

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: December 13, 2023
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
___ **Jason Krempa**, Second Vice Chairperson
___ **Clifford Scott**, Member
___ **William L. Ross**, Secretary
___ **Mark Berube**, Member
___ **Ryan J. Mahoney**, Member
___ **Anne E. McCaffrey**, Member
___ **David J. Masse**, Member
___ **William Fekete**, Member

Staff Members:

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

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- 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 – W. Ross**
 - 5.1 Regular NCIDA/NCDC/NADC – November 8, 2023**
 - 6.0 Finance & Audit Committee Reports – J. Krempa**
 - 6.1 Agency Payables – November 30, 2023**
 - 6.2 Budget Variance Report – November 30, 2023**

7.0 Unfinished Business

7.1 Vishay Dale Electronics, LLC - *A.Klyczek*

7.1.1 Final Resolution

7.2 Stavatti Aerospace Ltd. – *M.Gabriele*

7.2.2 Sales Tax Exemption Extension Request

8.0 New Business

8.1 160 Washburn Street– *M.Gabriele*

8.1.1 Partial Release of Parcels

11.0 Agency Counsel – *M. Gabriele*

12.0 Information Items

13.0 Any Other Matters the Board Wishes to Discuss

14.0 Next Regular NCIDA/NCDC/NADC Meeting:

DATE: January 10, 2024

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

PLACE: Niagara County Center for Economic Development

15.0 Adjournment - *M. Onesi*

5.1

Meeting Minutes

REGULAR NCIDA/NCDC/NADC BOARD MEETING MINUTES

DATE: November 8, 2023
MEETING TIME: 9:00 a.m.
MEETING PLACE: Niagara County Industrial Development Agency
Vantage Center, Suite One
6311 Inducon Corporate Drive
Sanborn, NY 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
Jason Krempa, Second Vice Chairperson	Present – left at 9:15 a.m.
Clifford Scott, Member	Present
William L. Ross, Secretary	Present
Mark Berube, Member	Present
Ryan J. Mahoney, Member	Present
Anne E. McCaffrey, Member	Present
David J. Masse, Member	Present
William Fekete, Member	Present

3.0 Introduction of Guests

Jonathan Epstein, Buffalo News
Robert Creenan, Niagara Gazette
Jacob Tierney, Buffalo Business First
Joseph Donohue, Vishay Dale Electronics, LLC
Ross Keripidis, Vishay Dale Electronics, LLC

Staff Present

Susan C. Langdon, Executive Director, Excused
Andrea Klyczek, Assistant Director
Michael S. Dudley, Finance Manager
Carrie Caruso, Accounting Associate
Jeremy Geartz, Project Manager
Susan Barone, Grants & Operations Manager
Julie Lamoreaux, Administrative & HR Officer
Mark J. Gabriele, Agency Counsel

4.0 Pledge of Allegiance

Mr. Ross led the Pledge of Allegiance.

5.0 Approval of Meeting Minutes

5.1 Regular NCIDA/NCDC/NADC – October 11, 2023

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

6.0 Finance & Audit Committee Reports

6.1 Agency Payables – October 31, 2023

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

Mr. Fekete made a motion to approve the monthly payables; Mr. Berube seconded the motion. The motion passed.

6.2 Budget Variance Report – October 31, 2023

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

Mr. Berube made a motion to approve the Budget Variance Report; Ms. Mahaney seconded the motion. The motion passed.

6.3 Adopt 2023 Budgets

6.3.1 Niagara County Industrial Development Agency

Mr. Dudley stated that the budgets had been sent to the Niagara County Legislature for the mandated 20 day review. Mr. Krempa stated that the Niagara County Industrial Development Agency budget has been reviewed and found to be in order.

Mr. Krempa made a motion to adopt the Niagara County Industrial Development Agency budget; Mr. Fekete seconded the motion. The motion passed.

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mark Onesi	x			
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

6.3.2 Niagara County Development Corporation

Mr. Krempa stated that the Niagara County Development Corporation budget has been reviewed and found to be in order.

Mr. Krempa made a motion to adopt the Niagara County Development Corporation budget; Mr. Masse seconded the motion. The motion passed.

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mark Onesi	x			
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

6.3.3 Niagara Area Development Corporation

Mr. Krempa stated that the Niagara Area Development Corporation budget has been reviewed and found to be in order.

Mr. Krempa made a motion to adopt the Niagara Area Development Corporation budget; Mr. Masse seconded the motion. The motion passed.

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mark Onesi	x			
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

7.0 Unfinished Business

7.1 Cityscape Property Management Inc. – (Payne & Stenzil)

Ms. Klyczek stated that Cityscape Property Management Inc. (Payne & Stenzil) held a public hearing on October 26, 2023 at 2:00 p.m. at North Tonawanda City Hall. There was one attendee, Mr. Shoemaker, The Director of Real Property for Niagara County. There were no comments made at the public hearing.

7.1.1 Final Resolution

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

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

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mark Onesi	x			
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

7.2 Cityscape Property Management Inc. (Division)

Ms. Klyczek stated that the Agency held a public hearing for Cityscape Property Management Inc. (Division Street) on October 26, 2023 at 2:15 p.m. at North Tonawanda City Hall. There was one attendee, Mr. Shoemaker, The Director of Real Property for Niagara County. There were no comments made at the public hearing.

7.2.1 Final Resolution

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

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

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mark Onesi	x			
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

7.3 NF Lockport LLC

Ms. Klyczek stated that Agency held a Public Hearing for NF Lockport LLC on October 30, 2023 at 2:00 p.m. at the Cambria Town Hall. There were no comments made at the Public Hearing.

7.3.1 Final Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF NF LOCKPORT 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, 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. Scott made a motion to approve the Final Resolution; Mr. Fekete seconded the motion. The motion passed.

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mark Onesi	x			
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

7.4 DRC Development, LLC

Mr. Gabriele stated that DRC Development, LLC is requesting an additional Sales Tax Exemption. The request is due to increased costs because of Inflation. Since the additional benefits are less than \$100,000, a public hearing is not required.

7.4.1 Additional Sales Tax Exemption

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

Mr. Ross made a motion to approve the Additional Sales Tax Exemption; Mr. Krempa seconded the motion. The motion passed.

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mark Onesi	x			
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

7.5 Marcus the Barber

Mr. Gabriele stated that Marcus the Barber, a previously approved Microenterprise Grant recipient has formed a new entity. The new entity name is Marcus he Barber and Associates LLC and grant documents will be revised as such.

7.5.1 Entity Change

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPROVING MICRO ENTERPRISE FUND GRANT TO MARCUS THE BARBER AND ASSOCIATES LLC

Mr. Fekete made a motion to approve the Entity Change; Mr. Ross seconded the motion. The motion passed.

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mark Onesi	x			
Jason Krempa				x-*Mr. Krempa left at 9:15 a.m.
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

8.0 New Business

8.1 Vishay Dale Electronics, LLC

Ms. Klyczek stated that Vishay Dale Electronics, LLC is a company that was formed in Niagara Falls that was formally named Ohmtek. The site became a technology leader for advanced processes in precision resistive products. Acquired by Vishay in 1988, the site is now known as Vishay Thin Film and has a strong portfolio of high precision surface-mount networks, through-hole resistors, hybrid resistor/Capacitor networks and thermal management devices. Vishay Thin Film will be expanding their facility by adding a 10,000 sq. foot addition and acquiring new technologies, such as lasers, vapor deposition tools, automated test machines, AOI systems, dicing saws and mask aligners. The space will be a clean room space and the new automation and capital improvements will allow for Vishay to remain competitive in the marketplace. They are estimating 40 new jobs within three years.

Mr. Donahue added that Vishay is a global electronic manufacturer operating 50 plants in over 20 Countries. This is the first phase of their expansion, a big part of this is the automation and equipment. He added that the average salary is around 35,000 to 55,000.

8.1.1 Preliminary Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF VISHAY DALE ELECTRONICS, 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, CONSTRUCTION AND EQUIPPING OF THE PROJECT; AND (B) A MORTGAGE RECORDING TAX EXEMPTION FOR THE MORTGAGE RELATED TO THE PILOT AGREEMENT.

Mr. Scott made a motion to approve the Preliminary Resolution; Mr. Fekete seconded the motion. The motion passed.

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mark Onesi	x			
Jason Krempa				x
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

8.1.2 Authorize Public Hearing

Mr. Fekete made a motion to approve the public hearing; Mr. Berube seconded the motion. The motion passed.

8.2 Request for Micro Enterprise Grant Approval

Ms. Barone stated that the Agency held a NCDC Committee Meeting on November 3, 2023. At that time, each of these projects was reviewed by the Committee to recommend approval by the Board.

8.2.1 Elizabeth DeSilva d/b/a Niagara Outfitters

Ms. Barone stated that Niagara Outfitters offers rentals for kayaking, paddle boarding, biking, E-biking, hiking, and fishing activities for individuals and groups with launch locations in various Niagara County Locations. The business also rents a retail space in Wilson Tuscarora State Park. They worked with SBDC to submit their application. The owner qualifies as low-to-moderate income and plans to hire 1 part-time employee. They are requesting a \$25,000 microenterprise grant. The grant request was unanimously approved by the committee for recommendation to the Board.

8.2.1 Elizabeth DeSilva d/b/a Niagara Outfitters

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPROVING MICRO ENTERPRISE FUND GRANT TO ELIZABETH DESILVA d/b/a NIAGARA OUTFITTERS

Mr. Krempa made a motion to approve the Micro Enterprise Grant, Mr. Masse seconded the motion. The Motion passed.

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mark Onesi	x			
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

8.2.2 Happy Tails of Niagara, LLC

Ms. Barone Stated that Happy Tails of Niagara, LLC is a start-up business that will offer pet daycare, boarding, and basic grooming services. The company will be located in the Town of Niagara on Military Road. The business owners worked with SBDC to submit their business plan and application. They will be hiring one full-time low-to-moderate income individual. The business has requested \$25,000 from the Microenterprise Grant program. The grant request was unanimously approved by the Committee for recommendation to the Board.

8.2.2 Happy Tails of Niagara, LLC

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPROVING MICRO ENTERPRISE FUND GRANT TO HAPPY TAILS OF NIAGARA, LLC

Mr. Krempa made a motion to approve the Micro Enterprise Grant, Ms. McCaffrey seconded the motion. The Motion passed.

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mark Onesi	x			
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney	x			
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete	x			

The Resolution was thereupon duly adopted.

11.0 Agency Counsel

Agency counsel had no items at this time.

12.0 Information Items

There were no information items at this time.

13.0 Any Other Matters the Board Wishes to Discuss

There were no matters the Board wished to discuss.

14.0 Next Regular NCIDA/NCDC/NADC Meeting:

DATE: December 13, 2023

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

PLACE: Niagara County Center for Economic Development

15.0 Adjournment

Mr. Berube made a motion to adjourn; Mr. Fekete seconded the motion. The meeting adjourned at 9:24 p.m.

Respectfully Submitted:

Reviewed By:

Approved By:

Julie Lamoreaux
Recording Secretary

Susan C. Langdon
Executive Director

William L. Ross
Secretary

6.1

Agency Payables

Niagara County Industrial Devel. Agency
Check Register
For the Period From Nov 1, 2023 to Nov 30, 2023

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
29937	11/1/23	THE HARTFORD	10001.100	312.83
11/2/24	11/2/23	PAYCHEX, INC.	10001.100	97.88
11/3/23	11/3/23	NYS DEFERRED COMPENSATION PLAN	10001.100	1,316.42
29938	11/6/23	360 PSG.com	10001.100	60.00
29939	11/6/23	Caroline M. Caruso	10001.100	69.17
29940	11/6/23	Cintas Corporation LOC. 067P	10001.100	140.70
29941	11/6/23	M&T Bank	10001.100	1,539.94
29942	11/6/23	Pitney Bowes Global Financial Services	10001.100	189.42
29944	11/14/23	First Choice Coffee Services	10001.100	182.77
29945	11/14/23	FedEx	10001.100	7.80
29946	11/14/23	Gabriele & Berrigan, P.C.	10001.100	5,457.74
29947	11/14/23	Selective Insurance Company	10001.100	2,002.22
29948	11/14/23	STAPLES CONTRACT & COMMERCIAL	10001.100	129.61
29943	11/14/23	VOID CHECK	10001.100	
11/16/23	11/16/23	PAYCHEX, INC.	10001.100	81.37
29949	11/16/23	Jeremy Geartz	10001.100	754.14
11/17/23	11/17/23	NYS DEFERRED COMPENSATION PLAN	10001.100	1,226.42
11/20/23	11/20/23	PAYCHEX, INC.	10001.100	128.00
11/21/23	11/21/23	NEW YORK STATE AND LOCAL	10001.100	538.88
29950	11/21/23	County of Niagara	10001.100	491.11
29951	11/21/23	Guardian	10001.100	388.33
29952	11/21/23	Niagara Gazette Lockport Union Sun	10001.100	94.99
29953	11/21/23	PURCHASE POWER	10001.100	200.00
29954	11/21/23	SAM'S CLUB/SYNCHRONY BANK	10001.100	223.28
29955	11/28/23	Charter Communications	10001.100	129.99
29956	11/28/23	Dawn M. Siters	10001.100	450.00
29957	11/28/23	Independent Health	10001.100	3,535.94
29958	11/28/23	Niag Cnty Dept of Economic Development	10001.100	44.81
29959	11/28/23	NIAGARA GAZETTE	10001.100	243.00
29960	11/28/23	Professional Janitorial Services, Inc.	10001.100	705.00
11/30/23	11/30/23	PAYCHEX, INC.	10001.100	97.88
Total				20,839.64

NCIDA VIP-MTF Operating
Check Register
 For the Period From Nov 1, 2023 to Nov 30, 2023

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
4825	11/6/23	H.W.BRYK & SONS, INC.	10001.600	240.00
4826	11/6/23	FH Land Services	10001.600	742.28
4827	11/6/23	Frontier	10001.600	235.37
4828	11/6/23	Grove Roofing Services, Inc.	10001.600	1,859.01
4829	11/6/23	M&T Bank	10001.600	125.17
4830	11/6/23	Niagara Gazette Lockport Union	10001.600	50.60
4831	11/14/23	H.W.BRYK & SONS, INC.	10001.600	182.70
4832	11/14/23	DAVIS-ULMER Sprinkler Co.	10001.600	170.00
4833	11/14/23	Town of Wheatfield Water/	10001.600	40.00
4834	11/14/23	Town of Wheatfield	10001.600	63.75
4835	11/21/23	Modern Disposal Services, Inc.	10001.600	174.10
4836	11/21/23	County of Niagara	10001.600	402.13
4837	11/21/23	Mike Sinatra's Landscaping and	10001.600	3,700.00
4838	11/28/23	Professional Janitorial Services, Inc.	10001.600	195.00
Total				<u>8,180.11</u>

NCIDA - MTF - Operating Fund
Check Register
For the Period From Nov 1, 2023 to Nov 30, 2023

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
3139	11/6/23	DAVIS-ULMER Sprinkler Co.	10001.600	160.00
3140	11/6/23	FH Land Services	10001.600	393.68
3141	11/6/23	National Grid	10001.600	63.15
3142	11/6/23	Niagara Falls Water Board	10001.600	375.31
3143	11/6/23	Niagara Gazette Lockport Union	10001.600	25.30
3144	11/14/23	Gabriele and Berrigan P.C.	10001.600	783.27
3145	11/14/23	VERIZON	10001.600	128.82
3146	11/21/23	Mike Sinatra's Landscaping and	10001.600	2,500.00
Total				4,429.53

Niagara Industrial Incubator Associates
Check Register
For the Period From Nov 1, 2023 to Nov 30, 2023

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1379	11/6/23	National Grid	10000.100	215.08
1380	11/6/23	Niagara Falls Water Board	10000.100	2,206.57
1381	11/6/23	Niagara Gazette Lockport Union Sun &	10000.100	25.30
1382	11/14/23	Gabriele & Berrigan, P.C.	10000.100	864.00
1383	11/21/23	Mike Sinatra's Landscaping and	10000.100	2,200.00
1384	11/28/23	Grove Roofing Services, Inc.	10000.100	254,450.00
Total				<u><u>259,960.95</u></u>

NIAG ECONOMIC DEV FUND
Check Register
For the Period From Nov 1, 2023 to Nov 30, 2023

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1347	11/14/23	Gabriele & Berrigan P.C.	10000-200	324.00
1348	11/14/23	Niagara County Industrial	10000-200	50,000.00
1349	11/14/23	Selective	10000-200	3,266.78
Total				<u><u>53,590.78</u></u>

6.2

**Budget Variance
Reports**

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
BUDGET VARIANCE REPORT AS OF November 30, 2023
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	\$ 14,468.80	\$ 102,417.00	\$ 790,322.00	\$ 499,680.00	290,642.00	\$ 536,108.00
Project Application Fees	0.00	1,000.00	13,000.00	11,000.00	2,000.00	12,000.00
NEDF RLF Administrative Fee	4,166.67	4,166.67	45,833.37	45,833.37	0.00	50,000.00
Administratve Fees - Other	0.00	0.00	8,560.00	8,560.00	0.00	245,135.00
Interest Earnings	3,856.06	224.42	32,381.02	2,468.62	29,912.40	2,693.00
Miscellaneous Income	1,810.08	5.00	38,283.96	55.00	38,228.96	60.00
Distrib From Niag. Ind. Suites	0.00	0.00	0.00	0.00	0.00	100,000.00
Distribution from VIP MTF	0.00	0.00	0.00	0.00	0.00	150,000.00
Total Operating Revenues	24,301.61	107,813.09	928,380.35	567,596.99	360,783.36	1,095,996.00

Operating Expenses

Salaries	35,008.84	33,500.00	396,447.74	385,250.00	11,197.74	435,500.00
Benefits	4,853.97	4,871.75	55,354.37	53,589.25	1,765.12	58,461.00
Retirement Benefits	3,661.58	3,661.58	40,277.38	40,277.38	0.00	43,939.00
Payroll Taxes	2,704.09	2,604.93	30,586.15	29,917.15	669.00	33,785.00
Unemployment Taxes	0.00	0.00	1,675.09	1,550.00	125.09	1,550.00
Consultants	2,500.00	2,500.00	27,500.00	27,500.00	0.00	30,000.00
Assisstant Director	6,250.00	6,250.00	68,750.00	68,750.00	0.00	75,000.00
Legal Services	5,833.33	5,833.33	62,013.90	64,166.63	(2,152.73)	70,000.00
Accounting Services	0.00	0.00	19,600.00	20,110.00	(510.00)	20,110.00
Accounting Services - NADC	0.00	0.00	1,400.00	2,100.00	(700.00)	2,100.00
Marketing	862.56	1,833.33	15,426.43	20,166.63	(4,740.20)	22,000.00
Printing	0.00	125.00	144.88	1,375.00	(1,230.12)	1,500.00
Office Supplies	34.63	208.33	1,103.03	2,291.63	(1,188.60)	2,500.00
Postage	200.00	72.00	2,953.52	3,424.00	(470.48)	3,650.00
Telephone & Fax	108.45	88.92	990.20	978.12	12.08	1,067.00
Internet Service	169.99	208.33	2,000.69	2,291.63	(290.94)	2,500.00
Common Area Charges	870.00	723.67	9,570.00	7,960.37	1,609.63	8,684.00
Energy	1,235.01	1,815.00	13,580.38	21,953.00	(8,372.62)	24,518.00
Conference & Travel	784.71	166.67	6,032.85	1,833.37	4,199.48	2,000.00
Employee Training	1,000.00	416.67	2,950.00	4,583.37	(1,633.37)	5,000.00
Insurance Expense	1,644.80	1,643.17	18,093.40	18,074.87	18.53	19,718.00
Library & Membership	693.00	148.18	3,551.21	2,981.80	569.41	3,130.00
General Office	850.61	798.83	10,851.57	8,787.13	2,064.44	9,586.00
Repairs & Maintenance	945.00	1,098.00	10,140.18	12,078.00	(1,937.82)	13,176.00
Computer Support	0.00	583.33	0.00	6,416.63	(6,416.63)	7,000.00
Public Hearings	0.00	25.00	166.35	275.00	(108.65)	300.00
Furniture & Equipment Purchase	0.00	166.67	1,760.22	1,833.37	(73.15)	2,000.00
Other Expense	0.00	83.33	0.00	916.63	(916.63)	1,000.00
Total Operating Expenses	70,210.57	69,426.02	802,919.54	811,430.96	(8,511.42)	899,774.00
Net Operating Income/<Loss>	(45,908.96)	38,387.07	125,460.81	(243,833.97)	369,294.78	196,222.00

Non-Operating Revenue & Expense

Grant Rev- City NF Initiative	0.00	0.00	442,080.94	0.00	442,080.94	900,000.00
Grant Sub-City NF Initiative	0.00	0.00	442,080.94	0.00	442,080.94	900,000.00
Net Non-Operating Income/<Loss>	0.00	0.00	0.00	0.00	0.00	0.00
Total Net Income/<Loss>	(\$ 45,908.96)	\$ 38,387.07	\$ 125,460.81	(\$ 243,833.97)	369,294.78	\$ 196,222.00

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Balance Sheet
November 30, 2023

ASSETS

Current Assets	
Cash - Checking	\$ 492,899.81
Petty Cash	300.00
Mmkt Acct. - M&T Bank	1,829,865.09
Cash - First Response	66,086.86
Cash - City of N.F.	792.73
Mmkt Acct. - Cataract Tourism	2,975,312.88
Accts Rec - Public Hearings	2,184.11
Accounts Rec. EDA - RLF	18,333.26
Due To/From Micro RLF	18,579.05
Due To/From VIP - MTF	440,335.61
Due From NCDL CDBG/HUD	18,333.48
Due To/Due From NADC	151,406.56
Due To/From MTF Operating	3,504.26
Prepaid Insurance	7,709.49
Prepaid Pension Asset	<u>45,112.00</u>
Total Current Assets	6,070,755.19
Other Assets	
Deferred Outflows	163,304.00
Investment in NIIA	<u>342,500.00</u>
Total Other Assets	505,804.00
Fixed Assets	
Furniture & Equipment	231,672.18
Furn & Fixtures - Fed purchase	5,861.08
Accum Dep. - Furn & Equip	(202,053.36)
Accum Dep. - F&F Fed Purch	<u>(5,861.08)</u>
Total Fixed Assets	29,618.82
Total Assets	<u>\$ 6,606,178.01</u>

LIABILITIES AND NET ASSETS

Current Liabilities	
Accrued Retirement	\$ 40,277.38
Deferred Rev. - NEDF	4,166.63
Deferred Rev. - First Repsonse	66,086.86
Def. Rev. - City of N.F.	2,976,105.61
Accounts Payable	15,261.91
Acct. Payable - Niag. County	<u>31,600.39</u>
Total Current Liabilities	3,133,498.78
Long-Term Liabilities	
Deferred Inflows of Resources	<u>180,075.00</u>
Total Long-Term Liabilities	<u>180,075.00</u>
Total Liabilities	3,313,573.78
Net Assets	
Fund Balance - Operating Fund	3,167,143.42
Net Income	<u>125,460.81</u>
Total Net Assets	<u>3,292,604.23</u>
Total Liabilities & Net Assets	<u>\$ 6,606,178.01</u>

**Niagara County Industrial
Development Agency
Aged Payables
As of November 30, 2023**

Vendor ID Vendor	Invoice #	Amount Due
cin Cintas Corporation #782	3826276;5225321	93.80
M&TBUS M&T Bank	Nov 2023	2,528.97
NATGRID National Grid	39004 11/23	535.01
ProJan Professional Development	3439	793.17
SELECTIVE Selective Insurance Company	Pub.Off.11/23-11/24	1,783.00
STAPLES STAPLES CONTRACT & COMMERCIAL	8072393504	34.63
Report Total		<u>5,768.58</u>

Adjusting Journal Entries

Estimated Nov 2023 Legal Fees	5,833.33
Estimated Oct 2023 Copier usage	200.00
Estimated Nov 2023 Copier usage	200.00
Estimated Oct-Nov 2023 Telephone	60.00
Estimated Nov 2023 Niagara County Electric	400.00
Estimated Nov 2023 Niagara County Gas	300.00
Estimated Nov 2023 Consulting	2,500.00
	<u>15,261.91</u>

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

12/6/2023

**Project Income - 2023
Lease/Lease Back and Bonds**

Closed 2023		Project Type	Total Project Amount	IDA Project Amount	Fees	Application Fee	Amount Received to Date	Date Received	Balance Due	Date Closed
SJI Main LLC	Sales Tax Only		35,320	35,320	3,532	0	3,532	1/23/23	-	1/5/23
OAHS Urban Park TC LLC	Bond		27,467,700	16,215,000	134,558	1,000	135,558	2/15/23	-	1/31/23
Niagara Falls International Cuisine	Sales Tax Only		510,000	29,600	2,960	1,000	3,960	2/24/23	-	2/1/23
Burger Factory Niagara Falls Inc, d/b/a A&W	L/L Back		1,230,000	1,110,000	11,100	1,000	12,100	2/24/23	-	2/10/23
OAHS Niagara Towers TC LLC	Bond		32,074,394	19,875,000	165,969	1,000	166,969	3/15/23	-	3/2/23
DLV Properties LLC	L/L Back		23,089,050	20,707,900	207,079	1,000	208,079	3/16/23	-	3/15/23
Prospect Pointe Hotel LLC	Assumption of Maid of the Mist Hospitalit				4,000	1,000	5,000	4/10/23	-	3/22/23
DRC Development LLC 2022	L/L Back		3,000,000	2,883,000	28,830	1,000	29,830	5/19/23	-	5/16/23
Cerrone Estate Properties, LLC	No assistance provided.					1,000	1,000	2/3/21	-	
Niacet Corporation	No assistance provided.					1,000	1,000	3/14/23	-	
Niacet Corporation (NxTD Project)	No assistance provided.					1,000	1,000	5/2/22	-	
TM Montante Development LLC - 500 3rd St.	L/L Back		2,687,001	2,059,941	31,349	1,000	32,349	11/1/23	-	7/14/23
TM Montante Development LLC - 512 3rd St.	L/L Back		693,001	550,000	16,920	1,000	17,920	11/1/23	-	7/14/23
Zeton US Properties, Inc.	L/L Back		5,230,000	4,825,000	48,300	1,000	49,300	7/27/23	-	7/17/23
9745 Rochester Road LLC (Brent Industries)	Additional Sales Tax Exemption				13,350		13,350	9/20/23	-	9/13/23
Chase Commons LLC	L/L Back		5,000,000	4,600,000	38,000	1,000	39,000	11/2/23	-	9/1/23
Greenpac Mill, LLC	Mortgage Refinance				84,375		84,375	9/18/23	-	
Olcott Yacht Club Inc.	No assistance provided.					250	250	2/16/21	-	
TOTAL					<u>790,322</u>					
					Fees received in prior year	-				
					Total fees received to date in 2023	<u>790,322</u>				
					Total 2023 Budgeted Fees	<u>536,108</u>				
					Balance of Budgeted Fees	<u>(254,214)</u>				

Projected 2023		Project Type	Total Project Amount	IDA Project Amount	Anticipated Fees	Application Fee	Amount Received to Date	Date Received	Anticipated Balance Due	Inducement Expiration
Amazon.com Services LLC	L/L Back		550,000,000	550,000,000		1,000	1,000	7/13/22	-	2/10/24
Cityscape Property Management Inc. - Division	L/L Back		1,122,000	1,075,000	10,750	1,000	1,000	9/20/23	10,750	11/30/24
Cityscape Property Management Inc. - Stenzil	L/L Back		2,244,000	2,150,000	21,500	1,000	1,000	9/20/23	21,500	11/30/24
TOTAL					<u>32,250</u>	<u>3,000</u>	<u>3,000</u>		<u>32,250</u>	<u>0</u>
TOTAL - Projected Income 2023					<u>822,572</u>	<u>3,000</u>	<u>3,000</u>		<u>32,250</u>	<u>790,322</u>

Projected 2024		Project Type	Total Project Amount	IDA Project Amount	Anticipated Fees	Application Fee	Amount Received to Date	Date Received	Anticipated Balance Due	Inducement Expiration
Peak Development Partners, LLC	L/L Back		7,475,000	7,175,000	71,750	1,000	1,000	1/31/23	71,750	3/31/24
Niacet Corporation 2023	L/L Back		121,000,000	89,000,000		1,000	1,000	3/14/23	-	3/31/24
MHT Holdings, Inc. - Brookside Commons	L/L Back		3,635,039	2,013,618	20,136	1,000	1,000	5/26/23	20,136	10/31/24
MHT Holdings, Inc. - Niagara Falls	L/L Back		14,540,156	8,054,471	80,545	1,000	1,000	5/26/23	80,545	9/30/24
NF Lockport LLC	L/L Back		95,000,000	90,100,000		1,000	1,000	9/13/23	-	11/30/24
Vishay Dale Electronics, LLC	L/L Back		8,200,000	8,000,000	80,000	1,000			81,000	
TOTAL					<u>252,431</u>	<u>6,000</u>	<u>5,000</u>		<u>253,431</u>	<u>0</u>

* Pending Board Approval

**Cataract Tourism Fund
Grant Program**

Grantee Name	Grant Awards	Outst'd'g Awards	Approval Date	Disbursement Date	Disbursement Amount	Offer Expiration	Project Description
Niagara County Dept. of Economic Development	37,667	0.00	10/11/2017	1/23/2018	37,667.00		Feasibility study for Niagara Falls area multi-use facility.
Niagara Aquarium Foundation	88,147	0.00	2/14/2018	7/15/2019	88,147.00		Jellyfish exhibit and equipment.
The Tourism Research Entrepreneurship Center (TReC)	176,600	0.00	8/8/2018	6/2/2020	176,600.00		Buildout, audio/visual equipment and network connectivity hardware.
Niagara Aquarium Foundation	16,717	0.00	2/12/2020	10/21/2020	16,717.00		Renovations to second floor event room.
Niagara Aquarium Foundation	370,000	0.00	8/14/2019	2/9/2021	370,000.00		Interactive touch pools adjacent to main entrance of the Aquarium.
Red Star Builders, LLC (The Niagara Club)	64,403	0.00	7/10/2019	9/7/2021	64,403.00		Spot Coffee.
Niagara Falls Center for Tourism LLC	1,000,000	0.00	6/12/2019	7/7/2023	598,661.03	12/31/2024	Construction of an indoor family entertainment center and outdoor improvements.
The Center for Kashmir, Inc.	573,000	300,000.00	6/14/2023	8/9/2023	273,000.00		Renovations to vacant church for a museum of art and culture for Kashmir.
Savarino Companies, LLC	155,000	0.00	4/14/2021	4/26/2023	155,000.00		Rehabilitation of 4,000 square feet of commercial/retail storefront space.
Niagara Aquarium Foundation	900,000	900,000.00	2/9/2022	To Be Disbursed	0.00		Renovations to the Niagara Gorge Discovery Center for expanded programming.
Niagara Aquarium Foundation	35,000	35,000.00	2/8/2023	To Be Disbursed	0.00		Sea turtle exhibit.
Niagara Aquarium Foundation	185,250	185,250.00	2/8/2023	To Be Disbursed	0.00		Façade renovations.
Burger Factory Niagara Falls, Inc.	76,500	76,500.00	2/8/2023	To Be Disbursed	0.00		Dining area renovations.
Niagara Falls International Cuisine, Inc.	33,000	33,000.00	3/22/2023	To Be Disbursed	0.00		Kitchen buildout, bar and dining area remodeling.
Hammer & Crown BC	912,609	912,609.00	3/22/2023	To Be Disbursed	0.00		Renovations for restaurant, bar, game space, bowling lounge and boutique hotel.
TM Montante Development(Radio Niagara)							
To Date Sub-Total	4,623,893	2,442,359.00			1,780,195.03		

Grant Fund Cash Balance as of 11/30/2023	2,976,105.61
Less: Outstanding Awards	(2,442,359.00)
Available for awarding grants	533,746.61

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	116,343.90
Bank Fees	(43.26)
Grant Disbursements	(1,780,195.03)
Grant Fund Balance	2,976,105.61

7.1

Vishay Thin Film

PROJECT SUMMARY
Vishay Dale Electronics, LLC



Vishay Specialty Thin Film

Applicant:	Vishay Dale Electronics, LLC, (Subsidiary of Vishay Intertechnology, Inc.)	
Project Location:	2160 Liberty Dr., Wheatfield NY	
Assistance:	15 Year PILOT Sales Tax Abatement Mortgage Recording Tax Abatement	
Description:	<p>Vishay Thin Films, formerly a company named Ohmtek, was founded in 1978 in the City of Niagara Falls. The site became a technology leader for advanced processes in precision resistive products. Acquired by Vishay in 1988, the site is now known as Vishay Thin Film and has a strong portfolio of high precision surface-mount networks, through-hole resistors, hybrid resistor/capacitor networks and thermal management devices. With high precision technology Vishay gives designers and engineers a wide range of custom resistance values.</p> <p>Vishay Thin Film will be expanding their facility by adding a 10,000 sq. ft. addition and acquiring new technologies, such as, lasers, vapor deposition tools, automated test machines, AOI systems, dicing saws and mask aligners. The space will be clean room space and the new automation and capital improvements will allow for Vishay to remain competitive in the marketplace.</p>	
Project Costs:	Construction/Improvements Furniture, Fixtures & Equipment Soft costs <p align="right">TOTAL</p>	\$ 2,000,000 \$ 6,000,000 \$ 200,000 <hr/> \$ 8,200,000
Employment:	Current jobs in Niagara County: 220 New Jobs in Niagara County within 3 years: 40 Estimated Annual Payroll for New Jobs: \$48,000 Skills: Production, management, administrative	
Evaluative Criteria:	Regional wealth creation, in region purchases, research and development, retention, workforce access	

Economic Impacts

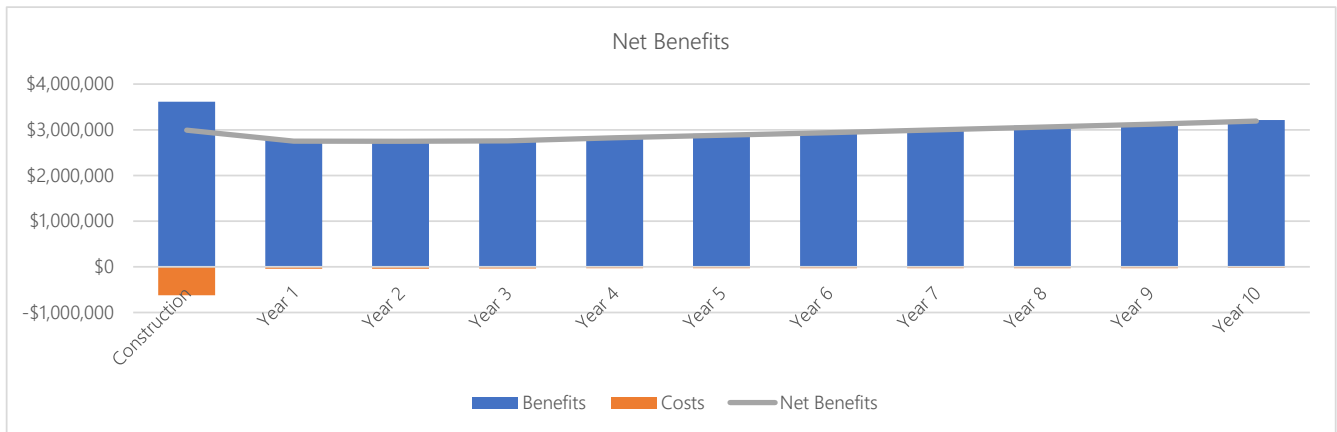
Summary of Economic Impacts over the Life of the PILOT

Project Total Investment
 \$8,200,000

Temporary (Construction)			
	Direct	Indirect	Total
Jobs	33	14	47
Earnings	\$2,712,801	\$699,348	\$3,412,149
Local Spend	\$6,560,000	\$2,372,158	\$8,932,158

Ongoing (Operations) Aggregate over life of the PILOT			
	Direct	Indirect	Total
Jobs	40	33	73
Earnings	\$32,026,237	\$12,481,121	\$44,507,358

Figure 1



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

Figure 2

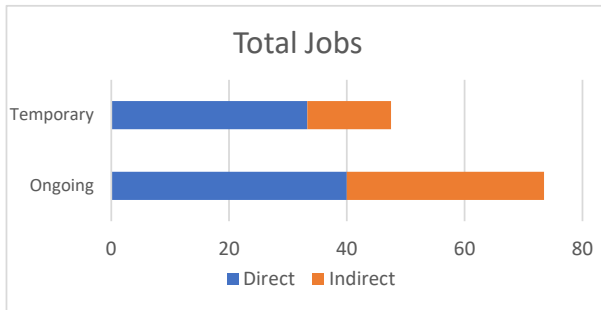
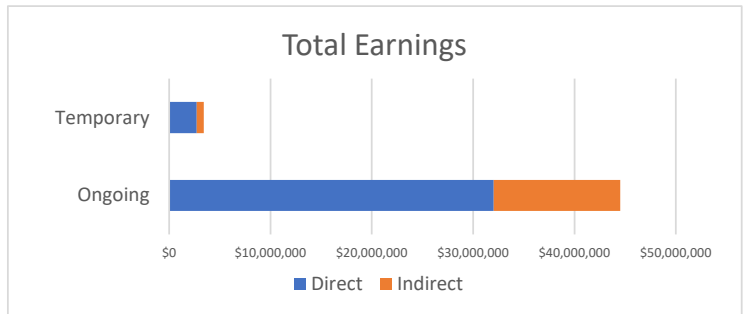


Figure 3



Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$449,790	\$390,326
Sales Tax Exemption	\$560,000	\$560,000
Local Sales Tax Exemption	\$280,000	\$280,000
State Sales Tax Exemption	\$280,000	\$280,000
Mortgage Recording Tax Exemption	\$61,500	\$61,500
Local Mortgage Recording Tax Exemption	\$20,500	\$20,500
State Mortgage Recording Tax Exemption	\$41,000	\$41,000
Total Costs	\$1,071,290	\$1,011,826

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$47,760,915	\$41,145,086
To Private Individuals	\$47,919,507	\$41,279,343
Temporary Payroll	\$3,412,149	\$3,412,149
Ongoing Payroll	\$44,507,358	\$37,867,194
Other Payments to Private Individuals	\$0	\$0
To the Public	(\$158,592)	(\$134,258)
Increase in Property Tax Revenue	(\$494,028)	(\$423,213)
Temporary Jobs - Sales Tax Revenue	\$23,885	\$23,885
Ongoing Jobs - Sales Tax Revenue	\$311,552	\$265,070
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$2,491,814	\$2,146,526
To the Public	\$2,491,814	\$2,146,526
Temporary Income Tax Revenue	\$153,547	\$153,547
Ongoing Income Tax Revenue	\$2,002,831	\$1,704,024
Temporary Jobs - Sales Tax Revenue	\$23,885	\$23,885
Ongoing Jobs - Sales Tax Revenue	\$311,552	\$265,070
Total Benefits to State & Region	\$50,252,730	\$43,291,611

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$41,145,086	\$690,826	60:1
State	\$2,146,526	\$321,000	7:1
Grand Total	\$43,291,611	\$1,011,826	43:1

*Discounted at 2%

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

Yes

Additional Revenues:

County	\$75,212
City/Town/Village	\$0
School District	\$233,070

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

(To be used on the NYS ST-60)

\$7,000,000

Additional Comments from IDA

Public Hearing for Vishay Dale Electronics, LLC
November 28, 2023 at 2:00 p.m.
Center for Economic Development, Wheatfield

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 will be the hearing officer to conduct this public hearing. Notice of this public hearing was published in the Niagara Gazette on November 11, 2023.

We are here to hold the public hearing on Vishay Dale Electronics, 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 addition of an approximately 10,000 square foot addition for clean rooms to accommodate company's expansion to include new technologies.

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 tax exemption policy), and a partial real property tax abatement.

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

If you have a written comment to submit for the record, you may do so. Written comments may also be delivered to Agency at 6311 Inducon Corporate Drive, Suite One, Sanborn, New York 14132 until the comment period closes on December 1, 2023.

If anyone is interested in making a comment, please, state your name and address; if you are representing a company, please identify the company. Please limit your comments to no more than 3 minutes in length.

Andrea Klyczek: Are there any comments? Hearing none, I will now adjourn the meeting.
It is now 2: p.m. Thank you.

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

PUBLIC HEARING FOR VISHAY DALE ELECTRONICS, LLC

November 28, 2023

2:00 p.m.

**Taken at: CENTER FOR ECONOMIC DEVELOPMENT
WHEATFIELD, NEW YORK**

1 PRESENT:

2

3 **ANDREA KLYCZEK**

4 Assistant Executive Director
5 Niagara County Industrial Development Agency
6 Appearing as Hearing Officer

7

8 **SUSAN LANGDON**

9 Executive Director
10 Niagara County Industrial Development Agency

11

12 **MS. KLYCZEK:** Welcome. This
13 public hearing is now open. It is 2:00 p.m.

14 My name is Andrea Klyczek. I am
15 the Assistant Director of the Niagara County
16 Industrial Development Agency, and I will be the
17 hearing officer to conduct this public hearing.

18 Notice of this public hearing
19 was published in the Niagara Gazette on
20 November 11, 2023.

21 We are here to hold this public
22 hearing on Vishay Dale Electronics, LLC and/or
23 individuals or affiliates, subsidiaries or entities
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.

1 The proposed project includes the
2 addition of an approximately 10,000 square foot
3 addition for clean rooms to accommodate the
4 company's expansion to include new technologies.

5 The proposed financial assistance
6 contemplated by the Agency includes New York State
7 and local sales and use tax exemption benefits and
8 mortgage recording tax exemption benefits in
9 compliance with the Agency's tax exemption policy,
10 and a partial real property tax abatement.

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

15 If you have a written comment to
16 submit for the record, you may do so. Written
17 comments may also be delivered to the Agency at
18 6311 Inducon corporate Drive, Suite one, Sanborn,
19 New York 14132 until the comment period closes on
20 December 1, 2023.

21 If anyone is interested in making
22 a comment, please state your name and address. If
23 you are representing a company, please identify the

1 company. Please limit your comments to no more than
2 three minutes in length.

3 Are there any comments?

4 Hearing none, I will now adjourn
5 the meeting. It is now 2:02 p.m. Thank you.

6

7 (The hearing was adjourned at 2:02 p.m.)

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7.2

**Sales Tax
Exemption
Extension
Request**

STAVATTI™

9 November 2023

Susan C. Langdon
Executive Director
Niagara County Industrial Development Agency
6311 Inducon Corporate Drive
Samuel M. Ferraro Center, Suite One
Sanborn, New York 14132

Dear Executive Director Langdon,

Over the past three years, Stavatti Aerospace and its 100% owned subsidiary, Stavatti Niagara, have worked diligently to complete renovations required to fully occupy our site at 9400 Porter Road (SNAPPER) in the Town of Niagara. We were fortunate to receive approval by the NCIDA to receive a PILOT and Sales Tax Exemption on eligible items. Our Project Number is: 2903 20-07A.

Stavatti intended to fully complete most work by the end of 2023. Only a small portion of the significant renovations, selective demolition, and infrastructure design and construction has been accomplished. Stavatti has several reasons for these delays, most of which are the significant magnitude of the issues and the related costs. Delays on a congressional level for the funding of Stavatti Purchase Orders and Contracts for the Ukrainian Military have impacted our schedule and plans as have issues associated with fundraising initiatives undertaken and recently restructured by Delmorgan & Co, an investment banking firm we have retained to raise private equity for the funding of our business plans.

Our plans remain as stated in the NCIDA Application for Assistance submitted in the fall of 2020. Towards those ends, Stavatti has been working with the U.S. Department of State (DOS) and the USAF-Secretary of the Air Force For International Affairs (SF/IA) and multiple close American allies to secure sale and export licenses, as well as Foreign Military Financing for specific Stavatti products. We continue working with DelMorgan to secure investment capital with an emphasis upon our new SM-100 transport aircraft, a revolutionary twin engine intermodal transport aircraft for which Stavatti was issued a Design Patent on Tuesday November 7th only two days ago.

To accomplish our goals in Niagara County, Stavatti is asking for an extension of our Sales Tax Exemption for an additional two years.

Thank you very much for considering this request.

Respectfully,



Christopher R Beskar
President & CEO
Stavatti Aerospace Ltd

Cc John R. Simon
Robert Sugarman

STAVATTI AEROSPACE LTD

NIAGARA FALLS
9400 Porter Road
Niagara Falls, NY
14304 USA

MAIL STOP
P.O. Box 3010
Niagara Falls, NY
14304 USA

MN TEL: 651-238-5369
NY TEL: 716-205-8396
email: aerospace@stavatti.com
http://www.stavatti.com

WYOMING
30 N Gould St, Ste 2247
Sheridan, WY
82801 USA

MINNESOTA
P.O. Box 211258
Eagan, MN
55121 USA

8.1

**160 Washburn
Street**



December 7, 2023

Niagara County Industrial Development Agency
Attn: Mark Gabriele, Esq.
6100 Inducon Corporate Drive – Suite 1
Sanborn, NY 14132

**RE: Request to Modify PILOT Agreement
160 Washburn Street, Lockport
280 Walnut Street Lockport**

Dear Mr. Gabriele:

As you know, I am the President of the Greater Lockport Development Corporation. The GLDC is the sole member and owner of 210 Walnut Street, LLC. Our general legal counsel, Brian J. Hutchison, Esq., has advised the Niagara County IDA of our desire to modify the existing PILOT Agreement that covers both 160 Washburn Street and 280 Washburn Street in Lockport, New York. Please allow this correspondence to serve as our formal request for a modification only relating to the real property that this PILOT Agreement is associated with.

The GLDC – through 210 Walnut Street, LLC - is selling a portion of the covered real estate to a third party that is not eligible to continue to benefit from the current PILOT Agreement. I am attaching as Exhibit A the legal description of the property that we are requesting to be removed from the PILOT Agreement. I am attaching as Exhibit B a copy of two new surveys showing the property to be removed from the PILOT Agreement. Note that both parcels listed in the description in Exhibit A must be removed from the PILOT Agreement.

Also attached as Exhibit C is a copy of the relevant page of the title report provided to us by the new purchaser. It is requesting that the property described in Exhibit A be removed from the following:

1. Memorandum of Lease made by 210 Walnut Street, LLC to your Agency, dated June 1, 2010 and recorded at Instrument No. 2010-08681;
2. Memorandum of Leaseback made by your Agency to 210 Walnut Street, LLC, dated June 1, 2010 and recorded at Instrument No. 2010-08682;
3. PILOT Mortgage made by your Agency and 210 Walnut Street, LLC to Niagara County, City of Lockport, and Lockport City School District dated June 1, 2010 and recorded at Instrument No. 2010-08683.

Our organization is not requesting any modification of any other terms pertaining to the PILOT Agreement. The sale of these two parcels in no way affects the goals of the GLDC and 210 Walnut Street, LLC pertaining to the scope of our project at the remainder of the property, or the employment goals that we have achieved and continue to pursue. To be clear, the property being sold includes a vacant lot (ie, a parking lot), and a vacant building that our organization has always intended to sell to a suitable developer.

In conclusion, we are only seeking to have these parcels released from the aforementioned documents so that the new developer can receive clear title to those parcels and also implement their own PILOT Agreement through the City of Lockport on these parcels. Said Agreement requires that our PILOT Agreement with your Agency be released as a condition of the City's agreement going into effect.

We intend to close this transaction on December 13, 2023. I understand that this request will not be considered for approval until that date. Once approved, I would appreciate the opportunity to pick up the necessary documents for recording as soon as they are available. Of course, the GLDC will also pay any expenses associated with this request.

Finally, if you require additional information from the GLDC, please do not hesitate to contact myself or our attorney.

As always, it is a pleasure to work with your Agency.

Sincerely,

A handwritten signature in black ink, appearing to read 'Heather Peck', written over a faint circular stamp or watermark.

Heather Peck

President, Greater Lockport Development Corp.

EXHIBIT A

SCHEDULE A – DESCRIPTION

PARCEL A (160 Washburn Street, Lockport, NY, SBL No. part of 109.14-4-20.1)

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Lockport, County of Niagara and State of New York, being parts of Lot 10, Section 15, Township 14, Range 6 as shown on a map made by J.P. Haines in 1845 with additions in 1866 and filed in the Niagara County Clerk's Office on November 21, 1866, now in Book 25 of Microfilmed Maps at page 2433, being bounded and described as follows:

COMMENCING at a point in the north bounds of South Street (as a 66 foot road) at the intersection with the westerly bounds of Washburn Street (as a 66 foot road); thence westerly along the said north bounds of South Street, a distance of 9.76 feet to the true point and place of beginning; thence continuing westerly along the said north bounds of South Street a distance of 396.00 feet to a point; thence north at an interior angle of 89° 55' 41" and along the westerly wall of Building No. 160, a distance of 163.72 feet, more or less, to a point; thence east at an interior angle of 89° 59' 55" and along the northerly wall of Building No. 160, a distance of 396.00 feet, more or less, to a point; thence southerly at right angles, a distance of 163.21 feet to a point in the said north bounds of South Street at the true point and place of beginning.

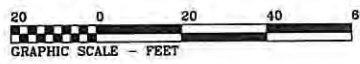
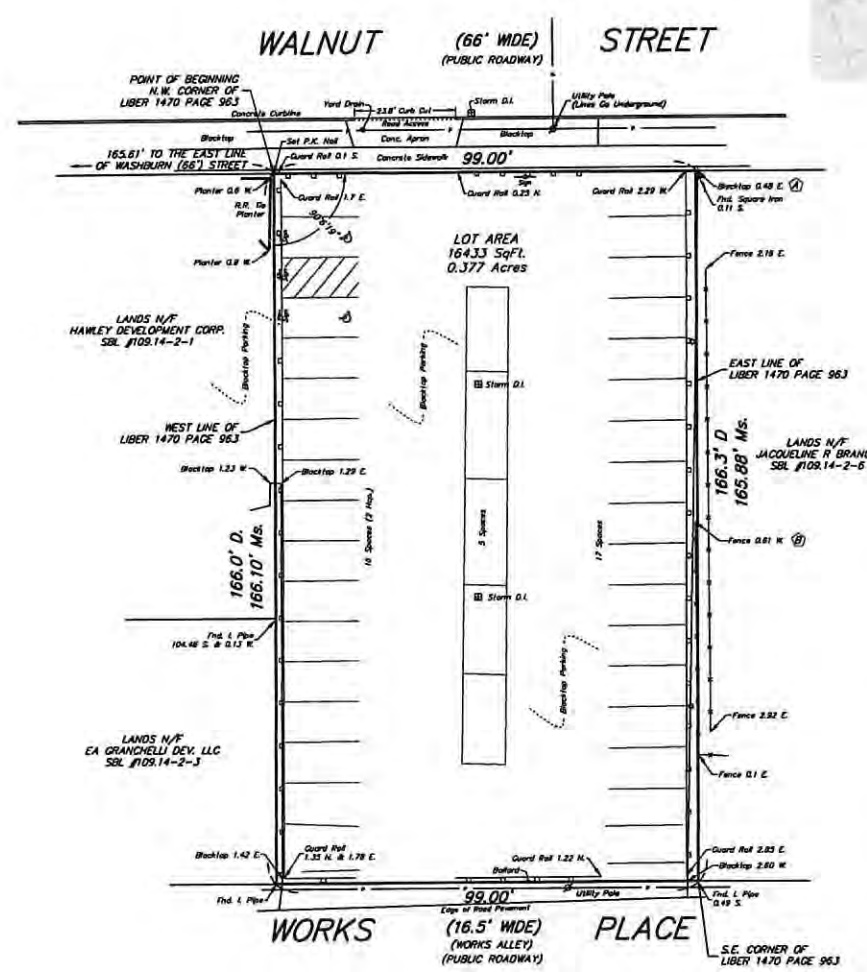
TOGETHER with and subject to Declaration of Easement and Maintenance Agreement made by and between 210 Walnut Street, LLC and Niagara County Industrial Development Agency dated May 30, 2013 and recorded May 30, 2013 in the Niagara County Clerk's office as Instrument No. 2013-10277.

PARCEL B (280 Walnut Street, Lockport, NY, SBL No. 109.14-4-5)

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Lockport, County of Niagara and State of New York, being parts of Lot 10, Section 15, Township 14, Range 6 as shown on a map made by J.P. Haines in 1845 with additions in 1866 and filed in the Niagara County Clerk's Office on November 21, 1866, now in Book 25 of Microfilmed Maps at page 2433, being bounded and described as follows:

BEGINNING at a point in the south bounds of Walnut Street, 165.61 feet measured easterly from the east bounds of Washburn Street, said point being the northwest corner of lands conveyed to General Motors Corporation by deed recorded in the Niagara County Clerk's Office in Liber 1470 of Deeds at page 963; thence southerly along the west line of the last described lands, 166.0 feet measured to the north bounds of Works Alley; thence easterly along the north bounds of said Works Alley, 99.0 feet to the southeast corner of said lands conveyed to General Motors Corporation; thence northerly along the east line of said lands conveyed to General Motors Corporation, 166.3 feet measured to the south bounds of Walnut Street; thence westerly along the south bounds of Walnut Street, 99.0 feet to the point or place of beginning.

EXHIBIT B



ZONING & SETBACK INFORMATION
 CITY OF LOCKPORT CURRENT WEB PAGE -
<http://ecode360.com/9603277>
 PREMISES IS ZONED B2 (CENTRAL BUSINESS AREA)
www.lockportny.gov/business.com/files-library/100208/city_lockport_zoning_map.pdf
 THERE ARE NO MINIMUM YARD REQUIREMENTS FOR THIS ZONE.
 MAXIMUM BUILDING HEIGHT 120 FEET.
 PARKING REQUIREMENTS PER 190-111 (OFF STREET PARKING SCHEDULE)
 NO REQUIREMENT

FLOOD HAZARD DATA
 CITY OF LOCKPORT -
 PREMISES IS LOCATED IN FLOOD ZONE "X"
 DESIGNATED AS AREAS OF MINIMAL FLOOD HAZARD.
 INFORMATION PER FLOOD INSURANCE RATE MAP PUT OUT BY THE
 FEDERAL EMERGENCY MANAGEMENT AGENCY - NATIONAL FLOOD
 INSURANCE PROGRAM.
 COMMUNITY PANEL NUMBER 36063 C0241 E
 EFFECTIVE DATE: SEPTEMBER 17, 2010

NOTES
 THERE ARE NO BUILDINGS LOCATED WITHIN THE BOUNDS OF PROPERTY.
 THERE ARE NO CAPS, CORES OR OVERLAPS BETWEEN ADJUTING
 PARCELS OR PUBLIC RIGHTS OF WAY.
 THE LEGAL DESCRIPTION LOCATED HEREON FORMS A MATHEMATICALLY
 CLOSED PARCEL OF LAND.
 THERE ARE 38 STRIPED PARKING SPACES WITHIN THE PROPERTY
 BOUNDS.
 THERE WAS NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING
 CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE FIELD ON
 DATE OF FIELD INSPECTION.
 THERE WAS NO EVIDENCE OF ABOVE OR BELOW GROUND TANKS OR
 WELLS OBSERVED IN THE FIELD ON DATE OF FIELD INSPECTION.
 THERE WAS NO EVIDENCE OF RECENT STREET OR SIDEWALK
 CONSTRUCTION OR REPAIRS OBSERVED IN THE FIELD ON DATE OF
 FIELD INSPECTION.
 THERE WAS NO EVIDENCE OF USE AS CEMETERY ON OR WITHIN 100'
 OF PROPERTY OBSERVED IN THE FIELD ON DATE OF FIELD INSPECTION.
 THERE WAS NO EVIDENCE OF WET LAND DELINEATION FLAGS OBSERVED
 IN THE FIELD ON DATE OF FIELD INSPECTION.
 CURRENT MAIN ROAD DRIVEWAY ACCESS TO WALNUT STREET IS AS
 SHOWN HEREON. SECONDARY ACCESS FROM WORKS PLACE IS DIRECT
 PAVED ACCESS.

LEGAL DESCRIPTION

PER STEWART TITLE INSURANCE COMPANY TITLE No. 76272493, DATED NOV. 8, 2023
 SCHEDULE A - PARCEL "B"

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Lockport, County of Niagara and State of New York, being part of Lot 10, Section 15, Township 14, Range 6 as shown on a map made by J. P. Haines in 1845 with additions in 1866 and filed in the Niagara County Clerk's Office on November 21, 1866, now in Book 25 of Microfilm Maps of Page 2433, being bounded and described as follows:

BEGINNING at a point in the south bounds of Walnut Street, 165.81 feet measured easterly from the west bounds of Washburn Street, said point being the northwest corner of lands conveyed to General Motors Corporation by deed recorded in the Niagara County Clerk's Office in Liber 1470 of Deeds of Page 963, thence southerly along the west line of the last described lands, 166.0 feet measured to the north bounds of Works Alley; thence easterly along the north bounds of said Works Alley, 99.0 feet to the southeast corner of said lands conveyed to General Motors Corporation; thence northerly along the east line of said lands conveyed to General Motors Corporation, 166.3 feet measured to the south bounds of Walnut Street; thence westerly along the south bounds of Walnut Street, 99.0 feet to the point and place of beginning.

This description forms a mathematically closed parcel of land.

EASEMENTS

PER STEWART TITLE INSURANCE COMPANY TITLE No. 76272493, DATED NOV. 8, 2023
 SCHEDULE B - SECTION II

No easements of record for subject parcel.

UTILITIES

The underground utilities shown have been located from field survey information & existing drawings. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from the information available. This surveyor has not physically located the underground utilities.

- | | | |
|--|--|---|
| National Fuel
Attn: Gerald Scott
(716) 857-7000 | Verizon
Attn: Anne Baglio
(716) 840-8748 | Time Warner Cable
Attn: Thomas Trigo
(716) 558-8615 |
| Water - Sandra Eliston
Lockport Municipal Building
One Locks Plaza
Lockport, New York 14094
(716) 438-6878 | National Grid
Attn: Eric Wright
(716) 857-4031 | |

ENCROACHMENTS

- ① BACKSTOP ENCROACHES ONTO PREMISES TO EAST 0.48 FEET.
- ② DEPENDING UPON OWNERSHIP, FENCE ENCROACHES ONTO PREMISES 0.61 FEET.

UTILITIES

The underground utilities shown have been located from field survey information & existing drawings. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from the information available. This surveyor has not physically located the underground utilities.

- | | | |
|--|---|---|
| Verizon
Attn: Anne Baglio
(716) 840-8748 | Time Warner Cable
Attn: Thomas Trigo
(716) 558-8615 | National Fuel
Attn: Gerald Scott
(716) 857-7000 |
| National Grid
Attn: Eric Wright
(716) 857-4031 | | |

CERTIFICATION

To Harrison Lofts Limited Partnership, a New York not-for-profit corporation, Harrison Lofts Housing Development Fund Company, Inc., a New York not-for-profit corporation, Raymond James Affordable Housing Investments Inc., a Florida corporation, and Raymond James Housing Opportunities Fund 46 L.L.C., a Florida limited liability company, its successors and/or assigns, Webster Bank, National Association, its successors and/or assigns, New York State Housing Finance Agency, its successors and/or assigns, Affordable Housing Investments Inc., its successors and/or assigns, State of New York Mortgage Agency, its successors and/or assigns and Stewart Title Insurance Company;

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 of Table A thereof. The field work was completed on 10-23-23.

Date of Plat or Map: 11-29-23

Christopher J. Barr Registration No. 051068

INSURANCE(S) UTILIZED IN DETERMINING LOCATION OF BOUNDARY LINES: LIBER 3378 PAGE 83

LEGEND

- | | |
|----------------------------|---------------------|
| UTILITY / SERVICE POLE | R.O.W. RIGHT OF WAY |
| WATER LINE VALVE | CONC. CONCRETE |
| FIRE HYDRANT | INV. INVERT |
| D.I. (DRAIN INLET - STORM) | M.H. MANHOLE |
| MANHOLE (STORM) | GAS LINE |
| MANHOLE (ELECTRIC) | WATER LINE |
| MANHOLE (TRAFFIC) | ELECTRIC LINE |
| MANHOLE (SEWER) | UTILITY LINES |
| MANHOLE (TELEPHONE) | CABLE LINES |
| GASLINE MARKER | D. DETD |
| GAS LINE VALVE | M. MEASURED |
| LIGHT STANDARD | L. LIBER |
| SDV | P. PAGE |
| N.C. MANICAP | |

COPYRIGHT 2023 BY:
TRUE NORTH
 LAND SURVEYING, PLLC
 150 AERO DRIVE
 BUFFALO, NEW YORK 14225
 (716) 831-5140 ~ Truenorthplc@aol.com

AMEND: 11-29-23
 SURVEY DATE: 10-23-23
 DRAWING DATE: 10-25-23
 SCALE: 1" = 20'
 "ALL RIGHTS RESERVED"

THIS WAS UNLESS EMBOSSED WITH NEW YORK STATE LICENSED LAND SURVEYOR'S SEAL. ALTHOUGH ANY TYPED ON THIS MAP IS A VIOLATION OF THE LAW EXCEPT AS PROVIDED IN SECTION 7209, PART 2, OF THE NEW YORK STATE EDUCATION LAW.

ALTA/NSPS LAND TITLE SURVEY
 PART OF LOT 10 SECTION 15 TOWNSHIP 14 RANGE 6 OF THE:
 Holland Land Company's SURVEY - Niagara COUNTY, N.Y.
 SURVEY OF: 280 Walnut Street, City of Lockport

SBL No. 109.14-2-5

LEGAL DESCRIPTION

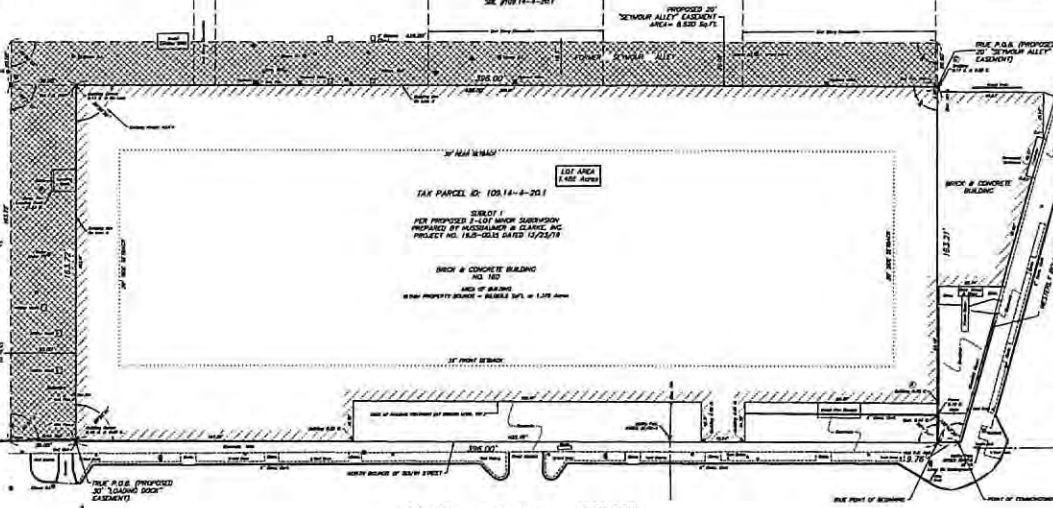
PROPOSED BY "LOADING DOCK" EASEMENT

ALL THAT PART OR PARTS OF LAND, situate in the City of Concord, County of Plumas and State of Nevada...

LEGAL DESCRIPTION

PROPOSED BY "SEMPUR ALLEY" EASEMENT

ALL THAT PART OR PARTS OF LAND, situate in the City of Concord, County of Plumas and State of Nevada...



SOUTH (66' WIDE) STREET (PUBLIC ROADWAY)

PLUMBING & METEOROLOGICAL... CITY OF CONCORD... WASHBURN STREET (66' WIDE) (PUBLIC ROADWAY)...

LEGAL DESCRIPTION

THE TRACT OF LAND BEING THE... PARCEL 31...

EASEMENTS

THE TRACT OF LAND BEING THE... PARCEL 31...

UTILITIES

The underground utility lines shown on this plan... are shown for information only...

DISCLAIMER

In reliance upon the information... the Surveyor... is not responsible for the accuracy of the information...

DISCLAIMER

THE SURVEYOR... IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION...

LEGEND

- SYMBOLS for utility lines, concrete, brick & concrete building, etc.

Project information box including date (11-29-22), sheet number (10-20-22), and title (ALTA'S LAND TITLE SURVEY).

ALTA'S LAND TITLE SURVEY PART OF LOT 44, SECTION 12, TOWNSHIP 11 NORTH, RANGE 4 OF THE... SURVEY OF 182... CITY OF CONCORD

EXHIBIT C

- d) A copy of any required resolution of its members and/or managers authorizing the completion of the insured transaction including execution of all necessary documents.
- e) For an LLC, LLP, LP filed after June 1, 2006, we require proof of filing of a certificate of publication and affidavits of publication with the Department of State within the 120-day period immediately following formation. Publication is required for 6 successive weeks, and must contain the principal place of business.
10. Memorandum of Lease made by 210 Walnut Street, LLC to Niagara County Industrial Development Agency, dated June 1, 2010 and recorded June 4, 2010 in Instrument No. 2010-08681.
11. Memorandum of Leaseback made by Niagara County Industrial Development Agency to 210 Walnut Street, LLC, dated June 1, 2010 and recorded June 4, 2010 in Instrument No. 2010-08682.
12. Pilot Mortgage made by Niagara County Industrial Development Agency and 210 Walnut Street, LLC, to Niagara County, New York, City of Lockport, New York and Lockport City School District dated June 1, 2010 and recorded June 4, 2010 in Instrument No. 2010-08683.
- First Amendment to Pilot Mortgage made by and between by Niagara County Industrial Development Agency and 210 Walnut Street, LLC, dated November 1, 2013 and recorded December 5, 2013 in Instrument No. 2013-24302.
13. A search has been run for filings pursuant to the USA Patriot Act and Executive Order 13224 against the following names:
- 210 Walnut Street, LLC; Niagara County Industrial Development Agency
- Said search discloses nothing found.