house additional engineering, production and personnel. This will include additional power delivered to the facility, and common build out required for production equipment, engineering labs, offices and meeting rooms.			
Name of Applicant or Sponsor: Jake Feldman		Telephone: 970-407-6474	
		E-Mail: Jake.feldman@aei.com	
Address: 1595 Whyntkoop Street, Suite 800			
City/PO: Denver		State: CO	Zip Code: 80202
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: City of Lockport Building Permit		NO	YES
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ .3 acres	
b. Total acreage to be physically disturbed?		_____ 0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ .3 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: Jake Feldman, Director & GM PowerInsight Date: 2/1/21		
Signature: 		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT



January 19, 2021

Jake Feldman
Director
Program Management and Integration
Advance Energy Industries, Inc.
1595 Wyncoop St., Suite 80
Denver, Colorado 80202

Re: Project expansion for Trek, Inc. in Lockport, NY

Mr. Feldman:

The purpose of this letter is to clearly state that the Greater Lockport Development Corporation is highly supportive of the Trek, Inc. High Voltage Center of Excellence (HVCOE) project here in Lockport.

Trek, located at 190 Walnut Ave. in Lockport, is a subsidiary of Advance Energy Industries of Denver, Colorado. Advanced Energy (AE) manufactures highly engineered, precision power conversion, measurement, and control solutions to a number of industries, including semiconductors, data centers, industrial manufacturing, and medical.

Over the next three years, the company plans to develop a High Voltage Center of Excellence (HVCOE) at the Lockport location. This HVCOE will help Advanced Energy better serve its global customers by reducing new product development costs, lead times, and operating expenses. Additionally, this project allows AE to onshore several currently outsourced manufacturing and design processes from Asia. The estimated cost of this program is roughly \$8M.

The HVCOE will add roughly 100 new jobs to the City of Lockport, primarily in engineering and manufacturing. The company is committed to partnering with local trade schools, colleges, veteran and disability programs to develop & hire talent for open positions. AE has a long history of partnering and investing in the communities in which it operates, a tradition that will continue with this program.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brian Smith', is written over the word 'Sincerely,'.

Brian Smith
President/CEO
bsmith@lockportny.gov
(716) 439-6688

Jake Feldman, Director
Program Management and Integration
Advance Energy Industries, Inc.
1595 Wyncoop St., Suite 80
Denver, Colorado 80202

Dear Mr. Feldman,

I am writing to support the project expansion of Trek, Inc. in Lockport, New York. As Commissioner of the Niagara County Department of Economic Development (NCDED), which promotes sustainable economic development, creation and retention of jobs, expansion of the tax base, and improved quality of life for all Niagara County residents, I understand the importance of growth in the advanced manufacturing sector in meeting our economic development goals.

Trek, Inc. at 190 Walnut Ave. in Lockport, is a subsidiary of Advance Energy Industries of Denver, Colorado. Advanced Energy (AE) manufactures highly engineered, precision power conversion, measurement, and control solutions to a number industries, including semiconductors, data centers, industrial manufacturing, and medical.

Over the next three years, the company plans to develop a High Voltage Center of Excellence (HVCOE) at the Lockport location. This HVCOE will help Advanced Energy better serve it's global customers by reducing new product development costs, lead times and operating expenses. Additionally, this project allows AE to onshore several currently outsourced manufacturing and design processes from Asia. The estimated cost of this program is roughly \$8 million.

The HVCOE will add roughly 100 new jobs to the City of Lockport, primarily in engineering and manufacturing. The company is committed to partnering with local trade schools, colleges, veteran and disability programs to develop & hire talent for open positions. AE has a long history of partnering and investing in the communities in which it operates, a tradition that will continue with this program.

Please let this letter serve as a wholehearted endorsement of this project. We are highly supportive.

Sincerely,



Michael A. Casale, Commissioner
Niagara County Department of Economic Development

PROJECT SUMMARY

Tecmotiv



Applicant:	Cerrone Estate Properties, LLC	
Project Location:	1500 James Ave. Niagara Falls, NY 14305	
Assistance:	15 Year PILOT Sales Tax Abatement Mortgage Recording Tax Abatement	
Description:	<p>Tecmotiv supplies quality parts to the military automotive industry around the world. Tecmotiv specializes in the modification for armored vehicles, performs light armor repairs, and modifies and upgrades all types of power train systems, from engine to track/wheels, and has experience in power train prototype development.</p> <p>Tecmotiv leases 20,000 sq. ft. of space at its existing facility and needs to expand its operations due to increased demand. The proposed expansion will be a 24,000 sq. ft. addition that will allow for added manufacturing and design of parts.</p>	
Project Costs:	Construction/Improvements Furniture, Fixtures & Equipment Soft costs & other <p style="text-align: right;">TOTAL</p>	\$ 1,600,000 \$ 150,000 <u>\$ 30,000</u> \$ 1,780,000
Employment:	Current jobs in Niagara County 55 New Jobs in Niagara County within 3 years: 10 Total Annual Payroll for New Jobs: \$ 550,000 Skills: Management, Administrative, Independent Contractor	
Evaluative Criteria:	Distressed Census Tracts, Redevelopment Supports or aligns with Regional or Local Development Plans, Research and Development Activities, Retention, Workforce Access, Regional Wealth Creation	

REGIONAL ECONOMIC IMPACT ANALYSIS
Tecmotiv

Estimated State & Regional Benefits / Estimated Project Incentives Analysis

Total State and Regional Benefits	\$ 7,619,196
Total Project Incentives	\$ 807,552
Community Benefit to Cost Ratio	11:1

Projected Employment

Total Employment	155
Direct**	65
Indirect***	74
Temporary Construction (Direct and Indirect)	16

Estimated State & Regional Benefits (Discounted Present Value*)

Total State and Regional Benefits	\$ 7,619,196
Income Tax Revenue	\$ 5,299,000
Property Tax Revenue	\$ 752,196
Sales Tax Revenue	\$ 1,568,000

Estimated Project Incentives (Discounted Present Value*)

Total Project Incentives	\$ 807,552
Property Tax	\$ 719,327
Sales Tax	\$ 76,000
Mortgage Tax	\$ 12,225

* Figures over 15 years and discounted by 3.49%

** Direct - The recipient of IDA assistance adds new jobs to the regional economy and/or retains jobs at risk of being lost to another region. Investments that result in displacing existing jobs (e.g., most retail and many service sector industries) do not fall under this definition.

*** Indirect - The recipient of IDA assistance makes purchases from regional firms, which stimulates suppliers to add jobs and payroll that are new to the regional economy or are saved from being lost to competitors outside the region.

**** Induced - The recipient of IDA assistance by adding to and/or retaining payroll stimulates household spending that is new to the regional economy and/or saved from being lost to competitors outside the region.

Utilizing informANALYTICS modeling software, an economic impact analysis was conducted to measure new investment and employment for the project. This software is a widely accepted and an industry standard for economic impact modeling measuring employment and salary impacts and facility output on the community for a given project.

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

Cerrone Estate Properties, LLC

(Applicant Name)

6311 Inducon Corporate Drive, Suite One
Sanborn, New York 14132
Phone: 716-278-8760 Fax: 716-278-8769
<http://niagaracountybusiness.com>

Updated 2020

- I. Subject to the applicable statute, information provided by applicant will be treated as confidential until such time as the Agency takes action on the request. However, in accordance with Article 6 of the Public Officers Law, all records in possession of the Agency are open to public inspection and copy.
- II. The Niagara County Industrial Development Agency has a one thousand dollar (\$1000.00) non-refundable application fee that must accompany the application submission.
- III. At the time of the project closing, project applicant is required to pay certain costs associated with the project. The applicant shall be responsible for the payment of an Agency fee in the amount of one percent (1.00%) of the total value of the project, together with Agency counsel fees as set forth in the Agency fee policy schedule, together with various related costs, including but not limited to public hearing expenses. Upon request, a fee summary will be provided to each applicant.
- IV. One (1) original signed copy of the Application and Environmental Assessment form should be submitted with the Application for Assistance.

The Niagara County Industrial Development Agency does not discriminate on the basis of race, color, religion, sex, sexual orientation, marital status, age, national origin, disability or status as a disabled or Vietnam Veteran or any other characteristic protected by law.

6311 Inducon Corporate Drive ■ Sanborn, NY 14132-9099 ■ 716-278-8760
Fax 716-278-8769 ■ www.niagaracountybusiness.com

**NIAGARA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY**

APPLICATION FOR FINANCIAL ASSISTANCE

I. APPLICANT INFORMATION

Company Name: Cerrone Estate Properties, LLC

Mailing Address: 623 Lake Rd.

City/Town/Village & Zip code: Youngstown, NY 14174

Phone: (716) 998-1763

Website: _____

Fed Id. No.: 27-4314407

Contact Person, and Title: Michael Cerrone

Email: _____

Principal Owners/Officers/Directors (list owners with 15% or more in equity holdings with percentage ownership):

Barbara Costello

Corporate Structure (*attach schematic if applicant is a subsidiary or otherwise affiliated with another entity*)

Form of Entity

Corporation

Date of Incorporation: _____

State of Incorporation: _____

Partnership

General _____ or Limited _____

Number of general partners _____

If applicable, number of limited partners _____

Date of formation _____

Jurisdiction of Formation _____

Limited Liability Company/Partnership (number of members 1)

Date of organization: 2010

State of Organization: New York

**Sole Proprietorship**If a foreign organization, is the applicant authorized to do business in the State of New York?

APPLICANT'S COUNSELCompany Name: William CostelloContact Person, and Title: William CostelloMailing Address: 1980 Whitehaven Rd.City/Town/Village & Zip code: Grand Island, NY 14072

Email: _____

Phone: (716) 773-3600

Fax No.: _____

II. PROJECT INFORMATION**A)** Project Address: 1500-1526 James Ave., Niagara Falls NY 14305Tax Map Number (SBL) 130.14-2-17
(Section/Block/Lot)

SWIS Number _____

Located in City of Niagara Falls

Located in Town of _____

Located in Village of _____

School District of Niagara Falls**B)** Current Assessment of Property:Land 24,000Total 296,600**C)** Present legal owner of the site Cerrone Estate Properties LLCIf other than from applicant, by what means will the site be acquired for this project?

D) Furnish a copy of any environmental application presently in process of completion concerning this project, providing name and address of the agency, and copy all pending or completed documentation and determinations.

E) Describe the project:

Tecmotiv has been our tenant for over 24 years. They have outgrown the building and have requested a 24,000 sq. ft. addition for the storage of parts, tools, shipping materials, and office space. The proposed addition will result in a 10 year extension of their lease, a substantial increase in jobs and supplies going forward.

F) Estimated Project Costs:

Property Acquisition	\$ 0
Construction (Improvements)	\$ 1,600,000
Equipment Purchases/Fixtures/Furnishings	\$ 150,000
Soft costs (i.e., engineering, architectural)	\$ 30,000
Other (describe)	\$
TOTAL USES OF FUNDS	\$ 1,780,000

G) Sources of Funds for Project Costs (Must match Total uses of Funds):

Bank Financing	\$ 1,780,000
Equity	\$
Grants/Tax Credits	\$
Tax Exempt Bond	\$
Taxable Bond	\$
TOTAL SOURCES OF FUNDS	\$ 1,780,000

Identify each state and federal grant/credit:

	\$
	\$
	\$
	\$
TOTAL PUBLIC FUNDS	\$ 0

H) Inter-Municipal Move Determination

Will the project result in the removal of a plant or facility of the applicant from one area of the State of New York to another?

Yes or No

Will the project result in the removal of a plant or facility of another proposed occupant of the project from one area of the State of New York to another area of the State of New York?

Yes or No

Will the project result in the abandonment of one or more plants or facilities located in the State of New York?

Yes or No

If Yes to any of the questions above, explain how, notwithstanding the aforementioned closing or activity reduction, the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry:

Project Data

1. Project site (land)

(a) Indicate approximate size (In acres or square feet) of project site.

2.25 acres

(b) Indicate the present use of the project site.

existing building & vacant lot to the rear of the building

2. Indicate number, size (in square feet) and approximate age of existing buildings on site
Existing building was built in 1996

3. Does the project consist of the construction of a new building or buildings?
If yes, indicate number and size (in square feet) of new buildings.
yes, 1 building- 24,000 sq. ft.

4. Does the project consist of additions and/or renovations to existing buildings? If yes, indicate nature of expansion and/or renovation.
yes, connector building & entrance from existing building to addition

5. If any space in the project is to be leased to third parties, indicate total square footage of the project amount to be leased to each tenant and proposed use by each tenant.
no

6. List principal items/categories of equipment to be acquired as part of the project.

7. Has construction work on this project begun?
no

III. FINANCIAL ASSISTANCE REQUESTED

A) Benefits Requested:

- Sales Tax Exemption Mortgage Recording Tax Exemption
 Real Property Tax Abatement (PILOT)

B) Value of Incentives:

Property Tax Exemption (To be estimated by NCIDA Staff. See Page 14)

Estimated duration of Property Tax exemption: 15 years

Sales and Use Tax

Estimated value of Sales Tax exemption for facility construction: \$ 64,000

Estimated value of Sales Tax exemption for fixtures and equipment: \$ 12,000

Estimated duration of Sales Tax exemption: 1 year

Mortgage Recording Tax Exemption Benefit

Estimated value of Mortgage Recording Tax exemption: \$ 13,350

C.) Likelihood of Undertaking Project without Receiving Financial Assistance:

Please confirm by checking the box, below, if there is likelihood that the Project would not be undertaken but for the Financial Assistance provided by the Agency?

Yes or No

If the Project could be undertaken without Financial Assistance provided by the Agency, then provide a statement in the space provided below indicating why the Project should be undertaken by the Agency:

IV. EMPLOYMENT PLAN

	Current # of jobs at proposed project location or to be relocated to project location	If financial assistance is granted, what is the number of Full Time Equivalent (FTE) jobs to be RETAINED	If financial assistance is granted, what is the number of Full Time Equivalent (FTE) jobs to be CREATED upon three years after project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PTE jobs to be created upon THREE Years after Project Completion **
Full time (FTE)	55	55	10	95%
Part Time (PTE)	0	0	0	n/a
Total Payroll	55	55	10	95%

** For purposes of this question, please estimate the number of FTE and PTE jobs that will be filled, as indicated in the third column, by residents of the Local Labor Marker Area, in the fourth column. The Local Labor Marker Area includes Niagara County, Erie County, Chautauqua County, Cattaraugus County, Allegany County, Wyoming County, Genesee County, and Orleans County.

Salary and Fringe Benefits for Jobs to be Retained and Created:

Category of Jobs to be Retained and Created	Number of Jobs Per Category	Average Salary or Range of Salary	Average Fringe Benefits or Range of Fringe Benefits
Management	5	65K	
Professional	10	55K	
Administrative	2	150K	
Production	38-48	40-50K	
Other			

III. REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Agency as follows:

- A. Job Listings: In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the proposed project must be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entitle") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA") in which the project is located.
- B. First Consideration for Employment: In accordance with Section 858-b(2) of the General Municipal Law, the applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant must first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the proposed project.
- C. A liability and contract liability policy for a minimum of three million dollars will be furnished by the Applicant insuring the Agency.
- D. Annual Sales Tax Fillings: In accordance with Section 874(8) of the General Municipal Law, the Applicant understands and agrees that, if the proposed project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the Applicant.

- E. Annual Employment Reports: The applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, the applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site.
- F. Compliance with N.Y. GML Sec. 862(1): Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:
- § 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.
- G. Compliance with Applicable Laws: The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
- H. False and Misleading Information: The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.
- I. Recapture: Should the Applicant not expend or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.
- J. Absence of Conflicts of Interest: The applicant has received from the Agency a list of the members, officers, and employees of the Agency. No member, officers or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as herein described.

The Applicant and the individual executing this Application on behalf of applicant acknowledge that the Agency and its counsel will rely on the representations made in this Application when acting hereon and hereby represents that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statements contained herein not misleading.

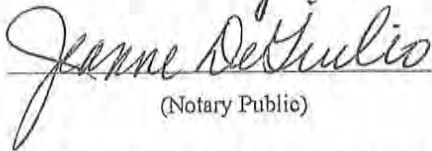
STATE OF NEW YORK)
COUNTY OF) ss.:

MICHAEL CERRONE, being first duly sworn, deposes and says:

1. That I am the REPRESENTATIVE (Corporate Office) of CERRONE ESTATE (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete.


(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury
this 1 day of February, 2021


(Notary Public)



This Application should be submitted to the Niagara County Industrial Development Agency, 6311 Inducon Corporate Drive, Suite One, Sanborn, New York 14132.

Attach copies of preliminary plans or sketches of proposed construction or rehabilitation or both.

HOLD HARMLESS AGREEMENT

Applicant hereby releases the NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY and the members, officers, servants, agents and employees thereof (the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Agency, (B) the Agency's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project, including without limiting the generality of the foregoing, all causes of action and 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 Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in processing of the Application, including attorneys' fees, if any.

(Applicant Signature)

By: 

Name: MICHAEL A. CERRONE

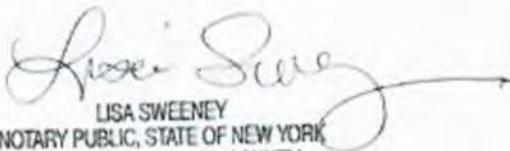
Title: CERRONE ESTATE PROPERTIES LLC
REPRESENTATIVE

(Notary Public)

Sworn to before me this 3rd day

[stamp]

of February 20 2018


LISA SWEENEY
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN NIAGARA COUNTY
MY COMMISSION EXPIRES OCT 19, 20 20

Real Property Tax Benefits (Detailed):

** This section of this Application will be: (i) completed by IDA Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application.

PILOT Estimate Table Worksheet

Dollar Value of New Construction and Renovation Costs	Estimated New Assessed Value of Property Subject to IDA*	County Tax Rate/1000	Local Tax Rate (Town/City/Village)/1000	School Tax Rate/1000
\$1,600,000	\$127,000	9.543135	37.512484	19.548715

*Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	20%	\$243	\$954	\$497	\$1,693	\$8,458	\$6,772
2	20%	\$243	\$954	\$497	\$1,693	\$8,459	\$6,772
3	30%	\$364	\$1,430	\$745	\$2,540	\$8,459	\$5,926
4	30%	\$364	\$1,430	\$745	\$2,540	\$8,459	\$5,926
5	40%	\$485	\$1,907	\$994	\$3,386	\$8,459	\$5,079
6	40%	\$485	\$1,907	\$994	\$3,386	\$8,459	\$5,079
7	40%	\$485	\$1,907	\$994	\$3,386	\$8,459	\$5,079
8	40%	\$485	\$1,907	\$994	\$3,386	\$8,459	\$5,079
9	40%	\$485	\$1,907	\$994	\$3,386	\$8,459	\$5,079
10	50%	\$606	\$2,384	\$1,242	\$4,233	\$8,459	\$4,233
11	50%	\$606	\$2,384	\$1,242	\$4,233	\$8,459	\$4,233
12	50%	\$606	\$2,384	\$1,242	\$4,233	\$8,459	\$4,233
13	50%	\$606	\$2,384	\$1,242	\$4,233	\$8,459	\$4,233
14	50%	\$606	\$2,384	\$1,242	\$4,233	\$8,459	\$4,233
15	50%	\$606	\$2,384	\$1,242	\$4,233	\$8,459	\$4,233
Total		\$7,276	\$28,607	\$14,908	\$50,791	\$126,881	\$76,190

*Estimates provided are based on current property tax rates and assessment value

Cost Benefit Analysis:

To be completed/calculated by AGENCY

	<u>Costs =</u> <u>Financial Assistance</u>	<u>Benefits =</u> <u>Economic Development</u>
*Estimated Sales Tax Exemption	\$ <u>76,000</u>	New Jobs Created Permanent <u>10</u> Temporary <u>16</u>
		Existing Jobs Retained Permanent <u>55</u> Temporary _____
Estimated Mortgage Tax Exemption	\$ <u>13,350</u>	Expected Yearly Payroll \$ <u>550,000</u>
Estimated Property Tax Abatement	\$ <u>76,189</u>	Additional Revenues to School Districts \$ <u>14,908</u>
		Additional Revenues to Municipalities County: \$ <u>7,276</u> City: \$ <u>28,607</u>
		Other Benefits _____
Estimated Interest Savings IRB Issue	\$ _____	Private Funds invested \$ <u>1,780,000</u>
		Likelihood of accomplishing proposed project within three (3) years <input checked="" type="checkbox"/> Likely or <input type="checkbox"/> Unlikely

* Estimated Value of Goods and Services to be exempt from sales and use tax as a result of the Agency's involvement in the Project. PLEASE NOTE: These amounts will be verified and there is a potential for a recapture of sales tax exemptions (see "Recapture" on page 11).

\$ 76,253 (to be used on the NYS ST-60)

UPDATED 2020

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
CERZONE ESTATE PROPERTIES LLC			
Name of Action or Project:			
TECHMOTIV EXPANSION			
Project Location (describe, and attach a location map):			
1500 - 1526 JAMES AVE. NIAGARA FALLS, NY			
Brief Description of Proposed Action:			
ADDITION TO EXISTING VEHICULAR EQUIPMENT MAINTENANCE BUILDING. BUILDING WILL BE 20,000 SQ FT., CONNECTED TO THE EXISTING BUILDING			
Name of Applicant or Sponsor:		Telephone: 716.998.1763	
MICHAEL A. CERZONE		E-Mail: ARMAND.CERZONE@GMAIL.COM	
Address:			
623 LAKE RD.			
City/PO:		State:	Zip Code:
YOUNGSTOWN, NY 14174			
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			YES
			<input checked="" type="checkbox"/>
			<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			NO
If Yes, list agency(s) name and permit or approval:			YES
CITY OF NIAGARA FALLS INSPECTIONS BUILDING PERMIT			<input type="checkbox"/>
			<input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		6.4 acres	
b. Total acreage to be physically disturbed?		2.25 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		6.4 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>MICHAEL A. CERRONE</u>		Date: <u>1-29-21</u>
Signature: <u>Michael A. Cerrone</u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT