

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: June 8, 2022
MEETING TIME: 9:00 a.m.
MEETING PLACE: Niagara County Industrial Development Agency
Vantage Center, Suite One
6311 Inducon Corporate Drive
Sanborn, NY 14132

Board of Directors:

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

Staff Members:

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

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- 1.0 Meeting Called to Order – *M. Onesi*
 - 2.0 Roll Call – *J. Lamoreaux*
 - 3.0 Introduction of Guests – *M. Onesi*
 - 4.0 Pledge of Allegiance – *M. Onesi*
 - 5.0 Approval of Meeting Minutes
 - 5.1 Regular NCIDA/NCDC/NADC – May 11, 2022
 - 6.0 Finance & Audit Committee Reports – *K. McCabe*
 - 6.1 Agency Payables – May 31, 2022
 - 6.2 Budget Variance Report – May 31, 2022

- 7.0 **Governance Committee – *M. Gabriele***
 - 7.1 **Local Labor Policy**
 - 7.2 **Apprenticeship Policy**

- 8.0 **Unfinished Business**
 - 8.1 **Niacet Corporation (NxTD Project) – *A. Klyczek***
 - 8.1.1 **Final Resolution**

 - 8.2 **TM Montante Development, LLC (500 3rd Street) – *M. Gabriele***
 - 8.2.1 **Inducement Extension**

 - 8.3 **TM Montante Development, LLC (512 3rd Street) – *M. Gabriele***
 - 8.3.1 **Inducement Extension**

 - 8.4 **Indian Ocean LLC – *M. Gabriele***
 - 8.4.1 **Consent to Refinance**

 - 8.5 **Request for MicroEnterprise Grant Approval – *A. Klyczek***
 - 8.5.1 **Creekside Income Tax LLC**

- 9.0 **New Business**
 - 9.1 **D.R.C. Development LLC– *A. Klyczek***
 - 9.1.1 **Preliminary Resolution**
 - 9.1.2 **Authorize Public Hearing**

 - 9.2 **Lockport Schools Federal Credit Union – *A. Klyczek***
 - 9.2.1 **Preliminary Resolution**
 - 9.2.2 **Authorize Public Hearing**

- 10.0 **Agency Counsel – *M. Gabriele***

- 11.0 **Information Items**

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

- 13.0 **Next Regular NCIDA/NCDC/NADC Meeting:**
 - DATE: **July 13, 2022**
 - TIME: **** 9:00 a.m. ****
 - PLACE: **Niagara County Center for Economic Development**

- 14.0 **Adjournment - *M. Onesi***

5.1

MEETING

MINUTES

REGULAR NCIDA/NCDC/NADC BOARD MEETING

DATE: May 11, 2022
MEETING TIME: 9:00 a.m.
MEETING PLACE: Niagara County Industrial Development Agency
Vantage Center, Suite One
6311 Inducon Corporate Drive
Sanborn, NY 14132

1.0 Meeting Called to Order

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

2.0 Roll Call

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

3.0 Introductions

Guest Present:

Jim Fink, Business First
Tim Kolb, Niacet Corporation
Amarinder Grewal, Kerry Group
Edwin Lee, Deloitte
Anthony Szymelewicz, Deloitte

Staff Present:

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

4.0 Pledge of Allegiance

Mr. Krempa led the pledge of allegiance.

5.0 Approval of Meeting Minutes

5.1 Regular NCIDA/NCDC/NADC – April 13, 2022

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

6.0 Finance & Audit Committee Reports

6.1 Agency Payables – April 30, 2022

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

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

6.2 Budget Variance Report – April 30, 2022

Mr. McCabe stated that the Budget Variance Report has been reviewed and found to be in order.

Mr. McCabe made a motion to approve the Budget Variance Report; Mr. Ross seconded the motion. The motion passed.

7.0 Governance Committee

7.1 Solar Project Policy

Mr. Gabriele stated that the Agency placed a six month moratorium on solar projects in the month of March, 2022. Since then, staff has been meeting with the County and discussed the policy. Based on those discussions, staff proposes a new Solar Project Policy that states that the Agency will upon consent from the local municipality, entertain an application for financial assistance. The financial assistance would consist of only the county's portion of the sales tax benefit. The Agency would not entertain PILOTS, but would leave that to the local municipalities to enter into and negotiate on their own behalf. The financial assistance would be limited to solar projects on sites located on or within ½ mile of a capped landfill, a remediated brownfield site, or a site accepted into the New York State Brownfield cleanup program.

Mr. Wolfgang states that the Governance Committee recommended the new policy for approval.

7.1.1 Solar Energy Policy Resolution

RESOLUTION WHEREBY THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY ADOPTS AN UPDATED SOLAR ENERGY POLICY.

7.1.1 Solar Energy Policy Resolution (Continued)

Mr. Wolfgang made a motion to approve the Solar Project Policy; Mr. Cliffe 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>
Jerald Wolfgang	x			
Kevin McCabe	x			
William Ross	x			
Maria V. Lopez	x			
Robert Cliffe	x			
Scott Brydges	x			
Clifford Scott	x			
Jason Krempa			x	
Mark Onesi	x			

The Resolution was thereupon duly adopted.

7.2 Local Labor Policy

Mr. Wolfgang stated that this policy was reviewed in the Governance Committee Meeting, members of the Committee decided this policy should be tabled. He stated that the Committee wanted to schedule a work session to further review the policy.

8.0 Unfinished Business

8.1 Niacet Corporation

Mr. Gabriele stated that Niacet Corporation previously applied for benefits for a small project located in the City of Niagara Falls. That project is continuing to move forward. It appears that the project may not close by the end of its expiration date since the current inducement ends in June of this year. The resolution proposed would extend the resolution for six months. This is the first time an extension is being considered by the Board.

8.1.1 Inducement of Extension

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

Niacet Corporation – Inducement of Extension (Continued)

Mr. Wolfgang made a motion to approve the Inducement of Extension; Mr. Krempa seconded the motion. The Motion passed.

8.2 Eleanor Apartments (Eleanor Apartments at Niagara, LLC)

Mr. Gabriele stated that the Agency already approved the Assignment of the Eleanor Apartments to what was previously Niagara Creek LLC. The company is no longer using the name Niagara Creek LLC, they will be using the name Eleanor Apartments at Niagara, LLC. The Agency needs to get Board approval because it is a different entity, even though ownership is the same.

8.2.1 Assignment and Assumption

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING THE ASSIGNMENT OF AND ASSUMPTION OF THE ELEANOR APARTMENTS LLC PROJECT TO ELEANOR APARTMENTS AT NIAGARA, LLC INCLUDING THE ORIGINAL LEASE, LEASEBACK, PILOT AGREEMENT, TOGETHER WITH ALL ASSOCIATED DOCUMENTS RELATING TO THE FACILITY CURRENTLY RECEIVING BENEFITS FROM THE AGENCY.

Mr. Scott made a motion to approve the Assignment and Assumption; Mr. Wolfgang seconded the motion. The motion passed.

9.0 New Business

9.1 Niacet Corporation (NxTD Project)

Ms. Klyczek stated that Niacet Corporation is a leading global chemical manufacturer of propionates and acetates primarily for the pharmaceutical, and food industries. In September of 2021, Niacet was acquired by Kerry Group, an Ireland based global and food company with extensive offering in dairy, beverage, and prepared food productions.

Kerry Group and Niacet Corporation are contemplating possible expansion projects at the Niagara Falls facility. This specific project (NxTD), is a novel production process utilizing a proprietary new liquid dyeing technology to more efficiently produce acetate and propionate salt preservatives. The NxDT expansion would include a 25,000-35,000 sq. ft. building, as well as a capital investment of \$48.75M. The project is expected to create 51 new jobs.

Tim Kolb from Niacet Corporation stated that NxDT is the next generation of dryer technology. This will improve Niacet's processes and products and allow them to expand the workforce. It will also enable the company to move forward 20. This is a new technology to the Country, and the company is excited about the change at the Niagara Falls facility.

Mr. Scott questioned the environmental concerns to the local neighborhood located by the facility. Mr. Kolb stated that there were no environmental concerns to the local neighborhood because it is a fully organic chemistry.

9.1 Niacet Corporation (NxTD Project) (Continued)

Mr. Wolfgang asked if Niacet Corporation has an international basis for customers. Mr. Kolb responded that they are a global company. Mr. Wolfgang asked if there are possibilities of the company expanding and staying in Niagara Falls. Mr. Kolb responded that they are definitely considering a second location in Niagara Falls.

Mr. Krempa asked Mr. Kolb to explain more of what they will be doing with the 48 million dollars, and 35,000 square ft. of space. Mr. Kolb explained that there will be a lot of equipment, investments, storage space, and engineering. The average salary for employees will be about \$70,000 annually.

9.1.1 Preliminary Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF NIACET CORPORATION WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF NIACET CORPORATION FOR ITSELF OR ON BEHALF OF AN ENTITY FORMED OR TO BE FORMED; (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PROJECT; (iii) AUTHORIZING THE EXECUTIVE DIRECTOR OF THE AGENCY TO TAKE CERTAIN ACTIONS UNDER ARTICLE 8 OF THE ENVIRONMENTAL CONSERVATION LAW IN CONNECTION WITH THE PROJECT; (iv) PROVIDE SALES TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE CONSTRUCTION AND EQUIPPING OF THE PROJECT; AND (v) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY.

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

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

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

The Resolution was thereupon duly adopted.

9.1 Niacet Corporation (NxTD Project) (Continued)

9.1.2 Authorize Public Hearing

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

9.2 COVID Relief for Small Business Grant Approvals

Ms. Barone stated that for each of the following grant applications, our consultants from H. Sicherman, along with IDA staff reviewed all the documents submitted for grant eligibility criteria.

9.2.1 T's YOU-nique Hair & Beauty, LLC

Ms. Barone stated that T's You-nique Hair & Beauty, LLC is a retail beauty supply store that opened on Main Street in Niagara Falls in March 2020, just days before the government-ordered COVID shutdown. This business was shut down for four months after the initial opening. When the company re-opened the company incurred additional expenses to be in compliance with COVID safety measures. Although they had a lack of revenue, they continued to operate with temporary limited hours. The business has seen increasing sales in the past year, which demonstrates a market for their products and services.

The owner is qualified as a low-to-moderate income owned business. The grant request is for \$47,000. The use of funds will be for inventory, and for working capital to be used to pay past and current monthly expenses.

The agency recommends approval of this Grant Request as the applicant qualifies based on meeting all Grant eligibility requirements.

9.2.1 T's YOU-nique Hair & Beauty, LLC

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPROVING GRANT TO T's YOU-NIQUE HAIR & BEAUTY, LLC UNDER THE COVID-19 RELIEF SMALL BUSINESS PROGRAM.

Mr. Scott made a motion to approve the Grant under the Covid-19 Relief Small Business Program; Mr. Krempa seconded the motion.

9.2.1 T’s YOU-nique Hair & Beauty, LLC (Continued)

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

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

The Resolution was thereupon duly adopted.

9.2.2 Willie A. Price Speaks, LLC

Ms. Barone stated that Willie A. Price Speaks, LLC is a Niagara Falls Business that provides physical, personal, and financial development workshops to youth and families in at-risk living situations. The majority of the programs are co-sponsored by community organizations and schools.

Since these programs are presented in school and community settings, the business saw a significant loss during COVID due to remote learning, and community gathering restrictions. The business has continued to present some programs in person, but in order to increase revenue, they will be investing in presenting the programs virtually.

The owner qualifies as a low-to-moderate income owned business. The grant request is for \$8,400 to be used for working capital, inventory, and technology equipment.

The agency recommends approval of this Grant Request as the applicant qualifies based on meeting all Grant eligibility requirements.

9.2.2 Willie A. Price Speaks, LLC

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPROVING GRANT TO WILLIE A.PRICE SPEAKS, LLC UNDER THE COVID-19 RELIEF SMALL BUSINESS PROGRAM.

9.2.2 Willie A. Price Speaks, LLC (Continued)

Mr. Krempa made a motion to approve the Grant under the Covid-19 Relief Small Business Program; Mr. Ross seconded the motion.

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

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

The Resolution was thereupon duly adopted.

9.0 Agency Counsel

Mr. Gabriele requested that the Board go into executive session.

Mr. Krempa made a motion to go into executive session; Mr. McCabe seconded the motion.

Ms. Langdon stated that while in executive session, the Board made a motion to extend Mr. Gabriele’s contract for five years. The Board also gave Ms. Langdon permission to negotiate an hourly rate on the contract.

Mr. Wolfgang made a motion to approve the five year contract with Mr. Gabriele with a rate change of up to \$200 per hour; Mr. Scott seconded the motion. The motion passed.

10.0 Information Items

There were no information items at this time.

11.0 Any Other Matters the Board Wishes to Discuss

There were no other matters the Board wished to discuss.

12.0 Next Regular NCIDA/NCDC/NADC Meeting:

DATE: June 8, 2022

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

PLACE: Niagara County Center for Economic Development

13.0 Adjournment

Mr. Onesi made a motion to adjourn; Mr. Krempa seconded the motion. The meeting adjourned at 9:42 a.m.

Respectfully Submitted:

Reviewed By:

Approved By:

Julie Lamoreaux
Recording Secretary

Susan C. Langdon
Executive Director

William L. Ross
Secretary

6.1

AGENCY

PAYABLES

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

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
29528	5/2/22	Caroline M. Caruso	10001.100	56.63
29529	5/2/22	County of Niagara	10001.100	1,254.69
29530	5/2/22	Gabriele & Berrigan, P.C.	10001.100	5,000.00
29531	5/2/22	THE HARTFORD	10001.100	229.39
29532	5/2/22	M&T Bank	10001.100	32.27
29533	5/2/22	Pitney Bowes Global Financial Services	10001.100	189.42
5/5/22	5/5/22	PAYCHEX, INC.	10001.100	78.12
5/6/22	5/6/22	NYS DEFERRED COMPENSATION PLAN	10001.100	1,118.91
29534	5/10/22	360 PSG.com	10001.100	280.00
29535	5/10/22	First Choice Coffee Services	10001.100	124.23
29536	5/10/22	Gabriele & Berrigan, P.C.	10001.100	6,858.40
29537	5/10/22	National Grid	10001.100	462.33
29538	5/10/22	Professional Janitorial Services, Inc.	10001.100	793.17
29539	5/10/22	Safeguard Business Systems	10001.100	251.61
29540	5/17/22	Guardian	10001.100	227.46
29541	5/17/22	Andrea Klyczek	10001.100	58.60
29542	5/17/22	SAM'S CLUB/SYNCHRONY BANK	10001.100	66.49
5/19/22	5/19/22	PAYCHEX, INC.	10001.100	64.40
5/20/22	5/20/22	NYS DEFERRED COMPENSATION PLAN	10001.100	1,040.91
5/24/22	5/24/22	NEW YORK STATE AND LOCAL	10001.100	358.74
29543	5/24/22	Charter Communications	10001.100	119.99
29544	5/24/22	Niag Cnty Dept of Economic Development	10001.100	621.08
29545	5/24/22	NIAGARA GAZETTE	10001.100	219.00
29546	5/24/22	Niagara Gazette Lockport Union Sun	10001.100	97.72
29547	5/24/22	STAPLES CONTRACT & COMMERCIAL	10001.100	115.71
29548	5/31/22	County of Niagara	10001.100	936.21
29549	5/31/22	First Choice Coffee Services	10001.100	120.23
29550	5/31/22	Independent Health	10001.100	1,929.60
29551	5/31/22	M&T Bank	10001.100	92.20
29552	5/31/22	Magavern Magavern Grimm LLP	10001.100	5,492.35
29553	5/31/22	National Grid	10001.100	513.40
Total				28,803.26

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

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
4627	5/2/22	Niagara County Industrial Dev Agency	10001.600	3,986.24
4628	5/2/22	County of Niagara	10001.600	820.70
4629	5/2/22	Niagara County Industrial Dev Agency	10001.600	150,000.00
4630	5/10/22	H.W.BRYK & SONS, INC.	10001.600	110.00
4631	5/10/22	DAVIS-ULMER Sprinkler Co.	10001.600	170.00
4632	5/10/22	Frontier	10001.600	183.32
4633	5/10/22	Landscape Associate of WNY, Inc.	10001.600	779.86
4634	5/10/22	Modern Electrical Construction Inc.	10001.600	125.00
4635	5/10/22	National Grid	10001.600	370.33
4636	5/10/22	Professional Janitorial Services, Inc.	10001.600	219.42
4637	5/17/22	A 24 Hour Door National, Inc.	10001.600	1,846.00
4638	5/17/22	Landscape Associate of WNY, Inc.	10001.600	779.86
4639	5/17/22	Modern Electrical Construction Inc.	10001.600	2,300.00
4640	5/17/22	Modern Disposal Services, Inc.	10001.600	169.03
4641	5/17/22	Town of Wheatfield	10001.600	59.50
4642	5/31/22	Blue Ox Roofing	10001.600	299.00
4643	5/31/22	H.W.BRYK & SONS, INC.	10001.600	236.35
4644	5/31/22	M&T Bank	10001.600	153.19
4645	5/31/22	National Grid	10001.600	498.87
4646	5/31/22	County of Niagara	10001.600	842.50
Total				163,949.17

NCIDA - MTF - Operating Fund
Check Register

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

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
3048	5/2/22	Niagara County Industrial	10001.600	2,679.14
3049	5/2/22	Niagara Frontier Transportation	10001.600	119,086.00
3050	5/2/22	Niagara County Industrial	10001.600	119,086.00
3051	5/10/22	DAVIS-ULMER Sprinkler Co.	10001.600	160.00
3052	5/10/22	Landscape Associate of WNY, Inc.	10001.600	422.71
3053	5/10/22	National Grid	10001.600	52.09
3054	5/10/22	Niagara Falls Water Board	10001.600	396.73
3055	5/10/22	Safeguard Business Systems	10001.600	180.81
3056	5/17/22	Landscape Associate of WNY, Inc.	10001.600	422.71
3057	5/17/22	VERIZON	10001.600	122.27
3058	5/31/22	National Grid	10001.600	47.94
Total				242,656.40

NCDC - CDBG/HUD - RLF

Check Register

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

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
201	5/2/22	Ameri-Cut Tool Grinding Inc.	10200-300	44,925.50
202	5/2/22	Christopher L. Lee d/b/a 716 Supreme	10200-300	37,238.60
203	5/2/22	Donovan Orchards LLC	10200-300	25,609.96
204	5/2/22	Flip Burger Inc.	10200-300	35,885.67
205	5/2/22	Great Lakes Iron Inc.	10200-300	28,000.00
206	5/2/22	Hahn Sales and Service, LLC	10200-300	50,000.00
207	5/2/22	Impressive In Print, Inc.	10200-300	50,000.00
208	5/2/22	Jacobs Ladder LLC	10200-300	50,000.00
209	5/2/22	Jack Miljour & Arlene Miljour d/b/a	10200-300	26,000.00
210	5/2/22	James T. Baker d/b/a Chateau Niagara	10200-300	36,241.24
211	5/2/22	The Johnnie Ryan Company Inc.	10200-300	50,000.00
212	5/2/22	Michael J. Dan d/b/a Mike Dan Motors	10200-300	48,904.50
213	5/2/22	Niagara County Industrial Dev Agency	10200-300	10,000.08
214	5/2/22	Salon Nouveau Day Spa, LLC	10200-300	45,000.00
215	5/17/22	H. Sicherman & Company, Inc.	10200-300	1,020.80
216	5/17/22	Niagara Gazette Lockport Union Sun	10200-300	58.00
Total				538,884.35

Niag. Cnty Dev. Corp. - EDA RLF
Check Register

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

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1344	5/2/22	Niagara County Industrial	10001.100	9,999.96
Total				9,999.96

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

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

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
2054	5/2/22	Covey's Cove Inc.	10004.400	10,229.71
2055	5/2/22	I Eudaimonia Inc. d/b/a Jacobsen	10004.400	7,226.19
2056	5/2/22	Niagara County Industrial	10004.400	9,999.96
2057	5/2/22	Youngstown Marketside LLC	10004.400	25,000.00
2058	5/24/22	Niagara County Community College	10004.400	1,500.00
Total				<u>53,955.86</u>

NIAG ECONOMIC DEV FUND

Check Register

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

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1339	5/10/22	Safeguard Business Systems	10000-200	70.81
Total				70.81

Niagara Industrial Incubator Associates**Check Register**

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

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1294	5/2/22	M&T Bank	10000.100	485.04
1295	5/10/22	Blue Ox Roofing	10000.100	604.00
1296	5/10/22	David Chevrolet Buick, Inc.	10000.100	1,255.36
1297	5/10/22	Gabriele & Berrigan, P.C.	10000.100	345.00
1298	5/10/22	National Grid	10000.100	271.15
1299	5/10/22	Niagara Falls Water Board	10000.100	3,390.00
1300	5/10/22	Niagara Gazette Lockport union Sun &	10000.100	45.40
1301	5/10/22	Steve's Heating & Air Conditioning, Inc	10000.100	2,450.00
1302	5/31/22	Blue Ox Roofing	10000.100	1,043.00
1303	5/31/22	National Grid	10000.100	271.72
Total				10,160.67

6.2

BUDGET

VARIANCE

REPORT

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

BUDGET VARIANCE REPORT AS OF May 31, 2022

UN-AUDITED STATEMENT FOR INTERNAL MANAGEMENT USE ONLY

	Current Month Actual	Current Month Budget	Year To Date Actual	Year To Date Budget	Year To Date Variance	Total Budget
<u>Operating Revenues</u>						
Project Administrative Fees	\$ 0.00	\$ 25,517.00	\$ 165,961.70	\$ 193,474.00	(27,512.30)	\$ 519,096.00
Project Application Fees	2,000.00	1,000.00	6,000.00	5,000.00	1,000.00	12,000.00
NEDF RLF Administrative Fee	4,166.67	4,166.67	20,833.35	20,833.35	0.00	50,000.00
EDA RLF-Grant 2020 Admin Fees	0.00	0.00	15,393.25	0.00	15,393.25	0.00
Administrative Fees - Other	0.00	0.00	0.00	0.00	0.00	15,432.00
Interest Earnings	31.33	26.50	135.75	132.50	3.25	318.00
Miscellaneous Income	42.41	0.00	192.17	0.00	192.17	60.00
Distrib From Niag. Ind. Suites	0.00	0.00	0.00	0.00	0.00	100,000.00
Distribution from VIP MTF	0.00	0.00	0.00	0.00	0.00	100,000.00
Total Operating Revenues	6,240.41	30,710.17	208,516.22	219,439.85	(10,923.63)	796,906.00
<u>Operating Expenses</u>						
Salaries	26,623.32	26,380.24	133,116.60	131,901.20	1,215.40	342,943.00
Benefits	3,015.41	3,282.33	15,782.16	16,411.65	(629.49)	39,388.00
Retirement Benefits	3,104.33	3,104.33	15,521.65	15,521.65	0.00	37,252.00
Payroll Taxes	2,089.77	2,125.80	10,448.87	10,629.00	(180.13)	27,553.00
Unemployment Taxes	0.00	0.00	1,260.10	1,260.00	0.10	1,260.00
Consultants	2,500.00	2,500.00	12,500.00	12,500.00	0.00	30,000.00
Assisstant Director	5,462.25	5,462.25	27,311.25	27,311.25	0.00	65,547.00
Legal Services	10,492.35	5,000.00	39,795.71	25,000.00	14,795.71	60,000.00
Accounting Services	0.00	0.00	19,500.00	19,000.00	500.00	19,000.00
Accounting Services - NADC	0.00	0.00	1,200.00	2,100.00	(900.00)	2,100.00
Marketing	338.60	1,833.33	2,778.60	9,166.65	(6,388.05)	22,000.00
Printing	0.00	125.00	408.12	625.00	(216.88)	1,500.00
Office Supplies	115.71	208.33	544.20	1,041.65	(497.45)	2,500.00
Postage	0.00	280.00	1,187.54	2,247.00	(1,059.46)	3,840.00
Telephone & Fax	91.11	98.25	407.01	491.25	(84.24)	1,179.00
Internet Service	212.19	206.67	940.59	1,033.35	(92.76)	2,480.00
Common Area Charges	634.00	634.08	3,170.00	3,170.40	(0.40)	7,609.00
Energy	1,413.40	1,156.00	9,520.67	6,996.00	2,524.67	15,848.00
Conference & Travel	0.00	208.33	277.24	1,041.65	(764.41)	2,500.00
Employee Training	0.00	0.00	0.00	0.00	0.00	1,000.00
Insurance Expense	1,481.40	1,641.58	7,407.00	8,207.90	(800.90)	19,699.00
Library & Membership	219.00	0.00	1,814.00	1,595.00	219.00	2,843.00
General Office	541.18	712.33	3,013.60	3,561.65	(548.05)	8,548.00
Repairs & Maintenance	844.46	1,169.67	4,576.02	5,848.35	(1,272.33)	14,036.00
Computer Support	0.00	666.67	1,000.00	3,333.35	(2,333.35)	8,000.00
Public Hearings	0.00	33.33	0.00	166.65	(166.65)	400.00
Furniture & Equipment Purchase	0.00	166.67	0.00	833.35	(833.35)	2,000.00
Other Expense	0.00	83.33	0.00	416.65	(416.65)	1,000.00
Total Operating Expenses	59,178.48	57,078.52	313,480.93	311,410.60	2,070.33	742,025.00
Net Operating Income/<Loss>	(52,938.07)	(26,368.35)	(104,964.71)	(91,970.75)	(12,993.96)	54,881.00
<u>Non-Operating Revenue & Expense</u>						
Grants Rev.	0.00	73,621.83	0.00	368,109.15	(368,109.15)	883,462.00
Grant Rev- City NF Initiative	0.00	35,979.17	0.00	179,895.85	(179,895.85)	431,750.00
Grant to Subrecipient	0.00	63,291.67	0.00	316,458.35	(316,458.35)	759,500.00
Grant Sub-City NF Initiative	0.00	35,979.17	0.00	179,895.85	(179,895.85)	431,750.00
Net Non-Operating Income/<Loss>	0.00	10,330.16	0.00	51,650.80	(51,650.80)	123,962.00
Total Net Income/<Loss>	(\$ 52,938.07)	(\$ 16,038.19)	(\$ 104,964.71)	(\$ 40,319.95)	(64,644.76)	\$ 178,843.00

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Balance Sheet

May 31, 2022

ASSETS

Current Assets

Cash - Checking	\$ 124,625.24
Petty Cash	300.00
Mmkt Acct. - M&T Bank	1,893,903.88
Cash - First Response	65,807.45
Cash - City of N.F.	827.22
Mmkt Acct. - Cataract Tourism	3,938,860.26
Accts Rec - Public Hearings	1,619.50
Accounts Rec. EDA - RLF	4,166.65
Due To/From Micro RLF	4,166.65
Due To/From VIP - MTF	396,198.59
Due From NCDL CDBG/HUD	4,166.70
Due To/Due From NADC	151,406.56
Prepaid Insurance	<u>11,544.84</u>

Total Current Assets 6,597,593.54

Other Assets

Deferred Outflows	239,614.00
Investment in NIIA	<u>342,500.00</u>

Total Other Assets 582,114.00

Fixed Assets

Furniture & Equipment	199,360.75
Furn & Fixtures - Fed purchase	5,861.08
Accum Dep. - Furn & Equip	(199,360.75)
Accum Dep. - F&F Fed Purch	<u>(5,861.08)</u>

Total Fixed Assets 0.00

Total Assets \$ 7,179,707.54

LIABILITIES AND NET ASSETS

Current Liabilities

Accrued Retirement	\$ 15,521.65
Deferred Rev. - NEDF	29,166.65
Deferred Rev. - First Repsonse	65,807.45
Def. Rev. - City of N.F.	3,939,687.48
Accounts Payable	11,948.22
Acct. Payable - Niag. County	<u>27,311.25</u>

Total Current Liabilities 4,089,442.70

Long-Term Liabilities

Pension Liability	757.00
Deferred Inflows of Resources	<u>236,693.00</u>

Total Long-Term Liabilities 237,450.00

Total Liabilities 4,326,892.70

Net Assets

Fund Balance - Operating Fund	2,957,779.55
Net Income	<u>(104,964.71)</u>

Total Net Assets 2,852,814.84

Total Liabilities & Net Assets \$ 7,179,707.54

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

Vendor ID Vendor	Invoice #	Amount Due
cin Cintas Corporation LOC. 067P	8199233;9572996	83.22
GABRIELE Gabriele & Berrigan, P.C.	May 2022 Engagement	5,000.00
Report Total		<u>5,083.22</u>

Adjusting Journal Entries

Estimated May 2022 Legal Fees	5,000.00
Estimated May 2022 Copier usage	200.00
Estimated Apr-May 2022 Telephone	60.00
Estimated May 2022 Niagara County Electric	500.00
Estimated May 2022 Niagara County Gas	400.00
Estimated May 2022 Cleaning service	705.00
	<u>11,948.22</u>

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

6/2/2022

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

Closed 2022	Project Type	Total Project Amount	IDA Project Amount	Fees	Application Fee	Amount Received to Date	Date Received	Balance Due	Date Closed
Twogood Holdings LLC(Rubberform Recycled	L/L Back	2,955,000	2,050,000	20,500	1,000	21,500	3/24/22	-	3/15/22
Moog Inc.	Sales Tax Only	329,617	329,617	32,962	0	32,962	3/28/22	-	3/9/22
Catholic Health System Inc.	Bond	48,874,501	36,420,018	112,500	0	112,500	3/28/22	-	
Vantage Pointe LLC	L/L Back	1,403,220	1,370,450	6,750	1,000	1,000	4/5/22	6,750	5/25/22
				0				-	
TOTAL				<u>172,712</u>					
				Fees received in prior year	-				
				Total fees received to date in 2022	<u>172,712</u>				
				Total 2022 Budgeted Fees	<u>519,096</u>				
				Balance of Budgeted Fees	<u>346,384</u>				

Projected 2022	Project Type	Total Project Amount	IDA Project Amount	Anticipated Fees	Application Fee	Amount Received to Date	Date Received	Anticipated Balance Due	Inducement Expiration
Cerrone Estate Properties, LLC	L/L Back	1,780,000	1,750,000	17,500	1,000	1,000	2/3/21	17,500	9/30/22
Olcott Yacht Club Inc.	Sales Tax & Mtg Tax Only	456,000	450,000	0	250	250	2/16/21	-	8/31/22
Niacet Corporation	L/L Back	13,250,000	8,525,000	70,000	1,000			71,000	12/31/22
TM Montante Development LLC - 512 3rd St.	L/L Back	2,687,001	2,059,941	20,599	1,000	1,000	6/7/21	20,599	7/31/22
TM Montante Development LLC - 500 3rd St.	L/L Back	693,001	550,000	5,500	1,000	1,000	6/9/21	5,500	7/31/22
PEMM LLC	L/L Back	8,500,000	6,350,000	63,500	1,000	1,000	10/13/21	63,500	11/30/22
CVE US EI3 Wheatfield, LLC	Sales Tax & Mtg Tax Only	9,760,000	7,740,000	32,000	1,000	1,000	12/20/21	32,000	2/28/23
Kilmer Solar LLC	Sales Tax & Mtg Tax Only	9,145,000	8,775,000	34,000	1,000	1,000	1/13/22	34,000	
Eleanor Apartments at Niagara, LLC(Niagara C Assumption of The Eleanor Apartments, LLC PILOT					1,000	1,000	2/4/22	-	2/28/23
13 W. Main LLC	L/L Back	2,981,342	2,701,865	27,019	1,000	1,000	3/7/22	27,019	4/30/23
Niacet Corporation (NxtD Project)	L/L Back	48,750,000	46,750,000	467,500	1,000	1,000	5/2/22	467,500	
4600 Group, LLC	L/L Back				1,000	1,000	5/31/22	-	
TOTAL				<u>737,618</u>	<u>11,250</u>	<u>10,250</u>		<u>738,618</u>	<u>0</u>
TOTAL - Projected Income 2022				<u>910,330</u>	<u>11,250</u>	<u>10,250</u>		<u>738,618</u>	<u>172,712</u>

Projected 2023	Project Type	Total Project Amount	IDA Project Amount	Anticipated Fees	Application Fee	Amount Received to Date	Date Received	Anticipated Balance Due	Inducement Expiration
TOTAL				<u>0</u>	<u>0</u>	<u>0</u>		<u>0</u>	<u>0</u>

* Pending Board Approval

**Cataract Tourism Fund
Grant Program**

Grantee Name	Grant Awards	Outst'd'g Awards	Approval Date	Disbursement Date	Disbursement Amount	Offer Expiration	Project Description
Niagara County Dept. of Economic Development	37,667	0	10/11/2017	1/23/2018	37,667		Feasibility study for Niagara Falls area multi-use facility
Niagara Aquarium Foundation	88,147	0	2/14/2018	7/15/2019	88,147		Jellyfish exhibit and equipment
The Tourism Research Entrepreneurship Center (TReC)	176,600	0	8/8/2018	6/2/2020	176,600		Buildout, audio/visual equipment and network connectivity hardware
Niagara Aquarium Foundation	16,717	0	2/12/2020	10/21/2020	16,717		Renovations to second floor event room
Niagara Aquarium Foundation	370,000	0	8/14/2019	2/9/2021	370,000		Interactive touch pools adjacent to main entrance of the Aquarium
Red Star Builders, LLC (The Niagara Club)	523,250	0	7/10/2019	9/7/2021	64,403		Rooftop bar and lounge, banquet space, virtual entertainment lounge & Spot Coffee
Niagara Falls Center for Tourism LLC	1,000,000	1,000,000	6/12/2019	To Be Disbursed	0	12/31/2022	Construction of an indoor family entertainment center and outdoor improvements
The Center for Kashmir, Inc.	273,000	273,000	8/12/2020	To Be Disbursed	0	6/30/2023	Renovations to vacant church for a museum of art and culture for Kashmir
Savarino Companies, LLC	155,000	155,000	4/14/2021	To Be Disbursed	0	6/1/2023	Rehabilitation of 4,000 square feet of commercial/retail storefront space.
Niagara Aquarium Foundation	900,000	900,000	2/9/2022	To Be Disbursed	0	12/31/2023	Renovations to the Niagara Gorge Discovery Center for expanded programming.
To Date Sub-Total	3,540,381	2,328,000					

Grant Fund Cash Balance as of 5/31/2022 **3,939,687.48**
 Less: Outstanding Awards (2,328,000.00)
 Available for awarding grants 1,611,687.48

Grant Fund Balance -
 Grant Funding from NYS 11/22/2016 1,600,000.00
 Grant Funding from NYS 10/16/2017 1,440,000.00
 Grant Funding from NYS 10/12/2018 1,600,000.00
 Bank Interest 53,264.74
 Bank Fees (43.26)
 Grant Disbursements (753,534.00)
 Grant Fund Balance 3,939,687.48

753,534

7.1

**LOCAL LABOR
POLICY**

LOCAL LABOR POLICY

The Mission of the Niagara County Industrial Development Agency (“Agency”) is to undertake projects and programmatic initiatives in furtherance of and to advance the job opportunities, health, general prosperity and economic welfare of the people of the County and to improve their recreation opportunities, prosperity and standard of living. In addition, and in doing so, the Agency shall adhere to its adopted policies and applicable statutory requirements, including PAAA, PARA, OML, FOIL, and SEQRA. Further, and in accordance with GML Section 916-a, the Agency shall take into consideration the local zoning and planning regulations as well as the regional and local comprehensive land use plans. The Agency’s goals include continued compliance with current obligations and responsibilities associated with ongoing projects and programs, in addition to identifying new projects and programs that will achieve the Agency’s purposes and Mission. With these stated goals established, the Agency’s values are to maintain the highest ethical standards applicable to public officials and public benefit corporations.

Project applicants (the “Company”), as a condition to receiving Financial Assistance (including a sales tax exemption, mortgage recording tax exemption, real property tax abatement) from the Agency will be required to utilize qualified local labor, as defined below, for all projects involving the construction, expansion, equipping, demolition and/or remediation of new, existing, expanded or renovated facilities (collectively, the “Project”). The creation of construction jobs in the local labor area, though limited in duration, remains a vital component of the Agency’s overall mission.

Local Labor Defined

Local labor is defined as individuals permanently residing in Niagara County, Erie County, Chautauqua County, Cattaraugus County, Wyoming County, Genesee County, Orleans County and Monroe County (collectively, the “Local Labor Area”).

Local Labor Requirement

The Company will have 90% of all Project employees work hours of the general contractor, subcontractor, or subcontractor to a subcontractor (collectively, the “Workers”) working on the Project permanently reside within the Local Labor Area. The general contractor, subcontractor, or subcontractor to the subcontractor do not have to be local companies as defined herein, but must employ Workers residing within the Local Labor Area to qualify under the 90% local labor criteria.

It is understood that at certain times, Workers residing within the Local Labor Area may not be available with respect to a Project. Under this condition, the Company is required to contact the Agency to request a waiver of the Local Labor Requirement (the “Local Labor Waiver Request”) based on the following circumstances: (i) warranty issues related to installation of specialized

equipment or materials whereby the manufacturer requires installation by only approved installers; (ii) specialized construction for which qualified Local Labor Area Workers are not available; (iii) lack of Workers that would allow the Company to meet the Local Labor Area requirement; and (iv) where use of Local Labor Area Workers increases the cost of any construction trade by an amount in excess of twenty percent (20%). In respect to section (iv) Local Labor Area bidders shall have been given the opportunity to match the lower cost bid, provided that the timing and delivery of services shall not have an impact on the Project. The Agency's Executive Director, in consultation with the Chairman and/or Vice Chairman, shall evaluate each Local Labor Waiver Request and make a determination related thereto based upon information received with such waiver request.

Monitoring

The Agency, on an annual basis, will select a completed project, either randomly or based upon information provided to the Agency, to conduct an investigation into whether the Company was compliant with the Agency's Local Labor Policy. The Agency, or its designated agents, shall, during normal business hours, examine and copy the applicable books and wage records of the Company, Contractor and/or Subcontractor as related to work performed on the Project. If Agency determines that the local labor requirement is found to be below 90%, the Agency may terminate any and all Financial Assistance being provided to the Project in accordance with the terms of the underlying agreements between the Agency and the Company with respect to the Project.

Local Labor Reporting Requirement

Companies authorized to receive Financial Assistance from the Agency will be required to file or cause to be filed a Local Labor Utilization Report (the "Report") on such form as made available by the Agency, and as directed by the Agency, which will identify, for each Worker and associated zip code that each such Worker is domiciled in. The Report shall be submitted to the Agency or its designated agents as follows: (i) immediately prior to commencement of construction activities; and (ii) on or by the next following semi-annual dates of January 1 and July 1, and for each period thereafter through the construction completion date.

At the conclusion of the Project, the Agency or its designated agents shall have the right to verify compliance with the Local Labor Requirement. The Agency, or its designated agents, shall have the right, during normal business hours, to examine and copy the applicable books and wage records of the Company, Contractor and/or Subcontractor as related to work performed on the Project. If Agency determines that the local labor requirement was below 90%, the Agency may take action to terminate or modify any and all Financial Assistance being provided to the Project in its sole discretion, and as in accordance with the terms of the underlying agreements between the Agency and the Company with respect to the Project.

7.2

**Apprenticeship
Policy**

Apprenticeship Policy

The Niagara County Industrial Development Agency (“Agency”) recognizes the importance of having a highly skilled workforce to perform quality work on projects located in Niagara County. A highly skilled workforce will help attract new business and investment to the Niagara County and the surrounding area. Certified apprenticeship programs are a vital tool in providing the training and experience necessary to insure that Niagara County has a highly skilled workforce presently and into the future. These programs have shown a high graduation rate for participants.

Project applicants (the “Company”), as an additional incentive to the standard financial assistance provided by Agency, the Company will be eligible for enhanced PILOT benefits by its commitment to utilizing a certified apprenticeship program as part of their project.

Apprenticeship Programs

Set forth herein are the certified apprenticeship programs that are deemed acceptable and will qualify the Company for the additional benefits of this policy.*

- Electricians
- Sheet Metal Workers
- Plumbers and Steamfitters
- Carpenters and Millwrights
- Roofers
- Ironworkers
- Cement Masons
- Boilermakers
- Bricklayers and Allied Craft
- Laborers
- Sprinkler Fitters
- Heat and Frost Insulators
- Elevator Constructors
- Operating Engineers
- Painters and Glazers
- Plasterers
- Teamsters

A complete list of New York State Certified Apprenticeship Programs can be found at:

<http://labor.ny.gov/pressreleases/apprenticeshiparchive.shtm>

Enhanced PILOT benefit

If a Company commits to the use of a contractor that participates in the above referenced apprenticeship programs specific to the project, that Company will be provided with an additional 5% reduction from the Agency's standard PILOT schedule for the first five (5) years of the PILOT. Companies authorized to receive the additional financial assistance from the Agency will be required to file or cause to be filed an Apprenticeship Report (the "Report") on such form as made available by the Agency, and as directed by the Agency, which will identify each trade used in the project, along with each contractor that participates in a certified apprenticeship program. The Report shall be submitted to the Agency upon the completion of construction. If Agency determines in its sole discretion that the apprenticeship requirements have not been met, the Agency will not provide the additional benefits to the project.

8.1

Niacet

Corporation
(NxTD Project)

PROJECT SUMMARY

Niacet Corporation



Applicant:	Niacet Corporation	
Project Location:	400 47 th Street Niagara Falls	
Assistance:	15 Year PILOT Sales Tax Abatement	
Description:	<p>Niacet Corporation (“Niacet” or “Company”) is a leading global chemical manufacturer of propionates and acetates primarily for the pharmaceutical, food, and feed industries. The company has two longstanding and fully automated manufacturing sites, located in Niagara Falls, NY USA, and Tiel, The Netherlands, which represent over 85 years of chemical manufacturing experience. In September of 2021, Niacet was acquired by Kerry Group, an Ireland based global food company with extensive offerings in dairy, beverage, and prepared food productions. Kerry also has a significant presence in the U.S. with over 35 manufacturing locations.</p> <p>Kerry/Niacet is contemplating possible expansion projects at its Niagara Falls facility. This specific project (NxDT), is a novel production process utilizing a proprietary new liquid drying technology to more efficiently produce acetate and propionate salt preservatives. These salts would then be coated or blended with various compounds like acids, oils, and anti-caking agents to give them secondary functionality in addition to their inherent preservative qualities.</p> <p>NxDT expansion would include a 25,000 – 35,000 sq. ft. building at site, as well as a capital investment of \$48.75M. If NxDT is successfully implemented and the project receives significant local support, the Company is considering a Phase Two at site, which would be of similar investment and scope.</p>	
Project Costs:	Construction/Improvements Equipment FF&E Soft costs TOTAL	\$ 12,500,000 \$ 21,750,000 \$ 12,500,000 \$ <u>2,000,000</u> \$ 48,750,000
Employment:	Current jobs in Niagara County: New Jobs in Niagara County within 3 years: Skills: Operators, engineers, chemists, mechanics, electrician, production managers, material handlers	102 51
Evaluative Criteria:	Regional Wealth Creation, Research and Development Activities, Locational Land Use Factors, Retention, Workforce Access	

Niagara County Industrial Development Agency

MRB Cost Benefit Calculator



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

Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

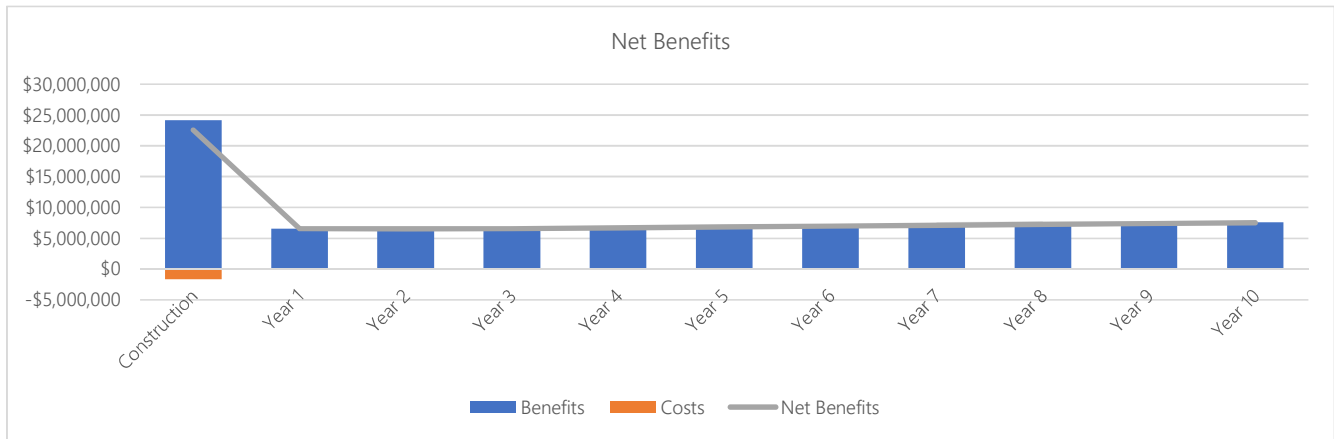
Project Total Investment

\$48,750,000

		Temporary (Construction)		
		Direct	Indirect	Total
Jobs		223	95	318
Earnings		\$18,143,926	\$4,677,422	\$22,821,348
Local Spend		\$43,875,000	\$15,865,616	\$59,740,616

		Ongoing (Operations)		
		Direct	Indirect	Total
Jobs		51	89	140
Earnings		\$60,365,453	\$43,251,874	\$103,617,327

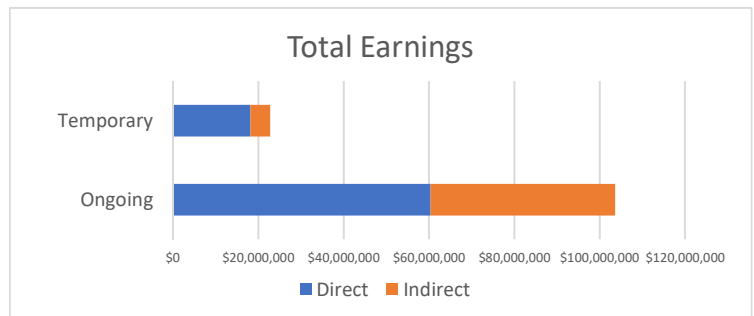
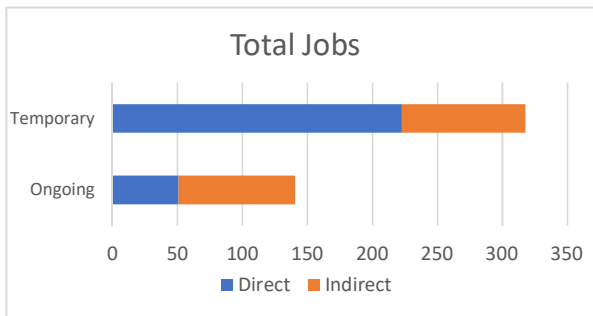
Figure 1



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

Figure 2

Figure 3



Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$305,666	\$265,447
Sales Tax Exemption	\$1,620,000	\$1,620,000
Local Sales Tax Exemption	\$810,000	\$810,000
State Sales Tax Exemption	\$810,000	\$810,000
Mortgage Recording Tax Exemption	\$0	\$0
Local Mortgage Recording Tax Exemption	\$0	\$0
State Mortgage Recording Tax Exemption	\$0	\$0
Total Costs	\$1,925,666	\$1,885,447

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$127,194,740	\$111,644,567
To Private Individuals	\$126,438,675	\$110,979,748
Temporary Payroll	\$22,821,348	\$22,821,348
Ongoing Payroll	\$103,617,327	\$88,158,400
Other Payments to Private Individuals	\$0	\$0
To the Public	\$756,064	\$664,819
Increase in Property Tax Revenue	(\$129,006)	(\$112,039)
Temporary Jobs - Sales Tax Revenue	\$159,749	\$159,749
Ongoing Jobs - Sales Tax Revenue	\$725,321	\$617,109
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$6,574,811	\$5,770,947
To the Public	\$6,574,811	\$5,770,947
Temporary Income Tax Revenue	\$1,026,961	\$1,026,961
Ongoing Income Tax Revenue	\$4,662,780	\$3,967,128
Temporary Jobs - Sales Tax Revenue	\$159,749	\$159,749
Ongoing Jobs - Sales Tax Revenue	\$725,321	\$617,109
Total Benefits to State & Region	\$133,769,551	\$117,415,514

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$111,644,567	\$1,075,447	104:1
State	\$5,770,947	\$810,000	7:1
Grand Total	\$117,415,514	\$1,885,447	62:1

*Discounted at 2%

Additional Comments from IDA

NY State ST-60 \$20,250,000

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

8.2

**TM Montante
Development, LLC
(500 3rd Street)**

PROJECT SUMMARY
TM Montante Development LLC
500 3rd Street



Applicant:	TM Montante Development LLC	
Project Location:	500 3 rd Street, Niagara Falls, NY 14301	
Assistance:	10 Year PILOT Sales Tax Abatement Mortgage Recording Tax Abatement	
Description:	<p>TM Montante (TMMD) was selected by Empire State Development as the Preferred Developer for 500, 512, and 518 Third Street, as well as 503 Main Street. The project will be centered around the reuse of both buildings, located at 500 & 512 3rd St.</p> <p>TMMD intends an adaptive reuse of 500 3rd Street into a vibrant conference and event space on the ground floor and commercial/office space above. The conference and event space will also have dedicated outdoor space located on a portion of the alleyway. It is expected that this conference and event space will be highly desirable year-round to the growing conference and event market in downtown Niagara Falls.</p>	
Project Costs:	Construction/Improvements	\$2,059,941
	Furniture, Fixtures & Equipment	\$0
	Soft costs	\$627,060
	Other	\$0
	TOTAL	\$ 2,687,002
Employment:	<p>Current jobs in Niagara County: 0</p> <p>New Jobs in Niagara County within 3 years: 8</p> <p>Estimated Annual Payroll for New Jobs:</p> <p>Skills: Management, operations, administrative, and food service</p>	
Evaluative Criteria:	Distressed Census Tract, Elimination of Slum and Blight, Building Vacancy, Redevelopment Aligns with Local Development Plan, Regional Wealth, Tourism Attraction, In Region Purchases	

REGIONAL ECONOMIC IMPACT ANALYSIS
TM Montante Development LLC
500 3rd Street

Estimated Project Benefits / Incentives Analysis

Total Project Benefits	\$ 337,539
Total Project Incentives	\$ 277,235
Community Benefit to Cost Ratio	1:1
Projected Employment	32
Total Employment	
Direct**	8
Indirect***	4
Temporary Construction (Direct and Indirect)	20

Estimated Project Benefits

Total Project Benefits	\$ 337,539
Income Tax Revenue	\$ 189,000
Property Tax Revenue	\$ 80,539
Sales Tax Revenue	\$ 68,000

Estimated Project Incentives

Total Project Incentives	\$ 277,235
Property Tax	\$ 187,924
Sales Tax	\$ 82,398
Mortgage Tax	\$ 6,913

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

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

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

TM Montante Development, LLC
2760 Kenmore Avenue
Buffalo, New York 14150

VIA EMAIL

May 24, 2022

Mark J Gabriele, Esq
Gabriele & Berrigan P.C.
800 Main Street, Suite 4B
Niagara Falls, New York 14301
(716) 285-1535

RE: Final Resolution of The Niagara County Industrial Development Agency being Resolution No. 7.1.1 ("Resolution 7.1.1") to undertake a certain project for the benefit of TM Montante Development, LLC located at 500 3rd St., Niagara Falls, New York ("500 3rd St Property").

Final Resolution of The Niagara County Industrial Development Agency being Resolution No. 7.2.1 ("Resolution 7.2.1") to undertake a certain project for the benefit of TM Montante Development, LLC located at 512 3rd St., Niagara Falls, New York ("512 3rd St Property"; together with the 500 3rd St Property, the "Properties").

Mr. Gabriele,

The undersigned hereby respectfully requests that the inducements contemplated in Resolution 7.1.1 regarding 500 3rd St. Property and Resolution 7.2.1 regarding 512 3rd St Property each be extended for a period of twelve (12) months. The undersigned is experiencing unanticipated tenant issues as a result of Covid19 and is having unforeseen difficulties leasing the Properties. Thank you for your consideration of this request.

Very truly yours,

TM Montante Development, LLC

By: 

Name: CHRISTIAN CAMPOS

Title: PRESIDENT

8.3

**TM Montante
Development, LLC
(512 3rd Street)**

PROJECT SUMMARY
TM Montante Development LLC
512 3rd Street



Applicant:	TM Montante Development LLC	
Project Location:	512 3 rd Street, Niagara Falls, NY 14	
Assistance:	10 Year PILOT Sales Tax Abatement Mortgage Recording Tax Abatement	
Description:	<p>TM Montante (TMMD) was selected by Empire State Development as the Preferred Developer for 500, 512, and 518 Third Street, as well as 503 Main Street. The project will be centered around the reuse of both buildings, located at 500 & 512 3rd St.</p> <p>TMMD intends to convert 512 3rd Street into a new brewery and restaurant. Because of the number of tourists that visit Niagara Falls each year, and the lack of an established brewery in the downtown core, it's expected to be a great opportunity to add a tremendous amount of pedestrian activity and vibrancy.</p>	
Project Costs:	Construction/Improvements	\$ 550,000
	Furniture, Fixtures & Equipment	\$ 0
	Soft costs	\$ 143,001
	Other	\$ 0
	TOTAL	\$ 693,001
Employment:	Current jobs in Niagara County:	0
	New Jobs in Niagara County within 3 years:	6
	Estimated Annual Payroll for New Jobs:	231,000
	Skills: Management, administration, operations, and food service	
Evaluative Criteria:	Distressed Census Tract, Elimination of Slum and Blight, Building Vacancy, Redevelopment Aligns with Local Development Plan, Regional Wealth, Tourism Attraction, In Region Purchases	

REGIONAL ECONOMIC IMPACT ANALYSIS
TM Montante Development LLC
512 3rd Street

Estimated Project Benefits / Incentives Analysis

Total Project Benefits	\$ 258,445
Total Project Incentives	\$ 179,736
Community Benefit to Cost Ratio	1:1
Projected Employment	14
Total Employment	
Direct**	6
Indirect***	3
Temporary Construction (Direct and Indirect)	5

Estimated Project Benefits

Total Project Benefits	\$ 258,445
Income Tax Revenue	\$ 141,000
Property Tax Revenue	\$ 66,445
Sales Tax Revenue	\$ 51,000

Estimated Project Incentives

Total Project Incentives	\$ 179,736
Property Tax	\$ 155,037
Sales Tax	\$ 22,000
Mortgage Tax	\$ 2,699

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

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

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

TM Montante Development, LLC
2760 Kenmore Avenue
Buffalo, New York 14150

VIA EMAIL

May 24, 2022

Mark J Gabriele, Esq
Gabriele & Berrigan P.C.
800 Main Street, Suite 4B
Niagara Falls, New York 14301
(716) 285-1535

RE: Final Resolution of The Niagara County Industrial Development Agency being Resolution No. 7.1.1 ("Resolution 7.1.1") to undertake a certain project for the benefit of TM Montante Development, LLC located at 500 3rd St., Niagara Falls, New York ("500 3rd St Property").

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Mr. Gabriele,

The undersigned hereby respectfully requests that the inducements contemplated in Resolution 7.1.1 regarding 500 3rd St. Property and Resolution 7.2.1 regarding 512 3rd St Property each be extended for a period of twelve (12) months. The undersigned is experiencing unanticipated tenant issues as a result of Covid19 and is having unforeseen difficulties leasing the Properties. Thank you for your consideration of this request.

Very truly yours,

TM Montante Development, LLC

By: 

Name: CHRISTIAN CAMPOS

Title: PRESIDENT

8.4

Indian Ocean LLC

HELP LOAN REQUEST SUMMARY

Indian Ocean, LLC (Courtyard by Marriott)



Applicant:	Indian Ocean, LLC (Courtyard by Marriott)	
Project Location:	900 Buffalo Avenue Niagara Falls, NY 14303	
Principals	Babu Patel (51%), Pragna Patel (49%)	
Description:	<p>The former Moore Business Forms building located at 900 Buffalo Ave. was transformed into an 84 unit Courtyard Marriot hotel in 2013. The facility underwent major renovations in effort to secure the upscale Marriott hotel flag.</p> <p>The company has a PILOT agreement through NCIDA, and are current on their PILOT payments through 2020.</p>	
Other COVID-related assistance received	SBA PPP Loan EIDL TOTAL	\$ 97,530.00 <u>\$150,000.00</u> \$247,530.00
Total PILOT or Property Tax payments	2020 City: \$44,101.44 2020 County \$10,980.22 2020 School <u>\$22,652.44</u> Total \$77,734.10	
HELP Loan Request	\$93,280.92	

From: Michael Dowd <mjdowd63@gmail.com>
Date: May 31, 2022 at 12:30:57 PM EDT
To: Mark Gabriele <Mark.Gabriele@gabrieleberrigan.com>
Cc: BF Patel <babu.patel@rupalhospitality.com>, "Patel, Nirel"
<Nirel.Patel@rupalhospitality.com>
Subject: Indian Ocean, LLC

Dear Mark,

Please allow this e-mail to confirm that my client, Indian Ocean, LLC is seeking consent from the Niagara County Industrial Development Agency to refinance the three parcels with improvements commonly known as the Niagara Falls Marriott Courtyard Hotel located at 900 Buffalo Avenue, Niagara Falls. The lender is Bank on Buffalo and the amount to be financed is being finalized and will not exceed \$6,100,000.00. Bank on Buffalo is being represented by Sharon Schwartz, Esq. with Harris Beach. We expect to close on or before June 30,2022 and your attention to this matter is appreciated.

Sincerely,

Michael J. Dowd

--

Law Offices of Michael J. Dowd
920 Center Street
P.O. Box 1238
Lewiston, New York 14092
mjdowd3@verizon.net
Tel.: (716)754-7865 ext. 204
Fax: (866)241-4773

This transmission is intended only for the use of the individual or entity to which it is addressed and may contain confidential information belonging to the sender or the intended recipient, including information protected as privileged attorney-client communication or attorney work product. If you are not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, any disclosure, copying, distribution or the taking of any action in reliance on this information is prohibited. If you are not the intended recipient, your receipt of this transmission shall not result in the waiver of any privilege or protection. If you have received this transmission in error, immediately notify the sender by reply transmission (mjdowd3@verizon.net) or by telephone at (716) 754-7865 and delete same from your computer and system.

8.5

**Request for
MicroEnterprise
Grant Approval**

REQUEST FOR GRANT APPROVAL

Niagara County Development Corporation Micro Enterprise Program

APPLICANT INFORMATION:

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

PROJECT INFORMATION:

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

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

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

CREDIT SUMMARY:

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

SOURCE & USE OF FUNDS:

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

GRANT SUMMARY:

Grant Request: \$ 15,000

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

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

Eligibility:

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

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

GRANT REQUEST RECOMMENDATION:

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

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

9.1

D.R.C.

Development LLC

PROJECT SUMMARY
DRC Development LLC



Applicant:	DRC Development LLC	
Project Location:	6416 Inducon Drive Town of Wheatfield	
Assistance:	Sales Tax Abatement Mortgage Recording Abatement 15 Year PILOT	
Description:	<p>DRC Development constructed a 64,000 square foot building in VIP in 2012 which was leased to Edwards Vacuum, a manufacturer of vacuum systems. In the ensuing years, the company grew and then contracted due to changes in corporate management and strategy. In 2020, manufacturing/assembly activities were moved out of New York. Since that time, warehousing, office and support activities have remained at this location.</p> <p>Currently, the company's warehousing needs have exceeded the available capacity. Therefore, DRC Development plans to construct a 36,000 square foot addition to the existing building to accommodate Edwards.</p>	
Project Costs:	Construction	\$ 2,883,000
	Soft Costs	<u>117,000</u>
	TOTAL	\$ 3,000,000
Employment:	Existing Jobs at facility – warehouse	38
	Office and other *	62
	New Jobs to be created	<u>20</u>
		120
	*due to COVID, some have been virtual	
Evaluative Criteria:	Regional Wealth Creation, In Region Purchases, Supports Existing Business Growth Potential	

Niagara County Industrial Development Agency

MRB Cost Benefit Calculator



Date: June 2, 2022
 Project Title: DRC Development LLC
 Project Location: 39 Simonds St. Lockport, NY 14094

Economic Impacts

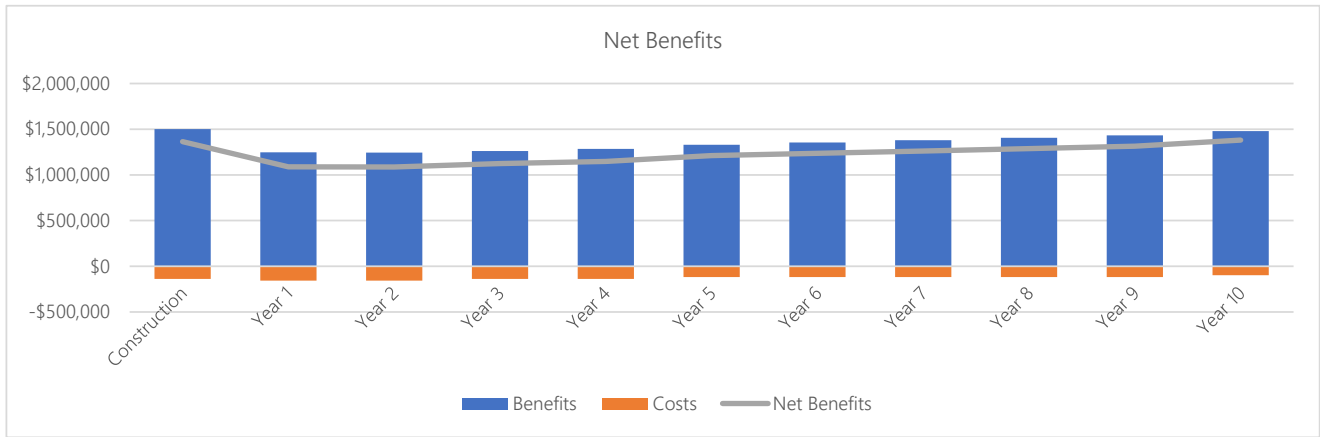
Summary of Economic Impacts over the Life of the PILOT

Project Total Investment
 \$3,000,000

		Temporary (Construction)		
		Direct	Indirect	Total
Jobs		14	6	20
Earnings		\$1,130,270	\$287,726	\$1,417,996
Local Spend		\$2,700,000	\$972,928	\$3,672,928

		Ongoing (Operations)		
		Direct	Indirect	Total
Jobs		20	8	28
Earnings		\$16,680,332	\$4,246,216	\$20,926,547

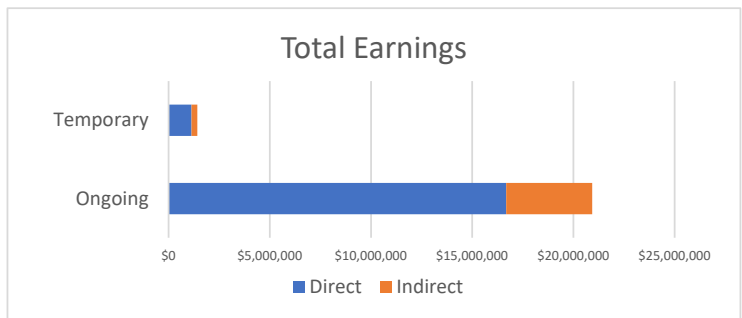
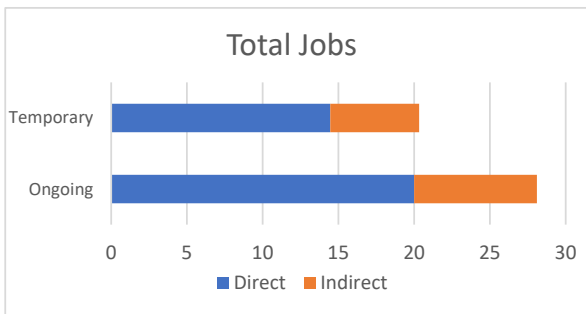
Figure 1



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

Figure 2

Figure 3



Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$1,771,470	\$1,538,380
Sales Tax Exemption	\$115,320	\$115,320
Local Sales Tax Exemption	\$57,660	\$57,660
State Sales Tax Exemption	\$57,660	\$57,660
Mortgage Recording Tax Exemption	\$22,500	\$22,500
Local Mortgage Recording Tax Exemption	\$7,500	\$7,500
State Mortgage Recording Tax Exemption	\$15,000	\$15,000
Total Costs	\$1,909,290	\$1,676,200

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$21,579,318	\$18,559,745
To Private Individuals	\$22,344,544	\$19,222,460
Temporary Payroll	\$1,417,996	\$1,417,996
Ongoing Payroll	\$20,926,547	\$17,804,463
Other Payments to Private Individuals	\$0	\$0
To the Public	(\$765,225)	(\$662,715)
Increase in Property Tax Revenue	(\$921,637)	(\$797,272)
Temporary Jobs - Sales Tax Revenue	\$9,926	\$9,926
Ongoing Jobs - Sales Tax Revenue	\$146,486	\$124,631
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$1,161,916	\$999,568
To the Public	\$1,161,916	\$999,568
Temporary Income Tax Revenue	\$63,810	\$63,810
Ongoing Income Tax Revenue	\$941,695	\$801,201
Temporary Jobs - Sales Tax Revenue	\$9,926	\$9,926
Ongoing Jobs - Sales Tax Revenue	\$146,486	\$124,631
Total Benefits to State & Region	\$22,741,235	\$19,559,313

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$18,559,745	\$1,603,540	12:1
State	\$999,568	\$72,660	14:1
Grand Total	\$19,559,313	\$1,676,200	12:1

*Discounted at 2%

Additional Comments from IDA

Amount to Include on ST-160 1,441,500

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

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

DAVID R. CHAMBERLAIN
DRC DEVELOPMENT LLC

(Applicant Name)

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

Updated 2021

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

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

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

**NIAGARA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY**

APPLICATION FOR FINANCIAL ASSISTANCE

I. APPLICANT INFORMATION

Company Name: DRC DEVELOPMENT LLC

Mailing Address: 39 SIMONDS ST.

City/Town/Village & Zip code: LOCKPORT, N.Y. 14094

Phone: (716) 628-1100

Website: LOWBID4@aol.com

Fed Id. No.: 03-0421613

Contact Person, and Title: DAVID R. CHAMBERLAIN, PRES.

Email: LOWBID4@aol.com

Principal Owners/Officers/Directors (list owners with 15% or more in equity holdings with percentage ownership):
DAVID R. CHAMBERLAIN 100%

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

Form of Entity

Corporation
Date of Incorporation: _____
State of Incorporation: _____

Partnership
General _____ or Limited _____
Number of general partners _____
If applicable, number of limited partners _____
Date of formation _____
Jurisdiction of Formation _____

Limited Liability Company/Partnership (number of members 1)
Date of organization: 1972
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: JONES HOGAN AND BROOKS LLP

Contact Person, and Title: MORGAN JONES - PARTNER

Mailing Address: 76 WEST AVE

City/Town/Village & Zip code: LOCKPORT, N.Y. 14094

Email: M. JONES @ LOCKPORT LAW . COM

Phone: (216) 433. 5907

Fax No.: _____

II. PROJECT INFORMATION

A) Project Address: 6416 INDUCON DR.

Tax Map Number (SBL) 147.00-1-10P
(Section/Block/Lot)

SWIS Number _____
Located in City of _____
Located in Town of WHEATFIELD
Located in Village of _____
School District of NIAURA WHEATFIELD

B) Current Assessment of Property:

Land \$ 90,860
Total \$ 2,470,860

C) Present legal owner of the site DAVID R. CHAMBERLAIN

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

N/A

D) Describe the project:

CONSTRUCT A 36,000 SF ADDITION TO
EXISTING 64,000 SF STRUCTURE INCREASE
WAREHOUSE CAPABILITIES

1. Project site (land)

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

(b) Indicate the present use of the project site.
OFFICE / WHSE USES

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

1 BLDG - 64,000 SF BUILT IN 2011

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

YES - 36,000 SF ADDITION

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

YES - WAREHOUSE

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.

YES - 100,000 SF - 64,000 SF EXIST - 36,000 SF NEW

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

NONE

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:

N/A

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

III. SOURCES & USES OF FUNDS

A) Estimated Project Costs:

Property Acquisition	\$	0
Construction (Improvements)	\$	2,883,000
Equipment Purchases/Fixtures/Furnishings	\$	0
Soft costs (i.e. engineering, architectural)	\$	117,000
Other (describe)	\$	
TOTAL USES OF FUNDS	\$	0

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

Bank Financing	\$	3,000,000
Equity	\$	EXIST'G BUILDING
Grants/Tax Credits	\$	0
Taxable or Tax Exempt Bond	\$	0
Other	\$	0
TOTAL SOURCES OF FUNDS	\$	3,000,000

C) Identify each state and federal grant/credit:

NONE	\$
	\$
	\$
	\$
TOTAL PUBLIC FUNDS	\$

IV. FINANCIAL ASSISTANCE REQUESTED

A.) Benefits Requested:

Sales Tax Exemption

Mortgage Recording Tax Exemption

Real Property Tax Abatement (PILOT)

B.) Value of Incentives:

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

Estimated duration of Property Tax exemption: 15 YR

Sales and Use Tax

Estimated value of Sales Tax exemption for facility construction: \$ 125,000

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

Estimated duration of Sales Tax exemption: 1 YR

Mortgage Recording Tax Exemption Benefit

Estimated value of Mortgage Recording Tax exemption: \$ 22,500

C.) Financial Assistance Determination:

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

Yes or No

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

V. EMPLOYMENT PLAN FOR WHS& OPERATIONS ONLY

	# of Retained Jobs	Retained Jobs Average Annual Salary	# of Created Jobs (3 yrs after project completion)	Created Jobs Average Annual Salary
Full Time (FTE)	0 38	\$ 0 45,000	0 20	\$ 0 50,000
Part time (PTE)	0 0	\$ 0 0	0 0	\$ 0
TOTAL	0 38	\$ 0 45,000	0 20	0 50,000

Annual Salary Range of Jobs to be Created: \$ 40,000 to \$ 65,000

Category of Jobs to be Retained and Created:

Job Categories (ie. Management, Administrative, Production, etc.) MATERIAL HANDLER BUYERS, PLANNERS, ANALYSTS, CLERICAL

VI. REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Agency as follows:

- A. Job Listings: In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the proposed project must be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entitle") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JPTA") in which the project is located.
- B. First Consideration for Employment: In accordance with Section 858-b(2) of the General Municipal Law, the applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant must first consider persons eligible to participate in JTPA programs who shall be referred by the JPTA Entities for new employment opportunities created as a result of the proposed project.
- C. A liability and contract liability policy for a minimum of three million dollars will be furnished by the Applicant insuring the Agency.
- D. Annual Sales Tax Filings: In accordance with Section 874(8) of the General Municipal Law, the Applicant understands and agrees that, if the proposed project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the Applicant.
- E. Annual Employment Reports: The applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, the applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site.
- F. Compliance with N.Y. GML Sec. 862(1): Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:

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

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

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

STATE OF NEW YORK)
COUNTY OF) ss.:

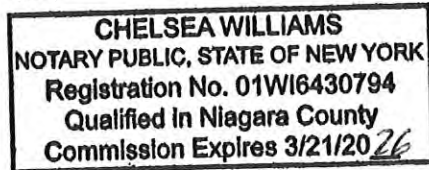
DAVID R. CHAMBERLAIN, being first duly sworn, deposes and says:

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

David R. Chamberlain
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury
this 1 day of June, 2022.

[Signature]
(Notary Public)



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

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

HOLD HARMLESS AGREEMENT

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

David R Chamberlain
(Applicant Signature)

By: _____

Name: DAVID R CHAMBERLAIN

Title: PRESIDENT

[Signature]
(Notary Public)

Sworn to before me this 1 day
of June, 2022

[stamp]

CHELSEA WILLIAMS
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01WI6430794
Qualified in Niagara County
Commission Expires 3/21/2026

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

*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%	\$ 9,661	\$ -	\$ 29,705	\$ 39,366	\$ 196,830	\$ 157,464
2	20%	\$ 9,661	\$ -	\$ 29,705	\$ 39,366	\$ 196,830	\$ 157,464
3	30%	\$ 14,491	\$ -	\$ 44,558	\$ 59,049	\$ 196,830	\$ 137,781
4	30%	\$ 14,491	\$ -	\$ 44,558	\$ 59,049	\$ 196,830	\$ 137,781
5	40%	\$ 19,322	\$ -	\$ 59,410	\$ 78,732	\$ 196,830	\$ 118,098
6	40%	\$ 19,322	\$ -	\$ 59,410	\$ 78,732	\$ 196,830	\$ 118,098
7	40%	\$ 19,322	\$ -	\$ 59,410	\$ 78,732	\$ 196,830	\$ 118,098
8	40%	\$ 19,322	\$ -	\$ 59,410	\$ 78,732	\$ 196,830	\$ 118,098
9	40%	\$ 19,322	\$ -	\$ 59,410	\$ 78,732	\$ 196,830	\$ 118,098
10	50%	\$ 24,152	\$ -	\$ 74,263	\$ 98,415	\$ 196,830	\$ 98,415
11	50%	\$ 24,152	\$ -	\$ 74,263	\$ 98,415	\$ 196,830	\$ 98,415
12	50%	\$ 24,152	\$ -	\$ 74,263	\$ 98,415	\$ 196,830	\$ 98,415
13	50%	\$ 24,152	\$ -	\$ 74,263	\$ 98,415	\$ 196,830	\$ 98,415
14	50%	\$ 24,152	\$ -	\$ 74,263	\$ 98,415	\$ 196,830	\$ 98,415
15	50%	\$ 24,152	\$ -	\$ 74,263	\$ 98,415	\$ 196,830	\$ 98,415
TOTAL		\$ 289,826	\$ -	\$ 891,154	\$ 1,180,980	\$ 2,952,449	\$ 1,771,470

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

Cost Benefit Analysis:

To be completed/calculated by AGENCY

	<u>Costs =</u> <u>Financial Assistance</u>	<u>Benefits =</u> <u>Economic Development</u>
*Estimated Sales Tax Exemption	\$ _____	New Jobs Created Permanent _____ Temporary _____
		Existing Jobs Retained Permanent _____ Temporary _____
Estimated Mortgage Tax Exemption	\$ _____	Expected Yearly Payroll \$ _____
Estimated Property Tax Abatement	\$ _____	Additional Revenues to School Districts \$ 891,154 _____
		Additional Revenues to Municipalities County: _____ City: _____
		Other Benefits _____
Estimated Interest Savings IRB Issue	\$ _____	Private Funds invested \$ _____ Likelihood of accomplishing proposed project within three (3) years <input type="checkbox"/> Likely or <input type="checkbox"/> Unlikely

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

\$ _____ (to be used on the NYS ST-60)

UPDATED 2021

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

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

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

Part 1 - Project and Sponsor Information			
Name of Action or Project: EDWARDS VACUUM - ADDITION			
Project Location (describe, and attach a location map):			
Brief Description of Proposed Action: CONSTRUCT A 36,000 SF WAREHOUSE ADDITION AND ADD TOILET ROOMS AND OFFICE TO EXISTING WAREHOUSE			
Name of Applicant or Sponsor: DAVID R CHAMBERLAIN		Telephone: 716 628-1100	
		E-Mail: LWVH1040@aol.com	
Address: 5442 CARLETON LK DR.			
City/PO: LOCKPORT N.Y		State: N.Y	Zip Code: 14094
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 governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
TOWN OF WHEATFIELD BUILDING PERMIT			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		<u>8.60</u> acres	
b. Total acreage to be physically disturbed?		<u>1.50</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>14</u> acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: <u>RETENTION POND</u>	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>DAVID R CHAMBERLAIN</u>		Date: <u>6-1-22</u>
Signature: <u>David R Chamberlain</u>		

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

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

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

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

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

PRINT

9.2

**Lockport Schools
Federal Credit
Union**

PROJECT SUMMARY
Lockport Schools Federal Credit Union



Applicant:	Lockport Schools Federal Credit Union	
Project Location:	360 S. Transit Rd. Lockport	
Assistance:	10 Year PILOT	
Description:	Lockport Schools Federal Credit Union (LSFCU) will be demolishing their existing facility to build a new 2,856 sq. ft. building. The LSFU recently acquired the land in which they currently reside, they will move to a temporary location during demolition and construction. LSFCU is a not for profit, that is not subject to sales tax, the benefits from the Niagara County Industrial Development Agency will be limited to property tax abatement.	
Project Costs:	Construction/Improvements	\$ 1,767,506
	Equipment	\$ 224,470
	Soft costs	<u>\$ 115,631</u>
	TOTAL	\$ 2,107,607
Employment:	Current jobs in Niagara County:	6
	New Jobs in Niagara County within 3 years:	1
	Skills: Bankers, tellers, administration staff	
Evaluative Criteria:	Regional Wealth Creation, Locational Land Use Factors, Retention, Workforce Access	

Niagara County Industrial Development Agency

MRB Cost Benefit Calculator



Date: June 3, 2022
 Project Title: Lockport Schools Federal Credit Union
 Project Location: 360 South Transit

Economic Impacts

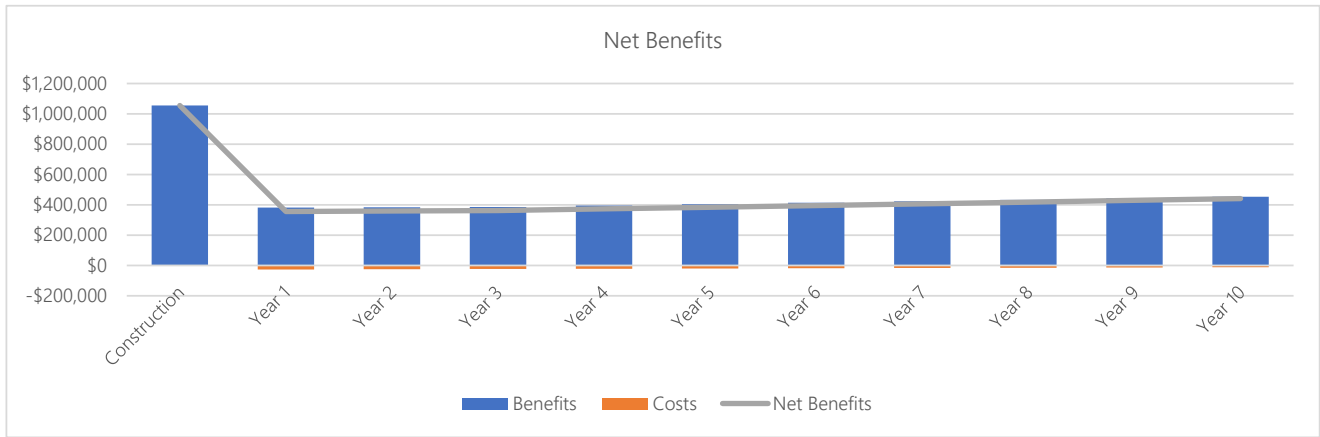
Summary of Economic Impacts over the Life of the PILOT

Project Total Investment
 \$2,107,607

	Temporary (Construction)		
	Direct	Indirect	Total
Jobs	10	4	14
Earnings	\$794,055	\$202,138	\$996,193
Local Spend	\$1,896,846	\$683,517	\$2,580,363

	Ongoing (Operations)		
	Direct	Indirect	Total
Jobs	5	3	8
Earnings	\$2,645,742	\$1,166,085	\$3,811,828

Figure 1



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

Figure 2

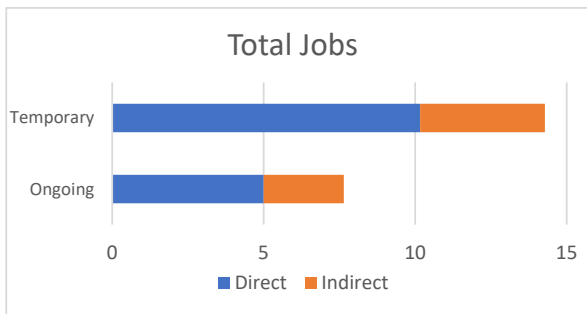
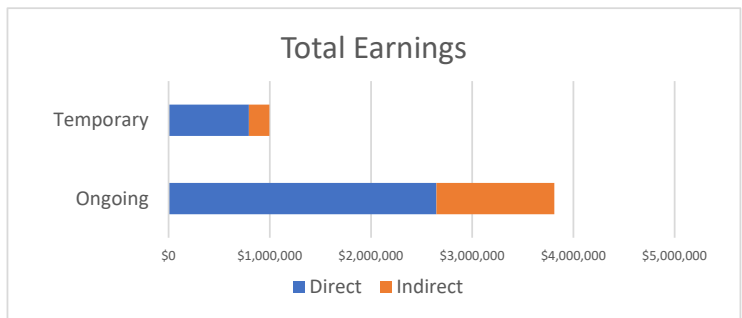


Figure 3



Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$190,800	\$173,821
Sales Tax Exemption	\$0	\$0
Local Sales Tax Exemption	\$0	\$0
State Sales Tax Exemption	\$0	\$0
Mortgage Recording Tax Exemption	\$0	\$0
Local Mortgage Recording Tax Exemption	\$0	\$0
State Mortgage Recording Tax Exemption	\$0	\$0
Total Costs	\$190,800	\$173,821

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$4,919,469	\$4,509,301
To Private Individuals	\$4,808,021	\$4,410,798
Temporary Payroll	\$996,193	\$996,193
Ongoing Payroll	\$3,811,828	\$3,414,605
Other Payments to Private Individuals	\$0	\$0
To the Public	\$111,448	\$98,503
Increase in Property Tax Revenue	\$77,792	\$67,627
Temporary Jobs - Sales Tax Revenue	\$6,973	\$6,973
Ongoing Jobs - Sales Tax Revenue	\$26,683	\$23,902
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$250,017	\$229,362
To the Public	\$250,017	\$229,362
Temporary Income Tax Revenue	\$44,829	\$44,829
Ongoing Income Tax Revenue	\$171,532	\$153,657
Temporary Jobs - Sales Tax Revenue	\$6,973	\$6,973
Ongoing Jobs - Sales Tax Revenue	\$26,683	\$23,902
Total Benefits to State & Region	\$5,169,486	\$4,738,662

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$4,509,301	\$173,821	26:1
State	\$229,362	\$0	:1
Grand Total	\$4,738,662	\$173,821	27:1

*Discounted at 2%

Additional Comments from IDA

Additional Revenues: School District- \$71,935; County \$23,401; City/Town \$45,690

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

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

Lockport Schools Federal Credit Union

(Applicant Name)

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

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

<http://niagaracountybusiness.com>

Updated 2020

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

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

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

NIAGARA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

I. APPLICANT INFORMATION

Company Name: Lockport Schools Federal Credit Union
Mailing Address: 360 South Transit Street
Phone: 716-433-7740
Website: www.lockportschoolsfcu.org
Fed Id. No.: 16-6076874
Contact Person: Tammy Dodge

Principal Owners/Officers/Directors (list owners with 15% or more in equity holdings with percentage ownership): No principal owners, Credit Union Membership Cooperative.

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

Form of Entity

Corporation

Date of Incorporation: 5/11/1966
State of Incorporation: New York

Partnership

General _____ or Limited _____
Number of general partners _____
If applicable, number of limited partners _____
Date of formation _____
Jurisdiction of Formation _____

Limited Liability Company/Partnership (number of members _____)

Date of organization: _____
State of Organization: _____

Sole Proprietorship

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

APPLICANT'S COUNSEL

Name: Rupp, Baase, Pfalzgraf, Cunningham, LLC Attorneys

Address: 1600 Liberty Building

Phone: 716-854-3400

Fax No.: 716-332-0336

II. **PROJECT INFORMATION**

A) Project Address: 360 South Transit Street

Tax Map Number 123.05-2-85
(Section/Block/Lot)

Swiss Number 290900
Located in City of Lockport
Located in Town of _____
Located in Village of _____
School District of Lockport

B) Current Assessment:
Land \$135,000
Total \$185,000

C) Present legal owner of the site:
If other than from applicant, by what means will the site be acquired for this project?

Lockport Schools Federal Credit Union

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

E) Describe the project:

Building will be demolished and a new building will be built.

F) *Estimated Project Costs:*

Property Acquisition	\$ 300,000.00 (completed 4/2020)
Construction (Improvements)	\$1,403,305-1,767,506
Equipment Purchases/Fixtures/Furnishings	\$185,970-\$224,470
Soft costs (i.e., engineering, architectural)	\$91,805-115,631
Other (describe)	\$
TOTAL USES OF FUNDS	\$1,981,080-\$2,407,607.00

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

Credit Union Assets (cash)	\$9,226,204
Equity	\$21,931,354
Grants/Tax Credits	\$
Tax Exempt Bond	\$
Taxable Bond	\$
TOTAL SOURCES OF FUNDS	\$

Identify each state and federal grant/credit:

	\$
	\$
	\$
	\$
TOTAL PUBLIC FUNDS	\$0

H) Inter-Municipal Move Determination

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

Yes or No

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

Yes or No

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

Yes or No

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

Project Data

1. Project site (land)

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

24,000 Square feet

(b) Indicate the present use of the project site

Credit Union and vacant space

2. Indicate number, size and approximate age of existing buildings on site

One building, 1364 square feet, built in 1960

3. Does the project consist of the construction of a new building or buildings?

If yes, indicate number and size of new buildings

One new building, 2806 square feet.

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

N/A

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

N/A

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

Banking Equipment, furniture

8. Has construction work on this project begun?

No

III. **FINANCIAL ASSISTANCE REQUESTED**

A) Benefits Requested:

Sales Tax Exemption Mortgage Recording Tax Exemption

Real Property Tax Abatement (PILOT)

B.) Value of Incentives:

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

Estimated duration of Property Tax exemption: 10 years

Sales and Use Tax

Estimated value of Sales Tax exemption for facility construction: \$ N/A

Estimated value of Sales Tax exemption for fixtures and equipment: \$ N/A

Estimated duration of Sales Tax exemption: N/A

Mortgage Recording Tax Exemption Benefit

Estimated value of Mortgage Recording Tax exemption: \$ N/A

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

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

Yes or No

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

The project would be financially difficult for Lockport Schools Federal Credit Union due to tax implications. LSFCU is a not for profit who has not previously paid Property taxes, as we currently lease the property our Credit Union is located. The tax assessment will increase as we are building a new building with more square footage than the previous building. The taxes will also increase as the City of Lockport does its reassessment. For these reasons, any assistance from the Niagara IDA would be impactful for the Credit Union to continue this project.

V. **EMPLOYMENT PLAN**

	Current # of jobs at proposed project location or to be relocated to project location	If financial assistance is granted, what is the number of Full Time Equivalent (FTE) jobs to be RETAINED	If financial assistance is granted, what is the number of Full Time Equivalent (FTE) jobs to be CREATED upon three years after project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PTE jobs to be created upon THREE Years after Project Completion **
Full time (FTE)	3	3	4	4
Part Time (PTE)	1	1	2	2
Total Payroll	4	4	5	5

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

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

Category of Jobs to be Retained and Created	Number of Jobs Per Category	Average Salary or Range of Salary	Average Fringe Benefits or Range of Fringe Benefits
Management	1	50,000-90,000	20,000-25,000
Professional			
Administrative	4	25,000-55,000	8,000-20,000
Production			
Other			

III. REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Agency as follows:

- A. Job Listings: In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the proposed project must be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entitle") of the service delivery area created by the federal job training partnership act (Public Law 97-300) ("JTPA") in which the project is located.
- B. First Consideration for Employment: In accordance with Section 858-b(2) of the General Municipal Law, the applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant must first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the proposed project.
- C. A liability and contract liability policy for a minimum of three million dollars will be furnished by the Applicant insuring the Agency.
- D. Annual Sales Tax Fillings: In accordance with Section 874(8) of the General Municipal Law, the Applicant understands and agrees that, if the proposed project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the Applicant.
- E. Annual Employment Reports: The applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, the applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site.
- F. Compliance with N.Y. GML Sec. 862(1): Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:

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

discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

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

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

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

*Apply equalization rate to value

Insert table as picture from Excel or remove if no PILOT

PILOT Year	% Payment	County PILOT Amount	Local PILOT amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	20%	\$ 1,101	\$ 2,150	\$ 3,385	\$ 6,637	\$ 33,183	\$ 26,546
2	25%	\$ 1,377	\$ 2,688	\$ 4,231	\$ 8,296	\$ 33,183	\$ 24,887
3	30%	\$ 1,652	\$ 3,225	\$ 5,078	\$ 9,955	\$ 33,183	\$ 23,228
4	35%	\$ 1,927	\$ 3,763	\$ 5,924	\$ 11,614	\$ 33,183	\$ 21,569
5	40%	\$ 2,202	\$ 4,300	\$ 6,770	\$ 13,273	\$ 33,183	\$ 19,910
6	45%	\$ 2,478	\$ 4,838	\$ 7,617	\$ 14,932	\$ 33,183	\$ 18,250
7	50%	\$ 2,753	\$ 5,375	\$ 8,463	\$ 16,591	\$ 33,183	\$ 16,591
8	55%	\$ 3,028	\$ 5,913	\$ 9,309	\$ 18,250	\$ 33,183	\$ 14,932
9	60%	\$ 3,304	\$ 6,450	\$ 10,156	\$ 19,910	\$ 33,183	\$ 13,273
10	65%	\$ 3,579	\$ 6,988	\$ 11,002	\$ 21,569	\$ 33,183	\$ 11,614
TOTAL		\$ 23,401	\$ 45,690	\$ 71,935	\$ 141,026	\$ 331,826	\$ 190,800

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

Cost Benefit Analysis:

To be completed/calculated by AGENCY

	<u>Costs =</u> <u>Financial Assistance</u>	<u>Benefits =</u> <u>Economic Development</u>
*Estimated Sales Tax Exemption	\$ _____	New Jobs Created Permanent _____ Temporary _____
		Existing Jobs Retained Permanent _____ Temporary _____
Estimated Mortgage Tax Exemption	\$ _____	Expected Yearly Payroll \$ _____
Estimated Property Tax Abatement	\$ _____	Additional Revenues to School Districts _____
		Additional Revenues to Municipalities County: _____ City: _____
		Other Benefits _____
Estimated Interest Savings IRB Issue	\$ _____	Private Funds invested \$ _____
		Likelihood of accomplishing proposed project within three (3) years <input type="checkbox"/> Likely or <input type="checkbox"/> Unlikely

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

\$ _____ (to be used on the NYS ST-60)

UPDATED 2021


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

Tammy Dodge, being first duly sworn, deposes and says:

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


(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury
this 24 day of May, 2022.


(Notary Public)

KRYSTAL N CACICIA
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01CA6191103
Qualified in Niagara County
Commission Expires August 4, 2024

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

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

HOLD HARMLESS AGREEMENT

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



(Applicant Signature)

By: Lockport Schools Federal Credit Union

Name: Tammy Dodge

Title: Manager


(Notary Public)

Sworn to before me this 24 day
of May, 2022

[stamp]
KRYSTAL N CACICIA
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01CA6191103
Qualified in Niagara County
Commission Expires August 4, 2024

617.20
Appendix B
Short Environmental Assessment Form

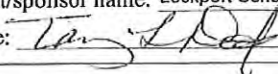
Instructions for Completing

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

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

Part 1 - Project and Sponsor Information			
Name of Action or Project: Lockport Schools Federal Credit Union new Build			
Project Location (describe, and attach a location map): 360 S Transit Street, Lockport NY https://goo.gl/maps/nJkVquuoMHVTgz1f7			
Brief Description of Proposed Action: Tern down of existing building. New Credit Union office building with drive-thru.			
Name of Applicant or Sponsor: Lockport Schools Federal Credit Union, Tammy Dodge-Manager		Telephone: 716-419-0003	
		E-Mail: tdodge@lockportschoolsfcu.org	
Address: 360 South Transit Street			
City/PO: Lockport		State: NY	Zip Code: 14094
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: City of Lockport, building permits		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		.58 acres	
b. Total acreage to be physically disturbed?		.58 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.58 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		<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: _____		<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: _____		<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: _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?		<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?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?		<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES		<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES Storm water will drain to catch basins and then tie into existing catch basins on Transit Street			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: Lockport Schools FCU, Tammy Dodge		Date: 6/2/2022
Signature: 		

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

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

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

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

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

PRINT