

# 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:** January 8, 2025  
**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**, Chairman  
\_\_\_ **Jason Krempa**, First Vice Chairman  
\_\_\_ **Clifford Scott**, Second Vice Chairman  
\_\_\_ **William L. Ross**, Secretary  
\_\_\_ **Mark Berube**, Assistant Secretary  
\_\_\_ **Ryan J. Mahoney**, Member  
\_\_\_ **Anne E. McCaffrey**, Member  
\_\_\_ **David J. Masse**, Member  
\_\_\_ **William Fekete**, Member

### **Staff Members:**

\_\_\_ **Andrea Klyczek**, Executive Director  
\_\_\_ **Michael S. Dudley**, Finance Manager  
\_\_\_ **Susan Barone**, Grants & Operations Manager  
\_\_\_ **Jeremy Geartz**, Project Manager  
\_\_\_ **Julie Lamoreaux**, Administrative & HR Officer  
\_\_\_ **Mark J. Gabriele**, Agency Counsel

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- 1.0 Meeting Called to Order – *M. Onesi*
  - 2.0 Roll Call – *J. Lamoreaux*
  - 3.0 Introduction of Guests – *M. Onesi*
  - 4.0 Pledge of Allegiance – *M. Onesi*
  - 5.0 Approval of Meeting Minutes – *W. Ross*
    - 5.1 Regular NCIDA/NCDC/NADC – November 13, 2024
  - 6.0 Finance & Audit Committee Reports – *J. Krempa*
    - 6.1 Agency Payables – November 30, 2024
    - 6.2 Agency Payables – December 31, 2024
    - 6.3 Budget Variance Report – November 30, 2024
    - 6.4 Budget Variance Report – December 31, 2024

**7.0 Unfinished Business**

**8.0 New Business**

**8.1 VPS Property Ventures, LLC – *J. Geartz***

**8.1.1 Preliminary Resolution**

**8.1.2 Authorize Public Hearing**

**8.2 Voss Manufacturing, Inc. – *J. Geartz***

**8.2.1 Preliminary Resolution**

**8.2.2 Authorize Public Hearing**

**8.3 Shoaib & Sons LLC – *J. Geartz***

**8.3.1 Preliminary Resolution**

**8.3.2 Authorize Public Hearing**

**8.4 Duncan’s Heating and Cooling Corp. (Phase 2) – *J. Geartz***

**8.4.1 Final Resolution**

**8.5 9745 Rochester Road, LLC – *M. Gabriele***

**8.5.1 Request for Additional Sales Tax**

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

**10.0 Information Items**

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

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

**DATE: February 12, 2025**

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

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

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

**5.1**

# **Meeting Minutes**

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

**DATE:** November 13, 2024  
**MEETING TIME:** 9:00 a.m.  
**MEETING PLACE:** Niagara County Industrial Development Agency  
Vantage Center, Suite One  
6311 Inducon Corporate Drive  
Sanborn, NY 14132

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

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

### **2.0 Roll Call**

Mark A. Onesi, Chairperson	Present
Jason Krempa, First Vice Chairman	Present
Clifford Scott, Second Vice Chairman	Excused
William L. Ross, Secretary	Present
Mark Berube, Assistant Secretary	Present
Ryan J. Mahoney, Member	Present
Anne E. McCaffrey, Member	Present
David J. Masse, Member	Present
William Fekete, Member	Present

### **3.0 Introduction of Guests**

John Rice, ALS Inc.  
Jonathan Epstein, Buffalo News  
Rob Creenan, Niagara Gazette  
Jacob Tierney, Buffalo Business First

#### **Staff Present**

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



**4.0 Pledge of Allegiance**

Mr. Onesi led the pledge of allegiance.

**5.0 Approval of Meeting Minutes**

**5.1 Regular NCIDA/NCDC/NADC – October 9, 2024**

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

**6.0 Finance & Audit Committee Reports**

**6.1 Agency Payables – October 31, 2024**

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

*Mr. Krempa made a motion to approve the monthly payables; Ms. McCaffrey seconded the motion. The motion passed.*

**6.2 Budget Variance Report – October 31, 2024**

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

*Mr. Krempa made a motion to approve the Budget Variance Report; Mr. Mahoney seconded the motion. The motion passed.*

**7.0 Governance Committee**

**7.1 Handbook Updates**

Mr. Ross stated that the Governance Committee held a meeting to review the updated employee handbook. He added that the Committee is recommending the handbook updates to the Board for approval.

*Mr. Ross made a motion to approve the handbook updates; Mr. Masse seconded the motion. The motion passed.*

**8.0 Unfinished Business**

**8.1 ALS Inc.**

Mr. Geartz stated that there was a public hearing held for ALS Inc. on October 29, 2024 at the North Tonawanda City Hall. There were three people in attendance at the public hearing, Mark Berube, John Rice, and the North Tonawanda Assessor. 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 ALS 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) NEGOTIATE AND EXECUTE AN AGENT AND FINANCIAL ASSISTANCE PROJECT AGREEMENT AND RELATED DOCUMENTS: AND (iii) PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF A SALES TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT.

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

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

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

The Resolution was thereupon duly adopted.

**8.2 Indian Ocean, LLC (Phase II)**

Mr. Geartz stated that there was a public hearing held for Indian Ocean, LLC on October 30, 2024 at Niagara Falls City Hall. One person was in attendance from Niagara County Real Property. There were no comments made at the public hearing.

**8.2.1 Final Resolution**

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) UNDERTAKE A CERTAIN PROJECT FOR THE BENEFIT OF INDIAN OCEAN, LLC AND/OR AN INDIVIDUAL(S) OR AFFILIATE, SUBSIDIARY, OR ENTITY FORMED OR TO BE FORMED ON ITS BEHALF (AS MORE FULLY DEFINED BELOW); (ii) NEGOTIATE AND EXECUTE AN AGENT AND FINANCIAL ASSISTANCE PROJECT AGREEMENT AND RELATED DOCUMENTS: AND (iii) PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF A SALES TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT.

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

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

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

The Resolution was thereupon duly adopted.

**8.3 Vishay Dale Electronics, LLC**

Mr. Gabriele stated that Vishay Dale Electronics, LLC is requesting a 6 month inducement extension resolution.

**8.3.1 Inducement Extension Resolution**

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

**Mr. Fekete made a motion to approve the Inducement Extension Resolution; Ms. McCaffrey seconded the motion. The motion passed.**

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

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

The Resolution was thereupon duly adopted.

**9.0 New Business**

**9.1 Adopt 2025 Budgets**

**9.1.1 Niagara County Industrial Development Agency**

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

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

**9.1.2 Niagara County Development Corporation**

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

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

**9.1.3 Niagara Area Development Corporation**

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

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

**10.0 Agency Counsel**

Mr. Gabriele requested that the Board go into executive session to discuss outstanding loans. He added that he does not expect any action coming out of executive session.

***Mr. Berube made a motion to go into executive session; Ms. McCaffrey seconded the motion. The motion passed.***

***Mr. Berube made a motion to return from executive session; Mr. Fekete seconded the motion. The motion passed.***

**11.0 Information Items**

**11.1 2025 Board Meeting Calendar**

The agency distributed the 2025 Board Meeting calendar.

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

There were no matters the Board wished to discuss.

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

**DATE: December 11, 2024**

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

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

**14.0 Adjournment**

Mr. Fekete made a motion to adjourn; Mr. Berube seconded the motion. The meeting adjourned at 9:31 p.m.

Respectfully Submitted:

Reviewed By:

Approved By:

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Julie Lamoreaux  
Recording Secretary

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Andrea Klyczek  
Executive Director

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William L. Ross  
Secretary

**6.1 & 6.2**

**Agency Payables**

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

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
11/1/24	11/1/24	NYS DEFERRED COMPENSATION PLAN	10001.100	769.75
30223	11/1/24	Amazon Capital Services	10001.100	200.67
30224	11/1/24	County of Niagara	10001.100	36.07
30225	11/1/24	Gibson, McAskill & Crosby, LLP	10001.100	14,055.60
30226	11/1/24	THE HARTFORD	10001.100	209.36
30227	11/1/24	M&T Bank	10001.100	900.06
30228	11/1/24	National Grid	10001.100	622.19
30229	11/1/24	Professional Janitorial Services, Inc.	10001.100	823.00
30230	11/1/24	FedEx	10001.100	8.38
30231	11/6/24	360 PSG.com	10001.100	60.00
30232	11/6/24	Guardian	10001.100	233.69
30233	11/12/24	Amazon Capital Services	10001.100	55.34
30234	11/12/24	Buffalo Business First	10001.100	1,340.00
30235	11/12/24	Cintas Corporation LOC. 067P	10001.100	140.70
30236	11/12/24	FedEx	10001.100	18.52
30237	11/12/24	Gabriele & Berrigan, P.C.	10001.100	15,281.74
30238	11/12/24	Selective Insurance Company	10001.100	2,107.60
30239	11/12/24	STAPLES CONTRACT & COMMERCIAL	10001.100	52.62
30240	11/12/24	Vecmar	10001.100	75.00
11/14/24	11/14/24	PAYCHEX, INC.	10001.100	60.06
11/15/24	11/15/24	NYS DEFERRED COMPENSATION PLAN	10001.100	697.75
30241	11/19/24	Cooper Electric	10001.100	217.80
30242	11/19/24	County of Niagara	10001.100	111.51
30243	11/19/24	First Choice Coffee Services	10001.100	94.49
30244	11/19/24	Gibson, McAskill & Crosby, LLP	10001.100	13,729.92
30245	11/19/24	Guardian	10001.100	233.69
30246	11/19/24	NIAGARA GAZETTE	10001.100	243.00
30247	11/19/24	PURCHASE POWER	10001.100	300.00
11/20/24	11/20/24	PAYCHEX, INC.	10001.100	128.00
11/27/24	11/27/24	PAYCHEX, INC.	10001.100	60.06
11/29/24	11/29/24	NYS DEFERRED COMPENSATION PLAN	10001.100	697.75
<b>Total</b>				<b>53,564.32</b>

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

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
4963	11/6/24	H.W.BRYK & SONS, INC.	10001.600	3,366.00
4964	11/6/24	DAVIS-ULMER Sprinkler Co.	10001.600	170.00
4965	11/6/24	Frontier	10001.600	281.84
4966	11/6/24	National Grid	10001.600	56.74
4967	11/6/24	Mike Sinatra's Landscaping and	10001.600	3,700.00
4968	11/12/24	Beau Enterprises, Inc.	10001.600	801.00
4969	11/12/24	Town of Wheatfield Water/	10001.600	40.00
4970	11/12/24	Town of Wheatfield	10001.600	60.00
4971	11/19/24	Modern Disposal Services, Inc.	10001.600	191.51
4972	11/19/24	County of Niagara	10001.600	43.26
<b>Total</b>				<b><u>8,710.35</u></b>



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

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
3212	11/6/24	National Grid	10001.600	69.02
3213	11/6/24	Niagara Falls Water Board	10001.600	734.41
3214	11/6/24	Mike Sinatra's Landscaping and	10001.600	2,500.00
3215	11/12/24	Beau Enterprises, Inc.	10001.600	468.00
3216	11/19/24	VERIZON	10001.600	133.19
<b>Total</b>				<u><u>3,904.62</u></u>

**Niagara Industrial Incubator Associates**

**Check Register**

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

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1437	11/6/24	H.W. Bryk & Sons, Inc.	10000.100	430.00
1438	11/6/24	National Grid	10000.100	141.54
1439	11/6/24	Niagara Falls Water Board	10000.100	1,129.27
1440	11/6/24	Mike Sinatra's Landscaping and	10000.100	2,200.00
1441	11/12/24	Gabriele & Berrigan, P.C.	10000.100	722.00
<b>Total</b>				<b>4,622.81</b>

### NIAG ECONOMIC DEV FUND

#### Check Register

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

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1358	11/12/24	Selective	10000-200	3,161.40
<b>Total</b>				<b>3,161.40</b>

**Niag. Cnty Dev. Corp. - Micro RLF**  
**Check Register**  
For the Period From Nov 1, 2024 to Nov 30, 2024

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
2133	11/19/24	Maxx Lashes Inc.	10004.400	1,251.96
2134	11/19/24	Niagara County Industrial	10004.400	45,000.00
2135	11/19/24	Ya Ghada Have It LLC	10004.400	5,000.00
<b>Total</b>				<u><u>51,251.96</u></u>

## Niagara County Industrial Devel. Agency

### Check Register

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

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
12/2/24	12/2/24	NEW YORK STATE AND LOCAL	10001.100	753.06
30248	12/4/24	Amazon Capital Services	10001.100	23.70
30249	12/4/24	Charter Communications	10001.100	129.99
30250	12/4/24	County of Niagara	10001.100	382.45
30251	12/4/24	THE HARTFORD	10001.100	209.36
30252	12/4/24	Independent Health	10001.100	2,413.35
30253	12/4/24	M&T Bank	10001.100	1,454.50
30254	12/4/24	National Grid	10001.100	601.80
30255	12/4/24	Niag Cnty Dept of Economic Development	10001.100	336.20
30256	12/4/24	NEW YORK STATE AND LOCAL	10001.100	69,283.00
30257	12/4/24	Professional Janitorial Services, Inc.	10001.100	823.00
30258	12/4/24	Safeguard Business Systems	10001.100	216.05
30259	12/4/24	Selective Insurance Company	10001.100	1,855.00
30260	12/10/24	360 PSG.com	10001.100	60.00
30261	12/10/24	Amazon Capital Services	10001.100	242.87
30262	12/10/24	Cintas Corporation LOC. 067P	10001.100	93.80
30263	12/10/24	STAPLES CONTRACT & COMMERCIAL	10001.100	23.13
12/12/24	12/12/24	PAYCHEX, INC.	10001.100	66.47
12/13/24	12/13/24	NYS DEFERRED COMPENSATION PLAN	10001.100	769.75
30264	12/18/24	Amazon Capital Services	10001.100	88.83
30265	12/18/24	County of Niagara	10001.100	660.65
30266	12/18/24	MICHAEL S. DUDLEY	10001.100	127.84
30267	12/18/24	Gabriele & Berrigan, P.C.	10001.100	8,886.87
30268	12/18/24	Gibson, McAskill & Crosby, LLP	10001.100	6,225.80
30269	12/18/24	VOID	10001.100	
30270	12/18/24	Guardian	10001.100	233.69
30271	12/18/24	PURCHASE POWER	10001.100	299.90
12/20/24	12/20/24	PAYCHEX, INC.	10001.100	128.00
12/26/24	12/26/24	PAYCHEX, INC.	10001.100	60.06
12/27/24	12/27/24	NYS DEFERRED COMPENSATION PLAN	10001.100	697.75
<b>Total</b>				<b>97,146.87</b>

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

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
4973	12/4/24	National Grid	10001.600	497.03
4974	12/4/24	County of Niagara	10001.600	348.09
4975	12/4/24	Professional Janitorial Services, Inc.	10001.600	346.00
4976	12/4/24	Mike Sinatra's Landscaping and	10001.600	3,700.00
4977	12/10/24	Frontier	10001.600	281.75
4978	12/10/24	NCIDA VIP MTF OPERATING	10001.600	10,000.00
4979	12/18/24	H.W.BRYK & SONS, INC.	10001.600	547.50
4980	12/18/24	Modern Disposal Services, Inc.	10001.600	191.51
4981	12/18/24	County of Niagara	10001.600	410.07
<b>Total</b>				<b><u>16,321.95</u></b>

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

Filter Criteria includes: Report order is by Date.

<b>Check #</b>	<b>Date</b>	<b>Payee</b>	<b>Cash Account</b>	<b>Amount</b>
3217	12/4/24	National Grid	10001.600	77.71
3218	12/4/24	Mike Sinatra's Landscaping and	10001.600	2,500.00
3219	12/10/24	NCIDA-MTF-CAPITAL ACCOUNT	10001.600	10,000.00
3220	12/18/24	VERIZON	10001.600	132.89
<b>Total</b>				<u><u>12,710.60</u></u>

**Niagara Industrial Incubator Associates**  
**Check Register**  
For the Period From Dec 1, 2024 to Dec 31, 2024

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1442	12/4/24	National Grid	10000.100	165.12
1443	12/4/24	Mike Sinatra's Landscaping and	10000.100	2,200.00
1444	12/10/24	NIAGARA COUNTY INDUSTRIAL	10000.100	31.73
1445	12/18/24	Town of Wheatfield	10000.100	46.23
1446	12/23/24	M&T Bank	10000.100	143.06
1447	12/31/24	H.W. Bryk & Sons, Inc.	10000.100	415.50
1448	12/31/24	Niagara Lock & Key Service, Inc.	10000.100	486.45
1449	12/31/24	Mike Sinatra's Landscaping and	10000.100	2,700.00
<b>Total</b>				<u><u>6,188.09</u></u>



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

Filter Criteria includes: Report order is by Date.

<b>Check #</b>	<b>Date</b>	<b>Payee</b>	<b>Cash Account</b>	<b>Amount</b>
2136	12/10/24	SUNY Niagara	10004.400	<u>1,500.00</u>
<b>Total</b>				<u><u>1,500.00</u></u>

**6.3 & 6.4**

**Budget Variance  
Reports**

**NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**  
**BUDGET VARIANCE REPORT AS OF November 30, 2024**  
**UN-AUDITED STATEMENT FOR INTERNAL MANAGEMENT USE ONLY**

	Current Month Actual	Current Month Budget	Year To Date Actual	Year To Date Budget	Year To Date Variance	Total Budget
<b>Operating Revenues</b>						
Project Administrative Fees	\$ 14,550.00	\$ 33,027.00	\$ 786,215.00	\$ 491,407.00	294,808.00	\$ 527,232.00
Project Application Fees	1,000.00	1,000.00	10,000.00	11,000.00	(1,000.00)	12,000.00
NEDF Origination Fees	0.00	0.00	1,250.00	0.00	1,250.00	0.00
NEDF RLF Administrative Fee	4,166.67	4,166.67	45,833.37	45,833.37	0.00	50,000.00
Microenterprise Admin Fees	45,000.00	0.00	45,000.00	0.00	45,000.00	0.00
Administrative Fees - Other	0.00	0.00	5,303.44	0.00	5,303.44	28,040.00
Interest Earnings	139.42	3,820.42	42,397.08	42,024.62	372.46	45,845.00
Miscellaneous Income	14,416.22	14,315.08	158,658.29	157,465.88	1,192.41	171,781.00
Distributions From Affiliates	0.00	0.00	0.00	0.00	0.00	100,000.00
Distribution from VIP MTF	0.00	0.00	0.00	0.00	0.00	100,000.00
<b>Total Operating Revenues</b>	<b>79,272.31</b>	<b>56,329.17</b>	<b>1,094,657.18</b>	<b>747,730.87</b>	<b>346,926.31</b>	<b>1,034,898.00</b>
<b>Operating Expenses</b>						
Salaries	33,382.74	53,690.64	358,661.35	429,525.12	(70,863.77)	465,319.00
Benefits	2,804.19	5,410.75	43,146.90	59,518.25	(16,371.35)	64,929.00
Retirement Benefits	5,310.92	5,310.92	58,420.12	58,420.12	0.00	63,731.00
Payroll Taxes	2,578.62	4,093.56	27,921.20	33,018.93	(5,097.73)	35,778.00
Unemployment Taxes	0.00	0.00	1,666.56	1,575.00	91.56	1,575.00
Consultants	2,500.00	2,500.00	29,262.72	27,500.00	1,762.72	30,000.00
Executive Director	6,516.17	0.00	45,613.19	0.00	45,613.19	0.00
Assistant Director	0.00	6,516.17	26,194.34	71,677.87	(45,483.53)	78,194.00
Legal Services	19,563.25	5,833.33	115,773.36	64,166.63	51,606.73	70,000.00
Accounting Services	0.00	0.00	21,000.00	20,710.00	290.00	20,710.00
Accounting Services - NADC	0.00	0.00	1,500.00	1,500.00	0.00	1,500.00
Marketing	1,464.78	1,833.33	13,035.28	20,166.63	(7,131.35)	22,000.00
Sponsorships	250.00	0.00	1,000.00	0.00	1,000.00	0.00
Printing	0.00	100.00	59.49	1,100.00	(1,040.51)	1,200.00
Office Supplies	46.13	208.33	943.67	2,291.63	(1,347.96)	2,500.00
Postage	318.52	151.00	3,163.47	3,562.00	(398.53)	3,750.00
Telephone & Fax	123.92	107.08	1,193.07	1,177.88	15.19	1,285.00
Internet Service	185.98	195.67	1,885.88	2,152.37	(266.49)	2,348.00
Common Area Charges	874.50	874.50	9,619.50	9,619.50	0.00	10,494.00
Energy	1,271.80	1,341.00	13,256.29	16,305.00	(3,048.71)	18,081.00
Conference & Travel	255.81	666.67	10,261.27	7,333.37	2,927.90	8,000.00
Employee Training	0.00	500.00	1,450.00	5,500.00	(4,050.00)	6,000.00
Depreciation Expense	0.00	0.00	0.00	0.00	0.00	6,462.00
Insurance Expense	1,708.28	1,824.42	18,790.68	20,068.62	(1,277.94)	21,893.00
Library & Membership	932.88	326.92	3,864.82	3,596.12	268.70	3,923.00
General Office	880.96	993.33	10,713.98	10,926.63	(212.65)	11,920.00
Repairs & Maintenance	1,198.44	1,065.00	11,198.40	11,715.00	(516.60)	12,780.00
Computer Support	0.00	500.00	1,114.39	5,500.00	(4,385.61)	6,000.00
Public Hearings	0.00	25.00	118.65	275.00	(156.35)	300.00
Furniture & Equipment Purchase	0.00	166.67	0.00	1,833.37	(1,833.37)	2,000.00
Other Expense	0.00	83.33	5.29	916.63	(911.34)	1,000.00
<b>Total Operating Expenses</b>	<b>82,167.89</b>	<b>94,317.62</b>	<b>830,833.87</b>	<b>891,651.67</b>	<b>(60,817.80)</b>	<b>973,672.00</b>
<b>Net Operating Income/&lt;Loss&gt;</b>	<b>(2,895.58)</b>	<b>(37,988.45)</b>	<b>263,823.31</b>	<b>(143,920.80)</b>	<b>407,744.11</b>	<b>61,226.00</b>
<b>Non-Operating Revenue &amp; Expense</b>						
Grant Rev- City NF Initiative	0.00	0.00	265,172.31	0.00	265,172.31	2,145,609.00
Grant Sub-City NF Initiative	0.00	0.00	265,172.31	0.00	265,172.31	2,145,609.00
<b>Net Non-Operating Income/&lt;Loss&gt;</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Total Net Income/&lt;Loss&gt;</b>	<b>(\$ 2,895.58)</b>	<b>(\$ 37,988.45)</b>	<b>\$ 263,823.31</b>	<b>(\$ 143,920.80)</b>	<b>407,744.11</b>	<b>\$ 61,226.00</b>

**NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

Balance Sheet  
November 30, 2024

**ASSETS**

<b>Current Assets</b>		
Cash - Checking	\$	234,872.01
Petty Cash		300.00
Certificates of Deposit		2,500,000.00
Mmkt Acct. - M&T Bank		73,554.87
Cash - First Response		66,418.96
Cash - City of N.F.		822.73
Cataract Tourism C/D		2,500,000.00
Mmkt Acct. - Cataract Tourism		268,508.03
Accts Rec - Public Hearings		2,903.94
Accounts Rec. EDA - RLF		155,833.26
Due To/From Micro RLF		27,829.40
Due To/From VIP - MTF		449,683.56
Due From NCDC CDBG/HUD		18,333.48
Accounts Rec. - NIIA		31.73
Due To/Due From NADC		500.56
Due To/From MTF Operating		3,824.08
Prepaid Insurance		<u>6,609.64</u>
<b>Total Current Assets</b>		<b>6,310,026.25</b>
<b>Other Assets</b>		
Deferred Outflows		180,568.00
Investment in NIIA		<u>342,500.00</u>
<b>Total Other Assets</b>		<b>523,068.00</b>
<b>Fixed Assets</b>		
Furniture & Equipment		231,672.18
Furn & Fixtures - Fed purchase		5,861.08
Accum Dep. - Furn & Equip		(208,515.61)
Accum Dep. - F&F Fed Purch		<u>(5,861.08)</u>
<b>Total Fixed Assets</b>		<b>23,156.57</b>
<b>Total Assets</b>		<b><u>\$ 6,856,250.82</u></b>

**LIABILITIES AND NET ASSETS**

<b>Current Liabilities</b>		
NYS Retirement W/H 414(H)	\$	753.06
Accrued Retirement		58,420.12
Deferred Rev. - NEDF		4,166.63
Deferred Rev. - First Repsonse		66,418.96
Def. Rev. - City of N.F.		2,769,330.76
Accounts Payable		17,616.30
Acct. Payable - Niag. County		<u>32,580.85</u>
<b>Total Current Liabilities</b>		<b>2,949,286.68</b>
<b>Long-Term Liabilities</b>		
Pension Liability		139,492.00
Deferred Inflows of Resources		<u>22,355.00</u>
<b>Total Long-Term Liabilities</b>		<b><u>161,847.00</u></b>
<b>Total Liabilities</b>		<b>3,111,133.68</b>
<b>Net Assets</b>		
Fund Balance - Operating Fund		3,481,293.83
Net Income		<u>263,823.31</u>
<b>Total Net Assets</b>		<b><u>3,745,117.14</u></b>
<b>Total Liabilities &amp; Net Assets</b>		<b><u>\$ 6,856,250.82</u></b>

**Niagara County Industrial  
Development Agency  
Aged Payables  
As of November 30, 2024**

Vendor ID Vendor	Invoice #	Amount Due
ama Amazon Capital Services	1X3N-JC7X-FXCW	23.70
char Charter Communications	Nov 2024	129.99
cin Cintas Corporation #782	50322;93428	93.80
County County of Niagara	Oct 24 Elec	382.45
ind Independent Health	Dec 2024	2,413.35
M&TBUS M&T Bank	Nov 2024	1,454.50
NATGRID National Grid	39004 11/24	601.80
NCDED Niag Cnty Dept of Economic Development	Copier Sep-Oct 2024	336.20
ProJan Professional	1811	823.00
SAFGUA Safeguard Business Systems	9006325728	216.05
SELECTIVE Selective Insurance Company	Pub.Off.11/24-11/25	1,855.00
STAPLES STAPLES CONTRACT & COMMERCIAL	7003207747	23.13
Report Total		<u>8,352.97</u>
<b><u>Adjusting Journal Entries</u></b>		
Estimated Nov 2024 Legal Fees		5,833.33
Estimated Nov 2024 Copier usage		200.00
Estimated Oct-Nov 2024 Telephone		60.00
Estimated Oct 2024 Niagara County Electric		400.00
Estimated Oct 2024 Niagara County Gas		270.00
Estimated Nov 2024 Consulting		2,500.00
		<u>17,616.30</u>



**NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

12/10/2024

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

<b>Closed 2024</b>	Project Type	Total Project Amount	IDA Project Amount	Admin. Fees	Application Fees	Amount Received to Date	Date Received	Balance Due	Date Closed	
	Amazon.com Services LLC	L/L Back	550,000,000	550,000,000	715,000	1,000	716,000	4/9/24	-	1/30/24
	MHT Holdings, Inc. - Brookside Commons	No assistance provided.			0	1,000	1,000	5/26/23	-	
	MHT Holdings, Inc. - Niagara Falls	No assistance provided.			0	1,000	1,000	5/26/23	-	
	DRC Development LLC 2022	Additional Sales Tax			3,500	0	3,500	2/28/24	-	
	Iskalo 1 East Avenue LLC	Sales & Mtg Tax Only	1,995,000	860,000	8,600	1,000	9,600	5/30/24	-	5/9/24
	Big Ditch Brewing Company LLC	Sales Tax Only	1,200,000	960,000	9,600	1,000	10,600	5/30/24	-	5/9/24
	2429 Military Rd., LLC	L/L Back	3,085,961	2,667,811	30,860	1,000	31,860	7/3/24	-	6/26/24
	Cityscape Property Management Inc. - Stenzil	No assistance provided.			0	1,000	1,000	9/20/23	-	
	Enterprise Lumber & Silo, LLC	Additional Sales Tax			4,105	0	4,105	7/19/24	-	
	OAHS Urban Park TC LLC	Bond amendment issuer fee			8,250	0	8,250	11/22/24	-	
	OAHS Niagara Towers TC LLC	Bond amendment issuer fee			6,300	0	6,300	11/22/24	-	
	NF Lockport LLC	No assistance provided.			0	1,000	1,000	9/13/23	-	
	<b>TOTAL</b>				<u>786,215</u>					

Fees received in prior year -

**Total fees received to date in 2024** 786,215

**Total 2024 Budgeted Fees** 527,232

**Balance of Budgeted Fees** (258,983)

<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>	<u>0</u>
	<b>TOTAL - Projected Income 2024</b>			<u>786,215</u>	<u>0</u>	<u>0</u>		<u>0</u>	<u>786,215</u>

<b>Projected 2025</b>	Project Type	Total Project Amount	IDA Project Amount	Anticipated Fees	Application Fee	Amount Received to Date	Date Received	Anticipated Balance Due	Inducement Expiration	
	Cityscape Property Management Inc. - Division	L/L Back	1,122,000	970,000	9,700	1,000	1,000	9/20/23	9,700	5/9/25
	Peak Development Partners, LLC	L/L Back	7,475,000	7,175,000	71,750	1,000	1,000	1/31/23	71,750	3/22/25
	Niacet Corporation 2023	L/L Back	121,000,000	89,000,000	TBD	1,000	1,000	3/14/23	-	3/22/25
	Vishay Dale Electronics, LLC	L/L Back	8,200,000	8,000,000	80,000	1,000	1,000	12/12/23	80,000	6/30/25
	MGA Construction, LLC	L/L Back	11,027,000	8,900,000	89,000	1,000	1,000	3/1/24	89,000	6/30/25
	Live-USA Incorporated	L/L Back	16,000,000	10,500,000	102,500	1,000	1,000	7/3/24	102,500	7/31/25
	Hotel Niagara Development, LLC	L/L Back	43,959,500	41,709,500	220,000	1,000	1,000	7/5/24	220,000	7/31/25
	235 River Road LLC	L/L Back	36,665,978	28,426,762	190,000	1,000	1,000	9/11/24	190,000	10/31/25
	MT Altimeter LLC	L/L Back	13,450,000	12,800,000	114,000	1,000	1,000	9/17/24	114,000	10/31/25
	ALS Inc. dba Buffalo Pumps	Sales Tax Only	10,000,000	2,500,000	TBD	1,000	1,000	11/7/24	-	11/30/25
	Indian Ocean LLC (Phase II)	L/L Back	10,000,000	9,000,000	90,000	1,000	1,000	10/24/24	90,000	11/30/25
	<b>TOTAL</b>			<u>966,950</u>	<u>11,000</u>	<u>11,000</u>		<u>966,950</u>	<u>0</u>	

\* Pending Board Approval

## Cataract Tourism Fund Grant Program

Grantee Name	Grant Awards	Outst'd'g Awards	Approval Date	Disbursement Date	Disbursement Amount	Offer Expiration	Project Description
Niagara County Dept. of Economic Development	37,667	0	10/11/2017	1/23/2018	37,667.00		Feasibility study for Niagara Falls area multi-use facility.
Niagara Aquarium Foundation	88,147	0	2/14/2018	7/15/2019	88,147.00		Jellyfish exhibit and equipment.
The Tourism Research Entrepreneurship Center (TReC)	176,600	0	8/8/2018	6/2/2020	176,600.00		Buildout, audio/visual equipment and network connectivity hardware.
Niagara Aquarium Foundation	16,717	0	2/12/2020	10/21/2020	16,717.00		Renovations to second floor event room.
Niagara Aquarium Foundation	370,000	0	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	7/10/2019	9/7/2021	64,403.00		Spot Coffee.
Niagara Falls Center for Tourism LLC	1,000,000	0	6/12/2019	7/7/2023	598,661.03	3/31/2025	Construction of an indoor family entertainment center and outdoor improvements.
The Center for Kashmir, Inc.	573,000	300,000	6/14/2023	8/9/2023	273,000.00		Renovations to vacant church for a museum of art and culture for Kashmir.
Savarino Companies, LLC	155,000	0	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	2/9/2022	To Be Disbursed	0.00	12/31/2024	Renovations to the Niagara Gorge Discovery Center for expanded programming.
Niagara Aquarium Foundation	35,000	0	2/8/2023	1/2/2024	35,000.00		Sea turtle exhibit.
Burger Factory Niagara Falls, Inc.	185,250	0	2/8/2023	1/11/2024	185,250.00		Façade renovations.
Niagara Falls International Cuisine, Inc.	76,500	0	2/8/2023	1/11/2024	44,922.31		Dining area renovations.
TM Montante Development(Radio Niagara)	912,609	912,609	3/22/2023	To Be Disbursed	0.00	11/1/2025	Renovations for restaurant, bar, game space, bowling lounge and boutique hotel.
Live-USA Incorporated	450,000	450,000	8/14/2024	To Be Disbursed	0.00	12/31/2025	Renovation of restaurant, bar and music entertainment venue.
Niagara Falls Urban Renewal Agency	204,000	204,000	10/9/2024	To Be Disbursed	0.00	5/31/2027	Acquisition of properties along Main Street in Niagara Falls.
To Date Sub-Total	<u>5,244,893</u>	<u>2,766,609</u>			<u>2,045,367.34</u>		
<b>Cash on hand as of 11/30/2024</b>							
	2,769,330.76						
<b>Less: Outstanding Awards</b>							
	<u>(2,766,609.00)</u>						
<b>Available for awarding grants</b>							
	<u>2,721.76</u>						
<b>Grant Fund Balance</b>							
	-						
<b>Grant Funding from NYS 11/22/2016</b>							
	1,600,000.00						
<b>Grant Funding from NYS 10/16/2017</b>							
	1,440,000.00						
<b>Grant Funding from NYS 10/12/2018</b>							
	1,600,000.00						
<b>Bank Interest</b>							
	174,741.36						
<b>Bank Fees</b>							
	(43.26)						
<b>Grant Disbursements</b>							
	<u>(2,045,367.34)</u>						
<b>Grant Fund Balance</b>							
	<u>2,769,330.76</u>						

**NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**  
**BUDGET VARIANCE REPORT AS OF December 31, 2024**  
**UN-AUDITED STATEMENT FOR INTERNAL MANAGEMENT USE ONLY**

	Current Month Actual	Current Month Budget	Year To Date Actual	Year To Date Budget	Year To Date Variance	Total Budget
<b><u>Operating Revenues</u></b>						
Project Administrative Fees	\$ 0.00	\$ 35,825.00	\$ 786,215.00	\$ 527,232.00	258,983.00	\$ 527,232.00
Project Application Fees	0.00	1,000.00	10,000.00	12,000.00	(2,000.00)	12,000.00
NEDF Origination Fees	0.00	0.00	1,250.00	0.00	1,250.00	0.00
NEDF RLF Administrative Fee	4,166.63	4,166.63	50,000.00	50,000.00	0.00	50,000.00
Microenterprise Admin Fees	0.00	0.00	45,000.00	0.00	45,000.00	0.00
Administrative Fees - Other	9,340.00	28,040.00	14,643.44	28,040.00	(13,396.56)	28,040.00
Interest Earnings	134.13	3,820.38	42,531.21	45,845.00	(3,313.79)	45,845.00
Miscellaneous Income	14,416.22	14,315.12	173,074.51	171,781.00	1,293.51	171,781.00
Distributions From Affiliates	0.00	100,000.00	0.00	100,000.00	(100,000.00)	100,000.00
Distribution from VIP MTF	100,000.00	100,000.00	100,000.00	100,000.00	0.00	100,000.00
<b>Total Operating Revenues</b>	<b>128,056.98</b>	<b>287,167.13</b>	<b>1,222,714.16</b>	<b>1,034,898.00</b>	<b>187,816.16</b>	<b>1,034,898.00</b>
<b><u>Operating Expenses</u></b>						
Salaries	22,255.16	35,793.88	380,916.51	465,319.00	(84,402.49)	465,319.00
Benefits	3,328.30	5,410.75	46,475.20	64,929.00	(18,453.80)	64,929.00
Retirement Benefits	10,862.88	5,310.88	69,283.00	63,731.00	5,552.00	63,731.00
Payroll Taxes	1,774.78	2,759.07	29,695.98	35,778.00	(6,082.02)	35,778.00
Unemployment Taxes	0.00	0.00	1,666.56	1,575.00	91.56	1,575.00
Consultants	2,500.00	2,500.00	31,762.72	30,000.00	1,762.72	30,000.00
Executive Director	24,280.18	0.00	69,893.37	0.00	69,893.37	0.00
Assistant Director	0.00	6,516.13	26,194.34	78,194.00	(51,999.66)	78,194.00
Legal Services	12,059.13	5,833.37	125,886.03	70,000.00	55,886.03	70,000.00
Accounting Services	0.00	0.00	21,000.00	20,710.00	290.00	20,710.00
Accounting Services - NADC	0.00	0.00	1,500.00	1,500.00	0.00	1,500.00
Marketing	60.00	1,833.37	13,095.28	22,000.00	(8,904.72)	22,000.00
Sponsorships	0.00	0.00	1,000.00	0.00	1,000.00	0.00
Printing	0.00	100.00	59.49	1,200.00	(1,140.51)	1,200.00
Office Supplies	0.00	208.37	943.67	2,500.00	(1,556.33)	2,500.00
Postage	299.90	188.00	3,463.37	3,750.00	(286.63)	3,750.00
Telephone & Fax	123.92	107.12	1,316.99	1,285.00	31.99	1,285.00
Internet Service	185.98	195.63	2,071.86	2,348.00	(276.14)	2,348.00
Common Area Charges	874.50	874.50	10,494.00	10,494.00	0.00	10,494.00
Energy	1,550.00	1,776.00	14,796.94	18,081.00	(3,284.06)	18,081.00
Conference & Travel	1,033.61	666.63	11,294.88	8,000.00	3,294.88	8,000.00
Employee Training	0.00	500.00	1,450.00	6,000.00	(4,550.00)	6,000.00
Depreciation Expense	0.00	6,462.00	0.00	6,462.00	(6,462.00)	6,462.00
Insurance Expense	1,847.47	1,824.38	20,638.15	21,893.00	(1,254.85)	21,893.00
Library & Membership	0.00	326.88	3,864.82	3,923.00	(58.18)	3,923.00
General Office	1,898.97	993.37	12,612.95	11,920.00	692.95	11,920.00
Repairs & Maintenance	1,082.78	1,065.00	12,281.18	12,780.00	(498.82)	12,780.00
Computer Support	0.00	500.00	1,114.39	6,000.00	(4,885.61)	6,000.00
Public Hearings	204.15	25.00	322.80	300.00	22.80	300.00
Furniture & Equipment Purchase	0.00	166.63	0.00	2,000.00	(2,000.00)	2,000.00
Other Expense	0.00	83.37	5.29	1,000.00	(994.71)	1,000.00
<b>Total Operating Expenses</b>	<b>86,221.71</b>	<b>82,020.33</b>	<b>915,099.77</b>	<b>973,672.00</b>	<b>(58,572.23)</b>	<b>973,672.00</b>
<b>Net Operating Income/&lt;Loss&gt;</b>	<b>41,835.27</b>	<b>205,146.80</b>	<b>307,614.39</b>	<b>61,226.00</b>	<b>246,388.39</b>	<b>61,226.00</b>
<b><u>Non-Operating Revenue &amp; Expense</u></b>						
Grant Rev- City NF Initiative	0.00	2,145,609.00	265,172.31	2,145,609.00	(1,880,436.69)	2,145,609.00
Grant Sub-City NF Initiative	0.00	2,145,609.00	265,172.31	2,145,609.00	(1,880,436.69)	2,145,609.00
<b>Net Non-Operating Income/&lt;Loss&gt;</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Total Net Income/&lt;Loss&gt;</b>	<b>\$ 41,835.27</b>	<b>\$ 205,146.80</b>	<b>\$ 307,614.39</b>	<b>\$ 61,226.00</b>	<b>246,388.39</b>	<b>\$ 61,226.00</b>



**NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

Balance Sheet  
December 31, 2024

**ASSETS**

Current Assets	
Cash - Checking	\$ 117,231.46
Petty Cash	300.00
Certificates of Deposit	2,500,000.00
Mmkt Acct. - M&T Bank	73,689.00
Cash - First Response	66,447.16
Cash - City of N.F.	823.08
Cataract Tourism C/D	2,500,000.00
Mmkt Acct. - Cataract Tourism	268,997.66
Accts Rec - Public Hearings	2,903.94
Accounts Rec. EDA - RLF	169,166.59
Due To/From Micro RLF	28,662.73
Due To/From VIP - MTF	554,142.73
Due From NCDC CDBG/HUD	19,166.82
Due To/Due From NADC	500.56
Due To/From MTF Operating	7,794.08
Prepaid Insurance	<u>23,966.56</u>
 Total Current Assets	 6,333,792.37
Other Assets	
Deferred Outflows	180,568.00
Investment in NIIA	<u>342,500.00</u>
 Total Other Assets	 523,068.00
Fixed Assets	
Furniture & Equipment	231,672.18
Furn & Fixtures - Fed purchase	5,861.08
Accum Dep. - Furn & Equip	(208,515.61)
Accum Dep. - F&F Fed Purch	<u>(5,861.08)</u>
 Total Fixed Assets	 23,156.57
 Total Assets	 <u>\$ 6,880,016.94</u>

**LIABILITIES AND NET ASSETS**

Current Liabilities	
NYS Retirement W/H 414(H)	\$ 502.04
Deferred Rev. - First Repsonse	66,447.16
Def. Rev. - City of N.F.	2,769,820.74
Accounts Payable	35,630.75
Acct. Payable - Niag. County	<u>56,861.03</u>
 Total Current Liabilities	 2,929,261.72
Long-Term Liabilities	
Pension Liability	139,492.00
Deferred Inflows of Resources	<u>22,355.00</u>
 Total Long-Term Liabilities	 <u>161,847.00</u>
 Total Liabilities	 3,091,108.72
Net Assets	
Fund Balance - Operating Fund	3,481,293.83
Net Income	<u>307,614.39</u>
 Total Net Assets	 <u>3,788,908.22</u>
 Total Liabilities & Net Assets	 <u>\$ 6,880,016.94</u>

# NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

1/2/2025

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

Closed 2024	Project Type	Total Project Amount	IDA Project Amount	Admin. Fees	Application Fees	Amount Received to Date	Date Received	Balance Due	Date Closed	
	Amazon.com Services LLC	L/L Back	550,000,000	550,000,000	715,000	1,000	716,000	4/9/24	-	1/30/24
	MHT Holdings, Inc. - Brookside Commons	No assistance provided.		0	1,000	1,000	5/26/23	-		
	MHT Holdings, Inc. - Niagara Falls	No assistance provided.		0	1,000	1,000	5/26/23	-		
	DRC Development LLC 2022	Additional Sales Tax		3,500	0	3,500	2/28/24	-		
	Iskalo 1 East Avenue LLC	Sales & Mtg Tax Only	1,995,000	860,000	8,600	1,000	9,600	5/30/24	-	5/9/24
	Big Ditch Brewing Company LLC	Sales Tax Only	1,200,000	960,000	9,600	1,000	10,600	5/30/24	-	5/9/24
	2429 Military Rd., LLC	L/L Back	3,085,961	2,667,811	30,860	1,000	31,860	7/3/24	-	6/26/24
	Cityscape Property Management Inc. - Stenzil	No assistance provided.		0	1,000	1,000	9/20/23	-		
	Enterprise Lumber & Silo, LLC	Additional Sales Tax		4,105	0	4,105	7/19/24	-		
	OAHS Urban Park TC LLC	Bond amendment issuer fee		8,250	0	8,250	11/22/24	-		
	OAHS Niagara Towers TC LLC	Bond amendment issuer fee		6,300	0	6,300	11/22/24	-		
	NF Lockport LLC	No assistance provided.		0	1,000	1,000	9/13/23	-		
	ALS Inc. dba Buffalo Pumps	No assistance provided.		0	1,000	1,000	11/7/24	-		

TOTAL

786,215

Fees received in prior year -

Total fees received to date in 2024 786,215

Total 2024 Budgeted Fees 527,232

Balance of Budgeted Fees (258,983)

Projected 2024	Project Type	Total Project Amount	IDA Project Amount	Anticipated Fees	Application Fee	Amount Received to Date	Date Received	Anticipated Balance Due	Inducement Expiration
	TOTAL			<u>0</u>	<u>0</u>	<u>0</u>		<u>0</u>	<u>0</u>
	TOTAL - Projected Income 2024			<u>786,215</u>	<u>0</u>	<u>0</u>		<u>0</u>	<u>786,215</u>

Projected 2025	Project Type	Total Project Amount	IDA Project Amount	Anticipated Fees	Application Fee	Amount Received to Date	Date Received	Anticipated Balance Due	Inducement Expiration	
	Cityscape Property Management Inc. - Division	L/L Back	1,122,000	970,000	9,700	1,000	1,000	9/20/23	9,700	5/9/25
	Peak Development Partners, LLC	L/L Back	7,475,000	7,175,000	71,750	1,000	1,000	1/31/23	71,750	3/22/25
	Niacet Corporation 2023	L/L Back	121,000,000	89,000,000	TBD	1,000	1,000	3/14/23	-	3/22/25
	Vishay Dale Electronics, LLC	L/L Back	8,200,000	8,000,000	80,000	1,000	1,000	12/12/23	80,000	6/30/25
	MGA Construction, LLC	L/L Back	11,027,000	8,900,000	89,000	1,000	1,000	3/1/24	89,000	6/30/25
	Live-USA Incorporated	L/L Back	16,000,000	10,500,000	102,500	1,000	1,000	7/3/24	102,500	7/31/25
	Hotel Niagara Development, LLC	L/L Back	43,959,500	41,709,500	220,000	1,000	1,000	7/5/24	220,000	7/31/25
	235 River Road LLC	L/L Back	36,665,978	28,426,762	190,000	1,000	1,000	9/11/24	190,000	10/31/25
	MT Altimeter LLC	L/L Back	13,450,000	12,800,000	114,000	1,000	1,000	9/17/24	114,000	10/31/25
	Indian Ocean LLC (Phase II)	L/L Back	10,000,000	9,000,000	90,000	1,000	1,000	10/24/24	90,000	11/30/25
	TOTAL			<u>966,950</u>	<u>10,000</u>	<u>10,000</u>		<u>966,950</u>	<u>0</u>	

\* Pending Board Approval

**Cataract Tourism Fund  
Grant Program**

Grantee Name	Grant Awards	Outst'd g Awards	Approval Date	Disbursement Date	Disbursement Amount	Offer Expiration	Project Description
Niagara County Dept. of Economic Development	37,667	0	10/11/2017	1/23/2018	37,667.00		Feasibility study for Niagara Falls area multi-use facility.
Niagara Aquarium Foundation	88,147	0	2/14/2018	7/15/2019	88,147.00		Jellyfish exhibit and equipment.
The Tourism Research Entrepreneurship Center (TReC)	176,600	0	8/8/2018	6/2/2020	176,600.00		Buildout, audio/visual equipment and network connectivity hardware.
Niagara Aquarium Foundation	16,717	0	2/12/2020	10/21/2020	16,717.00		Renovations to second floor event room.
Niagara Aquarium Foundation	370,000	0	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	7/10/2019	9/7/2021	64,403.00		Spot Coffee.
Niagara Falls Center for Tourism LLC	1,000,000	0	6/12/2019	7/7/2023	598,661.03	3/31/2025	Construction of an indoor family entertainment center and outdoor improvements.
The Center for Kashmir, Inc.	573,000	300,000	6/14/2023	8/9/2023	273,000.00		Renovations to vacant church for a museum of art and culture for Kashmir.
Savarino Companies, LLC	900,000	900,000	4/14/2021	4/26/2023	155,000.00	12/31/2024	Rehabilitation of 4,000 square feet of commercial/retail storefront space.
Niagara Aquarium Foundation	35,000	0	2/8/2023	To Be Disbursed	0.00		Renovations to the Niagara Gorge Discovery Center for expanded programming.
Niagara Aquarium Foundation	185,250	0	2/8/2023	1/2/2024	35,000.00		Sea turtle exhibit.
Burger Factory Niagara Falls, Inc.	76,500	0	2/8/2023	1/11/2024	185,250.00		Facade renovations.
Niagara Falls International Cuisine, Inc.	912,609	912,609	3/22/2023	1/11/2024	44,922.31		Dining area renovations.
TM Montante Development(Radio Niagara)	450,000	450,000	8/14/2024	To Be Disbursed	0.00	11/1/2025	Renovations for restaurant, bar, game space, bowling lounge and boutique hotel.
Live-USA Incorporated	204,000	204,000	10/9/2024	To Be Disbursed	0.00	12/31/2025	Renovation of restaurant, bar and music entertainment venue.
Niagara Falls Urban Renewal Agency				To Be Disbursed	0.00	5/31/2027	Acquisition of properties along Main Street in Niagara Falls.
<b>To Date Sub-Total</b>	<b>5,244,893</b>	<b>2,766,609</b>			<b>2,045,367.34</b>		

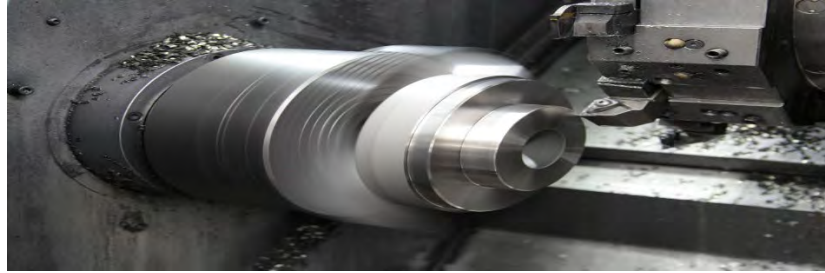
Cash on hand as of 12/31/2024	2,769,820.74
Less: Outstanding Awards	<u>(2,766,609.00)</u>
Available for awarding grants	<u>3,211.74</u>

<b>Grant Fund Balance</b>	-
Grant Funding from NYS 11/22/2016	1,600,000.00
Grant Funding from NYS 10/16/2017	1,440,000.00
Grant Funding from NYS 10/12/2018	1,600,000.00
Bank Interest	175,231.34
Bank Fees	(43.26)
<b>Grant Disbursements</b>	<u>(2,045,367.34)</u>
<b>Grant Fund Balance</b>	<u>2,769,820.74</u>

**8.1**

**VPS Property  
Ventures, LLC**

**PROJECT SUMMARY**  
**VPS Property Ventures, LLC**



<b>Applicant:</b>	<b>VPS Property Ventures, LLC</b>	
<b>Project Location:</b>	5000 Porter Rd, Niagara Falls, 14304	
<b>Assistance:</b>	15 Year PILOT Sales Tax Abatement Mortgage Recording Tax Abatement	
<b>Description:</b>	<p>Canadian based LP Custom Machining Ltd. is set to establish their presence in the United States. Plans for a premier machine shop at the vacant 5000 Porter Rd site, marking the first business to build in this location. The 33,000 square foot facility will specialize in providing Original Equipment Manufacturers (OEMs) with high-precision machining services for heavy fabricated, forged, or casted materials and assemblies. Serving a wide range of industries including automotive tooling, oil and gas, mining, solar power, wind energy, and other industrial, fabricating, and manufacturing sectors, LP Custom Machining Ltd. is poised to become a key player in advancing technological capabilities across multiple fields. The facility will initially employ 12 full-time workers, with plans for future expansion as demand for its services grows. With a strong focus on high-quality custom and CNC machining, the company aims to deliver top-tier solutions that support the continued growth of its industry partners.</p>	
<b>Project Costs:</b>	Construction/Improvements Furniture, Fixtures & Equipment Soft costs Other <b>TOTAL</b>	\$ 4,000,000 \$ 3,000,000 \$ 150,000 \$ 120,000 <hr style="width: 100%;"/> <b>\$ 7,270,000</b>
<b>Employment:</b>	Current jobs in Niagara County: 0 New Jobs in Niagara County within 3 years: 12 Estimated Annual Payroll for New Jobs: \$660,000 Skills: Management, Administrative, Production	
<b>Evaluative Criteria:</b>	Redevelopment supports or aligns with regional and local development plans. Regional Wealth Creation, Supports Local Business or Cluster, In region Purchase.	



# Niagara County Industrial Development Agency

## MRB Cost Benefit Calculator

Date: January 8, 2025  
 Project Title: VPS Property Ventures, LLC  
 Project Location: 5000 Porter Rd, Niagara Falls, 14304



### Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

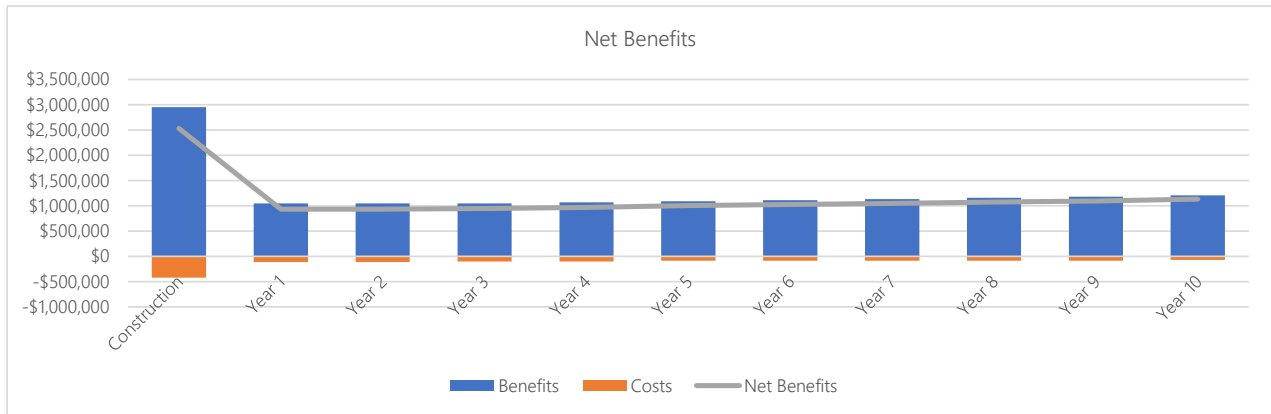
**Project Total Investment**  
 \$7,120,000

	Temporary (Construction)		
	Direct	Indirect	Total
Jobs	26	11	38
Earnings	\$2,195,112	\$594,537	\$2,789,649
Local Spend	\$5,696,000	\$2,046,693	\$7,742,693

	Ongoing (Operations)		
	Direct	Indirect	Total
Jobs	12	8	20
Earnings	\$11,009,019	\$5,509,624	\$16,518,643

Figure 1



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

Figure 2

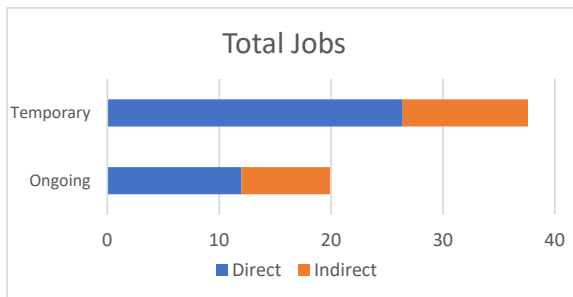
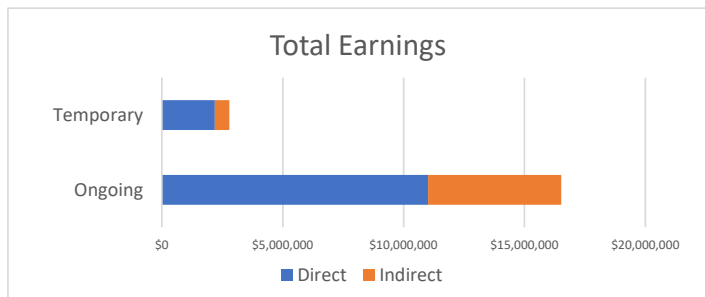


Figure 3



# Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

## Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$1,289,741	\$1,120,037
Sales Tax Exemption	\$400,000	\$400,000
Local Sales Tax Exemption	\$200,000	\$200,000
State Sales Tax Exemption	\$200,000	\$200,000
Mortgage Recording Tax Exemption	\$22,500	\$22,500
Local Mortgage Recording Tax Exemption	\$7,500	\$7,500
State Mortgage Recording Tax Exemption	\$15,000	\$15,000
<b>Total Costs</b>	<b>\$1,712,241</b>	<b>\$1,542,537</b>

## State and Local Benefits

	Nominal Value	Discounted Value*
<b>Local Benefits</b>	<b>\$20,116,809</b>	<b>\$17,524,494</b>
<b>To Private Individuals</b>	<b>\$19,308,292</b>	<b>\$16,843,834</b>
Temporary Payroll	\$2,789,649	\$2,789,649
Ongoing Payroll	\$16,518,643	\$14,054,185
Other Payments to Private Individuals	\$0	\$0
<b>To the Public</b>	<b>\$808,517</b>	<b>\$680,659</b>
Increase in Property Tax Revenue	\$673,359	\$562,752
Temporary Jobs - Sales Tax Revenue	\$19,528	\$19,528
Ongoing Jobs - Sales Tax Revenue	\$115,630	\$98,379
Other Local Municipal Revenue	\$0	\$0
<b>State Benefits</b>	<b>\$1,004,031</b>	<b>\$875,879</b>
<b>To the Public</b>	<b>\$1,004,031</b>	<b>\$875,879</b>
Temporary Income Tax Revenue	\$125,534	\$125,534
Ongoing Income Tax Revenue	\$743,339	\$632,438
Temporary Jobs - Sales Tax Revenue	\$19,528	\$19,528
Ongoing Jobs - Sales Tax Revenue	\$115,630	\$98,379
<b>Total Benefits to State &amp; Region</b>	<b>\$21,120,840</b>	<b>\$18,400,373</b>

## Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$17,524,494	\$1,327,537	13:1
State	\$875,879	\$215,000	4:1
<b>Grand Total</b>	<b>\$18,400,373</b>	<b>\$1,542,537</b>	<b>12:1</b>

\*Discounted at 2%

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

### Additional Revenues:

County	\$121,499
City/Town/Village	\$497,114
School District	\$241,214

\*Estimated Value of Goods and Services to be exempt from sales and use tax as a result of the Agency's involvement in the Project. PLEASE NOTE: These amounts will be verified and there is potential for a recapture of sales tax exemptions (see "Recapture" on page 11 of the Application)  
 (To be used on NYS ST-60)

### Additional Comments from IDA

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

# NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

## APPLICATION FOR FINANCIAL ASSISTANCE

VPS Property Ventures, LLC

---

(Applicant Name)

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

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

<http://niagaracountybusiness.com>

Updated April 2022



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

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

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

**NIAGARA COUNTY  
INDUSTRIAL DEVELOPMENT AGENCY**

**APPLICATION FOR FINANCIAL ASSISTANCE**

**I. APPLICANT INFORMATION**

Company Name: VPS Property Ventures, LLC.

Mailing Address: 211 Barton Street

City/Town/Village & Zip code: Stoney Creek, Ontario, Canada L8E 2K3

Phone: (905) 664-9445

Website: www.lpcustom.com

Fed Id. No.: 35-2753777

Contact Person, and Title: Preet Singh, President

Email: Preet.Singh@lpcustom.com

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

Preet Singh

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

**Form of Entity**

**Corporation**

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

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

**Partnership**

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

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

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

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

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

**Limited Liability Company/Partnership** (number of members <sup>2</sup> \_\_\_\_\_ )

Date of organization: March 29, 2022

State of Organization: New York

**Sole Proprietorship**

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

\_\_\_\_\_

**Applicant's Counsel**

Company Name: Duke Holzman Photiadis & Gresens LLP

Contact Person, and Title: John Celani, Partner

Mailing Address: 701 Seneca Street, Suite 750

City/Town/Village & Zip code: Buffalo, New York 14210

Email: jcelani@dhpqlaw.com

Phone: (716) 855-1111

Fax No.: (716) 855-0327

**II. PROJECT INFORMATION**

**A) Project Address:** 5000 Porter Road

Tax Map Number (SBL) 145.10-1-8  
(Section/Block/Lot)

SWIS Number 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 \$155,000

Total \$155,000

**C) Present legal owner of the site** VPS Property Ventures, LLC.

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

\_\_\_\_\_

**D) Describe the project:**

Building a brand new manufacturing facility that supplies fabrication and

machining capabilities to existing and new potential customers.

\_\_\_\_\_

\_\_\_\_\_

**1. Project site (land)**

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

15 acres

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

Undeveloped Land

2. Indicate number, size (in square feet) and approximate age of existing buildings on site  
N/A - No buildings on site  
\_\_\_\_\_
3. Does the project consist of the construction of a new building or buildings?  
If yes, indicate number and size (in square feet) of new buildings.  
Yes, 33,000 sq.ft.  
\_\_\_\_\_
4. Does the project consist of additions and/or renovations to existing buildings? If yes,  
indicate nature of expansion and/or renovation.  
No, existing buildings on site  
\_\_\_\_\_
5. If any space in the project is to be leased to third parties, indicate total square footage  
of the project amount to be leased to each tenant and proposed use by each tenant.  
N/A  
\_\_\_\_\_
6. List principal items/categories of equipment to be acquired as part of the project.  
Cranes, CNC Machines, Welding Equipment  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. Has construction work on this project begun?  
No  
\_\_\_\_\_

E) Inter-Municipal Move Determination

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

Yes or  No

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

Yes or  No

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

Yes or  No

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

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

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

III. **SOURCES & USES OF FUNDS**

A) Estimated Project Costs:

Property Acquisition	\$	120,000
Construction (Improvements)	\$	4,000,000
Equipment Purchases/Fixtures/Furnishings	\$	3,000,000
Soft costs (i.e. engineering, architectural)	\$	150,000
Other (describe)	\$	
TOTAL USES OF FUNDS	\$	7,270,000

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

Bank Financing	\$	3,000,000
Equity	\$	3,500,000
Grants/Tax Credits	\$	420,000
Taxable or Tax Exempt Bond	\$	
Other Private Loan	\$	450,000
TOTAL SOURCES OF FUNDS	\$	7,370,000

C) Identify each state and federal grant/credit:

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



IV. FINANCIAL ASSISTANCE REQUESTED

A.) Benefits Requested:

Sales Tax Exemption

Mortgage Recording Tax Exemption

Real Property Tax Abatement (PILOT)

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

Property Tax Exemption

Estimated duration of Property Tax exemption: 15 years

Sales and Use Tax

Estimated value of Sales Tax exemption for facility construction: \$ 160,000

Estimated value of Sales Tax exemption for fixtures and equipment: \$ 240,000

Estimated duration of Sales Tax exemption: 1 year

Mortgage Recording Tax Exemption Benefit

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

C.) Financial Assistance Determination:

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

Yes or  No

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

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V. EMPLOYMENT PLAN

	# of Retained Jobs	Retained Jobs Average Annual Salary	# of Created Jobs <i>(3 yrs after project completion)</i>	Created Jobs Average Annual Salary
Full Time	0	\$ 0	12	\$ 55,000
Part time	0	\$ 0	0	\$ 0
TOTAL FTEs	0	\$ 0	12	\$ 55,000

Annual Salary Range of Jobs to be Created: \$ 35,000 to \$ 75,000

Category of Jobs to be Retained and Created:

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

Administrative

Production

**VI. REPRESENTATIONS BY THE APPLICANT**

The Applicant understands and agrees with the Agency as follows:

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

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

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



STATE OF NEW YORK )  
COUNTY OF ) ss.:

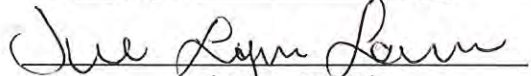
**Niagara**

\_\_\_\_\_ , being first duly sworn, deposes and says:

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

  
\_\_\_\_\_  
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury  
this 2 day of January, 2021.

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

**Julie Lynn Lamoreaux**  
Notary Public, State of New York  
Registration No. 01LA6421615  
Qualified in Erie County  
My Commission Expires September 7, 2025

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

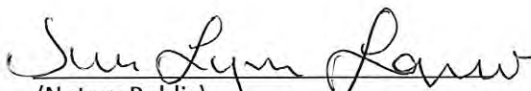
Attach copies of preliminary plans or sketches of proposed construction or rehabilitation or both.

HOLD HARMLESS AGREEMENT

Applicant hereby releases the NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY and the members, officers, servants, agents and employees thereof (the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Agency, and (B) any further action taken by the Agency with respect to the Project; including without limiting the generality of the foregoing, all causes of action and reasonable attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all out of pocket costs incurred by the Agency in processing of the Application, including reasonable attorneys' fees, if any. Notwithstanding anything contained herein to the contrary, the foregoing indemnities shall not be applicable with respect to misconduct, negligence, or criminal activity on the part of the Agency. It is understood and agreed that the Applicant has the right to join in any defense, and participate in the management of the defense, of any claim for which the Agency seeks indemnification.

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

  
\_\_\_\_\_  
(Applicant Signature)  
VPS Property Ventures, LLC.  
By: \_\_\_\_\_  
Name: Preet Singh  
Title: President

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

Julie Lynn Lamoreaux  
Notary Public, State of New York  
Registration No. 01LA6421615  
Qualified In Erie County  
My Commission Expires September 7, 2025

Sworn to before me this 3<sup>rd</sup> day  
of January, 2025

[stamp]



**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
\$4,000,000	\$2,060,000	9.829997	40.219597	19.515714

\*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%	\$ 4,050	\$ 16,570	\$ 8,040	\$ 28,661	\$ 143,305	\$ 114,644
2	20%	\$ 4,050	\$ 16,570	\$ 8,040	\$ 28,661	\$ 143,305	\$ 114,644
3	30%	\$ 6,075	\$ 24,856	\$ 12,061	\$ 42,991	\$ 143,305	\$ 100,313
4	30%	\$ 6,075	\$ 24,856	\$ 12,061	\$ 42,991	\$ 143,305	\$ 100,313
5	40%	\$ 8,100	\$ 33,141	\$ 16,081	\$ 57,322	\$ 143,305	\$ 85,983
6	40%	\$ 8,100	\$ 33,141	\$ 16,081	\$ 57,322	\$ 143,305	\$ 85,983
7	40%	\$ 8,100	\$ 33,141	\$ 16,081	\$ 57,322	\$ 143,305	\$ 85,983
8	40%	\$ 8,100	\$ 33,141	\$ 16,081	\$ 57,322	\$ 143,305	\$ 85,983
9	40%	\$ 8,100	\$ 33,141	\$ 16,081	\$ 57,322	\$ 143,305	\$ 85,983
10	50%	\$ 10,125	\$ 41,426	\$ 20,101	\$ 71,652	\$ 143,305	\$ 71,652
11	50%	\$ 10,125	\$ 41,426	\$ 20,101	\$ 71,652	\$ 143,305	\$ 71,652
12	50%	\$ 10,125	\$ 41,426	\$ 20,101	\$ 71,652	\$ 143,305	\$ 71,652
13	50%	\$ 10,125	\$ 41,426	\$ 20,101	\$ 71,652	\$ 143,305	\$ 71,652
14	50%	\$ 10,125	\$ 41,426	\$ 20,101	\$ 71,652	\$ 143,305	\$ 71,652
15	50%	\$ 10,125	\$ 41,426	\$ 20,101	\$ 71,652	\$ 143,305	\$ 71,652
<b>TOTAL</b>		<b>\$ 121,499</b>	<b>\$ 497,114</b>	<b>\$ 241,214</b>	<b>\$ 859,827</b>	<b>\$ 2,149,568</b>	<b>\$ 1,289,741</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>			
VPS Property Ventures, LLC			
Name of Action or Project: LP Custom Machining Ltd.			
Project Location (describe, and attach a location map): 5000 Porter Road			
Brief Description of Proposed Action: Construction of Brand New Manufacturing Facility			
Name of Applicant or Sponsor: Preet Singh		Telephone: 905-664-9445	
		E-Mail: preet.singh@lpcustom.com	
Address: 5000 Porter Road			
City/PO: Niagara Falls		State: NY	Zip Code: 14035
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Planning/Zoning			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ 15 acres	
b. Total acreage to be physically disturbed?		_____ 15 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 15 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			





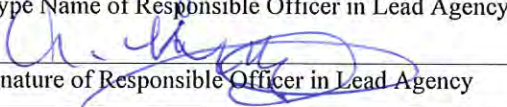
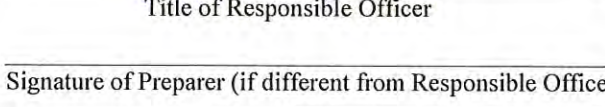
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Preet Singh</u>	Date: <u>December 30, 2024</u>	
Signature: <u>Preet Singh</u>		

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

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

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

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

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
NCIDA	11/3/25
Name of Lead Agency	Date
Andrew Kuczek	Executive Director
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**PRINT**



**8.2**

**Voss**

**Manufacturing, Inc.**

**PROJECT SUMMARY**  
**Voss Manufacturing, Inc.**



<b>Applicant:</b>	<b>Voss Manufacturing, Inc.</b>	
<b>Project Location:</b>	6292 Walmore Road, Niagara Falls, NY 14305	
<b>Assistance:</b>	Sales Tax Abatement 10 Real Property Tax Abatement (PILOT) Mortgage Recording Tax Exemption	
<b>Description:</b>	<p>Voss Manufacturing, Inc. founded in 1967, is a three-generation family owned manufacturer currently located at 2345 Lockport Road, in the Town of Wheatfield. The company, which started as a small tool and die shop has grown and diversified into a company which designs and builds tooling, equipment, fabrications and machined components for the heat transfer and the custom machinery market.</p> <p>Voss Manufacturing, Inc. wishes to acquire the property at 6292 Walmore Rd primarily for expanding sheet metal fabrication capacity and capabilities Also providing appropriate space to invest into new state-of-the-art technology, incorporating automation to accommodate their growing market demand. The acquisition will allow Voss to free space at 2345 Lockport Rd and meet the time demands of customers, many of which are local manufacturing companies.</p>	
<b>Project Costs:</b>	Construction/Improvements	\$ 200,000
	Furniture, Fixtures & Equipment	\$ 2,500,000
	Soft costs	\$ 0
	Property Acquisition	\$ 2,031,000
	<b>TOTAL</b>	<b>\$ 4,731,000</b>
<b>Employment:</b>	Current jobs in Niagara County: 107 New Jobs in Niagara County within 3 years: 5 Estimated Annual Payroll for New Jobs: \$300,000 Skills: Production Direct, Production Indirect (Supervision)	
<b>Evaluative Criteria:</b>	Regional wealth creation, Job Creation and Retention, In region purchases	

# Niagara County Industrial Development Agency

## MRB Cost Benefit Calculator

Date: January 8, 2025  
 Project Title: Voss Manufacturing, Inc.  
 Project Location: 6292 Walmore Road, Niagara Falls, NY 14305



### Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

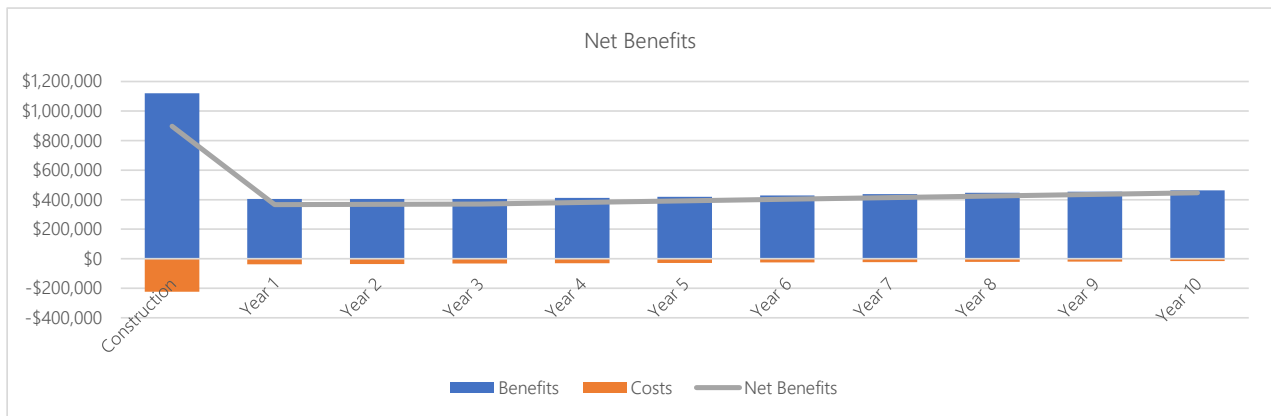
**Project Total Investment**  
 \$2,700,000

	Temporary (Construction)		
	Direct	Indirect	Total
Jobs	10	4	14
Earnings	\$832,416	\$225,457	\$1,057,873
Local Spend	\$2,160,000	\$776,134	\$2,936,134

	Ongoing (Operations)		
	Direct	Indirect	Total
Jobs	5	2	7
Earnings	\$3,174,891	\$859,907	\$4,034,798

Figure 1



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

Figure 2

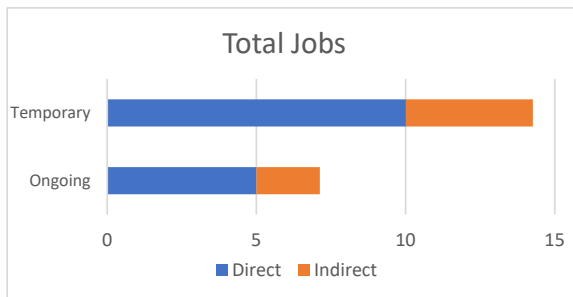
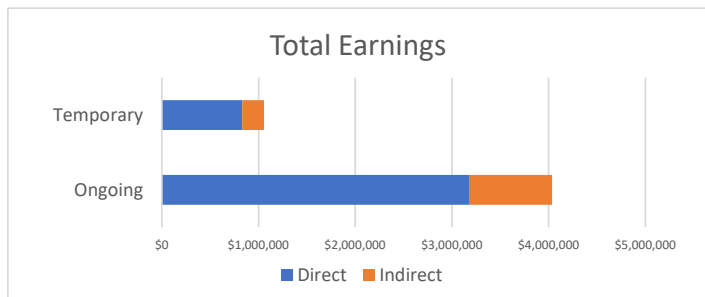


Figure 3



# Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

## Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$269,696	\$245,696
Sales Tax Exemption	\$208,000	\$208,000
Local Sales Tax Exemption	\$104,000	\$104,000
State Sales Tax Exemption	\$104,000	\$104,000
Mortgage Recording Tax Exemption	\$15,233	\$15,233
Local Mortgage Recording Tax Exemption	\$5,078	\$5,078
State Mortgage Recording Tax Exemption	\$10,155	\$10,155
<b>Total Costs</b>	<b>\$492,929</b>	<b>\$468,929</b>

## State and Local Benefits

	Nominal Value	Discounted Value*
<b>Local Benefits</b>	<b>\$5,235,340</b>	<b>\$4,797,879</b>
To Private Individuals	\$5,092,670	\$4,672,212
Temporary Payroll	\$1,057,873	\$1,057,873
Ongoing Payroll	\$4,034,798	\$3,614,340
Other Payments to Private Individuals	\$0	\$0
To the Public	\$142,670	\$125,667
Increase in Property Tax Revenue	\$107,021	\$92,961
Temporary Jobs - Sales Tax Revenue	\$7,405	\$7,405
Ongoing Jobs - Sales Tax Revenue	\$28,244	\$25,300
Other Local Municipal Revenue	\$0	\$0
<b>State Benefits</b>	<b>\$264,819</b>	<b>\$242,955</b>
To the Public	\$264,819	\$242,955
Temporary Income Tax Revenue	\$47,604	\$47,604
Ongoing Income Tax Revenue	\$181,566	\$162,645
Temporary Jobs - Sales Tax Revenue	\$7,405	\$7,405
Ongoing Jobs - Sales Tax Revenue	\$28,244	\$25,300
<b>Total Benefits to State &amp; Region</b>	<b>\$5,500,159</b>	<b>\$5,040,834</b>

## Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$4,797,879	\$354,774	14:1
State	\$242,955	\$114,155	2:1
<b>Grand Total</b>	<b>\$5,040,834</b>	<b>\$468,929</b>	<b>11:1</b>

\*Discounted at 2%

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

### Additional Revenues:

County	\$108,603
City/Town/Village	\$0
School District	\$325,256

\*Estimated Value of Goods and Services to be exempt from sales and use tax as a result of the Agency's involvement in the Project. PLEASE NOTE: These amounts will be verified and there is potential for a recapture of sales tax exemptions (see "Recapture" on page 11 of the Application) (To be used on NYS ST-60)

### Additional Comments from IDA

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

# NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

## APPLICATION FOR FINANCIAL ASSISTANCE

Voss Manufacturing, 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: Voss Manufacturing, Inc.

Mailing Address: 2345 Lockport Road

City/Town/Village & Zip code: Sanborn, NY 14132

Phone: (716) 731-5062

Website: www.vossmfg.com

Fed Id. No.: 16-0967930

Contact Person, and Title: Alex Kammerer, Executive Vice President

Email: akammerer@vossmfg.com

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

Rita Kammerer - 88.91%

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

**Form of Entity**

**Corporation**

Date of Incorporation: 12/9/1969

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: Hodgson Russ

Contact Person, and Title: Amy Fitch, Partner

Mailing Address: 140 Pearl Street, Suite 100

City/Town/Village & Zip code: Buffalo, NY 14202

Email: afitch@hodgsonruss.com

Phone: (716) 848-1384

Fax No.: (716) 819-4653

**II. PROJECT INFORMATION**

A) Project Address: 6292 Walmore Road, Niagara Falls, NY 14305

Tax Map Number (SBL) 146.00-1-7.12  
(Section/Block/Lot)

SWIS Number 294000

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

Located in Town of Wheatfield

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

School District of Niagara Wheatfield

B) Current Assessment of Property:

Land 163,200

Total 1,071,100

C) Present legal owner of the site CJP Industries

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

\_\_\_\_\_

D) Describe the project:

Expansion of Voss Manufacturing's fabrication business. The property at 6292

Walmore Rd will function primarily for expanding sheet metal fabrication capacity

and capabilities, providing appropriate space to invest into new state-of-the-art

technology, incorporating automation. Will free space at 2345 Lockport Rd also.

1. Project site (land)

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

9.6

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

Vacant

2. Indicate number, size (in square feet) and approximate age of existing buildings on site  
20,000 sf (1994), 15,000 sf (2005)  
\_\_\_\_\_
3. Does the project consist of the construction of a new building or buildings?  
If yes, indicate number and size (in square feet) of new buildings.  
No  
\_\_\_\_\_
4. Does the project consist of additions and/or renovations to existing buildings? If yes,  
indicate nature of expansion and/or renovation.  
Yes - Adding overhead crane  
\_\_\_\_\_
5. If any space in the project is to be leased to third parties, indicate total square footage  
of the project amount to be leased to each tenant and proposed use by each tenant.  
N/A  
\_\_\_\_\_
6. List principal items/categories of equipment to be acquired as part of the project.  
Sheet metal laser cutting machine, sheet metal laser & punching combination machine  
\_\_\_\_\_  
Continuous powder coating line, robotic welding cell  
\_\_\_\_\_  
\_\_\_\_\_
7. Has construction work on this project begun?  
No  
\_\_\_\_\_

E) Inter-Municipal Move Determination

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

Yes or  No

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

Yes or  No

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

Yes or  No

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

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

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

III. **SOURCES & USES OF FUNDS**

A) Estimated Project Costs:

Property Acquisition	\$	2,031,000
Construction (Improvements)	\$	200,000
Equipment Purchases/Fixtures/Furnishings	\$	2,500,000
Soft costs (i.e. engineering, architectural)	\$	
Other (describe)	\$	
TOTAL USES OF FUNDS	\$	4,731,000

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

Bank Financing	\$	2,031,000
Equity	\$	2,416,779
Grants/Tax Credits	\$	283,221
Taxable or Tax Exempt Bond	\$	
Other	\$	
TOTAL SOURCES OF FUNDS	\$	4,731,000

C) Identify each state and federal grant/credit:

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



**IV. FINANCIAL ASSISTANCE REQUESTED**

**A.) Benefits Requested:**

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

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

Property Tax Exemption

Estimated duration of Property Tax exemption: 10 Years

Sales and Use Tax

Estimated value of Sales Tax exemption for facility construction: \$ 8,000

Estimated value of Sales Tax exemption for fixtures and equipment: \$ 200,000

Estimated duration of Sales Tax exemption: 1 Year

Mortgage Recording Tax Exemption Benefit

Estimated value of Mortgage Recording Tax exemption: \$ 15,233

**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:

Establishes commitment and leverage from Niagara County to retain Voss Manufacturing in it's entirety

to continue investment in business operations in Niagara County.

**V. EMPLOYMENT PLAN**

	# of Retained Jobs	Retained Jobs Average Annual Salary	# of Created Jobs <i>(3 yrs after project completion)</i>	Created Jobs Average Annual Salary
Full Time	107	\$ 60,000	5	\$ 60,000
Part time	0	\$ 0	0	\$ 0
<b>TOTAL FTEs</b>	<b>107</b>	<b>\$ 60,000</b>	<b>5</b>	<b>\$ 60,000</b>

Annual Salary Range of Jobs to be Created: \$ 40,000 to \$ 80,000

Category of Jobs to be Retained and Created:

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

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 ) ss.:

ALEX KAMMERER, being first duly sworn, deposes and says:

1. That I am the EXECUTIVE VP (Corporate Office) of VOSS MANUFACTURING 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 3<sup>rd</sup> day of January, 20  .

Julie Lynn Lamoreaux  
(Notary Public)

Julie Lynn Lamoreaux  
Notary Public, State of New York  
Registration No. 01LA6421615  
Qualified in Erie County  
My Commission Expires September 7, 2025

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

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



HOLD HARMLESS AGREEMENT

Applicant hereby releases the NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY and the members, officers, servants, agents and employees thereof (the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Agency, and (B) any further action taken by the Agency with respect to the Project; including without limiting the generality of the foregoing, all causes of action and reasonable attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all out of pocket costs incurred by the Agency in processing of the Application, including reasonable attorneys' fees, if any. Notwithstanding anything contained herein to the contrary, the foregoing indemnities shall not be applicable with respect to misconduct, negligence, or criminal activity on the part of the Agency. It is understood and agreed that the Applicant has the right to join in any defense, and participate in the management of the defense, of any claim for which the Agency seeks indemnification.

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

Alex T. Kammerer

(Applicant Signature)

By: ALEX KAMMERER

Name: Alex T. Kammerer

Title: EXECUTIVE VICE PRESIDENT

Julie Lynn Lamoreaux  
(Notary Public)

Julie Lynn Lamoreaux  
Notary Public, State of New York  
Registration No. 01LA6421615  
Qualified in Erie County  
My Commission Expires September 7, 2025

Sworn to before me this 3<sup>rd</sup> day

of January, 2025

[stamp]

**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
\$200,000	\$907,900	12.931837	0.000000	38.729828

\*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%	\$ 2,348	\$ -	\$ 7,033	\$ 9,381	\$ 46,904	\$ 37,523
2	25%	\$ 2,935	\$ -	\$ 8,791	\$ 11,726	\$ 46,904	\$ 35,178
3	30%	\$ 3,522	\$ -	\$ 10,549	\$ 14,071	\$ 46,904	\$ 32,833
4	35%	\$ 4,109	\$ -	\$ 12,307	\$ 16,416	\$ 46,904	\$ 30,487
5	40%	\$ 4,696	\$ -	\$ 14,065	\$ 18,761	\$ 46,904	\$ 28,142
6	45%	\$ 5,283	\$ -	\$ 15,823	\$ 21,107	\$ 46,904	\$ 25,797
7	50%	\$ 5,870	\$ -	\$ 17,581	\$ 23,452	\$ 46,904	\$ 23,452
8	55%	\$ 6,457	\$ -	\$ 19,340	\$ 25,797	\$ 46,904	\$ 21,107
9	60%	\$ 7,044	\$ -	\$ 21,098	\$ 28,142	\$ 46,904	\$ 18,761
10	65%	\$ 7,632	\$ -	\$ 22,856	\$ 30,487	\$ 46,904	\$ 16,416
<b>TOTAL</b>		<b>\$ 49,898</b>	<b>\$ -</b>	<b>\$ 149,442</b>	<b>\$ 199,340</b>	<b>\$ 469,036</b>	<b>\$ 269,696</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>			
6292 Walmore Road			
Name of Action or Project: 6292 Walmore Road			
Project Location (describe, and attach a location map): 6292 Walmore Road			
Brief Description of Proposed Action: Acquire 6292 Walmore Road, install production machinery within.			
Name of Applicant or Sponsor: Alex Kammerer		Telephone: 7167315062	
		E-Mail: akammerer@vossmfg.com	
Address: 2345 Lockport Road			
City/PO: Sanborn		State: New York	Zip Code: 14132
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		9.6 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?		9.6 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			





18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ 30 gallons of diesel fuel spilled 12/22/2009. Cleanup completed 7/22/2010. No further action required. Spill # 0910453 _____	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: Alex Kammerer	Date: 12/30/2024	
Signature: _____		

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

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

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

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

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
<u>WcIDA</u>	<u>1/3/25</u>
Name of Lead Agency	Date
<u>Andrea Kuyasak</u>	<u>Executive Director</u>
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
<u>[Signature]</u>	<u>[Signature]</u>
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**PRINT**



**8.3**

**Shoaib & Sons LLC**

## PROJECT SUMMARY

### Shoib & Sons



<b>Applicant:</b>	<b>Shoib &amp; Sons</b>	
<b>Project Location:</b>	222 Rainbow Boulevard, Niagara Falls, NY 14303	
<b>Assistance:</b>	5 Year PILOT Sales Tax Abatement Mortgage Recording Tax Abatement	
<b>Description:</b>	<p>Shoib &amp; Sons is planning a dynamic tourism project aimed at revitalizing a vacant building at 222 Rainbow Boulevard that has been unused for well over a year. Strategically located in the heart of the Niagara Falls tourist area, this project promises to enhance the visitor experience by offering a diverse array of dining options. At street level, visitors will enjoy three popular snack shops: Carvel Ice Cream, Cinnabon Dessert Coffee, and Auntie Anne's Pretzel Place, each serving delicious treats to satisfy any craving. The ground level, will feature either Subway or Church's Chicken, providing quick and satisfying meals for tourists on the go. The second level will offer Mediterranean cuisine, introducing guests to the vibrant and flavorful dishes of this region. This project will not only rejuvenate a key property in the tourism district but will also contribute to the overall appeal of the area by enhancing the dining choices available to the millions who visit Niagara Falls each year.</p>	
<b>Project Costs:</b>	Construction/Improvements Furniture, Fixtures & Equipment Soft costs Other <b>TOTAL</b>	\$ 900,000 \$ 600,000 \$ 50,000 \$ 1,000,000 <hr/> <b>\$ 2,550,000</b>
<b>Employment:</b>	Current jobs in Niagara County: 0 New Jobs in Niagara County within 3 years: 20 FT, 20 PT Estimated Annual Payroll for New Jobs: \$1,870,000 Skills: Management, Customer Service, Food Service	
<b>Evaluative Criteria:</b>	Redevelopment supports or aligns with regional or local development plans. Regional Wealth Creation, Proximity/Support of Regional Tourism Attractions/Facilities, Generation of Local Revenues, Supports Local Business or Cluster, In region Purchase, Local Vendors.	

# Niagara County Industrial Development Agency

## MRB Cost Benefit Calculator

Date: January 8, 2025  
 Project Title: Shoab & Sons LLC  
 Project Location: 222 Rainbow Blvd., Niagara Falls, NY 14303



### Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

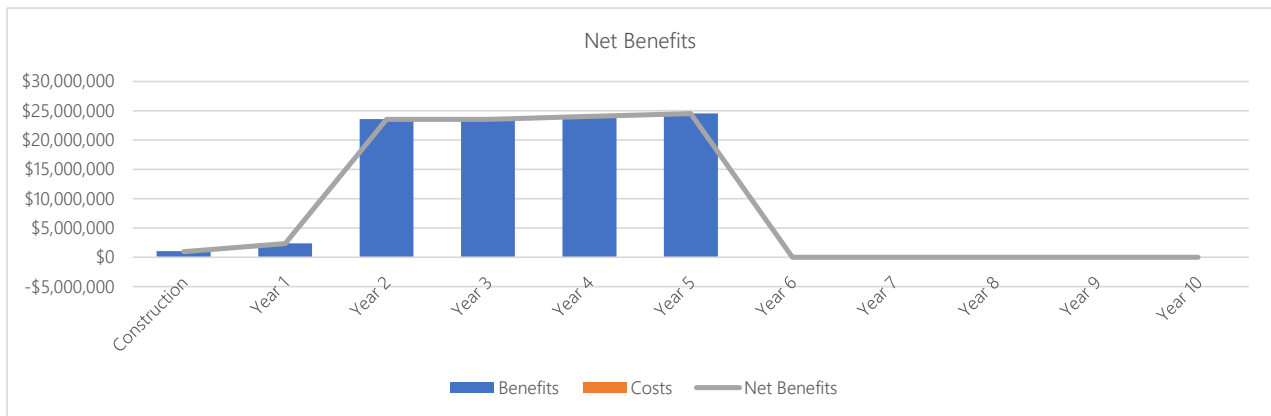
**Project Total Investment**  
 \$2,550,000

	Temporary (Construction)		
	Direct	Indirect	Total
Jobs	9	4	13
Earnings	\$786,171	\$212,931	\$999,102
Local Spend	\$2,040,000	\$733,015	\$2,773,015

	Ongoing (Operations)		
	Direct	Indirect	Total
Jobs	30	11	41
Earnings	\$53,045,100	\$39,596,404	\$92,641,504

Figure 1



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

Figure 2

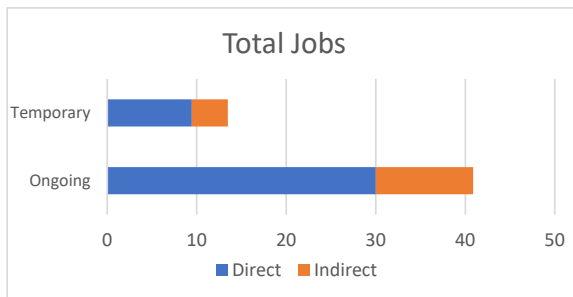
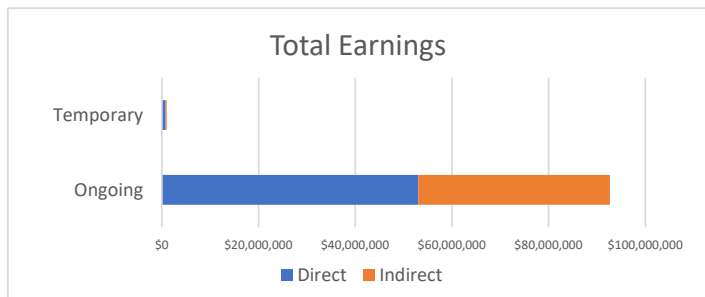


Figure 3



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

# Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

## Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$143,478	\$136,717
Sales Tax Exemption	\$84,000	\$84,000
Local Sales Tax Exemption	\$42,000	\$42,000
State Sales Tax Exemption	\$42,000	\$42,000
Mortgage Recording Tax Exemption	\$19,125	\$19,125
Local Mortgage Recording Tax Exemption	\$6,375	\$6,375
State Mortgage Recording Tax Exemption	\$12,750	\$12,750
<b>Total Costs</b>	<b>\$246,603</b>	<b>\$239,842</b>

## State and Local Benefits

	Nominal Value	Discounted Value*
<b>Local Benefits</b>	<b>\$94,406,386</b>	<b>\$88,249,574</b>
To Private Individuals	\$93,640,606	\$87,534,314
Temporary Payroll	\$999,102	\$999,102
Ongoing Payroll	\$92,641,504	\$86,535,212
Other Payments to Private Individuals	\$0	\$0
To the Public	\$765,780	\$715,260
Increase in Property Tax Revenue	\$110,296	\$102,520
Temporary Jobs - Sales Tax Revenue	\$6,994	\$6,994
Ongoing Jobs - Sales Tax Revenue	\$648,491	\$605,746
Other Local Municipal Revenue	\$0	\$0
<b>State Benefits</b>	<b>\$4,869,311</b>	<b>\$4,551,784</b>
To the Public	\$4,869,311	\$4,551,784
Temporary Income Tax Revenue	\$44,960	\$44,960
Ongoing Income Tax Revenue	\$4,168,868	\$3,894,085
Temporary Jobs - Sales Tax Revenue	\$6,994	\$6,994
Ongoing Jobs - Sales Tax Revenue	\$648,491	\$605,746
<b>Total Benefits to State &amp; Region</b>	<b>\$99,275,697</b>	<b>\$92,801,358</b>

## Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$88,249,574	\$185,092	477:1
State	\$4,551,784	\$54,750	83:1
<b>Grand Total</b>	<b>\$92,801,358</b>	<b>\$239,842</b>	<b>387:1</b>

\*Discounted at 2%

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

### Additional Revenues:

County	\$16,588
City/Town/Village	\$67,871
School District	\$32,933

\*Estimated Value of Goods and Services to be exempt from sales and use tax as a result of the Agency's involvement in the Project. PLEASE NOTE: These amounts will be verified and there is potential for a recapture of sales tax exemptions (see "Recapture" on page 11 of the Application) (To be used on NYS ST-60)

### Additional Comments from IDA

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

# NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

## APPLICATION FOR FINANCIAL ASSISTANCE

Shoab & Sons LLC

---

(Applicant Name)

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

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

<http://niagaracountybusiness.com>

Updated April 2022



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

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

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

# NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

## APPLICATION FOR FINANCIAL ASSISTANCE

### I. APPLICANT INFORMATION

Company Name: Shoaib & Sons LLC

Mailing Address: 151 Buffalo Ave., Suite 610

City/Town/Village & Zip code: Niagara Falls NY, 14303

Phone: (716) 544-0122

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

Fed Id. No.: 86-2791225

Contact Person, and Title: Muhammad Shoaib, President

Email: shoaib3770@gmail.com

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

Muhammad Shoaib & Hina Qureshi

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

#### Form of Entity

**Corporation**

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

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

**Partnership**

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

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

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

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

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

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

Date of organization: 03/23/2021

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: William D. Berard, Esq.

Contact Person, and Title: Counsel

Mailing Address: 345 Buffalo Ave.

City/Town/Village & Zip code: Niagara Falls, NY 14303

Email: wberard@berardlaw.com

Phone: (716) 258-3288

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

**II. PROJECT INFORMATION**

A) Project Address: 222 Rainbow Blvd. Niagara Falls, NY 14303

Tax Map Number (SBL) 158.12-1-4.122  
(Section/Block/Lot)  
SWIS Number 2911000  
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 19,600.00  
Total 335,000.00

C) Present legal owner of the site Muhammad Shoab

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

\_\_\_\_\_

D) Describe the project:

Redeveloping an abandoned building in the tourism core of Niagara Falls to  
host a variety of food options for tourist and residents alike. There will be  
several food options available to service the tourism community, especially  
families who currently have limited options

1. Project site (land)

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

.09 acres

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

vacant



2. Indicate number, size (in square feet) and approximate age of existing buildings on site  
5332 sq ft, 25 years old  
\_\_\_\_\_
3. Does the project consist of the construction of a new building or buildings?  
If yes, indicate number and size (in square feet) of new buildings.  
no  
\_\_\_\_\_
4. Does the project consist of additions and/or renovations to existing buildings? If yes,  
indicate nature of expansion and/or renovation.  
renovation to include new electrical, plumbing, roofing, flooring and a 1,000 sq ft additon  
\_\_\_\_\_
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.  
no  
\_\_\_\_\_
6. List principal items/categories of equipment to be acquired as part of the project.  
restaurant equipment/furniture  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. Has construction work on this project begun?  
no  
\_\_\_\_\_

E) Inter-Municipal Move Determination

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

Yes or  No

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

Yes or  No

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

Yes or  No

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

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

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

III. **SOURCES & USES OF FUNDS**

A) Estimated Project Costs:

Property Acquisition	\$	1,000,000
Construction (Improvements)	\$	900,000
Equipment Purchases/Fixtures/Furnishings	\$	600,000
Soft costs (i.e. engineering, architectural)	\$	50,000
Other (describe)	\$	
TOTAL USES OF FUNDS	\$	2,550,000

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

Bank Financing	\$	1,550,000
Equity	\$	617,500
Grants/Tax Credits	\$	382,500
Taxable or Tax Exempt Bond	\$	
Other	\$	
TOTAL SOURCES OF FUNDS	\$	2,550,000

C) Identify each state and federal grant/credit:

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



**IV. FINANCIAL ASSISTANCE REQUESTED**

A.) Benefits Requested:

Sales Tax Exemption

Mortgage Recording Tax Exemption

Real Property Tax Abatement (PILOT)

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

Property Tax Exemption

Estimated duration of Property Tax exemption: 5 years

Sales and Use Tax

Estimated value of Sales Tax exemption for facility construction: \$ 36,000

Estimated value of Sales Tax exemption for fixtures and equipment: \$ 48,000

Estimated duration of Sales Tax exemption: 1 year

Mortgage Recording Tax Exemption Benefit

Estimated value of Mortgage Recording Tax exemption: \$ 19,125

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 <i>(3 yrs after project completion)</i>	Created Jobs Average Annual Salary
Full Time	0	\$ 0	20	\$ 42,500
Part time	0	\$ 0	20	\$ 12,500
<b>TOTAL FTEs</b>	0	\$ 0	40	\$ 55,000

Annual Salary Range of Jobs to be Created: \$ 25,000 to \$ 70,000

Category of Jobs to be Retained and Created:

Job Categories (ie. Management, Administrative, Production, etc.) \_\_\_\_\_  
management, cooks, customer service, etc.

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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 NIAGARA ) ss.:

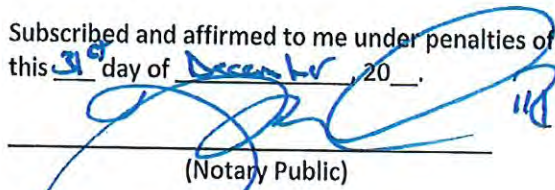
MUHAMMAD SHAIIB, being first duly sworn, deposes and says:

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



(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury  
this 31<sup>st</sup> day of December, 2020.



(Notary Public)

WILLIAM D. BERARD III  
NOTARY PUBLIC  
State of New York  
Qualified In Niagara County  
Commission Expires March 31, 2026

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

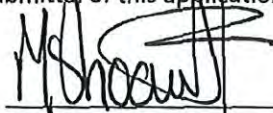
Attach copies of preliminary plans or sketches of proposed construction or rehabilitation or both.



**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: MUHAMMAD SHOAIB

Name: SHOAIB SONS LLC

Title: Member



(Notary Public)

Sworn to before me this 31<sup>st</sup> day

of December, 2024

[stamp]  
WILLIAM D. BEHARU III  
NOTARY PUBLIC  
State of New York  
Qualified in Niagara County  
Commission Expires March 31, 2026



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

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

PILOT Estimate Table Worksheet

Dollar Value of New Construction and Renovation Costs	Estimated New Assessed Value of Property Subject to IDA*	County Tax Rate/1000	Local Tax Rate (Town/City/Village)/1000	School Tax Rate/1000
\$900,000	\$750,000	9.829997	40.219597	19.515714

\*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	15%	\$ 1,106	\$ 4,525	\$ 2,196	\$ 7,826	\$ 52,174	\$ 44,348
2	30%	\$ 2,212	\$ 9,049	\$ 4,391	\$ 15,652	\$ 52,174	\$ 36,522
3	45%	\$ 3,318	\$ 13,574	\$ 6,587	\$ 23,478	\$ 52,174	\$ 28,696
4	60%	\$ 4,423	\$ 18,099	\$ 8,782	\$ 31,304	\$ 52,174	\$ 20,870
5	75%	\$ 5,529	\$ 22,624	\$ 10,978	\$ 39,130	\$ 52,174	\$ 13,043
<b>TOTAL</b>		<b>\$ 16,588</b>	<b>\$ 67,871</b>	<b>\$ 32,933</b>	<b>\$ 117,391</b>	<b>\$ 260,870</b>	<b>\$ 143,478</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>			
OLD FALLS FOOD HUB INC			
Name of Action or Project: 222 RAINBOW BLVD RENOVATION			
Project Location (describe, and attach a location map): 222 RAINBOW BLD, NIAGARA FALLS, NY, 14303			
Brief Description of Proposed Action:			
Name of Applicant or Sponsor: MUHAMMAD SHOAIB		Telephone: 7165440122	
		E-Mail:	
Address: 151 BUFFALO AVE, SUITE 610,			
City/PO: NIAGARA FALLS		State: NY	Zip Code: 14303
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: CITY PERMIT		NO	YES
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ acres			
b. Total acreage to be physically disturbed? _____ acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): TOURIST <input type="checkbox"/> Parkland			



5. Is the proposed action, 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	
	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? 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? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood 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? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	



18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: MUHAMMAD SHOAB	Date: DEC/3/2024	
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.
<u>NCIDA</u>	<u>1/3/25</u>
Name of Lead Agency	Date
<u>Andrea Klyczek</u>	<u>Executive Director</u>
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
<u>Andrea Klyczek</u>	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**PRINT**



# **8.4**

# **Duncan's Heating and Cooling Corp. (Phase 2)**

**PROJECT SUMMARY**

**Duncan’s Heating and Cooling Corp.**



NIAGARA INDUSTRIAL MECHANICAL

<b>Applicant:</b>	<b>Duncan’s Heating and Cooling Corp.</b>	
<b>Project Location:</b>	3507 Hyde Park BLVD, Niagara Falls, NY 14305	
<b>Assistance:</b>	Sales Tax Abatement	
<b>Description:</b>	<p>As part of Duncan’s Heating and Cooling Corp. expansion, additional machinery and equipment will be necessary to fulfill the newly created jobs and increase in business contracts. As a result of the expansion, Duncan’s Heating and Cooling has been able to hire far more employees than what was initially expected The additional equipment will allow for another 12 employees to be hired.</p> <p>Duncan’s Heating and Cooling works closely with Niagara Worksource One in the hiring and training of persons in Niagara County. They’ve partnered with Worksource One on several successful on-the-job training programs and certifies that each new hire will receive 160 hours of training.</p>	
<b>Project Costs:</b>	Construction/Improvements Furniture, Fixtures & Equipment Soft costs Other <b>TOTAL</b>	\$ 0 \$ 1,300,000 \$ 0 \$ 0 <hr/> <b>\$ 1,300,000</b>
<b>Employment:</b>	Current jobs in Niagara County: 59 New Jobs in Niagara County within 3 years: 12 Estimated Annual Payroll for New Jobs: \$840,000 Skills: Production Direct, Production Indirect (Supervision)	
<b>Evaluative Criteria:</b>	Regional wealth creation, Job Creation and Retention, In region purchases	

# Niagara County Industrial Development Agency

## MRB Cost Benefit Calculator

Date: January 8, 2025  
 Project Title: Niagara Industrial Mechanical  
 Project Location: 3507 Hyde Park BLVD., Niagara Falls, NY 14305



### Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

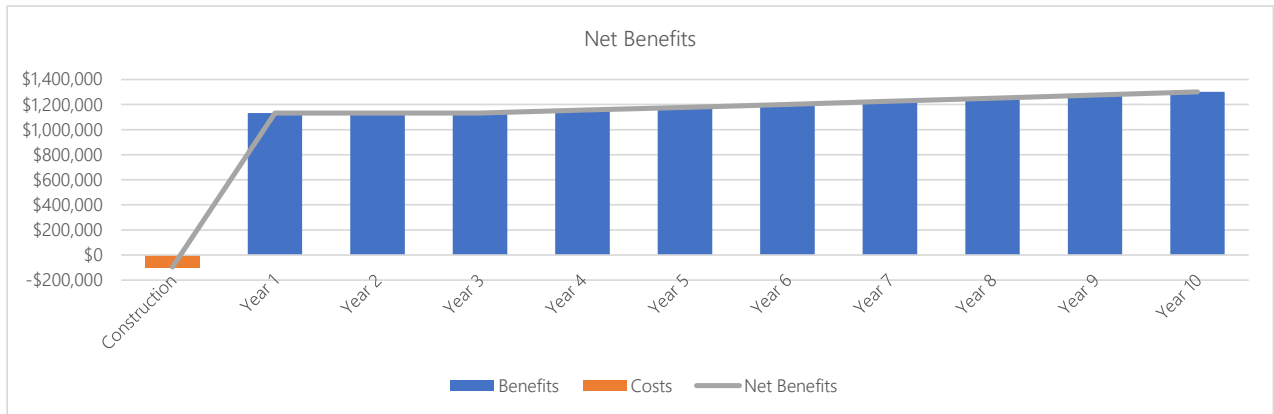
Project Total Investment  
 \$1,300,000

	Temporary (Construction)		
	Direct	Indirect	Total
Jobs	0	0	0
Earnings	\$0	\$0	\$0
Local Spend	\$1,040,000	\$0	\$1,040,000

	Ongoing (Operations)		
	Direct	Indirect	Total
Jobs	12	4	16
Earnings	\$8,889,694	\$2,430,477	\$11,320,171

Figure 1



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

Figure 2

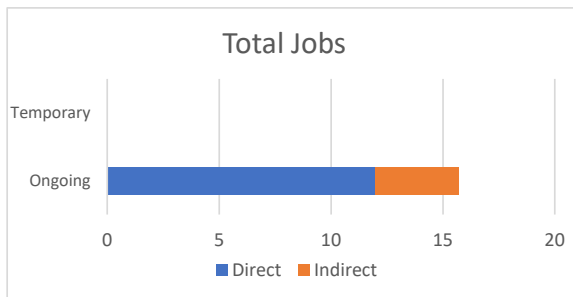
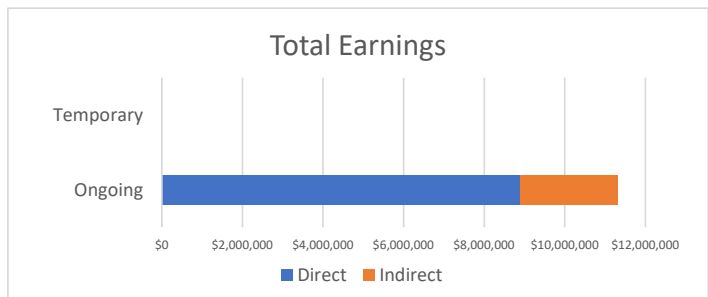


Figure 3



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

# Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

## Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$0	\$0
Sales Tax Exemption	\$96,000	\$96,000
Local Sales Tax Exemption	\$48,000	\$48,000
State Sales Tax Exemption	\$48,000	\$48,000
Mortgage Recording Tax Exemption	\$0	\$0
Local Mortgage Recording Tax Exemption	\$0	\$0
State Mortgage Recording Tax Exemption	\$0	\$0
<b>Total Costs</b>	<b>\$96,000</b>	<b>\$96,000</b>

## State and Local Benefits

	Nominal Value	Discounted Value*
<b>Local Benefits</b>	<b>\$11,399,412</b>	<b>\$10,211,503</b>
To Private Individuals	\$11,320,171	\$10,140,520
Temporary Payroll	\$0	\$0
Ongoing Payroll	\$11,320,171	\$10,140,520
Other Payments to Private Individuals	\$0	\$0
To the Public	\$79,241	\$70,984
Increase in Property Tax Revenue	\$0	\$0
Temporary Jobs - Sales Tax Revenue	\$0	\$0
Ongoing Jobs - Sales Tax Revenue	\$79,241	\$70,984
Other Local Municipal Revenue	\$0	\$0
<b>State Benefits</b>	<b>\$588,649</b>	<b>\$527,307</b>
To the Public	\$588,649	\$527,307
Temporary Income Tax Revenue	\$0	\$0
Ongoing Income Tax Revenue	\$509,408	\$456,323
Temporary Jobs - Sales Tax Revenue	\$0	\$0
Ongoing Jobs - Sales Tax Revenue	\$79,241	\$70,984
<b>Total Benefits to State &amp; Region</b>	<b>\$11,988,061</b>	<b>\$10,738,810</b>

## Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$10,211,503	\$48,000	213:1
State	\$527,307	\$48,000	11:1
<b>Grand Total</b>	<b>\$10,738,810</b>	<b>\$96,000</b>	<b>112:1</b>

\*Discounted at 2%

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

### Additional Revenues:

County  
City/Town/Village  
School District

\*Estimated Value of Goods and Services to be exempt from sales and use tax as a result of the Agency's involvement in the Project. PLEASE NOTE: These amounts will be verified and there is potential for a recapture of sales tax exemptions (see "Recapture" on page 11 of the Application)  
(To be used on NYS ST-60)

### Additional Comments from IDA

0

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



# NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

## APPLICATION FOR FINANCIAL ASSISTANCE

Duncan's Heating and Cooling Corp.

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(Applicant Name)

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

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

<http://niagaracountybusiness.com>

Updated 2021

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

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

6311 Inducon Corporate Drive, Suite 1 ■ 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: Duncan's Heating and Cooling Corp.

Mailing Address: PO Box 60

City/Town/Village & Zip code: Ransomville, 14131

Phone: (716) 791-3390

Website: niagaraindustrialmechanical.com

Fed Id. No.: 161362183

Contact Person, and Title: Duane Duncan, CEO

Email: duanednan71@aol.com

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

Duane Duncan

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

**Form of Entity**

**Corporation**

Date of Incorporation: February 1989

State of Incorporation: NY

**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: Joseph L. Leone, Jr. Attorney At Law

Contact Person, and Title: Joe Leone

Mailing Address: 731 3rd Street

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

Email: Leonelawoffice@gmail.com

Phone: (716) 285-9511

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

**II. PROJECT INFORMATION**

A) Project Address: 3507 Hyde Park BLVD, Niagara Falls, NY 14305

Tax Map Number (SBL) 130.19-2-7  
(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 13,800

Total 185,100

C) Present legal owner of the site Duncans's Heating & Cooling Crp.

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

\_\_\_\_\_

D) Describe the project:

The company has purchased Hugo Electrical Services LLC and would like to  
expand that division. New production equipment will allow us to hire an  
additional 12 jobs.

1. Project site (land)

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

1 acre

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

Production and warehousing



2. Indicate number, size (in square feet) and approximate age of existing buildings on site  
4920  
\_\_\_\_\_
3. Does the project consist of the construction of a new building or buildings?  
If yes, indicate number and size (in square feet) of new buildings.  
NO  
\_\_\_\_\_
4. Does the project consist of additions and/or renovations to existing buildings? If yes,  
indicate nature of expansion and/or renovation.  
NO  
\_\_\_\_\_
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.  
No  
\_\_\_\_\_
6. List principal items/categories of equipment to be acquired as part of the project.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. Has construction work on this project begun?  
No  
\_\_\_\_\_

E) Inter-Municipal Move Determination

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

Yes or  No

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

Yes or  No

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

Yes or  No

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

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

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

III. **SOURCES & USES OF FUNDS**

A) Estimated Project Costs:

Property Acquisition	\$	
Construction (Improvements)	\$	
Equipment Purchases/Fixtures/Furnishings		1,200,000
Soft costs (i.e. engineering, architectural)	\$	
Other (describe)	\$	
TOTAL USES OF FUNDS	\$	1,200,000

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

Bank Financing	\$	
Equity	\$	
Grants/Tax Credits	\$	
Taxable or Tax Exempt Bond	\$	
Other Self-Financing	\$	1,200,000
TOTAL SOURCES OF FUNDS	\$	1,200,000

C) Identify each state and federal grant/credit:

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

**IV. FINANCIAL ASSISTANCE REQUESTED**

**A.) Benefits Requested:**

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

**B.) Value of Incentives:**

Property Tax Exemption (To be estimated by NCIDA Staff. See Page 13)

Estimated duration of Property Tax exemption: NA

Sales and Use Tax

Estimated value of Sales Tax exemption for facility construction: \$ 0

Estimated value of Sales Tax exemption for fixtures and equipment: \$ 96,000

Estimated duration of Sales Tax exemption: 1 year

Mortgage Recording Tax Exemption Benefit

Estimated value of Mortgage Recording Tax exemption: \$ 0

**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 <i>(3 yrs after project completion)</i>	Created Jobs Average Annual Salary
Full Time (FTE)	59	\$ 70,000	12	\$ 70,000
Part time (PTE)	0	\$ 0	0	\$ 0
<b>TOTAL</b>	<b>59</b>	<b>\$ 70,000</b>	<b>12</b>	<b>\$ 70,000</b>

Annual Salary Range of Jobs to be Created: \$ 50,000 to \$ 80,000

**Category of Jobs to be Retained and Created:**

Job Categories (ie. Management, Administrative, Production, etc.) management, skilled trades

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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.



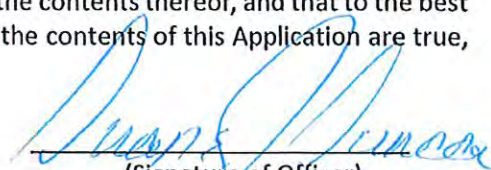
- F. Compliance with N.Y. GML Sec. 862(1): Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:
- § 862. Restrictions on funds of the agency.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

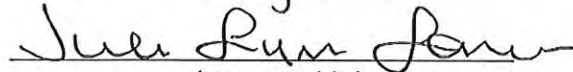
STATE OF NEW YORK  
COUNTY OF Niagara ) ss.:

\_\_\_\_\_ being first duly sworn, deposes and says:

1. That I am the owner (Corporate Office) of Data Niagara Industrial (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant. Medhurst
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 30 day of August, 2025

  
(Notary Public)

Julia Lynn Lamoreaux  
Notary Public, State of New York  
Registration No. 01LA6421615  
Qualified in Erie County  
My Commission Expires September 7, 2025

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

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



**HOLD HARMLESS AGREEMENT**

Applicant hereby releases the NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY and the members, officers, servants, agents and employees thereof (the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the Agency, and (B) any further action taken by the Agency with respect to the Project; including without limiting the generality of the foregoing, all causes of action and reasonable attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all out of pocket costs incurred by the Agency in processing of the Application, including reasonable attorneys' fees, if any. Notwithstanding anything contained herein to the contrary, the foregoing indemnities shall not be applicable with respect to misconduct, negligence, or criminal activity on the part of the Agency. It is understood and agreed that the Applicant has the right to join in any defense, and participate in the management of the defense, of any claim for which the Agency seeks indemnification.

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

Julia Lynn Lamoreaux  
Notary Public, State of New York  
Registration No. 01LA6421618  
Qualified in Erie County  
My Commission Expires September 7, 2025

Duane J. Duncan  
(Applicant Signature)

By: \_\_\_\_\_

Name: Duane J. Duncan

Title: President

Julia Lynn Lamoreaux  
(Notary Public)

Sworn to before me this 30<sup>th</sup> day  
of August, 2025

[stamp]

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>			
Duncan's Heating & Cooling Corp.			
Name of Action or Project: Equipment required for growth of our company			
Project Location (describe, and attach a location map): 3507 Hyde Park Blvd. Niagara Falls, NY 14305			
Brief Description of Proposed Action: We have grown significantly in the last 5 years. We have purchased Hugo Electrical Services, LLC as well, and grown that division from 3 employees to 14 employees in one year. Although we are a non-union company we pay very competitive wages. The equipment listed below will help us in our pursuit of production runs for our already existing customers. 1. 5 Axis CNC High Definition Plasma table 5x20 for accurate cutting of all steel products: \$270,000.00 2. Robot for accurate cutting & welding of 3D steel parts capable of Production Welding: \$160,000.00 3. Laser tubing and projector layout table: \$530,000.00 4. Shear 12X1/4 inch mild steel with cnc back gauging: \$225,000.00 5. Installation of electrical equipment for all of the above: \$135,000.00			
Name of Applicant or Sponsor: Duane Duncan		Telephone: 716-870-6026	
		E-Mail: duane@niagaraindustrialmechanical.com	
Address: 3507 Hyde Park Blvd			
City/PO: Niagara Falls		State: NY	Zip Code: 14305
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ 1 acres	
b. Total acreage to be physically disturbed?		_____ acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 1 acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			





18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Duane Durcan</u>	Date: <u>1/2/2025</u>	
Signature: <u><i>Duane Durcan</i></u>		

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

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



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

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

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
<u>NCEDA</u>	<u>1/3/25</u>
Name of Lead Agency	Date
<u>Andrea Klyczek</u>	<u>Executive Director</u>
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
<u>Andrea Klyczek</u>	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**PRINT**

**8.5**

**9745 Rochester  
Road, LLC**



NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

12/31/24

6311 Inducon Corporate Drive

Sanborn, NY 14132

Attn: Andrea Klyczek, Executive Director

**Dear Ms. Klyczek:**

We are writing to request your assistance in securing additional financial incentives to complete the construction and outfitting of our large warehouse and distribution center at 9745 Rochester Rd in Middleport, NY.

The construction industry has faced unprecedented challenges in recent years, with significant increases in the prices of raw materials (such as steel and concrete), labor costs, and extended lead times for materials. These factors have significantly increased the overall project cost.

We believe that an additional \$99,000 in sales tax abatement, coupled with a 12-month extension of the project timeline to December 31, 2025, will be crucial to successfully complete the project. This extension will provide the necessary time to procure and install the remaining equipment.

Despite these challenges, we remain confident that this project represents a valuable investment for the local economy. We are already actively hiring new employees to support our growing company.

We are committed to completing this project in 2025 and believe that with your support, we can achieve this goal.

Thank you for your time and consideration.

Sincerely,



Kyle Brent, Manager

9745 Rochester Road LLC