

# 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:** July 12, 2023  
**MEETING TIME:** 9:00 a.m.  
**MEETING PLACE:** Niagara County Industrial Development Agency  
Vantage Center, Suite One  
6311 Inducon Corporate Drive  
Sanborn, NY 14132

### **Board of Directors:**

\_\_\_ **Mark A. Onesi**, Chairperson  
\_\_\_ **Kevin McCabe**, First Vice Chairperson  
\_\_\_ **Jason Krempa**, Second Vice Chairperson  
\_\_\_ **William L. Ross**, Secretary  
\_\_\_ **Scott Brydges**, Assistant Secretary  
\_\_\_ **Clifford Scott**, Member  
\_\_\_ **Robert B. Cliffe**, 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**, Grants & Operations Manager  
\_\_\_ **Mark J. Gabriele**, Agency Counsel  
\_\_\_ **Julie Lamoreaux**, Administrative & HR Officer  
\_\_\_ **Jeremy Geartz**, Project Manager

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- 1.0 Meeting Called to Order – M. Onesi**
  - 2.0 Roll Call – J. Lamoreaux**
  - 3.0 Introduction of Guests – M. Onesi**
  - 4.0 Pledge of Allegiance – M. Onesi**
  - 5.0 Approval of Meeting Minutes – W. Ross**
    - 5.1 Regular NCIDA/NCDC/NADC – June 14, 2023**
  - 6.0 Finance & Audit Committee Reports – R. Cliffe**
    - 6.1 Agency Payables – June 30, 2023**
    - 6.2 Budget Variance Report – June 30, 2023**

**7.0 Governance Committee**

**7.1 Apprenticeship Policy – *M. Gabriele***

**8.0 Unfinished Business**

**8.1 9745 Rochester Road, LLC – *M. Gabriele***

**8.1.1 Additional Sales Tax Exemption**

**9.0 New Business**

**9.1 MHT Holdings Inc. – Brookside Commons – *J. Geartz***

**9.1.1 Preliminary Resolution**

**9.1.2 Authorize Public Hearing**

**9.2 MHT Holdings Inc. – Niagara Falls – *J. Geartz***

**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: August 9, 2023**

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

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

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

**5.1**

# **Meeting Minutes**

# 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 14, 2023  
**MEETING TIME:** 9:00 a.m.  
**MEETING PLACE:** Niagara County Industrial Development Agency  
Vantage Center, Suite One  
6311 Inducon Corporate Drive  
Sanborn, NY 14132

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

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

### **2.0 Roll Call**

|  |         |
|--|---------|
| Mark A. Onesi, Chairperson                     | Present |
| Kevin McCabe, 2 <sup>nd</sup> Vice Chairperson | Excused |
| William L. Ross, Secretary                     | Present |
| Scott Brydges, Assistant Secretary             | Excused |
| Robert B. Cliffe, Member                       | Present |
| Jason Krempa, Member                           | Present |
| Clifford Scott, Member                         | Present |
| Maria V. Lopez, Member                         | Excused |

### **3.0 Introduction of Guests**

Jonathan Epstein, Buffalo News  
Jim Fink, Freelance  
Robert Creenan, Niagara Gazette  
Jacob Tierney, Business First  
Paul Beakman, Zeton USA Holdings

#### **Staff Present**

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

**4.0 Pledge of Allegiance**

Mr. Onesi led the Pledge of Allegiance.

**5.0 Approval of Meeting Minutes**

**5.1 Regular NCIDA/NCDC/NADC – May 10, 2023**

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

**6.0 Finance & Audit Committee Reports**

**6.1 Agency Payables – May 31, 2023**

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

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

**6.2 Budget Variance Report – May 31, 2023**

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

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

**7.0 Governance Committee**

**7.1 Records Retention and Disposition of Property Policy**

Mr. Gabriele stated that in 2021, NYS adopted a new set of schedules regarding Records Retention and Disposition of Property Policy. Prior to this schedule, the schedule was MI1, which was applicable to the agency. Under the new schedule the new applicable schedule is LGS1. The agency must now insert the correct new schedule into the current policy.

Mr. Ross stated that the Governance Committee has recommended the passage and revision of the Records Retention and Disposition of Property Policy.

***Mr. Ross made a motion to approve the Records Retention and Disposition of Property Policy; Mr. Scott 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> |
|----------------|------------|------------|----------------|---------------|
| 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 Apprenticeship Policy**

Mr. Gabriele stated that the changes in the new draft of the apprenticeship policy says that the agency will allow an enhanced pilot for three years if all contractors on the job have already been part of, or just joined an apprentice program that exists in NYS. Mr. Gabriele explained that he would like to table this subject at this time because he would like all the Board Members to be present for this discussion.

### **7.3 Credit Card Policy**

Mr. Gabriele stated that the Agency currently does not have a Credit Card Policy. He explained that it is hard to pay for things with cash or check. The Agency has implemented a draft Credit Card Policy for review. In the policy there are limitations to the use of the Credit Card. The policy outlines the limitations of the Policy. Approval process is also addressed in the policy. Susan Langdon will approve all travel, except for travel done by Susan Langdon, which will be approved by the Chairman of the Board. There will also be limits set forth on the card, along with receipts being required for all expenses on the credit card.

Mr. Ross stated that the committee has moved to recommend the Credit Card Policy to the Board for approval.

***Mr. Ross made a motion to approve the Credit Card 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> |
|----------------|------------|------------|----------------|---------------|
| 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.

## 8.0 Unfinished Business

### 8.1 Zeton Inc.

Ms. Klyczek stated that the Agency held a Public Hearing for Zeton Inc. at Lockport City Hall on May 31, 2023 at 1:00 p.m. In attendance was Mr. Beakman from Zeton, USA, Mike Marino from Nussbaumer & Clarke, Lisa Glena from Niagara County Real Property, and Alissa DiCesare from Niagara County Real Property. There were no comments made at the Public Hearing.

#### 8.1.1 Final Resolution

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

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

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

|                | <u>Yea</u> | <u>Nay</u> | <u>Abstain</u> | <u>Absent</u> |
|----------------|------------|------------|----------------|---------------|
| 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 New Business**

**9.1 MHT Holdings Inc. – Brookside Commons**

Mr. Gabriele Stated that MHT Holdings, Inc. – Brookside Commons was not in attendance at the time of the meeting. He noted that it is the policy of the Agency that a representative of the company appear before the Board at the initial meeting to answer any questions the Board might have, and to provide a description of the project. Due to the fact that there was no representative from the company, this was be tabled to a future date.

***Mr. Cliffe made a motion to table this project; Mr. Ross seconded the motion. The motion passed.***

**9.2 MHT Holdings Inc. – Niagara Falls**

Mr. Gabriele Stated that MHT Holdings, Inc. – Niagara Falls was not in attendance at the time of the meeting. He noted that it is the policy of the Agency that a representative of the company appear before the Board at the initial meeting to answer any questions the Board might have, and to provide a description of the project. Due to the fact that there was no representative from the company, this was be tabled to a future date.

***Mr. Cliffe made a motion to table this project; Mr. Ross seconded the motion. The motion passed.***

**9.3 Cataract Grant**

**9.3.1 The Center for Kashmir, Inc.**

Ms. Klyczek stated that on June 2, 2023 the Cataract Grant Committee made a recommendation for an approval of an additional \$300,000 Grant to The Center for Kashmir, Inc. She noted that phase one of the project has been completed which included a new roof, masonry work, asbestos abatement, HVAC, and plumbing. The general construction is underway and the expected completion date is September, 2024.



**Mr. Ross made a motion to approve the Grant; Mr. Scott 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> |
|----------------|------------|------------|----------------|---------------|
| 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.

**10.0 Agency Counsel**

Agency Counsel had nothing at this time.

**11.0 Information Items**

There were no information items at this time.

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

There were no other matters the Board wished to discuss.

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

**DATE: July 12, 2023**

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

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

**14.0 Adjournment**

***Mr. Onesi made a motion to adjourn; Mr. Cliffe seconded the motion. The meeting adjourned at 9:15 a.m.***

Respectfully Submitted:

Reviewed By:

Approved By:

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Julie Lamoreaux  
Recording Secretary

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Susan C. Langdon  
Executive Director

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William L. Ross  
Secretary

**6.1**

# **Agency Payables**

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

Filter Criteria includes: Report order is by Date.

| Check #      | Date    | Payee                                  | Cash Account | Amount                  |
|--------------|---------|--|--------------|-------------------------|
| 6/1/23       | 6/1/23  | PAYCHEX, INC.                          | 10001.100    | 92.25                   |
| 29839        | 6/1/23  | THE HARTFORD                           | 10001.100    | 305.62                  |
| 6/2/23       | 6/2/23  | NYS DEFERRED COMPENSATION PLAN         | 10001.100    | 1,316.42                |
| 29840        | 6/6/23  | 360 PSG.com                            | 10001.100    | 60.00                   |
| 29841        | 6/6/23  | Cintas Corporation LOC. 067P           | 10001.100    | 138.45                  |
| 29842        | 6/6/23  | STAPLES CONTRACT & COMMERCIAL          | 10001.100    | 97.89                   |
| 29843        | 6/13/23 | County of Niagara                      | 10001.100    | 179.78                  |
| 29844        | 6/13/23 | Gabriele & Berrigan, P.C.              | 10001.100    | 15,285.48               |
| 29845        | 6/13/23 | PURCHASE POWER                         | 10001.100    | 300.00                  |
| 29846        | 6/13/23 | SAM'S CLUB/SYNCHRONY BANK              | 10001.100    | 165.46                  |
| 6/15/23      | 6/15/23 | PAYCHEX, INC.                          | 10001.100    | 81.38                   |
| 6/16/23      | 6/16/23 | NYS DEFERRED COMPENSATION PLAN         | 10001.100    | 1,226.42                |
| 29847        | 6/20/23 | County of Niagara                      | 10001.100    | 266.03                  |
| 29848        | 6/20/23 | First Choice Coffee Services           | 10001.100    | 187.58                  |
| 29849        | 6/20/23 | Guardian                               | 10001.100    | 388.33                  |
| 29850        | 6/20/23 | Professional Janitorial Services, Inc. | 10001.100    | 793.17                  |
| 6/27/23      | 6/27/23 | NEW YORK STATE AND LOCAL               | 10001.100    | 951.96                  |
| 29851        | 6/27/23 | Charter Communications                 | 10001.100    | 129.99                  |
| 29852        | 6/27/23 | Independent Health                     | 10001.100    | 3,853.40                |
| 29853        | 6/27/23 | Jeremy Geartz                          | 10001.100    | 88.75                   |
| 29854        | 6/27/23 | Nicholas J. Narchus, PLLC              | 10001.100    | 2,895.00                |
| 29855        | 6/27/23 | Niag Cnty Dept of Economic Development | 10001.100    | 352.25                  |
| 29856        | 6/27/23 | NYS Unemployment Insurance             | 10001.100    | 125.17                  |
| 6/29/23      | 6/29/23 | PAYCHEX, INC.                          | 10001.100    | 81.38                   |
| 6/30/23      | 6/30/23 | NYS DEFERRED COMPENSATION PLAN         | 10001.100    | 1,226.42                |
| <b>Total</b> |         |  |              | <b><u>30,588.58</u></b> |

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

Filter Criteria includes: Report order is by Date.

| <b>Check #</b> | <b>Date</b> | <b>Payee</b>                           | <b>Cash Account</b> | <b>Amount</b>   |
|----------------|-------------|--|---------------------|-----------------|
| 4775           | 6/6/23      | Frontier                               | 10001.600           | 217.84          |
| 4776           | 6/6/23      | Kwik Klean of Wheatfield Inc.          | 10001.600           | 3,246.64        |
| 4777           | 6/6/23      | National Grid                          | 10001.600           | 40.31           |
| 4778           | 6/13/23     | Modern Disposal Services, Inc.         | 10001.600           | 174.10          |
| 4779           | 6/13/23     | County of Niagara                      | 10001.600           | 120.41          |
| 4780           | 6/20/23     | Grove Roofing Services, Inc.           | 10001.600           | 1,361.82        |
| 4781           | 6/20/23     | County of Niagara                      | 10001.600           | 224.87          |
| 4782           | 6/20/23     | Professional Janitorial Services, Inc. | 10001.600           | 219.42          |
| 4783           | 6/27/23     | Ulrich Signs                           | 10001.600           | 760.00          |
| <b>Total</b>   |             |  |                     | <b>6,365.41</b> |

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

Filter Criteria includes: Report order is by Date.

| Check #      | Date    | Payee                            | Cash Account | Amount                 |
|--------------|---------|----------------------------------|--------------|------------------------|
| 3118         | 6/1/23  | DOYLE SECURITY SYSTEMS, INC.     | 10001.600    | 469.56                 |
| 3119         | 6/6/23  | National Grid                    | 10001.600    | 52.04                  |
| 3120         | 6/13/23 | VERIZON                          | 10001.600    | 123.51                 |
| 3121         | 6/20/23 | Greater Niagara Mechanical, Inc. | 10001.600    | 3,382.00               |
| 3122         | 6/27/23 | Greater Niagara Mechanical, Inc. | 10001.600    | 328.80                 |
| <b>Total</b> |         |                                  |              | <u><u>4,355.91</u></u> |

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

Filter Criteria includes: Report order is by Date.

| Check #      | Date    | Payee                        | Cash Account | Amount                 |
|--------------|---------|------------------------------|--------------|------------------------|
| 1358         | 6/6/23  | National Grid                | 10000.100    | 187.38                 |
| 1359         | 6/13/23 | Gabriele & Berrigan, P.C.    | 10000.100    | 882.00                 |
| 1360         | 6/20/23 | Grove Roofing Services, Inc. | 10000.100    | 2,699.28               |
| 1361         | 6/27/23 | Town of Wheatfield           | 10000.100    | 39.66                  |
| <b>Total</b> |         |                              |              | <b><u>3,808.32</u></b> |

**6.2**

**Budget Variance  
Reports**



**NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

**BUDGET VARIANCE REPORT AS OF June 30, 2023**

**UN-AUDITED STATEMENT FOR INTERNAL MANAGEMENT USE ONLY**

|   | Current<br>Month<br>Actual | Current<br>Month<br>Budget | Year To<br>Date<br>Actual | Year To<br>Date<br>Budget | Year To<br>Date<br>Variance | Total<br>Budget      |
|---|----------------------------|----------------------------|---------------------------|---------------------------|-----------------------------|----------------------|
| <b><u>Operating Revenues</u></b>                  |                            |                            |                           |                           |                             |                      |
| Project Administrative Fees                       | \$ 0.00                    | \$ 26,310.00               | \$ 558,028.20             | \$ 256,808.00             | 301,220.20                  | \$ 536,108.00        |
| Project Application Fees                          | 0.00                       | 1,000.00                   | 10,000.00                 | 6,000.00                  | 4,000.00                    | 12,000.00            |
| NEDF RLF Administrative Fee                       | 4,166.67                   | 4,166.67                   | 25,000.02                 | 25,000.02                 | 0.00                        | 50,000.00            |
| Administratve Fees - Other                        | 0.00                       | 0.00                       | 3,100.00                  | 3,100.00                  | 0.00                        | 245,135.00           |
| Interest Earnings                                 | 2,976.36                   | 224.42                     | 14,670.54                 | 1,346.52                  | 13,324.02                   | 2,693.00             |
| Miscellaneous Income                              | 30,052.18                  | 5.00                       | 30,146.75                 | 30.00                     | 30,116.75                   | 60.00                |
| Distrib From Niag. Ind. Suites                    | 0.00                       | 0.00                       | 0.00                      | 0.00                      | 0.00                        | 100,000.00           |
| Distribution from VIP MTF                         | 0.00                       | 0.00                       | 0.00                      | 0.00                      | 0.00                        | 150,000.00           |
| <b>Total Operating Revenues</b>                   | <b>37,195.21</b>           | <b>31,706.09</b>           | <b>640,945.51</b>         | <b>292,284.54</b>         | <b>348,660.97</b>           | <b>1,095,996.00</b>  |
| <b><u>Operating Expenses</u></b>                  |                            |                            |                           |                           |                             |                      |
| Salaries  | 51,359.40                  | 50,250.00                  | 222,557.40                | 217,750.00                | 4,807.40                    | 435,500.00           |
| Benefits  | 4,369.20                   | 4,871.75                   | 29,340.12                 | 29,230.50                 | 109.62                      | 58,461.00            |
| Retirement Benefits                               | 3,661.58                   | 3,661.58                   | 21,969.48                 | 21,969.48                 | 0.00                        | 43,939.00            |
| Payroll Taxes                                     | 3,927.71                   | 3,867.85                   | 17,153.96                 | 16,892.50                 | 261.46                      | 33,785.00            |
| Unemployment Taxes                                | 125.17                     | 0.00                       | 1,675.09                  | 1,550.00                  | 125.09                      | 1,550.00             |
| Consultants                                       | 2,500.00                   | 2,500.00                   | 15,000.00                 | 15,000.00                 | 0.00                        | 30,000.00            |
| Assistant Director                                | 6,250.00                   | 6,250.00                   | 37,500.00                 | 37,500.00                 | 0.00                        | 75,000.00            |
| Legal Services                                    | 8,728.33                   | 5,833.33                   | 34,264.07                 | 34,999.98                 | (735.91)                    | 70,000.00            |
| Accounting Services                               | 0.00                       | 0.00                       | 18,000.00                 | 20,110.00                 | (2,110.00)                  | 20,110.00            |
| Accounting Services - NADC                        | 0.00                       | 0.00                       | 1,400.00                  | 2,100.00                  | (700.00)                    | 2,100.00             |
| Marketing   | 60.00                      | 1,833.33                   | 6,261.27                  | 10,999.98                 | (4,738.71)                  | 22,000.00            |
| Printing  | 0.00                       | 125.00                     | 0.00                      | 750.00                    | (750.00)                    | 1,500.00             |
| Office Supplies                                   | 0.00                       | 208.33                     | 550.59                    | 1,249.98                  | (699.39)                    | 2,500.00             |
| Postage   | 300.00                     | 68.00                      | 1,766.88                  | 1,932.00                  | (165.12)                    | 3,650.00             |
| Telephone & Fax                                   | 102.61                     | 88.92                      | 565.17                    | 533.52                    | 31.65                       | 1,067.00             |
| Internet Service                                  | 129.99                     | 208.33                     | 950.74                    | 1,249.98                  | (299.24)                    | 2,500.00             |
| Common Area Charges                               | 870.00                     | 723.67                     | 5,220.00                  | 4,342.02                  | 877.98                      | 8,684.00             |
| Energy  | 1,316.62                   | 1,684.00                   | 8,339.42                  | 12,871.00                 | (4,531.58)                  | 24,518.00            |
| Conference & Travel                               | 217.99                     | 166.67                     | 4,125.45                  | 1,000.02                  | 3,125.43                    | 2,000.00             |
| Employee Training                                 | 0.00                       | 416.67                     | 550.00                    | 2,500.02                  | (1,950.02)                  | 5,000.00             |
| Insurance Expense                                 | 1,644.86                   | 1,643.17                   | 9,869.16                  | 9,859.02                  | 10.14                       | 19,718.00            |
| Library & Membership                              | 0.00                       | 148.18                     | 2,658.00                  | 2,240.90                  | 417.10                      | 3,130.00             |
| General Office                                    | 742.30                     | 798.83                     | 4,181.82                  | 4,792.98                  | (611.16)                    | 9,586.00             |
| Repairs & Maintenance                             | 943.50                     | 1,098.00                   | 5,548.37                  | 6,588.00                  | (1,039.63)                  | 13,176.00            |
| Computer Support                                  | 0.00                       | 583.33                     | 0.00                      | 3,499.98                  | (3,499.98)                  | 7,000.00             |
| Public Hearings                                   | 166.35                     | 25.00                      | 166.35                    | 150.00                    | 16.35                       | 300.00               |
| Furniture & Equipment Purchase                    | 0.00                       | 166.67                     | 0.00                      | 1,000.02                  | (1,000.02)                  | 2,000.00             |
| Other Expense                                     | 0.00                       | 83.33                      | 0.00                      | 499.98                    | (499.98)                    | 1,000.00             |
| Bad Debts   | 94.68                      | 0.00                       | 94.68                     | 0.00                      | 94.68                       | 0.00                 |
| <b>Total Operating Expenses</b>                   | <b>87,510.29</b>           | <b>87,303.94</b>           | <b>449,708.02</b>         | <b>463,161.86</b>         | <b>(13,453.84)</b>          | <b>899,774.00</b>    |
| <b>Net Operating Income/&lt;Loss&gt;</b>          | <b>(50,315.08)</b>         | <b>(55,597.85)</b>         | <b>191,237.49</b>         | <b>(170,877.32)</b>       | <b>362,114.81</b>           | <b>196,222.00</b>    |
| <b><u>Non-Operating Revenue &amp; Expense</u></b> |                            |                            |                           |                           |                             |                      |
| Grant Rev- City NF Initiative                     | 0.00                       | 0.00                       | 155,000.00                | 0.00                      | 155,000.00                  | 900,000.00           |
| Grant Sub-City NF Initiative                      | 0.00                       | 0.00                       | 155,000.00                | 0.00                      | 155,000.00                  | 900,000.00           |
| <b>Net Non-Operating Income/&lt;Loss&gt;</b>      | <b>0.00</b>                | <b>0.00</b>                | <b>0.00</b>               | <b>0.00</b>               | <b>0.00</b>                 | <b>0.00</b>          |
| <b>Total Net Income/&lt;Loss&gt;</b>              | <b>(\$ 50,315.08)</b>      | <b>(\$ 55,597.85)</b>      | <b>\$ 191,237.49</b>      | <b>(\$ 170,877.32)</b>    | <b>362,114.81</b>           | <b>\$ 196,222.00</b> |

**NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

Balance Sheet

June 30, 2023

**ASSETS**

Current Assets

|                               |                 |                  |
|-------------------------------|-----------------|------------------|
| Cash - Checking               | \$ 514,439.69   |                  |
| Petty Cash                    | 300.00          |                  |
| Mmkt Acct. - M&T Bank         | 1,812,154.61    |                  |
| Cash - First Response         | 65,948.52       |                  |
| Cash - City of N.F.           | 860.60          |                  |
| Mmkt Acct. - Cataract Tourism | 3,232,940.60    |                  |
| Accts Rec - Public Hearings   | 1,386.84        |                  |
| Accounts Rec. EDA - RLF       | 14,166.61       |                  |
| Due To/From Micro RLF         | 14,166.61       |                  |
| Accounts Rec - NEDF           | 25,000.02       |                  |
| Due To/From VIP - MTF         | 460,278.03      |                  |
| Due From NCDC CDBG/HUD        | 14,166.78       |                  |
| Due To/Due From NADC          | 151,406.56      |                  |
| Due To/From MTF Operating     | 3,504.26        |                  |
| Prepaid Insurance             | 12,937.22       |                  |
| Prepaid Pension Asset         | 45,112.00       |                  |
| Prepaid Expense               | <u>4,438.00</u> |                  |
| <br>Total Current Assets      |                 | <br>6,373,206.95 |

Other Assets

|                        |                   |                |
|------------------------|-------------------|----------------|
| Deferred Outflows      | 163,304.00        |                |
| Investment in NIIA     | <u>342,500.00</u> |                |
| <br>Total Other Assets |                   | <br>505,804.00 |

Fixed Assets

|                                |                   |               |
|--------------------------------|-------------------|---------------|
| Furniture & Equipment          | 231,672.18        |               |
| Furn & Fixtures - Fed purchase | 5,861.08          |               |
| Accum Dep. - Furn & Equip      | (199,360.75)      |               |
| Accum Dep. - F&F Fed Purch     | <u>(8,553.69)</u> |               |
| <br>Total Fixed Assets         |                   | <br>29,618.82 |

|                  |  |                            |
|------------------|--|----------------------------|
| <br>Total Assets |  | <br><u>\$ 6,908,629.77</u> |
|------------------|--|----------------------------|

**LIABILITIES AND NET ASSETS**

Current Liabilities

|                                |                  |                  |
|--------------------------------|------------------|------------------|
| Accrued Retirement             | \$ 21,969.48     |                  |
| Deferred Rev. - First Repsonse | 65,948.52        |                  |
| Def. Rev. - City of N.F.       | 3,233,801.20     |                  |
| Accounts Payable               | 10,954.66        |                  |
| Acct. Payable - Niag. County   | <u>37,500.00</u> |                  |
| <br>Total Current Liabilities  |                  | <br>3,370,173.86 |

Long-Term Liabilities

|                                 |                   |                       |
|---------------------------------|-------------------|-----------------------|
| Deferred Inflows of Resources   | <u>180,075.00</u> |                       |
| <br>Total Long-Term Liabilities |                   | <br><u>180,075.00</u> |

|                       |  |                  |
|-----------------------|--|------------------|
| <br>Total Liabilities |  | <br>3,550,248.86 |
|-----------------------|--|------------------|

Net Assets

|                               |                   |                         |
|-------------------------------|-------------------|-------------------------|
| Fund Balance - Operating Fund | 3,167,143.42      |                         |
| Net Income                    | <u>191,237.49</u> |                         |
| <br>Total Net Assets          |                   | <br><u>3,358,380.91</u> |

|                                    |  |                            |
|------------------------------------|--|----------------------------|
| <br>Total Liabilities & Net Assets |  | <br><u>\$ 6,908,629.77</u> |
|------------------------------------|--|----------------------------|

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

| <b>Vendor ID<br/>Vendor</b>    | <b>Invoice #</b> | <b>Amount Due</b> |
|--------------------------------|------------------|-------------------|
| CARUSO<br>Caroline M. Caruso   | 5/1/23-6/29/23   | 51.88             |
| cin<br>Cintas Corporation #782 | 9732958;8478836  | 92.30             |
| LANSUE<br>SUSAN C. LANGDON     | 3/14/23-6/27/23  | 77.36             |
| NATGRID<br>National Grid       | 39004 6/23       | 546.62            |
| Report Total                   |                  | <u>768.16</u>     |

**Adjusting Journal Entries**

|  |                  |
|--|------------------|
| Estimated Jun 2023 Legal Fees              | 5,833.33         |
| Estimated Jun 2023 Copier usage            | 200.00           |
| Estimated Apr-Jun 2023 Telephone           | 90.00            |
| Estimated Jun 2023 Niagara County Electric | 650.00           |
| Estimated Jun 2023 Niagara County Gas      | 120.00           |
| Estimated Jun 2023 Cleaning service        | 793.17           |
| Estimated Jun 2023 Consulting              | 2,500.00         |
|  | <u>10,954.66</u> |

**NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

7/3/2023

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

| <b>Closed 2023</b> | Project Type  | Total Project Amount | IDA Project Amount | Fees           | Application Fee | Amount Received to Date | Date Received | Balance Due | Date Closed |
|--------------------|---|----------------------|--------------------|----------------|-----------------|-------------------------|---------------|-------------|-------------|
|                    | SJI Main LLC Sales Tax Only   | 35,320               | 35,320             | 3,532          | 0               | 3,532                   | 1/23/23       | -           | 1/5/23      |
|                    | OAHS Urban Park TC LLC Bond   | 27,467,700           | 16,215,000         | 134,558        | 1,000           | 135,558                 | 2/15/23       | -           | 1/31/23     |
|                    | Niagara Falls International Cuisine Inc. d/b/a Mt's Tax Only        | 510,000              | 29,600             | 2,960          | 1,000           | 3,960                   | 2/24/23       | -           | 2/1/23      |
|                    | Burger Factory Niagara Falls Inc, d/b/a A&W F L/L Back              | 1,230,000            | 1,110,000          | 11,100         | 1,000           | 12,100                  | 2/24/23       | -           | 2/10/23     |
|                    | OAHS Niagara Towers TC LLC Bond                                     | 32,074,394           | 19,875,000         | 165,969        | 1,000           | 166,969                 | 3/15/23       | -           | 3/2/23      |
|                    | DLV Properties LLC L/L Back   | 23,089,050           | 20,707,900         | 207,079        | 1,000           | 208,079                 | 3/16/23       | -           | 3/15/23     |
|                    | Prospect Pointe Hotel LLC Assumption of Maid of the Mist Hospitalit |                      |                    | 4,000          | 1,000           | 5,000                   | 4/10/23       | -           | 3/22/23     |
|                    | DRC Development LLC 2022 L/L Back                                   | 3,000,000            | 2,883,000          | 28,830         | 1,000           | 29,830                  | 5/19/23       | -           | 5/16/23     |
|                    | Cerrone Estate Properties, LLC No assistance provided.              |                      |                    |                | 1,000           | 1,000                   | 2/3/21        | -           |             |
|                    | Niacet Corporation No assistance provided.                          |                      |                    |                | 1,000           | 1,000                   | 3/14/23       | -           |             |
|                    | Niacet Corporation (NxTD Project) No assistance provided.           |                      |                    |                | 1,000           | 1,000                   | 5/2/22        | -           |             |
|                    |   |                      |                    | 0              |                 |                         |               | -           |             |
|                    | <b>TOTAL</b>  |                      |                    | <u>558,028</u> |                 |                         |               |             |             |

Fees received in prior year -

**Total fees received to date in 2023** 558,028

**Total 2023 Budgeted Fees** 536,108

**Balance of Budgeted Fees** (21,920)

| <b>Projected 2023</b> | Project Type                                       | Total Project Amount | IDA Project Amount | Anticipated Fees | Application Fee | Amount Received to Date | Date Received | Anticipated Balance Due | Inducement Expiration |
|-----------------------|--|----------------------|--------------------|------------------|-----------------|-------------------------|---------------|-------------------------|-----------------------|
|                       | Olcott Yacht Club Inc. Sales Tax & Mtg Tax Only    | 456,000              | 450,000            | 0                | 250             | 250                     | 2/16/21       | -                       | 2/9/23                |
|                       | 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                  | 7/31/23               |
|                       | 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                   | 7/31/23               |
|                       | Amazon.com Services LLC L/L Back                   | 550,000,000          | 550,000,000        |                  | 1,000           | 1,000                   | 7/13/22       | -                       | 8/31/23               |
|                       | Chase Commons LLC L/L Back                         | 5,000,000            | 4,600,000          | 46,000           | 1,000           | 1,000                   | 1/18/23       | 46,000                  | 3/31/24               |
|                       | Peak Development Partners, LLC L/L Back            | 7,475,000            | 7,175,000          | 71,750           | 1,000           | 1,000                   | 1/31/23       | 71,750                  | 3/31/24               |
|                       | Niacet Corporation 2023 L/L Back                   | 121,000,000          | 89,000,000         | 890,000          | 1,000           | 1,000                   | 3/14/23       | 890,000                 | 3/31/24               |
|                       | Zeton US Properties, Inc. L/L Back                 | 5,230,000            | 4,825,000          | 48,250           | 1,000           | 1,000                   | 5/10/23       | 48,250                  | 6/30/24               |
|                       | * MHT Holdings, Inc. - Brookside Commons L/L Back  | 3,635,039            | 2,013,618          | 20,136           | 1,000           | 1,000                   | 5/26/23       | 20,136                  |                       |
|                       | * MHT Holdings, Inc. - Niagara Falls L/L Back      | 14,540,156           | 8,054,471          | 80,545           | 1,000           | 1,000                   | 5/26/23       | 80,545                  |                       |
|                       | <b>TOTAL</b>                                       |                      |                    | <u>1,182,780</u> | <u>9,250</u>    | <u>9,250</u>            |               | <u>1,182,780</u>        | 0                     |
|                       | <b>TOTAL - Projected Income 2023</b>               |                      |                    | <u>1,740,809</u> | <u>9,250</u>    | <u>9,250</u>            |               | <u>1,182,780</u>        | 558,028               |

| <b>Projected 2024</b> | Project Type | Total Project Amount | IDA Project Amount | Anticipated Fees | Application Fee | Amount Received to Date | Date Received | Anticipated Balance Due | Inducement Expiration |
|-----------------------|--------------|----------------------|--------------------|------------------|-----------------|-------------------------|---------------|-------------------------|-----------------------|
|                       | <b>TOTAL</b> |                      |                    | <u>0</u>         | <u>0</u>        | <u>0</u>                |               | <u>0</u>                | 0                     |

\* Pending Board Approval

**Cataract Tourism Fund  
Grant Program**

| Grantee Name  | Grant Awards     | Outst'd'g Awards    | Approval Date | Disbursement Date | Disbursement Amount | Offer Expiration | Project Description   |
|---|------------------|---------------------|---------------|-------------------|---------------------|------------------|---|
| Niagara County Dept. of Economic Development        | 37,667           | 0.00                | 10/11/2017    | 1/23/2018         | 37,667.00           |                  | Feasibility study for Niagara Falls area multi-use facility.                    |
| Niagara Aquarium Foundation                         | 88,147           | 0.00                | 2/14/2018     | 7/15/2019         | 88,147.00           |                  | Jellyfish exhibit and equipment.  |
| The Tourism Research Entrepreneurship Center (TReC) | 176,600          | 0.00                | 8/8/2018      | 6/2/2020          | 176,600.00          |                  | Buildout, audio/visual equipment and network connectivity hardware.             |
| Niagara Aquarium Foundation                         | 16,717           | 0.00                | 2/12/2020     | 10/21/2020        | 16,717.00           |                  | Renovations to second floor event room.   |
| Niagara Aquarium Foundation                         | 370,000          | 0.00                | 8/14/2019     | 2/9/2021          | 370,000.00          |                  | Interactive touch pools adjacent to main entrance of the Aquarium.              |
| Red Star Builders, LLC (The Niagara Club)           | 64,403           | 0.00                | 7/10/2019     | 9/7/2021          | 64,403.00           |                  | Spot Coffee.  |
| Niagara Falls Center for Tourism LLC                | 1,000,000        | 20,000.00           | 6/12/2019     | Partial 9/7/2022  | 584,580.09          | 12/31/2022       | Construction of an indoor family entertainment center and outdoor improvements. |
| The Center for Kashmir, Inc.                        | 573,000          | 573,000.00          | 6/14/2023     | To Be Disbursed   | 0.00                | 12/31/2024       | Renovations to vacant church for a museum of art and culture for Kashmir.       |
| Savarino Companies, LLC                             | 155,000          | 0.00                | 4/14/2021     | 4/26/2023         | 155,000.00          |                  | Rehabilitation of 4,000 square feet of commercial/retail storefront space.      |
| Niagara Aquarium Foundation                         | 900,000          | 900,000.00          | 2/9/2022      | To Be Disbursed   | 0.00                | 12/31/2023       | Renovations to the Niagara Gorge Discovery Center for expanded programming.     |
| Niagara Aquarium Foundation                         | 35,000           | 35,000.00           | 2/8/2023      | To Be Disbursed   | 0.00                | 10/31/2023       | Sea turtle exhibit.   |
| Burger Factory Niagara Falls, Inc.                  | 185,250          | 185,250.00          | 2/8/2023      | To Be Disbursed   | 0.00                | 11/30/2023       | Façade renovations.   |
| Niagara Falls International Cuisine, Inc.           | 76,500           | 76,500.00           | 2/8/2023      | To Be Disbursed   | 0.00                | 11/30/2023       | Dining area renovations.  |
| Hammer & Crown BC                                   | 33,000           | 33,000.00           | 3/22/2023     | To Be Disbursed   | 0.00                | 12/1/2023        | Kitchen buildout, bar and dining area remodeling.                               |
| TM Montante Development(Radio Niagara)              | 912,609          | 912,609.00          | 3/22/2023     | To Be Disbursed   | 0.00                | 11/1/2023        | Renovations for restaurant, bar, game space, bowling lounge and boutique hotel. |
| <b>To Date Sub-Total</b>                            | <b>4,623,893</b> | <b>2,735,359.00</b> |               |                   | <b>1,493,114.09</b> |                  |   |

|  |                       |
|--|-----------------------|
| <b>Grant Fund Cash Balance as of 6/30/2023</b> | <b>3,233,801.20</b>   |
| <b>Less: Outstanding Awards</b>                | <b>(2,735,359.00)</b> |
| <b>Available for awarding grants</b>           | <b>498,442.20</b>     |

|  |                       |
|--|-----------------------|
| <b>Grant Fund Balance</b>                | <b>-</b>              |
| <b>Grant Funding from NYS 11/22/2016</b> | <b>1,600,000.00</b>   |
| <b>Grant Funding from NYS 10/16/2017</b> | <b>1,440,000.00</b>   |
| <b>Grant Funding from NYS 10/12/2018</b> | <b>1,600,000.00</b>   |
| <b>Bank Interest</b>                     | <b>86,958.55</b>      |
| <b>Bank Fees</b>                         | <b>(43.26)</b>        |
| <b>Grant Disbursements</b>               | <b>(1,493,114.09)</b> |
| <b>Grant Fund Balance</b>                | <b>3,233,801.20</b>   |

**7.0**

**Governance  
Committee**

# 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 ensure 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 engages contractors and subcontractors that participate 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 three (3) years of the PILOT. In order for the Company to receive the additional financial assistance benefit, it must file an Apprenticeship Report (the "Report") as provided by the Agency, which will identify each trade used in the project, along with proof that the applicable contractor participates in a certified apprenticeship program. The Report shall be submitted to the Agency along with the Company's Application for Assistance. 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.



**Niagara County Industrial Development Agency**  
**Apprenticeship Report**

Project Name \_\_\_\_\_

Project Location \_\_\_\_\_  
 \_\_\_\_\_

Project Start Date \_\_\_\_\_

Estimated Completion Date \_\_\_\_\_

| Trade                         | Check if applicable to project | Contractor/<br>Subcontractor Name | Apprenticeship Certification Attached (Yes or No) |
|-------------------------------|--------------------------------|-----------------------------------|---|
| 1. Electrician                |                                |                                   |   |
| 2. Sheet Metal Workers        |                                |                                   |   |
| 3. Plumbers & Steamfitters    |                                |                                   |   |
| 4. Carpenters & Millwrights   |                                |                                   |   |
| 5. Roofers                    |                                |                                   |   |
| 6. Ironworkers                |                                |                                   |   |
| 7. Cement Masons              |                                |                                   |   |
| 8. Boilermakers               |                                |                                   |   |
| 9. Bricklayers & Allied Craft |                                |                                   |   |
| 10. Laborers                  |                                |                                   |   |
| 11. Sprinkler Fitters         |                                |                                   |   |
| 12. Heat & Frost Insulators   |                                |                                   |   |
| 13. Elevator Constructors     |                                |                                   |   |
| 14. Operating Engineers       |                                |                                   |   |
| 15. Painters & Glazers        |                                |                                   |   |
| 16. Plasterers                |                                |                                   |   |
| 17. Teamsters                 |                                |                                   |   |

Certified by:

Applicant \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**8.1**

**9745 Rochester  
Road, LLC**

To Whom It May Concern,

We are writing to you today to request your assistance in securing additional financial incentives for our currently underway project to build a large warehouse and distribution center at 9745 Rochester Rd in Middleport, NY.

As you know, the COVID-19 pandemic has had a significant impact on the global economy, and the construction industry has not been immune. The price of nearly all raw materials and building supplies, such as steel and concrete, have increased significantly during the pandemic, coupled with the ever rising cost of labor.

As a result, the total cost of completing our project has increased by approximately 33%. The approximate project cost increases are detailed in the table below:

|                     | Increase Amount | Updated Cost Estimate | Previous Cost Estimate |
|---------------------|-----------------|-----------------------|------------------------|
| Construction        | \$3,750,000     | \$12,750,000          | \$9,000,000            |
| Equipment Purchases | \$400,000       | \$2,300,000           | \$1,950,000            |

In addition to increased costs, the pandemic has also affected the scheduling and completion timeline of our project by causing numerous delays in the delivery of materials and equipment. As a result, the current estimated completion date is approximately 12-18 months behind schedule. Due to this, we also request an extension of 18 months for the project to ensure adequate time to procure and install the necessary equipment.

Despite the numerous challenges we have faced in both cost and timeline, we still believe that our project is a worthy investment that will greatly benefit the local economy.

Thank you for your time and consideration.

Sincerely,



Kyle Brent, Manager

9745 Rochester Road LLC

**9.1**

**MHT Holdings  
Inc.**

**– Brookside Commons-**

**PROJECT SUMMARY**  
**MHT Holdings, Inc. Brookside Commons**



|                             |   |                     |
|-----------------------------|---|---------------------|
| <b>Applicant:</b>           | <b>MHT Holdings, Inc.</b>   |                     |
| <b>Project Location:</b>    | 6127 North Witham Drive, Niagara, NY 14305  |                     |
| <b>Assistance:</b>          | 15 Year PILOT<br>Sales Tax Abatement<br>Mortgage Recording Tax Abatement  |                     |
| <b>Description:</b>         | MHT Holdings Inc. plans to purchase and renovate 15 affordable units in the town of Niagara from Brookside Commons LLC. This building was constructed in 1969 and totals 16,288 sq. ft. This rehabilitation will include HVAC, maintenance needs, appliances, and fixtures. |                     |
| <b>Project Costs:</b>       | Acquisition   | \$1,028,618         |
|                             | Construction/Improvements   | \$ 985,000          |
|                             | Furniture, Fixtures & Equipment   | \$ 0                |
|                             | Soft costs  | \$1,596,921         |
|                             | Other   | \$ 24,500           |
|                             | <b>TOTAL</b>  | <b>\$ 3,635,039</b> |
| <b>Employment:</b>          | Current jobs in Niagara County: 1<br>New Jobs in Niagara County within 3 years: 0<br>Estimated Annual Payroll for New Jobs: 0<br>Skills:  |                     |
| <b>Evaluative Criteria:</b> | Redevelopment supports or aligns with regional or local development plans.  |                     |

# Niagara County Industrial Development Agency

## MRB Cost Benefit Calculator

Date: June 7, 2023  
 Project Title: MHT Holdins, Inc. Brookside Commons  
 Project Location: Town of Niagara



### Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

#### Project Total Investment

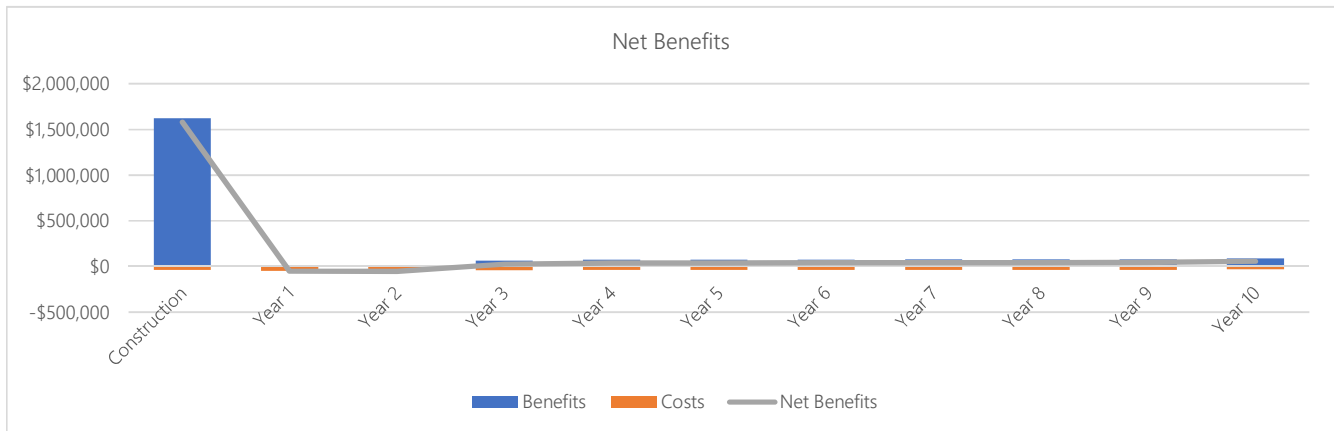
\$3,635,039

|             | Temporary (Construction) |             |             |
|-------------|--------------------------|-------------|-------------|
|             | Direct                   | Indirect    | Total       |
| Jobs        | 32                       | 6           | 39          |
| Earnings    | \$1,218,813              | \$311,721   | \$1,530,534 |
| Local Spend | \$2,908,031              | \$1,052,799 | \$3,960,830 |

|          | Ongoing (Operations) |           |           |
|----------|----------------------|-----------|-----------|
|          | Direct               | Indirect  | Total     |
| Jobs     | 1                    | 0         | 1         |
| Earnings | \$734,017            | \$187,731 | \$921,747 |

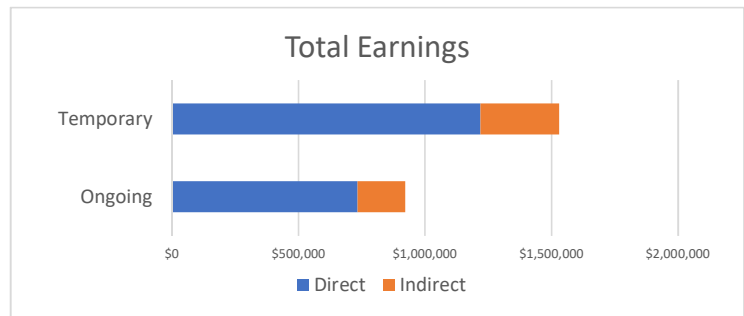
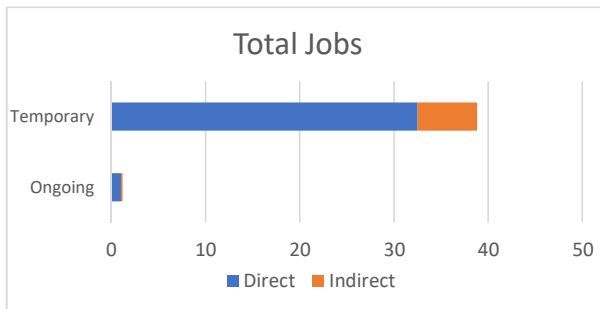
Figure 1



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                 | \$533,550        | \$463,013         |
| Sales Tax Exemption                    | \$39,400         | \$39,400          |
| Local Sales Tax Exemption              | \$19,700         | \$19,700          |
| State Sales Tax Exemption              | \$19,700         | \$19,700          |
| Mortgage Recording Tax Exemption       | \$1,988          | \$1,988           |
| Local Mortgage Recording Tax Exemption | \$663            | \$663             |
| State Mortgage Recording Tax Exemption | \$1,325          | \$1,325           |
| <b>Total Costs</b>                     | <b>\$574,938</b> | <b>\$504,401</b>  |

## State and Local Benefits

|   | Nominal Value      | Discounted Value*  |
|---|--------------------|--------------------|
| <b>Local Benefits</b>                       | <b>\$2,528,007</b> | <b>\$2,361,912</b> |
| To Private Individuals                      | <b>\$2,452,281</b> | <b>\$2,299,698</b> |
| Temporary Payroll                           | \$1,530,534        | \$1,530,534        |
| Ongoing Payroll                             | \$921,747          | \$769,164          |
| Other Payments to Private Individuals       | \$0                | \$0                |
| To the Public                               | <b>\$75,726</b>    | <b>\$62,214</b>    |
| Increase in Property Tax Revenue            | \$58,560           | \$46,116           |
| Temporary Jobs - Sales Tax Revenue          | \$10,714           | \$10,714           |
| Ongoing Jobs - Sales Tax Revenue            | \$6,452            | \$5,384            |
| Other Local Municipal Revenue               | \$0                | \$0                |
| <b>State Benefits</b>                       | <b>\$127,519</b>   | <b>\$119,584</b>   |
| To the Public                               | <b>\$127,519</b>   | <b>\$119,584</b>   |
| Temporary Income Tax Revenue                | \$68,874           | \$68,874           |
| Ongoing Income Tax Revenue                  | \$41,479           | \$34,612           |
| Temporary Jobs - Sales Tax Revenue          | \$10,714           | \$10,714           |
| Ongoing Jobs - Sales Tax Revenue            | \$6,452            | \$5,384            |
| <b>Total Benefits to State &amp; Region</b> | <b>\$2,655,526</b> | <b>\$2,481,496</b> |

## Benefit to Cost Ratio

|                    | Benefit*           | Cost*            | Ratio      |
|--------------------|--------------------|------------------|------------|
| Local              | \$2,361,912        | \$483,376        | 5:1        |
| State              | \$119,584          | \$21,025         | 6:1        |
| <b>Grand Total</b> | <b>\$2,481,496</b> | <b>\$504,401</b> | <b>5:1</b> |

\*Discounted at 2%

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

### Additional Revenues:

|                   |           |
|-------------------|-----------|
| County            | \$82,289  |
| City/Town/Village | \$29,469  |
| School District   | \$253,934 |

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

(To be used on the NYS ST-60)

### Additional Comments from IDA

# NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

## APPLICATION FOR FINANCIAL ASSISTANCE

MHT Holdings, Inc.

---

(Applicant Name)

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

Updated April 2022



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

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

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

# NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

## APPLICATION FOR FINANCIAL ASSISTANCE

### I. APPLICANT INFORMATION

Company Name: MHT Holdings, Inc.

Mailing Address: 570 LeBrun

City/Town/Village & Zip code: Amherst 14226

Phone: (716) 510-3726

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

Fed Id. No.: 161456154

Contact Person, and Title: Mark Trammell

Email: markt@localnet.com

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

Mark Trammell - 100%

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

#### Form of Entity



#### Corporation

Date of Incorporation: 2/25/94

State of Incorporation: New York



#### Partnership

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

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

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

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

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



#### Limited Liability Company/Partnership (number of members \_\_\_\_\_)

Date of organization: \_\_\_\_\_

State of Organization: \_\_\_\_\_



#### Sole Proprietorship

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

\_\_\_\_\_

**Applicant's Counsel**

Company Name: Bond Schoeneck & King

Contact Person, and Title: Ray Reichert, Esq.

Mailing Address: Avant Building - Suite 900, 200 Delaware Avenue

City/Town/Village & Zip code: Buffalo 14202-2107

Email: rreichert@bsk.com

Phone: (716) 416-7046

Fax No.: \_\_\_\_\_

**II. PROJECT INFORMATION**

A) Project Address: 6127 North Whitham Dr,

Tax Map Number (SBL) 145.06-3-11  
(Section/Block/Lot)

SWIS Number 293000

Located in City of \_\_\_\_\_

Located in Town of Niagara

Located in Village of \_\_\_\_\_

School District of Niagara Wheatfield

B) Current Assessment of Property:

Land \$22,200

Total \$296,250

C) Present legal owner of the site Brookside Commons LLC

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

\_\_\_\_\_

D) Describe the project:

Aquisition and rehabilitation of an affordable, multi-family property totalling 15  
units in the Town of Niagara, NY.

\_\_\_\_\_

1. Project site (land)

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

28,650 sq. ft.

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

Multi-family residential.

2. Indicate number, size (in square feet) and approximate age of existing buildings on site  
16,288 total sq. ft. built in 1969  
\_\_\_\_\_
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.  
NA  
\_\_\_\_\_
4. Does the project consist of additions and/or renovations to existing buildings? If yes, indicate nature of expansion and/or renovation.  
Yes, renovations. Exterior system, windows, kitchen cabinets, baths, landscape.  
\_\_\_\_\_
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.  
NA  
\_\_\_\_\_
6. List principal items/categories of equipment to be acquired as part of the project.  
HVAC, maintenance, appliances, fixtures  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
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:

NA  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 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                         |          | \$ | 1,028,618        |
| Construction (Improvements)                  |          | \$ | 985,000          |
| Equipment Purchases/Fixtures/Furnishings     |          | \$ |                  |
| Soft costs (i.e. engineering, architectural) |          | \$ | 1,596,921        |
| Other (describe)                             | Reserves | \$ | 24,500           |
| <b>TOTAL USES OF FUNDS</b>                   |          | \$ | <b>3,635,039</b> |

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

|                               |                          |    |                  |
|-------------------------------|--------------------------|----|------------------|
| Bank Financing                | Bridge/State Energy Loan | \$ | 265,000          |
| Equity                        | Developer's              | \$ | 339,060          |
| Grants/Tax Credits            | Tax Credits              | \$ | 1,059,185        |
| Taxable or Tax Exempt Bond    | Tax Exempt               | \$ | 1,971,794        |
| Other                         |                          | \$ |                  |
| <b>TOTAL SOURCES OF FUNDS</b> |                          | \$ | <b>3,635,039</b> |

C) Identify each state and federal grant/credit:

|                           |    |
|---------------------------|----|
|                           | \$ |
|                           | \$ |
|                           | \$ |
|                           | \$ |
| <b>TOTAL PUBLIC FUNDS</b> | \$ |

**IV. FINANCIAL ASSISTANCE REQUESTED**

**A.) Benefits Requested:**

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

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

Property Tax Exemption

Estimated duration of Property Tax exemption: 15 years

Sales and Use Tax

Estimated value of Sales Tax exemption for facility construction: \$ 39,400

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

Estimated duration of Sales Tax exemption: 1 year

Mortgage Recording Tax Exemption Benefit

Estimated value of Mortgage Recording Tax exemption: \$ 1,988

**C.) Financial Assistance Determination:**

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

Yes or  No

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

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**V. EMPLOYMENT PLAN**

|                   | # of Retained Jobs | Retained Jobs Average Annual Salary | # of Created Jobs (3 yrs after project completion) | Created Jobs Average Annual Salary |
|-------------------|--------------------|-------------------------------------|--|------------------------------------|
| Full Time         | 1                  | \$ 50,000                           | 0  | \$ 0                               |
| Part time         | 0                  | \$ 0                                | 0  | \$ 0                               |
| <b>TOTAL FTEs</b> | <b>1</b>           | <b>\$ 50,000</b>                    | <b>0</b>   | <b>\$ 0</b>                        |

Annual Salary Range of Jobs to be Created: \$ 45,000 to \$ 55,000

Category of Jobs to be Retained and Created:

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

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

- F. Compliance with N.Y. GML Sec. 862(1): Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:
- § 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.
- G. Compliance with Applicable Laws: The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
- H. False and Misleading Information: The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.
- I. Recapture: Should the Applicant not expend or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.
- J. Absence of Conflicts of Interest: The applicant has received from the Agency a list of the members, officers, and employees of the Agency. No member, officers or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as herein described.

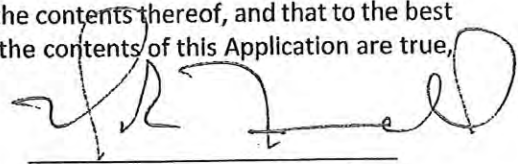
The Applicant and the individual executing this Application on behalf of applicant acknowledge that the Agency and its counsel will rely on the representations made in this Application when acting hereon and hereby represents that the statements made herein do not contain any untrue statement of a material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



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

**Mark Trammell** \_\_\_\_\_, being first duly sworn, deposes and says:

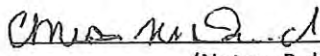
1. That I am the **President** (Corporate Office) of MHT Holdings, Inc. (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this Application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



(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury  
this 16 day of February, 2023

CHRISTINE M DIEBOLD  
NOTARY PUBLIC STATE OF NEW YORK  
ERIE COUNTY  
LIC. #01DI6341366  
COMM. EXP. 05/02/2024

  
\_\_\_\_\_  
(Notary Public)

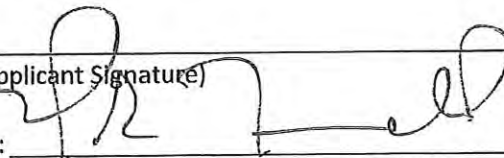
This Application should be submitted to the Niagara County Industrial Development Agency, 6311 Inducon Corporate Drive, Suite One, Sanborn, New York 14132.

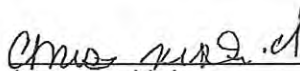
Attach copies of preliminary plans or sketches of proposed construction or rehabilitation or both.

**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, and (B) any further action taken by the Agency with respect to the Project; including without limiting the generality of the foregoing, all causes of action and reasonable attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all out of pocket costs incurred by the Agency in processing of the Application, including reasonable attorneys' fees, if any. Notwithstanding anything contained herein to the contrary, the foregoing indemnities shall not be applicable with respect to misconduct, negligence, or criminal activity on the part of the Agency. It is understood and agreed that the Applicant has the right to join in any defense, and participate in the management of the defense, of any claim for which the Agency seeks indemnification.

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

(Applicant Signature) \_\_\_\_\_  
By:   
Name: Mark Trammell  
Title: President

  
\_\_\_\_\_  
(Notary Public)

Sworn to before me this 16 day  
of February, 2023

CHRISTINE M DIEBOLD  
NOTARY PUBLIC STATE OF NEW YORK  
[stamp] ERIE COUNTY  
LIC. #01DI6341366  
COMM. EXP. 05/02/2024

**Real Property Tax Benefits (Detailed):**

\*\* This section of this Application will be: (i) completed by IDA Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application.

PILOT Estimate Table Worksheet

|   |  |                      |   |                      |
|---|--|----------------------|---|----------------------|
| Dollar Value of New Construction and Renovation Costs | Estimated New Assessed Value of Property Subject to IDA* | County Tax Rate/1000 | Local Tax Rate (Town/City/Village)/1000 | School Tax Rate/1000 |
| \$958,000   | \$1,000,000  | 13.489984            | 4.830990                                | 41.628452            |

\*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%       | \$ 2,698            | \$ 966             | \$ 8,326            | \$ 11,990         | \$ 68,438                  | \$ 56,448         |
| 2            | 20%       | \$ 2,698            | \$ 966             | \$ 8,326            | \$ 11,990         | \$ 68,438                  | \$ 56,448         |
| 3            | 30%       | \$ 4,047            | \$ 1,449           | \$ 12,489           | \$ 17,985         | \$ 68,438                  | \$ 50,453         |
| 4            | 40%       | \$ 5,396            | \$ 1,932           | \$ 16,651           | \$ 23,980         | \$ 68,438                  | \$ 44,458         |
| 5            | 40%       | \$ 5,396            | \$ 1,932           | \$ 16,651           | \$ 23,980         | \$ 68,438                  | \$ 44,458         |
| 6            | 40%       | \$ 5,396            | \$ 1,932           | \$ 16,651           | \$ 23,980         | \$ 68,438                  | \$ 44,458         |
| 7            | 40%       | \$ 5,396            | \$ 1,932           | \$ 16,651           | \$ 23,980         | \$ 68,438                  | \$ 44,458         |
| 8            | 40%       | \$ 5,396            | \$ 1,932           | \$ 16,651           | \$ 23,980         | \$ 68,438                  | \$ 44,458         |
| 9            | 40%       | \$ 5,396            | \$ 1,932           | \$ 16,651           | \$ 23,980         | \$ 68,438                  | \$ 44,458         |
| 10           | 50%       | \$ 6,745            | \$ 2,415           | \$ 20,814           | \$ 29,975         | \$ 68,438                  | \$ 38,463         |
| 11           | 50%       | \$ 6,745            | \$ 2,415           | \$ 20,814           | \$ 29,975         | \$ 68,438                  | \$ 38,463         |
| 12           | 50%       | \$ 6,745            | \$ 2,415           | \$ 20,814           | \$ 29,975         | \$ 68,438                  | \$ 38,463         |
| 13           | 50%       | \$ 6,745            | \$ 2,415           | \$ 20,814           | \$ 29,975         | \$ 68,438                  | \$ 38,463         |
| 14           | 50%       | \$ 6,745            | \$ 2,415           | \$ 20,814           | \$ 29,975         | \$ 68,438                  | \$ 38,463         |
| 15           | 50%       | \$ 6,745            | \$ 2,415           | \$ 20,814           | \$ 29,975         | \$ 68,438                  | \$ 38,463         |
| <b>TOTAL</b> |           | <b>\$ 82,289</b>    | <b>\$ 29,469</b>   | <b>\$ 253,934</b>   | <b>\$ 365,691</b> | <b>\$ 1,026,565</b>        | <b>\$ 660,874</b> |

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

**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.

| <b>Part 1 - Project and Sponsor Information</b>   |  |   |  |
|---|--|---|--|
| Name of Action or Project:<br>Brookside Commons Apts  |  |   |  |
| Project Location (describe, and attach a location map):<br>6127 N. Witham Dr., Niagara Falls, NY 14304  |  |   |  |
| Brief Description of Proposed Action:<br>The Acquisition & Rehabilitation of 15 units located within One Bldg domiciled within Niagara County. The Rehab will involve the exterior system, appliances, windows, cabinets, landscape, baths, fixtures, HVAC systems & Roofs.   |  |   |  |
| Name of Applicant or Sponsor:<br>MHT Holdings, Inc.   |  | Telephone: 7165103726<br>E-Mail: markt@localnet.com |  |
| Address:<br>570 LeBrun Road   |  |   |  |
| City/PO:<br>Amherst   |  | State:<br>New York                                  | Zip Code:<br>14226                         |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?<br>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<br><input type="checkbox"/>             |
| 2. Does the proposed action require a permit, approval or funding from any other governmental Agency?<br>If Yes, list agency(s) name and permit or approval:<br>Building Permit - The various localities<br>As-of-Right Tax Credits - NYS HCR   |  |   | YES<br><input checked="" type="checkbox"/> |
| 3.a. Total acreage of the site of the proposed action? _____  |  | .3 acres  |  |
| b. Total acreage to be physically disturbed? _____  |  | 0 acres   |  |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____  |  | .3 acres  |  |
| 4. Check all land uses that occur on, adjoining and near the proposed action.   |  |   |  |
| <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)<br><input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____<br><input type="checkbox"/> Parkland |  |   |  |

|  |                                     |                                     |                          |
|--|-------------------------------------|-------------------------------------|--------------------------|
| 5. Is the proposed action,<br>a. A permitted use under the zoning regulations?   | NO                                  | YES                                 | N/A                      |
|  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Consistent with the adopted comprehensive plan?   | NO                                  | YES                                 | N/A                      |
|  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?  | NO                                  | YES                                 |                          |
|  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |
| 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?<br>If Yes, identify: _____  | NO                                  | YES                                 |                          |
|  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels?   | NO                                  | YES                                 |                          |
|  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| b. Are public transportation service(s) available at or near the site of the proposed action?  | NO                                  | YES                                 |                          |
|  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |
| c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?   | NO                                  | YES                                 |                          |
|  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |
| 9. Does the proposed action meet or exceed the state energy code requirements?<br>If the proposed action will exceed requirements, describe design features and technologies:<br>Upgraded HVAC improvements  | NO                                  | YES                                 |                          |
|  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |
| 10. Will the proposed action connect to an existing public/private water supply?<br><br>If No, describe method for providing potable water: _____  | NO                                  | YES                                 |                          |
|  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                          |
| 11. Will the proposed action connect to existing wastewater utilities?<br><br>If No, describe method for providing wastewater treatment: _____   | NO                                  | YES                                 |                          |
|  | <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?   | NO                                  | YES                                 |                          |
|  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| b. Is the proposed action located in an archeological sensitive area?  | NO                                  | YES                                 |                          |
|  | <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?   | NO                                  | YES                                 |                          |
|  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?<br>If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____  | NO                                  | YES                                 |                          |
|  | <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:<br><input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional<br><input type="checkbox"/> Wetland <input checked="" 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?   | NO                                  | YES                                 |                          |
|  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 16. Is the project site located in the 100 year flood plain?   | NO                                  | YES                                 |                          |
|  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources?<br>If Yes,<br>a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES   | NO                                  | YES                                 |                          |
|  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?<br>If Yes, briefly describe: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES<br>Existing Storm and wastewater pipes are located at each location.  |                                     |                                     |                          |

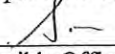
|  |                                     |                          |
|--|-------------------------------------|--------------------------|
| 18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?<br>If Yes, explain purpose and size: _____<br>_____ | 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?<br>If Yes, describe: _____<br>_____   | 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?<br>If Yes, describe: _____<br>_____   | NO                                  | YES                      |
|  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>   |                                     |                          |
| Applicant/sponsor name: MHT Holdings, Inc.   | Date: May 7th 2023                  |                          |
| 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.   |
| Wc (0A)   | 6/7/23   |
| Name of Lead Agency   | Date   |
| S. LANGRISH   | ED   |
| Print or Type Name of Responsible Officer in Lead Agency                            | Title of Responsible Officer   |
|  |  |
| Signature of Responsible Officer in Lead Agency                                     | Signature of Preparer (if different from Responsible Officer)  |

**PRINT**

**9.2**

**MHT Holdings  
Inc.**

**– Niagara Falls–**



**PROJECT SUMMARY**  
**MHT Holdings, Inc. Niagara Falls**



|                             |  |                     |
|-----------------------------|--|---------------------|
| <b>Applicant:</b>           | <b>MHT Holdings, Inc.</b>  |                     |
| <b>Project Location:</b>    | 8235 & 8305 Buffalo Ave, Niagara Falls, NY 14304   |                     |
| <b>Assistance:</b>          | 15 Year PILOT<br>Sales Tax Abatement<br>Mortgage Recording Tax Abatement   |                     |
| <b>Description:</b>         | MHT Holdings Inc. plans to purchase and renovate 60 affordable units in the town of Niagara from SJI Silverlake LLC. This building was constructed between 1956 and 1958 and totals 16,288 sq. ft. This rehabilitation will include HVAC, maintenance needs, appliances, and fixtures. |                     |
| <b>Project Costs:</b>       | Acquisition  | \$ 4,114,471        |
|                             | Construction/Improvements  | \$ 3,940,000        |
|                             | Furniture, Fixtures & Equipment  | \$ 0                |
|                             | Soft costs   | \$ 6,387,685        |
|                             | Other  | \$ 98,000           |
|                             | <b>TOTAL</b>   | <b>\$14,540,156</b> |
| <b>Employment:</b>          | Current jobs in Niagara County: 2<br>New Jobs in Niagara County within 3 years: 0<br>Estimated Annual Payroll for New Jobs: 0<br>Skills:   |                     |
| <b>Evaluative Criteria:</b> | Redevelopment supports or aligns with regional or local development plans.   |                     |

# Niagara County Industrial Development Agency

## MRB Cost Benefit Calculator

Date: June 6, 2023  
 Project Title: MHT Holdings, Inc.  
 Project Location: 8235 & 8305 Buffalo Ave. Niagara Falls

### Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

**Project Total Investment**

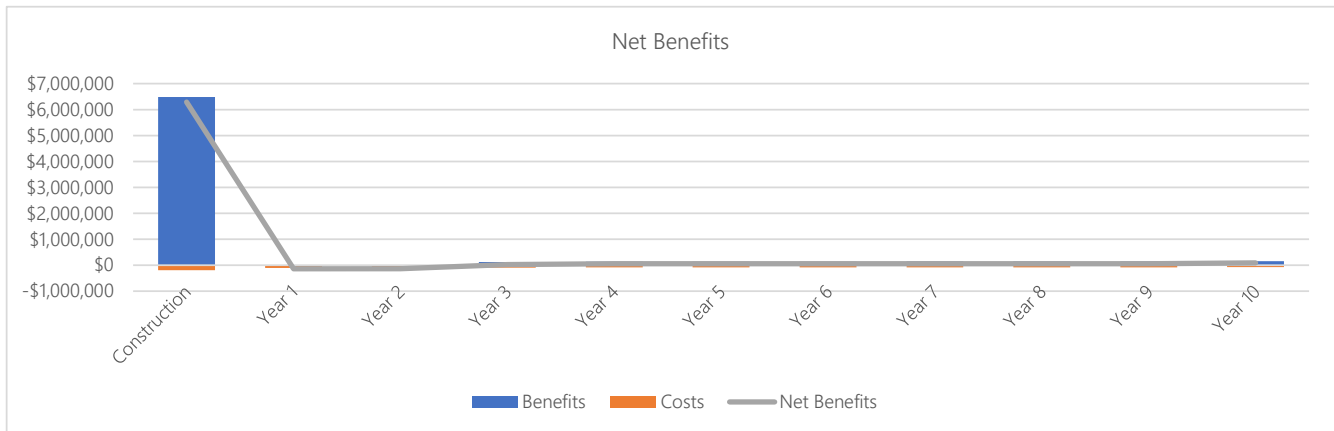
\$14,541,456

| Temporary (Construction) |              |             |              |
|--------------------------|--------------|-------------|--------------|
|                          | Direct       | Indirect    | Total        |
| Jobs                     | 130          | 25          | 155          |
| Earnings                 | \$4,875,687  | \$1,246,996 | \$6,122,684  |
| Local Spend              | \$11,633,165 | \$4,211,572 | \$15,844,737 |

| Ongoing (Operations)             |             |           |             |
|----------------------------------|-------------|-----------|-------------|
| Aggregate over life of the PILOT |             |           |             |
|                                  | Direct      | Indirect  | Total       |
| Jobs                             | 2           | 0         | 2           |
| Earnings                         | \$1,468,033 | \$374,228 | \$1,842,261 |

Figure 1



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

Figure 2

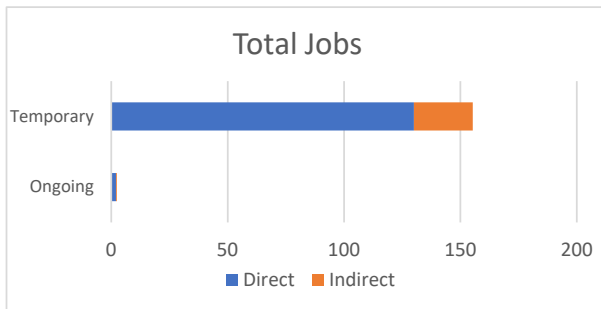
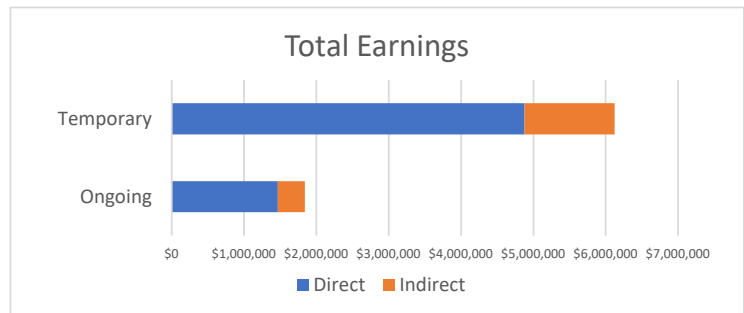


Figure 3



# Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

## Estimated Costs of Exemptions

|  | Nominal Value      | Discounted Value*  |
|--|--------------------|--------------------|
| Property Tax Exemption                 | \$1,218,191        | \$1,057,143        |
| Sales Tax Exemption                    | \$157,600          | \$157,600          |
| Local Sales Tax Exemption              | \$78,800           | \$78,800           |
| State Sales Tax Exemption              | \$78,800           | \$78,800           |
| Mortgage Recording Tax Exemption       | \$37,950           | \$37,950           |
| Local Mortgage Recording Tax Exemption | \$12,650           | \$12,650           |
| State Mortgage Recording Tax Exemption | \$25,300           | \$25,300           |
| <b>Total Costs</b>                     | <b>\$1,413,741</b> | <b>\$1,252,693</b> |

## State and Local Benefits

|   | Nominal Value      | Discounted Value*  |
|---|--------------------|--------------------|
| <b>Local Benefits</b>                       | <b>\$7,944,742</b> | <b>\$7,640,602</b> |
| <b>To Private Individuals</b>               | <b>\$7,964,944</b> | <b>\$7,659,982</b> |
| Temporary Payroll                           | \$6,122,684        | \$6,122,684        |
| Ongoing Payroll                             | \$1,842,261        | \$1,537,298        |
| Other Payments to Private Individuals       | \$0                | \$0                |
| <b>To the Public</b>                        | <b>(\$20,203)</b>  | <b>(\$19,380)</b>  |
| Increase in Property Tax Revenue            | (\$75,958)         | (\$72,999)         |
| Temporary Jobs - Sales Tax Revenue          | \$42,859           | \$42,859           |
| Ongoing Jobs - Sales Tax Revenue            | \$12,896           | \$10,761           |
| Other Local Municipal Revenue               | \$0                | \$0                |
| <b>State Benefits</b>                       | <b>\$414,177</b>   | <b>\$398,319</b>   |
| <b>To the Public</b>                        | <b>\$414,177</b>   | <b>\$398,319</b>   |
| Temporary Income Tax Revenue                | \$275,521          | \$275,521          |
| Ongoing Income Tax Revenue                  | \$82,902           | \$69,178           |
| Temporary Jobs - Sales Tax Revenue          | \$42,859           | \$42,859           |
| Ongoing Jobs - Sales Tax Revenue            | \$12,896           | \$10,761           |
| <b>Total Benefits to State &amp; Region</b> | <b>\$8,358,919</b> | <b>\$8,038,921</b> |

## Benefit to Cost Ratio

|                    | Benefit*           | Cost*              | Ratio      |
|--------------------|--------------------|--------------------|------------|
| Local              | \$7,640,602        | \$1,148,593        | 7:1        |
| State              | \$398,319          | \$104,100          | 4:1        |
| <b>Grand Total</b> | <b>\$8,038,921</b> | <b>\$1,252,693</b> | <b>6:1</b> |

\*Discounted at 2%

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

Yes

## Additional Revenues:

|                   |           |
|-------------------|-----------|
| County            | \$114,072 |
| City/Town/Village | \$481,931 |
| School District   | \$238,936 |

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

(To be used on the NYS ST-60)

\$1,970,000

## Additional Comments from IDA

# NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

## APPLICATION FOR FINANCIAL ASSISTANCE

MHT Holdings, Inc.

---

(Applicant Name)

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

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

<http://niagaracountybusiness.com>

Updated April 2022

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

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

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

**NIAGARA COUNTY  
INDUSTRIAL DEVELOPMENT AGENCY**

**APPLICATION FOR FINANCIAL ASSISTANCE**

**I. APPLICANT INFORMATION**

Company Name: MHT Holdings, Inc.

Mailing Address: 570 LeBrun

City/Town/Village & Zip code: Amherst 14226

Phone: (716) 510-3726

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

Fed Id. No.: 161456154

Contact Person, and Title: Mark Trammell

Email: markt@localnet.com

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

Mark Trammell - 100%

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

**Form of Entity**

**Corporation**

Date of Incorporation: 2/25/94

State of Incorporation: New York

**Partnership**

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

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

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

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

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

**Limited Liability Company/Partnership** (number of members \_\_\_\_\_)

Date of organization: \_\_\_\_\_

State of Organization: \_\_\_\_\_

**Sole Proprietorship**

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

\_\_\_\_\_

**Applicant's Counsel**

Company Name: Bond Schoeneck & King

Contact Person, and Title: Ray Reichert, Esq.

Mailing Address: Avant Building - Suite 900, 200 Delaware Avenue

City/Town/Village & Zip code: Buffalo 14202-2107

Email: rreichert@bsk.com

Phone: (716) 416-7046

Fax No.: \_\_\_\_\_

**II. PROJECT INFORMATION**

A) Project Address: 8235, 8305 Buffalo Ave., Niagara Falls, NY 14304

Tax Map Number (SBL) 161.17-2-9, 161.17-2-24

(Section/Block/Lot)

SWIS Number 291100, 291100

Located in City of Niagara Falls

Located in Town of \_\_\_\_\_

Located in Village of \_\_\_\_\_

School District of Niagara Falls

B) Current Assessment of Property:

Land \$68,100

Total \$769,650

C) Present legal owner of the site SJI Silverlake LLC

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

\_\_\_\_\_

D) Describe the project:

Aquisition and rehabilitation of an affordable, multi-family property totalling 60

Units in Niagara Falls, NY.

\_\_\_\_\_

1. Project site (land)

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

98,000 sq. ft.

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

Multi-family residential.

2. Indicate number, size (in square feet) and approximate age of existing buildings on site  
 8235=16,401 sq. ft. 1956 8305=9,460 sq. ft. 1958 total sq. ft. = 32,802  
 \_\_\_\_\_
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.  
 NA  
 \_\_\_\_\_
4. Does the project consist of additions and/or renovations to existing buildings? If yes,  
 indicate nature of expansion and/or renovation.  
 Yes, renovations. Exterior system, windows, kitchen cabinets, baths, landscape.  
 \_\_\_\_\_
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.  
 NA  
 \_\_\_\_\_
6. List principal items/categories of equipment to be acquired as part of the project.  
 HVAC, maintenance, appliances, fixtures  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
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:

NA  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



- 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                         |          | \$ | 4,114,471         |
| Construction (Improvements)                  |          | \$ | 3,940,000         |
| Equipment Purchases/Fixtures/Furnishings     |          | \$ |                   |
| Soft costs (i.e. engineering, architectural) |          | \$ | 6,387,685         |
| Other (describe)                             | Reserves | \$ | 98,000            |
| <b>TOTAL USES OF FUNDS</b>                   |          | \$ | <b>14,540,156</b> |

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

|                               |                          |    |                   |
|-------------------------------|--------------------------|----|-------------------|
| Bank Financing                | Bridge/State Energy Loan | \$ | 5,060,000         |
| Equity                        | Developer's              | \$ | 1,356,241         |
| Grants/Tax Credits            | Tax Credits              | \$ | 4,236,739         |
| Taxable or Tax Exempt Bond    | Tax Exempt               | \$ | 3,887,176         |
| Other                         |                          | \$ |                   |
| <b>TOTAL SOURCES OF FUNDS</b> |                          | \$ | <b>14,540,156</b> |

C) Identify each state and federal grant/credit:

|                           |    |
|---------------------------|----|
|                           | \$ |
|                           | \$ |
|                           | \$ |
|                           | \$ |
| <b>TOTAL PUBLIC FUNDS</b> | \$ |

**IV. FINANCIAL ASSISTANCE REQUESTED**

**A.) Benefits Requested:**

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

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

Property Tax Exemption

Estimated duration of Property Tax exemption: 15 years

Sales and Use Tax

Estimated value of Sales Tax exemption for facility construction: \$ 157,600

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

Estimated duration of Sales Tax exemption: 1 year

Mortgage Recording Tax Exemption Benefit

Estimated value of Mortgage Recording Tax exemption: \$ 37,950

**C.) Financial Assistance Determination:**

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

- Yes or  No

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

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**V. EMPLOYMENT PLAN**

|                   | # of Retained Jobs | Retained Jobs Average Annual Salary | # of Created Jobs<br><i>(3 yrs after project completion)</i> | Created Jobs Average Annual Salary |
|-------------------|--------------------|-------------------------------------|--|------------------------------------|
| Full Time         | 2                  | \$ 100,000                          | 0  | \$ 0                               |
| Part time         | 0                  | \$ 0                                | 0  | \$ 0                               |
| <b>TOTAL FTEs</b> | <b>2</b>           | <b>\$ 100,000</b>                   | <b>0</b>   | <b>\$ 0</b>                        |

Annual Salary Range of Jobs to be Created: \$ 45,000 to \$ 55,000

Category of Jobs to be Retained and Created:

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

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VI. REPRESENTATIONS BY THE APPLICANT

The Applicant understands and agrees with the Agency as follows:

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

- F. Compliance with N.Y. GML Sec. 862(1): Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:
- § 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.
- G. Compliance with Applicable Laws: The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
- H. False and Misleading Information: The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.
- I. Recapture: Should the Applicant not expend or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.
- J. Absence of Conflicts of Interest: The applicant has received from the Agency a list of the members, officers, and employees of the Agency. No member, officers or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as herein described.

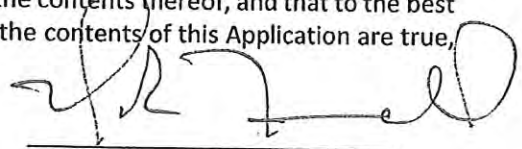
The Applicant and the individual executing this Application on behalf of applicant acknowledge that the Agency and its counsel will rely on the representations made in this Application when acting hereon and hereby represents that the statements made herein do not contain any untrue statement of a material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

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

**Mark Trammell**

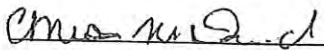
, being first duly sworn, deposes and says:

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



(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury  
this 16 day of February, 2023

  
\_\_\_\_\_  
(Notary Public)

CHRISTINE M DIEBOLD  
NOTARY PUBLIC STATE OF NEW YORK  
ERIE COUNTY  
LIC. #01DI6341366  
COMM. EXP. 05/02/2024

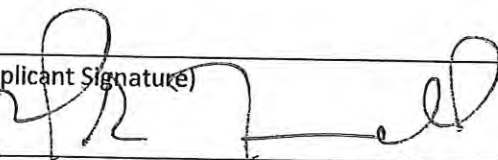
This Application should be submitted to the Niagara County Industrial Development Agency, 6311 Inducon Corporate Drive, Suite One, Sanborn, New York 14132.

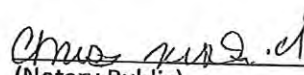
Attach copies of preliminary plans or sketches of proposed construction or rehabilitation or both.

**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, and (B) any further action taken by the Agency with respect to the Project; including without limiting the generality of the foregoing, all causes of action and reasonable attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all out of pocket costs incurred by the Agency in processing of the Application, including reasonable attorneys' fees, if any. Notwithstanding anything contained herein to the contrary, the foregoing indemnities shall not be applicable with respect to misconduct, negligence, or criminal activity on the part of the Agency. It is understood and agreed that the Applicant has the right to join in any defense, and participate in the management of the defense, of any claim for which the Agency seeks indemnification.

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

(Applicant Signature) \_\_\_\_\_  
By:   
Name: Mark Trammell  
Title: President

  
(Notary Public) \_\_\_\_\_

Sworn to before me this 16 day  
of February, 2023

CHRISTINE M DIEBOLD  
NOTARY PUBLIC STATE OF NEW YORK  
[stamp] ERIE COUNTY  
LIC. #01D16341366  
COMM. EXP. 05/02/2024

**Real Property Tax Benefits (Detailed):**

\*\* This section of this Application will be: (i) completed by IDA Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application.

PILOT Estimate Table Worksheet

| Dollar Value of New Construction and Renovation Costs | Estimated New Assessed Value of Property Subject to IDA* | County Tax Rate/1000 | Local Tax Rate (Town/City/Village)/1000 | School Tax Rate/1000 |
|---|--|----------------------|---|----------------------|
| \$3,940,000   | \$2,000,000  | 9.350204             | 39.502566                               | 19.584916            |

\*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%       | \$ 3,740            | \$ 15,801          | \$ 7,834            | \$ 27,375         | \$ 136,875                 | \$ 109,500          |
| 2            | 20%       | \$ 3,740            | \$ 15,801          | \$ 7,834            | \$ 27,375         | \$ 136,875                 | \$ 109,500          |
| 3            | 30%       | \$ 5,610            | \$ 23,702          | \$ 11,751           | \$ 41,063         | \$ 136,875                 | \$ 95,813           |
| 4            | 40%       | \$ 7,480            | \$ 31,602          | \$ 15,668           | \$ 54,750         | \$ 136,875                 | \$ 82,125           |
| 5            | 40%       | \$ 7,480            | \$ 31,602          | \$ 15,668           | \$ 54,750         | \$ 136,875                 | \$ 82,125           |
| 6            | 40%       | \$ 7,480            | \$ 31,602          | \$ 15,668           | \$ 54,750         | \$ 136,875                 | \$ 82,125           |
| 7            | 40%       | \$ 7,480            | \$ 31,602          | \$ 15,668           | \$ 54,750         | \$ 136,875                 | \$ 82,125           |
| 8            | 40%       | \$ 7,480            | \$ 31,602          | \$ 15,668           | \$ 54,750         | \$ 136,875                 | \$ 82,125           |
| 9            | 40%       | \$ 7,480            | \$ 31,602          | \$ 15,668           | \$ 54,750         | \$ 136,875                 | \$ 82,125           |
| 10           | 50%       | \$ 9,350            | \$ 39,503          | \$ 19,585           | \$ 68,438         | \$ 136,875                 | \$ 68,438           |
| 11           | 50%       | \$ 9,350            | \$ 39,503          | \$ 19,585           | \$ 68,438         | \$ 136,875                 | \$ 68,438           |
| 12           | 50%       | \$ 9,350            | \$ 39,503          | \$ 19,585           | \$ 68,438         | \$ 136,875                 | \$ 68,438           |
| 13           | 50%       | \$ 9,350            | \$ 39,503          | \$ 19,585           | \$ 68,438         | \$ 136,875                 | \$ 68,438           |
| 14           | 50%       | \$ 9,350            | \$ 39,503          | \$ 19,585           | \$ 68,438         | \$ 136,875                 | \$ 68,438           |
| 15           | 50%       | \$ 9,350            | \$ 39,503          | \$ 19,585           | \$ 68,438         | \$ 136,875                 | \$ 68,438           |
| <b>TOTAL</b> |           | <b>\$ 114,072</b>   | <b>\$ 481,931</b>  | <b>\$ 238,936</b>   | <b>\$ 834,940</b> | <b>\$ 2,053,131</b>        | <b>\$ 1,218,191</b> |

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

**617.20**  
**Appendix B**  
**Short Environmental Assessment Form**

**Instructions for Completing**

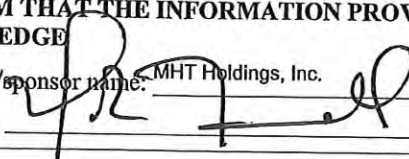
**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available.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

| <b>Part 1 - Project and Sponsor Information</b>   |  |                            |  |
|---|--|----------------------------|--|
| Name of Action or Project:<br>Silver Lake Apts  |  |                            |  |
| Project Location (describe, and attach a location map):<br>8235, 8305 Buffalo Ave., Niagara Falls, NY 14304   |  |                            |  |
| Brief Description of Proposed Action:<br><br>The Acquisition & Rehabilitation of 60 units located within two Bldgs domiciled within Niagara County. The Rehab will involve the exterior system, appliances, windows, cabinets, landscape, baths, fixtures, HVAC systems & Roofs.  |  |                            |  |
| Name of Applicant or Sponsor:<br>MHT Holdings, Inc.   |  | Telephone: 7165103726      |  |
|   |  | E-Mail: markt@localnet.com |  |
| Address:<br>570 LeBrun Road   |  |                            |  |
| City/PO:<br>Amherst   |  | State:<br>New York         | Zip Code:<br>14226                         |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?<br>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<br><input type="checkbox"/>             |
| 2. Does the proposed action require a permit, approval or funding from any other governmental Agency?<br>If Yes, list agency(s) name and permit or approval:<br>Building Permit - The various localities<br>As-of-Right Tax Credits - NYS HCR   |  |                            | YES<br><input checked="" type="checkbox"/> |
| 3.a. Total acreage of the site of the proposed action? _____  |  |                            | 1.1 acres                                  |
| b. Total acreage to be physically disturbed? _____  |  |                            | 0 acres                                    |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____  |  |                            | 1.1 acres                                  |
| 4. Check all land uses that occur on, adjoining and near the proposed action.   |  |                            |  |
| <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)<br><input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____<br><input type="checkbox"/> Parkland |  |                            |  |



|  |   |                                     |                          |
|--|---|-------------------------------------|--------------------------|
| 5. Is the proposed action,<br>a. A permitted use under the zoning regulations?   | NO  | YES                                 | N/A                      |
|  | <input type="checkbox"/>  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Consistent with the adopted comprehensive plan?   | NO  | YES                                 | N/A                      |
|  | <input type="checkbox"/>  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?  | NO  | YES                                 |                          |
|  | <input type="checkbox"/>  | <input checked="" type="checkbox"/> |                          |
| 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?<br>If Yes, identify: _____  | NO  | YES                                 |                          |
|  | <input checked="" type="checkbox"/>                                 | <input type="checkbox"/>            |                          |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels?   | NO  | YES                                 |                          |
|  | <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?<br>If the proposed action will exceed requirements, describe design features and technologies:<br>Upgraded HVAC improvements  | NO  | YES                                 |                          |
|  | <input type="checkbox"/>  | <input checked="" type="checkbox"/> |                          |
| 10. Will the proposed action connect to an existing public/private water supply?<br>If No, describe method for providing potable water: _____  | NO  | YES                                 |                          |
|  | <input type="checkbox"/>  | <input checked="" type="checkbox"/> |                          |
| 11. Will the proposed action connect to existing wastewater utilities?<br>If No, describe method for providing wastewater treatment: _____   | NO  | YES                                 |                          |
|  | <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?   | NO  | YES                                 |                          |
|  | <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?   | NO  | YES                                 |                          |
|  | <input checked="" type="checkbox"/>                                 | <input type="checkbox"/>            |                          |
|  |   |                                     |                          |
| b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?<br>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:<br><input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional<br><input type="checkbox"/> Wetland <input checked="" 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?   | NO  | YES                                 |                          |
|  | <input checked="" type="checkbox"/>                                 | <input type="checkbox"/>            |                          |
| 16. Is the project site located in the 100 year flood plain?   | NO  | YES                                 |                          |
|  | <input checked="" type="checkbox"/>                                 | <input type="checkbox"/>            |                          |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources?<br>If Yes,  | NO  | YES                                 |                          |
| a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES  | <input checked="" type="checkbox"/>                                 | <input type="checkbox"/>            |                          |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?<br>If Yes, briefly describe:<br>Existing Storm and wastewater pipes are located at each location.  | <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES |                                     |                          |


|   |   |                          |
|---|---|--------------------------|
| 18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?<br>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?<br>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?<br>If Yes, describe: _____   | NO  | YES                      |
| _____   | <input checked="" type="checkbox"/>           | <input type="checkbox"/> |
| <b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  |   |                          |
| Applicant/sponsor name: <u>MHT Holdings, Inc.</u>   | Date: <u>5/7/23</u><br><u>March 10th 2023</u> |                          |
| Signature:   |   |                          |

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

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

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

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

|   |  |
|---|--|
| <input type="checkbox"/>  | Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required. |
| <input checked="" type="checkbox"/>   | Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.   |
| NCDA  | 6/7/23   |
| Name of Lead Agency   | Date   |
| S. LAMPTON  | EN   |
| 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**