

# Niagara County Industrial Development Agency

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

## **REGULAR NCIDA/NCDC/NADC BOARD MEETING**

**DATE:** May 8, 2024  
**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 – March 27, 2024
  - 6.0 Finance & Audit Committee Reports – *J. Krempa*
    - 6.1 Agency Payables – March 31, 2024
    - 6.2 Agency Payables – April 30, 2024
    - 6.3 Budget Variance Report – March 31, 2024
    - 6.4 Budget Variance Report – April 30, 2024

**7.0 Unfinished Business**

**7.1 MGA Construction LLC – *J.Geartz***

**7.1.1 Final Resolution**

**7.2 Niagara Shores Campground and Conference Center, LLC – *M.Gabriele***

**7.2.1 Default on Loan**

**7.3 Peak Development Partners, LLC– *M.Gabriele***

**7.3.1 6 Month Project Inducement Extension**

**7.4 Niacet Corporation – *M.Gabriele***

**7.4.1 6 Month Project Inducement Extension**

**8.0 New Business**

**8.1 2429 Military Road, LLC – *J.Geartz***

**8.1.1 Preliminary Resolution**

**8.1.2 Authorize Public Hearing**

**8.2 NCDC Request for Grant Approval – *S. Barone***

**8.2.1 Bairco Inc.**

**8.3 Landscape RFP – *J.Lamoreaux***

**8.3.1 Beau Enterprises, Inc.**

**9.0 Agency Counsel – *M. Gabriele***

**10.0 Information Items**

**11.0 Any Other Matters the Board Wishes to Discuss**

**12.0 Next Regular NCIDA/NCDC/NADC Meeting:**

**DATE: June 12, 2024**

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

**PLACE: Niagara County Center for Economic Development**

**13.0 Adjournment - *M. Onesi***

# **5.1**

# **MEETING**

# **MINUTES**

## **ANNUAL NCIDA/NCDC/NADC BOARD MEETING MINUTES**

**DATE: March 27, 2024**

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

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

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### **1.0 Meeting Called to Order**

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

### **2.0 Roll Call**

Mark A. Onesi, Chairperson	Present
Jason Krempe, 1 <sup>st</sup> Vice Chairperson	Present
Clifford Scott, 2 <sup>nd</sup> Vice Chairperson	Present
William L. Ross, Secretary	Present
Mark Berube, Assistant Secretary	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  
Mike Scheer, Investigative Post  
John Simon, Stavatti Aerospace Ltd.  
David Chiazza, Iskalo Development  
Terry Burton, MGA Construction, LLC

#### **Staff Present:**

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

### **4.0 Pledge of Allegiance**

Mr. Berube led the pledge of allegiance.

## 5.0 Approval of Meeting Minutes

### 5.1 Regular NCIDA/NCDC/NADC – February 14, 2024

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

## 6.0 Committee Reports

### 6.1 Finance & Audit Committee

#### 6.1.1 Audit Report – Lumsden & McCormick CPAs

A representative from Lumsden & McCormick, Matthew Cronmiller joined the Audit Committee meeting earlier in the day to give an overview, and summarization for the 2023 annual audits. The committee members were given copies of the presentation which summarized all of the Agency audits for FYE December 31, 2023.

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

***Mr. Krempa made a motion to approve the 2023 Audit Report; Mr. Berube seconded the motion. The motion passed.***

#### 6.1.2 Agency Payables

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

***Mr. Krempa made a motion to approve the February 2024 agency payables; Mr. Fekete seconded the motion. The motion passed.***

#### 6.1.3 Budget Variance Report

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

***Mr. Krempa made a motion to approve the February 2024 budget variance report; Mr. Masse seconded the motion. The motion passed.***

## 6.2 Governance Committee

### 6.2.1 Annual Board Evaluations

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

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

***Mr. Ross motioned to approve the Summary of the Annual Board Evaluations; Mr. Krempa seconded the motion. The motion passed.***

## 7.0 Annual Meetings of the NCIDA, NCDC, and NADC

### 7.1 Election of Chairperson

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

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

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

### 7.2 Election of Officers

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

7.2.1	First Vice Chairperson	Jason Krempa
7.2.2	Second Vice Chairperson	Clifford Scott
7.2.3	Secretary	William L. Ross
7.2.4	Assistant Secretary	Mark Berube
7.2.5	Treasurer	Andrea Klyczek

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

### **7.3 Appointment of Committee Members and Committee Chairpersons**

Chairman Onesi then appointed the following Committee Members and Chairpersons.

#### **7.3.1 Finance & Audit Committee**

Jason Krempa Chairperson  
Anne E. McCaffrey  
Ryan Mahoney

#### **7.3.2 Governance Committee**

William L. Ross, Chairperson  
Clifford Scott  
David J. Masse

#### **7.3.3 NCDC Loan/Micro Grant Committee**

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

#### **7.3.4 Cataract Tourism Fund Committee**

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

### **7.4 Ratify Board Meeting Dates/Time**

#### **7.4.1 Second (2<sup>nd</sup>) Wednesday of the Month**

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

### **7.5 Reaffirm Committee Charters**

#### **7.5.1 Finance & Audit Committee Charter**

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

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

### **7.5.2 Governance Committee Charter**

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

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

### **7.6 Reaffirm Mission Statement**

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

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

### **7.7 Reaffirm Uniform Tax Exempt Policy**

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

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

### **7.8 Niagara Industrial Incubator Associates (“NIIA”)**

#### **7.8.1 Appointment of Andrea Klyczek**

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

### **7.9 Niagara Industrial Incubator Company (“NIIC”)**

#### **7.9.1 Appointment of Andrea Klyczek**

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

### **7.10 Niagara Economic Development Fund (“NEDF”)**

#### **7.10.1 Appointment of Andrea Klyczek**

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

### **7.11 Risk Assessment and Risk Management Letter**

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

***Mr. Fekete made a motion to accept the Risk Assessment and Risk Management letter; Ms. McCaffrey seconded the motion. The motion passed.***



**7.12 NCIDA Real Property Assessment**

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

***Mr. Ross made a motion to accept the Real Property Assessment; Mr. Fekete seconded the motion. The motion passed.***

**7.13 Annual Investment Reports**

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

***Mr. Masse made a motion to accept the Annual Investments Reports; Mr. Fekete seconded the motion. The motion passed.***

**7.14 Reaffirm Administrative Policies for 2024**

Mr. Gabriele explained the Board must reaffirm the Administrative Policies as required by PAAA.

***Mr. Krempa made a motion to reaffirm the Administrative Policies for 2024; Ms. McCaffrey seconded the motion. The motion passed.***

**7.15 2023 Annual Report Summaries**

Mr. Gabriele noted the NCIDA, NCDC, and the NADC Annual Report Summaries for 2023 were included in the Board packet for review.

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

**7.16 2023 Annual Measurement Reports**

Mr. Gabriele stated the NCIDA, NCDC, and NADC Annual Measurement Reports for 2023 were included in the Board packet for review.

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

**8.0 Unfinished Business**

**8.1 Iskalo 1 East Avenue LLC**

Ms. Langdon stated that there was a public hearing held in the City of Lockport for Iskalo 1 East Avenue LLC. In attendance at the public hearing was a representative from the company, and Mr. Shoemaker from the office of Real Property Tax. There were no public comments made at the public hearing.

**8.1.1 Final Resolution**

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF ISKALO 1 EAST AVENUE 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) NEGOTIATE AND EXECUTE AN AGENT AND FINANCIAL ASSISTANCE PROJECT AGREEMENT AND RELATED DOCUMENTS: AND (iii) PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF A SALES TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT AND MORTGAGE TAX EXEMPTION.

***Mr. Krempa made a motion to approve the Final Resolution; Ms. McCaffrey seconded the motion.***

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

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

The Resolution was thereupon duly adopted.

**8.2 Big Ditch Brewing LLC**

Ms. Langdon stated that there was a public hearing held in the City of Lockport for Big Ditch Brewing LLC. In attendance at the public hearing was a representative from the company, and Mr. Shoemaker from the office of Real Property Tax. There were no public comments made at the public hearing.

**8.2.1 Final Resolution**

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF BIG DITCH BREWING COMPANY 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) NEGOTIATE AND EXECUTE AN AGENT AND FINANCIAL ASSISTANCE PROJECT AGREEMENT AND RELATED DOCUMENTS; AND (iii) PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF A SALES TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT.

***Mr. Fekete made a motion to approve the Final Resolution; Mr. Masse seconded the motion.***

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

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

The Resolution was thereupon duly adopted.

**8.3 Stavatti Aerospace Ltd.**

Mr. Gabriele stated that Stavatti Aerospace Ltd. Is a project that was initially approved by the Board in 2020. The project is on the Agenda today because it has failed to meet its investment criteria. The company is asking for an extension of 2 years of sales tax on this project. The Agency is only authorized to extend projects for up to 1 year. The Board has do decide whether the project will be terminated or extended.

The total sales tax benefits reported by the company to date are just over \$4,000, which equates to just a little over \$50,000 spent by the company. It has been over three years and the project has not been completed.

After much discussion, the board discussed and agreed that since the company has not reached investment or employment levels stated in the original application, the benefits will be terminated without prejudice, allowing the company to come back and re-apply for benefits in the future if they wish.

**8.3.1 Termination of Benefits**

**Mr. Scott made a motion to terminate the benefits; 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>
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Anne E. McCaffrey	x			
Mark Berube	x			
Ryan J. Mahoney	x			
David J. Masse	x			
William Fekete	x			
Mark Onesi	x			

The Resolution was thereupon duly adopted.

**9.0 New Business**

**9.1 MGA Construction LLC**

Mr. Geartz stated that MGA Construction LLC will be constructing a 60,000 ft. mixed-use building that will have commercial space on the first floor and two floors of market rate residential units, which will be known as the Villas at Forest Parkway. This project will create 10 two-bedroom and 10 three-bedroom market rate apartments within the Wheatfield community. Currently, there are no market rate housing options in the surrounding area for families of the occupants of the senior housing developments within the area. These apartments will also provide housing opportunities for the employees at the industrial park and help to reduce the housing burden many Western New Yorkers are facing. The company is currently working to secure a potential commercial tenant that will retain an estimated 30 jobs in Niagara County.

**9.1.1 Preliminary Resolution**

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

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

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

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

The Resolution was thereupon duly adopted.

### **9.1.2 Authorize Public Hearing**

***Ms. McCaffrey made a motion to approve the public hearing; Mr. Fekete seconded the motion. The motion passed.***

## **9.2 Request for Micro Enterprise Grant Approval**

Ms. Barone stated that the Agency held a NCDC Grant Committee meeting on March 15, 2024. At that meeting each of these grants were reviewed and recommended for approval by the Board.

### **9.2.1 The Stitching Corner LLC**

Ms. Barone stated that the Stitching Corner LLC is a needlework and quilting shop. The business has been operating online since 2022. The business is growing and they are now expanding into a new location in Ransomville. The new expansion will allow the business to display and sell more products along with adding instructional classes, and workshops.

The owner qualifies as low-to-moderate income with the owner committing 10% to the equity. The business will have a positive impact on the community by offering specialty needlework, sewing, and quilting products.

The grant request is for \$22,000, the funds will be used to purchase upgraded embroidery and stitching machines as well as a POS system and displays. The business meets all the eligibility criteria.

### **9.2.1 The Stitching Corner LLC**

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
APPROVING MICRO ENTERPRISE FUND GRANT TO THE STITCHING CORNER LLC

***Mr. Krempa made a motion to approve the Grant; 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>
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Anne E. McCaffrey	x			
Mark Berube	x			
Ryan J. Mahoney	x			
David J. Masse	x			
William Fekete	x			
Mark Onesi	x			

The Resolution was thereupon duly adopted.

**9.2.2 Maxx Lashes, Inc.**

Ms. Barone stated that Maxx Lashes Inc. is an eyelash and waxing studio located in the Town of Niagara that has been in business for 8 years. The business has worked to rebuild their clientele after the many changes due to pandemic restrictions in 2020. The company plans to increase inventory, and services to include skin care treatments.

The owner qualifies as a low-to-moderate income owner and the business is a women-owned business. The owner is committing 10% equity to the business. The business will have a positive impact on the community as the specialty high-end treatments and atmosphere have limited competition in the area.

The Grant request is \$17,000, the funds will be used to procure additional equipment including a POS System, Computer, shelving, furniture, and cabinets for increased inventory. The business meets all eligibility criteria.

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPROVING MICRO ENTERPRISE FUND GRANT TO MAXX LASHES, INC.

***Mr. Krempa made a motion to approve the 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>
Jason Krempa	x			
Clifford Scott	x			
William L. Ross	x			
Anne E. McCaffrey	x			
Mark Berube	x			
Ryan J. Mahoney	x			
David J. Masse	x			
William Fekete	x			
Mark Onesi	x			

The Resolution was thereupon duly adopted.

**9.2.3 Happy Tails of Niagara, LLC – Amended Grant Resolution**

Ms. Barone stated that Happy Tails of Niagara, LLC is a previous grant approved by this Board in November of 2023. The business has had an address change and now needs a new resolution and grant agreement.

***Mr. Krempa made a motion to approve the Amended Grant Resolution; Mr. Fekete seconded the motion. The motion passed.***

**10.0 Agency Counsel**

Mr. Gabriele requested that the Board go into an executive session to discuss litigation and personnel.

***Mr. Ross made a motion to approve the Executive Session; Mr. Fekete seconded the motion. The motion passed.***

The board came out of executive session at 10:13 a.m. No action was taken.

**11.0 Information Items**

There were no information items.

**12.0 Any Other Matters the Board Wishes to Discuss**

There were no matters the Board wished to discuss.



**13.0 Next Regular NCIDA/NCDC/NADC Meeting:**

**DATE:** April 10, 2024  
**TIME:** \*\* 9:00 a.m. \*\*  
**PLACE:** Niagara County Center for Economic Development

**14.0 Adjournment**

Mr. Krempa made a motion to adjourn; Mr. Ross seconded the motion. He meeting adjourned at 10:15 a.m.

Respectfully Submitted:                      Reviewed By:                      Approved By:

\_\_\_\_\_  
Julie Lamoreaux  
Administrative Assistant

\_\_\_\_\_  
Susan C. Langdon  
Executive Director

\_\_\_\_\_  
William L. Ross  
Secretary

**6.1 & 6.2**  
**AGENCY**  
**PAYABLES**

**Niagara County Industrial Devel. Agency**  
**Check Register**  
For the Period From Mar 1, 2024 to Mar 31, 2024

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
30045	3/1/24	THE HARTFORD	10001.100	320.51
30046	3/5/24	Caroline M. Caruso	10001.100	47.17
30047	3/5/24	County of Niagara	10001.100	556.27
30048	3/5/24	Lumsden & McCormick, LLP	10001.100	15,000.00
30049	3/5/24	M&T Bank	10001.100	262.27
30050	3/5/24	Safeguard Business Systems	10001.100	216.05
3/7/24	3/7/24	PAYCHEX, INC.	10001.100	97.88
3/8/24	3/8/24	NYS DEFERRED COMPENSATION PLAN	10001.100	1,217.83
30051	3/12/24	360 PSG.com	10001.100	60.00
30052	3/12/24	First Choice Coffee Services	10001.100	74.50
30053	3/12/24	Gabriele & Berrigan, P.C.	10001.100	5,000.00
30054	3/12/24	Gibson, McAskill & Crosby, LLP	10001.100	2,155.00
30055	3/12/24	Jeremy Geartz	10001.100	429.54
30056	3/12/24	Niagara Gazette Lockport Union Sun	10001.100	242.84
30057	3/12/24	STAPLES CONTRACT & COMMERCIAL	10001.100	73.27
30058	3/19/24	Charter Communications	10001.100	129.99
30059	3/19/24	County of Niagara	10001.100	925.88
30060	3/19/24	Guardian	10001.100	388.33
30061	3/19/24	PURCHASE POWER	10001.100	350.00
30062	3/19/24	SAM'S CLUB/SYNCHRONY BANK	10001.100	35.28
3/20/24	3/20/24	PAYCHEX, INC.	10001.100	128.00
3/21/24	3/21/24	PAYCHEX, INC.	10001.100	81.37
3/22/24	3/22/24	NYS DEFERRED COMPENSATION PLAN	10001.100	1,145.83
30063	3/26/24	Dawn M. Siters	10001.100	300.00
30064	3/26/24	Independent Health	10001.100	3,535.94
3/26/24	3/26/24	NEW YORK STATE AND LOCAL	10001.100	555.04
30065	3/31/24	Cintas Corporation LOC. 067P	10001.100	93.80
30066	3/31/24	Professional Janitorial Services, Inc.	10001.100	823.00
<b>Total</b>				<b>34,245.59</b>

**NCIDA VIP-MTF Operating**  
**Check Register**  
For the Period From Mar 1, 2024 to Mar 31, 2024

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
4879	3/5/24	Frontier	10001.600	280.26
4880	3/5/24	National Grid	10001.600	51.30
4881	3/5/24	County of Niagara	10001.600	379.88
4882	3/12/24	DAVIS-ULMER Sprinkler Co.	10001.600	1,395.00
4883	3/12/24	FIRE SAFETY SYSTEMS, INC.	10001.600	360.00
4884	3/12/24	Modern Disposal Services, Inc.	10001.600	191.51
4885	3/12/24	Mike Sinatra's Landscaping and	10001.600	4,825.00
4886	3/19/24	KATHY HARRINGTON-MCDONELL	10001.600	489.20
4887	3/19/24	County of Niagara	10001.600	264.68
4888	3/19/24	Niagara Gazette Lockport Union	10001.600	72.40
4889	3/26/24	H.W.BRYK & SONS, INC.	10001.600	280.00
4890	3/31/24	Professional Janitorial Services, Inc.	10001.600	346.00
<b>Total</b>				<b><u>8,935.23</u></b>

**NIAG ECONOMIC DEV FUND**  
Check Register  
For the Period From Mar 1, 2024 to Mar 31, 2024

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1351	3/5/24	Lumsden & McCormick, LLP	10000-200	<u>2,500.00</u>
<b>Total</b>				<u><u>2,500.00</u></u>

**NCDC - CDBG/HUD - RLF**  
**Check Register**  
For the Period From Mar 1, 2024 to Mar 31, 2024

Filter Criteria includes: Report order is by Date.

<b>Check #</b>	<b>Date</b>	<b>Payee</b>	<b>Cash Account</b>	<b>Amount</b>
268	3/5/24	Lumsden & McCormick, LLP	10200-300	1,850.88
269	3/19/24	Niagara Gazette Lockport Union Sun	10200-300	241.60
<b>Total</b>				<b>2,092.48</b>

**Niag. Cnty Dev. Corp. - EDA RLF**  
**Check Register**  
For the Period From Mar 1, 2024 to Mar 31, 2024

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1350	3/5/24	Lumsden & McCormick, LLP	10001.100	3,444.12
<b>Total</b>				<b>3,444.12</b>

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

For the Period From Mar 1, 2024 to Mar 31, 2024

Filter Criteria includes: Report order is by Date.

<b>Check #</b>	<b>Date</b>	<b>Payee</b>	<b>Cash Account</b>	<b>Amount</b>
2103	3/5/24	Elizabeth DeSilva d/b/a	10004.400	8,606.53
2104	3/5/24	Lumsden & McCormick, LLP	10004.400	705.00
2105	3/5/24	Marcus the Barber and Associates LLC	10004.400	9,499.42
2106	3/5/24	NAZ716, Inc.	10004.400	19,621.98
2107	3/5/24	Red Dragon's Hoard LLC	10004.400	12,832.71
<b>Total</b>				<b>51,265.64</b>



**Niagara County Industrial Devel. Agency**  
**Check Register**  
For the Period From Apr 1, 2024 to Apr 30, 2024

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
30067	4/2/24	The Hartford	10001.100	839.39
30068	4/2/24	National Grid	10001.100	487.67
30069	4/2/24	Selective Insurance Company	10001.100	3.00
30070	4/2/24	STAPLES CONTRACT & COMMERCIAL	10001.100	103.20
30071	4/2/24	THE HARTFORD	10001.100	320.51
30072	4/3/24	M&T Bank	10001.100	2,894.71
4/4/24	4/4/24	PAYCHEX, INC.	10001.100	117.38
4/5/24	4/5/24	NYS DEFERRED COMPENSATION PLAN	10001.100	1,217.83
30073	4/9/24	360 PSG.com	10001.100	60.00
30074	4/9/24	Gabriele & Berrigan, P.C.	10001.100	15,624.94
30075	4/9/24	Lumsden & McCormick, LLP	10001.100	7,500.00
30076	4/9/24	SAM'S CLUB/SYNCHRONY BANK	10001.100	332.99
30077	4/9/24	Gibson, McAskill & Crosby, LLP	10001.100	560.00
30078	4/9/24	Gibson, McAskill & Crosby, LLP	10001.100	437.00
30079	4/15/24	County of Niagara	10001.100	378.70
30080	4/15/24	Gabriele & Berrigan, P.C.	10001.100	5,444.87
30081	4/15/24	Pitney Bowes Global Financial Services	10001.100	189.42
30082	4/15/24	PURCHASE POWER	10001.100	300.00
4/18/24	4/18/24	PAYCHEX, INC.	10001.100	81.37
4/19/24	4/19/24	NYS DEFERRED COMPENSATION PLAN	10001.100	1,145.83
4/20/24	4/20/24	PAYCHEX, INC.	10001.100	128.00
30083	4/23/24	Charter Communications	10001.100	129.99
30084	4/23/24	Gabriele & Berrigan, P.C.	10001.100	5,000.00
30085	4/23/24	Gibson, McAskill & Crosby, LLP	10001.100	28.50
30086	4/23/24	Guardian	10001.100	388.33
30087	4/23/24	Independent Health	10001.100	3,535.94
30088	4/23/24	SUSAN C. LANGDON	10001.100	45.56
4/25/2024	4/25/24	NEW YORK STATE AND LOCAL	10001.100	642.82
30089	4/30/24	County of Niagara	10001.100	35.79
30090	4/30/24	County of Niagara	10001.100	278.01
30091	4/30/24	Gabriele & Berrigan, P.C.	10001.100	5,000.00
30092	4/30/24	National Grid	10001.100	494.41
30093	4/30/24	Niag Cnty Dept of Economic Development	10001.100	372.71
30094	4/30/24	NIAGARA USA CHAMBER	10001.100	1,080.00

**Niagara County Industrial Devel. Agency**  
**Check Register**  
For the Period From Apr 1, 2024 to Apr 30, 2024

Filter Criteria includes: Report order is by Date.

<b>Check #</b>	<b>Date</b>	<b>Payee</b>	<b>Cash Account</b>	<b>Amount</b>
30095	4/30/24	Professional Janitorial Services, Inc.	10001.100	823.00
30096	4/30/24	M&T Bank	10001.100	<u>2,244.61</u>
<b>Total</b>				<u><u>58,266.48</u></u>

**NCIDA VIP-MTF Operating**  
**Check Register**  
 For the Period From Apr 1, 2024 to Apr 30, 2024

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
4891	4/2/24	Frontier	10001.600	280.26
4892	4/2/24	National Grid	10001.600	479.40
4893	4/15/24	H.W.BRYK & SONS, INC.	10001.600	1,149.37
4894	4/15/24	Gabriele & Berrigan PC	10001.600	169.10
4895	4/15/24	Greater Niagara Mechanical, Inc.	10001.600	328.75
4896	4/15/24	Modern Disposal Services, Inc.	10001.600	191.51
4897	4/15/24	County of Niagara	10001.600	197.87
4898	4/15/24	Mike Sinatra's Landscaping and	10001.600	1,125.00
4899	4/23/24	H.W.BRYK & SONS, INC.	10001.600	647.10
4900	4/23/24	Gaines Electrical Contracting, Inc.	10001.600	664.63
4901	4/23/24	Greater Niagara Mechanical, Inc.	10001.600	219.25
4902	4/30/24	H.W.BRYK & SONS, INC.	10001.600	210.00
4903	4/30/24	National Grid	10001.600	414.37
4904	4/30/24	County of Niagara	10001.600	210.44
4905	4/30/24	Niagara Lock and Key Service, Inc.	10001.600	160.00
4906	4/30/24	Professional Janitorial Services, Inc.	10001.600	346.00
<b>Total</b>				<b>6,793.05</b>

**NCIDA - MTF - Operating Fund**  
**Check Register**  
For the Period From Apr 1, 2024 to Apr 30, 2024

Filter Criteria includes: Report order is by Date.

<b>Check #</b>	<b>Date</b>	<b>Payee</b>	<b>Cash Account</b>	<b>Amount</b>
3170	4/9/24	National Grid	10001.600	66.32
3171	4/15/24	Gabriele and Berrigan P.C.	10001.600	4,919.10
3172	4/15/24	Niagara County Industrial	10001.600	119,495.00
3173	4/15/24	Niagara Frontier Transportation	10001.600	119,495.00
3174	4/15/24	Mike Sinatra's Landscaping and	10001.600	1,125.00
3175	4/23/24	VERIZON	10001.600	130.85
3176	4/30/24	Niagara Falls Water Board	10001.600	662.59
<b>Total</b>				<b>245,893.86</b>

**Niagara Industrial Incubator Associates**  
**Check Register**  
For the Period From Apr 1, 2024 to Apr 30, 2024

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1405	4/9/24	Lumsden & McCormick, LLP	10000.100	1,400.00
1406	4/9/24	National Grid	10000.100	251.05
1407	4/15/24	Gabriele & Berrigan, P.C.	10000.100	1,333.80
1408	4/15/24	Mike Sinatra's Landscaping and	10000.100	1,125.00
1409	4/23/24	Gaines Electrical Contracting, Inc.	10000.100	309.60
1410	4/30/24	Jim Gardner & Sons, Inc.	10000.100	2,500.00
1411	4/30/24	Niagara Falls Water Board	10000.100	1,739.74
<b>Total</b>				<b>8,659.19</b>

**NIAG ECONOMIC DEV FUND**

## Check Register

For the Period From Apr 1, 2024 to Apr 30, 2024

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1352	4/9/24	Lumsden & McCormick, LLP	10000-200	1,100.00
<b>Total</b>				<b>1,100.00</b>

### NCDC - CDBG/HUD - RLF

#### Check Register

For the Period From Apr 1, 2024 to Apr 30, 2024

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
270	4/9/24	Lumsden & McCormick, LLP	10200-300	925.44
<b>Total</b>				<b>925.44</b>

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

**Check Register**

For the Period From Apr 1, 2024 to Apr 30, 2024

Filter Criteria includes: Report order is by Date.

<b>Check #</b>	<b>Date</b>	<b>Payee</b>	<b>Cash Account</b>	<b>Amount</b>
1351	4/3/24	Graham Bros. Enterprises, LLC	10001.100	150,000.00
1352	4/9/24	Lumsden & McCormick, LLP	10001.100	<u>1,722.06</u>
<b>Total</b>				<u><u>151,722.06</u></u>



**Niag. Cnty Dev. Corp. - Micro RLF**

**Check Register**

For the Period From Apr 1, 2024 to Apr 30, 2024

Filter Criteria includes: Report order is by Date.

<b>Check #</b>	<b>Date</b>	<b>Payee</b>	<b>Cash Account</b>	<b>Amount</b>
2108	4/9/24	Lumsden & McCormick, LLP	10004.400	352.50
<b>Total</b>				<b>352.50</b>

**6.3 & 6.4**  
**BUDGET**  
**VARIANCE**  
**REPORTS**

# NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

## BUDGET VARIANCE REPORT AS OF March 31, 2024

### 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
<b>Operating Revenues</b>						
Project Administrative Fees	\$ 0.00	\$ 97,650.00	\$ 361,000.00	\$ 246,447.00	114,553.00	\$ 527,232.00
Project Application Fees	1,000.00	1,000.00	3,000.00	3,000.00	0.00	12,000.00
NEDF RLF Administrative Fee	4,166.67	4,166.67	12,500.01	12,500.01	0.00	50,000.00
Administratve Fees - Other	0.00	0.00	5,303.44	0.00	5,303.44	28,040.00
Interest Earnings	6,099.88	3,820.42	16,936.47	11,461.26	5,475.21	45,845.00
Miscellaneous Income	14,628.50	14,315.08	43,293.96	42,945.24	348.72	171,781.00
Distributions From Affiliates	0.00	0.00	0.00	0.00	0.00	100,000.00
Distribution from VIP MTF	0.00	0.00	0.00	0.00	0.00	100,000.00
<b>Total Operating Revenues</b>	<b>25,895.05</b>	<b>120,952.17</b>	<b>442,033.88</b>	<b>316,353.51</b>	<b>125,680.37</b>	<b>1,034,898.00</b>
<b>Operating Expenses</b>						
Salaries	36,178.38	35,793.76	108,535.14	107,381.28	1,153.86	465,319.00
Benefits	5,582.61	5,410.75	15,063.05	16,232.25	(1,169.20)	64,929.00
Retirement Benefits	5,310.92	5,310.92	15,932.76	15,932.76	0.00	63,731.00
Payroll Taxes	2,809.52	2,759.09	8,428.56	8,277.27	151.29	35,778.00
Unemployment Taxes	175.18	175.16	1,575.05	1,575.00	0.05	1,575.00
Consultants	2,500.00	2,500.00	7,500.00	7,500.00	0.00	30,000.00
Assisstant Director	6,516.17	6,516.17	19,548.51	19,548.51	0.00	78,194.00
Legal Services	6,830.33	5,833.33	20,641.57	17,499.99	3,141.58	70,000.00
Accounting Services	0.00	5,000.00	15,000.00	20,000.00	(5,000.00)	22,210.00
Marketing	60.00	1,833.33	3,578.00	5,499.99	(1,921.99)	22,000.00
Printing	0.00	100.00	0.00	300.00	(300.00)	1,200.00
Office Supplies	103.20	208.33	364.19	624.99	(260.80)	2,500.00
Postage	350.00	358.00	839.42	1,088.00	(248.58)	3,750.00
Telephone & Fax	123.42	107.08	370.26	321.24	49.02	1,285.00
Internet Service	169.99	195.67	509.97	587.01	(77.04)	2,348.00
Common Area Charges	874.50	874.50	2,623.50	2,623.50	0.00	10,494.00
Energy	1,237.67	1,581.00	4,176.14	5,833.00	(1,656.86)	18,081.00
Conference & Travel	2,784.54	666.67	5,188.17	2,000.01	3,188.16	8,000.00
Employee Training	0.00	500.00	980.00	1,500.00	(520.00)	6,000.00
Depreciation Expense	0.00	0.00	0.00	0.00	0.00	6,462.00
Insurance Expense	1,708.24	1,824.42	5,124.72	5,473.26	(348.54)	21,893.00
Library & Membership	0.00	326.92	1,699.94	980.76	719.18	3,923.00
General Office	867.97	993.33	2,440.75	2,979.99	(539.24)	11,920.00
Repairs & Maintenance	980.64	1,065.00	2,900.47	3,195.00	(294.53)	12,780.00
Computer Support	0.00	500.00	1,055.00	1,500.00	(445.00)	6,000.00
Public Hearings	0.00	25.00	0.00	75.00	(75.00)	300.00
Furniture & Equipment Purchase	0.00	166.67	0.00	500.01	(500.01)	2,000.00
Other Expense	35.28	83.33	35.28	249.99	(214.71)	1,000.00
<b>Total Operating Expenses</b>	<b>75,198.56</b>	<b>80,708.43</b>	<b>244,110.45</b>	<b>249,278.81</b>	<b>(5,168.36)</b>	<b>973,672.00</b>
<b>Net Operating Income/&lt;Loss&gt;</b>	<b>(49,303.51)</b>	<b>40,243.74</b>	<b>197,923.43</b>	<b>67,074.70</b>	<b>130,848.73</b>	<b>61,226.00</b>
<b>Non-Operating Revenue &amp; Expense</b>						
Grant Rev- City NF Initiative	0.00	0.00	265,172.31	0.00	265,172.31	2,145,609.00
Grant Sub-City NF Initiative	0.00	0.00	265,172.31	0.00	265,172.31	2,145,609.00
<b>Net Non-Operating Income/&lt;Loss&gt;</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Total Net Income/&lt;Loss&gt;</b>	<b>(\$ 49,303.51)</b>	<b>\$ 40,243.74</b>	<b>\$ 197,923.43</b>	<b>\$ 67,074.70</b>	<b>130,848.73</b>	<b>\$ 61,226.00</b>

**NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

Balance Sheet  
March 31, 2024

**ASSETS**

Current Assets	
Cash - Checking	\$ 139,371.58
Petty Cash	300.00
Mmkt Acct. - M&T Bank	2,397,188.26
Cash - First Response	66,197.37
Cash - City of N.F.	819.99
Mmkt Acct. - Cataract Tourism	2,738,332.57
Accts Rec - Public Hearings	2,323.35
Accounts Rec. EDA - RLF	49,166.62
Due To/From Micro RLF	20,977.38
Due To/From VIP - MTF	474,122.49
Due From NCDC CDBG/HUD	11,666.76
Due To/Due From NADC	151,406.56
Due To/From MTF Operating	123,319.08
Prepaid Insurance	<u>18,370.91</u>
 Total Current Assets	 6,193,562.92
Other Assets	
Deferred Outflows	180,568.00
Investment in NIIA	<u>342,500.00</u>
 Total Other Assets	 523,068.00
Fixed Assets	
Furniture & Equipment	231,672.18
Furn & Fixtures - Fed purchase	5,861.08
Accum Dep. - Furn & Equip	(208,515.61)
Accum Dep. - F&F Fed Purch	<u>(5,861.08)</u>
 Total Fixed Assets	 23,156.57
 Total Assets	 <u>\$ 6,739,787.49</u>

**LIABILITIES AND NET ASSETS**

Current Liabilities	
Accrued Retirement	\$ 15,932.76
Deferred Rev. - NEDF	37,499.99
Deferred Rev. - First Repsonse	66,197.37
Def. Rev. - City of N.F.	2,739,152.56
Accounts Payable	20,392.04
Acct. Payable - Niag. County	<u>19,548.51</u>
 Total Current Liabilities	 2,898,723.23
Long-Term Liabilities	
Pension Liability	139,492.00
Deferred Inflows of Resources	<u>22,355.00</u>
 Total Long-Term Liabilities	 <u>161,847.00</u>
 Total Liabilities	 3,060,570.23
Net Assets	
Fund Balance - Operating Fund	3,481,293.83
Net Income	<u>197,923.43</u>
 Total Net Assets	 <u>3,679,217.26</u>
 Total Liabilities & Net Assets	 <u>\$ 6,739,787.49</u>

**Niagara County Industrial  
Development Agency  
Aged Payables  
As of March 31, 2024**

Vendor ID Vendor	Invoice #	Amount Due
GABRIELE Gabriele & Berrigan, P.C.	Feb 2024	5,493.74
GMC	121018	114.00
Gibson, McAskill & Crosby, LLP	121019	123.50
	121020	114.00
	121021	161.50
	121022	99.50
	121023	66.50
	121024	156.50
	121025	133.00
	121026	28.50
HART The Hartford	LN725958 Jan-Mar 24	839.39
M&TBUS M&T Bank	Mar 2024	2,894.71
NATGRID National Grid	39004 3/24	487.67
SELECTIVE Selective Insurance Company	WC-Audit '22-'23	3.00
STAPLES STAPLES CONTRACT & COMMERCIAL	8073617890	103.20
Report Total		<u>10,818.71</u>

**Adjusting Journal Entries**

Estimated Mar 2024 Legal Fees	5,833.33
Estimated Feb 2024 Copier usage	200.00
Estimated Mar 2024 Copier usage	200.00
Estimated Jan-Mar 2024 Telephone	90.00
Estimated Mar 2024 Niagara County Electric	350.00
Estimated Mar 2024 Niagara County Gas	400.00
Estimated Mar 2024 Consulting	2,500.00
	<u>20,392.04</u>

**NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

4/4/2024

**Project Income - 2024  
Lease/Lease Back and Bonds**

<b>Closed 2024</b>	<b>Project Type</b>	<b>Total Project Amount</b>	<b>IDA Project Amount</b>	<b>Fees</b>	<b>Application Fee</b>	<b>Amount Received to Date</b>	<b>Date Received</b>	<b>Balance Due</b>	<b>Date Closed</b>
	Amazon.com Services LLC	L/L Back	550,000,000	550,000,000	357,500	1,000	358,500	1/30/24	-
	MHT Holdings, Inc. - Brookside Commons	No assistance provided.			0	1,000	1,000	5/26/23	-
	MHT Holdings, Inc. - Niagara Falls	No assistance provided.			0	1,000	1,000	5/26/23	-
	DRC Development LLC 2022	Additional Sales Tax			3,500	0	3,500	2/28/24	-

<b>TOTAL</b>				<u>361,000</u>					
				Fees received in prior year					-
				<b>Total fees received to date in 2024</b>		<u>361,000</u>			
				<b>Total 2024 Budgeted Fees</b>		<u>527,232</u>			
				<b>Balance of Budgeted Fees</b>		<u>166,232</u>			

<b>Projected 2024</b>	<b>Project Type</b>	<b>Total Project Amount</b>	<b>IDA Project Amount</b>	<b>Anticipated Fees</b>	<b>Application Fee</b>	<b>Amount Received to Date</b>	<b>Date Received</b>	<b>Anticipated Balance Due</b>	<b>Inducement Expiration</b>
	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
	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
	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	1,000	12/12/23	80,000 12/31/24
	Iskalo 1 East Avenue LLC	Sales & Mtg Tax Only				1,000	1,000	2/7/24	- 3/31/25
	Big Ditch Brewing Company LLC	Sales Tax Only				1,000	1,000	2/5/24	- 3/31/25
	MGA Construction, LLC	L/L Back	11,027,000	8,900,000	89,000	1,000	1,000	3/1/24	
	<b>TOTAL</b>			<u>273,000</u>	<u>9,000</u>	<u>9,000</u>		<u>184,000</u>	89,000
	<b>TOTAL - Projected Income 2024</b>			<u>634,000</u>	<u>9,000</u>	<u>9,000</u>		<u>184,000</u>	450,000

<b>Projected 2025</b>	<b>Project Type</b>	<b>Total Project Amount</b>	<b>IDA Project Amount</b>	<b>Anticipated Fees</b>	<b>Application Fee</b>	<b>Amount Received to Date</b>	<b>Date Received</b>	<b>Anticipated Balance Due</b>	<b>Inducement Expiration</b>
	<b>TOTAL</b>			<u>0</u>	<u>0</u>	<u>0</u>		<u>0</u>	0

\* 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	12/31/2023	Renovations to the Niagara Gorge Discovery Center for expanded programming.
Niagara Aquarium Foundation	35,000	0.00	2/8/2023	1/2/2024	35,000.00		Sea turtle exhibit.
Burger Factory Niagara Falls, Inc.	185,250	0.00	2/8/2023	1/11/2024	185,250.00		Façade renovations.
Niagara Falls International Cuisine, Inc.	76,500	0.00	2/8/2023	1/11/2024	44,922.31		Dining area renovations.
Hammer & Crown BC	33,000	33,000.00	3/22/2023	To Be Disbursed	0.00	12/1/2023	Kitchen buildout, bar and dining area remodeling.
TM Montante Development(Radio Niagara)	912,609	912,609.00	3/22/2023	To Be Disbursed	0.00	11/1/2023	Renovations for restaurant, bar, game space, bowling lounge and boutique hotel.
To Date Sub-Total	<u>4,623,893</u>	<u>2,145,609.00</u>			<u>2,045,367.34</u>		

<b>Grant Fund Cash Balance as of 3/31/2024</b>	<b>2,739,152.56</b>
<b>Less: Outstanding Awards</b>	<b>(2,145,609.00)</b>
<b>Available for awarding grants</b>	<b><u>593,543.56</u></b>

<b>Grant Fund Balance</b>	-
<b>Grant Funding from NYS 11/22/2016</b>	1,600,000.00
<b>Grant Funding from NYS 10/16/2017</b>	1,440,000.00
<b>Grant Funding from NYS 10/12/2018</b>	1,600,000.00
<b>Bank Interest</b>	144,563.16
<b>Bank Fees</b>	(43.26)
<b>Grant Disbursements</b>	<b>(2,045,367.34)</b>
<b>Grant Fund Balance</b>	<b><u>2,739,152.56</u></b>

**NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

**BUDGET VARIANCE REPORT AS OF April 30, 2024**

**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
<b><u>Operating Revenues</u></b>						
Project Administrative Fees	\$ 357,500.00	\$ 18,768.00	\$ 718,500.00	\$ 265,215.00	453,285.00	\$ 527,232.00
Project Application Fees	0.00	1,000.00	3,000.00	4,000.00	(1,000.00)	12,000.00
NEDF RLF Administrative Fee	4,166.67	4,166.67	16,666.68	16,666.68	0.00	50,000.00
Administratve Fees - Other	0.00	0.00	5,303.44	0.00	5,303.44	28,040.00
Interest Earnings	5,917.92	3,820.42	22,854.39	15,281.68	7,572.71	45,845.00
Miscellaneous Income	14,416.22	14,315.08	57,710.18	57,260.32	449.86	171,781.00
Distributions From Affiliates	0.00	0.00	0.00	0.00	0.00	100,000.00
Distribution from VIP MTF	0.00	0.00	0.00	0.00	0.00	100,000.00
<b>Total Operating Revenues</b>	<b>382,000.81</b>	<b>42,070.17</b>	<b>824,034.69</b>	<b>358,423.68</b>	<b>465,611.01</b>	<b>1,034,898.00</b>
<b><u>Operating Expenses</u></b>						
Salaries	36,178.38	35,793.76	144,713.52	143,175.04	1,538.48	465,319.00
Benefits	4,740.22	5,410.75	19,803.27	21,643.00	(1,839.73)	64,929.00
Retirement Benefits	5,310.92	5,310.92	21,243.68	21,243.68	0.00	63,731.00
Payroll Taxes	2,809.52	2,759.09	11,238.08	11,036.36	201.72	35,778.00
Unemployment Taxes	0.00	0.00	1,575.05	1,575.00	0.05	1,575.00
Consultants	2,500.00	2,500.00	10,000.00	10,000.00	0.00	30,000.00
Assistant Director	6,516.17	6,516.17	26,064.68	26,064.68	0.00	78,194.00
Legal Services	15,993.03	5,833.33	36,246.14	23,333.32	12,912.82	70,000.00
Accounting Services	6,000.00	5,710.00	21,000.00	20,710.00	290.00	20,710.00
Accounting Services - NADC	1,500.00	1,500.00	1,500.00	1,500.00	0.00	1,500.00
Marketing	2,911.25	1,833.33	6,489.25	7,333.32	(844.07)	22,000.00
Printing	0.00	100.00	0.00	400.00	(400.00)	1,200.00
Office Supplies	37.97	208.33	402.16	833.32	(431.16)	2,500.00
Postage	489.42	408.00	1,328.84	1,496.00	(167.16)	3,750.00
Telephone & Fax	123.42	107.08	439.47	428.32	11.15	1,285.00
Internet Service	169.99	195.67	679.96	782.68	(102.72)	2,348.00
Common Area Charges	874.50	874.50	3,498.00	3,498.00	0.00	10,494.00
Energy	1,044.41	1,266.00	5,127.26	7,099.00	(1,971.74)	18,081.00
Conference & Travel	381.56	666.67	5,569.73	2,666.68	2,903.05	8,000.00
Employee Training	0.00	500.00	980.00	2,000.00	(1,020.00)	6,000.00
Depreciation Expense	0.00	0.00	0.00	0.00	0.00	6,462.00
Insurance Expense	1,708.24	1,824.42	6,832.96	7,297.68	(464.72)	21,893.00
Library & Membership	0.00	326.92	1,699.94	1,307.68	392.26	3,923.00
General Office	805.00	993.33	3,218.46	3,973.32	(754.86)	11,920.00
Repairs & Maintenance	886.84	1,065.00	3,787.31	4,260.00	(472.69)	12,780.00
Computer Support	59.39	500.00	1,114.39	2,000.00	(885.61)	6,000.00
Public Hearings	0.00	25.00	0.00	100.00	(100.00)	300.00
Furniture & Equipment Purchase	0.00	166.67	0.00	666.68	(666.68)	2,000.00
Other Expense	(29.99)	83.33	5.29	333.32	(328.03)	1,000.00
<b>Total Operating Expenses</b>	<b>91,010.24</b>	<b>82,478.27</b>	<b>334,557.44</b>	<b>326,757.08</b>	<b>7,800.36</b>	<b>973,672.00</b>
<b>Net Operating Income/&lt;Loss&gt;</b>	<b>290,990.57</b>	<b>(40,408.10)</b>	<b>489,477.25</b>	<b>31,666.60</b>	<b>457,810.65</b>	<b>61,226.00</b>
<b><u>Non-Operating Revenue &amp; Expense</u></b>						
Grant Rev- City NF Initiative	0.00	0.00	265,172.31	0.00	265,172.31	2,145,609.00
Grant Sub-City NF Initiative	0.00	0.00	265,172.31	0.00	265,172.31	2,145,609.00
<b>Net Non-Operating Income/&lt;Loss&gt;</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Total Net Income/&lt;Loss&gt;</b>	<b>\$ 290,990.57</b>	<b>(\$ 40,408.10)</b>	<b>\$ 489,477.25</b>	<b>\$ 31,666.60</b>	<b>457,810.65</b>	<b>\$ 61,226.00</b>



**NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

Balance Sheet  
April 30, 2024

**ASSETS**

Current Assets

Cash - Checking	\$ 523,637.04	
Petty Cash	300.00	
Mmkt Acct. - M&T Bank	2,403,106.18	
Cash - First Response	66,224.58	
Cash - City of N.F.	820.33	
Mmkt Acct. - Cataract Tourism	2,745,092.68	
Accts Rec - Public Hearings	2,323.35	
Accounts Rec. EDA - RLF	63,333.28	
Due To/From Micro RLF	22,644.04	
Due To/From VIP - MTF	473,175.46	
Due From NCDC CDBG/HUD	13,333.44	
Due To/Due From NADC	151,406.56	
Due To/From MTF Operating	3,824.08	
Prepaid Insurance	<u>16,565.09</u>	

Total Current Assets 6,485,786.11

Other Assets

Deferred Outflows	180,568.00	
Investment in NIIA	<u>342,500.00</u>	

Total Other Assets 523,068.00

Fixed Assets

Furniture & Equipment	231,672.18	
Furn & Fixtures - Fed purchase	5,861.08	
Accum Dep. - Furn & Equip	(208,515.61)	
Accum Dep. - F&F Fed Purch	<u>(5,861.08)</u>	

Total Fixed Assets 23,156.57

Total Assets \$ 7,032,010.68

**LIABILITIES AND NET ASSETS**

Current Liabilities

Accrued Retirement	\$ 21,243.68	
Deferred Rev. - NEDF	33,333.32	
Deferred Rev. - First Repsonse	66,224.58	
Def. Rev. - City of N.F.	2,745,913.01	
Accounts Payable	6,613.33	
Acct. Payable - Niag. County	<u>26,064.68</u>	

Total Current Liabilities 2,899,392.60

Long-Term Liabilities

Pension Liability	139,492.00	
Deferred Inflows of Resources	<u>22,355.00</u>	

Total Long-Term Liabilities 161,847.00

Total Liabilities 3,061,239.60

Net Assets

Fund Balance - Operating Fund	3,481,293.83	
Net Income	<u>489,477.25</u>	

Total Net Assets 3,970,771.08

Total Liabilities & Net Assets \$ 7,032,010.68

Niagara County Industrial Development Agency

Aged Payables

As of April 30, 2024

<u>Vendor ID</u>	<u>Invoice #</u>	<u>Amount Due</u>
<u>Vendor</u>		

Report Total

Adjusting Journal Entries

Estimated Apr 2024 Legal Fees	5,833.33
Estimated Apr 2024 Copier usage	200.00
Estimated Apr 2024 Telephone	30.00
Estimated Apr 2024 Niagara County Electric	300.00
Estimated Apr 2024 Niagara County Gas	250.00
	<u>6,613.33</u>



**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	12/31/2023	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	0.00	2/8/2023	1/2/2024	35,000.00		Sea turtle exhibit.
Burger Factory Niagara Falls, Inc.	185,250	0.00	2/8/2023	1/11/2024	185,250.00		Façade renovations.
Niagara Falls International Cuisine, Inc.	76,500	0.00	2/8/2023	1/11/2024	44,922.31		Dining area renovations.
Hammer & Crown BC	33,000	33,000.00	3/22/2023	To Be Disbursed	0.00		Kitchen buildout, bar and dining area remodeling.
TM Montante Development(Radio Niagara)	912,609	912,609.00	3/22/2023	To Be Disbursed	0.00		Renovations for restaurant, bar, game space, bowling lounge and boutique hotel.
To Date Sub-Total	<u>4,623,893</u>	<u>2,145,609.00</u>			<u>2,045,367.34</u>		

<b>Grant Fund Cash Balance as of 4/30/2024</b>	<b>2,745,913.01</b>
<b>Less: Outstanding Awards</b>	<b>(2,145,609.00)</b>
<b>Available for awarding grants</b>	<b>600,304.01</b>

<b>Grant Fund Balance</b>	-
<b>Grant Funding from NYS 11/22/2016</b>	1,600,000.00
<b>Grant Funding from NYS 10/16/2017</b>	1,440,000.00
<b>Grant Funding from NYS 10/12/2018</b>	1,600,000.00
<b>Bank Interest</b>	151,323.61
<b>Bank Fees</b>	(43.26)
<b>Grant Disbursements</b>	<u>(2,045,367.34)</u>
<b>Grant Fund Balance</b>	<u>2,745,913.01</u>

**7.1**

**MGA**

**CONSTRUCTION**

**LLC**

**PROJECT SUMMARY**  
**MGA Construction, LLC**



<b>Applicant:</b>	<b>MGA Construction, LLC</b>	
<b>Project Location:</b>	7505 Shawnee Road, Wheatfield, NY 14120	
<b>Assistance:</b>	10 Year PILOT Sales Tax Abatement Mortgage Recording Tax Abatement	
<b>Description:</b>	<p>MGA Construction will be constructing a 60,000 sq. ft. mixed-use building that will have commercial space on the first floor and two floors of market rate residential units, which will be known as the Villas at Forest Parkway.</p> <p>The project will create 10 two-bedroom and 10 three-bedroom market rate apartments within the Wheatfield community. Currently, there are no market rate housing options in the surrounding area for families of the occupants of the senior housing developments within the park. These apartments will also provide housing opportunities for the employees at the park and helps to reduce the housing burden many Western New Yorkers are facing.</p> <p>The 20,000 sq. ft. of commercial space will be built out as a Class A space, which there is a severe shortage of Class A space in Niagara County. They are currently working to secure a potential tenant that will retain an estimated 30 jobs in Niagara County.</p>	
<b>Project Costs:</b>	Acquisition Construction/Improvements Furniture, Fixtures & Equipment Soft costs <p align="center"><b>TOTAL</b></p>	\$ 857,000 \$ 8,400,000 \$ 500,000 \$ 195,000 <hr/> <b>\$ 11,027,000</b>
<b>Employment:</b>	Current jobs in Niagara County: 30 New Jobs in Niagara County within 3 years: 2 Estimated Annual Payroll for New Jobs: \$150,000 Skills: Management, administration, accounting, IT, maintenance	
<b>Evaluative Criteria:</b>	Alignment with local planning and development efforts. Regional wealth creation, supports local business, retention/flight risk	

# Niagara County Industrial Development Agency

## MRB Cost Benefit Calculator

Date: March 13, 2024  
 Project Title: MGA CONSTRUCTION, LLC  
 Project Location: 3820 Forest Parkway, Wheatfield, NY 14120



### Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

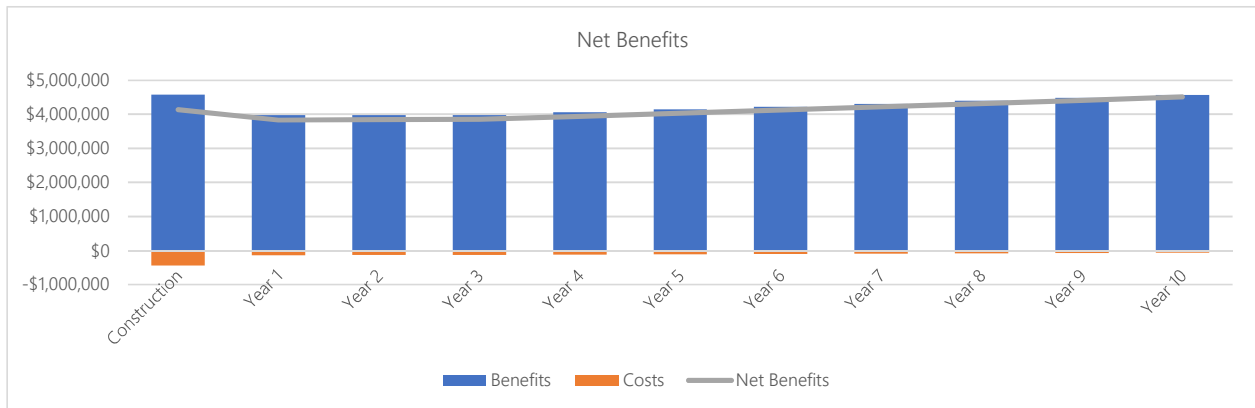
**Project Total Investment**  
 \$11,027,000

	Temporary (Construction)		
	Direct	Indirect	Total
Jobs	77	17	94
Earnings	\$3,398,730	\$923,789	\$4,322,519
Local Spend	\$8,821,600	\$3,179,169	\$12,000,769

	Ongoing (Operations) Aggregate over life of the PILOT		
	Direct	Indirect	Total
Jobs	34	14	49
Earnings	\$24,702,374	\$15,069,531	\$39,771,905

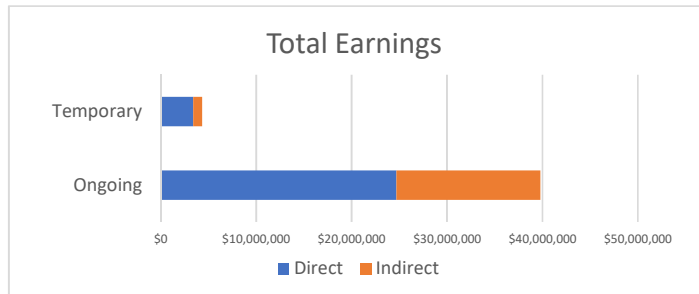
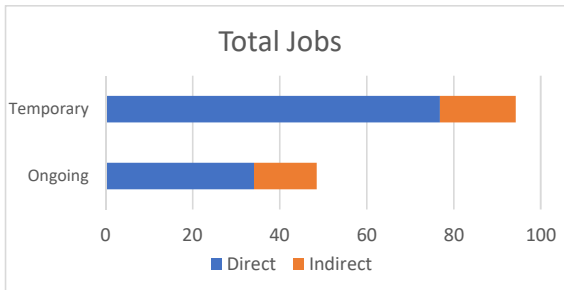
Figure 1



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

Figure 2

Figure 3



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

# Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

## Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$1,035,008	\$942,904
Sales Tax Exemption	\$376,000	\$376,000
Local Sales Tax Exemption	\$188,000	\$188,000
State Sales Tax Exemption	\$188,000	\$188,000
Mortgage Recording Tax Exemption	\$66,150	\$66,150
Local Mortgage Recording Tax Exemption	\$22,050	\$22,050
State Mortgage Recording Tax Exemption	\$44,100	\$44,100
<b>Total Costs</b>	<b>\$1,477,158</b>	<b>\$1,385,054</b>

## State and Local Benefits

	Nominal Value	Discounted Value*
<b>Local Benefits</b>	<b>\$45,147,887</b>	<b>\$40,884,822</b>
To Private Individuals	\$44,094,424	\$39,949,293
Temporary Payroll	\$4,322,519	\$4,322,519
Ongoing Payroll	\$39,771,905	\$35,626,774
Other Payments to Private Individuals	\$0	\$0
To the Public	\$1,053,463	\$935,529
Increase in Property Tax Revenue	\$745,296	\$656,327
Temporary Jobs - Sales Tax Revenue	\$30,258	\$30,258
Ongoing Jobs - Sales Tax Revenue	\$277,909	\$248,945
Other Local Municipal Revenue	\$0	\$0
<b>State Benefits</b>	<b>\$2,292,416</b>	<b>\$2,076,920</b>
To the Public	\$2,292,416	\$2,076,920
Temporary Income Tax Revenue	\$194,513	\$194,513
Ongoing Income Tax Revenue	\$1,789,736	\$1,603,205
Temporary Jobs - Sales Tax Revenue	\$30,258	\$30,258
Ongoing Jobs - Sales Tax Revenue	\$277,909	\$248,945
<b>Total Benefits to State &amp; Region</b>	<b>\$47,440,302</b>	<b>\$42,961,743</b>

## Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$40,884,822	\$1,152,954	35:1
State	\$2,076,920	\$232,100	9:1
<b>Grand Total</b>	<b>\$42,961,743</b>	<b>\$1,385,054</b>	<b>31:1</b>

\*Discounted at 2%

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

### Additional Revenues:

County	\$209,608
City/Town/Village	
School District	\$555,398

\*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 NYS ST-60)

### Additional Comments from IDA

This is a good project.

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



Public Hearing for MGA Construction, LLC  
April 23, 2024 at 2:00 p.m.  
NCIDA Offices – 6311 Inducon Corporate Drive

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.

We are here to hold the public hearing on MGA Construction, LLC and/or Individual(s) or Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf. The transcript of this hearing will be reviewed and considered by the Agency in determination of this project.

The proposed project (the "Project") includes the construction of a 60,000 sq. ft. mixed-use building at 7070 Shawnee Road in Wheatfield. The building will have commercial space on the first floor and two floors of market rate residential units.

The proposed financial assistance contemplated by the Agency includes New York State and local sales and use tax exemption benefits in compliance with Agency's tax exemption policy. The project application and project summary are posted on the Agency's website at [niagaracountybusiness.com](http://niagaracountybusiness.com) and I have copies with me today.

If you have a written comment to submit for the record, you may do so. Written comments may also be delivered to Agency at 6311 Inducon Corporate Drive, Suite One, Sanborn, New York 14132 until the comment period closes on April 26, 2024.

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

Andrea Klyczek: Are there any comments? Hearing none, I will now adjourn the meeting.  
It is now 2:04 p.m. Thank you.

**SIGN IN SHEET  
PUBLIC HEARING**

April 23, 2024 – 2:00 p.m.  
NCIDA offices

regarding:

**MGA Construction, LLC and/or Individual(s) or Affiliate(s), Subsidiary(ies),  
or Entity(ies) formed or to be formed on its behalf**

Name	Company and/or Address	X box to speak/ comment
Michael D. Matteo	MGA Construction	
Ken Francis	Woodlands	
Terry Burton	ATTORNEY	

**8.1**

**2429 MILITARY  
ROAD, LLC**

**PROJECT SUMMARY**  
**2429 Military Rd, LLC**



<b>Applicant:</b>	<b>2429 Military Rd, LLC</b>	
<b>Project Location:</b>	2429 Military Road, Town of Niagara	
<b>Assistance:</b>	10 Year PILOT Sales Tax Abatement Mortgage Recording Tax Abatement	
<b>Description:</b>	<p>2429 Military Rd LLC is a multi-member, domestic limited liability company comprised of two members, Michael Jensen and Pavel Schirca. In 2019, Mr. Jensen and Mr. Schirca purchased the property located at 2429 Military Road, Niagara Falls, New York 14304. The property, once a movie theatre, has been vacant for far too long and is currently being utilized for parking. Mr. Jensen and Mr. Schirca.</p> <p>The project consists of the planning, design, reconstruction and renovation of the approximately 22,000 square foot facility into a new automotive parts facility (including the purchase of FF&amp;E in relation thereto). The surrounding service centers lack capacity to adequately maintain a sufficient parts inventory. As such, approximately 9,000 square feet will be designed to accommodate warehousing for wholesale automotive parts and thus help fill a severe void the surrounding service centers are currently experiencing. Approximately 11,000 square feet will be used to house approximately ten (10) heavy duty truck bays, six (6) heavy duty truck lifts, two (2) 30,000lbs. four (4) post lifts, four (4) detail bays and a booth for bedliner installations. The remaining space will serve as office related space.</p>	
<b>Project Costs:</b>	Acquisition	\$ 350,000
	Construction/Improvements	\$ 2,428,042
	Furniture, Fixtures & Equipment	\$ 239,769
	Soft costs	\$ 68,150
	Other	
	<b>TOTAL</b>	<b>\$ 3,085,961</b>
<b>Employment:</b>	<p>Current jobs in Niagara County: 0          New Jobs in Niagara County within 3 years: 28          Estimated Annual Payroll for New Jobs: \$59,500          Skills: mechanics, sales, warehouse, office staff, and maintenance</p>	
<b>Evaluative Criteria:</b>	Regional wealth creation, in region purchases, workforce access, reduce blight	

# Niagara County Industrial Development Agency

## MRB Cost Benefit Calculator

Date: May 2, 2024  
 Project Title: 2429 Military Rd. LLC  
 Project Location: 2429 Military Road, Town of Niagara



### Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

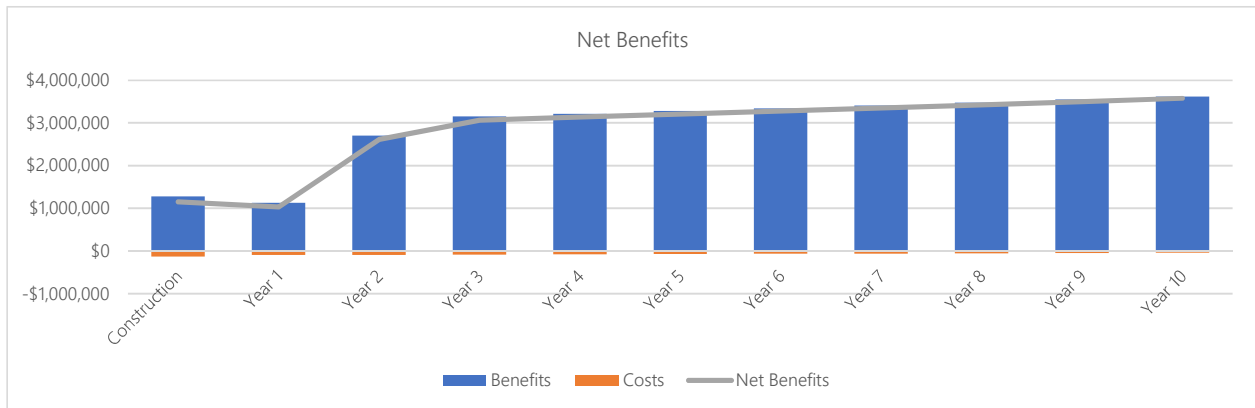
Project Total Investment  
 \$3,085,961

	Temporary (Construction)		
	Direct	Indirect	Total
Jobs	11	5	16
Earnings	\$951,409	\$257,685	\$1,209,094
Local Spend	\$2,468,769	\$887,081	\$3,355,850

	Ongoing (Operations) Aggregate over life of the PILOT		
	Direct	Indirect	Total
Jobs	28	16	44
Earnings	\$16,322,226	\$12,829,491	\$29,151,717

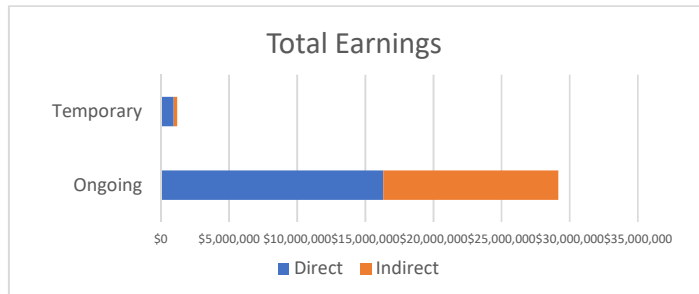
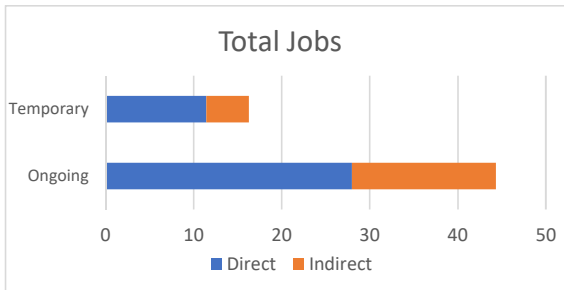
Figure 1



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

Figure 2

Figure 3



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

# Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

## Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$693,577	\$631,856
Sales Tax Exemption	\$116,303	\$116,303
Local Sales Tax Exemption	\$58,152	\$58,152
State Sales Tax Exemption	\$58,152	\$58,152
Mortgage Recording Tax Exemption	\$12,000	\$12,000
Local Mortgage Recording Tax Exemption	\$4,000	\$4,000
State Mortgage Recording Tax Exemption	\$8,000	\$8,000
<b>Total Costs</b>	<b>\$821,880</b>	<b>\$760,159</b>

## State and Local Benefits

	Nominal Value	Discounted Value*
<b>Local Benefits</b>	<b>\$31,046,423</b>	<b>\$27,739,513</b>
To Private Individuals	\$30,360,811	\$27,133,356
Temporary Payroll	\$1,209,094	\$1,209,094
Ongoing Payroll	\$29,151,717	\$25,924,262
Other Payments to Private Individuals	\$0	\$0
To the Public	\$685,612	\$606,158
Increase in Property Tax Revenue	\$473,087	\$416,224
Temporary Jobs - Sales Tax Revenue	\$8,464	\$8,464
Ongoing Jobs - Sales Tax Revenue	\$204,062	\$181,470
Other Local Municipal Revenue	\$0	\$0
<b>State Benefits</b>	<b>\$1,578,762</b>	<b>\$1,410,935</b>
To the Public	\$1,578,762	\$1,410,935
Temporary Income Tax Revenue	\$54,409	\$54,409
Ongoing Income Tax Revenue	\$1,311,827	\$1,166,592
Temporary Jobs - Sales Tax Revenue	\$8,464	\$8,464
Ongoing Jobs - Sales Tax Revenue	\$204,062	\$181,470
<b>Total Benefits to State &amp; Region</b>	<b>\$32,625,185</b>	<b>\$29,150,448</b>

## Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$27,739,513	\$694,008	40:1
State	\$1,410,935	\$66,152	21:1
<b>Grand Total</b>	<b>\$29,150,448</b>	<b>\$760,159</b>	<b>38:1</b>

\*Discounted at 2%

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

### Additional Revenues:

County	\$118,137
City/Town/Village	\$38,839
School District	\$355,668

\*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 NYS ST-60) **\$1,453,788**

### Additional Comments from IDA

This is a good project.

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

# NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

## APPLICATION FOR FINANCIAL ASSISTANCE

2429 Military Rd LLC

---

(Applicant Name)

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

Updated April 2022

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

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

6311 Inducon Corporate Drive, Suite One ■ Sanborn, NY 14132-9099 ■ 716-278-8760  
Fax 716-278-8769 ■ [www.niagaracountybusiness.com](http://www.niagaracountybusiness.com)



# NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

## APPLICATION FOR FINANCIAL ASSISTANCE

### I. APPLICANT INFORMATION

Company Name: 2429 Military Rd LLC

Mailing Address: 2429 Military Road

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

Phone: (716) 297-5800

Website: \_\_\_\_\_

Fed Id. No.: 83-4071854

Contact Person, and Title: Michael Jensen

Email: mjensen@joecs.com

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

Michael Jensen (85%); Pavel Schirca (15%)

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

#### Form of Entity

**Corporation**

Date of Incorporation: \_\_\_\_\_

State of Incorporation: \_\_\_\_\_

**Partnership**

General \_\_\_\_\_ or Limited \_\_\_\_\_

Number of general partners \_\_\_\_\_

If applicable, number of limited partners \_\_\_\_\_

Date of formation \_\_\_\_\_

Jurisdiction of Formation \_\_\_\_\_

**Limited Liability Company/Partnership** (number of members 2429 Military Road )

Date of organization: 03/21/2019

State of Organization: New York

**Sole Proprietorship**

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

\_\_\_\_\_

**Applicant's Counsel**

Company Name: Harris Beach PLLC

Contact Person, and Title: Stephen Maier

Mailing Address: 99 Garnsey Road

City/Town/Village & Zip code: Pittsford, New York 14534

Email: smaier@harrisbeach.com

Phone: (585) 419-8959

Fax No.: (585) 419-8801

**II. PROJECT INFORMATION**

A) Project Address: 2429 Military Road, Niagara Falls, New York 14304

Tax Map Number (SBL) 145.16-2-29  
(Section/Block/Lot)  
SWIS Number 293000  
Located in City of N/A  
Located in Town of Niagara  
Located in Village of N/A  
School District of Niagara-Wheatfield Central School District

B) Current Assessment of Property:

Land \$59,900  
Total \$171,000

C) Present legal owner of the site 2429 Military Rd LLC

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

\_\_\_\_\_

D) Describe the project:

Project consists of planning, design, and reconstruction and renovation of the a  
approximately 22,000 sq ft facility into a new automotive parts facility and  
service center.

1. Project site (land)

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

(b) Indicate the present use of the project site.  
Vacant movie theatre; parking lot

2. Indicate number, size (in square feet) and approximate age of existing buildings on site  
~22,000 sf.  
\_\_\_\_\_
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.  
N/A  
\_\_\_\_\_
4. Does the project consist of additions and/or renovations to existing buildings? If yes, indicate nature of expansion and/or renovation.  
Yes. 22,000 sq ft will be renovated for warehouse and service  
\_\_\_\_\_
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.  
Facility will have two subtenants both owned/controlled by Mr. Jensen and Mr. Schirca  
\_\_\_\_\_
6. List principal items/categories of equipment to be acquired as part of the project.  
heavy duty truck bays, heavy duty truck lifts, post lifts, installation booth  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. Has construction work on this project begun?  
no  
\_\_\_\_\_

**E) Inter-Municipal Move Determination**

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

Yes or  No

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

Yes or  No

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

Yes or  No

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

III. **SOURCES & USES OF FUNDS**

A) Estimated Project Costs:

Property Acquisition	\$	350,000
Construction (Improvements)	\$	2,428,042
Equipment Purchases/Fixtures/Furnishings	\$	239,769
Soft costs (i.e. engineering, architectural)	\$	68,150
Other (describe)	\$	
TOTAL USES OF FUNDS	\$	3,085,961

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

Bank Financing	\$	1,600,000
Equity	\$	1,235,961
Grants/Tax Credits	\$	
Taxable or Tax Exempt Bond	\$	
Other Bank Line of Credit	\$	250,000
TOTAL SOURCES OF FUNDS	\$	3,085,961

C) Identify each state and federal grant/credit:

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

**IV. FINANCIAL ASSISTANCE REQUESTED**

**A.) Benefits Requested:**

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

**B.) Value of Incentives: LEAVE THIS SECTION BLANK (will be estimated by NCIDA Staff)**

Property Tax Exemption

Estimated duration of Property Tax exemption: 10 years

Sales and Use Tax

Estimated value of Sales Tax exemption for facility construction: \$ 97,122

Estimated value of Sales Tax exemption for fixtures and equipment: \$ 19,182

Estimated duration of Sales Tax exemption: 2 years

Mortgage Recording Tax Exemption Benefit

Estimated value of Mortgage Recording Tax exemption: \$ 12,000

**C.) Financial Assistance Determination:**

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

Yes or  No

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

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**V. EMPLOYMENT PLAN**

	# of Retained Jobs	Retained Jobs Average Annual Salary	# of Created Jobs (3 yrs after project completion)	Created Jobs Average Annual Salary
Full Time			27	\$ 56,000
Part time	0	\$ 0	1	\$ 35,000
TOTAL FTEs	0	\$ 0	28	\$ 59,500

Annual Salary Range of Jobs to be Created: \$ 35,000 to \$ 84,000

Category of Jobs to be Retained and Created:

Job Categories (ie. Management, Administrative, Production, etc.) Mechanics, sales  
warehouse staff, office staff, and maintenance

VI. REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Agency as follows:

- A. Job Listings: In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the proposed project must be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entitle") of the service delivery area created by the federal job training partnership act (Public Law 97-300)("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. Compliance with Section 224-a(8)(a) of N.Y Labor Law. The applicant acknowledges receipt of notice from the Agency pursuant to Section 224-a(8)(d) of the New York Labor Law that the estimated mortgage recording tax exemption benefit amount, the estimated sales and use tax exemption benefit amount, and the estimated real property tax abatement benefit amount as so identified within this Application are "public funds" and not otherwise excluded under Section 224-a(3) of the New York Labor Law. You further acknowledge and understand that you have certain obligations as related thereto pursuant to Section 224-a(8)(a) of the New York Labor.
  
- D. Annual Sales Tax Filings: In accordance with Section 874(8) of the General Municipal Law, the Applicant understands and agrees that, if the proposed project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the Applicant.
  
- E. Annual Employment Reports: The applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, the applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site.

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

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

- G. Compliance with Applicable Laws: The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
- H. False and Misleading Information: The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.
- I. Recapture: Should the Applicant not expend or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.
- J. Absence of Conflicts of Interest: The applicant has received from the Agency a list of the members, officers, and employees of the Agency. No member, officers or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as herein described.

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

STATE OF NEW YORK )  
COUNTY OF \_\_\_\_\_ ) ss.:

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

1. That I am the Manager (Corporate Office) of 2429 Military Rd LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application and the contents of this Application are true, accurate and complete.

Jensen  
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury  
this 2<sup>nd</sup> day of May, 2024

Wendy A. Fortin  
(Notary Public)

WENDY A. FORTIN  
Notary Public, State of New York  
No. 01FO6366884  
Qualified in Niagara County  
My Commission Expires Nov. 6, 2025

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, and (B) 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 reasonable 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 out of pocket costs incurred by the Agency in processing of the Application, including reasonable attorneys' fees, if any. Notwithstanding anything contained herein to the contrary, the foregoing indemnities shall not be applicable with respect to misconduct, negligence, or criminal activity on the part of the Agency. It is understood and agreed that the Applicant has the right to join in any defense, and participate in the management of the defense, of any claim for which the Agency seeks indemnification.

In addition to the foregoing, the Applicant understands and acknowledges that (i) this application does not create or give rise to any legal obligations on the part of the Niagara County Industrial Development Agency (the "Agency") or the Applicant except as expressly stated herein, (ii) the terms and conditions governing the award of the financial assistance described herein will be set forth in a separate agreement(s), with the Agency, the form of which will be provided to the Applicant only upon the processing and approval of this application, (iii) the requested financial assistance described in application is based upon the representations made by the Applicant, based upon the Applicant's actual knowledge as of the date of this application, to the Agency, regarding the project, and (iv) that the Agency reserves the right to revise the financial assistance described in this application if any aspect of the project changes after receipt of the application, including changes to the number of jobs, amount of capital investment, or wages, by way of example only. In addition, the Applicant reserves the right to retract, clarify, amend or modify any such representations made prior to (or concurrently with) the submittal of this application to the Agency.

  
\_\_\_\_\_  
(Applicant Signature)  
By: 2429 M. Hwy Rd LLC  
Name: Michael Jensen  
Title: member

Wendy A. Fortin  
(Notary Public)

Sworn to before me this 2nd day  
of May, 2024

[stamp] WENDYA. FORTIN  
Notary Public, State of New York  
No. 01FO6366884  
Qualified in Niagara County  
My Commission Expires Nov. 6, 2025

**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
\$3,085,961	\$2,000,000	13.898491	4.569265	41.843305

\*Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Local PILOT amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	20%	\$ 5,559	\$ 1,828	\$ 16,737	\$ 24,124	\$ 120,622	\$ 96,498
2	25%	\$ 6,949	\$ 2,285	\$ 20,922	\$ 30,156	\$ 120,622	\$ 90,467
3	30%	\$ 8,339	\$ 2,742	\$ 25,106	\$ 36,187	\$ 120,622	\$ 84,435
4	35%	\$ 9,729	\$ 3,198	\$ 29,290	\$ 42,218	\$ 120,622	\$ 78,404
5	40%	\$ 11,119	\$ 3,655	\$ 33,475	\$ 48,249	\$ 120,622	\$ 72,373
6	45%	\$ 12,509	\$ 4,112	\$ 37,659	\$ 54,280	\$ 120,622	\$ 66,342
7	50%	\$ 13,898	\$ 4,569	\$ 41,843	\$ 60,311	\$ 120,622	\$ 60,311
8	55%	\$ 15,288	\$ 5,026	\$ 46,028	\$ 66,342	\$ 120,622	\$ 54,280
9	60%	\$ 16,678	\$ 5,483	\$ 50,212	\$ 72,373	\$ 120,622	\$ 48,249
10	65%	\$ 18,068	\$ 5,940	\$ 54,396	\$ 78,404	\$ 120,622	\$ 42,218
<b>TOTAL</b>		<b>\$ 118,137</b>	<b>\$ 38,839</b>	<b>\$ 355,668</b>	<b>\$ 512,644</b>	<b>\$ 1,206,221</b>	<b>\$ 693,577</b>

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

# Short Environmental Assessment Form

## Part 1 - Project Information


### Instructions for Completing

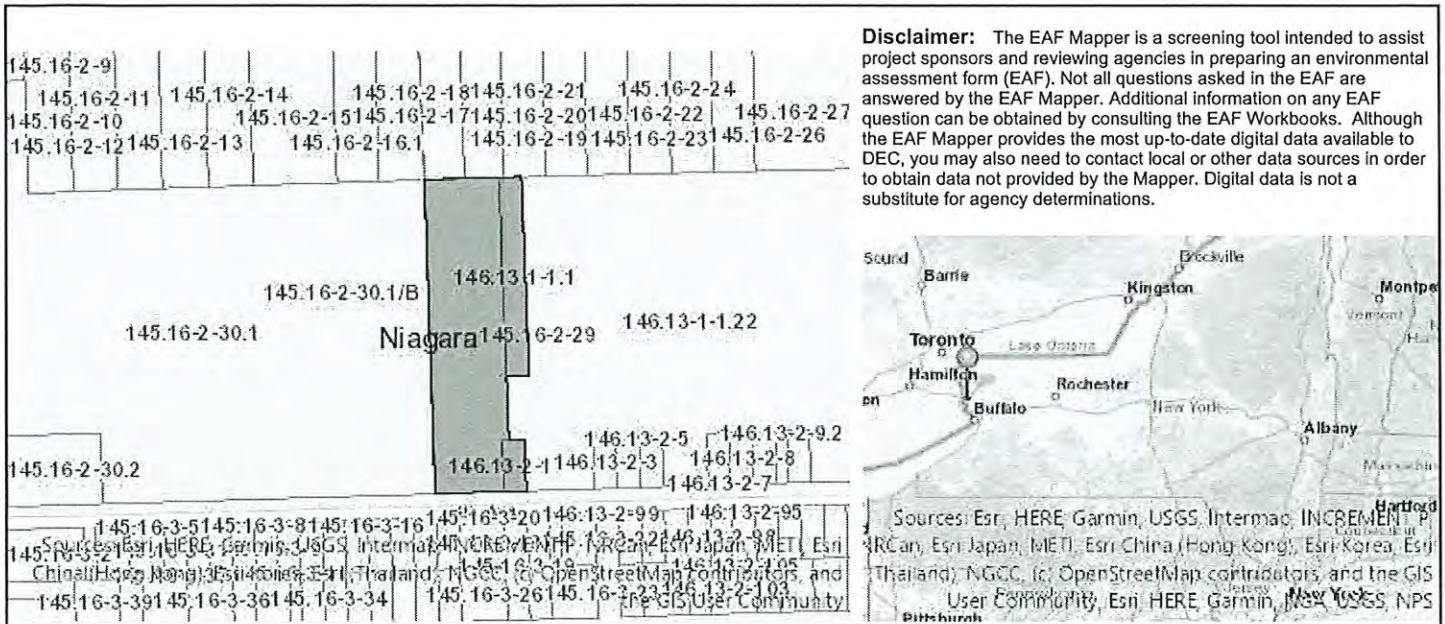
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Joe Cecconi's Chrysler Service Center			
Project Location (describe, and attach a location map): 2429 Military Road, Niagara Falls, NY 14304			
Brief Description of Proposed Action: The Applicant is proposing to renovate the existing building, which previously was used as a movie theater, to perform services to automobile vehicles and operate a parts center. The building currently is vacant. New access points will be created around the perimeter of the building including overhead doors for service bays. The majority of the project site is currently impervious and paved, no remedial actions are proposed to the existing pavement areas. A turnaround area will be installed over the existing ditch along the eastern property line for access to one of the service bays. Existing utilities on-site will be used to service the building with the addition of a sanitary oil separator.			
Name of Applicant or Sponsor: 2429 Military Road, LLC		Telephone: 716-297-5800 ext. 1100 E-Mail: mjensen@joecs.com	
Address: 2429 Military Road			
City/PO: Niagara Falls		State: NY	Zip Code: 14304
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		2.965 acres	
b. Total acreage to be physically disturbed?		0.6+/- acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2.965 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <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 checked="" 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,	NO	YES	N/A
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?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment: _____ _____	<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?	NO	YES
If Yes, describe: _____ _____	<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?	NO	YES
If Yes, describe: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: <u>2429 Military Road, LLC</u> Date: <u>8/1/2023</u> Signature: <u></u> Title: <u>member</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

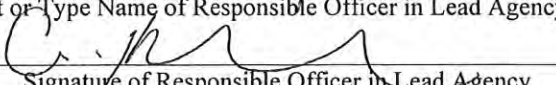
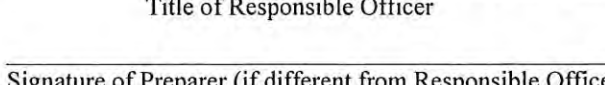
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed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

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

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

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

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

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
<u>NCIDA</u>	<u>5/2/24</u>
Name of Lead Agency	Date
<u>Andrea Kuczek</u>	<u>Assistant Director</u>
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**PRINT**



**8.2**

**NCDC REQUEST  
FOR GRANT  
APPROVAL**

## REQUEST FOR GRANT APPROVAL

### Niagara County Development Corporation Micro Enterprise Program

#### APPLICANT INFORMATION:

Grant Applicant: Bairco Inc  
UEID Number

Business Type: Filtration Manufacturer and Distributor  
Business Established: April 2022  
Business Address: 2055 Niagara Falls Blvd Ste 1, Niagara Falls NY 14304  
Email: mbrooks@bairco.com  
Phone: (716)536-4309  
Owner(s): Matthew Brooks  
Percent Ownership: 100%

#### PROJECT INFORMATION:

Bairco is a filter manufacturer and distributor specializing in the design and manufacturing of high-quality uniquely engineered filtration solutions and OEM filters that are tailor-fit for specific industries. They have moved into a larger space and are increasing capabilities and capacities to meet current and future demand.

The business is requesting \$25,000 from the Niagara County Microenterprise Assistance Program to purchase material and help cover the cost of labor to manufacture and convert to inventory. The material will be used to make HVAC pleat style filters, an assortment of die-cut filter frames, and a variety of box's for packaging of finished goods. They have the required 10% cash equity for the project.

#### CREDIT & FINANCIAL SUMMARY:

The financial projections for 3 years were provided by the applicant with the assistance of the SBDC. The income for the business is based on product sales to resellers and end-users. The projections appear to be providing a minimal growth in sales the first year and an average 25% increase in gross sales for years 2 & 3. The company projects a modest net loss/profit for the next few years.

A credit report was obtained from Experian for Bairco Inc. and owner Matthew Brooks. The business is rated as a low to medium risk business in regard to financial distress. The credit report obtained for the owner shows a credit score of 534 and a credit rating of medium to high risk. The report indicates there is a mortgage and student loan, seven revolving open credit accounts with a total balance of \$12,300 and all accounts are in good standing. No bankruptcies, judgments or liens were reported.

#### SOURCE & USE OF FUNDS:

Source and Use of Funds				
Use of Funds	Estimated Project Total	Owner Equity	Other Sources	Grant Request
Working Capital	\$31,000	\$6,000		\$25,000
Fixtures				
Equipment				
Inventory				
Totals	\$31,000	\$6,000		\$25,000
	100%	19%		81%

## RISK ASSESSMENT:

### Positive Factors:

- Experienced business owner in specialized market
- Business has shown growth in only 2 years
- Specialty high-quality filters with limited competition
- Will hire temporary labor to possible permanent positions
- Owner equity of 10% of project costs

### Negative Factors:

- Additional inventory and equipment needed to support growth
- Specialty market may limit clientele
- Company and Owner credit is medium to high risk

## GRANT RANKING CRITERIA:

Clearly Defined Project: Yes                  No  
If Yes, Expansion                  or Start-up

Project Industry: \_\_\_\_\_

Potential for future job creation: Yes                  No

Minority, Woman, or Veteran Owned: Yes                  No

**Community Impact:** Providing specialty, high-quality filters which provide effective filtration and cleaner air for specific large industries including healthcare, life science, industrial, food and beverage.

Cost/Benefit:	Year One Income:	\$268,000
	Total Project costs:	\$ 31,000
	Grant funds requested:	\$ 25,000
	Owner Equity:	10+%

## GRANT SUMMARY:

**Grant Request:** \$25,000 reimbursable based on submitted expense receipts

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

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

**Feasibility:** There is nothing in the company's historical operating performance or projections that suggests the proposed grant would produce an unreasonable return on equity or result in profitability substantially in excess of industry standards.

**Eligibility:**

- Private for-profit business entity in Niagara County with less than 5 employees
- Expanding business
- Business will commit at least 10% in equity
- Will complete SBDC Technical Assistance Training

**National Objective:**

<input type="checkbox"/>	Will create at least one FTE job made available to individuals of Low-to-Moderate-Income
<input checked="" type="checkbox"/>	Owner is Low-to-Moderate Income

**8.3**

**LANDSCAPE RFP**

## 2024 Landscape RFP

1. Beau Enterprises, Inc.  
4250 Williams Road  
Ransomville, NY 14131
  - Cost per mow at 6311 Inducon Corporate Drive - \$154.00  
Spring Cleanup at 6311 Inducon Corporate Drive - \$575.00
  - Cost per mow at 2055 Niagara Falls Boulevard - \$90.00  
Spring Cleanup at 2055 Niagara Falls Boulevard - \$590.00