

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: May 12, 2021
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
___ **Mary Lynn Candella**, Asst. Secretary
___ **Robert B. Cliffe**, Member
___ **Scott Brydges**, Member
___ **Clifford Scott**, Member
___ **Jason Krempa**, Member

Staff Members:

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

-
- 1.0 Meeting Called to Order – *M. Onesi*
 - 2.0 Roll Call – *J.Lamoreaux*
 - 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 – April 14, 2021
 - 6.0 Finance & Audit Committee Reports – *K. McCabe*
 - 6.1 Agency Payables – April 30, 2021
 - 6.2 Budget Variance Report – April 30, 2021

7.0 Unfinished Business

7.1 Enterprise Lumber & Silo, LLC – *S.Langdon*

7.1.1 Final Resolution

7.2 Rubberform Recycled Products, LLC – *S. Langdon*

7.2.1 Final Resolution

7.3 8297 Packard Road, LLC – *S.Langdon*

7.3.1 Final Resolution

7.4 9745 Rochester Road LLC – *S.Langdon*

7.4.1 Final Resolution

8.0 New Business

8.1 DLV Properties, LLC– *S.Barone*

8.1.1 Preliminary Resolution

8.1.2 Authorize Public Hearing Date

8.2 Bogart-Sinatra Development, LLC – *S.Barone*

8.2.1 Preliminary Resolution

8.2.2 Authorize Public Hearing Date

8.3 Niacet Corporation – *S.Langdon*

8.3.1 Preliminary Resolution

8.3.2 Authorize Public Hearing Date

8.4 7920 JMD LLC – *S.Barone*

8.4.1 Preliminary Resolution

8.4.2 Authorize Public Hearing Date

8.5 Rupal Corporation – *M. Gabriele*

8.5.1 Consent to Refinance

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: June 9, 2021

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

PLACE: Niagara County Center for Economic Development

13.0 Adjournment - *M. Onesi*

5.1

April 14

MEETING

MINUTES

REGULAR NCIDA/NCDC/NADC BOARD MEETING MINUTES

Meeting Date: Wednesday, April 14, 2021
Meeting Time: 9:00 a.m.
Meeting Place: Niagara County Industrial Development Agency
6311 Inducon Corporate Drive, Suite One
Sanborn, New York 14132

1.0 Meeting Called to Order

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

2.0 Roll Call

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

3.0 Introductions

Guests Present:

Terry Burton, Enterprise Lumber & Silo
Kelley Culp-Burton, Enterprise Lumber & Silo
Joy Kuebler, Enterprise Lumber & Silo
Jeff Robbins, Rubberform Recycled Products
Scott Miller, Scott Lawn Yard, 8297 Packard Road LLC
Tyler Brent, Brent Industries, 9745 Rochester Road LLC
Jim Fink, Business First

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 Mr. Wolfgang led the Pledge of Allegiance.

5.0 Approval of NCIDA Meeting Minutes

5.1 Meeting Minutes of March 10, 2021

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

6.0 Finance & Audit Committee Reports

6.1 Agency Payables

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

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

6.2 Budget Variance Report

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

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

7.0 Unfinished Business

7.1 AMP Real Estate Holdings of Erie County LLC

Ms. Klyczek stated that a public hearing was held on April 6, 2021 at North Tonawanda City Hall. In attendance was the Director of Real Property for Niagara County and the Assessor for the City of North Tonawanda. There were no comments.

7.1.1 Final Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF AMP REAL ESTATE HOLDINGS OF ERIE COUNTY, LLC AND/OR AN INDIVIDUAL(S) OR AFFILIATE, SUBSIDIARY, OR ENTITY FORMED OR TO BE FORMED ON ITS BEHALF (AS MORE FULLY DEFINED BELOW); (ii) DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT; (iii) NEGOTIATE AND EXECUTE A LEASE AGREEMENT, LEASEBACK AGREEMENT, PAYMENT-IN-LIEU-OF-TAX AGREEMENT, PILOT MORTGAGE AND RELATED DOCUMENTS: AND (iv) PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION,

7.1.1 Final Resolution (Continued)

CONSTRUCTION AND EQUIPPING OF THE PROJECT, (B) A MORTGAGE RECORDING TAX EXEMPTION FOR THE FINANCING RELATED TO THE PROJECT; AND (C) A MORTGAGE RECORDING TAX EXEMPTION FOR THE MORTGAGE RELATED TO THE PILOT AGREEMENT.

Mr. Wolfgang made a motion to approve the Final Resolution; Mr. Krempa seconded the motion.

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

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

The Resolution was thereupon duly adopted.

8.0 New Business

8.1 Enterprise Lumber & Silo, LLC

Ms. Klyczek stated that Enterprise Lumber & Silo, LLC is the real property holding company owned by the principles of KCB Architecture P.C. and Joy Kuebler Landscape Architect P.C. They are planning to rehab the building at 211 Main Street into Class A professional office space and occupy 40% of the building and 40% to be leased to other professional firms. The principals, Ms. Culp-Burton and Ms. Kuebler, were present to answer any questions regarding the project.

Ms. Culp-Burton informed the Board that the current building at 211 Main Street is an 18,000 sq ft former lumber mill and it has been abandoned for 5 years. The property is in a brownfield area and the company has been working with the DEC since they purchased it in 2016. They recently received their approval letter for the work plan from the DEC and can now move ahead with the project.

Ms. Culp-Burton stated the building will be approximately 6,200 sq ft with the option of a phase two with an additional 5,000 sq ft. Images of the new building were shown to the Board. The principal’s businesses will share 3,600 sq ft of space and will have a high-end design that will be a welcoming environment to commercial and residential customers. Their plan is to have the property Net Zero as most homes they design have Net Zero aspects.

8.1 Enterprise Lumber & Silo, LLC (continued)

Ms. Kuebler noted that, in conjunction with their brownfield clean up, they had an opportunity to look at green infrastructure as a methodology to handle all storm water onsite. All storm water will be handled onsite through permeable pavement, as well as a rain garden. In addition, Enterprise Lumber has applied for a consolidated funding application from the Environmental Facilities Corp. for a Green roof.

The Board had some questions regarding any further issues with the project moving forward and environmental concerns. Ms. Culp-Burton and Mr. Burton confirmed that they have successfully affirmed sources of funding. Ms. Kuebler confirmed they are following the guidelines and work plan of the DEC to clean the brownfield area before proceeding with the project.

8.1.1 Preliminary Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF ENTERPRISE LUMBER & SILO, LLC WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF ENTERPRISE LUMBER & SILO, 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. Krempa made a motion to approve the Preliminary Resolution; Mr. Brydges seconded the motion.

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

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

The Resolution was thereupon duly adopted.

8.1.2 Authorize Public Hearing

Mr. Cliffe motioned to authorize the Public Hearing; Mr. Scott seconded the motion. The motion passed.

8.2 Rubberform Recycled Products, LLC

Ms. Klyczek stated Rubberform Recycled Products, LLC is located at 75 Michigan Street in the City of Lockport and currently lease this property. They are looking to purchase the facility and do some significant upgrades. Mr. Jeff Robbins is present to address any questions.

Mr. Robbins explained that Rubberform expects a multi-phase project over the next 5- 10 years. They have grown significantly over the last few years and do not have enough space for current operations and they expect continued growth. The project will include moving into an additional 20,000 sq ft building next door. The move will allow more capability at the location so they can keep the work in Niagara County and create more jobs.

8.2.1 Preliminary Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF RUBBERFORM RECYCLED PRODUCTS, LLC WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF RUBBERFORM RECYCLED PRODUCTS, 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. Wolfgang made a motion to approve the Preliminary Resolution;
Mr. McCabe seconded the motion.***

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

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

The Resolution was thereupon duly adopted.

8.2 Rubberform Recycled Products, LLC (continued)

8.2.2 Authorize Public Hearing

Mr. McCabe motioned to authorize the Public Hearing; Mr. Cliffe seconded the motion. The motion passed.

8.3 8297 Packard Road, LLC

Ms. Klyczek stated that 8297 Packard Road LLC operates as Scott Lawn Yard which provides a wide variety of services. Scott Lawn Yard created Landscape Associates of WNY (LAWNY), which is a maintenance division of the company.

Over the last two years, LAWNY has grown significantly. They are operating from three different locations. This new construction would allow them to consolidate all the locations and purchase additional equipment. Mr. Miller was present to answer any questions.

Mr. Miller stated the location is currently a vacant lot at the corner of Packard and Haseley Roads, across the street from the company's main location. The new building will house office space and a warehouse for LAWNY. There was some discussion regarding job retention and current properties.

8.3.1 Preliminary Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF 8297 PACKARD ROAD, LLC WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF 8297 PACKARD ROAD, LLC FOR ITSELF OR ON BEHALF OF 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) PROVIDE SALES TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE CONSTRUCTION AND EQUIPPING OF THE PROJECT; AND (v) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY.

Mr. Scott made a motion to approve the Preliminary Resolution;

Ms. Candella seconded the motion.

8.3 8297 Packard Road, LLC (continued)

8.3.1 Preliminary Resolution (continued)

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

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

The Resolution was thereupon duly adopted.

8.3.2 Authorize Public Hearing

Mr. Wolfgang motioned to authorize the Public Hearing; Ms. Candella seconded the motion. The motion passed.

8.4 9745 Rochester Road, LLC

Ms. Klyczek stated that Brent Industries is the home of two large online retail stores, KJ Motorsports and Outdoor Furnace Supply. Both entities are large worldwide e-commerce distributors. They currently operate in Middleport and are looking to construct a new 107,000 sq ft facility for their distribution and assembly operations at 9745 Rochester Road. There will be job creation as they are expecting to hire 12 full-time employees. Mr. Brent was present for any questions.

Mr. Brent gave more information in regard to the types of products each business specializes in and that they currently have two locations, Middleport and Medina. They would like to bring both operations into one new facility on Rochester Road. The project would be a state-of-the-art warehousing, distribution and assembly facility that would allow continued growth. There was further discussion regarding job retention and creation.

8.4.1 Preliminary Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF 9745 ROCHESTER ROAD LLC WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF 9745 ROCHESTER ROAD LLC OR AN ENTITY FORMED OR TO BE FORMED; (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE

8.4 9745 Rochester Road, LLC (continued)

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. McCabe made a motion to approve the Preliminary Resolution; Mr. Ross seconded the motion.

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

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

The Resolution was thereupon duly adopted.

8.4.2 Authorize Public Hearing

Mr. Cliffe motioned to authorize the Public Hearing; Mr. Brydges seconded the motion. The motion passed.

8.5 Cataract Tourism Fund

Ms. Klyczek stated that on March 26th there was a meeting of the committee for the Cataract Tourism Fund and there were two projects presented. The Committee would like to recommend the following grants.

8.5.1 Savarino Companies, LLC on behalf of 324 Niagara Street Landlord, LLC

Ms. Klyczek informed the Board that the first project was for Savarino Companies, LLC on behalf of 324 Niagara Street Landlord, LLC and mentioned that this project came before the Board in 2016 and was approved. There were some delays, but they can now proceed and are resubmitting their application. The project entails ten market rate apartments ranging in size from 690 to 1,090 square feet along with 4,000 square feet of retail storefront space. They are actively working with some retail entities to fill those spaces. Ms. Klyczek stated they also have funding from USA Niagara of \$145,000 and from the City of Niagara Falls for \$200,000.

8.5.1 Savarino Companies, LLC on behalf of 324 Niagara Street Landlord, LLC (continued)

Mr. Ross made a motion to approve the Cataract Tourism Fund Grant for Savarino Companies LLC; Mr. Scott seconded the motion.

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

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

The Resolution was thereupon duly adopted.

8.5.2 Buffalo Niagara Hospitality Inc.

Ms. Klyzcek stated that Buffalo Niagara Hospitality, Inc. started their operation renting bicycles at the corner of Old Falls Street. They have expanded into a property on Third Street. They are looking to the grant fund for some financial assistance to purchase 40 new electric scooters, four electric bikes and four tandem bicycles.

Mr. Ross made a motion to approve the Cataract Tourism Fund Grant for Buffalo Niagara Hospitality Inc; Mr. Brydges seconded the motion.

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

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

The Resolution was thereupon duly adopted.

8.6 Niagara County Center for Economic Development

Ms. Barone stated that there are currently two offices with temporary walls that we want to make permanent. The Niagara County Department of Public Works assisted in drawing up the plans and an RFP for the construction. Upon our review of the proposals staff recommends the low bid from D.R. Chamberlain.

8.6.1 Award of Contract for Office Reconfiguration

Mr. Cliffe made a motion to approve D.R. Chamberlain as contractor for office reconfiguration; Mr. Krempa seconded the motion. The motion passed.

8.7 Young Men’s Christian Association of Buffalo Niagara

Mr. Gabriele stated this is an old bond issued by Niagara Area Development Corporation. He explained that due to some provisions built within the bond documents and that relate to COVID regarding due dates and certain capital requirements, the agreement needs to be modified. Because NADC was the issuer, the company needs Board consent to modify the agreement.

8.7 Young Men’s Christian Association of Buffalo Niagara (continued)

8.7.1 Amendment to Bond Purchase and Loan Agreement

RESOLUTION AUTHORIZING THE EXECUTION OF A BOND MODIFICATION AGREEMENT RELATED TO THE \$9,700,000 NIAGARA AREA DEVELOPMENT CORPORATION REVENUE BONDS (YOUNG MEN'S CHRISTIAN ASSOCIATION BUFFALO NIAGARA), SERIES 2017 (THE "BONDS")

Mr. Wolfgang made a motion to approve amendment; Mr. McCabe seconded the motion.

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

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

The Resolution was thereupon duly adopted.

8.8 Vincent Properties, Inc.

Mr. Gabriele stated this is an old bond issued by Niagara Area Development Corporation. He explained that due to some provisions built within the bond documents and that relate to COVID regarding due dates and certain capitol requirements, the agreement needs to be modified. Because NADC was the issuer, the company needs Board consent to modify the agreement.

8.8.1 Amendment to Bond Purchase and Loan Agreement

RESOLUTION AUTHORIZING THE EXECUTION OF A BOND MODIFICATION AGREEMENT RELATED TO THE \$11,520,000 NIAGARA AREA DEVELOPMENT CORPORATION TAX-EXEMPT REVENUE BONDS (VINCENT PROPERTIES, INC. PROJECT), SERIES 2016 (THE "BONDS")

Ms. Candella made a motion to approve amendment; Mr. Cliffe seconded the motion.

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

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

The Resolution was thereupon duly adopted.

9.0 Agency Counsel

Mr. Gabriele noted to the Board that the Paris Reporting is a long process each year and the NCIDA staff, particularly Mike Dudley and Carrie Caruso, did a great job of completing the process within the deadline.

10.0 Information Items

There were no information items at this time.

11.0 Any Other Matters the Board Wishes to Discuss

12.0 Next: NCIDA/NCDC/NADC Board Meeting:

DATE: MAY 12, 2021

TIME: 9:00 a.m.

PLACE: Niagara County Center for Economic Development

13.0 Adjournment

***Mr. Onesi made a motion to adjourn; Mr. Wolfgang seconded the motion.
The meeting adjourned at 9:55 a.m.***

Respectfully submitted:

Reviewed by:

Approved by:

Susan L. Barone
Project Manager

Susan C. Langdon
Executive Director

William L. Ross
Secretary

6.1

AGENCY

PAYABLES

Niagara County Industrial Devel. Agency
Check Register
For the Period From Apr 1, 2021 to Apr 30, 2021

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
29234	4/6/21	Cintas Corporation LOC. 067P	10001.100	83.22
29235	4/6/21	The Hartford	10001.100	623.27
29236	4/6/21	THE HARTFORD	10001.100	208.05
29237	4/6/21	Lumsden & McCormick, LLP	10001.100	13,600.00
29238	4/6/21	M&T Bank	10001.100	308.88
29239	4/6/21	National Grid	10001.100	517.94
29240	4/6/21	Niagara Gazette Lockport Union Sun	10001.100	88.02
29241	4/6/21	STAPLES CONTRACT & COMMERCIAL	10001.100	188.11
29242	4/6/21	Time Warner Cable	10001.100	123.85
4/8/21	4/8/21	PAYCHEX, INC.	10001.100	73.77
4/9/21	4/9/21	NYS DEFERRED COMPENSATION PLAN	10001.100	943.83
29243	4/13/21	360 PSG.com	10001.100	60.00
29244	4/13/21	County of Niagara	10001.100	44.45
29245	4/13/21	County of Niagara	10001.100	621.99
29246	4/13/21	First Choice Coffee Services	10001.100	57.83
29247	4/13/21	Gabriele & Berrigan, P.C.	10001.100	13,094.20
29248	4/13/21	Magavern Magavern Grimm LLP	10001.100	50.00
29249	4/13/21	PURCHASE POWER	10001.100	150.00
29250	4/13/21	Professional Janitorial Services, Inc.	10001.100	793.17
29251	4/13/21	SAM'S CLUB/SYNCHRONY BANK	10001.100	101.94
29252	4/13/21	STAPLES CONTRACT & COMMERCIAL	10001.100	177.55
29253	4/20/21	Gabriele & Berrigan, P.C.	10001.100	3,798.40
29254	4/20/21	Guardian	10001.100	227.46
4/22/21	4/22/21	PAYCHEX, INC.	10001.100	60.90
4/23/21	4/23/21	NYS DEFERRED COMPENSATION PLAN	10001.100	886.83
4/26/21	4/26/21	NEW YORK STATE AND LOCAL	10001.100	325.21
29255	4/27/21	County of Niagara	10001.100	274.08
29256	4/27/21	Independent Health	10001.100	1,998.27
29257	4/27/21	Niag Cnty Dept of Economic Development	10001.100	198.47
29258	4/27/21	Pitney Bowes Global Financial Services	10001.100	189.42
29259	4/27/21	Time Warner Cable	10001.100	218.99
29260	4/30/21	Cintas Corporation LOC. 067P	10001.100	83.22
Total				40,171.32

NCIDA - MTF - Operating Fund
Check Register
For the Period From Apr 1, 2021 to Apr 30, 2021

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
2988	4/6/21	National Grid	10001.600	21.02
2989	4/20/21	VERIZON	10001.600	121.36
Total				142.38

NCIDA VIP-MTF Operating
Check Register
For the Period From Apr 1, 2021 to Apr 30, 2021

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
4482	4/6/21	H.W.BRYK & SONS, INC.	10001.600	279.55
4483	4/6/21	Frontier	10001.600	184.68
4484	4/6/21	National Grid	10001.600	389.34
4485	4/13/21	H.W.BRYK & SONS, INC.	10001.600	128.30
4486	4/13/21	Modern Disposal Services, Inc.	10001.600	164.10
4487	4/13/21	County of Niagara	10001.600	404.82
4488	4/13/21	Professional Janitorial Services, Inc.	10001.600	219.42
4489	4/20/21	Prentice Office Environments	10001.600	700.00
4490	4/27/21	County of Niagara	10001.600	132.74
Total				<u>2,602.95</u>

NCDC - CDBG/HUD - RLF

Check Register

For the Period From Apr 1, 2021 to Apr 30, 2021

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
184	4/6/21	Lumsden & McCormick, LLP	10200-300	<u>675.29</u>
Total				<u><u>675.29</u></u>

Niag. Cnty Dev. Corp. - EDA RLF
Check Register
For the Period From Apr 1, 2021 to Apr 30, 2021

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1332	4/6/21	Lumsden & McCormick, LLP	10001.100	1,307.84
1333	4/13/21	Gabriele & Berrigan P.C.	10001.100	165.00
Total				<u>1,472.84</u>

Niag. Cnty Dev. Corp. - Micro RLF
Check Register
For the Period From Apr 1, 2021 to Apr 30, 2021

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
2042	4/6/21	Lumsden & McCormick, LLP	10004,400	<u>316.87</u>
Total				<u><u>316.87</u></u>

NIAG ECONOMIC DEV FUND**Check Register**

For the Period From Apr 1, 2021 to Apr 30, 2021

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1326	4/6/21	Lumsden & McCormick, LLP	10000-200	1,300.00
1327	4/13/21	Gabriele & Berrigan P.C.	10000-200	549.20
1328	4/20/21	Gabriele & Berrigan P.C.	10000-200	195.00
Total				<u><u>2,044.20</u></u>

Niagara Industrial Incubator Associates
Check Register
For the Period From Apr 1, 2021 to Apr 30, 2021

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1181	4/6/21	Blue Ox Roofing	10000.100	1,343.00
1182	4/6/21	Lumsden & McCormick, LLP	10000.100	1,300.00
1183	4/6/21	National Fuel	10000.100	330.88
1184	4/6/21	National Grid	10000.100	426.78
1185	4/13/21	Gabriele & Berrigan, P.C.	10000.100	2,379.20
1186	4/13/21	Niagara Lock & Key Service, Inc.	10000.100	153.90
1187	4/20/21	Blue Ox Roofing	10000.100	426.00
1188	4/20/21	Gabriele & Berrigan, P.C.	10000.100	1,515.00
1189	4/20/21	National Grid	10000.100	3.02
Total				7,877.78

6.2

BUDGET

VARIANCE

REPORTS

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

BUDGET VARIANCE REPORT AS OF April 30, 2021

UN-AUDITED STATEMENT FOR INTERNAL MANAGEMENT USE ONLY

	Current Month Actual	Current Month Budget	Year To Date Actual	Year To Date Budget	Year To Date Variance	Total Budget
<u>Operating Revenues</u>						
Project Administrative Fees	\$ 41,000.00	\$ 35,434.00	\$ 412,300.00	\$ 134,745.00	277,555.00	\$ 543,976.00
Project Application Fees	4,000.00	1,000.00	7,250.00	4,000.00	3,250.00	12,000.00
NEDF RLF Administrative Fee	4,166.67	4,166.67	16,666.68	16,666.68	0.00	50,000.00
Administratve Fees - Other	0.00	0.00	7,400.00	7,400.00	0.00	42,668.00
Interest Earnings	75.69	148.92	391.04	595.68	(204.64)	1,787.00
Training Room Income	0.00	11.67	0.00	46.68	(46.68)	140.00
Distrib From Niag. Ind. Suites	0.00	0.00	0.00	0.00	0.00	100,000.00
Distributions From Affiliates	0.00	0.00	0.00	0.00	0.00	80,000.00
Distribution from VIP MTF	0.00	0.00	0.00	0.00	0.00	150,000.00
Total Operating Revenues	49,242.36	40,761.26	444,007.72	163,454.04	280,553.68	980,571.00
<u>Operating Expenses</u>						
Salaries	25,078.63	25,453.92	103,752.46	114,542.64	(10,790.18)	330,901.00
Benefits	3,072.88	3,329.25	12,051.90	13,317.00	(1,265.10)	39,951.00
Retirement Benefits	5,331.42	5,331.42	21,325.68	21,325.68	0.00	63,977.00
Payroll Taxes	1,970.58	1,950.52	8,076.50	8,762.95	(686.45)	25,314.00
Unemployment Taxes	762.71	35.07	1,045.96	424.14	621.82	443.00
Consultants	2,500.00	2,500.00	10,000.00	10,000.00	0.00	30,000.00
Assistant Director	5,412.00	5,412.00	21,648.00	21,648.00	0.00	64,944.00
Legal Services	5,900.00	5,000.00	42,975.80	20,000.00	22,975.80	60,000.00
Accounting Services	0.00	0.00	18,500.00	18,800.00	(300.00)	18,800.00
Accounting Services - NADC	0.00	0.00	2,100.00	2,100.00	0.00	2,100.00
Marketing	60.00	1,833.33	1,692.73	7,333.32	(5,640.59)	22,000.00
Printing	0.00	125.00	0.00	500.00	(500.00)	1,500.00
Office Supplies	177.55	208.33	403.67	833.32	(429.65)	2,500.00
Postage	339.42	569.00	998.42	1,744.00	(745.58)	3,344.00
Telephone & Fax	91.88	91.67	321.01	366.68	(45.67)	1,100.00
Internet Service	218.99	231.67	863.11	926.68	(63.57)	2,780.00
Common Area Charges	680.00	623.08	2,720.00	2,492.32	227.68	7,477.00
Energy	983.51	1,157.00	5,652.15	5,814.00	(161.85)	15,140.00
Conference & Travel	106.85	250.00	402.12	1,000.00	(597.88)	3,000.00
Employee Training	0.00	83.33	0.00	333.32	(333.32)	1,000.00
Depreciation Expense	0.00	0.00	0.24	0.00	0.24	0.00
Insurance Expense	1,480.00	1,580.25	5,920.00	6,321.00	(401.00)	18,963.00
Library & Membership	0.00	87.27	1,585.00	1,846.81	(261.81)	2,545.00
General Office	715.34	824.33	1,857.83	3,297.32	(1,439.49)	9,892.00
Repairs & Maintenance	842.92	1,188.67	3,556.86	4,754.68	(1,197.82)	14,264.00
Computer Support	0.00	666.67	0.00	2,666.68	(2,666.68)	8,000.00
Public Hearings	0.00	16.67	0.00	66.68	(66.68)	200.00
Furniture & Equipment Purchase	0.00	166.67	0.00	666.68	(666.68)	2,000.00
Other Expense	20.06	83.33	20.06	333.32	(313.26)	1,000.00
Total Operating Expenses	55,744.74	58,798.45	267,469.50	272,217.22	(4,747.72)	753,135.00
Net Operating Income/<Loss>	(6,502.38)	(18,037.19)	176,538.22	(108,763.18)	285,301.40	227,436.00
<u>Non-Operating Revenue & Expense</u>						
Grant Rev- City NF Initiative	0.00	0.00	370,000.00	370,000.00	0.00	1,796,250.00
Grant Sub-City NF Initiative	0.00	0.00	370,000.00	370,000.00	0.00	1,796,250.00
Net Non-Operating Income/<Loss>	0.00	0.00	0.00	0.00	0.00	0.00
Total Net Income/<Loss>	(\$ 6,502.38)	(\$ 18,037.19)	\$ 176,538.22	(\$ 108,763.18)	285,301.40	\$ 227,436.00

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Balance Sheet
April 30, 2021

ASSETS

Current Assets		
Cash - Checking	\$	226,331.52
Petty Cash		300.00
Mmkt Acct. - M&T Bank		1,587,782.70
Cash - First Response		75,000.18
Cash - City of N.F.		827.03
Mmkt Acct. - Cataract Tourism		4,002,351.46
Accts Rec - Public Hearings		1,691.34
Accounts rec.- Fees/Var.		159,395.00
Accounts Rec. EDA - RLF		12,600.32
Due To/From Micro RLF		13,333.28
Accounts Rec - NEDF		16,666.68
Due To/From VIP - MTF		439,708.92
Due From NCDC CDBG/HUD		13,333.44
Due To/Due From NADC		406.56
Due To/From MTF Operating		128,290.95
Prepaid Insurance		<u>13,272.85</u>
 Total Current Assets		 6,691,292.23
Other Assets		
Deferred Outflows		207,452.00
Investment in NIIA		<u>342,500.00</u>
 Total Other Assets		 549,952.00
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>\$ 7,241,244.23</u>

LIABILITIES AND NET ASSETS

Current Liabilities		
Accrued Retirement	\$	21,325.68
Deferred Rev. - First Repsonse		75,000.18
Def. Rev. - City of N.F.		4,003,178.49
Accounts Payable		13,543.44
Acct. Payable - Niag. County		<u>21,648.00</u>
 Total Current Liabilities		 4,134,695.79
Long-Term Liabilities		
Pension Liability		204,072.00
Deferred Inflows of Resources		<u>24,839.00</u>
 Total Long-Term Liabilities		 <u>228,911.00</u>
 Total Liabilities		 4,363,606.79
Net Assets		
Fund Balance - Operating Fund		2,701,099.22
Net Income		<u>176,538.22</u>
 Total Net Assets		 <u>2,877,637.44</u>
 Total Liabilities & Net Assets		 <u>\$ 7,241,244.23</u>

**Niagara County Industrial
Development Agency
Aged Payables
As of April 30, 2021**

Vendor ID Vendor	Invoice #	Amount Due
BARONE Susan L. Barone	1/5/21-4/23/21	52.64
CARUSO Caroline M. Caruso	3/2/21 - 4/28/21	54.21
GABRIELE Gabriele & Berrigan, P.C.	Apr 2021 Engagement	5,000.00
MAGAVERN Magavern Magavern Grimm LLP	88453 88452	650.00 250.00
NATGRID National Grid	39004 4/21	483.51
NIAGLOCKPORT Niagara Gazette Lockport Union	282502 282500 282501 282499	79.74 99.66 84.72 103.54
PRIMAR PRINTCRAFT MARKING DEVICES, INC.	50461	27.98
SAFGUA Safeguard Business Systems	34519745	172.44
Report Total		<u>7,058.44</u>

Adjusting Journal Entries

Estimated Apr 2021 Legal Fees	5,000.00
Estimated Apr 2021 Copier usage	250.00
Estimated Apr 2021 Telephone	30.00
Estimated Apr 2021 Niagara County Electric	200.00
Estimated Apr 2021 Niagara County Gas	300.00
Estimated Apr 2021 Cleaning service	705.00

13,543.44

**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
Niagara Falls Center for Tourism LLC	1,000,000	1,000,000	6/12/2019	To Be Disbursed	0	11/30/2021	Construction of an indoor family entertainment center and outdoor improvements
Red Star Builders, LLC (The Niagara Club)	523,250	523,250	7/10/2019	To Be Disbursed	0	8/1/2021	Roof top bar and lounge, banquet space, virtual entertainment lounge & Spot Coffee
The Center for Kashmir, Inc.	273,000	273,000	8/12/2020	To Be Disbursed	0	2/28/2022	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	9/30/2022	Rehabilitation of 4,000 square feet of commercial/retail storefront space.
Buffalo Niagara Hospitality Inc.	25,000	25,000	4/14/2021	To Be Disbursed	0	11/30/2021	Business expansion to include purchase of electric scooters and bikes and tandem bi
To Date Sub-Total	2,665,381	1,976,250			689,131		

Grant Fund Cash Balance as of 4/30/2021 4,003,178.49

Less: Outstanding Awards (1,976,250.00)

Available for awarding grants 2,026,928.49

Grant Fund Balance -

Grant Funding from NYS 11/22/2016 1,600,000.00

Grant Funding from NYS 10/16/2017 1,440,000.00

Grant Funding from NYS 10/12/2018 1,600,000.00

Bank Interest 52,352.75

Bank Fees (43.26)

Grant Disbursements (689,131.00)

Grant Fund Balance 4,003,178.49

7.1

**Enterprise
Lumber &
Silo, LLC**

PROJECT SUMMARY
Enterprise Lumber & Silo, LLC



Applicant:	Enterprise Lumber & Silo, LLC	
Project Location:	211 Main Street North Tonawanda, NY 14120	
Assistance:	10 Year PILOT Sales Tax Abatement Mortgage Recording Tax Abatement	
Description:	<p>Enterprise Lumber & Silo LLC is a real property holding company owned by the principals of KCB Architecture, P.C. and Joy Kuebler Landscape Architect, P.C. The project involves the adaptive reuse of a historic lumber warehouse at 211 Main Street in the City of North Tonawanda. The building was condemned in 2015 due to years of neglect and lack of maintenance.</p> <p>The new structure will be composed of 6,120 sq ft of Class A professional office space. The principals will occupy 40% of the building and 40% will be available for lease to other professional firms along with common areas. The existing heavy timber framing and foundations will be preserved in the new building.</p>	
Project Costs:	Acquisition/Construction/Improvements	\$ 1,996,559
	Furniture, Fixtures & Equipment	\$ 72,597
	Soft costs	\$ 166,672
	Other: Site Remediation	\$ 846,998
	TOTAL	\$ 3,082,826
Employment:	Current jobs in Niagara County:	9 FTE
	New Jobs in Niagara County within 3 years:	4 FTE
	Total Annual Payroll for New Jobs:	\$173,200
	Skills: Professional, Administrative, Marketing	
Evaluative Criteria:	Age of Structure, Building Vacancy, Redevelopment supports local development plans, Environmental and Safety issues, Building has historic designation.	

REGIONAL ECONOMIC IMPACT ANALYSIS
Enterprise Lumber & Silo LLC

Estimated Project Benefits / Estimated Project Incentives Analysis

Total Project Benefits	\$ 944,255
Total Project Incentives	\$ 335,814
Community Benefit to Cost Ratio	3:1
Projected Employment	
Total Employment	44
Direct**	13
Indirect***	12
Temporary Construction (Direct and Indirect)	19

Estimated Project Benefits

Total Project Benefit	\$ 994,255
Income Tax Revenue	\$ 655,000
Property Tax Revenue	\$ 144,255
Sales Tax Revenue	\$ 195,000

Estimated Project Incentives

Total Project Incentives	\$ 335,814
Property Tax	\$ 198,605
Sales Tax	\$ 114,950
Mortgage Tax	\$ 22,259

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

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

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

PUBLIC HEARING Enterprise Lumber & Silo, LLC and/or Individual(s) or Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf

Public Hearing to be held on May 3, 2021 at 2:00 p.m.
at North Tonawanda City Hall

Andrea Klyczek: *Welcome. This public hearing is now open; it is 2:02 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. Notice of this public hearing was published in the Niagara Gazette..*

We are here to hold the public hearing on Enterprise Lumber & Silo, 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.

The proposed project (the "Project") includes the renovation of a structure at 211 Main Street to be used as professional office space. The project application and project summary are posted on the Agency's website at niagaracountybusiness.com and I have copies with me today.

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).

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 May 7, 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.

Hearing no comments, I will now adjourn the meeting. It is now 2:04 p.m. Thank you.

**SIGN IN SHEET
PUBLIC HEARING**

May 3, 2021 at 2:00 p.m.
North Tonawanda City Hall

regarding:

Enterprise Lumber & Silo, LLC and/or Individual(s) or Affiliate(s), Subsidiary(ies), or Entity(ies)

formed or to be formed on its behalf

211 Main Street, North Tonawanda, New York

Name	Company and/or Address	X box to speak/ comment
James A. Zane	North Tonawanda	

7.2

**Rubberform
Recycled
Products, LLC**

PROJECT SUMMARY
Rubberform Recycled Products, LLC



Applicant:	Rubberform Recycled Products, LLC	
Project Location:	75 Michigan Street Lockport, NY 14094	
Assistance:	Sales Tax Abatement Property Tax Abatement Mortgage Recording Tax	
Description:	RubberForm Recycled Products leases their space in the City of Lockport. Rubberform is seeking to purchase the space they currently occupy and significantly upgrade the entire property. The company will repair the warehouse space, floors, high-bay building brick, replace windows, add skylights, and repair the roof. The parking lot will be resurfaced and enlarged, offices will undergo renovations, and additional offices will be built out. The company will add roof top solar or wind technology to reduce power costs and the entire building façade will be insulated and refaced.	
Project Costs:	Acquisition	\$ 810,000
	Construction/Improvements	\$ 1,500,000
	Furniture, Fixtures & Equipment	\$ 550,000
	Soft costs & other	\$ 95,000
	TOTAL	\$ 2,955,000
Employment:	Current jobs in Niagara County	19 FTE
	New Jobs in Niagara County within 3 years:	10 FTE
	Estimated Annual Payroll End Year 3:	\$1,292,000
	Skills: Management, professional production (engineering & manufacturing), Administrative	
Evaluative Criteria:	15 year Industrial - Regional Wealth Creation, Research and Development Activities, Retention, Workforce Access.	

REGIONAL ECONOMIC IMPACT ANALYSIS
Rubberform Recycled Products, LLC

Estimated Project Benefits / Estimated Project Incentives Analysis

Total Project Benefits	\$ 2,596,640
Total Project Incentives	\$ 784,911
Community Benefit to Cost Ratio	3:1
Projected Employment	
Total Employment	63
Direct**	29
Indirect***	23
Temporary Construction	11

Estimated Project Benefits

Total Project Benefits	\$ 2,596,640
Income Tax Revenue	\$ 1,652,000
Property Tax Revenue	\$ 439,640
Sales Tax Revenue	\$ 505,000

Estimated Project Incentives

Total Project Incentives	\$ 784,911
Property Tax	\$ 659,461
Sales Tax	\$ 104,000
Mortgage Tax	\$ 21,450

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

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

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

**PUBLIC HEARING Rubberform Recycled
Products, LLC and/or Individual(s) or
Affiliate(s), Subsidiary(ies), or Entity(ies)
formed or to be formed on its behalf**

Public Hearing to be held on May 4, 2021 at 2:00 p.m.
at Niagara County Courthouse

Andrea Klyczek: *Welcome. This public hearing is now open; it is 2:00 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. Notice of this public hearing was published in the Niagara Gazette.*

We are here to hold the public hearing on Rubberform Recycled Products, 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.

The proposed project (the "Project") includes the purchase and renovation of a structure at 75 Michigan Street to be used as manufacturing and warehouse space. The project application and project summary are posted on the Agency's website at niagaracountybusiness.com and I have copies with me today.

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).

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 May 7, 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.

Hearing no comments, I will now adjourn the meeting. It is now 2:02 p.m. Thank you.

**SIGN IN SHEET
PUBLIC HEARING**

May 4, 2021 at 2:00 p.m.
Niagara County Courthouse
regarding:

**Rubberform Recycled Products, LLC and/or Individual(s) or Affiliate(s), Subsidiary(ies), or Entity(ies)
formed or to be formed on its behalf
75 Michigan Street**

Name	Company and/or Address	X box to speak/ comment
Tracy Farrell	Assessor City of Upt	
Sue Mawhiney	Treas. City of Upt.	
Bill Robbins	Rubberform	

7.3

**8297 Packard
Road, LLC**

PROJECT SUMMARY
8297 Packard Rd., LLC



Applicant:	8297 Packard Road, LLC (aka Scott Lawn Yard)	
Project Location:	8401 Packard Rd. Niagara Falls, NY 14224	
Assistance:	10 Year PILOT Sales Tax Abatement Mortgage Recording Tax	
Description:	Scott Lawn Yard provides a wide variety of services including earthwork, water and sewer line installation, building foundation preparation, parking lot and roadway construction, landscaping and FEMA disaster response. Scott Lawn Yard created, Landscape Associates of WNY, Inc, (LAWNY), which is a maintenance division of the company. Over the past two years LAWNY has tripled its revenue and currently operates from three different locations. This project will allow for LAWNY to consolidate into one location and allow room for expansion. LAWNY will also pursue the purchasing of its own equipment rather than renting equipment.	
Project Costs:	Acquisition/Construction/Improvements	\$ 860,000
	Furniture, Fixtures & Equipment	\$ 115,000
	Soft costs & other	\$ 25,000
	TOTAL	\$ 1,000,000
Employment:	Current jobs in Niagara County:	16 FTE
	New Jobs in Niagara County within 3 years:	0 FTE
	Estimated Annual Payroll End Year 3:	\$709,000
	Skills: laborer, administrative, superintendent, foreman	
Evaluative Criteria:	Regional Wealth Creation, Supports Local Business, Retention	

REGIONAL ECONOMIC IMPACT ANALYSIS
8297 Packard Rd., LLC

Estimated Project Benefits / Incentives Analysis

Total Project Benefits	\$ 730,401
Total Project Incentives	\$ 177,987
Community Benefit to Cost Ratio	4:1
Projected Employment	33
Total Employment	
Direct**	16
Indirect***	9
Temporary Construction	8

Estimated Project Benefits

Total Project Benefits	\$ 730,401
Income Tax Revenue	\$ 470,000
Property Tax Revenue	\$ 112,401
Sales Tax Revenue	\$ 148,000

Estimated Project Incentives

Total Project Incentives	\$ 177,981
Property Tax	\$ 129,581
Sales Tax	\$ 42,400
Mortgage Tax	\$ 6,000

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

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

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

**PUBLIC HEARING 8297 Packard Road,
LLC and/or Individual(s) or Affiliate(s),
Subsidiary(ies), or Entity(ies) formed or to be
formed on its behalf**

Public Hearing to be held on May 3, 2021 at 1:00 p.m.
at Town of Niagara Town Hall

Andrea Klyczek: *Welcome. This public hearing is now open; it is 1:02 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. Notice of this public hearing was published in the Niagara Gazette.*

We are here to hold the public hearing on 8297 Packard Road, 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.

The proposed project (the "Project") includes the construction of a structure at 8297 Packard road to be used as storage and office space for Scott Lawn Yard and Landscape Associates of WNY, Inc.. The project application and project summary are posted on the Agency's website at niagaracountybusiness.com and I have copies with me today.

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).

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 May 7, 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.

Hearing no comments, I will now adjourn the meeting. It is now 1:04 p.m. Thank you.

**SIGN IN SHEET
PUBLIC HEARING**

May 3, 2021 at 1:00 p.m.
Town of Niagara Town Hall

regarding:

8297 Packard Road, LLC and/or Individual(s) or Affiliate(s), Subsidiary(ies), or Entity(ies)

formed or to be formed on its behalf

8297 Packard Road, Town of Niagara

Name	Company and/or Address	X box to speak/ comment
JOHN SHOEMAKER	RPT3	

7.4

**9745 Rochester
Road, LLC**

PROJECT SUMMARY
9745 Rochester Road LLC



Applicant:		
Project Location:	9745 Rochester Rd. Middleport, NY 14105	
Assistance:	15 Year PILOT Sales Tax Abatement Mortgage Recording Tax Abatement	
Description:	<p>Brent Industries is the home of two large online retail stores, KJM Motorsports and Outdoor Furnace Supply. Both entities are large worldwide e-commerce distributors that supply parts to the powersport, outdoor boiler, solar and geothermal industries. Brent Industries, (9745 Rochester Road LLC), has outgrown their existing space and will be constructing a new 107,500 facility for distribution and assembly at Roberts Way / 9745 Rochester Rd., Middleport, NY.</p> <p>The facility will have 30' clear height in the warehouse, fulfillment, assembly space, with a relatively small showroom (2,500 sq. ft.) and office space (7,500 sq. ft.). Significant site and construction work will be required to complete the project due to its overall size and scale. Targeted completion and occupancy is mid 2022.</p>	
Project Costs:	Acquisition	\$ 100,000
	Construction/Improvements	\$ 9,000,000
	Furniture, Fixtures & Equipment	\$ 1,950,000
	Other	\$ 1,575,000
	TOTAL	\$12,625,000
Employment:	Current jobs in Niagara County:	27 FTE
	New Jobs in Niagara County within 3 years:	12 FTE
	Estimated Annual Payroll for New Jobs:	\$1,933,000
	Skills: Management, office/sales professional, production	
Evaluative Criteria:	Regional Wealth Creation, Retention	

REGIONAL ECONOMIC IMPACT ANALYSIS
9745 Rochester Road LLC

Estimated Project Benefits / Incentives Analysis

Total Project Benefits	\$ 3,374,339
Total Project Incentives	\$ 1,418,573
Community Benefit to Cost Ratio	2:1
Projected Employment	77
Direct**	39
Indirect***	31
Temporary Construction (Direct and Indirect)	7

Estimated Project Benefits

Total Project Benefits	\$ 3,374,339
Income Tax Revenue	\$ 2,133,000
Property Tax Revenue	\$ 582,339
Sales Tax Revenue	\$ 659,000

Estimated Project Incentives

Total Project Incentives	\$ 1,418,573
Property Tax	\$ 819,042
Sales Tax	\$ 516,000
Mortgage Tax	\$ 83,531

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

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

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

**PUBLIC HEARING 9745 Rochester
Roadand/or Individual(s) or Affiliate(s),
Subsidiary(ies), or Entity(ies) formed or to be
formed on its behalf**

Public Hearing to be held on May 4, 2021 at 1:00 p.m.
at Royalton Town Hall

Andrea Klyczek: *Welcome. This public hearing is now open; it is 1:02 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. Notice of this public hearing was published in the Niagara Gazette.*

We are here to hold the public hearing on 9745 Rochester Roadand/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.

The proposed project (the "Project") includes the construction of a facility for warehouse, fulfillment, assembly and office space. The project application and project summary are posted on the Agency's website at niagaracountybusiness.com and I have copies with me today.

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).

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 May 7, 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.

Hearing no comments, I will now adjourn the meeting. It is now 1:04 p.m. Thank you.

**SIGN IN SHEET
PUBLIC HEARING**

May 4, 2021 at 1:00 p.m.
Royalton Town Hall

regarding:

**9745 Rochester Road and/or Individual(s) or Affiliate(s), Subsidiary(ies), or Entity(ies)
formed or to be formed on its behalf
9745 Rochester Road, Middleport**

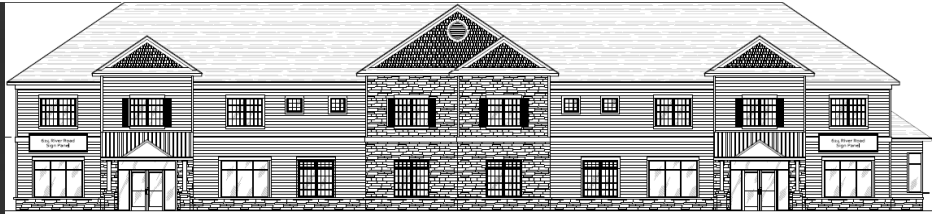
Name	Company and/or Address	X box to speak/ comment

8.1

DLV

Properties, LLC

PROJECT SUMMARY
DLV Properties LLC



Applicant:	DLV Properties LLC	
Project Location:	624 River Road North Tonawanda, NY 14120	
Assistance:	10 Year PILOT Sales Tax Abatement Mortgage Recording Tax Abatement	
Description:	<p>The project site is 1 acre of vacant property which will need Brownfield remediation. The plan is to develop and construct a 13,740 square foot mixed- use building with both retail and residential space.</p> <p>The first floor will consist of two retail spaces along with three residential market-rate apartment units. The second floor will consist of 6 residential market-rate apartment units. The retail space will occupy approximately 27% of the building and will be leased to Dental Wellness (2,000 sf) and a restaurant TBD (1,680 sf).</p> <p>This project will provide more opportunities for individuals to live in the Niagara County/North Tonawanda area, bring new jobs to the area and give public access to the Niagara River waterfront.</p>	
Project Costs:	Acquisition	\$ 0
	Construction/Improvements	\$ 1,886,700
	Furniture, Fixtures & Equipment	\$ 80,000
	Soft costs	\$ 441,000
	Other – Site Remediation	\$ 500,000
	TOTAL	\$ 2,907,700
Employment:	Current jobs in Niagara County:	0
	New Jobs in Niagara County within 3 years:	27
	Estimated Annual Payroll for New Jobs:	\$395,000
	Skills: Management, Retail, Food Service, Maintenance	
Evaluative Criteria:	Brownfields area, Regional Wealth Creation, Alignment with local planning and development efforts.	

REGIONAL ECONOMIC IMPACT ANALYSIS
DLV Properties, LLC

Estimated Project Benefits / Incentives Analysis

Total Project Benefits	\$ 997,866
Total Project Incentives	\$ 467,526
Community Benefit to Cost Ratio	2:1
Projected Employment	
Total Employment	40
Direct**	17
Indirect***	0
Temporary Construction (Direct and Indirect)	23

Estimated Project Benefits

Total Project Benefits	\$ 997,866
Income Tax Revenue	\$ 195,000
Property Tax Revenue	\$ 730,866
Sales Tax Revenue	\$ 72,000

Estimated Project Incentives

Total Project Incentives	\$ 467,526
Property Tax	\$ 351,898
Sales Tax	\$ 101,868
Mortgage Tax	\$ 13,760

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

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

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

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

DLV Properties, LLC

(Applicant Name)

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

Updated 2021

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

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

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

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

I. APPLICANT INFORMATION

Company Name: DLV Properties, LLC

Mailing Address: 9829 Main St

City/Town/Village & Zip code: Clarence, NY 14031

Phone: (716) 759-1715

Website: N/A

Fed Id. No.: 82-3769261

Contact Person, and Title: Brianne Frawley (Development Manager)

Email: brianne@visoneco.com

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

Lucian Visone, Jr. (51%) and Daniel Visone (49%)

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 ² _____)

Date of organization: May 25, 2017

State of Organization: New York

Sole Proprietorship

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

Applicant's Counsel

Company Name: Law Offices of Kevin Schenk

Contact Person, and Title: Kevin G. Schenk

Mailing Address: P.O. Box 240

City/Town/Village & Zip code: Cheektowaga, NY 14225

Email: kgslaw1@verizon.net

Phone: (716) 684-0621

Fax No.: (716) 684-1382

II. PROJECT INFORMATION

A) Project Address: 624 River Road, North Tonawanda, NY 14120

Tax Map Number (SBL) 181.16-1-21.11
(Section/Block/Lot)
SWIS Number 291200
Located in City of North Tonawanda
Located in Town of _____
Located in Village of _____
School District of North Tonawanda

B) Current Assessment of Property:
Land \$234,400 (entire parcel)
Total \$1,000,000 (entire parcel)

C) Present legal owner of the site DLV Properties, LLC

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

D) Describe the project:
To develop and construct a mixed- use building with both retail and residential space.
The first floor will consist of two (2) retail spaces along with three (3) apartment units.
The second floor will consist of 6 apartment units. The total retail sf will total 3,680 sf,
representing 27% of the total building square footage (13,470sf).

- 1. Project site (land)
 - (a)** Indicate approximate size (In acres or square feet) of project site.
The project site parcel is 4.97 ac. The project site itself is 1 ac. of vacant land.
(plan attached)
 - (b)** Indicate the present use of the project site.
The portion of land that this project will be constructed on is vacant.

2. Indicate number, size (in square feet) and approximate age of existing buildings on site
N/A- here is an existing 17,000 sf building built in 1997 on the parcel (outside proj. area)

3. Does the project consist of the construction of a new building or buildings?
If yes, indicate number and size (in square feet) of new buildings.
Yes. One (1) 13,470 sf (footprint) building.

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

5. If any space in the project is to be leased to third parties, indicate total square footage of the project amount to be leased to each tenant and proposed use by each tenant.
2,000 sf (Dental Wellness), 1680 sf (restaurant TBD), 9 apart. units 820-1200 sf (TBD).

6. List principal items/categories of equipment to be acquired as part of the project.
Restaurant equipment, dental equipment, HVAC equipment, apartment equipment

7. Has construction work on this project begun?
No. However, the project site is in the beginning stages of site remediation.

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 FUNDS**

A) Estimated Project Costs:

Property Acquisition	\$ 0
Construction (Improvements)	\$ 1,886,700
Equipment Purchases/Fixtures/Furnishings	80,000
Soft costs (i.e. engineering, architectural)	\$ 441,000
Other (describe) Site Remediation	\$ 500,000
TOTAL USES OF FUNDS	\$ 2,907,700

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

Bank Financing (estimated)	\$ 1,834,700
Equity	\$ 573,000
Grants/Tax Credits	\$
Taxable or Tax Exempt Bond	\$
Other Niagara County Brownfield Development Loan	\$ 500,000
TOTAL SOURCES OF FUNDS	\$ 2,907,700

C) Identify each state and federal grant/credit:

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

VI. REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Agency as follows:

- .. 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.

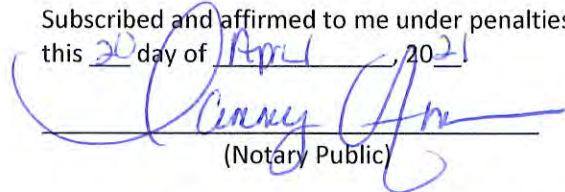
STATE OF NEW YORK)
COUNTY OF) ss.:

Lucian Visone, Jr., being first duly sworn, deposes and says:

1. That I am the managing member (Corporate Office) of DLV Properties, 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 20 day of April, 2021

 (Notary Public)

TAMMY OTMINSKI
 No. 01OT6249918
 Notary Public, State of New York
 Qualified in Niagara County
 My Commission Expires 10/17/2023

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

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

HOLD HARMLESS AGREEMENT

Applicant hereby releases the NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY and the members, officers, servants, agents and employees thereof (the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Agency, (B) the Agency's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in processing of the Application, including attorneys' fees, if any.

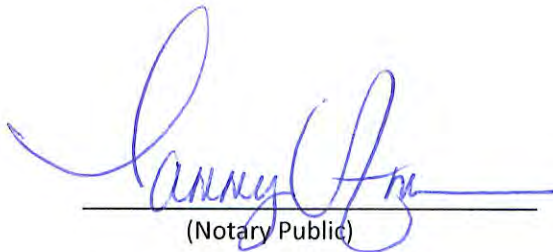


(Applicant Signature)

By: Lucian Visone

Name: _____

Title: Managing member



(Notary Public)

Sworn to before me this 20 day

[stamp]

of April, 2021

TAMMY OTMINSKI
No. 010T6249918
Notary Public, State of New York
Qualified in Niagara County
My Commission Expires 10/17/2023

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
\$1,886,700	\$1,300,000	9.273391	13.875967	23.927360

*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	100%	\$ 12,055	\$ 18,039	\$ 31,106	\$ 61,200	\$ 61,200	\$ -
2	20%	\$ 2,411	\$ 3,608	\$ 6,221	\$ 12,240	\$ 61,200	\$ 48,960
3	25%	\$ 3,014	\$ 4,510	\$ 7,776	\$ 15,300	\$ 61,200	\$ 45,900
4	30%	\$ 3,617	\$ 5,412	\$ 9,332	\$ 18,360	\$ 61,200	\$ 42,840
5	35%	\$ 4,219	\$ 6,314	\$ 10,887	\$ 21,420	\$ 61,200	\$ 39,780
6	40%	\$ 4,822	\$ 7,216	\$ 12,442	\$ 24,480	\$ 61,200	\$ 36,720
7	45%	\$ 5,425	\$ 8,117	\$ 13,998	\$ 27,540	\$ 61,200	\$ 33,660
8	50%	\$ 6,028	\$ 9,019	\$ 15,553	\$ 30,600	\$ 61,200	\$ 30,600
9	55%	\$ 6,630	\$ 9,921	\$ 17,108	\$ 33,660	\$ 61,200	\$ 27,540
10	60%	\$ 7,233	\$ 10,823	\$ 18,663	\$ 36,720	\$ 61,200	\$ 24,480
11	65%	\$ 7,836	\$ 11,725	\$ 20,219	\$ 39,780	\$ 61,200	\$ 21,420
TOTAL		\$ 63,291	\$ 94,703	\$ 163,304	\$ 321,299	\$ 673,197	\$ 351,898

*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>101,868</u>	New Jobs Created Permanent <u>27</u> Temporary <u>0</u>
		Existing Jobs Retained Permanent _____ Temporary _____
Estimated Mortgage Tax Exemption	\$ <u>13,760</u>	Expected Yearly Payroll \$ <u>395,000</u>
Estimated Property Tax Abatement	\$ <u>351,898</u>	Additional Revenues to School Districts \$ <u>163,304</u>
		Additional Revenues to Municipalities County: \$ <u>63,291</u> City: \$ <u>94,703</u>
		Other Benefits _____
Estimated Interest Savings IRB Issue	\$ _____	Private Funds invested \$ <u>2,907,700</u>
		Likelihood of accomplishing proposed project within three (3) years <input checked="" type="checkbox"/> Likely or <input type="checkbox"/> Unlikely

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

\$ 1,273,350 (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				
Name of Action or Project: 624 River Road - Mixed-Use Project				
Project Location (describe, and attach a location map): 624 River Road, North Tonawanda, NY 14120				
Brief Description of Proposed Action: Construct an approximately 13,470 sf, 2-story, mixed-use building, consisting of two (2) retail spaces along with nine (9) apartment units.				
Name of Applicant or Sponsor: DLV Properties, LLC		Telephone: 716-759-1715		
		E-Mail: brianne@visoneco.com		
Address: 9829 Main St				
City/PO: Clarence		State: NY	Zip Code: 14031	
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:			NO	YES
			<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ 4.97 acres		
b. Total acreage to be physically disturbed?		_____ .99 acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 7.3 acres		
4. Check all land uses that occur on, adjoining and near the proposed action.				
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input 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 checked="" type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland				

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: <u>Brownfield Remediation. We are currently in the Remedial Investigation Work Plan (RIWP) phase.</u>	NO	YES
_____	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Lucian Visore</u> ^{Member} Date: <u>4-30-21</u>		
Signature: _____		

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

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

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

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

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

PRINT

8.2

**Bogart-Sinatra
Development,
LLC**

PROJECT SUMMARY
Bogart-Sinatra Development, LLC

Bogart-Sinatra Development, LLC



Applicant:	Bogart-Sinatra Development, LLC	
Project Location:	428 Zimmerman St. North Tonawanda, New York	
Assistance:	10 Year PILOT Sales Tax Abatement Mortgage Recording Tax Abatement	
Description:	<p>The principals are Michael Sinatra and Eric Bogart. They have purchased a vacant parcel located on Zimmerman Street in North Tonawanda and are planning to construct a spec multi-tenant building comprised of 22 bays, totaling 22,000 square feet.</p> <p>The entire space will be leased to various third-party business owners, with contractors as a target business sector. This facility will contribute to the attraction and/or expansion of a significant number of new businesses to Niagara County.</p>	
Project Costs:	Acquisition	\$ 85,000
	Construction/Improvements	\$1,400,000
	Furniture, Fixtures & Equipment	\$ 20,000
	Soft costs	<u>\$ 25,000</u>
	TOTAL	\$1,530,000
Employment:	Current jobs in Niagara County	0
	New FTE Jobs in Niagara County within 3 years:	25
	Job Categories: Labor, Foreman, Mechanic, Production	
Evaluative Criteria:	Regional wealth creation, in region purchases	

REGIONAL ECONOMIC IMPACT ANALYSIS

Bogart-Sinatra Development, LLC

Estimated Project Benefits / Incentives Analysis

Total Project Benefits	\$ 1,158,257
Total Project Incentives	\$ 325,407
Community Benefit to Cost Ratio	3.6:1
Projected Employment	
Total Employment	50
Direct**	25
Indirect***	11
Temporary Construction (Direct and Indirect)	14

Estimated Project Benefits

Total Project Benefits	\$1,158,257
Income Tax Revenue	\$ 720,000
Property Tax Revenue	\$ 211,257
Sales Tax Revenue	\$ 227,000

Estimated Project Incentives

Total Project Incentives	\$ 325,407
Property Tax	\$ 257,157
Sales Tax	\$ 57,600
Mortgage Tax	\$ 10,650

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

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

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

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

Bogart-Sinatra Development, 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

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

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

6311 Inducon Corporate Drive, Suite 1 ■ Sanborn, NY 14132-9099 ■ 716-278-8760
Fax 716-278-8769 ■ www.niagaracountybusiness.com

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

I. APPLICANT INFORMATION

Company Name: Bogart-Sinatra Development, LLC

Mailing Address: 165 Stahl Road

City/Town/Village & Zip code: Getzville, NY 14068

Phone: (716) 946-8906

Website: _____

Fed Id. No.: 82-5244589

Contact Person, and Title: Michael Sinatra, President

Email: michael.sinatra@aol.com

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

Michael Sinatra 50% / Eric Bogart 50%

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 2)

Date of organization: April 11, 2018

State of Organization: New York

Sole Proprietorship

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

Applicant's Counsel

Company Name: Fromen Law

Contact Person, and Title: Michael Iacono, Attorney

Mailing Address: 4367 Harlem Rd

City/Town/Village & Zip code: Snyder, NY 14226

Email: miacono@fromenlaw.com

Phone: (716) 341-9112

Fax No.: _____

II. PROJECT INFORMATION

A) Project Address: 428 Zimmerman St

Tax Map Number (SBL) 182.11-1-21
(Section/Block/Lot)
SWIS Number 291200
Located in City of North Tonawanda
Located in Town of _____
Located in Village of _____
School District of North Tonawanda

B) Current Assessment of Property:

Land \$45,000
Total \$45,000

C) Present legal owner of the site Bogart-Sinatra Development, LLC

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

D) Describe the project:

Business Park comprised of 22 contractor bays (22,000 sq ft) that provides
presence in the local community with greater convenience and flexibility in
tradesman's business expansion.

1. Project site (land)

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

1.9 acres

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

vacant land

2. Indicate number, size (in square feet) and approximate age of existing buildings on site
no building, vacant land

3. Does the project consist of the construction of a new building or buildings?
If yes, indicate number and size (in square feet) of new buildings.
Yes, 3 new buildings totaling 22,000 sq ft

4. Does the project consist of additions and/or renovations to existing buildings? If yes,
indicate nature of expansion and/or renovation.
N/A

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 space to be leased to various third party business owners

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

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 FUNDS**

A) Estimated Project Costs:

Property Acquisition	\$	85,000
Construction (Improvements)	\$	1,400,000
Equipment Purchases/Fixtures/Furnishings		20,000
Soft costs (i.e. engineering, architectural)	\$	25,000
Other (describe)	\$	
TOTAL USES OF FUNDS	\$	1,530,000

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

Bank Financing	\$	1,420,000
Equity	\$	110,000
Grants/Tax Credits	\$	
Taxable or Tax Exempt Bond	\$	
Other	\$	
TOTAL SOURCES OF FUNDS	\$	1,530,000

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 13)

Estimated duration of Property Tax exemption: 10 years

Sales and Use Tax

Estimated value of Sales Tax exemption for facility construction: \$ 56,000

Estimated value of Sales Tax exemption for fixtures and equipment: \$ 1,600

Estimated duration of Sales Tax exemption: 1 year

Mortgage Recording Tax Exemption Benefit

Estimated value of Mortgage Recording Tax exemption: \$ 10,650

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:

The Agency should undertake this project because this facility is going to bring up to 22 new businesses
to Niagara County (North Tonawanda).

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)	0	\$ 0	20	\$ 41,600
Part time (PTE)	0	\$ 0	10	\$ 20,800
TOTAL	0	\$ 0	30	\$ 62,400

Annual Salary Range of Jobs to be Created: \$ 20,800 to \$ 41,600

Category of Jobs to be Retained and Created:

Job Categories (ie. Management, Administrative, Production, etc.) Labor, Foreman,
Manufacturing, Mechanic, Design, Production

VI. REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Agency as follows:

- .. 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.

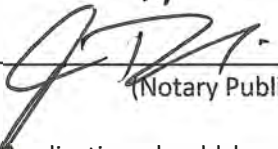
STATE OF NEW YORK)
COUNTY OF Erie) ss.:

Michael Sinatra, being first duly sworn, deposes and says:

1. That I am the owner (Corporate Office) of Resort-Sinatra Development 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 26 day of April, 2021.


(Notary Public)

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

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

JASON DANHEISER
Notary Public, State of New York
Qualified in Erie County
Reg. No. 01DA6404749
My Commission Expires 2/24/2024

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.

Bogert-Sinatra Development LLC
(Applicant Signature)

By: [Signature]

Name: Michael Sinatra

Title: owner

[Signature]
(Notary Public)

Sworn to before me this 26 day

[stamp]

of April, 2021

JASON DANHEISER
Notary Public, State of New York
Qualified in Erie County
Reg. No. 01DA6404749
My Commission Expires 2/24/2024

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
\$1,400,000	\$950,000	9.273391	13.875967	23.927360

*Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Local PILOT amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	20%	\$ 1,762	\$ 2,636	\$ 4,546	\$ 8,945	\$ 44,723	\$ 35,778
2	25%	\$ 2,202	\$ 3,296	\$ 5,683	\$ 11,181	\$ 44,723	\$ 33,542
3	30%	\$ 2,643	\$ 3,955	\$ 6,819	\$ 13,417	\$ 44,723	\$ 31,306
4	35%	\$ 3,083	\$ 4,614	\$ 7,956	\$ 15,653	\$ 44,723	\$ 29,070
5	40%	\$ 3,524	\$ 5,273	\$ 9,092	\$ 17,889	\$ 44,723	\$ 26,834
6	45%	\$ 3,964	\$ 5,932	\$ 10,229	\$ 20,125	\$ 44,723	\$ 24,598
7	50%	\$ 4,405	\$ 6,591	\$ 11,365	\$ 22,361	\$ 44,723	\$ 22,361
8	55%	\$ 4,845	\$ 7,250	\$ 12,502	\$ 24,598	\$ 44,723	\$ 20,125
9	60%	\$ 5,286	\$ 7,909	\$ 13,639	\$ 26,834	\$ 44,723	\$ 17,889
10	65%	\$ 5,726	\$ 8,568	\$ 14,775	\$ 29,070	\$ 44,723	\$ 15,653
TOTAL		\$ 37,441	\$ 56,024	\$ 96,607	\$ 190,072	\$ 447,229	\$ 257,157

*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>57,600</u>	New Jobs Created Permanent <u>66</u> Temporary _____
		Existing Jobs Retained Permanent <u>0</u> Temporary _____
Estimated Mortgage Tax Exemption	\$ <u>10,650</u>	Expected Yearly Payroll \$ <u>2,288,000</u>
Estimated Property Tax Abatement	\$ <u>257,157</u>	Additional Revenues to School Districts \$ <u>96,607</u>
		Additional Revenues to Municipalities County: \$ <u>37,441</u> City: \$ <u>56,024</u>
		Other Benefits _____
Estimated Interest Savings IRB Issue	\$ _____	Private Funds invested \$ <u>1,530,000</u>
		Likelihood of accomplishing proposed project within three (3) years <input checked="" type="checkbox"/> Likely or <input type="checkbox"/> Unlikely

* Estimated Value of Goods and Services to be exempt from sales and use tax as a result of the Agency's involvement in the Project. PLEASE NOTE: These amounts will be verified and there is a potential for a recapture of sales tax exemptions (see "Recapture" on page 12).

\$ 720,000 (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			
Name of Action or Project: ZIMMERMANN ST CONTRACTOR PARK			
Project Location (describe, and attach a location map): 428 ZIMMERMANN ST (JUST SOUTH OF THE ERDE AVE / ZIMMERMANN INTERSECTION)			
Brief Description of Proposed Action: BUILD MIX USE FACILITY DESIGNED TO CATER TO BUSINESS OWNERS			
Name of Applicant or Sponsor: BOGART-SINATRA DEVELOPMENT LLC		Telephone: 716-946-8906	
Address: 165 STAHL RD		E-Mail: MICHAEL.SINATRA@AOL.COM	
City/PO: GETZVILLE		State: NY	Zip Code: 14068
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 <input checked="" 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:			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?			1.9 acres
b. Total acreage to be physically disturbed?			1.75 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			1.9 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 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			


18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Michael Sinatra</u>		Date: <u>4/25/2021</u>
Signature: <u></u>		

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

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<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	5/3/21
Name of Lead Agency	Date
S. LANGDON	EO
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)

8.3

Niacet

Corporation

PROJECT SUMMARY

Niacet Corporation



Applicant:	Niacet Corporation	
Project Location:	400 47 th Street Niagara Falls	
Assistance:	15 Year PILOT Sales Tax Abatement Mortgage Recording Tax Abatement	
Description:	<p>Niacet is a leading producer of organic salts, including propionates and acetates, serving the Pharmaceutical, Food, Feed and Technical industries. The company has two longstanding and fully automated manufacturing sites, located in Niagara Falls, NY USA, and Tiel, The Netherlands which represent over 85 years of chemical manufacturing experience.</p> <p>Niacet wishes to construct a new, approximately 3,500 square foot building at the south end of its property in Niagara Falls and to install new chemical processing equipment to produce Anhydrous Hydrogen Chloride (AHCL) for use in the semiconductor, pharmaceutical and technical industries.</p>	
Project Costs:	Construction/Improvements Equipment Soft costs <div style="text-align: right;">TOTAL</div>	\$ 8,000,000 \$ 3,500,000 <u>\$ 1,750,000</u> \$13,250,000
Employment:	Current jobs in Niagara County: 91 New Jobs in Niagara County within 3 years: 8 Skills: Supervisory, Production	
Evaluative Criteria:	Brownfields area, Regional Wealth Creation, Alignment with local planning and development efforts.	

REGIONAL ECONOMIC IMPACT ANALYSIS
Niacet Corporation

Estimated Project Benefits / Incentives Analysis

Total Project Benefits	\$ 35,574,452
Total Project Incentives	\$ 1,189,720
Community Benefit to Cost Ratio	29:1
Projected Employment	
Total Employment	592
Direct**	99
Indirect***	414
Temporary Construction (Direct and Indirect)	79

Estimated Project Benefits

Total Project Benefits	\$ 35,574,452
Income Tax Revenue	\$ 26,171,000
Property Tax Revenue	\$ 2,188,452
Sales Tax Revenue	\$ 7,215,000

Estimated Project Incentives

Total Project Incentives	\$ 1,189,720
Property Tax	\$ 299,720
Sales Tax	\$ 845,000
Mortgage Tax	\$ 45,000

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

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

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

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

Niacet Corporation

(Applicant Name)

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

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

<http://niagaracountybusiness.com>

Updated 2020

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

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

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

NIAGARA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

I. APPLICANT INFORMATION

Company Name: Niacet Corporation

Mailing Address: 400 47th Street

City/Town/Village & Zip code: Niagara Falls, NY 14304

Phone: 716-285-1474

Website: www.niacet.com

Fed Id. No.: 16-1105788

Contact Person, and Title: Salvatore D'Angelo

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

Kelly A. Brannen- 25% SK Capital- 75%

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

Form of Entity

Corporation

Date of Incorporation: 1978

State of Incorporation: New York

Partnership

General _____ or Limited _____

Number of general partners _____

If applicable, number of limited partners _____

Date of formation _____

Jurisdiction of Formation _____

Limited Liability Company/Partnership (number of members _____)

Date of organization: _____

State of Organization: _____

Sole Proprietorship

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

APPLICANT'S COUNSEL

Company Name: Hodgson Russ

Contact Person, and Title: Rick Kennedy, CEO

Mailing Address: 140 Pearl Street

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

Email: rkennedy@hodgsonruss.com

Phone: 716-856-4000

Fax No.: N/A

II. **PROJECT INFORMATION**

A) Project Address: 400 47th Street, Niagara Falls, NY 14304

Tax Map Number (SBL) 160.06-3-2.1
(Section/Block/Lot)

Swiss Number N/A

Located in City of Niagara Falls

Located in Town of _____

Located in Village of _____

School District of Niagara Falls

B) Current Assessment of Property:

Land \$283,300

Total \$1,990,500

C) Present legal owner of the site Niacet Corporation

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

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

E) Describe the project:

Construction of additional equipment to produce Anhydrous Hydrogen Chloride (AHCL) for use in the semiconductor, pharmaceutical, and technical industries.

F) *Estimated Project Costs:*

Property Acquisition	\$ N/A
Construction (Improvements)	\$ 7 to 8 million
Equipment Purchases/Fixtures/Furnishings	\$ 3 to 3.5 million
Soft costs (i.e., engineering, architectural)	\$ 1.4to 1.75 million
Other (describe)	\$ N/A
TOTAL USES OF FUNDS	\$ 11.4 to 13.25 million

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

Bank Financing	\$ 3.5 to 7 million
Equity	\$ 6.25 million
Grants/Tax Credits	\$ 0
Tax Exempt Bond	\$ 0
Taxable Bond	\$ 0
TOTAL SOURCES OF FUNDS	\$ 11.4 to 13.25 million

Identify each state and federal grant/credit:

	\$
	\$

	\$
	\$
TOTAL PUBLIC FUNDS	\$

H) Inter-Municipal Move Determination

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

Yes or No

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

Yes or No

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

Yes or No

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

Project Data

1. Project site (land)

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

19 Acres

(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

18 buildings, 125,000 total sq ft. , 1925-2019

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

Yes, one new building consisting of 3,500 sq ft

4. Does the project consist of additions and/or renovations to existing buildings? If yes, indicate nature of expansion and/or renovation.

No

5. If any space in the project is to be leased to third parties, indicate total square footage of the project amount to be leased to each tenant and proposed use by each tenant.

N/A

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

New Building, Storage tanks, Refrigeration, Piping, Packaging, Analytical equipment

7. Has construction work on this project begun?

No

III. **FINANCIAL ASSISTANCE REQUESTED**

A) Benefits Requested:

Sales Tax Exemption

Mortgage Recording Tax Exemption

Real Property Tax Abatement (PILOT)

B.) Value of Incentives:

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

Estimated duration of Property Tax exemption: \$299,720

Sales and Use Tax

Estimated value of Sales Tax exemption for facility construction: \$ 320,000

Estimated value of Sales Tax exemption for fixtures and equipment: \$ 525,000

Estimated duration of Sales Tax exemption: 1 year

Mortgage Recording Tax Exemption Benefit

Estimated value of Mortgage Recording Tax exemption: \$ 45,000

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

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

Yes or No

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

Project financial assistance is necessary due to competitive site attractiveness

V. **EMPLOYMENT PLAN**

	Current # of jobs at proposed project location or to be relocated to project location	If financial assistance is granted, what is the number of Full Time Equivalent (FTE) jobs to be RETAINED	If financial assistance is granted, what is the number of Full Time Equivalent (FTE) jobs to be CREATED upon three years after project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PTE jobs to be created upon THREE Years after Project Completion **
Full time (FTE)	91	91	8	8
Part Time (PTE)	0	0	0	0
Total Payroll	91	91	8	8

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

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

Category of Jobs to be Retained and Created	Number of Jobs Per Category	Average Salary or Range of Salary	Average Fringe Benefits or Range of Fringe Benefits
Management	10	\$195,000	\$34,500
Professional	28	\$70,000	\$34,500
Administrative	1	\$35,000	\$34,500
Production	52	\$75,000	\$30,700
Other			

III. REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Agency as follows:

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

Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the Applicant.

- E. Annual Employment Reports: The applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, the applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site.

- F. Compliance with N.Y. GML Sec. 862(1): Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:

§ 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

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

- H. False and Misleading Information: The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.

- I. Recapture: Should the Applicant not expend or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.

- J. Absence of Conflicts of Interest: The applicant has received from the Agency a list of the members, officers, and employees of the Agency. No member, officers or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as herein described.

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

STATE OF NEW YORK)
COUNTY OF NIAGARA) ss.:

SALVATORE J D'ANGELO, being first duly sworn, deposes and says:

1. That I am the Manager QA/Reg (Corporate Office) of NIACET CORP (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 29 day of April, 2021

(Notary Public)

JOHN G. ACCARDO
Notary Public - State of New York
NO. 01AC4885160
Qualified in Niagara County
My Commission Expires 2/23/23

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.

Salvatore J D'Angelo
(Applicant Signature)

By: SALVATORE J D'ANGELO

Name: NIACET CORP

Title: MANAGER QA/REGULATORY-RET

[Signature]
(Notary Public)
Sworn to before me this 29 day

of April, 2021

[stamp]

JOHN G. ACCARDO
Notary Public - State of New York
NO. 01AC4885160
Qualified in Niagara County
My Commission Expires 2/23/23

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
8,000,000	500,000	9.543135	37.512484	19.548715

*Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	20%	\$954	\$3,751	\$1,955	\$6,660	\$33,302	\$26,642
2	20%	\$954	\$3,751	\$1,955	\$6,660	\$33,302	\$26,642
3	30%	\$1,431	\$5,627	\$2,932	\$9,991	\$33,302	\$23,312
4	30%	\$1,431	\$5,627	\$2,932	\$9,991	\$33,302	\$23,312
5	40%	\$1,909	\$7,502	\$3,910	\$13,321	\$33,302	\$19,981
6	40%	\$1,909	\$7,502	\$3,910	\$13,321	\$33,302	\$19,981
7	40%	\$1,909	\$7,502	\$3,910	\$13,321	\$33,302	\$19,981
8	40%	\$1,909	\$7,502	\$3,910	\$13,321	\$33,302	\$19,981
9	40%	\$1,909	\$7,502	\$3,910	\$13,321	\$33,302	\$19,981
10	50%	\$2,386	\$9,378	\$4,887	\$16,651	\$33,302	\$16,651
11	50%	\$2,386	\$9,378	\$4,887	\$16,651	\$33,302	\$16,651
12	50%	\$2,386	\$9,378	\$4,887	\$16,651	\$33,302	\$16,651
13	50%	\$2,386	\$9,378	\$4,887	\$16,651	\$33,302	\$16,651
14	50%	\$2,386	\$9,378	\$4,887	\$16,651	\$33,302	\$16,651
15	50%	\$2,386	\$9,378	\$4,887	\$16,651	\$33,302	\$16,651
TOTAL		\$28,629	112,537	\$58,646	\$199,813	499,533	\$299,720

*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>825,000</u>	New Jobs Created Permanent <u>8</u> Temporary <u>79</u>
		Existing Jobs Retained Permanent <u>99</u> Temporary _____
Estimated Mortgage Tax Exemption	\$ <u>45,000</u>	Expected Yearly Payroll \$ <u>7,845,000</u>
Estimated Property Tax Abatement	\$ <u>299,720</u>	Additional Revenues to School Districts <u>\$ 58,646</u>
		Additional Revenues to Municipalities County: <u>\$ 28,629</u> City: <u>\$ 112,537</u>
		Other Benefits _____
Estimated Interest Savings IRB Issue	\$ <u>N/A</u>	Private Funds invested \$ <u>13,250,000</u> _____
		Likelihood of accomplishing proposed project within three (3) years <input checked="" type="checkbox"/> Likely or <input type="checkbox"/> Unlikely

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

\$10,562,500 (to be used on the NYS ST-60)

UPDATED 2020

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

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

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

Part 1 - Project and Sponsor Information			
Name of Action or Project: Niacet Anhydrous Hydrogen Chloride Expansion Project			
Project Location (describe, and attach a location map): 400 47th Street, Niagara Falls, NY 14304			
Brief Description of Proposed Action: Purchase and install new upgraded equipment to manufacture Anhydrous Hydrogen Chloride.			
Name of Applicant or Sponsor: Gregg K. Eagan		Telephone: 716-285-1474	
		E-Mail: geagan@niacet.com	
Address: 400 47th Street			
City/PO: Niagara Falls		State: NY	Zip Code: 14304
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
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:			NO
			YES
3.a. Total acreage of the site of the proposed action?		19 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		19 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 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			

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: _____ NYSDEC BCP _____	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Gregg K. Eagan</u>		Date: <u>02/20/21</u>
Signature: _____		

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

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

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

PRINT

8.4

7920 JMD LLC

PROJECT SUMMARY
7920 JMD LLC

7920 JMD LLC (Birch Machine)

Applicant:	7920 JMD LLC	
Project Location:	7920 Rochester Rd., Gasport, NY 14067 Town of Royalton	
Assistance:	15 Year PILOT Sales Tax Abatement Mortgage Recording Tax Abatement	
Description:	7920 JMD LLC is the holding company for Birch Machine. Birch Machine is a small, local family owned business that operates in a leased space in Gasport, New York. Birch Machine has outgrown its space and is seeking assistance to build its own 7,500 sq. ft. facility on Rochester Road in Royalton, New York.	
Project Costs:	Acquisition	\$ 45,260
	Construction/Improvements	\$ 700,000
	Furniture, Fixtures & Equipment	\$ 25,000
	Soft costs	\$ 25,240
	TOTAL	\$ 795,500
Employment:	Current jobs in Niagara County	6
	New Jobs in Niagara County within 3 years:	3
	Estimated Annual Payroll for New Jobs:	450,000
	Skills: Machinist, administrative, management	
Evaluative Criteria:	Regional Wealth, Retention, Workforce Access	

**REGIONAL ECONOMIC IMPACT ANALYSIS
7920 JMD LLC**

Estimated Project Benefits / Incentives Analysis

Total Project Benefits	\$ 939,931
Total Project Incentives	\$ 133,360
Community Benefit to Cost Ratio	7:1
Projected Employment	
Total Employment	27
Direct**	9
Indirect***	11
Temporary Construction (Direct and Indirect)	7

Estimated Project Benefits

Total Project Benefits	\$ 939,931
Income Tax Revenue	\$ 662,000
Property Tax Revenue	\$ 73,931
Sales Tax Revenue	\$ 204,000

Estimated Project Incentives

Total Project Incentives	\$ 133,360
Property Tax	\$ 98,647
Sales Tax	\$ 30,000
Mortgage Tax	\$ 4,713

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

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

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

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

7920 JMD 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

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

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

6311 Inducon Corporate Drive, Suite 1 ■ Sanborn, NY 14132-9099 ■ 716-278-8760
Fax 716-278-8769 ■ www.niagaracountybusiness.com

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

I. APPLICANT INFORMATION

Company Name: 7920 JMD LLC

Mailing Address: 80 Telegraph Rd. (Rt. 31)

City/Town/Village & Zip code: Middleport, NY 14105

Phone: (716) 735-9802

Website: _____

Fed Id. No.: 16-1597216

Contact Person, and Title: Jerome W. Stadelman Jr.

Email: birchmachine@verizon.net

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

Jerome W. Stadelman Jr. 100%

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 _____)

Date of organization: 03/18/2019

State of Organization: NY

Sole Proprietorship

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

Applicant's Counsel

Company Name: Muscato, Dimillo & Vona, LLP

Contact Person, and Title: Andrew Vona, Esq.

Mailing Address: 107 East Ave.

City/Town/Village & Zip code: Lockport, NY 14094

Email: avonamdvfirm.com

Phone: (716) 434-9177

Fax No.: (716) 434-9196

II. PROJECT INFORMATION

A) Project Address: 7920 Rochester Rd. Gasport, NY 14067

Tax Map Number (SBL) 97.00-2-47
(Section/Block/Lot)
SWIS Number 293689
Located in City of _____
Located in Town of Royalton
Located in Village of Gasport
School District of Royalton Hartland

B) Current Assessment of Property:

Land 14,900.00
Total _____

C) Present legal owner of the site Jerome W. Stadelman Jr.

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

D) Describe the project:

Construction of new 7450 sq. ft. building to be used for machine shop,
manufacturing facility.

1. Project site (land)

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

334 X 328

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

vacant land

2. Indicate number, size (in square feet) and approximate age of existing buildings on site
none

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.
7450 sq. ft. new building

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

5. If any space in the project is to be leased to third parties, indicate total square footage of the project amount to be leased to each tenant and proposed use by each tenant.

6. List principal items/categories of equipment to be acquired as part of the project.
machinery and equipment for parts manufacturing, office furniture and computers,

tow motor (forklift)

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 FUNDS**

A) Estimated Project Costs:

Property Acquisition	\$	45,260
Construction (Improvements)	\$	700,000
Equipment Purchases/Fixtures/Furnishings		25,000
Soft costs (i.e. engineering, architectural)	\$	25,240
Other (describe)	\$	
TOTAL USES OF FUNDS	\$	795,500

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

Bank Financing	\$	628,400
Equity	\$	167,100
Grants/Tax Credits	\$	
Taxable or Tax Exempt Bond	\$	
Other	\$	
TOTAL SOURCES OF FUNDS	\$	795,500

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 13)

Estimated duration of Property Tax exemption: 15 years

Sales and Use Tax

Estimated value of Sales Tax exemption for facility construction: \$ 28,000

Estimated value of Sales Tax exemption for fixtures and equipment: \$ 2,000

Estimated duration of Sales Tax exemption: 12 months

Mortgage Recording Tax Exemption Benefit

Estimated value of Mortgage Recording Tax exemption: \$ 4,713

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)	6	\$ 300,000	3	\$ 130,000
Part time (PTE)	0	\$ 0	1	\$ 25,000
TOTAL	6	\$ 300,000	4	\$ 155,000

Annual Salary Range of Jobs to be Created: \$ 25,000 to \$ 130,000

Category of Jobs to be Retained and Created:

Job Categories (ie. Management, Administrative, Production, etc.) _____

production, administrative

VI. REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Agency as follows:

- .. 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.

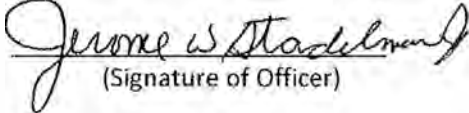
- G. Compliance with Applicable Laws: The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.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

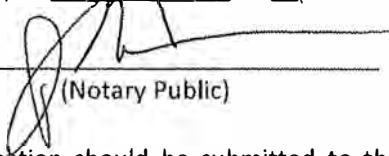
STATE OF NEW YORK)
COUNTY OF _____) ss.:

Jerome W. Stadelman Jr, being first duly sworn, deposes and says:

1. That I am the Sole member (Corporate Office) of 7920 JMD 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 4th day of May, 2021



(Notary Public)

P. ANDREW VONA
NOTARY PUBLIC, State of New York
Qualified in Niagara County
My Commission Expires March 16, 2023

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

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

HOLD HARMLESS AGREEMENT

Applicant hereby releases the NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY and the members, officers, servants, agents and employees thereof (the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Agency, (B) the Agency's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the Agency with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all costs incurred by the Agency in processing of the Application, including attorneys' fees, if any.

7920 JMD LLC

(Applicant Signature)

By: Jerome W Stedelman Jr

Name: Jerome W Stedelman Jr

Title: Sole member

[Signature]
(Notary Public)

Sworn to before me this 4th day
of May, 2021

P. ANDREW VONA
NOTARY PUBLIC, State of New York
Qualified in Niagara County
My Commission Expires March 16, 2021

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
\$700,000	\$300,000	8.441407	3.921956	24.172745

*Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Local PILOT amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	20%	\$ 506	\$ 235	\$ 1,450	\$ 2,192	\$ 10,961	\$ 8,769
2	20%	\$ 506	\$ 235	\$ 1,450	\$ 2,192	\$ 10,961	\$ 8,769
3	30%	\$ 760	\$ 353	\$ 2,176	\$ 3,288	\$ 10,961	\$ 7,673
4	30%	\$ 760	\$ 353	\$ 2,176	\$ 3,288	\$ 10,961	\$ 7,673
5	40%	\$ 1,013	\$ 471	\$ 2,901	\$ 4,384	\$ 10,961	\$ 6,576
6	40%	\$ 1,013	\$ 471	\$ 2,901	\$ 4,384	\$ 10,961	\$ 6,576
7	40%	\$ 1,013	\$ 471	\$ 2,901	\$ 4,384	\$ 10,961	\$ 6,576
8	40%	\$ 1,013	\$ 471	\$ 2,901	\$ 4,384	\$ 10,961	\$ 6,576
9	40%	\$ 1,013	\$ 471	\$ 2,901	\$ 4,384	\$ 10,961	\$ 6,576
10	50%	\$ 1,266	\$ 588	\$ 3,626	\$ 5,480	\$ 10,961	\$ 5,480
11	50%	\$ 1,266	\$ 588	\$ 3,626	\$ 5,480	\$ 10,961	\$ 5,480
12	50%	\$ 1,266	\$ 588	\$ 3,626	\$ 5,480	\$ 10,961	\$ 5,480
13	50%	\$ 1,266	\$ 588	\$ 3,626	\$ 5,480	\$ 10,961	\$ 5,480
14	50%	\$ 1,266	\$ 588	\$ 3,626	\$ 5,480	\$ 10,961	\$ 5,480
15	50%	\$ 1,266	\$ 588	\$ 3,626	\$ 5,480	\$ 10,961	\$ 5,480
TOTAL		\$ 15,195	\$ 7,060	\$ 43,511	\$ 65,765	\$ 164,412	\$ 98,647

*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>30,000</u>	New Jobs Created Permanent <u>3</u> Temporary _____
		Existing Jobs Retained Permanent <u>6</u> Temporary _____
Estimated Mortgage Tax Exemption	\$ <u>4,713</u>	Expected Yearly Payroll \$ <u>450,000</u>
Estimated Property Tax Abatement	\$ <u>98,647</u>	Additional Revenues to School Districts \$ <u>43,511</u>
		Additional Revenues to Municipalities County: \$ <u>15,195</u> City: \$ <u>7,060</u>
		Other Benefits _____
Estimated Interest Savings IRB Issue	\$ _____	Private Funds invested \$ <u>795,500</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).

\$ 375,000 (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			
Name of Action or Project: 7920 JMD LLC			
Project Location (describe, and attach a location map): 7920 Rochester Rd. Gasport, NY 14067			
Brief Description of Proposed Action: 7450 Square Ft. new building for manufacturing facility, machine shop			
Name of Applicant or Sponsor: 7920 JMD LLC		Telephone: (716) 735-9802	
		E-Mail: birchmachine@verizon.net	
Address: 80 Telegraph Rd.			
City/PO: middleport		State: NY	Zip Code: 14105
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 <input checked="" type="checkbox"/>	YES <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:		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
Building Permit Approval, Town of Roylton Planning Board			
3.a. Total acreage of the site of the proposed action?		<u>2.66</u> acres	
b. Total acreage to be physically disturbed?		<u>0.90</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>2.66</u> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input checked="" 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 <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <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?	<input type="checkbox"/>	<input type="checkbox"/>	YES <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: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	YES <input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	YES <input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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: <u>Building Envelope, HVAC System and Lighting Comply with NYS ETC.</u>	<input type="checkbox"/>	<input type="checkbox"/>	YES <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: _____	<input type="checkbox"/>	<input type="checkbox"/>	YES <input checked="" type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>Private Sand Filter Sewage Disposal System</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	YES <input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	YES <input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	YES <input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<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 checked="" type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	YES <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	<input type="checkbox"/>	<input type="checkbox"/>	YES <input checked="" type="checkbox"/>
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 <u>Site drainage collected by perimeter swales then flow into detention pond that outlets to Rochester Rd. drainage ditch system</u>			


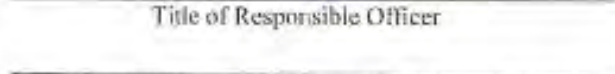
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of 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>Jerome W Stadelman Jr</u>		Date: <u>05/04/2021</u>
Signature: <u>Jerome W Stadelman Jr.</u>		

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

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<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.
<u>NCIDA</u>	<u>5/3/21</u>
Name of Lead Agency	Date
<u>S. LANGDON</u>	<u>EO</u>
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)

8.5

Rupal

Corporation

REGIONAL ECONOMIC IMPACT ANALYSIS
Rupal Corporation

Estimated State & Regional Benefits / Estimated Project Incentives Analysis

Total State and Regional Benefits	\$1,140,219
Total Project Incentives	\$ 484,073
Benefit to Cost Ratio	2.4:1

Projected Employment	State	Region
Total Employment	25	25
Direct**	8	8
Indirect***	2	2
Induced****	2	2
Temporary Construction (Direct and Indirect)	13	13

Estimated State & Regional Benefits (Discounted Present Value *)

Total State and Regional Benefits	\$ 1,140,219
Income Tax Revenue	\$ 178,917
Property Tax/PILOT Revenue	\$ 842,829
Sales Tax Revenue	\$ 118,473

Estimated Project Incentives (Discounted Present Value *)

Total Project Incentives	\$ 484,073
Mortgage Tax	\$ 18,750
Property Tax	\$ 399,803
Sales Tax	\$ 65,520

* Figures over 15 years and discounted by 3.49%

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

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

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

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