

Niagara County Industrial Development Agency

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

REGULAR NCIDA/NCDC/NADC BOARD MEETING

DATE: September 9, 2020
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
___ Dmitri Liadski, Economic Developer
___ Caroline Caruso, Accounting Associate
___ Susan Barone, Administrative Assistant
___ Roxanne Morgan, Property Associate
___ Mark J. Gabriele, Agency Counsel

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- 1.0 Meeting Called to Order – *M. Onesi*
 - 2.0 Roll Call –
 - 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 – August 12, 2020
 - 6.0 Finance & Audit Committee Reports – *K. McCabe*
 - 6.1 Agency Payables – August 31, 2020
 - 6.2 Budget Variance Report – August 31, 2020

7.0 Unfinished Business

7.1 Iskalo 1 East Avenue LLC – D. Liadski

7.1.1 Final Resolution

7.2 Zimmies Service, Inc. – D. Liadski

7.2.1 Final Resolution

7.3 Cataract Grant Fund – M. Gabriele

7.3.1 LSNY Holdings, LLC – Completion Date Extension

8.0 New Business

8.1 Vincent Properties, Inc. – S. Langdon

8.1.1 Accept Application

8.1.2 Authorize Public Hearing Date

8.1.3 Authorize Deviation Letter

8.2 Stavatti Aerospace Ltd. – D. Liadski

8.2.1 Accept Application

8.2.2 Authorize Public Hearing Date

9.0 Agency Counsel – M. Gabriele

10.0 Information Items

11.0 Any Other Matters the Board Wishes to Discuss

12.0 Next NCIDA/NCDC/NADC Meeting:

DATE: Next Regular Meeting October 14, 2020

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

PLACE: Niagara County Center for Economic Development

12.0 Adjournment - *M. Onesi*

5.1

AUG 12

MEETING

MINUTES

REGULAR NCIDA/NCDC/NADC BOARD MEETING MINUTES

Wednesday, August 12, 2020

Meeting Time: 9 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 Mr. Wolfgang at 9:03 a.m.

2.0 Roll Call

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

3.0 Mr. Krempa led the Pledge of Allegiance.

4.0 Introductions

Guests Present:

David Chiazza, Iskalo Development

Staff Present:

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

5.0 Approval of NCIDA Meeting Minutes

5.1 Meeting Transcript of July 1, 2020

Mr. Krempa motioned to approve the meeting transcript; Mr. Cliffe seconded the motion. The motion passed.

6.0 Finance & Audit Committee Reports

6.1 Agency Payables for June 30, 2020 and July 31, 2020

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

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

6.2 Budget Variance Reports for June 30, 2020 and July 31, 2020

Mr. Wolfgang stated that he had reviewed the reports and found it to be in order.

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

7.0 Unfinished Business

7.1 LSNY Holdings, LLC

Mr. Liadski noted that this project calls for the renovation of a vacant buildings at 650 Park Place and 545 4th Street in the City of Niagara Falls to be renovated into the Museum of Art and Culture for Kashmir. The public hearing was held on 8/4/20 and there were no comments.

7.1.1 Final Resolution

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

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL
DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT
FOR THE BENEFIT OF LSNY HOLDINGS, LLC

7.1.1 (continued)

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, 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.

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 A. 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 (momentarily left room)				X
Jason Krempa	X			

The Resolution was thereupon duly adopted.

7.2 Niagara Club, LLC

Mr. Gabriele stated that the company has requested a 6 month extension of their inducement resolution due to delays in the project as a result of the COVID crisis. This is the first 6 month extension.

7.2.1 Inducement Extension

Mr. Ross made a motion to approve the Inducement Extension; Mr. Brydges seconded the motion.

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

The question of the approval of the extension 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 A. 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.

7.3 Hotel Niagara Development, LLC

Mr. Gabriele stated that the company has requested a 6 month extension of their inducement resolution due to delays in the project as a result of the COVID crisis. This is the third 6 month extension.

7.3.1 Inducement Extension

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

7.3.1 Inducement Extension (continued)

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

The question of the approval of the extension 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 A. 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 Iskalo 1 East Avenue LLC

Mr. Liadski noted that the project entails the renovation of the former post office located at 1 East Avenue in the City of Lockport. The 1904 structure has been mostly vacant recently except for a few. The company is requesting a 10 Year PILOT and sales tax and mortgage recording tax abatements. Total project costs are approximately \$6,057,700 inclusive of construction, improvements, furniture, fixtures, and soft costs. He stated that this building is located in a distressed census tract.

David Chiazza, a representative of the company outlined the extensive renovations that will be required and noted that the company is also working on applying for historic tax credits.

8.1.1 Preliminary Resolution

Mr. Brydges made a motion to approve the Preliminary Resolution; Mr. Krempa seconded the motion. The motion passed.

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF ISKALO 1 EAST AVENUE LLC WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF ISLALP 1 EAST AVENUE 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.

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 A. 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
(momentarily left room)				
Jason Krempa	X			

The Resolution was thereupon duly adopted.

8.1.2 Authorize Public Hearing

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

8.2 Zimmie’s Service, Inc.

Mr. Liadski explained that this project entails the expansion of Zimmie’s Service auto repair shop, which is located in a distressed census tract in the City of Lockport. A 12,000 square foot portion of the existing structure will be torn down and rebuilt. A new truck lift and post car lift will be installed to enhance the function and capabilities of the shop.

8.2.1 Preliminary Resolution

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

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF NEIGHBORHOOD REDEVELOPMENT LLC WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF ZIMMIES SERVICE, INC. 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.

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 A. 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
(momentarily left room)				
Jason Krempa	X			

The Resolution was thereupon duly adopted.

8.2.2 Authorize Public Hearing

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

8.3 Micro Grant Applications

8.3.1 B.P. Sign Co.

Mr. Krempa stated that funds remaining in the Microenterprise grant fund are nearly expended. The NCDC Loan/Grant committee met in July and recommends approval of a \$16,390 grant to be used by the company for a high end multicolored printer. The original request included working capital an inventory, but due to lack of remaining funds, the committee recommends only funding the hard cost of equipment.

Motion to approve was made by Mr. Krempa and seconded by Mr. Ross. 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 A. 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
(momentarily left room)				
Jason Krempa	X			

The Resolution was thereupon duly adopted.

8.3.2 Young Street Diner

Mr. Krempa stated that, since fund remaining in the Microenterprise grant fund are nearly expended, the NCDC Loan/Grant committee recommends funding the hard costs of coolers and freezers for this project in the amount of \$10,260. Approval of this final grant from the Micro grant fund will necessitate reducing the NCIDA’s administrative portion of the grant funds by \$6,650 in order the fund this final grant.

Motion to approve was made by Mr. Krempa and seconded by Mr. Brydges. 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 A. 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
(momentarily left room)				
Jason Krempa	X			

The Resolution was thereupon duly adopted.

8.4 HELP Loan Requests

8.4.1 Jaihanumant Inc.

Mr. Krempa stated that the NCDC Loan/Grant committee met and recommends a loan of \$117,467 for the Best Western Summit Inn at 9500 Niagara Falls Blvd. in Niagara Falls.

8.4.1 Jaihanumant Inc. (continued)

Motion to approve loan was made by Mr. Krempa and seconded by Mr. Cliffe. 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 A. 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 Reena & Aimee Inc.

Mr. Krempa stated that the NCDC Loan/Grant committee met and recommends a loan of \$87,178 for America’s Best Value Inn at 6505 Niagara Falls Blvd. in Niagara Falls.

Motion to approve the loan was made by Mr. Krempa and seconded by Mr. Brydges. 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 A. 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.

8.4.3 AMBE Corp.

Mr. Krempa stated that the NCDC Loan/Grant committee met and recommends a loan of \$13,826 for the Sands Motel at 9393 Niagara Falls Blvd. in Niagara Falls.

Motion to approve the loan was made by Mr. Krempa and seconded by Mr. Scott. 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 A. 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 Cataract Grant Fund

8.5.1 LSNY Inc.

Ms. Klyczek stated that the Cataract Committee recommends a \$273,000 grant for the renovation of vacant buildings in Niagara Falls to house the Museum of Art and Culture for Kashmir.

Motion to approve grant was made by Mr. Ross and seconded by Mr. Brydges. 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 A. 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 Red Star Builders, LLC

Ms. Klyczek stated that the company requested a 6 month extension of the grant agreement due to delays in the project associated with the COVID crisis.

Motion to approve extension was made by Mr. Ross and seconded by Mr. Cliffe. 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 A. 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.

8.5.3 NFNH Hotel Management LLC

Ms. Langdon stated that she received correspondence from Michael DiCienzo notifying us that the company will not be proceeding with the Surf and Beach Club project. The \$2 million earmarked for this project will be returned into the Cataract fund and will be available for other future tourist destination grants.

9.0 Agency Counsel – M. Gabriele

Mr. Gabriele requested a motion to go into executive session to discuss personnel matters. A motion was made by Mr. Scott and seconded by Mr. Krempa. The motion passed unanimously.

At the conclusion of Executive Session, Mr. Brydges made a motion to come out of Executive Session. The motion was seconded by Mr. Cliffe and passed unanimously.

Mr. Scott then made a motion to add an item to the agenda: Extension of Agency Counsel's contract through December 31, 2023. The motion was seconded by Mr. Brydges and passed unanimously.

9.1 Extension of Agency Counsel’s contract

A motion was made by Mr. Cliffe to extend the contract of Mark Gabriele, Agency Counsel through December 31, 2023. The motion was seconded by Mr. Krempa and passed unanimously.

10.0 Information Items

None

11.0 Any Other Matters the Board Wishes to Discuss

None

12.0 Next NCIDA/NCDC/NADC Meeting:

DATE: Next Regular Meeting September 9, 2020

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

PLACE: Niagara County Center for Economic Development

12.0 Adjournment

Mr. Wolfgang made a motion to adjourn at 10:01 a.m. The motion was seconded by Mr. Ross and passed unanimously.

Submitted and Reviewed by:

Approved by:

Susan C. Langdon
Executive Director

William L. Ross
Secretary

6.1.2

AGENCY

PAYABLES

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

Vendor ID Vendor	Invoice #	Amount Due
cin Cintas Corporation #782	9671990;8378246	87.64
CNIT County of Niagara	Jan-Mar 2020 Apr-Jun 2020	51.15 51.27
GABRIELE Gabriele & Berrigan, P.C.	Aug 2020 Engagement	5,000.00
M&TBUS M&T Bank	Apr-Aug 2020	1,104.48
NATGRID National Grid	39004 8/20	585.14
SICHER H. SICHERMAN & CO., INC.	#2 2019 #3 2020 #6 2020	2,105.00 1,623.63 449.50
STAPLES STAPLES CONTRACT & COMMERCIAL	8059408235	53.94
Report Total		11,111.75

Adjusting Journal Entries

Estimated May 2020 Legal Fees	5,000.00
Estimated Jun 2020 Legal Fees	5,000.00
Estimated Jul 2020 Legal Fees	5,000.00
Estimated Aug 2020 Legal Fees	5,000.00
Estimated Jun 2020 Copier usage	250.00
Estimated Jul 2020 Copier usage	250.00
Estimated Aug 2020 Copier usage	250.00
Estimated Jul - Aug 2020 Telephone	60.00
Estimated Jul 2020 Niagara County Electric	450.00
Estimated Jul 2020 Niagara County Gas	50.00
Estimated May 2020 Cleaning service	793.17
	33,214.92

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

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
8/3/20	8/3/20	NEW YORK STATE AND LOCAL	10001.100	334.14
29056	8/4/20	360 PSG.com	10001.100	180.00
29057	8/4/20	Caroline M. Caruso	10001.100	55.34
29058	8/4/20	THE HARTFORD	10001.100	229.03
29059	8/4/20	National Grid	10001.100	539.55
29060	8/4/20	Niag Cnty Dept of Economic Development	10001.100	29,979.25
29061	8/4/20	Pitney Bowes Global Financial Services	10001.100	189.42
29062	8/11/20	CoStar Realty Information, Inc.	10001.100	217.31
29063	8/11/20	Professional Janitorial Services, Inc.	10001.100	793.17
8/13/20	8/13/20	PAYCHEX, INC.	10001.100	81.51
8/14/20	8/14/20	NYS DEFERRED COMPENSATION PLAN	10001.100	948.14
29064	8/18/20	County of Niagara	10001.100	39.71
29065	8/18/20	Guardian	10001.100	303.28
29066	8/18/20	Independent Health	10001.100	3,389.65
29067	8/18/20	SAM'S CLUB/SYNCHRONY BANK	10001.100	145.32
29068	8/18/20	STAPLES CONTRACT & COMMERCIAL	10001.100	27.50
29069	8/25/20	County of Niagara	10001.100	383.57
29070	8/25/20	First Choice Coffee Services	10001.100	84.78
29071	8/25/20	Gabriele & Berrigan, P.C.	10001.100	5,000.00
29072	8/25/20	Roxanne M. Morgan	10001.100	52.61
29073	8/25/20	Niagara Gazette Lockport Union Sun	10001.100	204.30
29074	8/25/20	PURCHASE POWER	10001.100	150.00
29075	8/25/20	Time Warner Cable	10001.100	123.85
8/27/20	8/27/20	PAYCHEX, INC.	10001.100	69.32
8/28/20	8/28/20	NYS DEFERRED COMPENSATION PLAN	10001.100	940.68
8/31/20	8/31/20	NEW YORK STATE AND LOCAL	10001.100	222.76
Total				44,684.19

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

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
2954	8/4/20	National Grid	10001.600	36.16
2955	8/4/20	Niagara Falls Water Board	10001.600	428.68
2956	8/11/20	AG Services of Niagara, LLC	10001.600	600.00
2957	8/18/20	VERIZON	10001.600	116.88
Total				<u><u>1,181.72</u></u>

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

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
4392	8/4/20	Frontier	10001.600	174.67
4393	8/4/20	National Grid	10001.600	540.18
4394	8/11/20	AG Services of Niagara, LLC	10001.600	1,000.00
4395	8/11/20	Modern Electrical Construction Inc.	10001.600	1,093.00
4396	8/11/20	Professional Janitorial Services, Inc.	10001.600	219.42
4397	8/18/20	Modern Disposal Services, Inc.	10001.600	177.23
4398	8/18/20	County of Niagara	10001.600	30.57
4399	8/18/20	Town of Wheatfield	10001.600	23.45
4400	8/25/20	County of Niagara	10001.600	341.09
Total				3,599.61

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

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1126	8/4/20	Blue Ox Roofing	10000.100	1,583.00
1128	8/4/20	Niagara Falls Water Board	10000.100	733.88
1127	8/4/20	VOIDED CHECKS	10000.100	
1129	8/4/20	National Grid	10000.100	1,127.50
1130	8/11/20	H.W. Bryk & Sons, Inc.	10000.100	3,595.00
1131	8/11/20	Niagara Lock & Key Service, Inc.	10000.100	22.00
1132	8/25/20	Blue Ox Roofing	10000.100	583.00
1133	8/25/20	MPD Architecture PLLC	10000.100	250.00
Total				<u>7,894.38</u>

6.1.3

BUDGET

VARIANCE

REPORT

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
BUDGET VARIANCE REPORT AS OF August 31, 2020
UN-AUDITED STATEMENT FOR INTERNAL MANAGEMENT USE ONLY

	Current Month Actual	Current Month Budget	Year To Date Actual	Year To Date Budget	Year To Date Variance	Total Budget
Operating Revenues						
Project Administrative Fees	\$ 22,170.00	\$ 28,581.00	\$ 88,020.00	\$ 210,317.00	(122,297.00)	\$ 543,163.00
Project Application Fees	1,000.00	1,000.00	6,000.00	8,000.00	(2,000.00)	12,000.00
NEDF RLF Administrative Fee	4,166.67	4,166.67	33,333.36	33,333.36	0.00	50,000.00
Administrative Fees - Other	0.00	0.00	0.00	0.00	0.00	7,354.00
Interest Earnings	151.75	228.75	7,501.99	8,233.00	(731.01)	9,148.00
Training Room Income	0.00	33.33	140.00	266.64	(126.64)	400.00
Miscellaneous Income	67.94	0.00	67.94	0.00	67.94	0.00
Distrib From Niag. Ind. Suites	0.00	0.00	0.00	0.00	0.00	100,000.00
Distributions From Affiliates	0.00	0.00	0.00	0.00	0.00	80,000.00
Distribution from VIP MTF	0.00	0.00	0.00	0.00	0.00	100,000.00
Total Operating Revenues	27,556.36	34,009.75	135,063.29	260,150.00	(125,086.71)	902,065.00
Operating Expenses						
Salaries	25,306.32	30,161.76	254,251.66	271,455.84	(17,204.18)	392,103.00
Benefits	3,262.05	5,740.00	36,764.73	45,920.00	(9,155.27)	68,880.00
Retirement Benefits	4,470.33	4,470.33	35,762.64	35,762.64	0.00	53,644.00
Payroll Taxes	1,987.53	2,315.09	19,872.48	20,735.64	(863.16)	29,996.00
Unemployment Taxes	0.00	0.00	487.29	614.00	(126.71)	614.00
Consultants	2,500.00	2,500.00	24,412.57	20,000.00	4,412.57	30,000.00
Assistant Director	5,201.25	5,201.25	40,381.75	41,610.00	(1,228.25)	62,415.00
Legal Services	5,000.00	5,000.00	41,820.20	40,000.00	1,820.20	60,000.00
Accounting Services	0.00	0.00	18,401.00	18,700.00	(299.00)	18,700.00
Accounting Services - NADC	0.00	0.00	2,000.00	2,000.00	0.00	2,000.00
Marketing	397.31	1,833.33	4,895.58	14,666.64	(9,771.06)	22,000.00
Printing	0.00	208.33	0.00	1,666.64	(1,666.64)	2,500.00
Office Supplies	81.44	250.00	574.46	2,000.00	(1,425.54)	3,000.00
Postage	150.00	152.00	1,662.01	2,624.00	(961.99)	3,296.00
Telephone & Fax	88.22	126.67	621.76	1,013.36	(391.60)	1,520.00
Internet Service	375.66	328.33	1,370.40	2,626.64	(1,256.24)	3,940.00
Common Area Charges	680.00	687.50	5,440.00	5,500.00	(60.00)	8,250.00
Energy	1,085.14	1,201.00	8,501.35	11,257.00	(2,755.65)	16,063.00
Conference & Travel	0.00	291.67	713.39	2,333.36	(1,619.97)	3,500.00
Employee Training	(660.00)	1,250.00	500.00	10,000.00	(9,500.00)	15,000.00
Insurance Expense	1,424.68	1,570.25	11,397.44	12,562.00	(1,164.56)	18,843.00
Library & Membership	108.00	54.45	2,029.00	1,881.15	147.85	2,099.00
General Office	2,008.07	774.67	6,074.42	6,197.36	(122.94)	9,296.00
Repairs & Maintenance	939.89	1,221.08	7,033.36	9,768.64	(2,735.28)	14,653.00
Computer Support	0.00	666.67	1,435.00	5,333.36	(3,898.36)	8,000.00
Public Hearings	0.00	16.67	203.80	133.36	70.44	200.00
Furniture & Equipment Purchase	0.00	166.67	259.18	1,333.36	(1,074.18)	2,000.00
Other Expense	0.00	83.33	0.00	666.64	(666.64)	1,000.00
Total Operating Expenses	54,405.89	66,271.05	526,865.47	588,361.63	(61,496.16)	853,512.00
Net Operating Income/<Loss>	(26,849.53)	(32,261.30)	(391,802.18)	(328,211.63)	(63,590.55)	48,553.00
Non-Operating Revenue & Expense						
Grant Rev- City NF Initiative	0.00	74,437.50	176,600.00	595,500.00	(418,900.00)	893,250.00
Grant Sub-City NF Initiative	0.00	74,437.50	176,600.00	595,500.00	(418,900.00)	893,250.00
Net Non-Operating Income/<Loss>	0.00	0.00	0.00	0.00	0.00	0.00
Total Net Income/<Loss>	(\$ 26,849.53)	(\$ 32,261.30)	(\$ 391,802.18)	(\$ 328,211.63)	(63,590.55)	\$ 48,553.00

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

9/3/2020

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

Closed 2020	Project Type	Total Project Amount	IDA Project Amount	Fees	Application Fee	Amount Received to Date	Date Received	Balance Due	Date Closed
Penn Terra - USRE Corp.	L/L Back	5,635,000	5,285,000	52,850	1,000	53,850	2/25/20	-	2/25/20
Rock One Development									
Neighborhood Redevelopment LLC	L/L Back	338,000	315,000	3,150	1,000	4,150	3/19/20	-	4/14/20
LMR Real Property Holdings LLC	L/L Back	516,000	485,000	4,850	1,000	5,850	5/1/20	-	4/14/20
Buffalo Fuel Corp.	L/L Back	2,240,000	2,217,000	22,170	1,000	1,000	2/20/20	22,170	8/8/20
TOTAL				<u>88,020</u>	<u>4,000</u>	<u>69,850</u>		<u>-</u>	
				Fees received in prior year	-	-			
				Total fees received to date in 2020	<u>88,020</u>				
				Total 2020 Budgeted Fees	<u>543,163</u>				
				Balance of Budgeted Fees	<u>455,143</u>				

Projected 2020	Project Type	Total Project Amount	IDA Project Amount	Anticipated Fees	Application Fee	Amount Received to Date	Date Received	Anticipated Balance Due	Inducement Expiration
Merani Hotel Group	Sales Tax Only	22,500,000	20,286,000	75,000	1,000	1,000	3/13/19	75,000	11/30/20
1300 Pine Avenue LLC	Sales Tax Only	900,000	425,000	-	1,000	1,000	5/8/19	-	5/31/20
DLC Diversified Holdings, LLC(Dominick Cili	L/L Back	2,500,000	2,230,000	22,300	1,000	1,000	6/17/19	22,300	10/31/20
Hotel Niagara Development, LLC	L/L Back	34,075,020	33,032,832	230,000	1,000	1,000	6/4/18	230,000	1/31/21
The Niagara Club	L/L Back	3,036,700	2,872,000	28,720	1,000	1,000	1/3/19	28,720	2/28/21
Santarosa Holdings, Inc.	L/L Back	820,000	820,000	8,200	1,000	1,000	9/27/19	8,200	11/30/20
LSNY Holdings, LLC	L/L Back	2,000,000	1,700,000	17,000	1,000	1,000	6/24/20	17,000	8/31/21
Iskalo 1 East Avenue LLC	L/L Back	6,057,760	4,100,000	41,000	1,000	1,000	7/28/20	41,000	
Zimmie's Service	L/L Back	435,000	435,000	4,350	1,000	1,000	8/7/20	4,350	
TOTAL				<u>426,570</u>	<u>9,000</u>	<u>9,000</u>		<u>426,570</u>	<u>0</u>
TOTAL - Projected Income 2020				<u>514,590</u>	<u>13,000</u>	<u>78,850</u>		<u>426,570</u>	<u>22,170</u>

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

* Pending Board Approval

Catact Tourism Fund Grant Program

Grantee Name	Grant Awards	Outs'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 Falls Center for Tourism LLC	1,000,000	1,000,000	6/12/2019	To Be Disbursed	0	5/31/2021	Construction of an indoor family entertainment center and outdoor improvements
Red Star Builders, LLC (The Niagara Club)	523,250	523,250	7/10/2019	To Be Disbursed	0	11/30/2020	Rooftop bar and lounge, banquet space, virtual entertainment lounge & Spot Coffee
Niagara Aquarium Foundation	370,000	370,000	8/14/2019	To Be Disbursed	0	5/31/2020	Interactive touch pools adjacent to main entrance of the Aquarium
Niagara Aquarium Foundation	16,717	16,717	2/12/2020	To Be Disbursed	0	1/20/2021	Renovations to second floor event room
The Center for Kashmir, Inc.	273,000	273,000	8/12/2020	To Be Disbursed	0	8/31/2021	Renovations to vacant church for a museum of art and culture for kashmir
To Date Sub-Total	<u>2,485,381</u>	<u>2,182,967</u>			<u>302,414</u>		

Grant Fund Cash Balance as of 8/31/2020
 4,387,465.88
 Less: Outstanding Awards
(2,182,967.00)
 Available for awarding grants
2,204,498.88

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
 49,923.14
 Bank Fees
 (43.26)
 Grant Disbursements
(302,414.00)
 Grant Fund Balance
4,387,465.88

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Balance Sheet
August 31, 2020

ASSETS

Current Assets		
Cash - Checking	\$	100,335.22
Petty Cash		300.00
Mmkt Acct. - M&T Bank		1,786,818.33
Cash - First Response		3.58
Cash - City of N.F.		536.47
Mmkt Acct. - Cataract Tourism		4,386,929.41
Accts Rec - Public Hearings		2,049.74
Accounts rec. - Fees/Var.		23,525.86
Accounts Receivable Niag. Cnty		449.50
Accounts Rec. EDA - RLF		11,297.97
Due To/From Micro RLF		19,474.60
Accounts Rec - NEDF		33,333.36
Due To/From VIP - MTF		356,342.82
Due From NCDC CDBG/HUD		19,270.80
Due To/Due From NADC		406.56
Prepaid Insurance		<u>6,916.23</u>
Total Current Assets		6,747,990.45
Other Assets		
Deferred Outflows		105,908.00
Investment in NIIA		<u>342,500.00</u>
Total Other Assets		448,408.00
Fixed Assets		
Furniture & Equipment		199,360.75
Furn & Fixtures - Fed purchase		5,861.08
Accum Dep. - Furn & Equip		(198,952.59)
Accum Dep. - F&F Fed Purch		<u>(5,861.00)</u>
Total Fixed Assets		408.24
Total Assets		<u>\$ 7,196,806.69</u>

LIABILITIES AND NET ASSETS

Current Liabilities		
Accrued Retirement	\$	35,762.64
Deferred Rev. - First Repsonse		3.58
Def. Rev. - City of N.F.		4,387,465.88
Accounts Payable		33,214.92
Acct. Payable - Niag. County		<u>10,402.50</u>
Total Current Liabilities		4,466,849.52
Long-Term Liabilities		
Pension Liability		80,244.00
Deferred Inflows of Resources		<u>30,743.00</u>
Total Long-Term Liabilities		<u>110,987.00</u>
Total Liabilities		4,577,836.52
Net Assets		
Fund Balance - Operating Fund		3,010,772.35
Net Income		<u>(391,802.18)</u>
Total Net Assets		<u>2,618,970.17</u>
Total Liabilities & Net Assets		<u>\$ 7,196,806.69</u>

7.1

Iskalo 1 East

Avenue LLC

REGIONAL ECONOMIC IMPACT ANALYSIS
Iskalo 1 East Avenue LLC

Estimated State & Regional Benefits / Estimated Project Incentives Analysis

Total State and Regional Benefits	\$ 1,975,306
Total Project Incentives	\$ 1,152,822
Community Benefit to Cost Ratio	1.71:1

Projected Employment	State	Region
Total Employment	94	94
Direct**	32	32
Indirect***	21	21
Temporary Construction (Direct and Indirect)	41	41

Estimated State & Regional Benefits (Discounted Present Value*)

Total State and Regional Benefits	\$ 1,975,306
Property Tax Revenue	\$ 873,306
Income Tax Revenue	\$ 817,000
Sales Tax Revenue	\$ 285,000

Estimated Project Incentives (Discounted Present Value*)

Total Project Incentives	\$ 1,152,822
Property Tax	\$ 953,572
Sales Tax	\$ 164,000
Mortgage Tax	\$ 35,250

* 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.

7.2

Zimmies

Service, Inc.

PROJECT SUMMARY
Zimmie's Service



Applicant:	Zimmie's Service	
Project Location:	1 Niagara Street City of Lockport, 14094	
Assistance:	10 Year PILOT Sales Tax Abatement Mortgage Recording Tax Abatement	
Description:	<p>Zimmie's is a full service auto repair and maintenance shop, the family-owned and operated shop has been serving Lockport and the greater Western New York region since 1943.</p> <p>A 1,200 square foot portion of the existing structure will be torn down, and rebuilt twice as large. A new 4 post truck lift, and a 2 post car lift will be installed to enhance the function and capabilities of the shop.</p>	
Project Costs:	Construction/Improvements	\$ 400,000
	Furniture, Fixtures & Equipment	\$ 35,000
	TOTAL	\$ 435,000
Employment:	<p>Current jobs in Niagara County 6.5</p> <p>New Jobs in Niagara County within 3 years: 1</p> <p>Total Annual Payroll End Year 3: \$ 488,460</p> <p>Skills: Management, Administrative, Production</p>	
Evaluative Criteria:	Distressed Census Tracts, Age of Structure, Regional Wealth Creation, Redevelopment Supports or aligns with Regional or Local Development Plans.	

REGIONAL ECONOMIC IMPACT ANALYSIS

Zimmie's Service

Estimated State & Regional Benefits / Estimated Project Incentives Analysis

Total State and Regional Benefits	\$ 565,053
Total Project Incentives	\$ 142,211
Community Benefit to Cost Ratio	3.97:1

Projected Employment	State	Region
Total Employment	17	17
Direct**	7	7
Indirect***	6	6
Temporary Construction (Direct and Indirect)	4	4

Estimated State & Regional Benefits (Discounted Present Value*)

Total State and Regional Benefits	\$ 565,053
Income Tax Revenue	\$ 332,000
Property Tax Revenue	\$ 134,053
Sales Tax Revenue	\$ 99,000

Estimated Project Incentives (Discounted Present Value*)

Total Project Incentives	\$ 142,211
Property Tax	\$ 120,786
Sales Tax	\$ 18,800
Mortgage Tax	\$ 2,625

* 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.

7.3

Cataract Grant Fund

LSNY Holdings,

LLC

Niagara Falls Tourism Target Zone Project Summary

Applicant: The Center for Kashmir Inc.

Project Location: 650 Park Place, Niagara Falls

Project Description:

The Center of Kashmir aims to serve as the global focal point on the art, culture, and history of the South Asian Himalayan region. The main services provided will include; Art Gallery, Library, Audio/Visual Stations, Hall of Memory, Small Movie Theater, and a Museum Shop and Café.

Built-in 1927, with steel, oak, and stone guts, the building stands as a testament to the forward-thinking, modern materials and workmanship of the time. Spending the last 90 years as a gothic revival church, exercising religious freedom, it is a near-perfect transition into a Center that embodies and celebrates human rights and the rich and unique Kashmiri culture and history.

The Center will be a public library; the largest archive of books and manuscripts on Kashmir related material, outside the valley. As a museum, it will house 600 original paintings, etchings, and drawings, the largest collection of Kashmiri art outside of Kashmir. The Center will house audio and visual stations that showcase the history of the region. For example, The Center has hundreds of professionally recorded interviews of Kashmiris from all walks of life. The Center will build a Hall of Memory, dedicated to over 100,000 people who have lost their lives in the Kashmir conflict. Other facilities include a small conference hall, art and recording studios, and a small theater for film screenings.

For the next 100 years and beyond, the Center will serve as a launching pad for the next generation of Kashmiri and local artists, writers, poets, scholars, journalists, etc. The Center will provide onsite accommodation for visiting artists and contributors. Here they will be able to hone their skills, receive instruction, provide clinics, and display their work through regular Center for Kashmir events.

When the Center is not hosting its own events, the museum will be available to rent for corporate and academic events, meetings, speaking events, galas, wedding receptions, etc.

The Kashmiri diaspora in North America comprises of approximately 10,000 well knit, well educated, high net worth families with expendable income. Preservation of unique Kashmiri culture with its rich history of craftsmanship and artisans is a high priority for the Diaspora. Telephone surveys conducted by our research team of the diaspora confirmed these assumptions. We feel quite confident that at 3 percent participation of the diaspora, around 300 families (Patron Members), the museum could raise upwards of \$300,000 per annum towards its operating expenses.

Total Project Cost: \$1,365,000

Fund Amount Requested: \$300,000

Other Sources of Funds: Equity, private investment, pending WNYPPAB, private donations.

Employment: 4 positions to be created

Estimated Completion Date: Jan-Feb 2021

Comments:

8.1

**Vincent
Properties, Inc.**

PROJECT SUMMARY
Vincent Properties, Inc.



	Vincent Properties, Inc.	
Project Location:	41 Lexington Court and adjacent addresses City of Lockport	
Assistance:	20 Year fixed payment PILOT Mortgage Recording Tax Abatement	
Description:	<p>Vincent Properties is a non-profit owner of assisted living facilities in Western New York. The Company is under contract to purchase the Heritage Manor of Lockport, a 40 room (64 bed) adult home which provides long-term residential care, room, board, housekeeping, personal care and supervision. The project will entail cosmetic improvements and other facility updates, as needed.</p> <p>The Company is also under contract to purchase Heritage Manor Estates, which consists of twelve, single floor duplex senior apartments located adjacent to Heritage Manor. Each apartment has two bedrooms, an attached garage and private laundry facilities, all configured in an ADA accommodating layout. The Company plans to operate these facilities, together with Wheatfield Commons (which offers memory care units) as a senior housing community that can provide a continuum of care, with varying levels from senior independent living through assisted living and memory care.</p> <p>The applicant has requested a deviated PILOT agreement with the NCIDA with fixed annual payments in the amount of \$10,000 for Heritage Manor, plus \$70,000 for Heritage Estates. Annual payments would increase 2% annually. The PILOT term would be 20 years. The project will provide continued funding for essential emergency services and will continue to preserve the Heritage Manor and Estates as quality facility for seniors in the County.</p>	
Project Costs:	Property Acquisition	\$ 6,400,000
	Construction/Improvements	\$ 250,000
	TOTAL	\$ 6,650,000
Employment:	Current jobs in Niagara County	20
	New Jobs in Niagara County within 3 years:	2
	Total Annual Payroll End Year 3:	\$732,576
	Skills: Administrative, Personal Care, Housekeeping, Maintenance	
Evaluative Criteria:	Age of Structure, Redevelopment Supports or aligns with Regional or Local Development Plans, Regional Wealth Creation	

REGIONAL ECONOMIC IMPACT ANALYSIS
Vincent Properties, Inc.

Estimated State & Regional Benefits / Estimated Project Incentives Analysis

Total State and Regional Benefits	\$3,275,789
Total Project Incentives	\$ 863,385
Community Benefit to Cost Ratio	3.79:1

Projected Employment	State	Region
Total Employment	37	37
Direct**	22	22
Indirect***	12	12
Temporary Construction (Direct and Indirect)	3	3

Estimated State & Regional Benefits (Discounted Present Value*)

Total State and Regional Benefits	\$3,275,789
Property Tax Revenue	\$ 1,943,789
Income Tax Revenue	\$ 982,000
Sales Tax Revenue	\$ 350,000

Estimated Project Incentives (Discounted Present Value*)

Total Project Incentives	\$863,385
Property Tax	\$ 822,011
Mortgage Tax	\$ 41,374

* Figures over 15 years and discounted by 3.49%

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

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

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

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

Vincent Properties, Inc.

(Applicant Name)

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

Updated 2020

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

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

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

NIAGARA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

I. APPLICANT INFORMATION

Company Name: Vincent Properties, Inc.

Mailing Address: 1931 Buffalo Road

City/Town/Village & Zip code: Rochester, NY 14624

Phone:

Website: www.depaul.org

Fed Id. No.: 27-4608005

Contact Person, and Title: Jonathan Penna, Chief Legal Officer

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

N/A Not -for-profit corporation

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

Form of Entity

Corporation (Not for Profit)

Date of Incorporation: January 13, 2011

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: Vincent Properties, Inc. c/o DePaul Properties, Inc.

Contact Person, and Title: Jonathan Penna, Esq. Chief Legal Officer

Mailing Address: 1931 Buffalo Road

City/Town/Village & Zip code: Rochester, NY 14624

Email: jpenna@depaul.org

Phone: 585-719-3342

Fax No.: _____

II. PROJECT INFORMATION

A) Project Address: Multiple Addresses on Lexington Court, City of Lockport

Tax Map Number (SBL) See attached Exhibit A
(Section/Block/Lot)

Swiss Number _____

Located in City of Lockport

Located in Town of N/A

Located in Village of N/A

School District of Lockport City Schools

B) Current Assessment of Property:

Land _____

Total \$2,453,500 – See attached Schedule A

C) Present legal owner of the site Koinonia Properties LLC

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. See Exhibit B

E) Describe the project: See Exhibit C

F) *Estimated Project Costs:*

Property Acquisition	\$6,400,000
Construction (Improvements)	\$250,000
Equipment Purchases/Fixtures/Furnishings	\$
Soft costs (i.e., engineering, architectural)	\$
Other (describe)	\$
TOTAL USES OF FUNDS	\$6,650,000

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

Bank Financing	\$5,516,500
Equity	\$1, 133,500
Grants/Tax Credits	\$ N/A
Tax Exempt Bond	\$ N/A
Taxable Bond	\$ N/A
TOTAL SOURCES OF FUNDS	\$6,650,000

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.

6.02 Acres

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

64 Bed Assisted Living facility & 24 Independent Senior Apartments

2. Indicate number, size (in square feet) and approximate age of existing buildings on site
See Attached Schedule A

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

NO

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

Approx \$250,000 in cosmetic & other facility updates (flooring, lighting fixtures, wall coverings).

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.

Residents lease room and/or apartment for residential purposes.

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

N/A

8. Has construction work on this project begun?

N/A

III. **FINANCIAL ASSISTANCE REQUESTED**

A) Benefits Requested:

Sales Tax Exemption

Mortgage Recording Tax Exemption

Real Property Tax Abatement (PILOT) – See Exhibit C

B.) Value of Incentives:

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

Estimated duration of Property Tax exemption: 30 Years

Sales and Use Tax

Estimated value of Sales Tax exemption for facility construction: \$ _____

Estimated value of Sales Tax exemption for fixtures and equipment: \$ _____

Estimated duration of Sales Tax exemption: _____

Mortgage Recording Tax Exemption Benefit

Estimated value of Mortgage Recording Tax exemption: +/- \$27,582.50

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 The project will not be undertaken without the requested financial assistance.

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

IV. EMPLOYMENT PLAN

***Aggregate FTE's and PTE's**

	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)	+/- 20	20	2	2
Part Time (PTE)	Included in FTE		-	-
Total Payroll	+/- 20	20	2	2

** 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 FTE's	Average Salary or Range of Salary	Average Fringe Benefits or Range of Fringe Benefits
Administrator & Assistants	3	\$17 – 46/hour	20%
Activities	1	\$16 – 20/hour	20%
Personal Care	14	\$12.75 – 35/hour	20%
House Keeping/Maintenance	4	\$12 – 16/hour	20%
Other			

Total: 22

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.

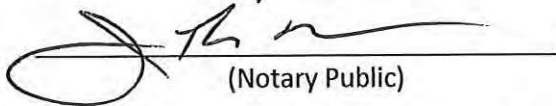
STATE OF NEW YORK)
COUNTY OF MONROE) ss.:

MARK H. FULLER, being first duly sworn, deposes and says:

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


(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury
this 3rd day of September, 2020.


(Notary Public)

JONATHAN S. PENNA
Notary Public, State of New York
Registration #: 02PE6092815
Qualified in Monroe County
Certificate Filed in Monroe County
Commission Expires: 05/27/2023


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.

Vincent Properties, Inc.



(Applicant Signature)

By: _____

Name: MARK H. FULLER

Title: President



(Notary Public)

Sworn to before me this 3rd day

of September, 20

JONATHAN S. PENNA
Notary Public, State of New York
Registration #: 02PE6092815
Qualified in Monroe County
Certificate Filed in Monroe County
Commission Expires: 05/27/2023

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
250,000	3,000,000	8.677701	18.6676	29.018851

*Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Local PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	47	\$12,317	\$26,496	\$41,187	\$80,000	\$138,290	\$58,290
2	48	\$12,563	\$27,026	\$42,012	\$81,600	\$138,290	\$56,690
3	49	\$12,814	\$27,566	\$42,852	\$83,232	\$138,290	\$55,058
4	50	\$13,070	\$28,117	\$43,708	\$84,896	\$138,290	\$53,394
5	51	\$13,332	\$28,680	\$44,583	\$86,594	\$138,290	\$51,696
6	52	\$13,598	\$29,253	\$45,474	\$88,325	\$138,290	\$49,965
7	53	\$13,870	\$29,838	\$46,384	\$90,092	\$138,290	\$48,198
8	54	\$14,148	\$30,435	\$47,312	\$91,895	\$138,290	\$46,395
9	55	\$14,431	\$31,044	\$48,258	\$93,733	\$138,290	\$44,557
10	57	\$14,719	\$31,665	\$49,223	\$95,607	\$138,290	\$42,683
11	58	\$15,014	\$32,298	\$50,207	\$97,519	\$138,290	\$40,771
12	59	\$15,314	\$32,944	\$51,212	\$99,470	\$138,290	\$38,820
13	60	\$15,620	\$33,603	\$52,236	\$101,459	\$138,290	\$36,831
14	61	\$15,933	\$34,275	\$53,280	\$103,488	\$138,290	\$34,802
15	62	\$16,251	\$34,960	\$54,346	\$105,558	\$138,290	\$32,732
16	64	\$16,577	\$35,660	\$55,433	\$107,670	\$138,290	\$30,620
17	65	\$16,908	\$36,373	\$56,542	\$109,824	\$138,290	\$28,466
18	66	\$17,246	\$37,101	\$57,673	\$112,020	\$138,290	\$26,270
19	68	\$17,591	\$37,843	\$58,827	\$114,261	\$138,290	\$24,029
20	69	\$17,943	\$38,600	\$60,004	\$116,547	\$138,290	\$21,743

TOTAL		\$299,262	\$643,776	\$1,000,752	\$1,943,789	\$2,765,800	\$822,011
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*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>N/A</u>	New Jobs Created Permanent <u>2</u> Temporary <u>0</u>	
		Existing Jobs Retained Permanent <u>20</u> Temporary <u>0</u>	
Estimated Mortgage Tax Exemption	\$ <u>41,374</u>	Expected Yearly Payroll <u>\$732,576</u>	
Estimated Property Tax Abatement	\$ <u>\$822,011</u>	Additional Revenues to School Districts <u>\$1,000,752</u>	
		Additional Revenues to Municipalities	
		County: <u>\$299,262</u>	
		City: <u>\$643,776</u>	
		Other Benefits <u>Applied for 420-A</u>	
Estimated Interest Savings IRB Issue	\$ <u>N/A</u>	Private Funds invested \$ <u>6,650,000</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).

\$ N/A (to be used on the NYS ST-60)

UPDATED 2020

EXHIBIT A

HERITAGE, LOCKPORT, NY

<u>SBL</u>	<u>Street Address</u>	<u>Approx. SF</u>	<u>Assessed Value</u>
109.20-2-42	5 Lexington Ct	2,500	129,500
109.20-2-30	6 Lexington Ct	2,500	130,600
109.20-2-41	15 Lexington Ct	2,500	129,000
109.20-2-31	16 Lexington Ct	2,500	122,800
109.20-2-32	26 Lexington Ct	2,500	119,700
109.20-2-33	34 Lexington Ct	2,500	118,000
109.20-2-34	44 Lexington Ct	2,500	127,200
109.20-2-35	52 Lexington Ct	2,500	117,600
109.20-2-36	60 Lexington Ct	2,500	126,600
109.20-2-39	65 Lexington Ct.	2,500	125,000
109.20-2-37	72 Lexington Ct	2,500	128,600
109.20-2-38	73 Lexington Ct	2,500	127,600
			<u>1,502,200</u>
109.20-2-40	41 Lexington Ct	20,000	951,300
			<u>2,453,500</u>
	Total		

EXHIBIT B

617.20
Appendix B
Short Environmental Assessment Form

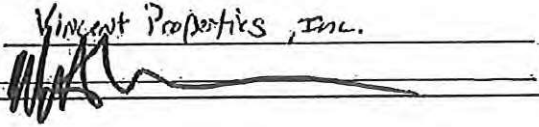
Instructions for Completing

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: <i>Vincent Properties, Inc.</i>			
Project Location (describe, and attach a location map): <i>Acquisition and Preservation of Heritage Manor & Heritage Estates</i>			
Project Location (describe, and attach a location map): <i>Lexington Ct., City of Lockport, NY</i>			
Brief Description of Proposed Action: <i>Acquisition and continued operation of the Heritage Manor and Heritage Estates</i>			
Name of Applicant or Sponsor: <i>Vincent Properties, Inc.</i>		Telephone: <i>585. 719-3342</i>	
		E-Mail: <i>www.vincent.org</i>	
Address: <i>1931 Buffalo Road</i>			
City/PO: <i>Rochester</i>		State: <i>NY</i>	Zip Code: <i>14624</i>
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: <i>No approval for real estate transfer</i>			NO <input checked="" type="checkbox"/> YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<i>±6</i> acres	
b. Total acreage to be physically disturbed?		<i>0</i> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>±6</i> 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 checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>	<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"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<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: <i>Proposed action meets the state energy code requirements in place at the time of initial construction</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<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"/>	<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"/>	<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 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"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>existing</i> b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <i>Existing stormwater sewer will be utilized</i> <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

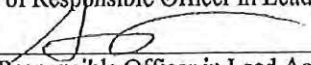
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: <u>No, other than existing facilities</u>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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>Vincent Properties, Inc.</u>	Date: <u>September 3, 2020</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: a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
NCIDA	4 Sept 2020
Name of Lead Agency	Date
Susan Langdon	ED
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

EXHIBIT C

Exhibit C

Applicant Background & Project Description

Vincent Properties, Inc. ("Vincent Properties") is a non-profit owner of assisted living facilities in Western New York. Vincent Properties is under contract to purchase the Heritage Manor of Lockport located at 41 Lexington Court, Lockport, NY (SBL 109.20-2-40), a 40 room (64 bed) "adult home," defined by Social Services Law § 2 (25) which is licensed by the New York State Department of Health to provide long-term residential care, room, board, housekeeping, personal care . . . and supervision ("Heritage Manor"). Vincent Properties is organized and operated exclusively for exempt purposes set forth in section 501(c)(3) of the IRC to own and lease senior living facilities on a non-profit basis, and none of its earnings inure to any private shareholder or individuals. Pursuant to this purpose, Vincent Properties' nonprofit affiliate, DePaul Adult Care Communities, Inc. ("DePaul Adult Care") will operate and manage Heritage Manor. DePaul Adult Care is also exempt from taxation under Section 501(c) 3 of the IRC.

Vincent Properties is also under contract to purchase Heritage Manor Estates ("Heritage Estates"), which consists of twelve, single floor duplex senior apartments located adjacent to the Heritage Manor (SBLs 109.20-2-30, 109.20-2-31, 109.20-2-32, 109.20-2-33, 109.20-2-34, 109.20-2-35, 109.20-2-36, 109.20-2-37, 109.20-2-38, 109.20-2-39, 109.20-2-41, and 109.20-2-42). Each apartment has two bedrooms, an attached garage and private laundry facilities, all configured in an ADA accommodating layout.

Together, Vincent Properties and DePaul Adult Care plan to operate the Heritage Manor, Heritage Estates, as well as nearby Wheatfield Commons (which offers memory care units), as a senior housing community that can provide a continuum of care, including varying levels of care to residents from the senior independent living in the Heritage Estates to a more assisted senior living environment in Heritage Manor and memory care services at nearby Wheatfield Commons, if the need for higher levels of care arise. This is intended to provide current and future residents with assurance knowing that should their health needs ever change, Vincent Properties and DePaul Adult Care have the level of supportive services available to adjust to those needs.

DePaul Adult Care and Vincent Properties enhance the quality of life for seniors in the assisted living communities we serve by providing decent, safe and affordable assisted living residences with meals, personal care and supportive services. Vincent Properties and DePaul Adult Care strive to maintain a residential facilities that are aesthetically pleasing and, thus, we plan to make cosmetic and other facility updates, as needed, such as selective flooring replacements, lighting fixtures and new wall coverings.

As a non-profit housing provider, DePaul Adult Care provides for its senior assisted living residents, including residents of Heritage Manor, a flat rental rate at initial entry that is all-inclusive (e.g., meals, 24-hour aid, housekeeping service, linen services, personal laundry, dietitian, activities program, medication management, and more. Heritage Manor does not charge its residents any entrance fees, community fees or security deposits. Monthly all-inclusive rates at the Heritage Manor for semi-private and private rooms are comparable to the rates charged at the exempt Lockport Presbyterian Home. Approximately 30% of the residents of Heritage Manor have incomes at or below the area median income for Niagara County. As a nonprofit provider, DePaul Adult Care offers residents assurance that we will work with residents and their families who may become cost burdened to help them to continue residing at a DePaul senior community as long as the facility can continue to meet the needs of the

resident based on regulatory requirements. Hospice care is also available where appropriate considering the healthcare needs of the resident and desires of the family. DePaul's assisted living facility in nearby Wheatfield also offers a memory care unit for those suffering from various stages of dementia.

Heritage Estates serves predominantly low and middle-income senior residents (many who are below the area median income) who are capable of living independently, and DePaul Adult Care charges a competitive rate over their length of stay. Its location in close proximity to the Heritage Manor allows a continuum of care like setting to help Lockport seniors age in place in the community they call home. Many residents of Heritage Estates are predominantly dependent on government benefits (e.g., Social Security) to fund all or some of the cost of residency.

Exemption & PILOT Analysis

Section 420-a of the Real Property Tax Law provides for a mandatory property tax exemption for property that is: (A) owned by a corporation or association organized or conducted exclusively for religious, *charitable*, hospital, educational, moral or mental improvement of men, women or children purposes, or for two or more such purposes, and (B) used exclusively for carrying out thereupon one or more of such purposes either by the owning corporation or association or by another such corporation or association.

The corporate formation documents and operating philosophy of Vincent Properties and DePaul Adult Care demonstrate that Vincent Properties and DePaul Adult Care are organized and operated to provide housing and care in a residential setting on a benevolent and charitable basis. The housing and service supports provided by DePaul to the residents truly benefit seniors who are in need and provides a commitment to enhancing quality of life and independence for seniors.

Based on all of the above factors and charitable corporate purposes of Vincent Properties and DePaul Adult Care, Vincent Properties applied for a real property tax exemption under RPTL Section 420-a. Applicant also offered to enter into a voluntary payment agreement or PILOT with the City of Lockport to provide funding for emergency services over a twenty year period. While we believe Vincent Properties satisfies the charitable purpose and use requirements set forth in RPTL Section 420-a. Our request was denied by the City assessor.

Applicant now proposes a 420-a or PILOT agreement through the IDA in the amount of \$10,000 annually for Heritage Manor, plus \$70,000 for Heritage Estates. The PILOT term would run a minimum of 15 years (20 years only to the extent Applicant also pursues tax-exempt financing through the Niagara Development Corporation) and the above payments will increase 2% annually over the term of the agreement. While the merits for exemption under 420-a exist, the Applicant's payment will provide continued funding for essential emergency services and will continue to preserve the Heritage Manor and Estates as quality resources for seniors in the County.