

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: April 13, 2022
MEETING TIME: 9:00 a.m.
MEETING PLACE: Niagara County Industrial Development Agency
Vantage Center, Suite One
6311 Inducon Corporate Drive
Sanborn, NY 14132

Board of Directors:

___ **Mark A. Onesi**, Chairperson
___ **Jerald I. Wolfgang**, 1st Vice Chairperson
___ **Kevin McCabe**, 2nd Vice Chairperson
___ **William L. Ross**, Secretary
___ **Scott Brydges**, Asst. Secretary
___ **Robert B. Cliffe**, Member
___ **Jason Krempa**, Member
___ **Clifford Scott**, Member
___ **Maria V. Lopez**, 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
___ **Julie Lamoreaux**, Administrative Assistant

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- 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 – March 9, 2022
 - 6.0 Finance & Audit Committee Reports – *K. McCabe*
 - 6.1 Agency Payables – March 31, 2022
 - 6.2 Budget Variance Report – March 31, 2022

7.0 Unfinished Business

7.1 13 W. Main St. LLC– *S.Langdon*
7.1.1 Final Resolution

7.2 Wheatfield Development II LLC - *M. Gabriele*
7.2.1 Consent to Refinance

8.0 New Business

8.1 Vantage Point LLC – *S. Langdon*
8.1.1 Final Resolution

8.2 Request for MicroEnterprise Grant Approval – *S.Barone*
8.2.1 Gabrielle Enchanted LLC (d/b/a) Enchanted Florist
8.2.2 Cornelius Construction Co. Inc.
8.2.3 3 Sisters Garlic LLC
8.2.4 Creekside Income Tax LLC
8.2.5 Spoons! 716 LLC
8.2.6 Ruff Rock Mining, LLC

8.3 Request for Loan Extension – *M. Gabriele*
8.3.1 Legacy Dance Studio, Inc.

8.4 COVID Relief for Small Business Grant Approvals – *S. Barone*
8.4.1 David J. Fronczak d/b/a Village Inn
8.4.2 Escarpment Arms, Inc.
8.4.3 Calhoon’s Pub of Newfane, Inc.
8.4.4 The Craft Kitchen & Bar LLC
8.4.5 708 E. Market Street Niagara Falls Inc.
8.4.6 The Why Coffee Shop LLC

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: May 11, 2022

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

PLACE: Niagara County Center for Economic Development

13.0 Adjournment - *M. Onesi*

5.1

MEETING MINUTES

NCIDA/NCDC/NADC BOARD MEETING

DATE: March 9, 2022

TIME: 9:00 a.m.

**PLACE: Niagara County Center for Economic Development
6311 Inducon Corporate Drive
Sanborn, NY 14132**

1.0 Meeting Called to Order

The annual meeting of the Niagara County Industrial Development Agency was called to order by Chairperson Onesi at 9:16 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
Scott Brydges, Assistant Secretary	Present
Robert B. Cliffe, Member	Present
Clifford Scott, Member	Present
Jason Krempa, Member	Present
Maria V. Lopez, Member	Present

3.0 Introductions

Guests Present:

CJ Martin, 13 W. Main LLC
Jim Fink, Business First
Tom Prohaska, Buffalo News

Staff Present:

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

4.0 Pledge of Allegiance

Mr. Cliffe let the pledge of allegiance.

5.0 Approval of Meeting Minutes

5.1 Regular NCIDA/NCDC/NADC – February 9, 2022

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

6.0 Committee Reports

6.1 Finance & Audit Committee

6.1.1 2021 Audit Report

A representative from Lumsden & McCormick, Sara Dayton joined the Audit Committee meeting earlier in the day to give an overview, and summarization for the 2021 annual audits. The committee members were given copies of the presentation which summarized all of the Agency audits for FYE December 31, 2021.

Ms. Dayton summarized the audits, and stated that all were clean and with no findings or material weaknesses. There were no findings which means the audit was unmodified which reflects fiscal responsibility on part of the Agency.

Mr. McCabe made a motion to approve the 2021 Audit Report; Mr. Ross seconded the motion. The motion passed.

6.1.2 Agency Payables

Mr. McCabe stated that he reviewed the monthly payables and found them to be in order.

Mr. McCabe made a motion to approve the February 2022 agency payables; Mr. Ross seconded the motion. The motion passed.

6.1.3 Budget Variance Report

Mr. McCabe stated that he had reviewed all the budget variance reports and found them to be in order.

Mr. McCabe made a motion to approve the February 2022 budget variance; Mr. Brydges seconded the motion. The motion passed.

6.2 Governance Committee

6.2.1 Annual Board Evaluations

Mr. Gabriele explained that under the Public Authorizes Accountable Act (PAAA), the Board of Directors of the Agency is required annually to complete a self-evaluation. Questionnaires were sent to all Board members and then summarized. The Board Evaluations are filled out anonymously.

A summary of the evaluations was in the agenda packet for the Board Members' review. Mr. Gabriele stated that the Board needed to accept and approve the evaluations so they may be placed on our website.

Mr. Wolfgang motioned to approve the Summary of the Annual Board Evaluations; Mr. Cliffe seconded the motion. The motion passed.

Mr. Wolfgang and the Board agreed to place a moratorium on the acceptance of any solar projects that come into the Agency.

Mr. Cliffe motioned to place a 6 month moratorium on solar project applications; Mr. McCabe seconded the motion. The motion passed.

7.0 Annual Meetings of the NCIDA, NCDC, and NADC

7.1 Election of Chairperson

The Chairperson turned the meeting over to Mark Gabriele, Agency Counsel. Mr. Gabriele stated that at this time, the Agency would accept nominations for Chairperson of the NCIDA, NCDC, and NADC.

Mr. Ross nominated Mark Onesi, Mr. McCabe seconded the nomination. After asking for any additional nominations, hearing none, Mr. Gabriele closed the nominations. Mr. Gabriele then requested that the Secretary cast one vote for Mr. Onesi as the Chairperson.

Mr. Ross motioned to approve Mark Onesi as the Chairman of the Board; Mr. McCabe seconded the motion. The motion passed.

7.2 Election of Officers

At this time, Chairman Onesi set forth a proposed slate of officers for the NCIDA, NCDC, and the NADC as below:

7.2.1	First Vice Chairperson	Jerald I. Wolfgang
7.2.2	Second Vice Chairperson	Kevin McCabe
7.2.3	Secretary	William L. Ross
7.2.4	Assistant Secretary	Scott Bridges
7.2.5	Treasurer	Susan Langdon

Hearing no other nominations, Mr. Onesi then requested that the Secretary cast one vote for each officer set forth above.

7.3 Appointment of Committee Members and Committee Chairpersons

Chairman Onesi then appointed the following Committee Members and Chairpersons.

7.3.1 Finance & Audit Committee

Chairperson Kevin McCabe
William L. Ross
Scott Brydges

7.3.2 Governance Committee

Chairperson Jerald Wolfgang
Clifford Scott
Robert B. Cliffe

7.3.3 NCDC Loan/Micro Grant Committee

Mark Onesi, NCIDA Board Chairman
Jason Krempa, NCIDA Board Member
Michael Taylor, Pursuit Lending
Vacancy, Accountant
Eric C. Tudor, Coldwell Bank Meridian
Kevin McMullen, Small Business Owner
Susan Langdon, NCIDA Executive Director

7.3.4 Cataract Tourism Fund Committee

Honorable Robert G. Ortt, NYS Senator – 62nd District
Honorable Angelo J. Morinello, NYS Assembly – 145th District
Mayor Robert Restaino, City of Niagara Falls
Mark Onesi, NCIDA Chairman
William L. Ross, NCIDA Board Member
Paul Brown, President, NC Building Trades Council
Susan C. Langdon, NCIDA Executive Director

7.4 Ratify Board Meeting Dates/Time

7.4.1 Second (2nd) Wednesday of the Month

Mr. Onesi stated the regular meeting day and time. Mr. Wolfgang made motion to accept the regular Board Meeting dates, seconded by Mr. Cliffe; the motion passed.

7.5 Reaffirm Committee Charters

7.5.1 Finance & Audit Committee Charter

Mr. Gabriele stated the Finance & Audit Committee has recommended the reaffirmation of the Finance & Audit Committee Charter.

Mr. Ross made a motion to accept the charter, Mr. McCabe seconded the motion. The motion passed.

7.5.2 Governance Committee Charter

Mr. Gabriele stated the Governance Committee has recommended the reaffirmation of the Governance Committee charter.

Mr. Wolfgang made a motion to accept the charter, Mr. Krempa seconded the motion. The motion passed.

7.6 Reaffirm Mission Statement

Mr. Gabriele stated the Mission Statement has not changed in the last year.

Mr. Krempa made a motion to reaffirm the Mission Statement; Mr. Scott seconded the motion. The motion passed.

7.7 Reaffirm Uniform Tax Exempt Policy

Mr. Gabriele explained the Board must annually reaffirm the Uniform Tax Exempt Policy.

Mr. Krempa made a motion to reaffirm the Uniform Tax Exempt Policy, Mr. Scott seconded the motion. The motion passed.

7.8 Niagara Industrial Incubator Associates (“NIIA”)

7.8.1 Appointment of Susan Langdon

Mr. Gabriele explained that this is an appointment by Chairman Onesi for the NIIA reappointment of Susan Langdon to represent the Agency’s interest as a partner with the NFTA.

7.9 Niagara Industrial Incubator Company (“NIIC”)

7.9.1 Appointment of Susan Langdon

Mr. Gabriele explained that this is an appointment by Chairman Onesi for the NIIC reappointment of Susan Langdon to represent the Agency’s interest as a partner with the NFTA for the property on Niagara Falls Boulevard.

7.10 Niagara Economic Development Fund (“NEDF”)

7.10.1 Appointment of Susan Langdon

Mr. Gabriele explained that this is an appointment by Chairman Onesi for the NEDF reappointment of Susan Langdon to which the Agency as the Administrator and Trustee of that Fund.

7.11 Risk Assessment and Risk Management Letter

Mr. Dudley advised that a Risk Assessment and Management letter was provided to the Board as an annual disclosure requirement with PARIS reporting.

Mr. Krempa made a motion to accept the Risk Assessment and Risk Management letter; Mr. McCabe seconded the motion. The motion passed.

7.12 NCIDA Real Property Assessment

Mr. Dudley advised that an NCIDA Real Property Assessment was provided to the Board as an annual disclosure requirement with PARIS reporting.

Mr. Wolfgang made a motion to accept the Real Property Assessment; Mr. Krempa seconded the motion. The motion passed.

7.13 Annual Investment Reports

Mr. Dudley stated that Annual Investment Reports for NCIDA, NCDC, and NADC were provided to the Board as an annual disclosure requirement with PARIS reporting.

Mr. Krempa made a motion to accept the Annual Investments Reports; Ms. Lopez seconded the motion. The motion passed.

7.14 Reaffirm Administrative Policies for 2022

Mr. Gabriele explained the Board must reaffirm the Administrative Policies as required by PAAA. No changes have been made to these policies since last year.

Mr. McCabe made a motion to reaffirm the Administrative Policies for 2021; Mr. Wolfgang seconded the motion. The motion passed.

7.15 2021 Annual Report Summaries

Mr. Gabriele noted the NCIDA, NCDC, and the NADC Annual Report Summaries for 2021 were included in the Board packet for review.

Motion to accept the annual report summaries was made by Mr. Wolfgang, seconded by Mr. Krempa. The motion passed.

7.16 2021 Annual Measurement Reports

Mr. Gabriele stated the NCIDA, NCDC, and NADC Annual Measurement Reports for 2021 were included in the Board packet for review.

Motion to accept the annual measurement reports was made by Mr. Ross, seconded by Mr. McCabe. The motion passed.

8.0 Unfinished Business

8.1 Moog Inc.

Ms. Langdon stated that a public hearing was held March 1, 2022 at 2:00 p.m. in the room at the Niagara County Center for Economic Development, located at 6311 Inducon Corporate Drive, Suite 1, Sanborn, NY 14132. There was one attendee, John Shoemaker from Niagara County Real Property Tax office. There were no comments at the public hearing.

8.1.1 Final Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF MOOG, 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) PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF A SALES TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT.

Mr. Ross made a motion to approve the Final Resolution; Mr. Cliffe seconded the motion.

Moog Inc. – (Continued)

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Jerald Wolfgang	x			
Kevin McCabe	x			
William Ross	x			
Maria V. Lopez	x			
Robert Cliffe	x			
Scott Brydges	x			
Clifford Scott	x			
Jason Krempa	x			
Mark Onesi	x			

The Resolution was thereupon duly adopted.

8.2 Plati Niagara Inc.

Mr. Gabriele stated that Plati Niagara Inc. is asking for an increase in the mortgage tax exemption benefit to better reflect their actual costs going forward.

8.2.1 Resolution

RESOLUTION AUTHORIZING THE CONSENT TO THE EXECUTION AND DELIVERY OF A MORTGAGE AND APPROVAL OF ADDITIONAL MORTGAGE TAX EXEMPTION BENEFITS, ALONG WITH OTHER DOCUMENTS WITH REGARD TO THE PLATI NIAGARA INC. PROJECT.

Mr. Brydges made a motion to approve the mortgage tax exemption benefit; Mr. Scott seconded the motion. The motion passed.

Plati Niagara Inc. – (Continued)

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Jerald Wolfgang	x			
Kevin McCabe	x			
William Ross	x			
Maria V. Lopez	x			
Robert Cliffe	x			
Scott Brydges	x			
Clifford Scott	x			
Jason Krempa	x			
Mark Onesi	x			

The Resolution was thereupon duly adopted.

8.3 Cerrone Estate Properties LLC

Mr. Gabriele stated that Cerrone Estate Properties LLC is asking for a 6 month inducement extension. They are planning on closing by the end of the month, this would be a safeguard in case the closing is delayed.

8.3.1 Inducement Extension

RESOLUTION AUTHORIZING THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO EXTEND THE INDUCEMENT TERM FOR CERRONE ESTATE PROPERTIES LLC FOR A SIX-MONTH PERIOD WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF CERRONE ESTATE PROPERTIES LLC OR AN ENTITY FORMED OR TO BE FORMED.

Mr. Krempa made a motion to approve the Inducement Extension; Mr. Brydges seconded the motion. The motion passed.

Cerrone Estate Properties LLC – (Continued)

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Jerald Wolfgang	x			
Kevin McCabe	x			
William Ross	x			
Maria V. Lopez	x			
Robert Cliffe	x			
Scott Brydges	x			
Clifford Scott	x			
Jason Krempa	x			
Mark Onesi	x			

The Resolution was thereupon duly adopted.

9.0 New Business

9.1 13 W. Main LLC

Ms. Barone stated that the company will purchase and renovate a dilapidated abandoned 17,000 square foot building located at 13 W. Main Street in the City of Lockport. The building will serve as a brewery, restaurant and gaming attraction, and event center. There will also be four market rate apartments in the building. This mixed-use project is located within a distressed census tract in the City of Lockport. The project expects to bring 50 new jobs to the area.

CJ Martin stated that the project is updating a distressed building and re-introducing life into the downtown area of Lockport. The group that is putting this project together is really excited about helping the area.

Mr. McCabe asked Mr. Martin what was completed on the project to date. Mr. Martin said the asbestos abatement has been completed, and construction demolition is complete. He is waiting on construction drawings to be completed, and also waiting on approval from the City.

13 W. Main LLC – (Continued)

9.1.1 Preliminary Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF 13 W. MAIN LLC WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF 13 W. MAIN LLC OR AN ENTITY FORMED OR TO BE FORMED; (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PROJECT; (iii) AUTHORIZING THE EXECUTIVE DIRECTOR OF THE AGENCY TO TAKE CERTAIN ACTIONS UNDER ARTICLE 8 OF THE ENVIRONMENTAL CONSERVATION LAW IN CONNECTION WITH THE PROJECT; (iv) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY.

Mr. Scott made a motion to approve the preliminary resolution; Mr. Lopez seconded the motion.

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Jerald Wolfgang	x			
Kevin McCabe	x			
William Ross	x			
Maria V. Lopez	x			
Robert Cliffe	x			
Scott Brydges	x			
Clifford Scott	x			
Jason Krempa	x			
Mark Onesi	x			

The Resolution was thereupon duly adopted.

9.1.2 Authorize Public Hearing

Mr. Krempa made a motion to approve the Public Hearing; Mr. McCabe seconded the motion.

10.0 Agency Counsel

There were no comments from agency counsel at this time.

11.0 Information Items

There were no information items at this time.

12.0 Any Other Matters the Board Wishes to Discuss

There were no matters that the Board wished to discuss.

13.0 Next Regular NCIDA/NCDC/NADC Meeting:

DATE: April 13, 2021

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

PLACE: Niagara County Center for Economic Development

14.0 Adjournment

Mr. Scott made a motion to adjourn; Mr. Brydges seconded the motion. He meeting adjourned at 9:40 p.m.

Respectfully Submitted:

Reviewed By:

Approved By:

Julie Lamoreaux
Administrative Assistant

Susan C. Langdon
Executive Director

William L. Ross
Secretary

6.1

AGENCY

PAYABLES

Niagara County Industrial Devel. Agency
Check Register
For the Period From Mar 1, 2022 to Mar 31, 2022

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
29483	3/1/22	Charter Communications	10001.100	119.99
29484	3/1/22	County of Niagara	10001.100	987.02
29485	3/1/22	THE HARTFORD	10001.100	493.52
29486	3/1/22	Independent Health	10001.100	1,929.60
3/1/22	3/1/22	NEW YORK STATE AND LOCAL	10001.100	358.74
29487	3/8/22	360 PSG.com	10001.100	60.00
29488	3/8/22	Caroline M. Caruso	10001.100	56.63
29489	3/8/22	Cintas Corporation LOC. 067P	10001.100	83.22
29490	3/8/22	First Choice Coffee Services	10001.100	116.10
29491	3/8/22	Gabriele & Berrigan, P.C.	10001.100	5,000.00
29492	3/8/22	Lumsden & McCormick, LLP	10001.100	10,500.00
29493	3/8/22	M&T Bank	10001.100	387.27
29494	3/8/22	National Grid	10001.100	480.14
29495	3/8/22	Professional Janitorial Services, Inc.	10001.100	705.00
3/10/22	3/10/22	PAYCHEX, INC.	10001.100	64.40
3/11/22	3/11/22	NYS DEFERRED COMPENSATION PLAN	10001.100	1,118.91
29496	3/15/22	PURCHASE POWER	10001.100	150.00
29497	3/15/22	STAPLES CONTRACT & COMMERCIAL	10001.100	191.30
29498	3/22/22	County of Niagara	10001.100	1,997.98
29499	3/22/22	Guardian	10001.100	227.46
29500	3/22/22	Independent Health	10001.100	1,929.60
29501	3/22/22	Niagara Gazette Lockport Union Sun	10001.100	83.06
29502	3/22/22	SAM'S CLUB/SYNCHRONY BANK	10001.100	140.58
29503	3/22/22	STAPLES CONTRACT & COMMERCIAL	10001.100	39.10
3/24/22	3/24/22	PAYCHEX, INC.	10001.100	64.40
3/25/22	3/25/22	NYS DEFERRED COMPENSATION PLAN	10001.100	1,040.91
29504	3/29/22	Charter Communications	10001.100	119.99
29505	3/29/22	Erie County Industrial Development	10001.100	37,500.00
29506	3/29/22	FedEx	10001.100	33.41
29507	3/29/22	Gabriele & Berrigan, P.C.	10001.100	6,978.40
29508	3/29/22	M&T Bank	10001.100	358.56
29509	3/29/22	National Grid	10001.100	424.09
29510	3/31/22	Gabriele & Berrigan, P.C.	10001.100	5,000.00
3/31/22	3/31/22	NEW YORK STATE AND LOCAL	10001.100	358.74

Niagara County Industrial Devel. Agency

Check Register

For the Period From Mar 1, 2022 to Mar 31, 2022

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
Total				<u><u>79,098.12</u></u>

NCIDA - MTF - Operating Fund
Check Register
For the Period From Mar 1, 2022 to Mar 31, 2022

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
3039	3/8/22	National Grid	10001.600	21.02
3040	3/8/22	Ulrich Signs	10001.600	837.50
3041	3/15/22	VERIZON	10001.600	122.65
3042	3/22/22	Blue OX Roofing	10001.600	444.00
3043	3/29/22	Gabriele and Berrigan P.C.	10001.600	60.00
3044	3/29/22	LARABA ENTERPRISES	10001.600	2,227.00
Total				<u><u>3,712.17</u></u>

NCIDA VIP-MTF Operating
Check Register
For the Period From Mar 1, 2022 to Mar 31, 2022

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
4610	3/1/22	County of Niagara	10001.600	516.71
4611	3/8/22	Frontier	10001.600	180.35
4612	3/8/22	National Grid	10001.600	310.09
4613	3/8/22	Professional Janitorial Services, Inc.	10001.600	195.00
4614	3/15/22	H.W.BRYK & SONS, INC.	10001.600	165.00
4615	3/15/22	Modern Disposal Services, Inc.	10001.600	169.03
4616	3/22/22	Blue Ox Roofing	10001.600	280.00
4617	3/22/22	H.W.BRYK & SONS, INC.	10001.600	500.00
4618	3/22/22	County of Niagara	10001.600	1,394.90
4619	3/29/22	H.W.BRYK & SONS, INC.	10001.600	1,306.80
4620	3/29/22	LARABA ENTERPRISES	10001.600	3,652.00
4621	3/29/22	National Grid	10001.600	328.78
Total				<u><u>8,998.66</u></u>

Niagara Industrial Incubator Associates
Check Register
For the Period From Mar 1, 2022 to Mar 31, 2022

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1279	3/1/22	National Fuel	10000.100	186.55
1280	3/8/22	Lumsden & McCormick, LLP	10000.100	2,500.00
1281	3/8/22	National Grid	10000.100	776.18
1282	3/8/22	Niagara Lock & Key Service, Inc.	10000.100	97.45
1283	3/15/22	Blue Ox Roofing	10000.100	438.00
1284	3/22/22	Blue Ox Roofing	10000.100	510.00
1285	3/22/22	National Grid	10000.100	42.74
1286	3/22/22	Town of Wheatfield	10000.100	36.78
1287	3/29/22	Gabriele & Berrigan, P.C.	10000.100	300.00
1288	3/29/22	JGM Installation Service Inc.	10000.100	475.00
1289	3/29/22	Laraba Enterprises	10000.100	2,462.50
Total				<u><u>7,825.20</u></u>

NIAG ECONOMIC DEV FUND
Check Register
For the Period From Mar 1, 2022 to Mar 31, 2022

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1335	3/1/22	Niagara County Industrial	10000-200	100,000.00
1336	3/8/22	Lumsden & McCormick, LLP	10000-200	2,000.00
1337	3/29/22	Gabriele & Berrigan P.C.	10000-200	435.00
Total				<u><u>102,435.00</u></u>

NCDC - CDBG/HUD - RLF
Check Register
For the Period From Mar 1, 2022 to Mar 31, 2022

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
199	3/8/22	Lumsden & McCormick, LLP	10200-300	<u>1,356.93</u>
Total				<u><u>1,356.93</u></u>

Niag. Cnty Dev. Corp. - EDA RLF
Check Register
For the Period From Mar 1, 2022 to Mar 31, 2022

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1342	3/8/22	Lumsden & McCormick, LLP	10001.100	2,999.64
Total				2,999.64

Niag. Cnty Dev. Corp. - Micro RLF
Check Register
For the Period From Mar 1, 2022 to Mar 31, 2022

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
2052	3/8/22	Lumsden & McCormick, LLP	10004.400	643.43
Total				643.43

6.2

BUDGET

VARIANCE

REPORT

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

BUDGET VARIANCE REPORT AS OF March 31, 2022

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	\$ 165,961.70	\$ 17,428.00	\$ 165,961.70	\$ 143,942.00	22,019.70	\$ 519,096.00
Project Application Fees	1,000.00	1,000.00	3,000.00	3,000.00	0.00	12,000.00
NEDF RLF Administrative Fee	4,166.67	4,166.67	12,500.01	12,500.01	0.00	50,000.00
Administrative Fees - Other	0.00	0.00	0.00	0.00	0.00	15,432.00
Interest Earnings	26.98	26.50	78.32	79.50	(1.18)	318.00
Miscellaneous Income	149.76	0.00	149.76	0.00	149.76	60.00
Distrib From Niag. Ind. Suites	0.00	0.00	0.00	0.00	0.00	100,000.00
Distribution from VIP MTF	0.00	0.00	0.00	0.00	0.00	100,000.00
Total Operating Revenues	171,305.11	22,621.17	181,689.79	159,521.51	22,168.28	796,906.00
<u>Operating Expenses</u>						
Salaries	26,623.32	26,380.24	79,869.96	79,140.72	729.24	342,943.00
Benefits	3,795.04	3,282.33	10,104.73	9,846.99	257.74	39,388.00
Retirement Benefits	3,104.33	3,104.33	9,312.99	9,312.99	0.00	37,252.00
Payroll Taxes	2,089.77	2,125.80	6,269.33	6,377.40	(108.07)	27,553.00
Unemployment Taxes	188.85	188.84	1,226.65	1,226.57	0.08	1,260.00
Consultants	2,500.00	2,500.00	7,500.00	7,500.00	0.00	30,000.00
Assisstant Director	5,462.25	5,462.25	16,386.75	16,386.75	0.00	65,547.00
Legal Services	9,145.00	5,000.00	21,123.40	15,000.00	6,123.40	60,000.00
Accounting Services	19,500.00	19,000.00	19,500.00	19,000.00	500.00	19,000.00
Accounting Services - NADC	1,200.00	2,100.00	1,200.00	2,100.00	(900.00)	2,100.00
Marketing	60.00	1,833.33	585.00	5,499.99	(4,914.99)	22,000.00
Printing	0.00	125.00	0.00	375.00	(375.00)	1,500.00
Office Supplies	55.86	208.33	428.49	624.99	(196.50)	2,500.00
Postage	183.41	147.00	824.33	1,158.00	(333.67)	3,840.00
Telephone & Fax	90.12	98.25	270.36	294.75	(24.39)	1,179.00
Internet Service	211.42	206.67	576.14	620.01	(43.87)	2,480.00
Common Area Charges	634.00	634.08	1,902.00	1,902.24	(0.24)	7,609.00
Energy	1,524.09	1,448.00	6,554.04	4,750.00	1,804.04	15,848.00
Conference & Travel	163.98	208.33	220.61	624.99	(404.38)	2,500.00
Employee Training	0.00	0.00	0.00	0.00	0.00	1,000.00
Insurance Expense	1,481.40	1,641.58	4,444.20	4,924.74	(480.54)	19,699.00
Library & Membership	0.00	0.00	1,595.00	1,595.00	0.00	2,843.00
General Office	636.41	712.33	1,822.96	2,136.99	(314.03)	8,548.00
Repairs & Maintenance	849.51	1,169.67	2,589.22	3,509.01	(919.79)	14,036.00
Computer Support	0.00	666.67	1,000.00	2,000.01	(1,000.01)	8,000.00
Public Hearings	0.00	33.33	0.00	99.99	(99.99)	400.00
Furniture & Equipment Purchase	0.00	166.67	0.00	500.01	(500.01)	2,000.00
Other Expense	0.00	83.33	0.00	249.99	(249.99)	1,000.00
Total Operating Expenses	79,498.76	78,526.36	195,306.16	196,757.13	(1,450.97)	742,025.00
Net Operating Income/<Loss>	91,806.35	(55,905.19)	(13,616.37)	(37,235.62)	23,619.25	54,881.00
<u>Non-Operating Revenue & Expense</u>						
Grants Rev.	0.00	73,621.83	0.00	220,865.49	(220,865.49)	883,462.00
Grant Rev- City NF Initiative	0.00	35,979.17	0.00	107,937.51	(107,937.51)	431,750.00
Grant to Subrecipient	0.00	63,291.67	0.00	189,875.01	(189,875.01)	759,500.00
Grant Sub-City NF Initiative	0.00	35,979.17	0.00	107,937.51	(107,937.51)	431,750.00
Net Non-Operating Income/<Loss>	0.00	10,330.16	0.00	30,990.48	(30,990.48)	123,962.00
Total Net Income/<Loss>	\$ 91,806.35	(\$ 45,575.03)	(\$ 13,616.37)	(\$ 6,245.14)	(7,371.23)	\$ 178,843.00

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Balance Sheet
March 31, 2022

ASSETS

Current Assets	
Cash - Checking	\$ 219,327.14
Petty Cash	300.00
Mmkt Acct. - M&T Bank	1,588,095.07
Cash - First Response	65,806.35
Cash - City of N.F.	827.21
Mmkt Acct. - Cataract Tourism	3,938,728.61
Accts Rec - Public Hearings	1,521.78
Accounts Rec. EDA - RLF	12,499.95
Due To/From Micro RLF	12,499.95
Due To/From VIP - MTF	551,657.16
Due From NCDC CDBG/HUD	12,500.10
Due To/Due From NADC	151,406.56
Due To/From MTF Operating	121,765.14
Prepaid Insurance	<u>14,674.12</u>
 Total Current Assets	 6,691,609.14
Other Assets	
Deferred Outflows	239,614.00
Investment in NIIA	<u>342,500.00</u>
 Total Other Assets	 582,114.00
Fixed Assets	
Furniture & Equipment	199,360.75
Furn & Fixtures - Fed purchase	5,861.08
Accum Dep. - Furn & Equip	(199,360.75)
Accum Dep. - F&F Fed Purch	<u>(5,861.08)</u>
 Total Fixed Assets	 0.00
 Total Assets	 <u>\$ 7,273,723.14</u>

LIABILITIES AND NET ASSETS

Current Liabilities	
Accrued Retirement	\$ 9,312.99
Deferred Rev. - NEDF	37,499.99
Deferred Rev. - First Repsonse	65,806.35
Def. Rev. - City of N.F.	3,939,555.82
Accounts Payable	23,548.06
Acct. Payable - Niag. County	<u>16,386.75</u>
 Total Current Liabilities	 4,092,109.96
Long-Term Liabilities	
Pension Liability	757.00
Deferred Inflows of Resources	<u>236,693.00</u>
 Total Long-Term Liabilities	 <u>237,450.00</u>
 Total Liabilities	 4,329,559.96
Net Assets	
Fund Balance - Operating Fund	2,957,779.55
Net Income	<u>(13,616.37)</u>
 Total Net Assets	 <u>2,944,163.18</u>
 Total Liabilities & Net Assets	 <u>\$ 7,273,723.14</u>

**Niagara County Industrial
Development Agency
Aged Payables
As of March 31, 2022**

Vendor ID	Invoice #	Amount Due
Vendor		
HART	LDNY725958 Jan-Mar 22	764.89
The Hartford		
LUM	185406	9,000.00
Lumsden & McCormick, LLP	186274	1,200.00
		<hr/>
Report Total		<u>10,964.89</u>

Adjusting Journal Entries

Estimated Feb 2022 Legal Fees	5,000.00
Estimated Mar 2022 Legal Fees	5,000.00
Estimated Jan 2022 Copier usage	200.00
Estimated Feb 2022 Copier usage	200.00
Estimated Mar 2022 Copier usage	200.00
Estimated Jan-Mar 2022 Telephone	90.00
Estimated Mar 2022 Niagara County Electric	500.00
Estimated Mar 2022 Niagara County Gas	600.00
Estimated Mar 2022 Cleaning service	793.17
	<hr/>
	<u>23,548.06</u>

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

4/1/2022

**Project Income - 2022
Lease/Lease Back and Bonds**

Closed 2022	Project Type	Total Project Amount	IDA Project Amount	Fees	Application Fee	Amount Received to Date	Date Received	Balance Due	Date Closed
Twogood Holdings LLC(Rubberform Recycled	L/L Back	2,955,000	2,050,000	20,500	1,000	21,500	3/24/22	-	3/15/22
Moog Inc.	Sales Tax Only	329,617	329,617	32,962	0	32,962	3/28/22	-	3/9/22
				0				-	
				0				-	
TOTAL				<u>53,462</u>					
				Fees received in prior year	-				
				Total fees received to date in 2022	<u>53,462</u>				
				Total 2022 Budgeted Fees	<u>519,096</u>				
				Balance of Budgeted Fees	<u>465,634</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
Cerrone Estate Properties, LLC	L/L Back	1,780,000	1,750,000	17,500	1,000	1,000	2/3/21	17,500	9/30/22
Olcott Yacht Club Inc.	Sales Tax & Mtg Tax Only	456,000	450,000	0	250	250	2/16/21	-	8/31/22
Niacet Corporation	L/L Back	13,250,000	8,525,000	70,000	1,000			71,000	6/30/22
TM Montante Development LLC - 512 3rd St.	L/L Back	2,687,001	2,059,941	20,599	1,000	1,000	6/7/21	20,599	7/31/22
TM Montante Development LLC - 500 3rd St.	L/L Back	693,001	550,000	5,500	1,000	1,000	6/9/21	5,500	7/31/22
PEMM LLC	L/L Back	8,500,000	6,350,000	63,500	1,000	1,000	10/13/21	63,500	11/30/22
CVE US E13 Wheatfield, LLC	Sales Tax & Mtg Tax Only	9,760,000	7,740,000	32,000	1,000	1,000	12/20/21	32,000	2/28/23
Kilmer Solar LLC	Sales Tax & Mtg Tax Only	9,145,000	8,775,000	34,000	1,000	1,000	1/13/22	34,000	
Niagara Creek LLC	Assumption of The Eleanor Apartments, LLC PILOT				1,000	1,000	2/4/22	-	2/28/23
13 W. Main LLC	L/L Back	2,981,342	2,701,865	27,019	1,000	1,000	3/7/22	27,019	
TOTAL				<u>270,118</u>	<u>9,250</u>	<u>8,250</u>		<u>271,118</u>	<u>0</u>
TOTAL - Projected Income 2022				<u>323,580</u>	<u>9,250</u>	<u>8,250</u>		<u>271,118</u>	<u>53,462</u>

Projected 2023	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 Aquarium Foundation	370,000	0	8/14/2019	2/9/2021	370,000		Interactive touch pools adjacent to main entrance of the Aquarium
Red Star Builders, LLC (The Niagara Club)	523,250	0	7/10/2019	9/7/2021	64,403	12/31/2022	Roof top bar and lounge, banquet space, virtual entertainment lounge & Spot Coffee
Niagara Falls Center for Tourism LLC	1,000,000	1,000,000	6/12/2019	To Be Disbursed	0	8/31/2023	Construction of an indoor family entertainment center and outdoor improvements
The Center for Kashmir, Inc.	273,000	273,000	8/12/2020	To Be Disbursed	0	6/1/2023	Renovations to vacant church for a museum of art and culture for Kashmir
Savarino Companies, LLC	155,000	155,000	4/14/2021	To Be Disbursed	0	11/30/2021	Rehabilitation of 4,000 square feet of commercial/retail storefront space.
Buffalo Niagara Hospitality Inc.	3,750	3,750	4/14/2021	To Be Disbursed	0	12/31/2023	Business expansion to include purchase of electric scooters and bikes and tandem bikes
Niagara Aquarium Foundation	900,000	900,000	2/9/2022	To Be Disbursed	0		Renovations to the Niagara Gorge Discovery Center for expanded programming.
To Date Sub-Total	3,544,131	2,331,750			753,534		

Grant Fund Cash Balance as of 3/31/2022

3,939,555.82

Less: Outstanding Awards

(2,331,750.00)

Available for awarding grants

1,607,805.82

Grant Fund Balance

Grant Funding from NYS 11/22/2016

Grant Funding from NYS 10/16/2017

Grant Funding from NYS 10/12/2018

Bank Interest

Bank Fees

Grant Disbursements

Grant Fund Balance

1,600,000.00

1,440,000.00

1,600,000.00

53,133.08

(43.26)

(753,534.00)

3,939,555.82

7.1

13 W. Main

LLC

PROJECT SUMMARY
13 W. Main LLC
(Barrier West Brewing LLC)
13 W. Main Street, Lockport, NY



Applicant:	13 W. Main LLC	
Project Location:	13 W. Main St. Lockport, New York	
Assistance:	Sales Tax Abatement Mortgage Recording Tax Abatement 10 Year PILOT	
Description:	<p>The company will purchase and renovate a dilapidated abandoned 17,000 square foot building located at 13 W. Main Street in the City of Lockport. The building will serve as a brewery, restaurant and gaming attraction (shuffleboard, bocce, etc.) and event center. There will also be four market rate apartments in the building.</p> <p>This mixed-use project is located within a distressed census tract in the City of Lockport.</p>	
Project Costs:	Property Acquisition	\$ 101,865
	Construction/Improvements	1,850,000
	Equipment Purchases	750,000
	Soft Costs/Other Costs	<u>279,477</u>
	TOTAL	\$ 2,981,342
Employment:	Current jobs in Niagara County:	0
	Permanent New Jobs (FTE):	50
	Skills: Food Service, Brewing Technicians, Marketing, Sales	
Evaluative Criteria:	Distressed Census Tract, Elimination of Slum and Blight, Building Vacancy, Redevelopment Aligns with Local Development Plan, Regional Wealth, Tourism Attraction, In Region Purchases	

Niagara County Industrial Development Agency

MRB Cost Benefit Calculator

Date: March 1, 2022
 Project Title: 13 W. Main LLC
 Project Location: 13 W Main St, Lockport NY 14094

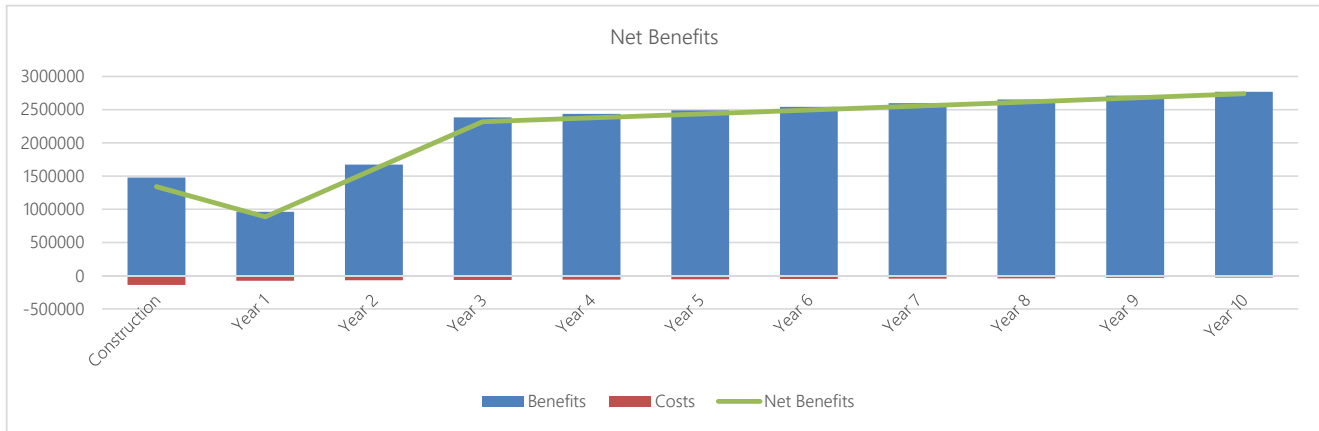
Economic Impacts

Summary of Economic Impacts over the Life of the PILOT
 Project Total Investment
 \$2,981,342

Temporary (Construction)			
	Direct	Indirect	Total
Jobs	19	6	25
Earnings	\$1,112,534	\$283,610	\$1,396,144
Local Spend	\$2,656,679	\$958,663	\$3,615,341

Ongoing (Operations)			
Aggregate over life of the PILOT			
	Direct	Indirect	Total
Jobs	50	9	59
Earnings	\$15,374,134	\$6,140,917	\$21,515,051

Figure 1



Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2

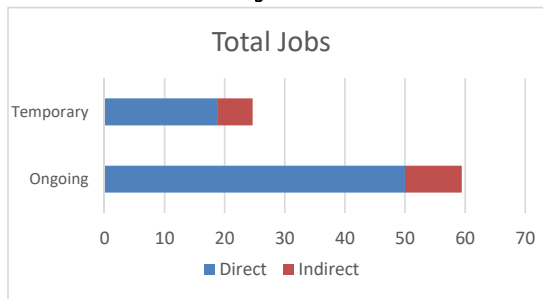
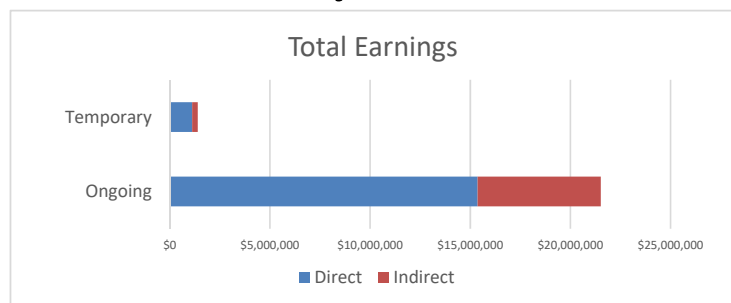


Figure 3



Fiscal Impacts

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$517,896	\$472,799
Sales Tax Exemption	\$134,000	\$134,000
Local Sales Tax Exemption	\$67,000	\$67,000
State Sales Tax Exemption	\$67,000	\$67,000
Mortgage Recording Tax Exemption	\$4,575	\$4,575
Local Mortgage Recording Tax Exemption	\$1,525	\$1,525
State Mortgage Recording Tax Exemption	\$3,050	\$3,050
Total Costs	\$656,471	\$611,374

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$23,501,105	\$21,034,800
To Private Individuals	\$22,911,196	\$20,512,791
Temporary Payroll	\$1,396,144	\$1,396,144
Ongoing Payroll	\$21,515,051	\$19,116,647
Other Payments to Private Individuals	\$0	\$0
To the Public	\$589,910	\$522,009
Increase in Property Tax Revenue	\$429,531	\$378,419
Temporary Jobs - Sales Tax Revenue	\$9,773	\$9,773
Ongoing Jobs - Sales Tax Revenue	\$150,605	\$133,817
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$1,191,382	\$1,066,665
To the Public	\$1,191,382	\$1,066,665
Temporary Income Tax Revenue	\$62,827	\$62,827
Ongoing Income Tax Revenue	\$968,177	\$860,249
Temporary Jobs - Sales Tax Revenue	\$9,773	\$9,773
Ongoing Jobs - Sales Tax Revenue	\$150,605	\$133,817
Total Benefits to State & Region	\$24,692,488	\$22,101,465

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$21,034,800	\$541,324	39:1
State	\$1,066,665	\$70,050	15:1
Grand Total	\$22,101,465	\$611,374	36:1

*Discounted at 2%

Does the IDA believe that the project can be accomplished in a timely fashion?

Yes

Additional Revenues:

School District	\$221,873
County	\$68,764
City/Town	\$138,894

* 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 potential for a recapture of sales tax exemptions (see "Recapture" on page 11 of the Application).

\$ 1,675,000 (to be used on the NYS ST-60)

**PUBLIC HEARING 13 W. Main LLC and/or
Individual(s) or Affiliate(s), Subsidiary(ies), or
Entity(ies) formed or to be formed on its behalf**

March 30, 2022 at 1:00 p.m.
at Lockport City Hall

Andrea Klyczek: *Welcome. This public hearing is now open; it is 1 p.m. My name is Andrea Klyczek. I am the Assistant Director of the Niagara County Industrial Development Agency, and I have been designated by the Agency to be the hearing officer to conduct this public hearing.*

We are here to solicit comments on 13 W. Main LLC and/or Individual(s) or Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf. The transcript of this hearing will be reviewed and considered by the Agency in determination of this project. Notice of this public hearing appeared in the Union Sun and Journal on March 12, 2022.

The proposed project (the "Project") includes the renovation of a vacant and dilapidated 17,000 sq. foot building located at 13 W. Main Street in the City of Lockport. The building will serve as a brewery, restaurant, gaming attraction and event center.

The proposed financial assistance contemplated by the Agency includes New York State and local sales and use tax exemption benefits and mortgage recording tax exemption benefits (in compliance with Agency's uniform tax exemption policy), and a partial real property tax abatement.

The project application and project summary are posted on the Agency's website at niagaracountybusiness.com and I have copies with me today.

If you have a written comment to submit for the record, you may do so. Written comments may also be delivered to Agency at 6311 Inducon Corporate Drive, Suite One, Sanborn, New York 14132 until the comment period closes on April 1, 2021.

If anyone is interested in making a comment, please, state your name and address; if you are representing a company, please identify the company).

Are there any more comments? Hearing no further comments, I will now adjourn the meeting. It is now 1:03 p.m. Thank you.

**SIGN IN SHEET
PUBLIC HEARING**

March 30, 2022 at 1 p.m.
Lockport City Hall

regarding:

**13 W. Main LLC and/or Individual(s) or Affiliate(s), Subsidiary(ies),
or Entity(ies) formed or to be formed on its behalf**

Name	Company and/or Address	X box to speak/ comment
Tracy Farrell	C- Lockport	
JOHN SHEMAKUR	NCRPTS	
Lisa Ghena	ncrpts	
See A. Mawhine	C- Lockport	
LISA A. BURRUANO	C- Lockport	
Gina Pasceri	city Alderman	

7.2

**Wheatfield
Development II
LLC**

COLUCCI & GALLAHER, P.C.

Direct Dial: (716) 819-0717
Direct Fax: (716) 856-4871
Email: pkelly@colucci-gallaher.com

April 7, 2022

VIA ELECTRONIC MAIL

Mark J. Gabriele, Esq.
Gabriele & Berrigan P.C.
800 Main Street, Suite 4B
Niagara Falls, New York 14301

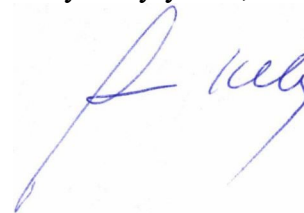
Re: My Client: Wheatfield Development II, LLC
Your Client: Niagara County Industrial Development Agency
Property Address: 2077 Lockport Road, Wheatfield

Dear Mark:

May this correspondence serve as my client's request to place this matter on your board agenda for NCIDA consent to allow the refinance of the existing mortgage with Security Mutual Life Insurance Company. The new mortgage amount will be \$2,975,000.00. It is my understanding that bank counsel has already forwarded to you the required documents.

If you require anything else, feel free to contact me at any time. Thank you for your courtesy in this matter.

Very truly yours,



Patrick M. Kelly
for COLUCCI & GALLAHER, P.C.

PMK/

8.1

**Vantage Point
LLC**

PROJECT SUMMARY
Vantage Point LLC
(Bridgestone Blend Room)



Applicant:	Vantage Point LLC	
Project Location:	6350 Inducon Drive Town of Wheatfield	
Assistance:	Sales Tax Abatement 10 Year PILOT	
Description:	Vantage Point LLC will be hiring Montante Construction to complete a 5,000 square foot blend room expansion for Bridgestone APM (BAPM). BAPM is undertaking this project to increase blend operations and thereby increase overall operational efficiency. BAPM constructed a 65,000 square foot manufacturing facility on the site in 2016 for the manufacture of polyurethane seat foam for automotive applications for Canadian customers.	
Project Costs:	Construction Soft Costs TOTAL	\$ 1,370,450 <u>32,770</u> \$ 1,403,220
Employment:	Jobs Retained in Niagara County: 60	
Evaluative Criteria:	Regional Wealth Creation, In Region Purchases, Research and Development Activities, Retention, Supports Existing Business Growth Potential	

Niagara County Industrial Development Agency

MRB Cost Benefit Calculator

Date: March 31, 2022
 Project Title: Vantage Point LLC
 Project Location: 6350 Inducon Corp. Dr.

Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

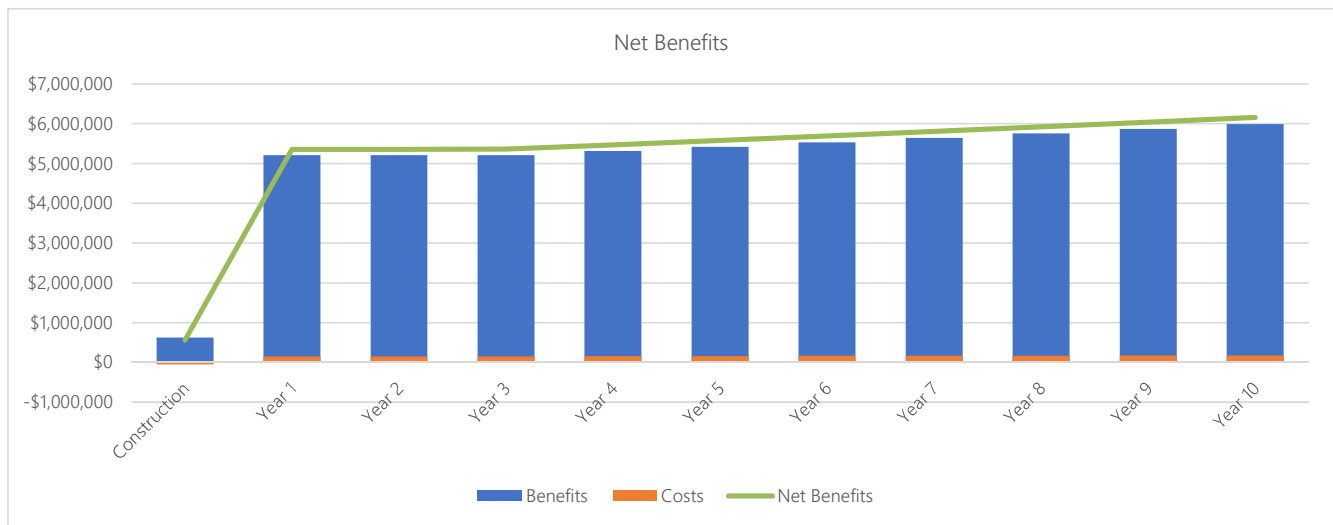
Project Total Investment

\$1,403,220

		Temporary (Construction)		
		Direct	Indirect	Total
Jobs		6	2	8
Earnings		\$464,226	\$119,675	\$583,902
Local Spend		\$1,122,576	\$405,934	\$1,528,510

		Ongoing (Operations)		
		Aggregate over life of the PILOT		
		Direct	Indirect	Total
Jobs		60	62	122
Earnings		\$53,043,454	\$28,893,093	\$81,936,547

Figure 1



Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2

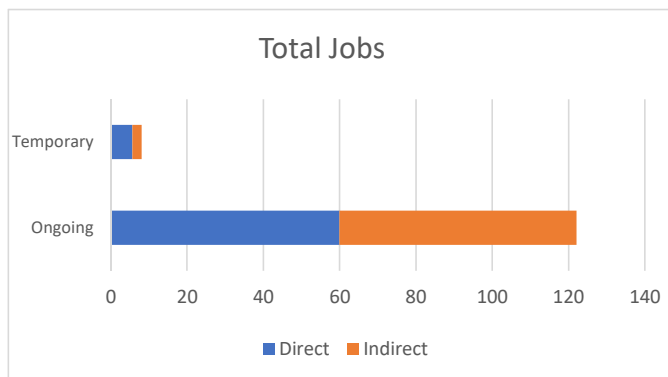
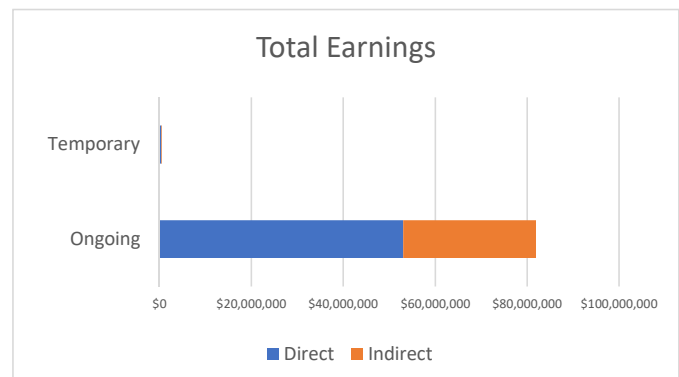


Figure 3



Ongoing earnings are all earnings over the life of the PILOT.

Fiscal Impacts

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$2,507,305	\$2,130,533
Sales Tax Exemption	\$54,818	\$54,818
Local Sales Tax Exemption	\$27,409	\$27,409
State Sales Tax Exemption	\$27,409	\$27,409
Mortgage Recording Tax Exemption	\$0	\$0
Local Mortgage Recording Tax Exemption	\$0	\$0
State Mortgage Recording Tax Exemption	\$0	\$0
Total Costs	\$2,562,123	\$2,185,351

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$83,226,585	\$70,895,856
To Private Individuals	\$82,520,449	\$70,296,131
Temporary Payroll	\$583,902	\$583,902
Ongoing Payroll	\$81,936,547	\$69,712,230
Other Payments to Private Individuals	\$0	\$0
To the Public	\$706,136	\$599,724
Increase in Property Tax Revenue	\$128,493	\$107,652
Temporary Jobs - Sales Tax Revenue	\$4,087	\$4,087
Ongoing Jobs - Sales Tax Revenue	\$573,556	\$487,986
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$4,291,063	\$3,655,399
To the Public	\$4,291,063	\$3,655,399
Temporary Income Tax Revenue	\$26,276	\$26,276
Ongoing Income Tax Revenue	\$3,687,145	\$3,137,050
Temporary Jobs - Sales Tax Revenue	\$4,087	\$4,087
Ongoing Jobs - Sales Tax Revenue	\$573,556	\$487,986
Total Benefits to State & Region	\$87,517,649	\$74,551,255

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$70,895,856	\$2,157,942	33:1
State	\$3,655,399	\$27,409	133:1
Grand Total	\$74,551,255	\$2,185,351	34:1

*Discounted at 2%

Additional Comments from IDA

NY State ST-60 \$685,225

Does the IDA believe that the project can be accomplished in a timely fashion? Yes

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

Vantage Point 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 2021

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

I. APPLICANT INFORMATION

Company Name: Vantage Point LLC

Mailing Address: 2760 Kenmore Ave.

City/Town/Village & Zip code: Tonawanda NY 14150

Phone: (716) 876-8899

Website: www.montante.com

Fed Id. No.: 32-0478520

Contact Person, and Title: Byron DeLuke, Development Director

Email: bdeluke@montante.com

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

Montante Group- 32.4%; Terry Galanis Jr. - 29.4%; David Cloy II- 17.6%; D&J of WNY, LLC - 14.7%; Peter & Jennifer Linder - 5.9%

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 ⁵ _____)

Date of organization: Original Date- 10-07-2015; Revised date; 03-01-2020

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

Company Name: Lippes Mathias Wexler Friedman LLP

Contact Person, and Title: Blaine S. Schwartz

Mailing Address: 50 Fountain Plaza, Suite 1700

City/Town/Village & Zip code: Buffalo NY 14202

Email: bschwartz@lippes.com

Phone: (716) 853-5100

Fax No.: (716) 853-5199

II. PROJECT INFORMATION

A) Project Address: 6350 Inducon Dr., Wheatfield NY 14132

Tax Map Number (SBL) 147.00-1-103
(Section/Block/Lot)
SWIS Number 294000
Located in City of _____
Located in Town of Wheatfield
Located in Village of _____
School District of Niagara Wheatfield

B) Current Assessment of Property:

Land 55,000
Total 3,000,000

C) Present legal owner of the site Vantage Point LLC

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

D) Describe the project:

Vantage Point LLC will be hiring Montante Construction to complete a 5,000 square foot blend room expansion for Bridgestone APM. BAPM is looking to increase blend operations to increase operational efficiency. Total project cost is about \$1,403,220 and construction is anticipated to begin in summer 2022.

1. Project site (land)

(a) Indicate approximate size (In acres or square feet) of project site.
NA - 5,000 SF expansion of existing facility

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

2. Indicate number, size (in square feet) and approximate age of existing buildings on site
One 65,000 square foot building, one story, year built 2016

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.
No

4. Does the project consist of additions and/or renovations to existing buildings? If yes, indicate nature of expansion and/or renovation.
Yes - 5,000 square foot expansion of existing building to increase blend space

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.
Entire addition area to be leased by Bridgestone APM

6. List principal items/categories of equipment to be acquired as part of the project.
Bridgestone procuring all process equipment. Vantage Point is only completing core and shell. Mechanical equipment for building systems will be acquired and installed as appropriate by Montante Construction.

7. Has construction work on this project begun?
No

E) 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:

- F) 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.

III. **SOURCES & USES OF FUND**

A) Estimated Project Costs:

Property Acquisition	\$ 0
Construction (Improvements)	\$ 1,370,450
Equipment Purchases/Fixtures/Furnishings	\$ 0
Soft costs (i.e. engineering, architectural)	\$ 32,770
Other (describe)	\$ 0
TOTAL USES OF FUNDS	\$ 1,403,220

B) Sources of Funds for Project Costs *(Must match above Total Uses of Funds):*

Bank Financing	\$ 0
Equity	\$ 1,403,220
Grants/Tax Credits	\$ 0
Taxable or TaxExempt Bond	\$ 0
Other	\$ 0
TOTAL SOURCES OF FUNDS	\$ 1,403,220

C) Identify each state and federal grant/credit:

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

IV. 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: 10 yr

Sales and Use Tax

Estimated value of Sales Tax exemption for facility construction: \$ 54,818

Estimated value of Sales Tax exemption for fixtures and equipment: 0

Estimated duration of Sales Tax exemption: 2022 - 2023

Mortgage Recording Tax Exemption Benefit

Estimated value of Mortgage Recording Tax Exemption: 0

C.) Financial Assistance Determination:

If Financial incentives are not provided by NCIDA, is the project financially viable?

- 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:

V. EMPLOYMENT PLAN

	# of Retained Jobs	Retained Jobs Average Annual Salary	# of Created Jobs <i>(3 yrs after project completion)</i>	Created Jobs Average Annual Salary
Full Time (FTE)	60	\$ 53,000	0	\$ 0
Part time (PTE)	0	\$ 0	0	\$ 0
TOTAL	60	\$ 53,000	0	0

Annual Salary Range of Jobs to be Created: \$ 0 to \$ 000

Category of Jobs to be Retained and Created:

Job Categories (ie Management, Administrative, Production, etc.) Management, production, administrative

VI. 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) ("JPTA") 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 Filings: 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.

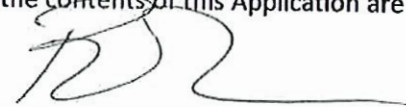
- G. Compliance with Applicable Laws: The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
- 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 Erie) ss.:

Byron Deluke, being first duly sworn, deposes and says:

1. That I am the Director (Corporate Office) of Montauk Group LLC (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 31st day of March, 2022

Jennifer L. Elmer
(Notary Public)

Jennifer L. Elmer
Notary Public, State of New York
Registration No. 01EL6005664
Qualified in Niagara County
Commission Expires April 20, 2022

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: Byron Deluke Montante Group LLC
Name: Byron Deluke
Title: Director



(Notary Public)

Sworn to before me this 31st day
of March, 2022

[stamp]
Jennifer L. Elmer
Notary Public, State of New York
Registration No. 01EL6005664
Qualified in Niagara County
Commission Expires April 20, 2022

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
\$1,403,220	\$230,000	12.468225		37.190958

*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	50%	\$ 1,434	\$ -	\$ 4,277	\$ 5,711	\$ 11,422	\$ 5,711
2	50%	\$ 1,434	\$ -	\$ 4,277	\$ 5,711	\$ 11,422	\$ 5,711
3	50%	\$ 1,434	\$ -	\$ 4,277	\$ 5,711	\$ 11,422	\$ 5,711
4	50%	\$ 1,434	\$ -	\$ 4,277	\$ 5,711	\$ 11,422	\$ 5,711
5	50%	\$ 1,434	\$ -	\$ 4,277	\$ 5,711	\$ 11,422	\$ 5,711
6	75%	\$ 2,151	\$ -	\$ 6,415	\$ 8,566	\$ 11,422	\$ 2,855
7	75%	\$ 2,151	\$ -	\$ 6,415	\$ 8,566	\$ 11,422	\$ 2,855
8	75%	\$ 2,151	\$ -	\$ 6,415	\$ 8,566	\$ 11,422	\$ 2,855
9	75%	\$ 2,151	\$ -	\$ 6,415	\$ 8,566	\$ 11,422	\$ 2,855
10	75%	\$ 2,151	\$ -	\$ 6,415	\$ 8,566	\$ 11,422	\$ 2,855
11	100%	\$ 2,868	\$ -	\$ 8,554	\$ 11,422	\$ 11,422	\$ -
12	100%	\$ 2,868	\$ -	\$ 8,554	\$ 11,422	\$ 11,422	\$ -
13	100%	\$ 2,868	\$ -	\$ 8,554	\$ 11,422	\$ 11,422	\$ -
14	100%	\$ 2,868	\$ -	\$ 8,554	\$ 11,422	\$ 11,422	\$ -
15	100%	\$ 2,868	\$ -	\$ 8,554	\$ 11,422	\$ 11,422	\$ -
TOTAL		\$ 32,262	\$ -	\$ 96,232	\$ 128,493	\$ 171,324	\$ 42,831

*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>54,818</u>	New Jobs Created Permanent _____ Temporary _____
		Existing Jobs Retained Permanent <u>60</u> Temporary _____
Estimated Mortgage Tax Exemption	\$ <u>0</u>	Expected Yearly Payroll \$ <u>3,180,000</u>
Estimated Property Tax Abatement	\$ <u>42,831</u>	Additional Revenues to School Districts \$ <u>96,232</u>
		Additional Revenues to Municipalities County: \$ <u>32,262</u> City: _____
		Other Benefits _____
Estimated Interest Savings IRB Issue	\$ _____	Private Funds invested \$ <u>1,403,220</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 12).

\$ 685,225 (to be used on the NYS ST-60)

UPDATED 2021

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				
Vantage Point LLC				
Name of Action or Project: Bridgestone APM Blend Room Addition				
Project Location (describe, and attach a location map): 6350 Inducon Dr., Wheatfield NY 14132				
Brief Description of Proposed Action: Vantage Point LLC will be hiring Montante Construction to complete a 5,000 square foot blend room expansion for Bridgestone APM. BAPM is looking to increase blend operations to increase operational efficiency. Total project cost is about \$1,453,000 and construction is anticipated to begin in summer 2022.				
Name of Applicant or Sponsor: Vantage Point LLC		Telephone: 716.876.8899		
		E-Mail: bdeluke@montante.com		
Address: 2760 Kenmore Avenue				
City/PO: Tonawanda		State: NY	Zip Code: 14150	
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: Wheatfield Town Building Department - Sales tax abatement: Niagara County IDA			NO	YES
			<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ 0.1 acres		
b. Total acreage to be physically disturbed?		_____ 0.1 acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 11.0 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 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 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? 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"/>	
	<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 checked="" 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 checked="" 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 checked="" type="checkbox"/> YES Small addition that will utilize stormwater infrastructure and capacity of existing facility. _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

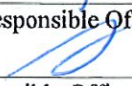

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of 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>Byron DeLuka</u>	Date: <u>3/24/2022</u>	
Signature: <u>Byron DeLuka</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.
NCIDA	4/1/22
Name of Lead Agency	Date
S. LANGRISH	ED
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

8.2.1

Gabrielle

Enchanted LLC

REQUEST FOR GRANT APPROVAL

Niagara County Development Corporation Micro Enterprise Program

APPLICANT INFORMATION:

Grant Applicant: Gabrielle Enchanted LLC (d/b/a Enchanted Florist)
DUNs# Number: Requested
Business Type: Florist
Business Established: March 8, 2022
Business Address: 739 Center Street, Lewiston, NY 14092
Email: Gabbyygurl2@aol.com
Phone: (716) 696-2319

Owner(s): Gabrielle Rubino-Ford
Percent Ownership: Gabrielle Rubino-Ford (100%)

PROJECT INFORMATION:

Enchanted Florist, which has been operating for over 38 years, has an established reputation and will be sold to the applicant, Ms. Rubino-Ford. Enchanted Florist will continue to operate as a floral shop for weddings, events, and everyday flowers, however Ms. Rubino-Ford will also seek to grow the business by adding more services such as the shipment of flowers, addition of a gift shop with locally sourced goods and design workshops for flower arranging parties. Enchanted Florist will have floral arrangements along with unique containers, gourmet chocolates, dish gardens, and a variety of gifts.

Ms. Rubino-Ford has been a designer as well as a manager in both the jewelry and floral industries. She has been the owner of a successful personal training business with her husband for the last 7 years. Ms. Rubino-Ford's lead manager and designer, Dominique Rubino has been in the floral industry for 43 years. Dominique has owned and has been an employee at various florists in the area, giving her the knowledge and expertise that is needed to manage a successful shop.

Within the local market there is not a lot of competition, although their prices will remain competitive, they project a 10% increase in sales and only a 5% increase in expenses. Through the purchase of a turnkey business, inventory and equipment will remain in place. The product selection and customer base has been market tested so there's confidence in having a strong business base in which they can build upon. The applicant is waiting to close on an SBA loan for \$50,000 and the existing owner is holding a private note for \$210,000. A five-year lease is set to begin on April 1, 2022, with a renewal option that would take it to a full ten years.

CREDIT SUMMARY:

Exempt from credit check due to bank loan.

SOURCE & USE OF FUNDS:

Source and Use of Funds				
<i>Use of Funds</i>	<i>Estimated Project Total</i>	<i>Owner Equity</i>	<i>Other Sources</i>	<i>Grant Request</i>
Working Capital	\$20,000	\$10,000	Weekly income	\$10,000
Fixtures			Loan	
Machinery			loan	
Equipment			loan	
Inventory	\$15,000		loan	\$15,000

GRANT SUMMARY:

Grant Request: \$ 25,000

Grant Term: Release upon grantee compliance with all grant requirements and closeout of OCR grant.

Repayment: Grant subject to recapture if Grantee fails to comply with grant requirements.

Eligibility:

- Private for-profit start-up business in Niagara County
- Create at least one FTE job
- Business has committed at least 10% in equity
- Completion of SBDC Technical Assistance Program – *In Process*

National Objective: Will create at least one FTE job made available to individuals of Low-to-Moderate-Income

Owner is Low-to-Moderate Income

GRANT REQUEST RECOMMENDATION:

Applicant qualifies for this grant request based on the following criteria:

- Meets eligibility requirements
- Low to moderate income business owner
- Scheduled to complete SBDC technical assistance program
- Use of funds for the purchase machinery equipment and working capital is acceptable per grant guidelines

8.2.2

**Cornelius
Construction
Co. Inc.**

REQUEST FOR GRANT APPROVAL

Niagara County Development Corporation Micro Enterprise Program

APPLICANT INFORMATION:

Grant Applicant: Cornelius Construction Co. Inc.
DUNs# Number: 090466267
Business Type: Construction
Business Established: September 2, 2021
Business Address: 4552 Peet Street
Middleport NY 14174
Email: corneliusconstruction@gmail.com
Phone: (716) 998-3015
Owner(s): Adam Schifferle

Percent Ownership: Adam Schifferle (100%)

PROJECT INFORMATION:

Cornelius Construction was started in September 2021, company owner Mr. Schifferle is currently the only employee and plans to transition from a start-up business into a growing and stable company. Cornelius Construction provides carpentry services like framing, remodels, window/door installation, siding, deck building, custom furniture, custom railing systems, flooring, kitchen & bath remodels, demo cleanup and removal. Mr. Schifferle is involved in every stage of the project from start to finish.

The customer base for Cornelius Construction is Niagara, Orleans, and Erie Counties in both residential and commercial applications. No specific demographic would be targeted and it is believed the market is large enough to support sales goals. The promotional strategy is simply to offer quality craftsmanship, good and trustworthy customer service, at a fair price. Business promotion will primarily be through the company website and social media.

Mr. Schifferle has a background that includes a supervisory role at National Grid and several years of construction experience. He's worked with SBDC to draft a business plan, pro forma cash flow and income statements. The figures estimated were provided by Mr. Schifferle, based on market research and actual expenses. The company projects a modest increase in profit year over year with consistent reinvestment into the business.

Grant revenue would repay a loan through Cornerstone for the purchase of a man lift. This equipment will allow the company to accept larger jobs and perform duties more efficiently.

CREDIT SUMMARY:

A credit report was obtained for Adam Schifferle and was found to be in great standing with all creditors. Mr. Schifferle does not carry a significant amount of unsecured debt. All creditors are paid on time. The company's proforma income statement reflects a moderate increase in gross profit consistent with an increase in operating costs.

SOURCE & USE OF FUNDS:

Source and Use of Funds				
<i>Use of Funds</i>	<i>Estimated Project Total</i>	<i>Owner Equity</i>	<i>Other Sources</i>	<i>Grant Request</i>
Working Capital	\$ 2,100	\$ 2,100	Weekly income	
Fixtures				
Machinery				
Equipment	\$ 32,900	\$ 7,900	loan	\$ 25,000
Inventory				

GRANT SUMMARY:

Grant Request: \$25,000

Grant Term: Release upon grantee compliance with all grant requirements and closeout of OCR grant.

Repayment: Grant subject to recapture if Grantee fails to comply with grant requirements.

Eligibility:

- Private for-profit business entity in Niagara County
- Start-up business
- Business has committed at least 10% in equity
- Completion of SBDC Technical Assistance Program

National Objective: Will create at least one FTE job made available to individuals of Low-to-Moderate-Income
 Owner is Low-to-Moderate Income

GRANT REQUEST RECOMMENDATION:

Applicant qualifies for this grant request based on the following criteria:

- Meets eligibility requirements
- Applicant qualifies as an LMI owner
- Completed SBDC technical assistance program
- Use of funds for the purchase of machinery and inventory is acceptable per grant guidelines

8.2.3

**3 Sisters Garlic
LLC**

REQUEST FOR GRANT APPROVAL

Niagara County Development Corporation Micro Enterprise Program

APPLICANT INFORMATION:

Grant Applicant: 3 Sisters Garlic LLC
DUNs# Number: 063704633
Business Type: Food Manufacturing
Business Established: December 29, 2020
Business Address: 4560 Baer Rd. Ransomville, NY 14131
Email: info@sistersgarlic.com
Phone: (716) 280-3791

Owner(s): Jennifer DiPasquale and Michael DiPasquale
Percent Ownership: Jennifer DiPasquale (75%) and Michael DiPasquale (25%)

PROJECT INFORMATION:

3 Sisters Garlic is a value added crop company for garlic lovers and those who desire fresh table to plate local products. The company began in 2015 and grows approximately 2 acres of garlic. They began selling at local farmers markets in Niagara County and the business has grown over several years. In 2020, 3 Sisters Garlic added a shop and commercial kitchen located on the Niagara Wine Trail. Since then the sales have increased four-fold.

There is a need for specialty garlic inspired products in the local community that are healthy, fresh, and free from preservatives. Currently the company makes 50% of their products, which includes, bruschetta, a variety of hummus, black garlic, black garlic butter, tapenade, pickled garlic, scape pesto, spicy maple mustard, and maple mustard. The company also makes spices, breads, cookies, and pies. The remaining 50% of company products comes from a distributor in Arizona that supply oils, pastas, and vinegars.

The company has a new website and a hosting company to assist with Google ad placement. They purchase google ads and utilize social media and print media. They are contracting with a marketing firm to create a marketing strategy for this coming year. The company would also like to expand the business with additional services and customer experience at their garlic shop. The company wishes to create a Futsi Bar for tasting infused olive oils and balsamic vinegars along with other product tastings.

CREDIT SUMMARY:

A credit report was obtained for both Mr. and Mrs. DiPasquale. Both applicants show delinquency in payment history with creditors, however the amount of debt held is not significant. Mr. DiPasquale is handicapped and has not been able to work in several years. Mrs. DiPasquale works full time and they both operate 3 Sisters Garlic with other family members. The credit history is reflective of their circumstances. The business has proven to be profitable and they've grown each year since opening.

SOURCE & USE OF FUNDS:

Source and Use of Funds				
<i>Use of Funds</i>	<i>Estimated Project Total</i>	<i>Owner Equity</i>	<i>Other Sources</i>	<i>Grant Request</i>
Working Capital	\$ 5,355	\$ \$5,355	Weekly income	\$ 355
Furniture/Fixtures	\$ 10,820			\$ 10,820
Machinery/Equipment				
Inventory	\$ 13,825			\$ 13,825

GRANT SUMMARY:

Grant Request: \$25,000

Grant Term: Release upon grantee compliance with all grant requirements and closeout of OCR grant.

Repayment: Grant subject to recapture if Grantee fails to comply with grant requirements.

Eligibility:

- Private for-profit business entity in Niagara County
- Business has committed at least 10% in equity
- Create at least one FTE job
- Completion of SBDC Technical Assistance Program – *In Process*

National Objective: Will create at least one FTE job made available to individuals of Low-to-Moderate-Income
 Owner is Low-to-Moderate Income

GRANT REQUEST RECOMMENDATION:

Applicant qualifies for this grant request based on the following criteria:

- Meets eligibility requirements
- Applicant meets LMI guidelines
- Commitment to hire a full-time position that will be made available to an LMI individual
- Commitment to complete SBDC Technical assistance training
- Use of funds for the purchase of machinery, inventory, and working capital is acceptable per grant guidelines

8.2.4

**Creekside Income
Tax LLC**

REQUEST FOR GRANT APPROVAL

Niagara County Development Corporation Micro Enterprise Program

APPLICANT INFORMATION:

Grant Applicant: Creekside Income Tax LLC
DUNs# Number: Requested
Business Type: Tax preparer
Business Established: January 6, 2020
Business Address: 2151 Hess Road, Appleton, NY 14008
Email: Dmdunlap218@gmail.com
Phone: (716) 628-2384
Owner(s): Danielle Dunlap
Percent Ownership: Danielle Dunlap (100%)

PROJECT INFORMATION:

Creekside Income Tax is an income tax preparation business. It was started by Danielle Dunlap's grandmother over 30 years ago and is located on the property of her mother's home, in a separate office. Ms. Dunlap started in the office as a young woman filing and answering phones. Ms. Dunlap has now been a registered tax preparer for 15 plus years and as of January 1, 2022, ownership transferred to Ms. Dunlap. Ms. Dunlap's mother is working for her as a 1099 employee.

The business has evolved with the times with options such as contactless preparation and signature, portal submission, online booking, and credit card payments. Ms. Dunlap's goal is to keep the business going, expand her client base and provide more recordkeeping services. Ms. Dunlap will be researching adding services such as 1099 preparation, bookkeeping services, sales tax assistance, and other general year-round services that don't require a CPA. This would allow Creekside to become a full time, year-round operation. She plans to hire an assistant qualified to prepare taxes.

While Ms. Dunlap has helped prepare returns for over 15 years, up to this point, Ms. Dunlap had not put in much "face time" in the office. Going forward, she will be the visible face of the business. This year, Ms. Dunlap is going to be present in the office more often so clients can get used to seeing her and feeling more comfortable with her. The grant funds will help ease the cash flow worries for year one of the transfer in ownership. This will allow Ms. Dunlap to improve operations, market the business, expand services, and help her reach her goal of becoming a year-round business.

CREDIT SUMMARY:

A credit report was obtained for Danielle Dunlap and it did not reflect bankruptcies, judgments, or liens, but there are serious delinquencies and the proportion of balance to credit limit is high, although her overall amount of debt is minimal. Mr. Dunlap is the only provider in her family and she is an LMI applicant. Ms. Dunlap currently works full time and this will initially be her part time job with aspirations to grow the business into a year round company. All estimates within her business plan for profits and expenses were taken from the business' previous years, and reflect a moderate increase.

SOURCE & USE OF FUNDS:

Source and Use of Funds				
<i>Use of Funds</i>	<i>Estimated Project Total</i>	<i>Owner Equity</i>	<i>Other Sources</i>	<i>Grant Request</i>
Working Capital	\$14,500	\$2,000	Weekly income	\$12,500
Furniture /Fixtures				
Machinery/Equipment	\$2,500			\$2,500
Inventory				

GRANT SUMMARY:

Grant Request: \$ 15,000

Grant Term: Release upon grantee compliance with all grant requirements and closeout of OCR grant.

Repayment: Grant subject to recapture if Grantee fails to comply with grant requirements.

Eligibility:

- Private for-profit business entity in Niagara County
- Business has committed at least 10% in equity
- Business owner is consider LMI
- Create at least one FTE job
- Completion of SBDC Technical Assistance Program – *In Process*

National Objective: Will create at least one FTE job made available to individuals of Low-to-Moderate-Income
 Owner is Low-to-Moderate Income

GRANT REQUEST RECOMMENDATION:

Applicant qualifies for this grant request based on the following criteria:

- Meets eligibility requirements
- Low to moderate income business owner
- Committed to completing SBDC technical assistance program
- Use of funds for the purchase machinery equipment and working capital is acceptable per grant guidelines

8.2.5

Spoons! 716

LLC

REQUEST FOR GRANT APPROVAL

Niagara County Development Corporation Micro Enterprise Program

APPLICANT INFORMATION:

Grant Applicant: Spoons! 716 LLC
DUNs# Number: 101021170
Business Type: Café and Boutique
Business Established: January 6, 2020
Business Address: 6752 Akron Rd., Lockport, NY 14094
Email: Ambermason1@yahoo.com
Phone: (716) 417-2721
Owner(s): Amber Mason and Nicole Everett
Percent Ownership: Amber Mason (50%) and Nicole Everett (50%)

PROJECT INFORMATION:

Amber Mason and Nicole Everett are opening Spoons!, which will operate as a baby food café & boutique and community wellness space. They will sell freshly made or frozen baby food made from locally sourced fruits and vegetables. Upon completion of the kitchen space, the owners will apply for a 20-C food-processing license from NYS Department of Agriculture & Markets and make food on site.

The cafe will offer dine-in options for families to come in and enjoy a meal with their baby, as well as light foods and a coffee/tea bar for parents and older children. The baby boutique area will be a retail space specializing in feeding essentials such as spoons, bowls, homemade bibs etc. The community space will be available for wellness classes, meetings and/or parties. Class offerings will include nutrition and exercise.

Ms. Mason is a registered dietitian and international board certified lactation consultant that is passionate about creating a fresh, simple and nutritious (preservative free) alternative to highly processed, jarred baby food. Ms. Everett brings a background in communications, creative writing and management experience. The owners will participate in local farmers markets and utilize social media to create their brand awareness. Ms. Everett owns the property so the initial rent has been negotiated at well below market to support the business through the startup phase.

CREDIT SUMMARY:

A credit report was obtained for Ms. Mason and Ms. Everett both were very good with no delinquencies and strong history. Both applicants are in good standing with all creditors. Neither applicant has a significant amount of unsecured debt, neither carry a significant amount of unsecured debt.

SOURCE & USE OF FUNDS:

Source and Use of Funds				
<i>Use of Funds</i>	<i>Estimated Project Total</i>	<i>Owner Equity</i>	<i>Other Sources</i>	<i>Grant Request</i>
Working Capital		\$ 7,460	Weekly income	
Furniture/Fixtures	\$ 3,798			\$ 3,798
Machinery/Equipment	\$ 21,202			\$ 21,202
Inventory	\$ 3,000	\$ 3,000		

GRANT SUMMARY:

Grant Request: \$25,000

Grant Term: Release upon grantee compliance with all grant requirements and closeout of OCR grant.

Repayment: Grant subject to recapture if Grantee fails to comply with grant requirements.

Eligibility:

- Private for-profit business entity in Niagara County
- Start-up business
- Business has committed at least 10% in equity
- Create at least one FTE job
- Business has completed microenterprise technical assistance program

National Objective: Will create at least one FTE job made available to individuals of Low-to-Moderate-Income
 Owner is Low-to-Moderate Income

GRANT REQUEST RECOMMENDATION:

Applicant qualifies for this grant request based on the following criteria:

- Meets eligibility requirements
- Commitment to hire a full-time position that will be made available to an LMI individual
- Completed SBDC technical assistance program
- Use of funds for the purchase of machinery and inventory is acceptable per grant guidelines

8.2.6

**Ruff Rock
Mining, LLC**

REQUEST FOR GRANT APPROVAL

Niagara County Development Corporation Micro Enterprise Program

APPLICANT INFORMATION:

Grant Applicant: Ruff Rock Mining, LLC
DUNs# Number: Requested
Business Type: Gemstone and Mineral Mining
Business Established: January 27, 20225
Business Address: 6094 Ketchum, NY 14108
Email: Deitrich14126@yahoo.com
Phone: (716) 940-1146
Owner(s): Sarah Dietrich and Donald Dietrich
Percent Ownership: Sarah Dietrich (51%) Donald Dietrich (49%)

PROJECT INFORMATION:

Ruff Rock Mining, LLC (RRM) will bring the fun and exciting work of gemstone and mineral mining to customers through a mobile mining business. RRM will bring a fun, educational, end exciting world of fossils, minerals and gemstones, to county fairs, state fairs, and multiple geological shows around New York and Pennsylvania.

RRM's mobile sluicing stations will have a variety bag of mining rough. Customers will be able to purchase bags of rough, and sift through sand and sediment to find real gemstones. In addition to mobile sluice stations, RRM will have various fossil, mineral and gemstones for sale. RRM will sell branded t-shirts, hats and bumper stickers, create programming for school events and birthday parties, and package "At Home Mining Kits".

The Deitrich's feel their competitive edge is their mobile sluicing station that is not currently offered at fairs. The mobile sluicing station will be a fun family attraction in which they will use as a means to promote their business, along with social media and their website.

Ms. Deitrich's background and education is in early education, however Ms. Dietrich has experience in running a business and has been heavily involved with the mining of minerals and fossils since 2014. She would like to combine her experiences to develop a STEM program that provides a hands on opportunity to teach the topics of earth science. Mr. Deitrich has been a part of the fossil mining community for over 30 years, he has taken several classes and is now able to teach the extensive history of our area's past. The Deitrich's have traveled much of the East Coast and Canada mining fossils.

CREDIT SUMMARY:

A credit report was not obtained for the Deitrichs. NDCIA staff has been in contact with Pathstone regarding their application. Their credit was obtained by Pathstone and it was reported that the Detrich's have a history of delinquencies and their credit was considered "average". Pathstone is in the process of underwriting a loan request for \$15,000.00. The loan representative believes the underwriter will provide a decision within the week.

SOURCE & USE OF FUNDS:

Source and Use of Funds				
<i>Use of Funds</i>	<i>Estimated Project Total</i>	<i>Owner Equity</i>	<i>Other Sources</i>	<i>Grant Request</i>
Working Capital		\$3,500	Weekly income	
Furniture /Fixtures				
Machinery/Equipment	\$30,000		Loan	\$13,000
Inventory				

GRANT SUMMARY:

Grant Request: \$ 13,000

Grant Term: Release upon grantee compliance with all grant requirements and closeout of OCR grant.

Repayment: Grant subject to recapture if Grantee fails to comply with grant requirements.

Eligibility:

- Private for-profit business entity in Niagara County
- Business has committed at least 10% in equity
- Create at least one FTE job
- Completion of SBDC Technical Assistance Program – *In Process*

National Objective: Will create at least one FTE job made available to individuals of Low-to-Moderate-Income
 Owner is Low-to-Moderate Income

GRANT REQUEST RECOMMENDATION:

Applicant qualifies for this grant request based on the following criteria:

- Meets eligibility requirements
- Committed to completing SBDC technical assistance program
- Commitment to hire 1 full-time position that will be made available to an LMI individual
- Use of funds for the purchase machinery equipment is acceptable per grant guidelines

8.3.1

**Legacy Dance
Studio, Inc.**

To Caroline and the NCIDA Loan Committee,

My name is Constance Smith, I am the current owner of Legacy Dance Studio. I have been paying for an NCIDA loan since August 2018. To date, Legacy Dance Studio has paid \$13,874.10 of the \$27,319.78 loan. I am writing to ask if Legacy Dance Studio can pay the interest only of \$68.30 from March to October 2022. The COVID-19 pandemic has caused sudden, devastating, and long-lasting impact on the dance studio. I am working very hard to reduce skyrocketing expenses, increase student retention, and add new revenue streams to keep Legacy Dance Studio in business and to thrive again.

I am now the sole owner of Legacy Dance Studio. In 2019, my co-owner and co-signer on the loan, Blake Feuz, abruptly moved to Florida and left the business. I (Constance) took on all the responsibilities of the studio, including the loan payments. The transition was very difficult for my clients and myself.

On March 15th, 2020 we had to close our studio doors due to the pandemic and State mandates. We were closed from March 15-June 2020 with no income, no relief and still paying loan payments and rent. In May, I started training dance teachers on how to return and learn the new cleaning guidelines and adapt to zoom dance classes. We begin teaching zoom dances classes June 1, 2020; Dancers stayed home, and teachers taught from the studio. Before Covid-19, Legacy had 79 dancers. In May 2020, Legacy had 53 dancers and by the virtual show we were down to only 47 dancers. Legacy took a huge financial hit due to state closure. For the months of June and July, Legacy could only charge half tuition for the online classes. Only some dancers paid in full; many left without paying.

However, I was committed to staying open for the dancers who stayed. Other local studios have decided to close or retire. On August 8, 2020, Legacy had a virtual recital in a firehall for the remaining dancers, as the original venue had canceled all events. I am one of the few studios who pushed and succeeded in giving my clients a dance show. On September 14, 2020, we returned to the studio stronger and more prepared. I adapted a hybrid model dance year so dancers can take classes from home or in studio. In addition, I utilized a new dance technology program so that Legacy Dance Studio can reach clients at the studio and at home. Everything can be switched virtually if needed or another shutdown occurs.

Dance studios enroll in September. In September 2020, Legacy dance enrollment was at an all-time low. Although I was well prepared for another shutdown/virtual dance year, people were scared to return to dance. We pushed through 2020-2021 and we seemed to be getting back on our feet.

However, our rent costs were skyrocketing. Wilder Development Corporation sold the plaza to Wegmans. Wegmans increased our rent from \$1,500/month to \$3,800, regardless of the pandemic's impact on the plaza tenets. My lawyer tried to work with Wilder and Wegmans and they refused to lower rent to \$1,500.00 that the studio had been paying. In November 2021, I moved Legacy Dance Studio to 7502 Porter Road Niagara Falls, NY 14304 with a \$1,500 rent monthly fee, at a huge, unplanned financial cost to the studio.

I believe in Legacy Dance Studio and the kids I teach. It is my true passion to help them find a safe space to explore the art of dance and help them succeed in their future. I now have a plan to reduce expenses and increase enrollment, and have a disaster plan, should anything happen in the future. However, dance studios acquire their revenue in the fall and we are in the middle of our season. I am asking if I could have lower payments on the NCIDA loan from \$462.47 monthly to interest-only of \$68.30 monthly from now March 2022 until October 2022, which is after our studio's September enrollment time.

I am working on additional goals to increase client enrollment with new programs and community events. Listed below are some goals I am currently working on:

New Legacy Dance Studio Revenue:

1st goal is a Therapeutic Educational/Dance Program for the ages 2-4.

2nd goal would be a day teacher trainer or educational program, I am a certified Birth-2nd General Education and Special Education and a TCIT coach (teacher, child, interaction, training). I am currently working for Niagara Falls school district.

3rd goal would be to create workshops, party events, and community programs during the day. I started to do dance party events before COVID-19 and it was successful. I am planning on bringing it back.

4th goal is to bring a scholarship pageant to this area. In August of 2021, I was a celebrity pageant judge in Louisiana for Our Little Miss Scholarship Pageant. Since August, I have been in training to become a local director of pageants. Recently, the Our Little Miss Corporation has officially asked me to be the director of New York State starting in April 2022. This will be a great opportunity for this area and for my studio.

Please let me know if I could adjust my loan payment to \$68.30 from March until October 2022. I am happy to answer any questions. My goal is to make the original payment as soon as possible, when I get back on my feet, or if I have some additional funds.

Thanks for your time and consideration of this matter,

Constance (Connie) Smith

Legacy Dance Studio

8.4.1

David J. Fronczak

d/b/a Village Inn

the Harrison Studio
160 Washburn Street, Suite 200
P.O. Box 473
Lockport, New York 14095
Tel: (716) 462-6600
Fax: (716) 201-1738

Memorandum

To: Andrea Klyczek
From: Diane Church
Date: March 14, 2022
Re: **COVID Relief for Small Business Grant Fund Application – The Village Inn**

Applicant

Company: David J. Fronczak doing business as Village Inn
Owners: David J. Fronczak
DUNS #: 88-472-3958
Date Established: 2003

Eligibility

Location: 869 Oliver Street, North Tonawanda
For-profit: Yes
Pre-COVID: Operating
Current: Operating
Distress: Business closed for 6 months due to COVID-19; gross sales declined by 50% from 2019 to 2020.
L/M Micro: N
L/M Jobs: Applicant anticipates creating 1 FT manager position and 3 PT cook/bartender positions for 2.5 FTE equivalents, 51% of which will available to or taken by LMI persons (1.0 required for this grant award).

Use of Funds

Equipment and fixtures, inventory and working capital, all to be incurred prior to September 8, 2022.

Credit Summary

A Dun & Bradstreet report was obtained for Village Inn on 3/3/2022. There are no bankruptcies, judgements, liens, or past due items being reported. The company has no UCC filings against its assets. In summary, the D&B report gives Village Inn a low-moderate overall business risk profile, indicating that the company is in stable condition, has a likelihood of continued operations, and a very low potential for severely delinquent payments. The Village Inn is an established restaurant and bar on Oliver Street in North Tonawanda that faced closure and operating restrictions due to COVID-19. The grant funds will help the business operate safely and maintain inventory levels and staffing to service its customers.

Scope of Work:

Update bar stools, tables and chairs to make more sanitary and adhere to social distancing. Acquire an advertising sign to promote events. Stock up on inventory to avoid supply issues. Help to pay operating expenses to keep restaurant running at capacity.

COVID Connection

The new furnishings will help to update the restaurant and provide enough seating for social distancing and capacity guidelines. Continue to supply sanitizing stations to keep patrons and employees safe. Use advertising signage to market events and the restaurant specials.

CDBG Underwriting

Project Costs – Applicant will use grant funds for equipment and fixtures, inventory and working capital, all costs to be incurred prior to September 8, 2022. Quotes were provided for replacement barstools and tables and updated kitchen equipment. Documentation of business-related costs will be required prior to disbursement and must be eligible and reasonable.

Commitment of Other Sources of Funds – None required.

No Substitution of CDBG Funds for Non-Federal Funds – There are no other non-federal grant sources available to assist in post-COVID business restoration costs.

Financial Feasibility – The 2020 Federal income tax return shows reduced revenues and a loss in 2020. An interim financial statement for 2021 shows increased sales and a modest profit, with the business projected to return to pre-pandemic sales levels by year-end. The Village Inn, which has been a long-time business on Oliver Street, was acquired by applicant's family in the mid-1980's. The applicant took over the business in 2003.

Reasonable Return on Equity – There is nothing in the company's historical operating performance that suggests that the proposed grant would produce an unreasonable return on equity or result in profitability substantially in excess of industry standards.

Pro Rata Disbursement of CDBG Funds – Documentation of all project expenditures will be required prior to the disbursement of CDBG funds.

Connection to Coronavirus

Per Niagara County's application to the CDBG-CV program, the proposed project meets the following program goals:

- Assist a business that experienced a business closure and restricted operations due to the COVID-19 pandemic

Recommendation

Applicant can be conditionally approved for a grant of up to \$50,000 based on expected creation of 2.5 FTE's, with 51% of new positions to be available to or taken by low-mod individuals. A minimum of 1.0 new full-time equivalent job position is required.

8.4.2

**Escarpment
Arms, Inc.**

the Harrison Studio
160 Washburn Street, Suite 200
P.O. Box 473
Lockport, New York 14095
Tel: (716) 462-6600
Fax: (716) 201-1738

Memorandum

To: Andrea Klyczek
From: Chuck Bell
Date: March 31, 2022
Re: **COVID Relief for Small Business Grant Fund Application - Escarpment Arms, Inc.**

Applicant

Company: Escarpment Arms, Inc.
Owners: Francis Morabito (51%)
Joseph Olscamp (49%)
DUNS# 06-037-7971
Date Established: March 2019

Eligibility

Location: 3580 Lockport Olcott Road, Lockport, New York 14094
For-profit: Yes
Pre-COVID: Operating
Current: Operating
Distress: The business was negatively impacted by operating restrictions imposed in response to COVID, increased operating costs, and a hesitancy of the public to return to restaurants and bars. Gross sales declined by 74% from 2019 to 2020
L/M Micro: No
L/M Jobs: Business will create 2 full-time jobs that will be available to low-to-moderate income individuals.

Use of Funds

Equipment and inventory to be incurred prior to September 8, 2022.

Credit Summary

A Dun & Bradstreet report was obtained for Escarpment Arms, Inc. on 3/3/2022. There are no bankruptcies, judgements, liens, or past due items being reported. The company has no UCC filings against its assets. D&B gives Escarpment Arms a moderate-high overall risk profile in large part to the limited history of operations, losses in 2020 and 2021, and the recent conversion from a home-based to a storefront business. While the payment history sample size is relatively limited, D&B reports some stability concerns and a potential for delinquent payments. The business was negatively impacted by three Covid-related closures due to staff exposure and saw a significant losses in 2020, although demand has increased significantly and there is opportunity for revenue growth.

Scope of Work:

Purchase machinery to offer additional services, a digital fingerprint system to meet required filing procedures and no-touch guidelines. Also using funds to increase inventory to prevent shortages and loss of business.

COVID Connection

These funds will allow us to place orders for inventory currently unavailable to us due to the pandemic induced restructure of the sales models by our distributors. As a result of the lack of supply of product, the major distributors have started using an allocation method that involves spending large volumes of money to be able to access the products. The availability of product for sale is a direct need in order to retain the employment of all of our staff and increased sales. The purchase of machinery will help to increase sales and create a machinist position.

CDBG Underwriting

Project Costs – Applicant will use grant funds for equipment and inventory, all costs to be incurred prior to September 8, 2022. Screenshots were provided for the three major pieces of equipment and costs have been demonstrably increasing for both equipment and inventory within the industry. Documentation of business-related costs will be required prior to disbursement and must be eligible and reasonable.

Commitment of Other Sources of Funds – None required.

No Substitution of CDBG Funds for Non-Federal Funds – There are no other non-federal grant sources available to assist in post-COVID business restoration costs.

Financial Feasibility – The 2020 Federal income tax return shows a substantial loss in 2020. The profit and loss statement for 2021 shows a significant spike in sales over 2020, but still shows an operating loss and revenues well behind 2019. The business was home-based until opening a 1,500 square foot storefront in 2020 and it is hoped that the physical presence, combined with new equipment and staff, will allow the company to meet the continually increasing industry demand.

Reasonable Return on Equity – Funding will be used to help offset increased inventory costs and a new inventory purchasing structure within the industry that requires significant upfront cash outlays. There are no indications based on project costs and the company's operating history that the proposed grant would produce an unreasonable return on equity or result in profitability substantially in excess of industry standards.

Pro Rata Disbursement of CDBG Funds – Documentation of all project expenditures will be required prior to the disbursement of CDBG funds.

Connection to Coronavirus

Per Niagara County's application to the CDBG-CV program, the proposed project meets the following program goals:

- Assist a business that experienced restricted operations and a significant drop in income resulting in financial losses due to the COVID-19 pandemic

Additionally, due to the pandemic, suppliers within the firearm industry have begun using the allocation method that involves significant purchasing in order to access product.

Recommendation

Applicant can be approved for a grant of up to \$50,000 based on its eligibility as a microenterprise majority-owned by a low-to-moderate income person.

8.4.3

Calhoun's Pub of Newfane, Inc.

the Harrison Studio
160 Washburn Street, Suite 200
P.O. Box 473
Lockport, New York 14095
Tel: (716) 462-6600
Fax: (716) 201-1738

Memorandum

To: Andrea Klyczek
From: Diane Church
Date: March 21, 2022
Re: **COVID Relief for Small Business Grant Fund Application-Calhoon's Pub of Newfane**

Applicant

Company: Calhoon's Pub of Newfane, Inc.
Owners: Morgan Calhoon (100%)
DUNS# 04-270-7125
Date Established: February 1976

Eligibility

Location: 2598 Main Street, Newfane, New York 14108
For-profit: Yes
Pre-COVID: Operating
Current: Operating
Distress: The business was negatively impacted by operating restrictions imposed in response to COVID, increased operating costs, and a hesitancy of the public to return to restaurants and bars. Gross sales declined by 74% from 2019 to 2020
L/M Micro: N
L/M Jobs: Business will retain 5 part time employees equaling 1.8 FTE's, 1.4 of which are held by LMI persons (1.0 required for this grant award).

Use of Funds

Furnishings, fixtures and equipment and working capital, all to be incurred prior to September 8, 2022.

Credit Summary

A Dun & Bradstreet report was obtained for Calhoon's Pub of Newfane, Inc. on 3/3/2022. There are no bankruptcies, judgements, liens, or past due items being reported. The company has no UCC filings against its assets. D&B was unable to assign an overall business risk profile rating due to a lack of reported business activity. Reported transactions do not indicate any late pays. Calhoon's Pub of Newfane has been in business in Newfane since 1976 and the current owner is the third generation of the Calhoon family to run the business. The application indicates significant changes to their business model to address the impacts of the COVID pandemic, shifting their focus to hosting events and private parties. The grant funding will help the business enhance their catering capabilities and their outdoor event venue as well as their to-go service.

Scope of Work:

The funds will be used for equipment and furniture to upgrade the catering and event space to better support the outdoor area for hosting and catering mid- to large-sized events. They will also use funds for working capital including marketing and promoting the new services.

COVID Connection:

Since the pandemic, not as many people are going out to restaurants and pubs as frequently as before, therefore they began to diversify their business through catering, private event reservations, and on- or off-site events. This project will allow them to better bring their offerings to the customers through catering, events, and meal orders for at-home groups. Improving the outdoor facility and capabilities would also allow them to better run an outdoor dining space if indoor dining was to be shut down again. Some of the items also included in our costing are updated takeout containers required for serving better and larger quantities of food - this helps us prepare better for take-out options.

CDBG Underwriting

Project Costs – Applicant will use grant funds for furnishings, fixtures, and equipment and working capital, all costs to be incurred prior to September 8, 2022. Documentation of business-related costs will be required prior to disbursement and must be eligible and reasonable.

Commitment of Other Sources of Funds – None required.

No Substitution of CDBG Funds for Non-Federal Funds – There are no other non-federal grant sources available to assist in post-COVID business restoration costs.

Financial Feasibility – The 2020 Federal income tax return shows a significant drop in revenues and a substantial loss in 2020. The profit and loss statement for 2021, which is not final, shows a 48% growth in sales over 2020, but still shows an operating loss and revenues well behind 2019. The business was not fully opened or staffed in 2021 and it is hoped that a change in the business model toward more catering and events will increase revenues and allow for higher staffing levels.

Reasonable Return on Equity – There is nothing in the company’s historical operating performance that suggests that the proposed grant would produce an unreasonable return on equity or result in profitability substantially in excess of industry standards.

Pro Rata Disbursement of CDBG Funds – Documentation of all project expenditures will be required prior to the disbursement of CDBG funds.

Connection to Coronavirus

Per Niagara County’s application to the CDBG-CV program, the proposed project meets the following program goals:

- Assist a business that experienced restricted operations and a significant drop in sales due to the COVID-19 pandemic

Job Retention

Company experienced a decline in net profits of \$47,016 from 2019 to 2020 and a net operating loss in 2020 of \$53,918 in 2020 due to COVID-19. These losses exceed the wages of the five P/T positions to be retained.

Recommendation

Applicant can be conditionally approved for a grant of up to \$50,000 based on the retention of 1.8 FTE’s, 1.4 of which are held by low-to-moderate income persons.

8.4.4

**The Craft Kitchen
& Bar LLC**

the Harrison Studio
160 Washburn Street, Suite 200
P.O. Box 473
Lockport, New York 14095
Tel: (716) 462-6600
Fax: (716) 201-1738

Memorandum

To: Andrea Klyczek
From: Diane Church
Date: March 24, 2022
Re: **COVID Relief for Small Business Grant Fund Application-The Craft Kitchen & Bar**

Applicant

Company: The Craft Kitchen & Bar LLC
Owners: William Olesiuk (100%)
DUNS# 05-701-6618
Date Established: March 2016

Eligibility

Location: 223 Ferry Avenue, Niagara Falls, New York 14301
For-profit: Yes
Pre-COVID: Operating
Current: Operating
Distress: The business closed for 3 months and was negatively impacted by operating restrictions imposed in response to COVID which resulted in reduced operating capacity and a decrease in revenues. Gross sales declined by 35% from 2019 to 2020
L/M Micro: Y
L/M Jobs: Not applicable; however, applicant anticipates creating 4 FTE equivalents (1 full-time manager, 1 full-time cook, and 1 full-time server/bartender position and 1 part-time cook and 1 part-time server/bartender position)

Use of Funds

Working capital, inventory, and furnishings, fixtures, and equipment all to be incurred prior to September 8, 2022.

Credit Summary

A Dun & Bradstreet report was obtained for The Craft Kitchen & Bar LLC on 3/3/2022. There are no bankruptcies, judgements, liens, or past due items being reported. The company has no UCC filing against its assets. D&B has assigned an overall business risk profile rating of low-moderate risk, indicating that the business is in stable condition, there is a likelihood of continued operations, and the business has a low potential for severely delinquent payments. There is no indication of late payments. The applicant, which serves pub food and a wide variety of local craft beers, opened in 2017 as part of a mixed use redevelopment in the City's Third Street Business District. The business closed for three months and reopened with limited capacity in accordance with government-imposed restrictions. The grant funding will help fund equipment, inventory and working capital expenses that will help the business expand to include breakfast and lunch service, expand outdoor seating, and create more to-go options for customers.

Scope of Work:

Purchase kitchen and serving equipment to update and offer additional self-serve options and outdoor furniture to expand outdoor seating. Will also use funds for staffing and inventory to increase hours of operation to include breakfast and lunch hours.

COVID Connection

They will be updating their kitchen equipment to have a more sanitary environment and be able to increase services and operations to help the business recover from their COVID losses. The outdoor area will be expanded to meet social distancing guidelines. Expanded hours and to-go/delivery services will help to increase current business and prepare for any future pandemic restrictions.

CDBG Underwriting

Project Costs – Applicant will use grant funds for equipment, inventory and working capital, all costs to be incurred prior to September 8, 2022. Documentation of business-related costs will be required prior to disbursement and must be eligible and reasonable.

Commitment of Other Sources of Funds – None required.

No Substitution of CDBG Funds for Non-Federal Funds – There are no other non-federal grant sources available to assist in post-COVID business restoration costs.

Financial Feasibility – The 2020 Federal income tax return shows a significant drop in revenues and an operating loss in 2020. The profit and loss statement for 2021, however, shows an increase of gross sales and net profit over pre-pandemic levels. The owner indicates growth in sales in 2021 is attributable to the fact that applicant was one of few restaurants open on 3rd Street when restrictions were lifted and was able to service tourists when other establishments were shut down or had very limited hours, with staffing by just the owner and a few employees. Owner indicates that continued operation in this manner is not sustainable long-term and applicant is now looking to add employees and otherwise support existing and expanded operations with the grant assistance.

Reasonable Return on Equity – There is nothing in the company’s historical operating performance that suggests that the proposed grant would produce an unreasonable return on equity or result in profitability substantially in excess of industry standards.

Pro Rata Disbursement of CDBG Funds – Documentation of all project expenditures will be required prior to the disbursement of CDBG funds.

Connection to Coronavirus

Per Niagara County’s application to the CDBG-CV program, the proposed project meets the following program goals:

- Assist a business that experienced closure, restricted operations and a significant drop in sales due to the COVID-19 pandemic

Recommendation

Applicant can be conditionally approved for a grant of up to \$50,000 based on its eligibility as a microenterprise owned by a low-to-moderate income person.

8.4.5

**708 E. Market
Street Niagara
Falls Inc.**

the Harrison Studio
160 Washburn Street, Suite 200
P.O. Box 473
Lockport, New York 14095
Tel: (716) 462-6600
Fax: (716) 201-1738

Memorandum

To: Andrea Klyczek
From: Diane Church
Date: March 25, 2022
Re: **COVID Relief for Small Business Grant Fund Application-708 E. Market Street**

Applicant

Company: 708 E. Market Street Niagara Falls Inc.
Owners: Anthony Gagliardo (100%)
DUNS# 11-853-9207
Date Established: July 2001

Eligibility

Location: 708 E. Market Street, Niagara Falls, New York 14301
For-profit: Yes
Pre-COVID: Operating
Current: Operating
Distress: The business was negatively impacted by operating restrictions imposed in response to COVID which resulted in reduced operating hours and a decrease in revenues. Gross sales declined by 55% from 2019 to 2020
L/M Micro: N
L/M Jobs: 1.5 FTE equivalents (2 part-time server positions and 1 part-time waitress position) that will be available to LMI persons (1.0 required for this grant award).

Use of Funds

Working capital and inventory, all to be incurred prior to September 8, 2022.

Credit Summary

A Dun & Bradstreet report was obtained for 708 E. Market Street Niagara Falls Inc. on 3/3/2022. There are no bankruptcies, judgements, liens, or past due items being reported. The company has one UCC filing against its assets, filed in 2020 by the U.S. Small Business Administration, likely in connection with Economic Injury Disaster Loans (EIDL) obtained by the applicant. D&B was unable to assign an overall business risk profile rating due to a lack of reported business information. D&B assigned a Viability score of 6, indicating a moderate risk of no longer being viable. The applicant operates a long-standing restaurant and bar in Niagara Falls, NY. The business reduced its operating hours as a result of the pandemic and grant funding will help the business cover operating expenses, including payroll, and purchase inventory needed for continued and expanded operations.

Scope of Work:

Funds will be used to stock up on inventory, purchase and repair kitchen equipment. Help to pay operating expenses like utilities, insurance and rent to keep restaurant running at capacity.

COVID Connection

Purchasing more inventory will help to avoid current supply issues and purchasing or repairing the kitchen equipment will help to make a safer environment for employees. All of the funds will help to recover from the pandemic, serve customers better, and increase business to stay viable during any future pandemic restrictions.

CDBG Underwriting

Project Costs – Applicant will use grant funds for inventory and working capital, all costs to be incurred prior to September 8, 2022. Documentation of business-related costs will be required prior to disbursement and must be eligible and reasonable.

Commitment of Other Sources of Funds – None required.

No Substitution of CDBG Funds for Non-Federal Funds – There are no other non-federal grant sources available to assist in post-COVID business restoration costs.

Financial Feasibility – The 2020 Federal income tax return shows a significant drop in revenues and a substantial loss in 2020. The profit and loss statement for 2021 shows a small decline in gross sales from 2020, but also a reduction in cost of goods sold and other expenses, resulting in a smaller net loss for 2021. The business, which operates as Gagster's Restaurant and Catering, is an established business in Niagara Falls. The grant funding will help offset operating costs, including the cost of new hires, as the business seeks to rebound from the pandemic.

Reasonable Return on Equity – There is nothing in the company's historical operating performance that suggests that the proposed grant would produce an unreasonable return on equity or result in profitability substantially in excess of industry standards.

Pro Rata Disbursement of CDBG Funds – Documentation of all project expenditures will be required prior to the disbursement of CDBG funds.

Connection to Coronavirus

Per Niagara County's application to the CDBG-CV program, the proposed project meets the following program goals:

- Assist a business that experienced restricted operations and a significant drop in sales due to the COVID-19 pandemic

Recommendation

Applicant can be conditionally approved for a grant of up to \$50,000 based on the creation of 1.5 full-time equivalent positions which will be available to or taken by low-to-moderate income persons.

8.4.6

**The Why Coffee
Shop LLC**

the Harrison Studio
160 Washburn Street, Suite 200
P.O. Box 473
Lockport, New York 14095
Tel: (716) 462-6600
Fax: (716) 201-1738

Memorandum

To: Andrea Klyczek
From: Mike Thomas
Date: March 30, 2022
Re: **COVID Relief for Small Business Grant Fund Application - The Why Coffee Shop**

Applicant

Company: The Why Coffee Shop LLC
Owners: Marti Perrigo (50%)
Ronalyne Zimmerman (50%)
DUNS #: 62-660-0118
Date Business Established: 12/20/2017

Eligibility

Location: 1319 Main Street, Niagara Falls, New York 14301
For-profit: Yes
Pre-COVID: Operating
Current: Operating
Distress: The business closed during the pandemic and was negatively impacted by operating restrictions imposed in response to COVID which limited seating capacity to enforce social distancing which, at one point, resulted in only 3 booths being available, resulting in a decrease in revenues. Gross sales declined by 62% from 2019 to 2020.
L/M Micro: N
L/M Jobs: Applicant will retain three part time positions currently totaling 34 hours, plus restore an additional 6 hours to those employees. This equates to 1 FTE which is currently held by LMI persons per the Family Income Forms on file.

Use of Funds

Working capital, inventory, and equipment all to be incurred prior to September 8, 2022.

Credit Summary

The Dun & Bradstreet report obtained on 3/3/2022 relates to The Why Coffee Shop operated by David Perrigo, the current owners' father, which is shown as inactive. Mr. Perrigo's two daughters formed an LLC to operate the coffee shop in 2017. As a condition of any grant award, the applicant will have to obtain a DUNS number. The applicant's tax returns indicate that the business was marginally profitable in 2019 and experienced a loss in 2020. The Why Coffee shop is a family-owned business and a traditional neighborhood coffee shop that has served breakfast and lunch to residents and visitors to this Niagara Falls neighborhood for many years. The grant funding will help fund equipment, inventory and working capital expenses that will help the business replace aging equipment, cover the increasing cost of inventory, maintain its employees.

Scope of Work:

The funds will be used to stock up on inventory and to help pay operating expenses, like equipment maintenance and additional staff hours to keep the restaurant running at capacity.

COVID Connection

The need to stock up on inventory is avoid supply issues and rising costs due to COVID. They need to maintain or replace their equipment and retain employees so they can recover from the losses during COVID and prepare for any future pandemics.

CDBG Underwriting

Project Costs – Applicant will use grant funds for equipment, inventory and working capital, all costs to be incurred prior to September 8, 2022. Documentation of business-related costs will be required prior to disbursement and must be eligible and reasonable.

Commitment of Other Sources of Funds – None required.

No Substitution of CDBG Funds for Non-Federal Funds – There are no other non-federal grant sources available to assist in post-COVID business restoration costs.

Financial Feasibility – The 2020 Federal income tax return shows a significant drop in revenues and an operating loss in 2020. The profit and loss statement for 2021 shows a 14% increase in gross sales over 2020 (still well short of 2019 levels) but also an increase in cost of goods sold and operating expenses, resulting in a continued operating loss. The applicant believes that by updating their equipment and maintaining staffing levels with this grant assistance, they can improve their product and bring back customers who were lost during the pandemic as Covid restrictions continue to ease.

Reasonable Return on Equity – There is nothing in the company's historical operating performance that suggests that the proposed grant would produce an unreasonable return on equity or result in profitability substantially in excess of industry standards.

Pro Rata Disbursement of CDBG Funds – Documentation of all project expenditures will be required prior to the disbursement of CDBG funds.

Connection to Coronavirus

Per Niagara County's application to the CDBG-CV program, the proposed project meets the following program goals:

- Assist a business that experienced closure, restricted operations, and a significant drop in sales due to the COVID-19 pandemic.

Job Retention

Company experienced a decline in revenue of \$94,873 from 2019 to 2020 due to COVID-19. Revenue did not rebound significantly in 2021, still down \$86,669 when compared to 2019. The company had an operating loss of \$15,763 in 2021. Based on this financial performance, it can be reasonably assumed that these jobs would be in jeopardy without grant assistance.

Recommendation

Applicant can be conditionally approved for a grant of up to \$35,100 based on the retention and increase of hours of 3 low-mod employees to equal the retention/creation of one FTE.