

County of Cattaraugus  
Industrial Development Agency

BOARD OF DIRECTORS MEETING - AGENDA

Tuesday, July 26, 2022  
CCIDA Office  
9 E. Washington Street  
Ellicottville, NY  
11:15 a.m.

*To access the Board meeting via Zoom/Conference Call, please see the applicable information at the end of the agenda to do so.*

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-Call the Meeting to Order-Time:

-Roll Call- Board of Directors of the CCIDA:

-Approval of June 21, 2022 CCIDA Board of Directors Meeting Minutes:

\* New Application/Project\*

-Ellicottville Greens:

Ellicottville Greens has submitted an application to the CCIDA seeking NYS Sales Tax Abatement and a PILOT with respect to their proposed project for their Corporate Headquarters and growing facility for their vertical gardens. They will be building a distributed network of sustainable indoor vertical farms.

Their mission will be to provide affordable, high-quality produce to economically distressed zones with food insecurity concerns. Growing micro greens, baby greens, leafy greens, and herbs. They will be selling to consumers, restaurants, institutions, food distributors, and grocery stores. They will be operating under the brands: ***Ellicottville Greens and Vertical Fresh Farms.***

**The Total Project Investment: \$720,000.**

-Commercial Solar Projects- Moratorium Update:

Brief discussion and update from Corey Wiktor in regards to the current Moratorium that was placed on the IDA accepting applications regarding solar projects.

The IDA was able to gather further information and confirmation relating to the projects that are in the City of Olean that help offset energy costs for: ***Olean General Hospital, St. Bonaventure University and the City of Olean.*** We were also able to gather more information on recent projects and the use of local labor and suppliers.

## \*CCIDA Financial Report:

-Approval of Financial Report – June 2022

-June 2022 IDA Income: \$76,198.00

(Admin. Fee – Pivot Energy –\$ 49,698)

(Application Fee – Olean Town Center Project. - \$1,500)

(Additional Fee for the Otto CSG 1 Solar Project, - \$25,000)

-The Agency is also working on closing documents relating to Thirteen (13) active projects at this time. ***These projects are projected to close within this year; several of these projects are in "Final Document" stages.***

## ERC – Employee Retention Credit:

We received a call from Wes Long at **Long Consulting Firm** and was advised that we should file for the Employee Retention Credit because the CCIDA continued to operate IDA functions during the Covid-19 Pandemic and mandated business shutdown.

We worked with Brandon from his staff and filed the necessary paperwork. We have received notice that we are eligible for **\$52,000 refund**. It was necessary to pay the filing agency, ERC Specialists 10% of our refund amount or \$5,200. We should be receiving our check in the amount of \$52,000 in 20 weeks, the CCIDA will receive a net income gain of **\$46,800 after expenses.**

## \*Executive Directors Reports:

### -Internal (IDA Meetings/Discussions):

- ✓ Met with a **local brewer** who will be submitting a project application to the IDA later this year. More details to follow on this very exciting project and investment. This project will be great for the County.
- ✓ We continue to work with **Great Lakes Cheese and Journeys End Buffalo** relating to the Refugee and Resettlement initiative. We have a group meeting in early August and I am also putting together a trip with the Team to head to Hiram, OH to meet with the GLC and their HR relating to their current resettlement program that GLC has ongoing in their Hiram Plant. More to follow at the Sept. Board Meeting.
- ✓ **The CCIDA has a new website!** This brand-new website has all of the IDA documents which now include the Board Packets, Resolutions, Applications etc. This website has all new pictures, active projects, applications, applicable Agency information etc. A huge Thanks goes to Sandy for all her help and work on this!!

- ✓ Met with Vicki Blessing from **Ellicott Development** to discuss their open properties and sites, and ways the IDA can assist potential clients and redevelopment opportunities.
- ✓ We held our first **Team Meeting** at the IDA Office of the group and makeup of trying to bring additional projects and investment to the County and Farmersville/Franklinville. A great group made up local and WNY development Officials working to bring additional development to compliment the project and investment made by Great Lakes Cheese.
- ✓ Met with Mayor Aiello in the City of Olean for a project and development update meeting.
- ✓ Met with Tim Emley, Supervisor the Town of Portville relating to the Town's solar projects and the support and positive impact that they have had and will in the Town.
- ✓ Met with Bob Murray a few times over the past month to discuss on going projects, proposed projects and IDA Polices and procedures. Much more to come on this at the September IDA Board Meeting.
- ✓ **We spent 2 days with an out of the area Manufacturing company** that is looking for Industrial land & buildings in the Olean/Portville, NY area. The business is looking to make a significant investment, we are hoping to land this Company. More details to follow as we work on the infrastructure needs of the proposed Company.
- ✓ Met with Rich Schechter from Pyramid Brokerage on the on-going sale of a large building in the **Olean to a new manufacturing company**. We are getting very close to a deal and project. Fingers Crossed!
- ✓ Discussed a **proposed commercial use new build project in Olean**. More details to follow. Owner is proposing putting the building in the Brown Field Clean up program.
- ✓ Met the local WNY IDA Group for a working lunch meeting relating to area projects and developments. The CCIDA will be hosting the meeting in Sept.
- ✓ We had a good meeting in Buffalo and are working with the DOT and State Officials on the requested road upgrades that are needed on Route 16, relating to the GLC Project. A follow up meeting has already be scheduled for August 11<sup>th</sup> at 8:30 in Buffalo. The IDA will be hosting a dinner meeting on the 10<sup>th</sup> to prepare and discuss the meeting on the 11<sup>th</sup>.
- ✓ Attended OBDC Monthly meeting.
- ✓ Met with a WNY Real Estate investor who is looking at a property and building in Cattaraugus County. The proposed buyer is very interested in the property, and we discussed ways the IDA can help on the purchase and investment. Warehousing use.

- ✓ Upcoming meeting with Senator Borrello and Bill Paladino with Ellicott Development coming up in August to discuss projects, etc.
- ✓ Meeting with Greg Sehr to discuss several projects that we have in the works.
- ✓ Continued Business Development meetings with **Revolution Rail** and Tom Cullen pertaining to the proposed project and investment in the Village of Cattaraugus. We have a meeting set up on July 28<sup>th</sup> at 9:00 AM. We will also be discussing this project with the Ralph Wilson Foundation as well.
- ✓ Met with Mark Storch from Storch Development on an array of projects and ways his Firm may be able to assist us and the proposed projects within the County.
- ✓ Working with a local real estate commercial broker on finding a location within the County for a client of theirs for a lease project with about 10 new jobs.

**-External (Points of Interest relating to the CCIDA):**

- ✓ **Cattaraugus County Economic Strategic Plan:** This is the newly released Economic Strategic Plan for Cattaraugus County done by 4 Ward Planning Inc. If anyone would like a copy, please let us know and we will get one to you.
- ✓ **Buffalo Business First** The List: Ranking of 2021 WNY Economic Development Agencies by project amount. In 2020 the CCIDA was ranked #2, and **this year we are Ranked #1.**
- ✓ **Great Lakes Cheese:** New Plant Groundbreaking April 28, 2022, hand-out with recognition to the numerous groups and organizations that were instrumental in bringing this fantastic project to Cattaraugus County.
- ✓ **Good-Natured Glamping:** This is a new business to Ellicottville, NY located at 4688 State Route 242 just outside of Ellicottville, NY. This brings another avenue for overnight lodging to the area at a more rustic venue. **TimberHut** is providing the units for camping!
- ✓ **JCC-IDA-WIB & County Business Forum:** On August 25<sup>th</sup> from 8:30 to Noon at Holiday Valley which will include a cross sector of over 30 businesses to hear from them on the challenges, issues and dilemmas that they face when trying to recruit, hire and keep employees. This should be a great event and will allow us to better understand this critical workforce development topic.
- ✓ **Economic Impact of the Great Outdoors:** Article by: Economic and Policy Insights. *"As outdoor activities continue to recover and evolve in the wake of the pandemic, policymakers can explore ways to enhance access to recreational opportunities, attract new visitors, and preserve the environment."*

- ✓ **Buffalo Business First:** Demand for corrugated paper translates to growth for Cascades Container & Packaging. *"A Lancaster box manufacturer that has undergone more than one transformation since the 1960's is in another transformative state as it automates processes, diversifies its workforce and seeks additional space."* **This WNY employer worked with Journey's End in the assistance of finding labor.**
- ✓ **Greater Olean, NY News:** 9<sup>th</sup> Annual Southern Tier Leadership Summit Will Be at SBU. *"The post-pandemic workplace will be the highlighted topic of the ninth annual Southern Tier Leadership Summit scheduled to take place Aug. 4 in the University's Doyle Hall."*
- ✓ **Leadership Cattaraugus:** Hand-out on the IDA Sponsorship of Leadership Cattaraugus to be held on August 4, 2022 at 9 – 2:30 p.m. at St. Bonaventure University. If any Board member would like to attend this event, please let us know.
- ✓ **Marketplace Morning Report:** *"US Industry group commits to \$6 billion solar panel buy- on one condition." A group of US renewable energy developers has said it is willing to invest \$6 billion in solar panels over the coming year – as long as they are made here in America."*
- ✓ **Buffalo News Article:** *"Amherst kick-starting Boulevard Mall overhaul via 'urban renewal'". A very germane article with respect to the proposed Olean Centre Mall project.*

**Adjournment:**

Motion-

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Time:

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**\* Next CCIDA Board of Directors Meeting is scheduled for September 8, 2022 at 11:15 a.m. at the CCIDA Offices in Ellicottville, NY.**

**Zoom Meeting access Information:**

Topic: CCIDA Board Meeting

Time: Jul 26, 2022 11:15 AM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/89840715659?pwd=YmdUK25hczZTZT1BGQzd6eVF4K3ZoQT09>

Meeting ID: 898 4071 5659

Passcode: 693788

One tap mobile

+19292056099,,89840715659#,,, \*693788# US (New York)

Dial by your location

+1 929 205 6099 US (New York)

Meeting ID: 898 4071 5659

Passcode: 693788

**COUNTY OF CATTARAUGUS  
INDUSTRIAL DEVELOPMENT AGENCY**

**BOARD MEETING MINUTES**

**June 21, 2022  
CCIDA Offices  
9 East Washington Street  
Ellicottville NY 14731  
11:15 a.m. In Person or via Teleconference Call/Zoom**

**Roll Call:** -Taken-

**Members**

**Present:**

Mr. Joseph Higgins – Vice Chairman  
Mr. Joseph Snyder  
Mr. Brent Driscoll  
Mr. Michael Wimer  
Mr. John Stahley  
Ms. Ginger Schroder

**Excused:**

Mr. Thomas Buffamante

**CCIDA Staff/Counsel:**

Mr. Corey R. Wiktor, Executive Director CCIDA  
Mr. Robert Murray, Harris Beach PLLC Legal Counsel

**Presenters/Guests:**

Mr. Greg Sehr – *Upstate Consultants LLC*  
Mr. Angelo Ingrassia – *Olean Town Center*  
Mr. Stephen Hall – *Legal Counsel, Olean Town Center*

Mr. Dave Zelker  
Mr. Mike Caplan  
Mr. Dominic LaBel

Vice -Chairman, Joseph Higgins called the meeting to order at 11:15 a.m.

A roll call of the Board of Directors of the CCIDA was taken Mr. Higgins, Mr. Snyder, Ms. Schroder, Mr. Wimer Mr. Driscoll and Mr. Stahley were present. Mr. Buffamante was excused.

A Motion was made by Brent Driscoll seconded by Michael Wimer to accept the Board Meeting Minutes from May 24, 2022 as presented to the Board. All in favor. **Motion Carried.**

### **\*New Applications/Projects\***

#### **(#1.) Olean Town Centre, LLC/Olean Center Mall:**

The CCIDA has received a Sale/Leaseback Application and write up from the development team at the Olean Town Centre, LLC project. This write-up is relating to their proposed redevelopment of the Olean Center Mall. Mr. Angelo Ingrassia was at the CCIDA Board meeting to give a presentation and overview of the proposed project.

A Proposal letter was also submitted by Mr. Stephen E. Hall, Attorney at Law for Mr. Ingrassia which was presented to the Board Members at the Board Meeting.

Mr. Angelo Ingrassia gave a presentation to the Board in regards to his plans for the Olean Center Mall. Mr. Ingrassia would like to complete this project several phases. The first phase of the Olean Mall redevelopment is demolition of the former Bon Ton facility, and construction of a 72 Unit four (4) level, senior housing facility, over a ground level featuring approximately 30,000 sq. feet of complementary retail space. Angelo Ingrassia stated that he is facing this new project enthusiastically, as a blank slate and opportunity to create a valuable, lasting asset for the Olean Community. The Olean Community completely supports this facility and is very excited to see what Mr. Ingrassia comes up with. Mr. Ingrassia has already been awarded a \$1M grant to start this transformation in Olean.

#### **(#2.) County Line Recovery, Inc.:**

The CCIDA also received a Sale/Leaseback Application from County Line Recovery, Inc. with respect to their project of constructing a new 125 x 150 clear span building for material recycling. The project also includes various pieces of equipment which are all needed to operate a post-consumer recycling facility.

County Line Recovery, Inc. owns the nearly 5-acre parcel that is on Henrietta Road in the Town of Ashford. The Company is looking to construct a new, larger facility to recover, sort and recycle post-consumer recycling. They will be recovering recycling from Catt. County transfer stations, municipalities and numerous Towns, Villages etc. This new facility will add a much-needed component to Cattaraugus County and the surrounding area.

**The Total Project Investment: \$1,050,000.**

### **\*Resolution from Prior Application/Project in Process\***

#### **(#1) Megalomania LLC (Marquee Brewing):**

An application was received by the IDA on 5/24/22 for Sales tax only. No Public Hearing was required as the benefit is less than \$100,000.



**Resolution:**

**A Motion was made by Brent Driscoll seconded by Michael Wimer** RESOLUTION OF THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY: (i) ACCEPTING THE APPLICATION OF MEGALOMANIA LLC, AND/OR INDIVIDUAL(S) OR AFFILIATE(S), SUBSIDIARY(IES), OR ENTITY(IES) FORMED OR TO BE FORMED ON ITS BEHALF (INDIVIDUALLY, AND/OR COLLECTIVELY, THE "COMPANY") IN CONNECTION WITH A CERTAIN PROJECT DESCRIBED BELOW; (ii) APPOINTING THE COMPANY, OR ITS DESIGNEE, AS ITS AGENT TO UNDERTAKE THE PROJECT; (iii) AUTHORIZING THE UNDERTAKING OF THE PROJECT TO PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF A SALES TAX EXEMPTION BENEFIT FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT, AND (iv) AUTHORIZING THE NEGOTIATION AND EXECUTION OF AN AGENT AND FINANCIAL ASSISTANCE PROJECT AGREEMENT, AND RELATED DOCUMENTS. A Roll Call vote was taken, Mr. Driscoll, Ms. Schroder, Mr. Higgins, Mr. Snyder, Mr. Wimer and Mr. Stahley votes yes. Mr. Buffamante was excused. **Motion Carried**

**2.) Lebanon Seaboard Corp. (Penn Turf):**

An application was received by the CCIDA on 4/26/22 and a Public Hearing was conducted on June 20, 2022 in the Town of Franklinville, NY

**Resolution:**

**A Motion was made by James Snyder seconded by Michael Wimer** RESOLUTION OF THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY: (i) ACCEPTING THE APPLICATION OF LEBANON SEABOARD CORPORATION, AND/OR INDIVIDUAL(S) OR AFFILIATE(S), SUBSIDIARY(IES), OR ENTITY(IES) FORMED OR TO BE FORMED ON ITS BEHALF (INDIVIDUALLY, AND/OR COLLECTIVELY, THE "COMPANY") IN CONNECTION WITH A CERTAIN PROJECT DESCRIBED BELOW; (ii) RATIFYING THE SCHEDULING, NOTICING, AND CONDUCTING OF A PUBLIC HEARING IN CONNECTION WITH THE PROJECT; (iii) APPOINTING THE COMPANY, OR ITS DESIGNEE, AS ITS AGENT TO UNDERTAKE THE PROJECT; (iv) AUTHORIZING THE UNDERTAKING OF THE PROJECT TO PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES TAX EXEMPTION BENEFIT FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT, (B) A PARTIAL ABATEMENT FROM REAL PROPERTY TAXES BENEFIT THROUGH THE PILOT AGREEMENT; AND (v) AUTHORIZING THE NEGOTIATION AND EXECUTION OF A LEASE AGREEMENT, LEASEBACK AGREEMENT, A PAYMENT-IN-LIEU-OF-TAX AGREEMENT, AN AGENT AND FINANCIAL ASSISTANCE PROJECT AGREEMENT, AND RELATED DOCUMENTS. A Roll Call vote was taken Mr. Driscoll, Ms. Schroder, Mr. Higgins, Mr. Snyder, Mr. Wimer and Mr. Stahley votes yes. Mr. Buffamante was excused. **Motion Carried.**

**3.) County Line Recovery, Inc.:**

An application was received by the CCIDA on 5/24/22 and a Public Hearing was held in the Ashford Town Office's in West Valley, NY on June 20, 2022.

### **Resolution:**

**A Motion was made by Brent Driscoll seconded by James Snyder** RESOLUTION OF THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY: (i) ACCEPTING THE APPLICATION OF COUNTY LINE RECOVERY, INC., AND/OR INDIVIDUAL(S) OR AFFILIATE(S), SUBSIDIARY(IES), OR ENTITY(IES) FORMED OR TO BE FORMED ON ITS BEHALF (INDIVIDUALLY, AND/OR COLLECTIVELY, THE "COMPANY") IN CONNECTION WITH A CERTAIN PROJECT DESCRIBED BELOW; (ii) RATIFYING THE SCHEDULING, NOTICING, AND CONDUCTING OF A PUBLIC HEARING IN CONNECTION WITH THE PROJECT; (iii) MAKING A DETERMINATION PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT; (iv) APPOINTING THE COMPANY, OR ITS DESIGNEE, AS ITS AGENT TO UNDERTAKE THE PROJECT; (v) AUTHORIZING THE UNDERTAKING OF THE PROJECT TO PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES TAX EXEMPTION BENEFIT FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT, (B) A MORTGAGE RECORDING TAX EXEMPTION BENEFIT FOR FINANCING RELATED TO THE PROJECT, AND (C) A PARTIAL ABATEMENT FROM REAL PROPERTY TAXES BENEFIT THROUGH THE PILOT AGREEMENT; AND (vi) AUTHORIZING THE NEGOTIATION AND EXECUTION OF A LEASE AGREEMENT, LEASEBACK AGREEMENT, A PAYMENT-IN-LIEU-OF-TAX AGREEMENT, AN AGENT AND FINANCIAL ASSISTANCE PROJECT AGREEMENT, AND RELATED DOCUMENTS. A Roll Call vote was taken Mr. Driscoll, Ms. Schroder, Mr. Higgins, Mr. Snyder, Mr. Wimer and Mr. Stahley votes yes. Mr. Buffamante was excused. **Motion Carried.**

### **Uniform Tax Exemption Policy Discussion/Review:**

Mr. Wiktor next discussed the current Uniform Tax Exemption Policy in regards to Wind PILOT terms and rates. Copies of the current Policy were included in the board packets for the Board's review. Mr. Wiktor noted that the IDA has not adjusted the PILOT dollar amount based on installed MW for wind in over 10 years. Mr. Brent Driscoll made a motion with a second by James Snyder to place a moratorium on issuing any Wind PILOTS until after November 30, 2022 which will give the board more time to investigate, review, and discuss what a fair per MW price would be. A Roll Call vote was taken Mr. Driscoll, Ms. Schroder, Mr. Higgins, Mr. Snyder, Mr. Wimer and Mr. Stahley votes yes. Mr. Buffamante was excused. **Motion Carried.**

Corey next introduced Dave Zelker, Mike Caplan, and Dominic LaBel who attended the CCIDA Board meeting to discuss several Solar Projects that they have pending in Cattaraugus County.

### **\*CCIDA Financial Reports:**

**A Motion** was made by Brent Driscoll seconded by James Snyder to accept the May 2022 Operating Statement as presented to the Board. All in Favor **Motion Carried.**

May 2022 had income of **\$65,251** from a partial admin fee from 351 Franklin Street of **\$34,005** and also admin fee from Win Sum Ski Corp. of **\$31,246.**

The Agency is also working on closing documents relating to fourteen (14) active projects at this time. **These projects are projected to close within this year; several of these projects are in "Final Document" stages.**

## Executive Directors Reports:

### -Internal (IDA Meetings/Discussions):

- ✓ Met with Mark Shaw (Cattaraugus County) with Crystal Abers and Richard Zink from STW to discussing loans and financing programs relating to a new recycling project in the Town of Ashford.
- ✓ Attended the groundbreaking event on Thursday April 28<sup>th</sup> in the Town of Farmersville and Franklinville. 230+ people were on hand for this historic event!
- ✓ Corey will be attending the NYSEDC Annual Conference in Cooperstown on May 25<sup>th</sup> through the 27<sup>th</sup>. A number of great topics are on the agenda.
- ✓ Met with Mayor Aiello in the City of Olean for a project and development update meeting.
- ✓ Attended WNYIDA Managers meeting to discuss proposed Budget items and various WNY projects, etc.
- ✓ Met with a Regional Brewer is who is considering a project in Cattaraugus County. This would be a great investment and growth in employment. Fingers crossed!
- ✓ We spent a day with an out of state Manufacturing company that is looking for Industrial land in the Allegany/Olean, NY area. The business is looking to make a significant investment, we are hoping to land this Company. More details to follow as we work on the infrastructure needs of the proposed Company.
- ✓ Catch up Meeting in Buffalo with Legal Counsel to discuss active projects and closings.
- ✓ Discussed with proposed warehousing project in Olean. More details to follow. Owner is proposing putting the building in the Brown Field Clean-up program.
- ✓ Met with Bob Dingman and Mel Shaw with the NYLE RR for a meeting on operations, train rides, events, projects, etc.
- ✓ Took part in the Buffalo Niagara Partnership, Transportation/Infrastructure meeting. Very good meeting, we are hoping to work with DOT on the requested road upgrades that are needed on Route 16, relating to the GLC Project.
- ✓ Attended OBDC Monthly meeting.
- ✓ Met with a WNY Real Estate investor who is looking at a property and building in Cattaraugus County. The proposed buyer is very interested in the property, and we discussed ways the IDA can help on the purchase and investment.
- ✓ Dinner meeting with Senator Borrello and Bill Paladino with Ellicott Development coming up in June to discuss projects, etc.
- ✓ Meeting with Greg Sehr to discuss several projects that we have in the works.

- ✓ Conference call with Senator Borrello and his Staff to review and update them on several projects that we are working on.
- ✓ I have a meeting on June 1<sup>st</sup> with Leaders at JCC to discuss the all-important topic of Workforce Development/Retention. I will report on this meeting to the Board at our June IDA meeting.
- ✓ On June 8<sup>th</sup> at 2:00 PM at Holiday Valley, the IDA will be sponsoring this educational event for this year's round of the CFA. Cattaraugus County, ESD and others will be part of this informative day.
- ✓ Continued weekly St. Bonaventure conference calls relating to their proposed \$25 Million Dollar Tax-exempt that is going through the CCCRC.
- ✓ Working with a local real estate commercial broker on finding a location within the County for a client of his.

**-External (Points of Interest relating to the CCIDA):**

- ✓ **WHAM:** Article "*Monroe County launches initiative to keep college graduates in area.*" Grants will be offered directly through employers. New hires must have at least a four-year degree directly related to their position in advanced manufacturing, life sciences, pics, photonics, imaging or software/information technology.
- ✓ **NY State of Politics:** Article. "*Fossil fuel giants would pay New York State \$30 Billion under new climate bill.*" Fossil fuel companies that have emitted significant greenhouse gases leading to the climate crisis would be required to pay a combined \$30 billion to the state for environmental upgrades under new legislation introduced.
- ✓ **2022 New York State Legislative Session Summary:** "*The 2022 legislative session concluded late last week with a record 1007 bills passing both the Senate and Assembly. The NYSEDC tracked, weighted in on, and/or helped edit language more than 80 bills this year that would impact our members and economic development efforts across New York State.*"
- ✓ **BisNow National:** "*High Housing Cost Challenging Corporations in Search of New Homes.*" Sky-high housing costs have hampered many would-be homeowners from finding the home of their dreams. Increasingly, companies looking for new sites for warehouses, manufacturing space and even offices are facing the same fate, as jarring double-digit jumps in home prices and rents have caused many to re-evaluate their site selection decisions.
- ✓ **Billings Sheet Metal:** June 2022 Monthly Market Bulletin.

**Adjournment:**

*In Memory of Pete Lounsbury, who passed away on June 15, 2022. We will greatly miss Mr. Lounsbury as a leader in the Town of Farmersville, New York. The IDA Board and Staff sends our deepest condolences to the entire Lounsbury family.*

A Motion was made by James Snyder seconded by Brent Driscoll to adjourn the meeting at 1:00 p.m. All in Favor – Motion Carried

**\* Next CCIDA Board of Directors Meeting: Tuesday, July 26, 2022 at 11:15 a.m. at the CCIDA Offices, 9 E. Washington Street, Ellicottville, NY, and also via Zoom.**

# APPLICATION FOR FINANCIAL ASSISTANCE



County of Cattaraugus Industrial Development Agency  
P. O. Box 1749  
9 East Washington Street  
Ellicottville, New York 14731  
Phone (716) 699-2005  
fax (716) 699-2942  
e-mail [info@cattcoida.com](mailto:info@cattcoida.com)  
web [www.cattcoida.com](http://www.cattcoida.com)

## CCIDA FINANCIAL ASSISTANCE APPLICATION INSTRUCTIONS

### I. Application Submission and Application Fees

The following directions will assist you (the "Applicant") in completing this application for Financial Assistance (the "Application"). Please note that all applications will be subject to approval of the County of Cattaraugus Industrial Development Agency (the "Agency") and that no Financial Assistance can be provided, including a sales tax exemption on purchases made prior to Agency approval, until your application has been so approved and *after* a Financial Assistance agreement with the Agency has been executed.

If your project involves the relocation of a facility within Cattaraugus County, the abandonment of an existing facility, involves a tenant that is abandoning an existing facility, or is retail in nature, additional documentation is required. Please contact an Agency business development specialist as soon as possible.

Upon review of the application, the Agency may find it necessary to request additional information. Should additional information be required, the Agency will not consider the request for assistance until all such additional information is received in its entirety.

All projects receiving a benefit greater than \$100,000 are required to have a public hearing inclusive of a ten (10) day notice before any approval can be granted by the Agency. The Agency will charge an administrative fee of 1.0625% of the project amount. Upon project approval, an Administrative Fee Agreement must be entered into. The Agency's legal fees are in addition to the administrative fees noted.

A non-refundable \$1,500.00 application processing and publication fee is due upon submission of your application.

As required by statute, applicants receiving Financial Assistance will be subject to the Agency's Policy Respecting Recapture of Agency Benefits (the "Recapture Policy"). The Recapture Policy provides for a partial or full recapture and/or termination or modification of state and local sales tax, mortgage recording tax, and/or real property tax abatement benefits upon a determination by the Agency that the Company has failed to meet and/or maintain the thresholds and requirements representing certain material terms and conditions required by the Agency. The Recapture Policy is located on the Agency's webpage.

### II. Application Component Parts and Exhibits

The following items are included in the Application package. These are required documents that must be completed and submitted to the Agency in order for your Application to be considered. Please make every effort to provide all of the information as soon as possible. Failure to do so may result in your project not being considered at the next regularly scheduled meeting of the Agency.

1. Section I & II - Eligibility Questionnaire: This form must be completed in its entirety and submitted to the ECIDA prior to beginning the public hearing process.
2. Section III – Single -Multi Tenant Facility: Only complete if applicable.
3. Section IV- Retail Questionnaire: To ensure compliance with the provisions of Section 862 of the New York General Municipal Law, the Agency has prepared certain questions within

this section of the Application with respect to those projects where customers personally visit the Project site to make a retail sale transaction or obtain a service. Complete only if applicable.

4. Section V. Inter-Municipal Move Determination. Only complete if applicable.
5. Section VI. Estimate of Real Property Tax Abatements: This section of the Application will be completed by Agency staff, and inserted as a component part of the Application.
6. Attachment A. Representations, Certifications and Indemnification Form: This form requires an original signature, must be notarized, and must be submitted with the completed Application form.
7. Attachment B. Insurance Specifications. The Agency's insurance requirements, as amended from time to time, are contained herein. Note that insurance is to be provided after Agency approval and prior to the provision of Agency Financial Assistance, and shall be maintained during the term of any applicable Agent Agreement and/or Lease Agreement by and between the Agency and the Applicant. Please provide these requirements to your insurance agent to facilitate satisfaction of these requirements.
8. Attachment C. Agency Counsel Fee. The company will be required to pay for CCIDA general/transaction counsel fees and/or bond counsel fees also as a condition of providing Financial Assistance.

### III. Submission and Acceptance of the Application for Financial Assistance

The Agency's acceptance of this Application for consideration does not constitute a commitment on the part of the Agency to undertake the proposed Project, to grant any Financial Assistance with respect to the proposed Project or to enter into any negotiations with respect to the proposed Project.

Information provided herein may be subject to disclosure under the New York Freedom of Information Law ("FOIL"). If the Applicant believes that a portion of the Application or materials submitted in support of the Application is protected from disclosure under FOIL, the Applicant should mark the applicable sections(s) or pages(s) as "confidential" and state the applicable exception to disclosure under FOIL.

## I. Eligibility Questionnaire - Applicant Background Information

Answer all questions. Use "None" or "Not Applicable" where necessary.

### A) Applicant Information-company receiving benefit:

Applicant Name: Ellicottville Greens  
Applicant Address: PO Box 722  
City/Town: Ellicottville State: NY Zip: 14731  
Phone: 716-296-0826  
E-mail: info@eg.farm

### B) Business Organization (check appropriate category):

Corporation  Partnership   
Public Corporation  Joint Venture   
Sole Proprietorship  Limited Liability Company   
Other (specify) \_\_\_\_\_  
Year Established: 2019 State in which Organization is established: NY

### C) Individual Completing Application:

Name: Gabriel Bialkowski  
Title: Founder, CEO  
Address: PO Box 722  
City/Town: Ellicottville State: NY Zip: 14731  
Phone: 716-912-2780 E-Mail: gabe@eg.farm

### D) Company Contact (if different from individual completing application):

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Town: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

### E) Company Counsel:

Name of Attorney: Scott Friedman / Andrea Vossler  
Firm Name: Lippes Mathias Wenner Friedman LLP  
Title: \_\_\_\_\_  
Address: 50 Fountain Plaza Suite 1700  
City/Town: Buffalo State: NY Zip: 14202  
Phone: 716-853-5100 E-Mail: SFriedman@lippes.com AVossler@lippes.com

### F) Benefits Requested (select all that apply):

1. Exemption from Sales Tax  Yes or  No
2. Exemption from Mortgage Tax  Yes or  No
3. Exemption from Real Property Tax  Yes or  No
4. Tax Exempt Financing \*  Yes or  No

\* (typically for not-for-profits & small qualified manufacturers)



**G) Applicant Business Description:**

Describe in detail company background, history, products and customers. Description is critical in determining eligibility: EG is an indoor Farm Management Company that was founded in Ellicottville in 2019. We own, operate and acquire indoor vertical farms that grow produce ~~organically~~ sustainably.

Estimated % of sales within Cattaraugus County: 30%  
Estimated % of sales outside Cattaraugus County but within New York State: 65%  
Estimated % of sales outside New York State but within the U.S.: 5%  
Estimated % of sales outside the U.S.: 0%  
(\*Percentage to equal 100%)

For your operations, company, and proposed project, what percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Cattaraugus County 50%

Identify vendors within Cattaraugus County for major purchases: TBD.

**II. Eligibility Questionnaire - Project Description & Details**

**A) Project Location**

Address of Proposed Project Facility: Simmons Rd Tax id: 47.004-1-10.10  
City/Town: Ellicottville School District: Ellicottville  
SBL Number(s) for proposed Project \_\_\_\_\_

Current Address (if different): 4675 Transit Rd  
City/Town: Buffalo

What are the current real estate taxes on the proposed Project site? N/A  
If amount of current taxes is not available, provide assessed value for each  
Land: \$ 110,500 Buildings(s): \$ 0 *If available include a copy of current tax receipt.*

Are Real Property Taxes current at project location?  Yes or  No. If no, explain: \_\_\_\_\_

Does the Applicant or any related entity currently hold fee title have an option/contract to purchase the Project site?  Yes or  No If No, indicate name of present owner of the Project site:  
John Metz

Describe the present use of the proposed Project site (vacant land, existing building, etc.):  
Vacant farm land.

**B) Project Description**

Provide a narrative of the purpose of the proposed Project (new build, renovations, expansion), square footage of existing buildings (if any) and new construction contemplated and/or equipment purchases. Identify specific uses occurring within the project. Describe any and all tenants and any/all end users: (This information is critical in determining project eligibility. Add an attachment if necessary.):

New build on vacant raw lands owned by John Metz. We will lease  
2 acres, level and place a crushed limestone pad. Install utility upgrades. Build pole barn.  
Place mobile modular shipping containers that grow food.

Will the completion of the Project 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?  Yes or  No

If the Proposed Project is located in a different municipality within New York State in which current operations are being undertaken, is it expected that any of the facilities in any other municipality will be closed or be subject to reduced activity?  Yes or  No. If Yes, you will need to complete Section V, *The Inter-municipal Move Determination*

Is the project reasonably necessary to prevent the project occupant from moving out of New York State?  Yes or  No. If yes, explain and identify out-of-state locations investigated, type of assistance offered and what competitive factors led you to inquire about sites outside of New York State? Provide supporting documentation if available:

Have you contacted or been contacted by other Local, State and/or Federal Economic Development Agencies?  Yes or  No. If yes, indicate the Agency and nature of the inquiry below:

Describe the reasons why the Agency's financial assistance is necessary, and the effect the Project will have on the Applicant's business or operations. Focus on competitiveness issues, project shortfalls, etc... Your eligibility determination will be based in part on your answer (attach additional pages if necessary): We are  
bringing the first scale indoor farm to the Southern Tier of WNY. Financial  
Assistance allows this Project to come to life and be a stake for  
innovation in Cattaraugus County.

Confirm by checking the box, below, if there is likelihood that the Project would not be undertaken but for the financial assistance provided by the Agency?  Yes or  No

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

N/A

If the Applicant is unable to obtain financial assistance for the Project, what will be the impact on the Applicant and Cattaraugus County? Without financial assistance we wouldn't be able to expand into  
Cattaraugus County.

**C) Site Characteristics**

Will the Project meet zoning/land use requirements at the proposed location?  Yes or  No

Describe the present zoning/land use: Agricultural

If a change in zoning/land use is required, provide details/status of any request for change of zoning/land use requirements: \_\_\_\_\_

Has a project related site plan approval application been submitted to the appropriate planning department?  
 Yes or  No

If Yes, include the applicable municipality's and/or planning department's approval resolution, the related State Environmental Quality Review Act ("SEQR") "negative declaration" resolution, if applicable, and the related Environmental Assessment Form (EAF), if applicable.

If No, list the CCIDA as, or ensure that the CCIDA is listed as, an "Involved Agency" on the related EAF that will be submitted to the appropriate municipality and/or planning department for site plan approval and provide to the EAF to the lead agency and to the CCIDA.

If No, because site plan approval is not otherwise required, complete and submit the EAF along with this Application to the CCIDA.

Is the proposed project located on a site where the known or potential presence of contaminants is complicating the development/use of the property?  Yes or  No If yes, explain:  
\_\_\_\_\_  
\_\_\_\_\_

Has a Phase I Environmental Assessment been prepared or will one be prepared with respect to the proposed project site?  Yes or  No If yes, provide a copy.

**D) Project Type**

Select Project Type/Use for all end users at project site (you may check more than one)

- |                                  |                          |                           |                                     |
|----------------------------------|--------------------------|---------------------------|-------------------------------------|
| Acquisition of Existing Facility | <input type="checkbox"/> | Life Care Facility (CCRC) | <input type="checkbox"/>            |
| Affordable/Workforce Housing     | <input type="checkbox"/> | Market Rate Housing       | <input type="checkbox"/>            |
| Assisted Living                  | <input type="checkbox"/> | Mixed Use                 | <input type="checkbox"/>            |
| Back Office                      | <input type="checkbox"/> | Multi-Tenant              | <input type="checkbox"/>            |
| Civic Facility (not for profit)  | <input type="checkbox"/> | Renewable Energy          | <input type="checkbox"/>            |
| Commercial                       | <input type="checkbox"/> | Research/Design           | <input type="checkbox"/>            |
| Senior Housing                   | <input type="checkbox"/> | Retail                    | <input type="checkbox"/>            |
| Facility for Aging               | <input type="checkbox"/> | Warehousing               | <input type="checkbox"/>            |
| Industrial/Manufacturing         | <input type="checkbox"/> | Other <u>Agricultural</u> | <input checked="" type="checkbox"/> |
| Tourism Facility/Project         | <input type="checkbox"/> |                           |                                     |

Will customers personally visit the Project site for either of the following economic activities indicated below? If yes with respect to either economic activity indicated below, complete Section IV, Retail Questionnaire.

Retail Sales:  Yes or  No

Services:  Yes or  No

\*For purposes of this question, the term "retail sales" means (i) sales by a registered vendor under Article 28 of the New York Tax Law (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

For the proposed Project Facility, indicate the square footage for each of the uses outlined below:

**\*\*If applicant is paying for FFE for tenants, include in cost breakdown**

	Square Footage	Cost	% of Total Cost of Project
Manufacturing/Processing	3,200		55%
Warehouse	4,000		28%
Research & Development			
Commercial			
Retail (see retail questionnaire)	NA		
Office	1,920		17%
Renewable Energy			
Specify Other			

What is the estimated project timetable (provide dates):

1. Start date: acquisition of equipment or construction of facilities: September 1, 2022
2. Estimated completion date of project: September 1, 2023
3. Project occupancy – estimated starting date of occupancy: December 2022

**E) Overall Project Costs**

Estimated costs in connection with Project:

1. Land and/or Building Acquisition \$ 0  
\_\_\_\_\_ acres \_\_\_\_\_ square feet
2. New Building Construction 9,120 square feet \$ 550,000
3. New Building Addition(s) \_\_\_\_\_ square feet \$ 0
4. Infrastructure Work \$ 100,000
5. Reconstruction/Renovation \_\_\_\_\_ square feet \$ 0
6. Manufacturing Equipment \$ 40,000
7. Non-Manufacturing Equipment (furniture, fixtures, etc.) \$ 50,000
8. Soft Costs: (Legal, architect, engineering, etc.) \$ 10,000
9. Other, Specify: \_\_\_\_\_ \$ 0

TOTAL Costs: \$ 710,000

**Construction Cost Breakdown:**

Total Cost of Construction \$ 650,000 (sum of 2,3,4 and 5 above)  
 Cost of materials: \$ \_\_\_\_\_  
 % sourced in Cattaraugus County 50 + %

Have any of the above costs been paid or incurred as of the date of this application?  Yes or  No  
 If yes, describe: \_\_\_\_\_

**Sources of Funds for Project:**

Bank Financing	\$ _____
Equity (excluding equity that is attributed to grants/tax credits)	\$ <u>210,000</u>
Public Sources (Include sum total of all state and federal grants and tax credits)	\$ _____
Identify each state and federal grant/credit: (i.e. Historic Tax Credit, New Market Tax Credit, Brownfield Cleanup Program, ESD, other public sources)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
Total Sources of Funds for Project Costs:	\$ <u>210,000</u>

Have you secured financing for the project?  Yes  No. If yes, provide a copy of the loan commitment to the Agency.

Project refinancing estimated amount, if applicable (for refinancing of existing debt only): \$ \_\_\_\_\_

**Sales and Use Tax Benefit:** Gross amount of costs for goods and services that are subject to State and Local Sales and Use Tax - said amount to benefit from the Agency's sales and use tax exemption benefit: \$ 0

Estimated State and Local Sales and Use Tax Benefit (multiply 8.0% by the figure, above): \$ 0

*\*\* Note that the estimate provided above will be provided to the New York State Department of Taxation and Finance. The Applicant acknowledges that the transaction documents include a covenant by the Applicant to undertake the total amount of investment as proposed within this Application, and that the estimate above represents the maximum amount of sales and use tax benefit that the Agency may authorize with respect to this Application, unless otherwise amended and approved by the Agency. The Agency may utilize the estimate above as well as the proposed total Project Costs as contained within this Application, to determine the Financial Assistance that will be offered.*

**Mortgage Recording Tax Exemption Benefit:** Amount of mortgage, if any that would be subject to mortgage recording tax:

Mortgage Amount (include sum total of construction/permanent/bridge financing): \$ 0

Estimated Mortgage Recording Tax Exemption Benefit (multiply the mortgage amount as indicated above by 1.25 %): \$ 0

**Real Property Tax Benefit:**

Identify and describe if the Project will utilize a real property tax exemption benefit OTHER THAN the Agency's PILOT benefit (487, 485-b, other): N/A

**IDA PILOT Benefit:** See Section VI of this Application. Agency staff will indicate the amount of PILOT Benefit based on estimated Project Costs as contained herein and anticipated tax rates and assessed valuation, including the annual PILOT Benefit abatement amount for each year of the PILOT benefit year and the sum total of PILOT Benefit abatement amount for the term of the PILOT.

**F) Job Retention and Job Creation**

Is the project necessary to expand project employment?  Yes or  No

Is project necessary to retain existing employment?  Yes or  No

**Employment Plan (Specific to the proposed project location):**

	Current # of jobs at proposed project location or to be relocated at project location	If financial assistance is granted – project the number of FT and PT jobs to be retained	If financial assistance is granted – project the number of FT and PT jobs to be created upon 24 months (2 years) after Project completion	Estimate number of residents of the Labor Market Area in which the project is located that will fill the FT and PT jobs to be created upon 24 months (2 years) after project completion **
Full time (FT)	2	2	8	8
Part Time (PT)	0	0	2	2
Total ***	2	2	10	10

\*\* The Labor Market Area includes the Counties of Cattaraugus, Erie, Allegany, Chautauqua and Wyoming. For purposes of this question, estimate the number of FT and PT jobs that will be filled, as indicated in the third column, by residents of the Labor Market Area, in the fourth column.

\*\*\* By statute, Agency staff must project the number of FT jobs that would be retained and created if the request for Financial Assistance is granted. Agency staff will project such jobs over the two-year time period following Project completion. Agency staff converts PT jobs into FT jobs by dividing the number of PT jobs by two (2).

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

Category of jobs to be retained and/or created	# of employees retained and/or created	Average salary for Full Time	Average fringe benefits for full time	Average salary for part time, if applicable	Average fringe benefits for part time, if applicable
Management	2	\$50,000			
Professional					
Administrative	1	\$37,500			
Production	7	\$37,500			
Independent Contractor					
Other					

\*\* Note that the Agency may utilize the foregoing employment projections, among other items, to determine the financial assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to retain the number of jobs and create the number of jobs with respect to the Project as set forth in this Application.

**Payroll Information:**

Annual Payroll at proposed project site upon project completion		\$	<u>87,500</u>	
Estimated average annual salary of jobs to be retained (full time)		\$	<u>                    </u>	
Estimated average annual salary of jobs to be retained (part time)		\$	<u>                    </u>	
Estimated average annual salary of jobs to be created (full time)		\$	<u><del>87,500</del></u>	
Estimated average annual salary of jobs to be created (part time)		\$	<u>                    </u>	
Estimated salary range of jobs to be created				
From (full time)	\$	<u>37,500</u>	To (full time) \$	<u>50,000</u>
From (part time)	\$	<u>15 / hr</u>	To (part time) \$	<u>22 / hr</u>

**III. Part A: Facility Type - Multi-Tenant Determination**

If this is a Single-Use facility fill in section A. If this is a Multi-Tenant fill in section B.

**A) For Single Use Facility (to be filled out by developer):**

Occupant Name: Ellicottville Greens  
 Address: PO Box 722  
 City/Town: Ellicottville State: NY Zip: 14731  
 Contact Person: Gabriel Bialkowsk:  
 Phone: 716-912-2780 Fax: \_\_\_\_\_  
 E-Mail: gabe@eg.farm  
 Federal ID #: 84-3065244 NAICS Code: 111998

**B) Multi-Tenant Facility (to be filled out by developer):**

Have any tenant leases been entered into for this project  Yes or  No.

If yes, list below and provide square footage to be leased to tenant and NAICS Code for tenant and nature of business.

Tenant Name	Current Address (city, state, zip)	# of sq. ft. and % of total to be occupied at new project site	Briefly describe type of business, products services



Part B: Tenant Form

**\*\* This section must be completed for each proposed tenant \*\***

A Retail Questionnaire will need to be prepared for each proposed tenant if customers will personally visit the tenant to either participate in a retail sale transaction or pay for a service.

An Inter-Municipal Move Determination will need to be completed for each proposed tenant that is relocating from another municipality or abandoning an existing facility.

Property Address: Simmons Rd Tax id: 47.004-1-10.10  
City/Town: Ellicottville

Tenant Name: Ellicottville Greens

Amount of space to be leased: 87,120 SF. What percentage of the building does this represent? 2 %

Are terms of the lease: GROSS  or NET

If GROSS lease, explain how Agency benefits are passed to the tenant: \_\_\_\_\_

Estimated date of occupancy: September, 2022

Company Name: Ellicottville Greens

Current Address: 4675 Transit Rd

City/Town: Buffalo State: NY Zip: 14221

Local Contact Person: Gabriel Birkowski Title: CEO

Phone: 716-912-2780 E-mail: gabe@eg.farm

Company President/General Manager: \_\_\_\_\_

Number of employees to be relocated to new project location:

Full-Time: \_\_\_\_\_ Part-Time: \_\_\_\_\_ Total: \_\_\_\_\_

List the square footage which the proposed tenant will lease at the Project location: 87,120 SF

List the square footage which the proposed tenant leases at its present location(s): 3,000 SF

Will the project result in relocation from one municipality to another and/or abandonment from other tenant/user(s) facilities in New York State?

Yes or  No.

If Yes, fill out Inter-Municipal-Move Determination form.

What will happen to the existing facility once vacated? \_\_\_\_\_

If leased, when does lease expire? \_\_\_\_\_, 20\_\_\_\_

Are any of the proposed tenant's current operations located in facilities which have received an Industrial Development Agency benefit?  Yes or  No. If yes, provide details as to location, and amount of leased space, how long leased? \_\_\_\_\_

#### IV. Retail Questionnaire

To ensure compliance with Section 862 of the New York General Municipal Law, the Agency requires additional information if the proposed Project is one where customers personally visit the Project site to undertake either a retail sale transaction or to purchase services.

Answer the following:

A. Will any portion of the project (including that portion of the cost to be financed from equity or other sources) consist of facilities or property that are or will be primarily used in making sales of goods or services to customers who personally visit the project site?

Yes or  No. If the answer is yes, continue below. If no, proceed to next section

For purposes of Question A, the term "retail sales" means (i) sales by a registered vendor under Article 28 of the Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

B. What percentage of the cost of the Project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the project? 5%. If the answer is less than 33% do not complete the remainder of the retail determination and proceed to Inter-Municipal Move Determination.

If the answer to A is Yes AND the answer to Question B is greater than 33.33%, indicate which of the following questions below apply to the project:

1. Will the project be operated by a not-for-profit corporation  Yes or  No.
2. Is the Project location or facility likely to attract a significant number of visitors from outside the economic development region (Cattaraugus, Erie, Allegany, Chautauqua and Wyoming counties) in which the project will be located?  Yes or  No
3. Is the predominant purpose of the project to make available goods or services which would not, but for the project, be reasonably accessible to the residents of the municipality within which the proposed project would be located because of a lack of reasonably accessible retail trade facilities offering such goods or services?  Yes or  No
4. Will the project preserve permanent, private sector jobs or increase the overall number of permanent, private sector jobs in the State of New York?  Yes or  No.

If yes, explain An innovative technology startup would help drive jobs in the County. This first phase of the project is just the start.

5. Is the project located in a Highly Distressed Area?  Yes or  No

V. Inter-Municipal Move Determination

If completion of a Project benefiting from Agency Financial Assistance results 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, then it must be shown that Agency Financial Assistance is required to prevent the project occupant from relocating out of the state, or is reasonably necessary to preserve the project occupant's competitive position in its respective industry.

Current Address: 4675 Transit Rd  
City/Town: Buffalo State: NY Zip: 14221

Will the Project 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?  Yes or  No

Will the Project result in the abandonment of one or more plants or facilities of the Project occupant located within the state?  Yes or  No

If Yes to either question, 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: \_\_\_\_\_

Does the Project involve relocation or consolidation of a project occupant from another municipality?

Within New York State  Yes or  No  
Within Cattaraugus County  Yes or  No

If Yes to either question, explain: \_\_\_\_\_

What are some of the key requirements the project occupant is looking for in a new site (for example minimum of number of sq. ft., 12 foot ceilings, truck loading docks, thruway accessibility. etc.)

The right landlord. Open space with ability to scale. Near a solar field.

If the project occupant is currently located in Cattaraugus County and will be moving to a different municipality within Cattaraugus County, has the project occupant attempted to find a suitable location within the municipality in which it is currently located?  Yes or  No

What factors have led the project occupant to consider remaining or locating in Cattaraugus County? Prior history renting in the county.

If the current facility is to be abandoned, what is going to happen to the current facility that the project occupant is located in? N/A

Provide a list of properties considered, and reason they were not adequate. (Some examples include: site not large enough, layout was not appropriate, did not have adequate utility service, etc.)

Property (Address)

Reason

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**VI. Estimate of Real Property Tax Abatement Benefits\*\*\* and Percentage of Project Costs financed from Public Sector sources**

**\*\* This Section of the Application will be: (i) completed by CCIDA 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**

**CCIDA Staff will insert and/or prepare appropriate PILOT Benefit information.**

**Percentage of Project Costs financed from Public Sector Table Worksheet:**

Total Project Cost	Estimated Value of PILOT	Estimated Value of Sales Tax Incentive	Estimated Value of Mortgage Tax Incentive	Total of Other Public Incentives (Tax Credits, Grants, ESD Incentives, etc.)

**Calculate % (Est. PILOT + Est. Sales Tax+ Est. Mortgage Tax+ Other)/Total Project Costs: \_\_\_\_\_%**

## Attachment A: Representations, Certifications and Indemnification

Gabriel Biarkowski (name of CEO or other authorized representative of Applicant) confirms and says that he/she is the CEO (title) of Ellicottville Greens (name of corporation or other entity) named in the attached Application (the "Applicant"), that he/she has read the foregoing Application and knows the contents thereof, and hereby represents, understands, and otherwise agrees with the Agency and 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 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 Project will 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 Entities") 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 New York General Municipal Law, the Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the Applicant will 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 Project.
- C. **Annual Sales Tax Filings:** In accordance with Section 874(8) of the New York General Municipal Law, the Applicant understands and agrees that, if the 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. Copies of all filings shall be provided to the Agency.
- D. **Employment Reports:** The Applicant understands and agrees that, if the Project receives any Financial Assistance from the Agency, the Applicant agrees to file, or cause to be filed, with the Agency, at least annually or as otherwise required by the Agency, reports regarding the number of people employed at the project site, salary levels, contractor utilization and such other information (collectively, "Employment Reports") that may be required from time to time on such appropriate forms as designated by the Agency. Failure to provide Employment Reports within 30 days of an Agency request shall be an Event of Default under the PILOT Agreement between the Agency and Applicant and, if applicable, an Event of Default under the Agent Agreement between the Agency and Applicant. In addition, a Notice of Failure to provide the Agency with an Employment Report may be reported to Agency board members, said report being an agenda item subject to the Open Meetings Law.
- E. The Applicant acknowledges that certain environmental representations will be required at closing. The Applicant shall provide with this Representation, Certification and Indemnification Form copies of any known environmental reports, including any existing Phase I Environmental Site Assessment Report(s) and/or Phase II Environmental Investigations. The Agency may require the Company and/or owner of the premises to prepare and submit an environmental assessment and audit report, including but not necessarily limited to, a Phase I Environmental Site Assessment Report and a Phase II Environmental Investigation, with respect to the Premises at the sole cost and expense of the owner and/or the Applicant. All environmental assessment and audit reports shall be completed in accordance with ASTM Standard Practice E1527-05 and shall be conformed over to the Agency so that the Agency is authorized to use and rely on the reports. The Agency, however, does not adopt, ratify, confirm or assume any representation made within reports required herein.

- F. The Applicant and/or the owner, and their successors and assigns, hereby release, defend and indemnify the Agency from any and all suits, causes of action, litigations, damages, losses, liabilities, obligations, penalties, claims, demands, judgments, costs, disbursements, fees or expenses of any kind or nature whatsoever (including, without limitation, attorneys', consultants' and experts' fees) which may at any time be imposed upon, incurred by or asserted or awarded against the Agency, resulting from or arising out of any inquiries and/or environmental assessments, investigations and audits performed on behalf of the Applicant and/or the owner pursuant hereto, including the scope, level of detail, contents or accuracy of any environmental assessment, audit, inspection or investigation report completed hereunder and/or the selection of the environmental consultant, engineer or other qualified person to perform such assessments, investigations, and audits.
- G. Hold Harmless Provision: The Applicant acknowledges and agrees that the Applicant shall be and is responsible for all costs of the Agency incurred in connection with any actions required to be taken by the Agency in furtherance of the Application including the Agency's costs of general counsel and/or the Agency's bond/transaction counsel whether or not the Application, the proposed Project it describes, the attendant negotiations, or the issue of bonds or other transaction or agreement are ultimately ever carried to successful conclusion and 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: (i) the Agency's examination and processing of, and action pursuant to or upon, the Application, regardless of whether or not the Application or the proposed Project described herein or the tax exemptions and other assistance requested herein are favorably acted upon by the Agency; (ii) the Agency's acquisition, construction and/or installation of the proposed Project described herein; and (iii) any further action taken by the Agency with respect to the proposed Project including, without limiting the generality of the foregoing, all causes of action and attorney's fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. Applicant hereby understands and agrees, in accordance with Section 875(3) of the New York General Municipal Law and the policies of the Agency that any New York State and local sales and use tax exemption claimed by the Applicant and approved by the Agency, any mortgage recording tax exemption claimed by the Applicant and approved by the Agency, and/or any real property tax abatement claimed by the Applicant and approved by the Agency, in connection with the Project, may be subject to recapture and/or termination by the Agency under such terms and conditions as will be established by the Agency and set forth in transaction documents to be entered into by and between the Agency and the Applicant. The Applicant further represents and warrants that the information contained in this Application, including without limitation information regarding the amount of the New York State and local sales and use tax exemption benefit, the amount of the mortgage recording tax exemption benefit, and the amount of the real property tax abatement, if and as applicable, to the best of the Applicant's knowledge, is true, accurate and complete.
- H. This obligation includes an obligation to submit an Agency Fee Payment to the Agency in accordance with the Agency Fee policy effective as of the date of this Application
- I. By executing and submitting this Application, the Applicant covenants and agrees to pay the following fees to the Agency:
- (i) a non-refundable \$1,500.00 application processing and publication fee (the "Application Fee") at time of application submission payable CCIDA;
  - (ii) Unless otherwise agreed to by the Agency, an amount equal to one and one quarter percent (1.0625%) of the total project costs, at the time of issuance of Financial Assistance/closing;
  - (iii) All fees, costs and expenses incurred by the Agency for (1) legal services, including but not limited to those provided by the Agency's general counsel and/or the Agency's bond/transaction counsel, thus note that the Applicant is entitled to receive a written estimate of fees and costs of the Agency's general counsel and the Agency's

bond/transaction counsel; and (2) other consultants retained by the Agency in connection with the proposed project, with all such charges to be paid by the Applicant at the closing.

- J. If the Applicant fails to conclude or consummate the 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 Applicant is unable to find buyers willing to purchase the bond issue requested, or if the Applicant is unable to facilitate the sale/leaseback or lease/leaseback transaction, then, upon the presentation of an invoice, Applicant shall pay to the Agency, its agents, or assigns all actual costs incurred by the Agency in furtherance of the Application, up to that date and time, including but not necessarily limited to, fees of the Agency's general counsel and/or the Agency's bond/transaction counsel.
- K. The Applicant acknowledges and agrees that all payment liabilities to the Agency and the Agency's general counsel and/or the Agency's bond and/or transaction counsel as expressed in Sections H and I are obligations that are not dependent on final documentation of the transaction contemplated by this Application.
- L. The cost incurred by the Agency and paid by the Applicant, the Agency's general counsel and/or bond/transaction counsel fees and the processing fees, may be considered as a cost of the Project and included in the financing of costs of the proposed Project, except as limited by the applicable provisions of the Internal Revenue Code with respect to tax-exempt bond financing.
- M. The Applicant acknowledges that the Agency is subject to New York State's Freedom of Information Law (FOIL). **Applicant understands that all Project information and records related to this application are potentially subject to disclosure under FOIL subject to limited statutory exclusions.**
- N. The Applicant has read and understands the Agency's Policy Respecting Recapture of Agency Benefits (the "Recapture Policy"). The Applicant covenants and agrees that it fully understands that the Recapture Policy is applicable to the Project that is the subject of this Application, and that the Agency will implement the Recapture Policy if and when it is so required to do so. The Applicant further covenants and agrees that its Project is potentially subject to termination of Agency financial assistance and/or recapture or modification of Agency financial assistance so provided and/or previously granted.
- O. The 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.
- P. 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.
- Q. 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.



- R. The Applicant confirms and hereby acknowledges that as of the date of this Application, the Applicant is in substantial compliance with all provisions of Article 18-A of the New York General Municipal Law, including, but not limited to, the provision of Section 859-a and Section 862(1) of the New York General Municipal Law.
- S. The Applicant and the individual executing this Application on behalf of Applicant acknowledge that the Agency and its counsel will rely on the representations and covenants 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 ~~CATTARAUGUS~~ ) ss.:


ERIE, being first duly sworn, deposes and says:

1. That I am the CEO (Corporate Office) of Ellicottville Greens (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)

NY ID 669492655

Subscribed and affirmed to me under penalties of perjury  
 this 14<sup>th</sup> day of JULY, 2022

  
 (Notary Public)

KABALAN RICHARD K  
 Notary Public, State of New York  
 Reg. #01KA6432262  
 Qualified in Erie County  
 Commissions Expire: 04/25/20 26

## Attachment B: CCIDA Insurance Requirements

### COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY (Insurance Specifications as of June 8, 2021)

A summary of CCIDA insurance requirements follows. Please note that insurance is to be provided by the Company and/or Project owner after Board approval and prior to utilization of CCIDA financial assistance, and shall be maintained during the term of any applicable Agent Agreement and/or Lease Agreement by and between the CCIDA and the Company.

During the term of an Agent Agreement and/or a Lease Agreement entered into with the County of Cattaraugus Industrial Agency an **ACORD 25-Certificate of Liability Insurance and ACORD 855 NY-New York Construction Certificate of Liability Addendum** shall be provided evidencing the following insurance is currently maintained and in force with an insurance carrier approved to do business in the State of New York and maintaining an A.M. Best Rating of A- or better showing County of Cattaraugus Industrial Development Agency as Certificate Holder. It is our suggestion that you share these requirements with your current insurance agent, broker or insurance company.

Acceptable Certificates of Insurance shall indicate the following minimal coverage, limits of insurance, policy numbers and policy effective and expiration dates.

**Commercial General Liability:** Agent and subcontractors shall provide such coverage on an occurrence basis for the named insured's premises & operations and products-completed operations. Blanket Contractual Liability provided within the "insured contract" definition may not be excluded or restricted in any way. Property damage to work performed by subcontractors may not be excluded or restricted nor shall the Additional Insured's coverage for claims involving injury to employees of the Named Insured or their subcontractors be excluded or restricted. The "insured contract" exception to the Employers Liability exclusion also may not be removed or restricted in any way.

These coverages are to be properly evidenced by checking the appropriate box(es) on the **ACORD 855-NY Construction Certificate of Liability Addendum's** Information Section, Items G, H, I and L. Policy shall have attached **Designated Location(s) General Aggregate Limit CG 25 04** endorsement.

**Limits expressed shall be no less than:**

General Aggregate	\$2,000,000
Products-Completed Operations Aggregate	\$2,000,000
Per Occurrence	\$1,000,000
Personal & Advertising Injury	\$1,000,000
Fire Damage Liability	\$ 100,000
Medical Payments (per person)	\$ 5,000

County of Cattaraugus Industrial Development Agency shall be named as Additional Insured per **ISO Form CG 20 26-Additional Insured Designated Person or Organization** to provide coverage for the Additional Insured. Coverage shall apply on a Primary & Non-Contributory basis. All insurance required of the Company shall waive any right of subrogation of the insurer against any person insured under such policy, and waive any right of the insurer to any off-set or counterclaim or any other deduction, whether by attachment or otherwise, in respect of any liability of any person insured under such policy.

**ACORD 855 NY-New York Construction Certificate of Liability Insurance:** It is not uncommon for insurers to modify the standard ISO policy language with endorsements that result in modifications to language preferred by the insurer. This addendum is required to supplement the **ACORD 25-Certificate of Liability Insurance** with additional information that provides a more detailed expression of the types of coverage required. Specifically required coverages may be excluded or limited by the attachment of exclusionary or limitation endorsements. This

addendum provides the insurer the ability to certify coverage provided by the absence of such exclusionary or limiting modifications.

Blanket Additional Insured endorsement to include — Owner, Lessees or Contractors - Automatic Status For Other Parties When Required in Written Construction Agreement — Wording should include any other person or organization you are required to add as an additional insured under the contract or agreement (**Paragraph 2 of CG 20 38 04 13 or equivalent**).

Any scheduled person or organization section of the additional insured endorsement containing wording other than designated names shall not be accepted.

**Umbrella/Excess Liability:** Commercial Umbrella or excess liability for a limit of at least \$5,000,000 per occurrence with a \$5,000,000 Aggregate. Coverage should respond on a follow-form basis and excess over the aforementioned underlying policy limits. County of Cattaraugus Industrial Development Agency shall be named as Additional Insured. Coverage shall apply on a Primary & Non-Contributory basis.

**Workers Compensation/Disability Insurance:**

- i) The Company and/or Project Owner shall provide evidence of insurance and maintain Workers Compensation/Disability insurance as required by statute. County of Cattaraugus Industrial Development Agency shall be named as the Certificate Holder.
- ii) **Accepted Forms:**

**Workers Compensation Forms**

**DBL (Disability Benefits Law) Forms**

<b>CE-200</b>	<b>Exemption</b>		<b>CE-200</b>	<b>Exemption</b>
<b>C-105.2</b>	<b>Commercial Insurer</b>		<b>DB-120.1</b>	<b>Insurers</b>
<b>S1-12</b>	<b>Self-Insurer</b>		<b>DB-155</b>	<b>Self-Insured</b>
<b>GS1-105.2</b>	<b>Group Self-Insured</b>			
<b>U-26.3</b>	<b>New York State Insurance Fund</b>			

If the Company and/or Project owner have no employees, the Company and/or Project owner shall provide a completed and signed Form CE-200 or later revision, which is found on the New York State Workers Compensation Board website: [www.wcb.ny.gov/](http://www.wcb.ny.gov/). This form is to be completed on-line, printed, and signed.

**CCIDA Address:** All evidence of insurance shall be sent to:

County of Cattaraugus Industrial Development Agency  
9 East Washington Street  
Ellicottville, NY 14731

## Attachment C: CCIDA Attorney Fee Schedule

### CCIDA Attorney Fees:

Project Amount	Standard Agency Counsel Fee
<=\$499,000	\$5,000
<=\$500,000 - < \$999,999	\$7,500
>\$1M - <\$1,999,999	\$9,000
>\$2M - <\$3,999,999	\$15,000
>\$4M - < \$5,799,000	\$20,000
>\$5,800,00	1/3 of Agency Administrative Fee (currently 1.0625% of the Project Amount)

If a project application is withdrawn or does not close, the applicant is responsible for any costs incurred by the agency on behalf of the project.





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>		
47.004-1-10.0 Ellicottville Green Headquarters		
Name of Action or Project: Simmons Rd, Ellicottville, NY 14731.		
Project Location (describe, and attach a location map): Tax ID: 47.004-1-10.0, Simmons Road, Ellicottville		
Brief Description of Proposed Action: Develop a state of the art indoor farm using modular, mobile structures. The food grown will be supplied to the County to provide access to locally grown, high quality food that is affordable & accessible.		
Name of Applicant or Sponsor: Gabriel Diakowski / Ellicottville Greens	Telephone: 716-912-2780	E-Mail: gabe@eg-farm
Address: PO Box 722		
City/PO: Ellicottville	State: New York	Zip Code: 14731
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 X
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 YES X
3.a. Total acreage of the site of the proposed action?		2 acres
b. Total acreage to be physically disturbed?		1.5 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.5 acres
4. Check all land uses that occur on, adjoining and near the proposed action.		
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland		

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?		<input checked="" type="checkbox"/>	
b. Consistent with the adopted comprehensive plan?		<input checked="" type="checkbox"/>	
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: <u>N/A</u>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		<input checked="" type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?		<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies:		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? [If Yes, does the existing system have capacity to provide service? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES] If No, describe method for providing potable water:			
11. Will the proposed action connect to existing wastewater utilities? [If Yes, does the existing system have capacity to provide service? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES] If No, describe method for providing wastewater treatment: <u>Well</u>			
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?		<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:		<input checked="" type="checkbox"/>	
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 checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input 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?		<input checked="" type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?		<input checked="" 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		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>



e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?  Yes  No

If Yes:  
 i. Nature of historic/archaeological resource:  Archaeological Site  Historic Building or District  
 ii. Name: \_\_\_\_\_  
 iii. Brief description of attributes on which listing is based: \_\_\_\_\_

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  Yes  No

g. Have additional archaeological or historic site(s) or resources been identified on the project site?  Yes  No

If Yes:  
 i. Describe possible resource(s): \_\_\_\_\_  
 ii. Basis for identification: \_\_\_\_\_

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?  Yes  No

If Yes:  
 i. Identify resource: McCarty Hill State Forests  
 ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): State Park  
 iii. Distance between project and resource: 4.5 miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?  Yes  No

If Yes:  
 i. Identify the name of the river and its designation: \_\_\_\_\_  
 ii. Is the activity consistent with development restrictions contained in 6 NYCRR Part 666?  Yes  No

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Elliotville Greens, Gabriel B. Bismarck Date 07/11/2022

Signature [Handwritten Signature] Title Founder, CEO

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
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
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
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor name: _____ Date: _____ Signature: _____		

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

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?		
2. Will the proposed action result in a change in the use or intensity of use of land?		
3. Will the proposed action impair the character or quality of the existing community?		
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?		
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?		
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?		
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?		
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?		
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?		

	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?		
11. Will the proposed action create a hazard to environmental resources or human health?		

**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 type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

	A	B	C	D	E	F
2	<b>CCIDA June 2022</b>		<b>OPERATING STATEMENT</b>			
3						
4						
5		2022	2022	2022	2022	2021
6		APPROVED	M-T-D	Y-T-D	BALANCE	Y-T-D
7		BUDGET	ACTUAL	ACTUAL	REMAINING	COMPARISON
8		ADJUSTED				
9	<b>INCOME:</b>					
10	Interest on Accounts	\$250	\$0	\$23	\$227	\$18
11	<b>Apps &amp; Fees</b>	\$334,325	\$76,198	\$383,865	-\$49,540	\$94,748
12	CCRC/Other Misc. Income*****	\$0	\$0	\$226,778	-\$226,778	\$5,050
13	Total	\$334,575	\$76,198	\$610,666	-\$276,091	\$99,816
14						
15						
16	<b>EXPENSES:</b>					
17	Wages	\$157,250	\$6,840	\$78,979	\$78,271	\$78,366
18	Fringe Benefits	\$87,400	\$4,655	\$31,550	\$55,850	\$29,239
19						
20	Board Meeting/Operations	\$2,000	\$296	\$1,264	\$736	\$1,066
21	Business Development*****	\$15,000	\$4,757	\$21,991	-\$6,991	\$5,216
22	Office Supplies/Service Contracts	\$2,000	\$139	\$778	\$1,222	\$499
23	Office Maint./Repairs/Equip.*	\$5,000	\$100	\$9,630	-\$4,630	\$8,510
24	Office Phones/Cell/fax/internet service	\$6,000	\$830	\$3,919	\$2,081	\$3,539
25	Postage	\$1,500	\$229	\$1,277	\$223	\$804
26	Public Hearings**	\$800	\$0	\$1,534	-\$734	\$407
27	Travel/Mileage	\$4,500	\$0	\$818	\$3,682	\$1,675
28						
29	Rent	\$16,200	\$1,350	\$8,100	\$8,100	\$6,750
30	Real Estate Taxes	\$150	\$0	\$90	\$60	\$88
31	Utilities	\$2,500	\$0	\$1,862	\$638	\$1,337
32	Property/Fire/Liability Insurance	\$5,200	\$0	\$4,702	\$498	\$5,177
33						
34	Professional Associations	\$7,000	\$0	\$2,212	\$4,788	\$4,136
35	Professional Services *****	\$10,000	\$573	\$17,735	-\$7,735	\$9,261
36	Publications	\$200	\$0	\$0	\$200	\$0
37						
38	Railroad Services	\$25	\$0	\$0	\$25	\$0
39	Miscellaneous	\$100	\$0	\$36	\$64	\$0
40	Project Expenses *****	\$1,000	\$750	\$10,600	-\$9,600	\$4,000
41	Consulting Expense***	\$0	\$2,500	\$15,000	-\$15,000	\$0
42	Great Lakes Cheese Expenses****	\$0	\$0	-\$4,982	\$4,982	\$0
43	Total Expenses	\$323,825	\$23,019	\$207,095	\$116,730	\$160,070
44						
45	Net Difference	\$10,750	\$53,179	\$403,571	-\$392,821	-\$60,254
46						
47	* Overage due to Computer Repairs & Painting Office					
48	**Additional Public Hearings Held					
49	***Greg Sehr consultant services					
50	****Expenses for GLC Project - over amount funded by Catt. County.					
51	*****Professional Services for Paris Reporting/Policies and Procedures					
52	*****Project Expenses - GLC add'l development expense.					
53	*****Add'l expense for local sponsorships.					

# THE LIST

## ECONOMIC DEVELOPMENT AGENCIES

RANKED BY VALUE OF WESTERN NEW YORK PROJECTS IN 2021

Compiled by Paul Linder  
716-541-1619, @buffbizjournal  
plinder@buffbizjournal.com

Rank	Agency Name	Address	Value of 2021 deals	2021 projects	Number of jobs retained/created	Employees	Top local executive
1	County of Cattaraugus Industrial Development Agency	11 E. Washington St., Getzville, NY 14211	\$150 million	17	3,327	2	Davey Miller cmeyercattaraugus.com
2	Erie County Industrial Development Agency	90 Perry St., Buffalo, NY 14203	\$47.3 million	21	3,361	N/A	John Caporale jcaporale@eriecountyny.gov
3	Invest Buffalo Niagara	257 R. Geneva St., Buffalo, NY 14202	\$47.72 million	17	1,254	N/A	Thomas Fackler thomasfackler@buffalonigara.org
4	Amherst Industrial Development Agency	4297 Main St., Amherst, NY 14226	\$700 million	9	300	4	Davey Mingola dmingola@amherstny.com
5	County of Chautauque Industrial Development Agency	301 W. 3rd St., Jamestown, NY 14201	\$164.38 million	25	2,066	9	Mark Geier mgeier@co.chautauque.ny.us
6	Niagara County Industrial Development Agency	6311 Induscon Corporate Dr., Tonawanda, NY 14212	\$68.5 million	19	506	6	Andrea Rycovit andrea.rycovit@niagaracounty.com
7	Empire State Development	35 Perry St., Buffalo, NY 14203	\$66.49 million	30	5,880	21	Karan Gill
8	Hamburg Development Cos.	6122 South Park Ave., Hamburg, NY 14205	\$17.45 million	3	101	1	Sean Doyle sdoyle@hamburgnyc.com
9	Buffalo Urban Renewal Agency	500 City Hall, Buffalo, NY 14202	\$12.29 million	3	16	15	Alyce Brown abrown@buffalourna.com
10	Allegany County Industrial Development Agency	6067 Route 19 N., Wellsville, NY 14213	\$46 million	6	1	2	Craig Cook ccook@alleganyco.ny.us
11	Wyoming County Industrial Development Agency	28 Center St., Getzville, NY 14203	\$76.23 million	7	79	3	James Vance jvance@wycoind.com
12	Cattaraugus County Procurement Technical Assistance Center	203 Court St., Little Falls, NY 14215	\$23.72 million	289	N/A	N/A	N/A
13	Westminster Economic Development Initiative	436 Grant St., Buffalo, NY 14211	\$3 million	25	90	16	Caroline Walsh cwahsh@westbuffalo.org
14	Town of Lockport Economic Development	6516 Dwyer Rd., Lockport, NY 14094	\$2.5 million	3	93	3	Thomas By tby@townoflockport.com
15	NFC Development Corp.	743 Main St., Niagara Falls, NY 14201	\$2.44 million	3	15	1	Thomas Todorich ttodorich@nfcdevelopment.com
16	Greater Lockport Development Corp.	1 Lock Pt., Lockport, NY 14094	\$7.05 million	23	N/A	N/A	Heather Peck hpeck@greaterlockport.com
17	Buffalo Urban Development Corp.	35 Perry St., Buffalo, NY 14203	\$400,000	2	N/A	N/A	Brandy Winters bwinters@buffalourbandevelopment.com
18	Lumber City Development Corp.	500 Wheeler St., North Tonawanda, NY 14210	\$750,000	6	18	2	Lara Wilson lwilson@lumbercity.com

### CLOSER LOOK

67%

Of respondents were interested in current projects and plans for expansion in 2022.

SPREAD THE WORD  
Respondents were asked, "What do you most frequently hear from customers whom you speak to in regards to doing business in Western New York?"

"On a positive note our stable climate, and on a negative note the lack of skilled workforce."

— Town of Lockport Economic Development

"Not enough existing warehouse/distribution or manufacturing space"

— Erie County Industrial Development Agency

"Concerns on regulations"

— Allegany County Industrial Development Agency

"There are not enough workers looking for employment, and companies can't fill open positions."

— Wyoming County Industrial Development Agency

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# The Economic Impact of the Great Outdoors

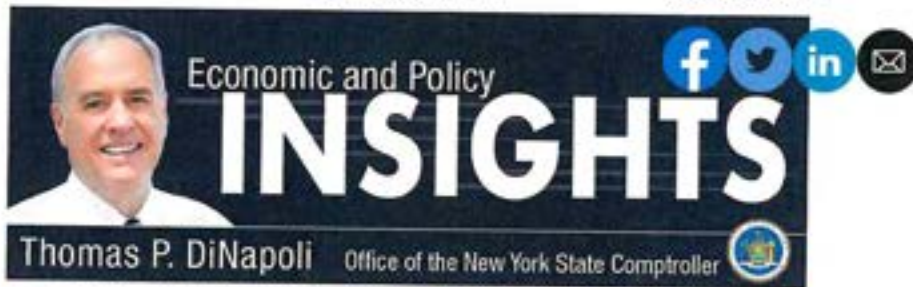
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## The Economic Impact of the Great Outdoors

June is National Great Outdoors Month. As New Yorkers prepare for summer vacations and to celebrate the 4th of July weekend, many plan to go swimming, camping, hiking, hunting or fishing, visit amusement parks, attend outdoor festivals and concerts, or spend time gardening or stargazing. All types of outdoor recreation in New York provided \$21.1 billion in economic activity in 2020 and supported over 241,000 jobs with \$13.1 billion in compensation. While New York ranks fourth in the nation on Gross Domestic Product (GDP) generated by outdoor recreation, outdoor recreation represents a more significant part of the economy in nearly every other state. As outdoor activities continue to recover and evolve in the wake of the pandemic, policymakers can explore ways to enhance access to recreational opportunities, attract visitors, and preserve the environment on which it relies.

### Outdoor Recreation in New York

New York has a plethora of natural assets, ranging from Niagara Falls to the Adirondacks and Catskill mountains, from the Finger Lakes to the beaches and shores of Long Island. According to the State Office of Parks, Recreation and Historic Preservation, New York is home to 250 state parks and historic sites encompassing 350,000 acres and providing hiking trails, boat launches and campgrounds as well as beaches, pools and golf courses. There are also more than 6.7 million acres of public and private lands in the Adirondack Park and Catskill Park, and numerous federal recreational facilities across the State.

The economic impact from outdoor recreation reflects the purchase of direct goods and services associated with outdoor activities, including gear and equipment, fuel to operate recreational vehicles, maintenance and repair services, concessions, admission or tour fees, and lessons. It also includes goods and services that support access to outdoor recreation, such as transportation to the recreation activity, lodging and food services, as well as government spending on national and state parks (for example, spending for the maintenance of hiking or snowmobiling trails).<sup>1</sup>

In 2020, outdoor recreation activities provided nearly \$332 billion in economic activity nationwide, 1.8 percent of GDP. Outdoor recreation comprised the largest share of state GDP in Montana, 4.3 percent.<sup>2</sup> In contrast, Connecticut and New York tied for last overall, with just 1.2 percent of State GDP generated by outdoor recreation. In years prior to the pandemic, outdoor recreation as a share of total state GDP was higher (on average, 1.5 percent), but New York ranked 49th, only higher than Connecticut.

By actual amount of GDP generated, New York ranked fourth, with outdoor recreation providing \$21.1 billion in economic activity in 2020 as well as supporting over 241,000 jobs with \$13.1 billion in compensation. The jobs span numerous industry sectors, but 38.7 percent are concentrated in arts, entertainment and recreation and accommodation and food services. The share of the economic impact produced from outdoor recreation activities is nearly equally divided between that from the activities themselves and from

The Economic Impact of the Great Outdoors

those that support them, as shown in Figure 1. Other activities, which include outdoor festivals and concerts, sporting events, amusement parks and golf courses, make up 18 percent. Conventional activities such as camping, hiking, hunting, fishing, boating, bicycling, and skiing as well as RVing, motorcycling, windsurfing and scuba diving comprise one-third of the total. Such activities play important roles in local economies in many rural parts of New York, as well as some communities on Long Island, as documented in a [previous report](#) by the Office of the State Comptroller.<sup>3</sup>

**FIGURE 1: Outdoor Recreation in New York by Category, 2020**



Source: U.S. Bureau of Economic Analysis

New York ranked in the top 10 for certain outdoor activities. For example, it ranked second for festivals, concerts and sporting events; third for camping and hiking; and fourth for boating/fishing and amusement parks. (See Figure 2.) In addition, New York ranked third for the production of multi-use accessories and apparel that can be used for outdoor recreation. Apparel and accessories is the single largest contributor to outdoor recreation GDP in New York.<sup>4</sup>

**FIGURE 2: Top Outdoor Recreation Activities in New York, 2020**

Activity	Economic Activity (Millions)	National Rank
Boating/Fishing	\$1,486.4	4
Festivals/Concerts/Sporting Events	\$955.1	2
RVing	\$559.3	8
Camping/Hiking	\$206.7	3
Amusement Parks	\$202.4	4
Snow Activities	\$135.5	9

Source: U.S. Bureau of Economic Analysis

**Impact of the Pandemic**

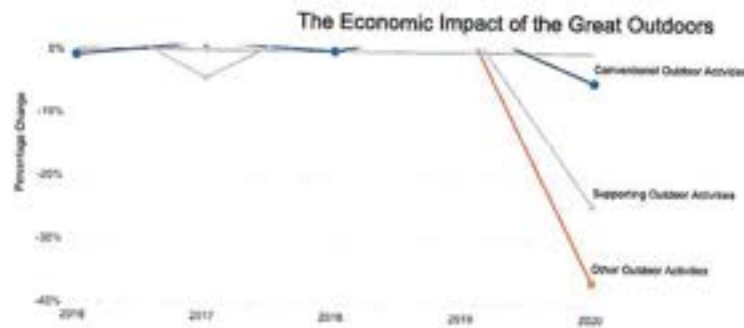
Like other sectors of the economy, outdoor recreation was adversely impacted by the pandemic, with economic activity declining by 21.5 percent in 2020. As shown in Figure 3, other outdoor activities, which typically involve large groups of people, was impacted the most, declining 36 percent. Festivals, sporting events and concerts, which comprise the highest share of this category, declined over 53 percent.

Similarly, with the leisure and hospitality industry suffering some of the greatest losses from the pandemic and those services, as well as transportation services, comprising almost two-thirds of the associated GDP in New York, the supporting activities category realized a 24 percent decline in 2020.

For the conventional outdoor activity category, the impact from the pandemic was much smaller, 4.7 percent lower than in 2019. In fact, some of the activities in this category realized gains, primarily those geared more towards individuals than large groups, most notably boating and fishing which grew by nearly 31 percent. Other activities with growth were other water activities (such as scuba, snorkeling, paddle boarding, and surfing), cycling (both bicycles and motorcycles), RVing, and camping and hiking. Snow activities (skiing, snowboarding, snowmobiling, and sleighing) experienced a decline.

**FIGURE 3: Change in Economic Activity by Category, 2016 – 2020**





Source: U.S. Bureau of Economic Analysis

### Conclusion

With its diverse geographic landscape as well as stadiums, amphitheaters, and sporting venues, New York is an attractive location for a wide variety of outdoor recreation activities. While a small part of the State economy, outdoor recreation supports numerous jobs and the compensation that goes with them. Efforts to bolster tourism and protect the outdoors are important for spurring greater economic activity and enhancing access to and utilization of these amenities.

Prior to the pandemic, New York had over 264 million visitors spending nearly \$74 billion.<sup>5</sup> While the pandemic caused both visitors and tourism dollars to decrease, it also resulted in a shift to conventional outdoor recreation; these activities were both less limited during the pandemic and were perceived as safer than indoor activities and gatherings. Empire State Development reported that the wealth of New York's outdoor recreational activities is one reason why survey respondents continued to view the State as a vacation destination in SFY 2020-21. As the economy opened back up and travel restrictions were lifted in 2021, New York's real GDP from the industries associated with tourism (arts, entertainment, and recreation as well as accommodation and food services) increased by over 18 percent but were just over two-thirds of 2019 levels. Efforts to attract visitors by emphasizing the State's varied options for outdoor recreational activities should be enhanced.

### Endnotes

1 Tina Highfill, Connor Franks, Patrick S. Georgi, and Thomas F. Howells III, "Introducing the Outdoor Recreation Satellite Account," *U.S. Bureau of Economic Analysis*, March 2018, at <https://apps.bea.gov/sch/2018/03-march/0318-prototype-statistics-for-the-outdoor-recreation-satellite-account.htm>.

2 Data for this report is drawn primarily from the U.S. Bureau of Economic Analysis, *Outdoor Recreation Satellite Account, U.S. and States, 2020*, at <https://www.bea.gov/news/2021/outdoor-recreation-satellite-account-us-and-states-2020>.

3 For example, hunting and fishing activities are a small portion, 5.6 percent, of total conventional outdoor activities, but are an important part of many upstate communities. According to the NY Department of Economic Conservation, there were over 2.8 million hunting and fishing licenses sold in New York in the 2015-16 license year, the most recent year for which there is county-level data. Nine of the top ten counties for license issuances were upstate, Erie County selling the most. However, in rural counties, such as Hamilton, Seneca, and St. Lawrence, the high number of hunting and fishing licenses as a proportion of the overall population indicates the prevalence of those activities within those counties.

4 Accessories and apparel include those items that are not associated with a specific outdoor activity. These include bug spray, coolers, general outdoor clothing (such as sweatshirts or jackets), backpacks, sunscreen, etc.

5 Empire State Development Corporation, *Tourism and Business Marketing Report FY 2020/21*, January 2022, at <https://esd.ny.gov/esd-media-center/reports/tourism-and-business-marketing-report-fy-20202021>.



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From the Buffalo Business First:

<https://www.bizjournals.com/buffalo/news/2022/06/28/cascades-container-packaging-lancaster.html>

## **Demand for corrugated paper translates to growth for Cascades Container & Packaging**

Jun 28, 2022, 6:00am EDT

A Lancaster box manufacturer that's undergone more than one transformation since the 1960s is in another transformative stage as it automates processes, diversifies its workforce and seeks additional space.

Cascades Container and Packaging is a custom corrugated box and packaging manufacturer that ships 65 to 70 truckloads of product per week out of its Walden Avenue location, which employs about 135 people.

The company started as Aim Corrugated in the 1960s and was run by two brothers, Paul and Kevin Shine, as an operation on Manitoba Street in Buffalo. In 1996 the company built a larger facility in Lancaster in 1996 and began using the Manitoba location as a warehouse. Then, in 2004, the brothers sold the company to Quebec-based Cascades.



JOED VIERA

Andy Wiener and Clint Dockree, sales manager and plant manager, Cascades Container and Packaging.

"This was their second or third sheet plant, so it gave them an opportunity to get into a market that they weren't familiar with," said Clint Dockree, plant manager.

That kind of plant outsources sheets of corrugated paper, then converts the sheets into the custom designs for customers, Dockree said. The Lancaster plant, he said, has a lot of smaller customers, so they run smaller orders, 97% of them custom and within 100 miles.

Cascades has 80 production locations across North America, including containerboard packaging and tissue paper products. The company has two paper mills in Niagara Falls: Greepac and Cascades Containerboard Packaging.

After the pandemic hit and demand for corrugated products increased by about 3% across the country, the company saw transformative growth, especially in e-commerce and food packaging, Dockree said. The increase in demand was not without its challenges.

"When the market started to take off and corrugated grew, there wasn't enough paper supply to be able to supply everyone in the U.S.," Dockree said. "It started to affect our on-time delivery to our customers because we couldn't produce the product."

Cascades then experienced a shortage of glue and a shortage of people. The company lost about 20 of its 80 production employees, and finding replacements continues to be a problem for the Lancaster plant.

### **Finding employees, automating processes**

That led the company to partner with Journey's End, a Buffalo nonprofit that connects refugees with careers. Cascades found seven employees, from Afghanistan and the Democratic Republic of the Congo, to fill positions on its three shifts.

When language was a barrier, Journey's End sent a translator, and when transportation was a barrier, Cascades set up a shuttle to bring the employees from the West Side facility to Lancaster.

"It's been a really super collaboration, because we have people who really want to work and better themselves," Dockree said. "That's been a part of our success — they integrated right into our workforce with zero issues."

The Lancaster plant has also started to automate its processes. In March of 2021, the company invested \$4.6 million in a converting machine that makes precise boxes for customer needs.

"Sheet plants tend to have older equipment and be very people-centric because they're not high-volume," Dockree said.

The parent company allowed the Lancaster plant to invest in the technology to "start growing our market in a segment we haven't been before, which is the high-volume case-packer industry," he said.

When it's full, the machine can run up to 350 orders per week. The machine came in on six different trucks and took 10 weeks to install. It was a strategic investment, allowing the company to grow with larger high-volume customers, who are also starting to automate their own processes.

"We bought it in anticipation of growing the business and hiring more people," Dockree said.

With the new equipment, the 100,000-square-foot facility is running out of space. The company still uses the 75,000-square-foot Manitoba Street warehouse but expects to build an expansion on the 19-acre Lancaster site in the next five years.

"It would make sense to expand the facility and have everything here," Dockree said. "It would be more efficient and customer-centric that way."

**Katie Anderson**  
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*Buffalo Business First*



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## Education

# 9th Annual Southern Tier Leadership Summit Will Be at SBU

## Summit Will Be in Person; 2020 and 2021 Were Digital



**Dr. Jeff Gingerich**  
President  
St. Bonaventure University

Dr. Jeff Gingerich will speak at the ninth annual Southern Tier Leadership Summit. Provided by the Greater Olean Area Chamber of Commerce

By TAPINTO GREATER OLEAN STAFF  
Published July 10, 2022 at 6:46 AM  
Last Updated July 10, 2022 at 6:46 AM

ST. BONAVENTURE, NY — The post-pandemic workplace will be the highlighted topic of the ninth annual Southern Tier Leadership Summit scheduled to take place Aug. 4 in the university's Doyle Hall.

Dr. Jeff Gingerich, the new university president at St. Bonaventure, will be the keynote speaker.

Two additional speakers, leaders in their respective organizations, will also share their expertise: Jamestown Community College Vice President of Student Affairs Dr. Kirk Young and Orato World Media Chief Executive Officer Pamela Say.

The summit will begin at 9 a.m. with registration and networking, morning refreshments and end at 2:30 p.m. Lunch will be included.

Fees are \$50 for alumni and current cohorts of Leadership Allegany and Leadership Cattaraugus and \$60 for the public.

To register, persons can visit [shop.oleanny.com](https://shop.oleanny.com). To invoice a group of employees, persons can call the Greater Olean Area Chamber of Commerce at (716) 372-4433 or email [info@oleanny.com](mailto:info@oleanny.com).

The 2020 and 2021 summits were conducted digitally.

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# U.S. industry group commits to \$6 billion solar panel buy — on one condition

Andy Uhler Jun 22, 2022

Heard on:



U.S. companies know how to build solar panels. Sourcing the inputs will take time. Daniel Slim/AFP via Getty Images



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A group of U.S. renewable energy developers has said it is willing to invest \$6 billion in solar panels over the coming year — as long as they're made here in America.

"Today, the maximum installed capacity in the U.S. is about 20% of demand. So first, you know, people are going to have to invest in expanding production facilities here in the U.S.," said Andrés Gluski, CEO of the AES Corporation, which is part of the group.

The majority of solar panels used in the U.S. [are manufactured in Asia](#), which wasn't always the case. The U.S. was the leading producer of solar panels into the late 1970s.

Dan Kammen, an energy professor at the University of California Berkeley who also advises the White House on energy policy and global development, said that, with investment, the U.S. can become a major player in solar panel production again.

"It's not like we're building this from ground zero, from scratch," he said.

Hosted by David Brancaccio and Victoria Craig

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U.S. companies have the knowledge to build these solar panels, Kammen said. It's sourcing the inputs and building up the economies of scale that will take time.

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TOP STORY

## Amherst kick-starting Boulevard Mall overhaul via 'urban renewal'

Stephen T. Watson

Jun 23, 2022



The Town of Amherst plans to create an urban renewal area covering the Boulevard Mall.

Derek Gee / Buffalo News file photo

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Stephen T. Watson

**T**he Town of Amherst intends to create an urban renewal area covering the Boulevard Mall, and a wide swath of the neighboring commercial district, to try to jump-start the revival of the fading shopping center, Supervisor Brian J. Kulpa said Wednesday.

Kulpa said a proposed overhaul of the property, led by developer Douglas Jemal, has stalled primarily because mall tenants through their leases can block any reuse of large sections of the sprawling parking lot.



### **Amherst cuts value of J.C. Penney at Boulevard Mall by 63%**

An urban renewal area would allow the town to press the tenants to either grant permission for work to begin on the roads and utilities cutting through the central mall structure and the surrounding sea of asphalt or, if necessary, to begin the process of gaining this access through eminent domain.

If all goes as planned, Kulpa said, demolition and infrastructure work at the 64-acre site could begin next spring.

"Now's our time," he said in a meeting with reporters and editors of The Buffalo News, "and we can't miss this window of opportunity."

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Kulpa said Jemal, who bought the majority of the mall property in 2019, and Benderson Development Co., which owns a portion of the site, generally are supportive of the town's plan to establish an urban renewal district over and around the Boulevard Mall.

Amherst officials are eager to resuscitate the mall, a prime commercial property in the town that has seen a steep drop in foot traffic, sales, occupancy and assessed value.

Jemal has proposed a 10-year transformation of the property into a "little town," breaking up the 962,000-square-foot mall structure and parking lot into a denser, pedestrian-friendly development of free-standing apartment buildings, retail, restaurants and recreational activity.

"The 'mall' doesn't really exist any longer. Shopping patterns have changed. Living patterns have changed," Jemal said in an interview. "And people have the mall under hostage, which is stopping urban revitalization."

The town for years has worried as Buffalo Niagara's oldest enclosed shopping center has stagnated along with other malls nationally and locally.

The value of the Boulevard Mall, located along a key commercial corridor between two University at Buffalo campuses, has fallen from \$99 million to \$10 million over time, Kulpa said.

"We need to return it to be an active part of the economy," he said.

Forest City Enterprises, which opened the mall in 1962, defaulted on a \$92 million loan payment in 2017. LNR Partners took over that year and listed the property for an auction that took place in 2019.

Buffalo developer Nick Sinatra submitted the winning bid of \$24 million but made way for Jemal to purchase the mall, and the neighboring Wegmans property, by himself.



### **New owner Douglas Jemal is ready to 'de-mall' the Boulevard Mall**

Jemal in 2020 said he was prepared to begin demolition work at the mall as soon as 2021.

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Jemal and the town envision breaking up the property with roads and paths running between Niagara Falls Boulevard and Alberta Drive and between Maple Road and Sheridan Drive.

They plan to reinvigorate the site with multi-story, mixed-use development along the outer edges and green space on its interior, all accessible to pedestrians, bicyclists and those riding public transportation.

Kulpa said this section of Amherst has a need for senior, student and affordable housing, and Jemal said he first would build apartments on the east side of the property, across Alberta from Wegmans.

"Absolutely – cut the road, put the apartments in, do the greenery. You know, make it have some eye appeal, which it doesn't have, as we all know," Jemal said.

So why hasn't the redevelopment moved faster?

Kulpa and Jemal on Wednesday blamed legacy lease terms that grant tenants control over the parking areas surrounding the mall.

Some retail tenants have the right to hold onto parking spaces, or parking sections, that remain largely unused. One lease gives Gabe's, which replaced Sears, the right to an unobstructed view stretching out to Niagara Falls Boulevard, Kulpa said.

"When everybody has rights to that parking lot, it makes it very hard to dissect," he said. "But the town has the capacity to kind of expunge all of that."

The town has tried, without success so far, to negotiate with the corporate tenants.

That's why Kulpa and Amherst officials are turning to a state law, rarely used in the suburbs, that allows the town to designate an "underutilized" 195-acre section of the Boulevard central district as an urban renewal area, with the Town Board acting as the Amherst Urban Renewal Agency.

"If we're going to retrofit suburbia here, then we're going to have to retrofit it using ... the same tools and urban dynamics that we would expect from a major city," said Kulpa.

If the board approves the resolution, Kulpa said Amherst would use its new powers initially to encourage the retail tenants to grant a right-of-way easement allowing access for required demolition and site work.

If that doesn't happen, he said, the town would then begin the process to gain access to portions of the property through eminent domain.

"Somebody's got to start doing this work, or we'll never get to a point where the mall actually changes, right?" Kulpa said. "We'll be stuck in limbo, kind of like the McKinley Mall or the Eastern Hills Mall, trying to figure out infrastructure questions for the next decade."

Urban renewal has a checkered history in this region and this country and recent applications in this area – such as in Niagara Falls – have produced mixed results.

Asked about the still lagging efforts to revitalize downtown Niagara Falls through that city's Urban Renewal Agency, Kulpa said the two communities are different because, in Amherst, there's already significant demand from developers to build.

Kulpa and Jemal said they expect to have all of the legalities and planning wrapped up by the end of this year to allow work on roads and utilities to begin next year.

It's not clear whether the mall's remaining anchor tenants – including Macy's, JCPenney, H&M, Gabe's and Dick's Sporting Goods – will want to stay through the property's revival.

"There's, obviously, plenty of real estate available in the area for them to move to," he said. "I just really think it's a new day."

**By Stephen T. Watson**

**News Staff Reporter**

I report on development, government, crime and schools in the northern Erie County suburbs. I grew up in the Town of Tonawanda and worked at the Post-Standard in Syracuse before joining The News in 2001. Email: [swatson@buffnews.com](mailto:swatson@buffnews.com)