

County of Cattaraugus
Industrial Development Agency

BOARD OF DIRECTORS MEETING - AGENDA

Tuesday, October 17, 2023
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.

-Call the Meeting to Order-Time:

-Roll Call- Board of Directors of the CCIDA:

-Approval of September 12, 2023 CCIDA Board of Directors Meeting Minutes:

New Applications/Projects

1.) – Olean Town Centre LLC:

-Olean Town Centre LLC has submitted an application to the CCIDA for the redevelopment of the Olean Center Mall which currently is approximately 355,000 square feet. The project will include building of a new structure to adjoin the existing mall structure comprising of a new mall entrance and inline tenant space, improvements and updates to the existing mall structure, building exterior and façade, replacement of the roof system, renovation of the interior building infrastructure. The project will provide new retail and other commercial opportunities as well as to fill the need for affordable senior housing.

-The Total Project Investment: \$20,640,000

2.) – Olean Industrial Park LLC:

-Olean Industrial Park LLC has submitted an application to the CCIDA for the redevelopment of the former Olean Times Herald Building. The project will include renovations of the existing 23,000 square foot building and construction of new shipping and receiving docks. Tenants of the building will include the Olean Times Herald, Ellicottville Greens, Try-It Distribution and a possible fourth tenant in the future.

-The Total Project Investment: \$1,200,000 - \$1,500,000

-Guest Speaker:

-Presentation by Sean Connor, Senior Vice President and Chief Financial Officer of Cattaraugus County Bank to discuss proposal with the CCIDA relating to its accounts and CD's with CCB.

***Election of Officers for 2024 & Proposed 2024 Board Meeting Schedule:**

(#1.) Proposed 2024 Slate of Officers & Committees - County of Cattaraugus IDA

(#2.) Proposed 2024 – CCIDA Board of Director's Meeting Schedule

***CCIDA Financial Report:**

-Approval of Financial Report – **September 2023**

-September 2023 IDA Income:

The Agency had income of \$1,500.00 for the Application Fee for Steelbound Brewing.

-October 2023 IDA Income:

The Agency had income of \$5,000.00 for the yearly CCCR Administrative Services Agreement payment.

Proposed 2024 CCIDA Operating Budget (Vote Required)

The budget needs to be posted to the PARIS website prior to October 31, 2023 in order to be in compliance with the Authority Budget Office (ABO).

-General update on projects in process; including the Agency has 6 projects in the closing stage as well, which should close in the 4th quarter of this year.

***Executive Directors Reports:**

-Internal (IDA Meetings/Discussions):

- ✓ Meeting with Steelbound on update of project.
- ✓ Meeting in South Dayton regarding Rev Rail.
- ✓ Meeting with Sean Doyle of Hamburg IDA.
- ✓ Meeting regarding Great Lakes Cheese.
- ✓ Attend Rethinking Brownfields Webinar.

- ✓ Meeting with Dave Fenske.
- ✓ Meeting with Legislature regarding possible Steelbound Brewery Grant.
- ✓ Attend Buffalo/Niagara Partnership Seminar with Mark Poloncarz and Chrissy Casilio.
- ✓ Meeting with Tim Hughes.
- ✓ Conference regarding Good Times of Olean update.
- ✓ Attend Cattaraugus County Economic Development, Planning & Tourism Team Meeting with Camoin Group.
- ✓ Meeting with Cattaraugus County regarding Steelbound Brewery Project.
- ✓ Meeting with Matt from Great Lakes Cheese.
- ✓ Meeting with Don Benson Group regarding potential project.
- ✓ Conference with Western New York Economic Development regarding Workforce Housing.
- ✓ Attend STEREA Meeting in Salamanca.
- ✓ Attend CCIDA Finance Committee Meeting.
- ✓ Meeting with Andy Burr.
- ✓ Attend Rotary Conference and give presentation regarding CCIDA.
- ✓ Meeting with potential developer of a building in Ellicottville.
- ✓ Conference regarding update on Great Lakes Cheese Community Meet and Greet.
- ✓ Conference with Upper Edge Consulting regarding updates.
- ✓ Attend Olean Business Development Board Meeting.

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

- ✓ **Cattaraugus County Economic Development Partners:** Power Point: *"Entrepreneurial Ecosystem and Economic Development in Cattaraugus County."*
- ✓ **Camoin Associates:** Article: *"Report Provides Latest Data About Minimum Wage Workers in the US."*
- ✓ **Facebook:** *"Olean...Memories Back in Time..." Allegheny River Trail!*

Zoom Meeting access Information:

Topic: CCIDA. Board Meeting

Time: Oct 17, 2023 11:15 AM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/88928450329?pwd=eTNZc3hNZkh2Q1FLOU9QMno2ekRNZz09>

Meeting ID: 889 2845 0329

Passcode: 103886

One tap mobile

+19292056099,,88928450329#,,, *103886# US (New York)

+16469313860,,88928450329#,,, *103886# US

**COUNTY OF CATTARAUGUS
INDUSTRIAL DEVELOPMENT AGENCY**

BOARD MEETING MINUTES

September 12, 2023

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. Thomas Buffamante-Chairman
Mr. Brent Driscoll
Ms. Ginger Schroder
Mr. Joseph Snyder
Mr. John Stahley
Mr. Joseph Higgins

Excused:

Mr. Michael Wimer

CCIDA Staff/Counsel:

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

Presenters/Guests:

Ben Heckathorn, Kinley Contractors LLC
Bob Clark, Olean Times Herald (Via Zoom)

Mr. Buffamante called the meeting to order at 11:17 a.m.

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

A **Motion** was made by Brent Driscoll seconded Joseph Higgins by to accept the Board Meeting Minutes from July 31, 2023 as presented to the Board. All in favor. **Motion Carried.** Mr. Wimer was excused.

Prior Applications/Projects

1.) – Kinley Contractors, LLC/Kinley Investments:

-Mr. Wiktor introduced Ben Heckathorn from Kinley Contractors, LLC. Mr. Heckathorn gave an overview of the project and reason for the need for the renovations to their current headquarters for room for efficiency. As the company has offices in other states, the project is necessary to keep the current headquarters located in Allegany, NY. Kinley Contractors, LLC is over a 100-year-old family-owned company and a significant component of Allegany, NY. The project will produce 15 new jobs.

-Kinley Contractors LLC has submitted an application to the CCIDA for renovations/relocation and additional new construction at their corporate headquarters in Allegany, NY. Renovations include 10,120 sq. ft. of office space, conference rooms, meeting areas as well as exterior improvements. A new 5,000 sq. ft. metal workshop for equipment storage, manufacturing and fabrication of modular of multi-use units. This project will allow the company to retain employment that has been in the County for over a century, and will also allow for growth in their employment base as well.

-The Total Project Investment: \$2,356,000

Resolution:

A Motion was made by Joseph Higgins seconded by Brent Driscoll, RESOLUTION OF THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY: (i) ACCEPTING THE APPLICATION OF KINLEY CONTRACTORS, 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) 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. Buffamante, Mr. Stahley, Mr. Snyder, Ms. Schroder, Mr. Higgins and Mr. Driscoll vote yes. Mr. Wimer was executed. **Motion Carried.**

2.) – North Delaware Holdings LLC d/b/a Steelbound Brewery & Distillery:

-North Delaware Holdings LLC has submitted an application to the CCIDA as they purchased 20 acres (including some commercial structures and tenants) adjacent to their current facility which will become their manufacturing campus. This will immediately include an existing 18,600 sq. ft. space into a state of the art automated manufacturing facility; upgrading of an existing 1,860 sq. ft. building into a 8,000 - 10,000 sq. ft. building to be utilized for barrel storage and aging of produced spirits; and a 5,000 sq. ft. building expansion to include adding a 55,000 lb. grain silo along with an automated delivery system to allow for bulk purchasing of grain for the brewing and distilling process. Yet another key manufacturing project in the County that will be for the preservation of the existing workforce, and a robust employment growth within the next five years.

-The Total Project Investment: \$7,400,000

Resolution:

A Motion was made by Brent Driscoll seconded by John Stahley, RESOLUTION OF THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY: (i) ACCEPTING THE APPLICATION OF NORTH DELAWARE HOLDINGS, LLC DBA STEELBOUND BREWERY & DISTILLERY, 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. Buffamante, Mr. Stahley, Mr. Snyder, Ms. Schroder, Mr. Higgins and Mr. Driscoll vote yes. Mr. Wimer was executed. **Motion Carried.**

***CCIDA Financial Reports:**

-Approval of Financial Reports – July and August 2023. **A Motion** was made by Joseph Higgins seconded by Thomas Buffamante to accept the July and August 2023 Operating Statements as presented to the Board. Mr. Wimer was executed. **All in Favor - Motion Carried.**

August 2023 the Agency had income of \$9,325.47 for the following:

- *Application fee on Kinley Contractors LLC \$1,500.00*
- *Administrative Fee on HoliMont, Inc. \$7,825.47*

-September 2023 the Agency had an income of \$1,500.00 for the Application fee on North Delaware Holdings LLC d/b/a Steelbound Brewery & Distillery.

-General update on projects in process; including the Agency has 5 projects in the closing stage as well, which should close in the 4th quarter of this year.

***Executive Directors Reports:**

-Internal (IDA Meetings/Discussions):

- ✓ Attend Southern Tier Leadership Summit at St. Bonaventure University.
- ✓ Conference regarding potential PILOT project in Ellicottville.
- ✓ Attend Cattaraugus County Economic Development Planning and Tourism Meeting with new WNY Regional Director.
- ✓ Attend Cattaraugus County Team Meeting.
- ✓ Attend Public Hearing for North Delaware Holdings d/b/a Steelbound Brewery & Distillery.
- ✓ Attend Public Hearing for Kinley Contractors LLC in Allegany.
- ✓ Conference with Bill Paladino on projects.
- ✓ Conference regarding employee transportation for GLC.
- ✓ Conference with GLC regarding community outreach.
- ✓ Meeting with Intandem regarding general updates.
- ✓ Conference regarding potential new manufacturing project in Olean.
- ✓ Meeting with local real estate investor on proposed build of a commercial property in Olean.
- ✓ Conference with ESD.
- ✓ Conference with potential buyer of building in Olean.
- ✓ Conference regarding Olean Town Center project.-General Update
- ✓ Attend Cattaraugus County Team meeting regarding strategic plan for entrepreneurial ecosystem in Cattaraugus County.
- ✓ Attend meeting with all local IDAs in Buffalo
- ✓ Conference with Upper Edge Consulting regarding Cattaraugus Work Group.

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

- ✓ **Olean Times Herald:** Article: *"Allegany Crossing Self Storage sets soft opening this week."*
- ✓ **Salamanca Press:** Article: *"Holiday Valley progressing on new 6-pack Mardi Gras chairlift install."*
- ✓ **Olean Times Herald:** Article: *"Great Lakes Cheese Co. plant in Franklinville on schedule."*
- ✓ **CCIDA:** Email: *"Exciting New Changes at Billings."*
- ✓ **2 WGRZ News:** Article: *"Tiny home trend pays off for Ellicottville's Basecamp rental village."*
- ✓ **2023 Job/Internship Fair:** Handout
- ✓ **Olean Times Herald:** Article: *"Unemployment level across region, nation."*
- ✓ **U.S. Congressman Joseph Morelle:** Article: *"New York Representatives Announce Bipartisan Support For Regional Tech Hub Designation."*
- ✓ **National Fuel Gas Distribution Corporation:** Article: *"Long-Term Plan - Be a voice as New York determines its energy future."*
- ✓ **Spectrum News 1:** Article: *"State continues to lose farmland to residential, solar developments, reports show."*
- ✓ **Times Union:** Article: *"Filings show N.Y. green energy could cost 64 percent more on wholesale level."*
- ✓ **Spectrum News:** Article: *"Observations on the cost-so-far-of implementing New York's climate law."*
- ✓ **The New York Senate:** Article: *"Senators Hinchey and Harckham Send Letter to ORES Outlining Threats to Farmland and Environment by Proposed Copake Solar Development."*
- ✓ **New York Post:** Article: *"Why wind and solar are running out of juice."*

Executive Session: (Attorney Client Privileges)

A Motion was made by Joseph Snyder seconded by Ginger Schroder to enter executive session at 12:15 p.m. A Motion was made a by Brent Driscoll and seconded by Joseph Higgins to adjourn the executive session at 1:15 p.m. Mr. Wimer was excused. All in Favor – **Motion Carried.**

Closing: In honor of the recent passing of Mr. Jim Griffin, long tenured Director of the City of Hornell, IDA.

The Evening Tribune: Article: *"Hornell has 'lost a giant.' Jim Griffin remembered for shaping city's fortunes at IDA.*

Adjournment:

A Motion was made by Thomas Buffamante seconded by Brent Driscoll to adjourn the meeting at 1:30 p.m. All in Favor – **Motion Carried.**

*** Next CCIDA Board of Directors Meeting: October 17, 2023 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
web 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: Olean Town Centre LLC

Applicant Address: 550 Latona Road, Suite 501, Building E

City/Town: Rochester

State: NY

Zip: 14626

Phone: (585) 225-0140

E-mail: autoange@aol.com and executive.assistant22@gmail.com

B) Business Organization (check appropriate category):

Corporation

Partnership

Public Corporation

Joint Venture

Sole Proprietorship

Limited Liability Company

Other (specify) _____

Year Established: 2020

State in which Organization is established: New York

C) Individual Completing Application:

Name: Angelo M. Ingrassia

Title: Manager

Address: 550 Latona Road, Suite 501, Building E

City/Town: Rochester

State: NY

Zip: 14626

Phone: 585-350-8580

E-Mail: autoange@aol.com

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

Name: N/A

Title: _____

Address: _____

City/Town: _____

State: _____

Zip: _____

Phone: _____

E-Mail: _____

E) Company Counsel:

Name of Attorney: Stephen E. Hall, Esq.

Firm Name: _____

Title: Sole Proprietor

Address: 36 West Main Street, Suite 460

City/Town: Rochester

State: NY

Zip: 14614

Phone: (585) 703-0073

E-Mail: stephenhall@stephen-hall.net

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: SEE ACCOMPANYING LETTER DATED OCTOBER 12, 2023 AND ENCLOSURES FROM STEPHEN E. HALL, ESQ., APPLICANT'S COUNSEL, REFERRED TO AS THE "SEH LETTER".

Estimated % of sales within Cattaraugus County: 100%
Estimated % of sales outside Cattaraugus County but within New York State: 0%
Estimated % of sales outside New York State but within the U.S.: 0%
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 TBD %

Identify vendors within Cattaraugus County for major purchases: TBD

II. Eligibility Questionnaire - Project Description & Details

A) Project Location

Address of Proposed Project Facility: 400-459 North Union Street
City/Town: Olean School District: Olean City
SBL Number(s) for proposed Project 94.057-3-13; 94.057-3-13.12; 94.057-3-13.13; and 94.057-3-13.14

Current Address (if different): _____
City/Town: _____

What are the current real estate taxes on the proposed Project site? \$25,789.25
If amount of current taxes is not available, provide assessed value for each
Land: \$ _____ Buildings(s): \$ _____ *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: _____

Describe the present use of the proposed Project site (vacant land, existing building, etc.):
OLEAN CENTER MALL

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.):

SEE SEH LETTER

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: NOT APPLICABLE

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: Empire State Development

SEE SEH LETTER

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): SEE SEH LETTER

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:

If the Applicant is unable to obtain financial assistance for the Project, what will be the impact on the Applicant and Cattaraugus County? SEE SEH LETTER

C) Site Characteristics

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

Describe the present zoning/land use: GC General Commercial

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 checked="" 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 checked="" type="checkbox"/>
Back Office	<input type="checkbox"/>	Multi-Tenant	<input checked="" type="checkbox"/>
Civic Facility (not for profit)	<input type="checkbox"/>	Renewable Energy	<input type="checkbox"/>
Commercial	<input checked="" type="checkbox"/>	Research/Design	<input type="checkbox"/>
Senior Housing	<input type="checkbox"/>	Retail	<input checked="" type="checkbox"/>
Facility for Aging	<input type="checkbox"/>	Warehousing	<input type="checkbox"/>
Industrial/Manufacturing	<input type="checkbox"/>	Other _____	<input 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	ALL TBD	ALL TBD	ALL TBD
Warehouse			
Research & Development			
Commercial			
Retail (see retail questionnaire)			
Office			
Renewable Energy			
Specify Other			

What is the estimated project timetable (provide dates):

1. Start date: acquisition of equipment or construction of facilities: March 2024
2. Estimated completion date of project: TBD
3. Project occupancy – estimated starting date of occupancy: TBD

E) Overall Project Costs

Estimated costs in connection with Project:

- | | |
|--|-------------------------|
| 1. Land and/or Building Acquisition | <u>\$ 370,000.00</u> |
| _____ acres _____ square feet | |
| 2. New Building Construction <u>20,700</u> square feet | <u>\$ 8,000,000.00</u> |
| 3. New Building Addition(s) _____ square feet | <u>\$ 0</u> |
| 4. Infrastructure Work | <u>\$ 525,000.00</u> |
| 5. Reconstruction/Renovation _____ square feet | <u>\$ 10,200,000.00</u> |
| 6. Manufacturing Equipment | <u>\$ 0</u> |
| 7. Non-Manufacturing Equipment (furniture, fixtures, etc.) | <u>\$ 750,000.00</u> |
| 8. Soft Costs: (Legal, architect, engineering, etc.) | <u>\$ 200,000.00</u> |
| 9. Other, Specify: <u>Former Ben Ton building demolition</u> | <u>\$ 595,000.00</u> |

TOTAL Costs: \$ 20,640,000.00

Construction Cost Breakdown:

Total Cost of Construction	<u>\$ 18,725,000.00</u>	(sum of 2,3,4 and 5 above)
Cost of materials:	<u>\$ 9,832,500.00</u>	
% sourced in Cattaraugus County	<u>TBD</u>	%

Have any of the above costs been paid or incurred as of the date of this application? Yes or No

If yes, describe: APPROXIMATELY \$5000.00 OF SOFT COSTS

Sources of Funds for Project:

Bank Financing	\$ 15,450,000.00
Equity (excluding equity that is attributed to grants/tax credits)	\$ 1,940,000.00
Public Sources (Include sum total of all state and federal grants and tax credits)	\$ 3,250,000.00
Identify each state and federal grant/credit: (i.e. Historic Tax Credit, New Market Tax Credit, Brownfield Cleanup Program, ESD, other public sources)	
<u>ESD / CFA GRANT</u>	\$ 2,000,000.00
<u>RESTORE NY GRANT TO CITY</u>	\$ 1,250,000.00
	\$
Total Sources of Funds for Project Costs:	\$ 20,640,000.00

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): \$ n/a

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: \$ 10,300,000.00

Estimated State and Local Sales and Use Tax Benefit (multiply 8.0% by the figure, above): \$ 824,000.00

*** 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): \$ 15,450,000.00

Estimated Mortgage Recording Tax Exemption Benefit (multiply the mortgage amount as indicated above by 1.25 %): \$ 193,125.00

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)	TBD			
Part Time (PT)	TBD			
Total ***	TBD			

** 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	TBD				
Professional	TBD				
Administrative	TBD				
Production	TBD				
Independent Contractor	TBD				
Other	TBD				

** 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		\$ TBD
Estimated average annual salary of jobs to be retained (full time)		\$ _____
Estimated average annual salary of jobs to be retained (part time)		\$ _____
Estimated average annual salary of jobs to be created (full time)		\$ _____
Estimated average annual salary of jobs to be created (part time)		\$ _____
Estimated salary range of jobs to be created		
From (full time)	\$ _____	To (full time) \$ _____
From (part time)	\$ _____	To (part time) \$ _____

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: _____
 Address: _____
 City/Town: _____ State: _____ Zip: _____
 Contact Person: _____
 Phone: _____ Fax: _____
 E-Mail: _____
 Federal ID #: _____ NAICS Code: _____

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
See Rent Roll			

Olean Town Centre LLC Rent Roll

Tenant	Square Footage
Kohl's	55,819
J.C. Penney	84,829
KeyBank National Association	5,000
FYE	4,200
Kay Jewelers	2,000
Renna's Pizza	1,500
Claire's Boutique	1,000
Cyberstation	3,933
Storm Athletics	3,226
Gift World	3,978
Cindy's Craft Co-op	8,923
Spirit Halloween (5 month lease July-November)	73,714
Cell Place (kiosk)	N/A
Vacancy (former Bath & Body)	2,200
Vacancy	3,155
Vacancy	1,745
Vacancy	5,733
Vacancy	2,833
Vacancy	9,066
Vacancy	15,934
Vacancy	4,542
Vacancy	3,400
Vacancy	11,713
Vacancy	1,280
Vacancy	2,100
Vacancy	900
Vacancy	1,040
Vacancy	1,600
Vacancy	750
Vacancy	750
Vacancy	1,612
TOTALS	318,475

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: See SEH Letter and current Rent Roll for existing tenants

City/Town: _____

Tenant Name: _____

Amount of space to be leased: _____ SF. What percentage of the building does this represent? _____ %

Are terms of the lease: GROSS or NET

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

Estimated date of occupancy: _____, 20_____

Company Name: _____

Current Address: _____

City/Town: _____

State: _____

Zip: _____

Local Contact Person: _____

Title: _____

Phone: _____

E-mail: _____

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: _____ SF

List the square footage which the proposed tenant leases at its present location(s): _____ 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? TBD %. **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 TBD
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 SEE SCH LETTER

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: _____
City/Town: _____ State: _____ Zip: _____

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.)

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? _____

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

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.

= CCFOA will prepare a Cost-Benefit Analysis

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.)
\$ 20,640,000		824,000	\$ 193,125	NA

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

Attachment A: Representations, Certifications and Indemnification

Angelo M. Ingressia (name of CEO or other authorized representative of Applicant) confirms and says that he/she is the Manager (title) of Qlean Town Centre LLC (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.:
 MONROE

ANJEW M. INGIASSIA, being first duly sworn, deposes and says:

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



 (Signature of Officer)

Subscribed and affirmed to me under penalties of perjury
 this 1st day of October, 2021

Carly Tremiti

 (Notary Public)

CARLY MARIE TREMITI NOTARY PUBLIC, STATE OF NEW YORK Registration No. 01TR0012157 Qualified in Monroe County Commission Expires 08/17/2027
--

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

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/. 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.

ADMITTED TO PRACTICE
NEW YORK AND
PENNSYLVANIA BARS

STEPHEN E. HALL
ATTORNEY AT LAW
79 WHITE OAK BEND
ROCHESTER, NY 14624
TELEPHONE: (585) 703-0073
STEPHENHALL@STEPHEN-HALL.NET

* Attachments that
were referenced
in the Application.

October 12, 2023

VIA E-MAIL: info@cattcoida.com

County of Cattaraugus Industrial Development Agency
P.O. Box 1749
9 East Washington Street
Ellicottville, New York 14731

RE: Application of Olean Town Centre LLC/Olean Center Mall

Dear Board Members:

I am counsel for Olean Town Centre LLC (the "Applicant"), with this correspondence comprising a portion of the above application, so as to provide context and additional particulars, as well as specifics on our request for a real property tax exemption benefit and related PILOT terms.

As to our plans for reimagining and redevelopment of the property comprising Olean Center Mall, there could not be a more apt description than a "work in progress"; while perhaps overused, we ask you to keep that phrase in the forefront during review. In fleshing out our concept for the Mall property's future, it is easier, but equally important, to clearly tell you what it will not be; our concept is not for a comeback of a large concentration of bricks and mortar retail space, only done bigger, better, and smarter this time..

Some could differ, for which we of course make allowance, but our humble opinion is that such a vision could illustrate a common sense proverb; one definition of insanity is to do the same thing repeatedly and relentlessly, with a disappointing outcome each time, but to insist that the next time, we can bank on a different result.

A large scale retail redevelopment would be easier to address in an application at this point, in the limited sense that it would lend itself to a more familiar preliminary development narrative.

The question which obviously follows is, if not that, then what?

We'll answer the question in part by way of concept, and in part by way of firsthand experience and example; however, we must add a dose of candor, to the effect that at least to some extent, we do not know the answer in its entirety, and if we do this right, at this point we cannot know.

What we will not do is seek to force reality to conform to any plan we conceive, while listening to a voice that tells us, "build it, and they will come"; you may either love or hate that phrase, depending on where you stand with baseball and movies, but it's an oft-used business model we cannot and will not follow here. As a developer, we are in uncertain times, together with all others, leaving us with the choice to either adapt and change, or quickly find ourselves to be irrelevant.

At the same time, our concept is by no means a vague, pie-in-the sky dream; as "Exhibit A", not as an attachment, but in a figurative sense, we offer a hard example.

In the mid 1990's, Irondequoit Mall, in the Town of Irondequoit, Monroe County, was a bright and shining example of the best as could be found in America in the way of enclosed, multi-level class A malls, with over 1,000,000 square foot of retail space, and over 100 tenants.

Tragically, and with dire economic consequences for many, by 2010 Irondequoit Mall was nearly vacant, and a deteriorating eyesore, a calamitous white elephant in the middle of the Town's prime commercial area; more than one seasoned and resourceful commercial developer tried to bring the Mall back to life under variations of the tried and true retail model, only to fail.

In early 2016 I had the opportunity to purchase a substantial portion of the Irondequoit Mall property through 1733 Ridge Rd LLC, of which I am principal, and with the development now known as Skyview on the Ridge.

We have many miles to go on the path of redeveloping the Irondequoit property; however where the Irondequoit community was previously faced with an empty and deteriorating shell, Phase I of our efforts at Skyview on the Ridge has resulted, without limitation, in: (1) complete renovation of the former Sears building, together with construction of an new and interconnected building, all as a 167 unit senior living facility, through our tenant the PathStone Corporation, which new facility had its grand opening in 2022; (2) construction of a new 51,000 square foot Community Center for the Town of Irondequoit, as also opened in 2022; (3) a new transit hub for the Rochester Regional Transportation Authority; and (4) significant infrastructure and aesthetic improvements, including a new roof, entrances, common area renovations, and exterior site upgrade.

As well as the challenges presented, even in the best of times, by the Irondequoit property's size, difficult history, and prospects, bear in mind that our accomplishments occurred in the wake of the Great Recession, as well as during and notwithstanding the Coronavirus pandemic. More irons are of course in the fire as to potential occupants and users.

A cardinal lesson we learned in Irondequoit, and will bear in mind here, is that given the radically new and continually evolving business environment, one key in adapting is to engage in a continuing process of careful observation, thought, and planning, with prudent pauses where necessary, focusing on a continually changing environment, and on what the market calls for and renders attractive.

We have provided you a brief history to date in Irondequoit, not as a summary of what in turn would be transplanted to Olean, which would likely be the wrong approach, but instead as an example of what we have accomplished in a somewhat similar scenario.

While a major undertaking faces us in Olean, we view the absence of a traditional and clear path, together with a certain degree of the unknown, not with fear, or as a source of trepidation, but

enthusiastically, as a blank slate and opportunity to create a valuable, lasting asset for the Olean community, of which we can also be proud as a legacy.

One clear guiding principle going forward is that the Project must be undertaken in a sequence of phases, but with the scope and nature of each phase not susceptible at this point to precise, or perhaps even approximate delineation, which will instead result from the continuing process described above.

Bearing that in mind, our current conceptual plans for the area and nature of the initial phases of the Olean Mall redevelopment feature the following:

1. The portion of the Mall structure formerly operated as a Bon Ton department store will be demolished.
2. A new structure will be erected adjoining the remaining Mall structure, within the former Bon Ton footprint, comprising a new mall entrance, and inline tenant space; one or more pad sites with new tenant-occupied structures, are also contemplated.
3. Improvements and updates will be made to the remaining mall structure, including but not limited to the building exterior and façade, removal and replacement of the existing compromised roof system, and renovations of interior building infrastructure to facilitate better use and functionality, including demolition of the antiquated suspended ceiling and in line tenant spaces not deemed marketable in their current form.
4. As to the exterior of the site, we contemplate enhancements to the existing parking area to reduce surface pavement, and add new green space and connectivity to North Union Street and Olean Creek.
5. We are also working with a third party developer for its acquisition and development of a parcel of land to be subdivided from the northwesterly site area adjacent to Delaware Ave, on which such party would construct and operate a multi-story senior housing development containing 60-65 apartment units. While this would be an integral component of the economics and synergy of the Mall redevelopment, please be advised that this specific undertaking and physical component is not within our contemplated Project through the IDA for purposes of this application, and the inducing resolution and related transaction which we propose and hope to follow.
6. An additional 30,000 square feet of retail space, as well as two quick service restaurants with drive-through access, are also contemplated.

When completed, the Mall transformation will provide new retail and other commercial opportunities, as well as fill a void represented by the need for affordable senior housing, while fostering a new mix of retail, residential and commercial land uses, and expanding Olean's business district.

As to our request for a property tax abatement and PILOT terms, the Olean Center Mall property currently consists of four (4) tax parcels. As these existing parcels have a nature and history tied to the previous Mall development, and its related operations and functioning, one aspect on which we will need flexibility, and with respect to which we will of course be approaching the City of Olean as well, is an ongoing process of review of the existing tax parcel boundaries and assessment allocations, so as to best fit a sequencing and phasing of the site, as our redevelopment comes into focus, whether through formal resubdivisions, or possibly through a combination of that concept with any less formal options as may be available.

As a starting point with respect to the four (4) existing tax parcels, please refer to the attached Stipulation Regarding Real Property Tax Assessment.

We respectfully request a real property tax abatement on the following terms, as supplemented by the attached Schedule, all as would be set forth in a PILOT Agreement; critically, we ask that the below separately apply to each redevelopment phase and corresponding tax parcel, whether such tax parcel is one as currently exists, or results from any subsequent resubdivision or related process:

1. A property tax abatement term of twenty five (25) years, with abatement percentages as set forth in the schedule. A separate twenty five (25) year term would commence for each tax parcel as ultimately constituted through the process described above, upon the first issuance of a new certificate of occupancy based upon and following completion of improvements under the Project allowing for occupancy of space for the new principal use within the parcel.

2. An aggregate "Base Valuation" of \$450,000.00 would be established for all tax parcels within the Project, corresponding to the total as set forth in the attached Stipulation, with \$450,000.00 to remain as the aggregate Base Valuation for the entire Project, throughout the duration of the PILOT; the total of \$450,000.00 would be subject to an allocation amongst the final configuration of tax parcels comprising the Project phases.

3. Until triggering of the said twenty five (25) year abatement schedule for each tax parcel, PILOT payments for each parcel would comprise an amount equal to the allocated portion of the Base Valuation, as multiplied by the then current tax rates for each taxing jurisdiction.

4. Following triggering of the twenty five (25) year abatement period for a parcel, the PILOT payments for such parcel would be the total of the two (2) amounts following:

a. The Base Valuation, as multiplied by the then current tax rates for each taxing jurisdiction;
plus

b. As to any increase in the assessed value of the parcel resulting from improvements under the Project, such assessment increase would be multiplied by the abatement percentage per the corresponding year in the schedule, with that product then multiplied by the current tax rates for each taxing jurisdiction.

5. In the event any parcel is subsequently sold or transferred for any reason to an affiliated entity in which Mr. Angelo M. Ingrassia, the Applicant's principal, holds an ownership interest, whether for financing purposes or otherwise, the PILOT terms, and the related Lease/Leaseback terms and structure, would be fully assignable upon request to such transferee entity, with a PILOT Agreement, and Lease/Leaseback agreements and structure, then to be executed as required between the new owner, the IDA, and the taxing authorities, establishing entirely separate documents going forward for the new owner entity, with respect to the transferred property.

6. In the event of our sale of any portion of the property to a third party, then subject to the IDA's approval of the transferee, such approval not to be unreasonably withheld, conditioned, or delayed, the same process would follow and apply as set forth in Section 5 above.

Please note as follows as to completion of certain portions of the Application as referenced, due to either the fact the information is not yet available, or an issue in completing the pdf on-line so as to result in the type being easily legible.

I.G. A biographical summary and resume for the Applicant's principal, Angelo M. Ingrassia, is attached.

The Applicant is not yet in a position to identify vendors and purchase information for the Project within Cattaraugus County, as at this point the Applicant is in effect only dealing with limited trade vendors in connection with the existing Mall operation.

II. B.

The purpose of the proposed Project is the reimagining and redevelopment of Olean Center Mall, as described above. Per an existing ALTA survey, the total area of the existing buildings is approximately 355,000 square feet.

The Agency's financial assistance is necessary to render economically feasible the large endeavor represented by redevelopment of the Mall, both as to carrying costs, and attractiveness to potential occupants. If the Applicant is unable to obtain such assistance from the Agency, the Project is unlikely to go forward, with obvious adverse consequences to the County, as represented by the continuing economic issue presented by the existing Mall operation and its future.

II. D. While retail sales or services are not the focus of the Applicant's redevelopment concept, as noted above, retail sales and services are expected to be presented as complementary attractions to the principal uses.

II. D and E. Aside from a concept as set forth for a first Phase, the Applicant cannot yet provide square footages or cost breakdowns as between uses. The information provided as to costs, sources and uses, and overall Project costs, comprises the best estimates available at this point.

Per a reference to discussions with Empire State Development ("ESD") on page 3, and information as noted on page 6 under Sources of Funds for Project, (i) an Incentive Proposal of \$2,000,000.00 has been offered to the Applicant by ESD with respect to the Mall redevelopment, and (ii) a Restore NY grant of \$1,250,000.00 has been offered to the City of Olean with respect to the redevelopment.

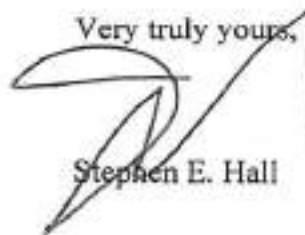
Likewise, as to page 6, while estimates are provided, precise projected figures cannot yet be furnished as to sales and use tax benefits, or mortgage recording tax exemption calculations.

II. F. As to Job Retention and Creation, while more information can be provided at a subsequent point, it is anticipated that one (1) full time position will be created.

Lastly, we would respectfully request a waiver of any Administrative Fee, and would also like to explore with the Agency flexibility in the duration of sales tax exemption benefits, given the long term and phasing of the Project.

Thank you for your consideration of our application, and we look forward to meeting you.

Very truly yours,

A handwritten signature in black ink, appearing to read "Stephen E. Hall", written over a white background. The signature is stylized and somewhat cursive.

Stephen E. Hall

Enclosures

cc: Corey Wiktor, via e-mail: corey@cattcoida.com

CCIDA Application 2

Angelo Ingrassia
550 Latona Rd
Bldg E Suite 501
Rochester, NY 14626
(585)225-0140

Personal History

Employment History

1.) Scutti Pontiac 3300 W. Henrietta Rd. Rochester, NY 14623
Type of Business: Automotive Dealership
Title: Sales Person- From: 06/81-01/82
Sales Manager- From: 01/82-03/84

Dealer/Owner History

1.) Scutti Auto World 3300 W. Henrietta Rd. Rochester, NY 14623
Type of Business: Automotive Dealership
From: 04/84-10/87
Title: Co-Owner

2.) Pacesetter Nissan 250 Lake Ave. Rochester, NY 14612
Type of Business: Automotive Dealership
From: 10/87-10/90
Title: Dealer Principal

3.) Irondequoit Dodge 1733 Ridge Rd. E. Rochester, NY 14622
Type of Business: Automotive Dealership
From: 10/90-02/06
Title: Dealer Principal

4.) Irondequoit Suzuki 1600 Ridge Rd. E. Rochester, NY 14621
Type of Business: Automotive Dealership
From: 2003-2010
Title: Dealer Principal
*Largest Volume Suzuki Dealership in Western New York 2003-2010

5.) Ideal Chevrolet 2780 Lakeville Rd. Avon, NY 14304
Type of Business: Automotive Dealership
From: 2003-2013
Title: Dealer Principal

6.) Ideal Nissan 4000 W Ridge Rd Rochester, NY 14626

Type of Business: Automotive Dealership

From: 2007-2014

Title: Dealer Principal

7.) Joe Cecconi's Chrysler Complex 2380 Military Rd. Niagara Falls, NY 14304

Type of Business: Automotive Dealership

From: 2006-2018

Title: Dealer Principal

*No. 1 Volume Chrysler Dealership in the Greater Buffalo Area 2006-2018

8.) Owner and Manager of Commercial Real Estate Holdings

Type of Business: Commercial and Residential Real Estate

From: 2007-present

Title: Owner and Manager of 194 Senior Apartments (64 under construction) and over 4 million square feet of Retail Shopping Centers with Anchor Tenants including LA Fitness, Chipotle, Aspen, Longhorn, Tops Supermarkets, Verizon Wireless, AT&T, Outback Steakhouse, etc.

Angelo M. Ingrassia owns and manages over 4 million square feet of Retail Shopping Centers, specializing in Value-Add Re-development projects. Mr. Ingrassia often focuses on blighted, well-located properties, that demand re-development; and feels this altruistic approach is rewarding, and met with increased municipal and public support. He has recently taken on two distressed Malls currently being re-developed and re-purposed. (A one million square foot mall in Irondequoit/Rochester, NY and a 350,000 square foot mall in Olean, NY). The other retail shopping centers located in, and around Upstate, NY include major anchor tenants like Tops Supermarkets, LA Fitness/Esporta, Chipotle, Aspen, Longhorn, Texas Roadhouse, Outback Steakhouse, At Home, and Verizon Wireless, to name a few. Mr. Ingrassia's portfolio also includes a 194 + unit Senior Apartment complex, in Greece, NY; a 22 Acre former Seminary School (Colgate Divinity) in Rochester, NY that will be converted to mixed use office and residential with 200+ units; and the former Radisson Hotel in downtown Rochester, NY, currently being re-developed.

Prior to owning and managing Commercial Real Estate from 2007 to present, Mr. Ingrassia was an Owner/Dealer Principal from 1984 to 2018, as a Franchise Dealer for Nissan, Chevrolet, Chrysler, Dodge, Jeep and Suzuki in Rochester, Avon and Niagara Falls, NY. He sold his last dealership in 2018 to his longtime manager to concentrate solely on the Commercial Real Estate Business.

Mr. Ingrassia currently operates, and works on the expansion of his Real Estate Holdings from his headquarters in Rochester, NY.

**STIPULATION REGARDING REAL PROPERTY TAX ASSESSMENT
FOR 400-459 NORTH UNION STREET, OLEAN, NEW YORK**

This Stipulation is entered into on the 16th of November, 2021, by and between Spot on Development (or any affiliated entity), a limited liability company organized and existing under the laws of the State of New York (hereinafter the "Owner") and the Assessor for the City of Olean, New York (hereinafter the "Assessor");

WHEREAS, the Owner recently acquired real property located in the City of Olean, commonly known as 400-459 North Union Street, which is comprised of four tax SBL nos. 94.057-3-13, 94.057-3-13./2, 94.057-3-13./3 and 94.057-3-13./4 (hereinafter the "Real Property"); and

WHEREAS, in an effort to establish the fair market value and avoid potential litigation regarding the tax assessment for the Real Property, the Owner and Assessor have engaged in negotiations regarding the Real Property's tax assessment for the 2021 tax year and subsequent years.

NOW, THEREFORE, it is hereby stipulated and agreed by and between the undersigned that the tax assessment for the Real Property for the 2021 tax year shall be reduced to the total sum of Four Hundred Fifty Thousand and 00/100 dollars (\$450,000.00), which shall be allocated amongst the tax parcels as follows:

- (i) SBL no. 94.057-3-13: \$300,000.00;
- (ii) SBL no. 94.057-3-13./2: \$50,000.00;
- (iii) SBL no. 94.057-3-13./3: \$50,000.00;
- (iv) SBL no. 94.057-3-13./4: \$50,000.00; and it is further

STIPULATED and AGREED, that the Assessor shall maintain the assessment for the Real Property at the sum of \$450,000.00 for tax years 2022, 2023 and 2024 and provided the assessment does not exceed that sum, the Owner covenants not to sue or challenge its assessment on the Real Property through the 2024 tax year; and it is further

STIPULATED and AGREED, that the stipulated assessments herein shall not be revised or reassessed in the event that there are approved changes or alterations to the property lines for the Real Property; and it is further

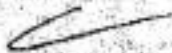
STIPULATED and AGREED, that the undersigned are fully authorized to execute this Stipulation and that the Stipulation does not constitute a violation of the Owner's constitutional rights.

IN WITNESS WHEREOF, the undersigned have signed this Stipulation as of the date referenced above.

SPOT ON DEVELOPMENT, LLC

By: 
Angelo Ingrassia, Member

ASSESSOR FOR THE CITY OF
OLEAN, NY

By: 
Gregg Picchotta, Assessor

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Clean Center Mall Redevelopment		
Project Location (describe, and attach a general location map): 400-459 N Union St, Olean NY 14780		
Brief Description of Proposed Action (include purpose or need): Proposed redevelopment of 27.39 acre, 355k +/-sf existing building with a max height of 50', including 60 apartments, and additional 30k sq ft of retail space and 2 quick-service restaurants with drive-thru access. Property and sales tax abatement application for use in property upgrades. Proposed action has been defined broadly to include all site work and improvements.		
Name of Applicant/Sponsor: Angelo Ingrassia, Clean Town Center, LLC		Telephone: 585-225-0140 E-Mail: autoange@aol.com
Address: 500 Latona Rd, Bldg E, Suite 501		
City/PO: Rochester	State: NY	Zip Code: 14626
Project Contact (if not same as sponsor; give name and title/role): Matt Tomlinson, Marathon Engineering		Telephone: 585-458-7770 E-Mail: mtomlinson@marathoneng.com
Address: 39 Cascade Dr		
City/PO: Rochester	State: NY	Zip Code: 14614
Property Owner (if not same as sponsor):		Telephone: E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	City Planning Commission	TBD
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No	TBD	
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	County IDA -PILOT, Dept of Health, County Water Authority	9/8/22
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC - Stormwater NYSDOT - Traffic Study (TBD)	TBD
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	USACE	TBS
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? Yes No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? Yes No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? Yes No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) Yes No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? Yes No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?

CC: City Center

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No

If Yes,

i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Clean Central School District

b. What police or other public protection forces serve the project site?

City of Clean Police Department

c. Which fire protection and emergency medical services serve the project site?

City of Clean Fire Dept and Emergency Services

d. What parks serve the project site?

Rock City Park, Boardman Park, Oak Hill Park, War Veterans Park, Lincoln Park, Marcus Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Site maintenance & improvements in anticipation of future development

b. a. Total acreage of the site of the proposed action? 27.39 acres

b. Total acreage to be physically disturbed? 8+/- acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 27.39 acres

c. Is the proposed action an expansion of an existing project or use? Yes No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % 25% Units: sq ft

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

Mixed-use to facilitate development

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? 4

iv. Minimum and maximum proposed lot sizes? Minimum 1 ac Maximum 25 ac

e. Will the proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

• Total number of phases anticipated 3-4

• Anticipated commencement date of phase 1 (including demolition) 4 month 2023 year

• Anticipated completion date of final phase 12 month 2026 year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

Industrial development driven by market demand. Generally independent of subsequent phases.

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	60+/-
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures _____ 3

ii. Dimensions (in feet) of largest proposed structure: _____ 50 height; _____ 120 width; and _____ 120 length

iii. Approximate extent of building space to be heated or cooled: _____ 35k square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ 15,000 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: City of Olean Water
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ 15,000 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

Sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: Olean Wastewater Treatment Plant
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

• Do existing sewer lines serve the project site? Yes No
 • Will a line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____⁰ Square feet or _____⁰ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
 ii. Describe types of new point sources. Reconstruction project with anticipated reduction in impervious

 iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?
Existing on-site storm sewer system discharges to Olean Creek

 • If to surface waters, identify receiving water bodies or wetlands: _____
Olean Creek

 • Will stormwater runoff flow to adjacent properties? Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)
Construction equipment
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
1,093,200kWh

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
Grid/local utility

iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

i. During Construction:		ii. During Operations:	
• Monday - Friday:	_____ 7am-6pm	• Monday - Friday:	_____ 7am-10pm
• Saturday:	_____ 7am-6pm	• Saturday:	_____ 7am-10pm
• Sunday:	_____ 7am-6pm	• Sunday:	_____ 7am-10pm
• Holidays:	_____ 7am-6pm	• Holidays:	_____ 7am-10pm

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
 If yes:
 i. Provide details including sources, time of day and duration:

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: _____

n. Will the proposed action have outdoor lighting? Yes No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
Shoobox style downlighting throughout the mall. No light spill proposed.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No
 If Yes:
 i. Product(s) to be stored _____
 ii. Volume(s) _____ per unit time _____ (e.g., month, year)
 iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No
 If Yes:
 i. Describe proposed treatment(s):
Normal lawn & pest treatment

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No
 If Yes:
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:
 • Construction: _____ 24,000+/- tons per _____ 6 months (unit of time)
 • Operation: _____ 79+/- tons per _____ year (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: Best management practices - reuse of materials (e.g. millings) when appropriate

 • Operation: Commercial separation of recyclables from solid waste

 iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: Local licensed waste handler

 • Operation: Local licensed waste handler

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	23.3	22.8	-0.5
• Forested	-	-	-
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	-	-	-
• Agricultural (includes active orchards, field, greenhouse etc.)	-	-	-
• Surface water features (lakes, ponds, streams, rivers, etc.)	-	-	-
• Wetlands (freshwater or tidal)	-	-	-
• Non-vegetated (bare rock, earth or fill)	-	-	-
• Other Describe: <u>Lawn/landscaping</u>	4.1	4.6	+0.5

c. Is the project site presently used by members of the community for public recreation? Yes No
 i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
 If Yes,
 i. Identify Facilities:
Olean High School, Olean Intermediate Middle School, Jamestown Community College

e. Does the project site contain an existing dam? Yes No
 If Yes:
 i. Dimensions of the dam and impoundment:
 • Dam height: _____ feet
 • Dam length: _____ feet
 • Surface area: _____ acres
 • Volume impounded: _____ gallons OR acre-feet
 ii. Dam's existing hazard classification: _____
 iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
 If Yes:
 i. Has the facility been formally closed? Yes No
 • If yes, cite sources/documentation: _____
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
 iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
 If Yes:
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
 If Yes:
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____
 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
 If yes, provide DEC ID number(s): _____
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ >6 feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

Middlebury silt loam	15.4 %
Allard silt loam	0.8 %
Urban land	83.8 %

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils:

<input checked="" type="checkbox"/> Well Drained:	0.8 % of site
<input checked="" type="checkbox"/> Moderately Well Drained:	15.4 % of site
<input type="checkbox"/> Poorly Drained	83.8 % of site

f. Approximate proportion of proposed action site with slopes:

<input checked="" type="checkbox"/> 0-10%:	0.8 % of site
<input type="checkbox"/> 10-15%:	_____ % of site
<input type="checkbox"/> 15% or greater:	_____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Riverine - Olean Creek Approximate Size 1610 acres
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:

i. Name of aquifer: Principal Aquifer, Primary Aquifer

<p>m. Identify the predominant wildlife species that occupy or use the project site:</p> <table style="width: 100%; border: none;"> <tr> <td style="border: none;">small mammals _____</td> <td style="border: none;">small rodents _____</td> <td style="border: none;">birds _____</td> </tr> <tr> <td style="border: none;">insects _____</td> <td style="border: none;">amphibians _____</td> <td style="border: none;">_____</td> </tr> </table>	small mammals _____	small rodents _____	birds _____	insects _____	amphibians _____	_____	
small mammals _____	small rodents _____	birds _____					
insects _____	amphibians _____	_____					
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 							
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing (endangered or threatened): _____</p> <p>Longhead Darter, Wavyrayed Lampmussel, Rayed Bean, Bluebreast Darter</p>							
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing: _____</p> <p>Black Redhorse, Streamline Chub, Hellbender</p>							
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>No affect</p>							
<p>E.3. Designated Public Resources On or Near Project Site</p>							
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p>							
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>							
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p>							
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>							

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? Yes No

If Yes:

i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District

ii. Name: Eligible property: 214 North Barry Street

iii. Brief description of attributes on which listing is based:
 Embodies distinctive characteristics of a type/period/method of construction; an example of Queen Anne Victorian architecture w/high historical integrity

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: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ 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 6NYCRR Part 666? Yes No

F. Additional Information

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

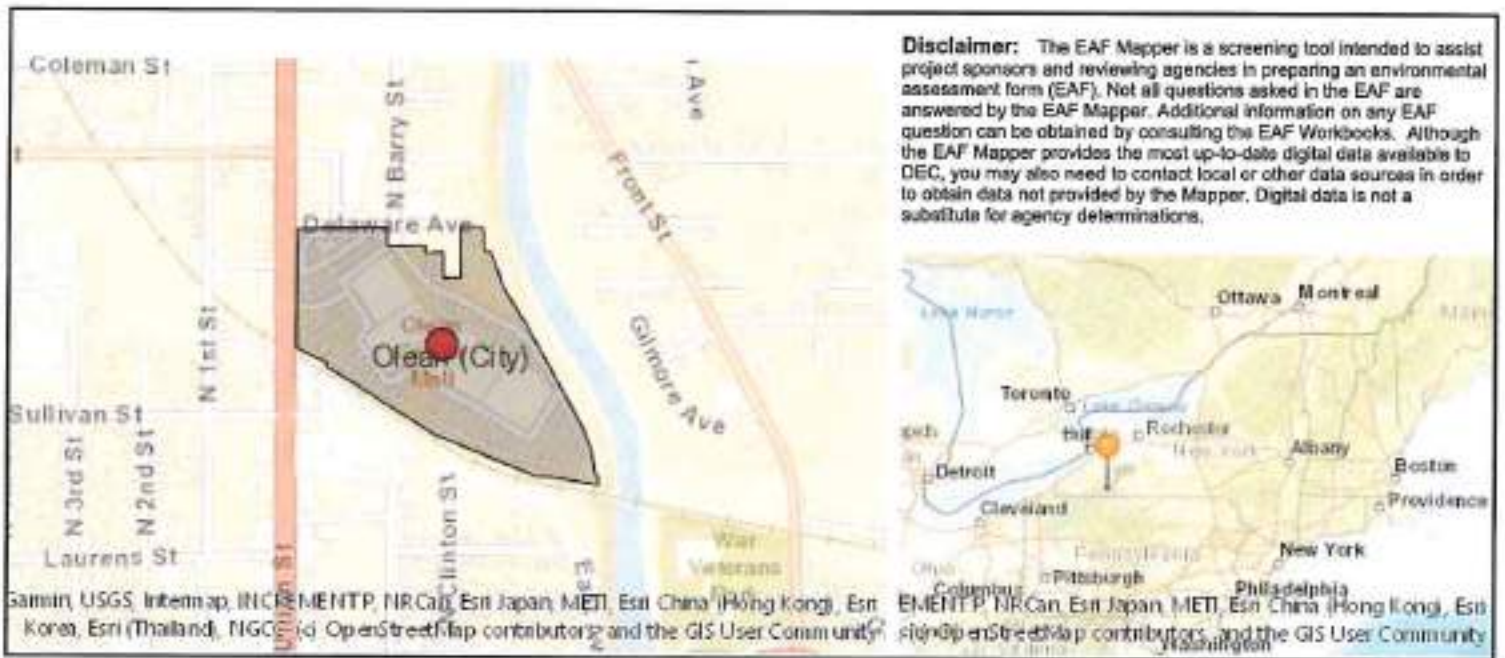
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Applicant/Sponsor Name _____ Date _____

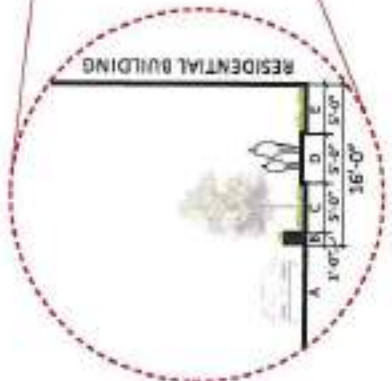
Signature _____ Title _____



B.1.i [Coastal or Waterfront Area]	No
B.1.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.j. [100 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.k. [500 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer, Primary Aquifer
E.2.n. [Natural Communities]	No

E.2.b. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Longhead Darter, Wavyrayed Lampmussel, Rayed Bean, Bluebreast Darter
E.2.p. [Rare Plants or Animals]	Yes
E.2.p. [Rare Plants or Animals - Name]	Black Redhorse, Streamline Chub, Hellbender
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Eligible property:214 North Barry Street
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

DELAWARE AVE



- A. Drive Lanes
- B. Low Wall
- C. Landscape
- D. Sidewalk
- E. Landscape

101 N. Third St., Suite 100
 Olean, NY 14850
 P: 716-461-0811
 F: 716-461-0812
 www.digitalsite.com

OLEAN MALL REDEVELOPMENT
PROPOSED SITE PLAN
 OLEANSITE

Sheet Number:
 Sheet Name:
 Scale:
 Date:

PROPOSED SITE PLAN
 1" = 10'
 05/20/10

APPLICATION FOR FINANCIAL ASSISTANCE

COUNTY OF
CATTARAUGUS **IDA**

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
web 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: Olean Industrial Park, LLC
Applicant Address: 1809 Fair Mile Road
City/Town: Allegan NY State: NY Zip: 14706
Phone: 716-372-1893
E-mail: d.cornell@olean-construction.com

B) Business Organization (check appropriate category):

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

C) Individual Completing Application:

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

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

Name: Mr. Dennis Cornell
Title: Member
Address: 150 S Union Street
City/Town: Olean State: New York Zip: 14760
Phone: 716-372-1893 Mail: listed above

E) Company Counsel:

Name of Attorney: _____
Firm Name: _____
Title: _____
Address: _____
City/Town: _____ State: _____ Zip: _____
Phone: _____ E-Mail: _____

F) Benefits Requested (select all that apply):

1. Exemption from Sales Tax Yes or No
 2. Exemption from Mortgage Tax Yes or No - possible
 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: - Please see information printed & included in the application packet for history & services.

Estimated % of sales within Cattaraugus County: 60%
Estimated % of sales outside Cattaraugus County but within New York State: 30%
Estimated % of sales outside New York State but within the U.S.: 10%
Estimated % of sales outside the U.S.: N/A
(*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 100 %

Identify vendors within Cattaraugus County for major purchases: Will supply to the FDOT, local supplies and labor will be sourced in the county everywhere possible.

II. Eligibility Questionnaire - Project Description & Details

A) Project Location

Address of Proposed Project Facility: 639 Union Street, Ext. N.
City/Town: Olean School District: Olean School District.
SBL Number(s) for proposed Project 94.041-5-47

Current Address (if different): Same
City/Town: Olean

What are the current real estate taxes on the proposed Project site? \$ 33,000⁺
If amount of current taxes is not available, provide assessed value for each
Land: \$ 62,600 Buildings(s): \$ 607,000 *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: _____

Describe the present use of the proposed Project site (vacant land, existing building, etc.):
- Olean Times Herald office / Daily operations.

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.):

Renovation and new construction of shipping docks. Building is roughly 23,000 sq ft. The building will include John Deere Brand, Ellico Millie Greens, Fry E+D Distribution and space for a 4th tenant. New roof, parking lot etc.

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:

- All three tenants could easily relocate out of the County. Misprojet will allow keeping 3 businesses, employees + tax base.

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):

High cost of materials, interest rates, labor etc. This will not only retain the OTH, but will allow for 2-3 additional businesses to be located on site, an improved building + tax base as well.

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? Empty building, less than the OTH.

C) Site Characteristics

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

Describe the present zoning/land use: 710 - Manufacture

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

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:

Phase I + II completed

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. will get from the owner.

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 checked="" 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 checked="" type="checkbox"/> | Multi-Tenant | <input type="checkbox"/> |
| Civic Facility (not for profit) | <input type="checkbox"/> | Renewable Energy | <input type="checkbox"/> |
| Commercial | <input checked="" type="checkbox"/> | Research/Design | <input type="checkbox"/> |
| Senior Housing | <input type="checkbox"/> | Retail | <input type="checkbox"/> |
| Facility for Aging | <input type="checkbox"/> | Warehousing | <input checked="" type="checkbox"/> |
| Industrial/Manufacturing | <input checked="" type="checkbox"/> | Other _____ | <input 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	4,378 ±		
Warehouse	9,350 ±		
Research & Development			
Commercial	3,400 ±		
Retail (see retail questionnaire)	NA	NA	NA
* Office			
Renewable Energy	NA	NA	NA
Specify Other	3,200 ±		

What is the estimated project timetable (provide dates):

1. Start date: acquisition of equipment or construction of facilities: Oct. 1st
2. Estimated completion date of project: 2024
3. Project occupancy – estimated starting date of occupancy: 2023

E) Overall Project Costs

Estimated costs in connection with Project:

1. Land and/or Building Acquisition \$ 250,000
3.13 acres 23,000 ± square feet
2. New Building Construction _____ square feet \$ _____
3. New Building Addition(s) _____ square feet \$ _____
4. Infrastructure Work _____ \$ _____
5. Reconstruction/Renovation _____ square feet \$ _____
6. Manufacturing Equipment _____ \$ _____
7. Non-Manufacturing Equipment (furniture, fixtures, etc.) \$ N/A
8. Soft Costs: (Legal, architect, engineering, etc.) \$ _____
9. Other, Specify: _____ \$ _____

TOTAL Costs: \$ 1,200,000 - \$ 1,500,000

Construction Cost Breakdown:

Total Cost of Construction \$ 1,000,000 (less purchase price) (sum of 2,3,4 and 5 above)
 Cost of materials: \$ 1,000,000
 % sourced in Cattaraugus County 80 %

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

Sources of Funds for Project:

Bank Financing	\$ TBO
Equity (excluding equity that is attributed to grants/tax credits)	\$ 250,000 - Banking.
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)	\$ MA
_____	\$ _____
_____	\$ _____
_____	\$ _____
Total Sources of Funds for Project Costs:	\$ _____

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): \$ MA

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: \$ 1,000,000

Estimated State and Local Sales and Use Tax Benefit (multiply 8.0% by the figure, above): \$ 80,000

*** 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): \$ TBO -

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

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): _____

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)	31	31	20	51
Part Time (PT)				
Total ***	31	31	20	51

** 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					
Professional	31	50,000	15,000		
Administrative					
Production					
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.

- Total project at full build out with Three (3) tank will have over 51 jobs[±]

Payroll Information:

Annual Payroll at proposed project site upon project completion		\$ _____
Estimated average annual salary of jobs to be retained (full time)		\$ _____
Estimated average annual salary of jobs to be retained (part time)		\$ _____
Estimated average annual salary of jobs to be created (full time)		\$ _____
Estimated average annual salary of jobs to be created (part time)		\$ _____
Estimated salary range of jobs to be created		
From (full time)	\$ _____	To (full time) \$ _____
From (part time)	\$ _____	To (part time) \$ _____

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: N/A
 Address: _____
 City/Town: _____ State: _____ Zip: _____
 Contact Person: _____
 Phone: _____ Fax: _____
 E-Mail: _____
 Federal ID #: _____ NAICS Code: _____

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
Olean Times Herald	634 North Dwyer Ave	3,400 ±	News media
Elle Rothville Greens	P.O. Box 722 Elle Rothville NY	120 ±	Micro Greens Grower
Try-It Distribution	4155 Walker Ave. Cheektowatch NY	9,350 ±	Beverage Distribution Center

In discussion

N/A

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: _____

City/Town: _____

Tenant Name: _____

Amount of space to be leased: _____ SF. What percentage of the building does this represent? _____ %

Are terms of the lease: GROSS or NET

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

Estimated date of occupancy: _____, 20_____

Company Name: _____

Current Address: _____

City/Town: _____ State: _____ Zip: _____

Local Contact Person: _____ Title: _____

Phone: _____ E-mail: _____

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: _____ SF

List the square footage which the proposed tenant leases at its present location(s): _____ 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.

N/A
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 offers ample and needed space for 3 to 4 tenants which will include job retention + job growth.

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

NIA

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: _____
City/Town: _____ State: _____ Zip: _____

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.)

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? _____

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

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

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.

- Will provide CBA to note proposed PILOT Benefit.

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.)
		80,000		

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

Attachment A: Representations, Certifications and Indemnification

DENNIS CORNELL (name of CEO or other authorized representative of Applicant) confirms and says that he/she is the member (title) of Olean Industrial Park LLC (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.

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

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/. This form is to be completed on-line, printed, and signed.

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

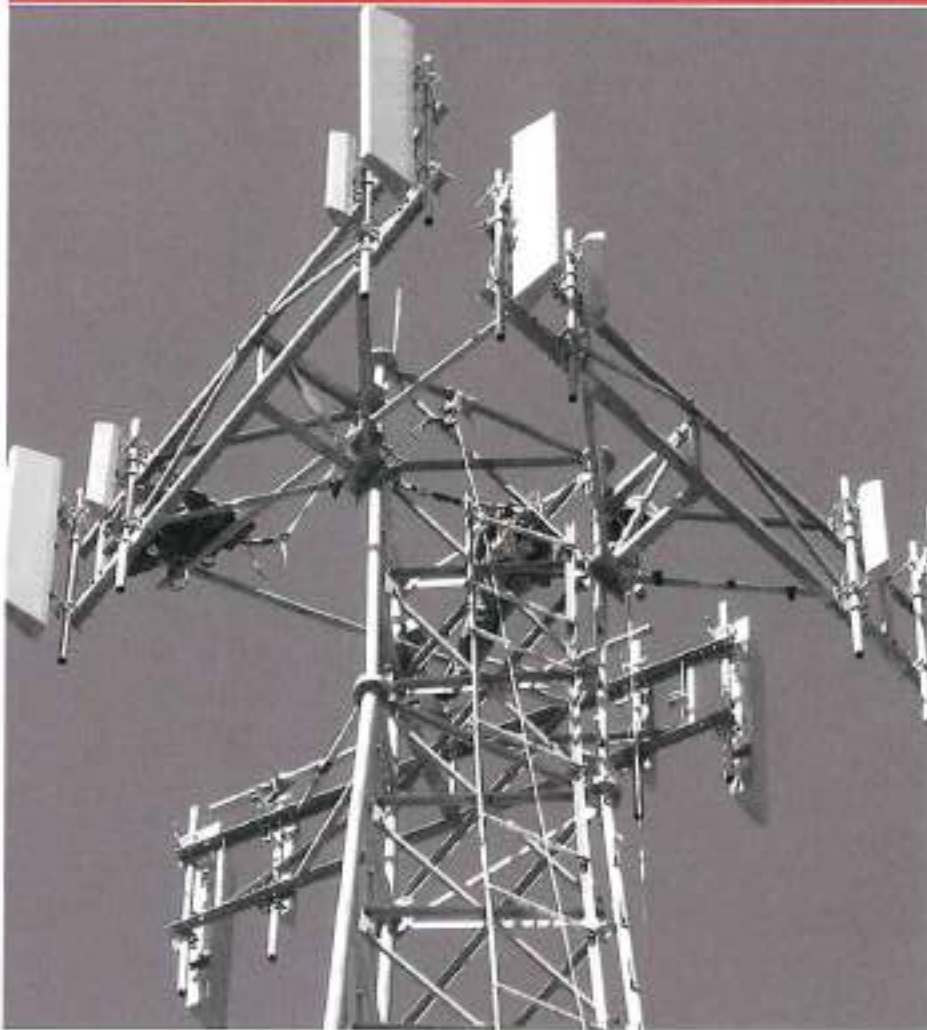
County of Cattaraugus Industrial Development Agency
9 East Washington Street
Ellicottville, NY 14731

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.



ABOUT US

Since 1998, our services have been designed to improve our customer's positions through competitive pricing, efficient planning, development, and management of their construction and installation projects. We have capitalized on the strength of our experience, employees, performance, and relationships with our customers to obtain build-to-suit projects.

DIRECTORY

Don Benson | Owner

dbenson@benson-construction.com

Dennis Cornell | Director of Operations

dcornell@benson-construction.com

Marlene Calabro | Controller

mcalabro@benson-construction.com

Ted Henry | Sr. Project Manager/Lead Estimator

Site Development | Environmental

thentry@benson-construction.com



[Home](#)

[About](#)

[Markets +](#)

[Portville-Obi Stone](#)

[Employment](#)

[Contact](#)

ejennings@benson-construction.com

Holly Yates | Administrative Assistant

hyates@benson-construction.com



MAIN OFFICE:
130 SOUTH UNION STREET
SUITE 300
OLEAN, NY 14758
716-372-1893

© 2025 by Benson Construction & Development, LLC



Site Development

We offer full site development services
on a vast range of projects.

- Services:
- Clearing
 - Wet/Dry Utilities
 - Grading
 - Foundations
 - Sidewalks/Curbs
 - Paving
 - Landscaping





[Home](#)

[About](#)

[Markets +](#)

[Portville-Obi Stone](#)

[Employment](#)

[Contact](#)

130 SOUTH UNION STREET

SUITE 300

OLEAN, NY 14760

716-372-1893

© 2011 by Benson Construction & Development, LLC.



Solar Fields

Our solar division covers all civil work that a client may need. We have helped pave the way for over 150Mw of renewable energy to be installed

Services:

- Clearing
- Road Installation
- Laydown Areas
- Electrical Trenching
- Concrete Pads
- Landscaping
- Hydroseed
- Restoration



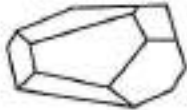


telecommunicati

Since our company was founded, Cell Site construction has been a staple in our construction services. We have completed tower sites in New York, Pennsylvania, Vermont, and Tennessee.

- Services:
- Raw Land
 - Co-Location
 - Utility upgrades
 - Conduit Install
 - Tower Foundations
 - Site Clearing





Streambank Stabilization

Our services include erosion control, key construction, rip-rap installation, and seed and mulching





Brownfield Cleanup

Brownfield sites are any real property where a contaminant is present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by DEC.





Image Mate Online

Navigation Tools GIS Map Tax Maps | ORPS Links Assessment Info

Help Contact Us Log In

Commercial

Property Info

Owner/Sales

Inventory

Improvements

Tax Info

Tax Calculator

Report

Comparables

Download RP5217 Form

Download RP5217 Editor

Parcel History

View parcel history data

Municipality of City of Olean			
SWIS:	041200	Tax ID:	94.041-5-47
Tax Map ID / Property Data			
Status:	Active	Roll Section:	Taxable
Address:	639 Union St Ext N		
Property Class:	710 - Manufacture	Site Property Class:	710 - Manufacture
Ownership Code:			
Site:	Com 1	In Ag. District:	No
Zoning Code:	-	Bldg. Style:	Not Applicable
Neighborhood:	12701 -	School District:	Olean
Total Acreage/Size:	3.13	Equalization Rate:	---
Land Assessment:	2023 - \$62,600	Total Assessment:	2023 - \$607,000
Full Market Value:	2023 - \$778,205		
Deed Book:	20231	Deed Page:	1180
Grid East:	1190053	Grid North:	762726

Special Districts for 2023

No information available for the 2023 roll year.

Land Types

Type	Size
Primary	3.13 acres

Photographs

(Click on photo to enlarge it.)



Photo

Photo 1 of 2

Documents

- Deed History Card
- RP5217 08/2023

Maps

CLICK HERE for information on purchasing tax maps.

[View Tax Map](#)

[Pin Property on GIS Map](#)



Image Mate Online

Navigation Tools GIS Map Tax Maps | ORPS Links Assessment Info

Help Contact Us Log In

Commercial

Property Info

Owner/Sales

Inventory

Improvements

Tax Info

Tax Calculator

Report

Comparables

Download
RP5217 Form

Download
RP5217 Editor

Parcel History

View parcel history
data

Municipality of City of Olean

SWIS: 041200 Tax ID: 94.041-5-47

Ownership Information

Name	Secondary Name	Address
Olean Industrial Park LLC		1809 Four Mile Rd Allegany NY 14706

Sale Information

Sale Date	Price	Property Class	Sale Type	Prior Owner
8/4/2023	\$250,000	710 - Manufacture	Land & Building	Bradford Publishing Co
	Value Usable	Arms Length	Deed Book	Deed Page
	No	No	20231	1180
Additional Parcels Involved in Sale		94.041-5-46 in City of Olean		

Sale Date	Price	Property Class	Sale Type	Prior Owner
7/20/2000	\$590,000	470 - Misc service	Land Only	Apac-95 New York Holdings
	Value Usable	Arms Length	Deed Book	Deed Page
	Yes	Yes	996	877
Additional Parcels Involved in Sale		94.041-5-46 in City of Olean		

Historic Deed Information

Photographs

(Click on photo to enlarge it.)



Photo

Photo 1 of 2

Documents

- Deed History Card
- RP5217 08/2023

Maps

CLICK HERE for information on purchasing tax maps.

[View Tax Map](#)

[Pin Property on GIS Map](#)



Image Mate Online

Commercial

Property Info
 Owner/Sales
 Inventory
 Improvements

Tax Info
 Tax Calculator

Report
 Comparables

Download RP5217 Form
 Download RP5217 Editor

Parcel History
 View parcel history data

Municipality of City of Olean

SWIS:	041200	Tax ID:	94.041-5-47
-------	--------	---------	-------------

Inventory

Overall EFF Year Built:	
Overall Condition:	Normal
Overall Grade:	Average
Overall Desirability:	4

Buildings

Air Cond. %	Sprinkler %	Alarm %	Elevators	Basement Type	Year Built	Eff Year Built	Condition	Quality	Gross Floor Area	Stories
100	100	100	0		1969		Normal	Average	23112	1

Utilities

Sewer Type:	Comm/public
Water Supply:	Comm/public
Utilities:	Gas & elec

Site Uses

Use	Rentable Area	Total Units
Cold str/Rfrg/W	23,112 sq. ft.	0

Photographs

(Click on photo to enlarge it.)



Photo

Photo 1 of 2 →

Documents

- Deed History Card
- RP5217 08/2023

Maps

CLICK HERE for information on purchasing tax maps.

[View Tax Map](#)

[Pin Property on GIS Map](#)



Image Mate Online

[Navigation](#) [Tools](#) [GIS Map](#) [Tax Maps](#) | [ORPS Links](#) [Assessment Info](#) [Help](#) [Contact Us](#) [Log In](#)

Tax Links

[Property Info](#)

[Payment Status](#)

Tax Bill Information

Municipality of City of Olean

SWIS:	041200	Tax ID:	94.041-5-47
-------	--------	---------	-------------

Tax Summary

Taxes reflect exemptions, but may not include recent changes in assessment.

Tax Year	Tax Type	Original Bill	Total Assessed Value	Full Market Value	Uniform %	Roll Section
2021	County	\$7,931.05	\$607,000.00	\$689,773.00	88	1

[Display Details for Taxes Levied in 2021](#)

[Display Historical Tax Information](#)



Image Mate Online

Navigation Tools GIS Map Tax Maps | ORPS Links Assessment Info Help Contact Us Log In

Tax Links

Property Info

Tax Info

Tax Payment Information

Municipality of City of Olean

SWIS:	041200	Tax ID:	94.041-5-47
-------	--------	---------	-------------

Taxes Billed for 2023

Tax	Assessment	Calculation Base	Payment Due Date	Payment Status	Payment Details Link
2023 C/T Tax Olean City	\$607,000.00	\$7,169.69	1/31/2023	Paid	See Paymt Details
2023 City Tax Olean City	\$607,000.00	\$9,779.61	5/1/2023	Unpaid	Contact County Treasurer
2023-24 School Olean	\$607,000.00	\$15,895.77	9/30/2023	Unpaid	Contact County Treasurer

Taxes Billed for 2022

Tax	Assessment	Calculation Base	Payment Due Date	Payment Status	Payment Details Link
2022 C/T Tax Olean City	\$607,000.00	\$7,739.53	1/31/2022	Paid	See Paymt Details
2022 City Tax Olean City	\$607,000.00	\$9,433.43	5/1/2022	Paid	See Paymt Details
2022-23 School Olean	\$607,000.00	\$16,012.40	9/30/2022	Paid	See Paymt Details

Taxes Billed for 2021

Tax	Assessment	Calculation Base	Payment Due Date	Payment Status	Payment Details Link
2021 C/T Tax Olean City	\$607,000.00	\$7,931.05	1/31/2021	Paid	See Paymt Details

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

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

Part 1 – Project and Sponsor Information			
Olean Industrial Park LLC			
Name of Action or Project: Olean Industrial Park LLC			
Project Location (describe, and attach a location map): 639 Union St. EXT. N			
Brief Description of Proposed Action: - Renovation of the former Olean Times Herald building. Tenants will include the Olean Times Herald, Elllettsville Greens, Fry-It Distribution and a possible 4th tenant. 3.13 acre site, 23,000 [±] sq. foot with minor new construction of shipping/receiving docks.			
Name of Applicant or Sponsor: Benson Construction Development		Telephone: 716-244-0999	
		E-Mail: dbenson@benson-construction.com	
Address: 1809 Four Mile Road Allegany, NY 14706			
City/PO: Allegany		State: NY	Zip Code: 14706
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		3.13 acres	
b. Total acreage to be physically disturbed?		less than 1 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		3.13 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input checked="" type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>OLEAN INDUSTRIAL PARK LLC</u> Date: <u>10/11/23</u>		
Signature: <u>Dennis Q. Conwell</u> Title: <u>10/11/23</u>		

MRB Cost Benefit Calculator

Cattaraugus County Industrial Development Agency

Date:
 Project Title:
 Project Location:

Construction Phase - Project Assumptions

Project Costs
 Enter total project costs:
 Local Construction Spending*
 % of locally sourced materials and labor in-region construction spending:

Construction Economic Impacts

Industry	NAICS	% of Total Investment	Investment by Type
Industrial Building Construction	28620	100%	\$1,000,000
(Not Applicable)	0		\$0
(Not Applicable)	0		\$0
		100%	\$1,000,000

Most projects will only have one line related to construction type.

Operation Phase - Project Assumptions

Jobs and Earnings from Operations

NAICS Lookup

Year 1 - Inter NAICS

	NAICS	Count	Per Job Annual Earnings	Total Earnings
Lessors of Other Real Estate Property	531100	31	\$50,000	\$1,550,000
	0			\$0
	0			\$0
	0			\$0
	0			\$0
	0			\$0
Total		31		\$1,550,000

Year 2

	NAICS	Count	Per Job Annual Earnings	Total Earnings
Lessors of Other Real Estate Property	531100	51	\$50,000	\$2,550,000
	0			\$0
	0			\$0
	0			\$0
	0			\$0
	0			\$0
Total		51		\$2,550,000

Year 3+ (Full Employment)

	NAICS	Count	Per Job Annual Earnings	Total Earnings
Lessors of Other Real Estate Property	531100	51	\$50,000	\$2,550,000
	0			\$0
	0			\$0
	0			\$0
	0			\$0
	0			\$0
Total		51		\$2,550,000

Fiscal Impact Assumptions

Estimated Costs of Incentives

Sales Tax Exemption	%	Value	PiLOT Term (Years)	<input type="text" value="10"/>
Local Sales Tax Rate	4.00%	\$40,000	Escalation Factor	<input type="text" value="2%"/>
State Sales Tax Rate	4.00%	\$40,000	Discount Factor	<input type="text" value="2%"/>
Mortgage Recording Tax Exemption		<input type="text" value="\$0"/>		
Local	0.75%	<input type="text" value="\$0"/>		
State	0.50%	<input type="text" value="\$0"/>		
Total Costs		<input type="text" value="\$144,518"/>		

Proposed

Officers of the County of Cattaraugus Industrial Development Agency – 2024:

Chairman: Mr. Thomas Buffamante
First Vice Chairman: Mr. Joseph Higgins
Second Vice Chairman: Mr. James (Joe) Snyder
Secretary: Mr. Michael Wimer
First Assistant Secretary: Mr. James (Joe) Snyder
Treasurer: Mr. Brent Driscoll
Director: Mr. John Stahley
Director: Mr. Ginger Schroder

Audit Committee Members of the CCIDA:

Chairman: Mr. Thomas Buffamante
Member: Mr. Brent Driscoll
Member: Mr. Michael Wimer

Governance Committee Members of the CCIDA:

Chairperson: Mr. Joseph Higgins
Member: Mr. James Snyder
Member: Mr. John Stahley
Member: Mr. Ginger Schroder

Finance Committee:

Chairperson : Mr. Brent Driscoll
Member: Mr. Thomas Buffamante
Member: Mr. Michael Wimer

Proposed

Officers of the County of Cattaraugus County Capital Resource Corporation – 2024:

Chairman: Mr. Thomas Buffamante
First Vice Chairman: Mr. Joseph Higgins
Second Vice Chairman: Mr. James (Joe) Snyder
Secretary: Mr. Michael Wimer
First Assistant Secretary: Mr. James (Joe) Snyder
Treasurer: Mr. Brent Driscoll
Director: Mr. John Stahley
Director: Mr. Ginger Schroder

Audit Committee Members of the CCIDA:

Chairman: Mr. Thomas Buffamante
Member: Mr. Brent Driscoll
Member: Mr. Michael Wimer

Governance Committee Members of the CCIDA:

Chairperson: Mr. Joseph Higgins
Member: Mr. James Snyder
Member: Mr. John Stahley
Member: Mr. Ginger Schroder

Finance Committee:

Chairperson : Mr. Brent Driscoll
Member: Mr. Thomas Buffamante
Member: Mr. Michael Wimer

County of Cattaraugus Industrial Development Agency
2024 Board of Director's
Meeting Schedule:

Tuesday, January 9, 2024

- 11:15 a.m. Location: CCIDA Office

Tuesday, February 13, 2024

- 11:15 a.m. Location: CCIDA Office

Tuesday, March 12, 2024

- 11:15 a.m. Location: CCIDA Office

Tuesday, April 9, 2024

- 11:15 a.m. Location: CCIDA Office

Tuesday, May 14, 2024

- 11:15 a.m. Location: CCIDA Office

Tuesday, June 11, 2024

- 11:15 a.m. Location: CCIDA Office

Tuesday, July 16, 2024

- 11:15 a.m. Location: CCIDA Office

Tuesday, August 13, 2024

- 11:15 a.m. Location: CCIDA Office

Tuesday, September 10, 2024

- 11:15 a.m. Location: CCIDA Office

Tuesday, October 15, 2024

- 11:15 a.m. Location: CCIDA Office

Tuesday, November 12, 2024

- 11:15 a. m. Location: CCIDA Office

Tuesday, December 10, 2024

- 11:15 a. m. Location: CCIDA Office

Please Note: This meeting schedule is subject to change with ample notice. In addition, the Cattaraugus County Capital Resource Corporation (CRC) Board of Director's Meetings will be scheduled on an as needed basis.

	A	B	C	D	E	F
2	CCIDA September, 2023	OPERATING STATEMENT				
3						
4		2023	2023	2023	2023	2022
5		APPROVED	M-T-D	Y-T-D	BALANCE	Y-T-D
6		BUDGET	ACTUAL	ACTUAL	REMAINING	COMPARISON
7						
8	INCOME:					
9	Interest on Accounts	\$20,000	\$0	\$146	\$19,854	\$23
10	Apps & Fees	\$450,000	\$1,500	\$915,603	-\$465,603	\$646,435
11	CCRC/Other Misc. Income	\$0	\$0	\$4,811	\$1,778	\$228,778
12	Total	\$470,000	\$1,500	\$920,560	-\$443,971	\$873,236
13						
14						
15	EXPENSES:					
16	Wages	\$200,000	\$14,646	\$123,469	\$76,531	\$113,179
17	Fringe Benefits	\$95,000	\$5,341	\$36,072	\$58,928	\$46,053
18	Performance Bonus*	\$15,000	\$0	\$22,230	-\$7,230	\$0
19	Board Meeting/Operations	\$2,000	\$147	\$667	\$1,333	\$1,614
20	Business Development	\$20,000	\$864	\$11,513	\$8,487	\$35,369
21	Office Supplies/Service Contracts	\$1,800	\$72	\$1,575	\$225	\$1,190
22	Office Maint./Repairs/Equip	\$6,000	\$1,853	\$8,264	-\$2,254	\$17,610
23	Office Phones/Cell/fax/internet service	\$6,000	\$950	\$7,143	-\$1,143	\$5,530
24	Postage	\$1,700	\$41	\$776	\$924	\$1,653
25	Public Hearings	\$2,000	\$0	\$633	\$1,367	\$1,621
26	Travel/Mileage	\$3,500	\$0	\$57	\$3,443	\$1,106
27	Service Charges		\$0	\$477		
28	Rent	\$17,100	\$1,425	\$14,250	\$2,850	\$10,800
29	Real Estate Taxes	\$100	\$0	\$91	\$9	\$90
30	Utilities	\$3,000	\$348	\$3,472	-\$472	\$2,305
31	Property/Fire/Liability Insurance	\$5,000	\$0	\$4,977	\$23	\$4,702
32						
33	Professional Associations	\$12,500	\$0	\$2,845	\$9,655	\$12,427
34	Professional Services ****	\$20,000	\$3,803	\$102,167	-\$82,167	\$24,170
35	Publications	\$200	\$0	\$0	\$200	\$0
36		\$0	\$0			
37	Railroad Services	\$25	\$0	\$0	\$25	\$0
38	Miscellaneous	\$100	\$0	\$0	\$100	\$36
39	Project Expenses	\$5,000	\$750	\$4,279	\$721	\$25,385
40	Consulting Expense**	\$36,000	\$8,500	\$72,092	-\$36,092	\$28,500
41	Great Lakes Cheese Expenses***	\$0	\$0	\$93,725	-\$93,725	\$71,407
42	Total Expenses	\$452,025	\$38,740	\$510,764	-\$58,262	\$404,747
43						
44	Net Difference	\$17,975	-\$37,240	\$409,796	-\$385,709	\$468,489
45						
46	*Yearly payment					
47	**Includes Yearly payment					
48	***Payments due Harris Beach					
49	****Includes payments made to Harris Beach					
50						
51						
52						
53						

COUNTY OF CATTARAUGUS IDA

Balance Sheet
September 30, 2023

ASSETS

Current Assets		
CATT CO. BANK	\$	418,845.52
SAVINGS CCB		5,209.49
SAVINGS FT		8,295.72
CATT. CO. CAPITAL RES. CORP.		443,248.05
Five Star CD		450,000.00
CD's		631,419.00
KeyBank Investment		107,621.82
PETTY CASH		120.40
SECURITY DEPOSIT - RENT		1,350.00
Accounts Receivable		10,000.00
lease asset		73,708.92
Deferred Outflows		87,556.00
lease liability		(69,451.29)
ACCTS RECEIVABLE		346.86
lease amortization expense		4,257.63
		<hr/>
Total Current Assets		2,172,528.12
Property and Equipment		
EQUIPMENT		38,350.45
LEASEHOLD IMPROVEMENTS		22,173.08
LAND		149,298.92
RAILROAD/IMPROVEMENTS		907,199.96
ACCUM DEPRECIATION		(870,546.17)
		<hr/>
Total Property and Equipment		246,476.24
Other Assets		
net pension asset		50,186.00
		<hr/>
Total Other Assets		50,186.00
		<hr/>
Total Assets	\$	<u>2,469,190.36</u>

LIABILITIES AND CAPITAL

Current Liabilities		
NYS RETIREMENT LOAN ACCT.	\$	(360.69)
Employee Health Ins Payable		3.00
Federal Payroll Taxes		4,702.52
NYS WITHHOLDING		5,353.53
Social Security Tax Payable		2,049.78
Medicare Withholding Tax Pay		479.66
NYS PENSION-EMPLOYEE PORTION		(321.93)
NYS Retirement Employer Portio		13,770.00
Deferred Inflows		179,281.00
accumulated amort lease asset		4,257.63
ACCOUNTS PAYABLE		39,823.65
interest expenses		(1,442.37)
		<hr/>
Total Current Liabilities		247,595.78
Long-Term Liabilities		
		<hr/>
Total Long-Term Liabilities		0.00
		<hr/>

Unaudited - For Management Purposes Only

COUNTY OF CATTARAUGUS IDA
Balance Sheet
September 30, 2023

Total Liabilities		247,595.78
Capital		
Retained Earnings	1,501,726.87	
CONTRIBUTED CAPITAL	310,072.06	
Net Income	<u>409,795.65</u>	
Total Capital		<u>2,221,594.58</u>
Total Liabilities & Capital	\$	<u><u>2,469,190.36</u></u>

COUNTY OF CATTARAUGUS IDA
Balance Sheet
September 30, 2022

ASSETS

Current Assets		
CATT CO. BANK	\$	497,942.77
SAVINGS CCB		5,214.52
SAVINGS FT		8,292.13
CATT. CO. CAPITAL RES. CORP.		437,310.69
CD's		625,077.00
KeyBank Investment		103,031.63
PETTY CASH		120.40
SECURITY DEPOSIT - RENT		1,350.00
Deferred Outflows		127,554.00
ACCTS RECEIVABLE		267.53
PREPAID EXPENSES		3,000.00
		<hr/>
Total Current Assets		1,809,160.67
Property and Equipment		
EQUIPMENT		38,423.95
LEASEHOLD IMPROVEMENTS		22,173.08
LAND		149,298.92
RAILROAD/IMPROVEMENTS		907,199.96
ACCUM DEPRECIATION		(869,286.65)
		<hr/>
Total Property and Equipment		247,809.26
Other Assets		
		<hr/>
Total Other Assets		0.00
		<hr/>
Total Assets	\$	<u><u>2,056,969.93</u></u>

LIABILITIES AND CAPITAL

Current Liabilities		
NYS RETIREMENT LOAN ACCT.	\$	522.00
Employee Health Ins Payable		(2,365.88)
Federal Payroll Taxes		(16,062.43)
NYS WITHHOLDING		12,123.65
NYS Retirement Employer Portio		36,210.00
Deferred Inflows		14,768.00
ACCOUNTS PAYABLE		(10.00)
ACCRUED PAYROLL		3,504.81
		<hr/>
Total Current Liabilities		48,690.15
Long-Term Liabilities		
Pension Liability		175,874.00
		<hr/>
Total Long-Term Liabilities		175,874.00
		<hr/>
Total Liabilities		224,564.15
Capital		
Retained Earnings		1,078,570.59
CONTRIBUTED CAPITAL		310,072.06
Net Income		443,763.13
		<hr/>
Total Capital		1,832,405.78

Unaudited - For Management Purposes Only

COUNTY OF CATTARAUGUS IDA
Balance Sheet
September 30, 2022

Total Liabilities & Capital	\$	<u>2,056,969.93</u>
-----------------------------	----	---------------------

CCIDA 2024 BUDGET

	<u>PROPOSED BUDGET</u>
<u>INCOME:</u>	
Interest on Accounts	20,000
Apps & Fees	<u>450,000</u>
TOTAL:	470,000
<u>EXPENSES:</u>	
Wages	200,000*
Fringe Benefits	95,000 *
Performance Bonus	TBD
Board Meeting/Operations	2,000
Education/Training/Professional Development	4,000
Marketing/Promotion/Networking	1,000
Business Development and Lead Generation	10,000
Office Supplies/Service Contracts	1,800
Office Maintenance/Repairs/Equip.	6,000
Office Phones/Cell phone/fax/internet serv,	7,000
Postage	1,200
Public Hearings	1,000 **
Travel/Mileage	3,000
Rent	17,100
Real estate Taxes	10
Utilities	4,500
Property/Fire/Liability Insurance	5,000
Professional Associations - IBN, EDC, Chambers	8,500
Professional Services - Complete Payroll, JMA CPA Firm	20,000
Publications-Area newspapers and Business First	200
Railroad Services	25
Miscellaneous	100
Project Expenses	5,000 **
Consulting Expenses	<u>36,000 ***</u>
Total:	428,435
Net Difference:	41,565

* Dependent upon employee reviews.

** Public Hearings/Project Expenses are a function of how many applications are received in the year.

*** Discuss with the Board on March 24th.

- Signifies reduction from 2023 Budget

+ Signifies increase from 2023 Budget



Entrepreneurial Ecosystem and Economic Development in Cattaraugus County

Cattaraugus County Economic Development Partners

Facilitated by: Alex Tranmer and Christa Franzl

September 26, 2023

Thanks for being here!

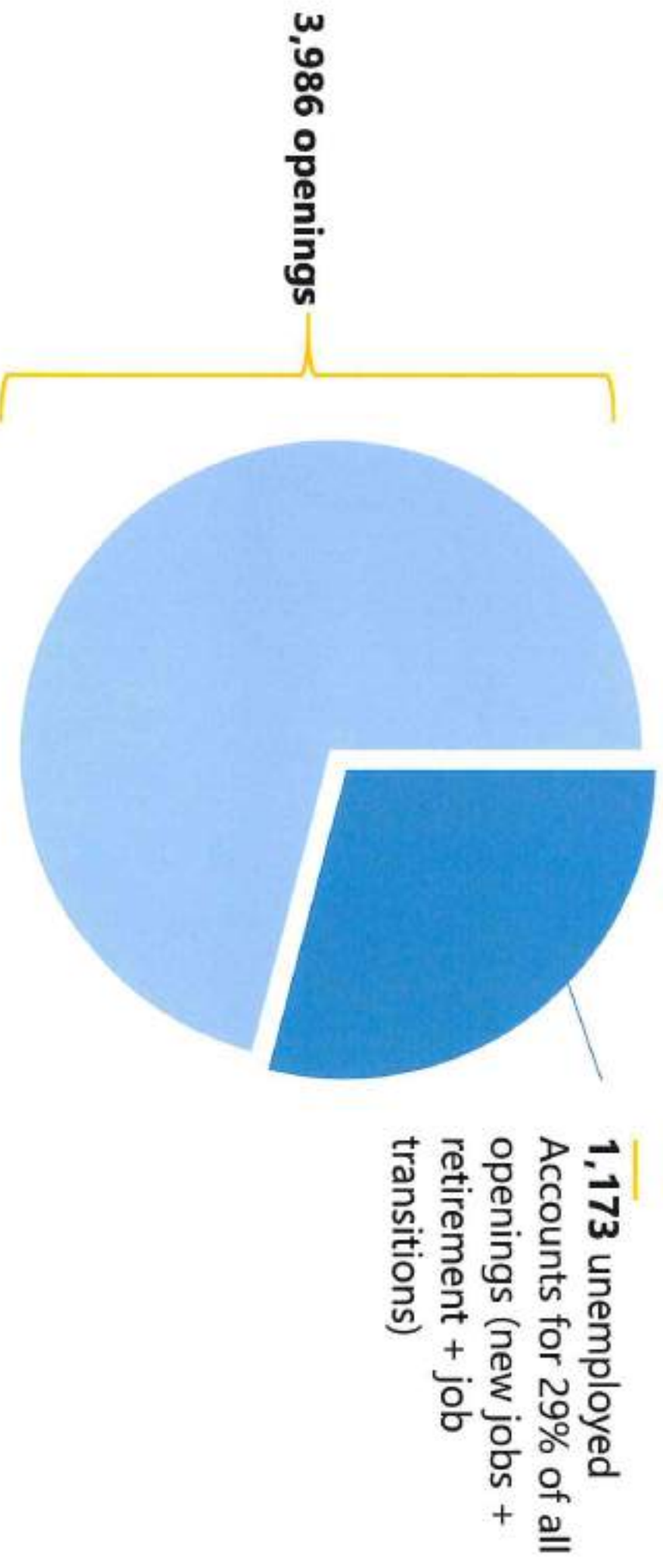
Here's our plan for today:

- ✓ Discuss entrepreneurship data within the context of an entrepreneurial framework
- ✓ Discuss where the County supports the framework and where there are gaps



Setting the Stage

Unemployment vs. Openings in Cattaraugus County



The Challenges – Workforce

- Unprecedented, large volume of jobs, under similar timelines
- Tight local job markets
- Lack of public information on what is available
- Need to work with high schools / youth
- Getting info to the right places
- Growing from within



Entrepreneurship Data

Context

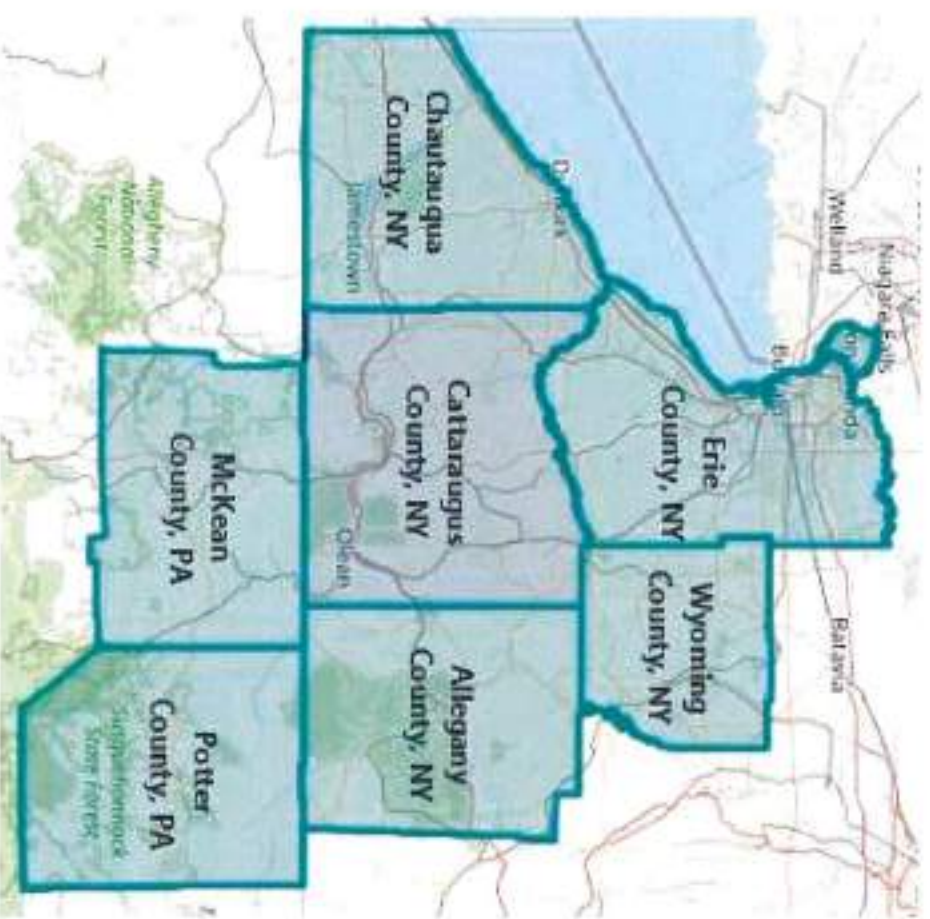
What We Looked At

- Startups
- Establishment entry
- Establishment exit
- Microbusinesses
- Self-employment

Data Sources

- Lightcast
- GoDaddy Microbusiness Data Hub
- Business Dynamics Statistics
- The Kauffman Indicators of Entrepreneurship

Seven-County Economic Region



Framework for Entrepreneurship

- **Workforce / Talent** – A regional talent pipeline with skills needed to support new and growing businesses.
- **Business Assistance** – Easy assistance to technical assistance through incubation and acceleration programs, general and specialized.
- **Capital** – Diverse sources of capital to help all firms start and grow.
- **Physical Environment** – Meeting the unique space needs of entrepreneurs such as coworking spaces, incubators, labs, etc.
- **Supportive Regulation** – Cutting red tape and promoting flexibility.
- **Market Access** – Ability to support entrepreneurs identify, access, and succeed in new markets.
- **Culture** – Honoring and embracing entrepreneurship with events, pitch competitions, mentorship, business assistance navigation, etc.



Key Takeaway: Entrepreneur Demographics

Currently, most self-employed workers in Cattaraugus County are white, male, aged 55-64, and working in the **Agriculture, Forestry, Fishing and Hunting, Construction, and Manufacturing** industries.



Key Takeaway: Entrepreneur Demographics

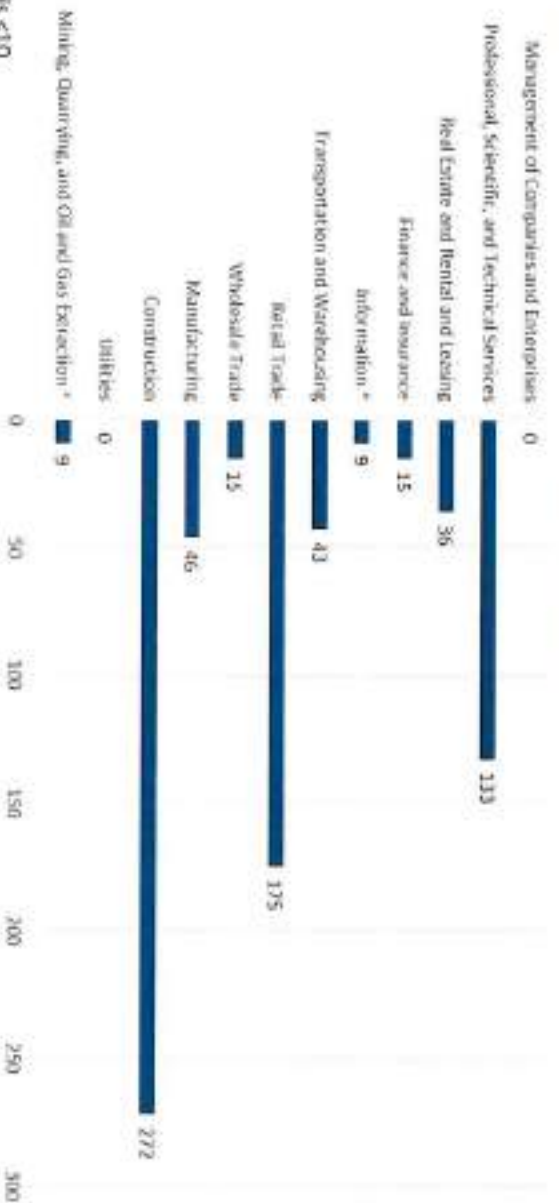
Currently, most self-employed workers in Cattaraugus County are white, male, aged 55-64, and working in the Agriculture, Forestry, Fishing and Hunting, Construction, and Manufacturing industries.

Key Takeaway: Self-Employment Trends

Self-employment in Cattaraugus County is highest in the Construction industry, specifically for Residential Building Construction, Building Finishing Contractors, and Other Specialty Trade Contractors.

At the same time, self-employment jobs in Cattaraugus County have decreased since 2017 by an average of 6.11 workers (4%).

Total Self-Employment Jobs by Industry in Cattaraugus County (2022)



* Actual figure is <10

Source: Lightcast

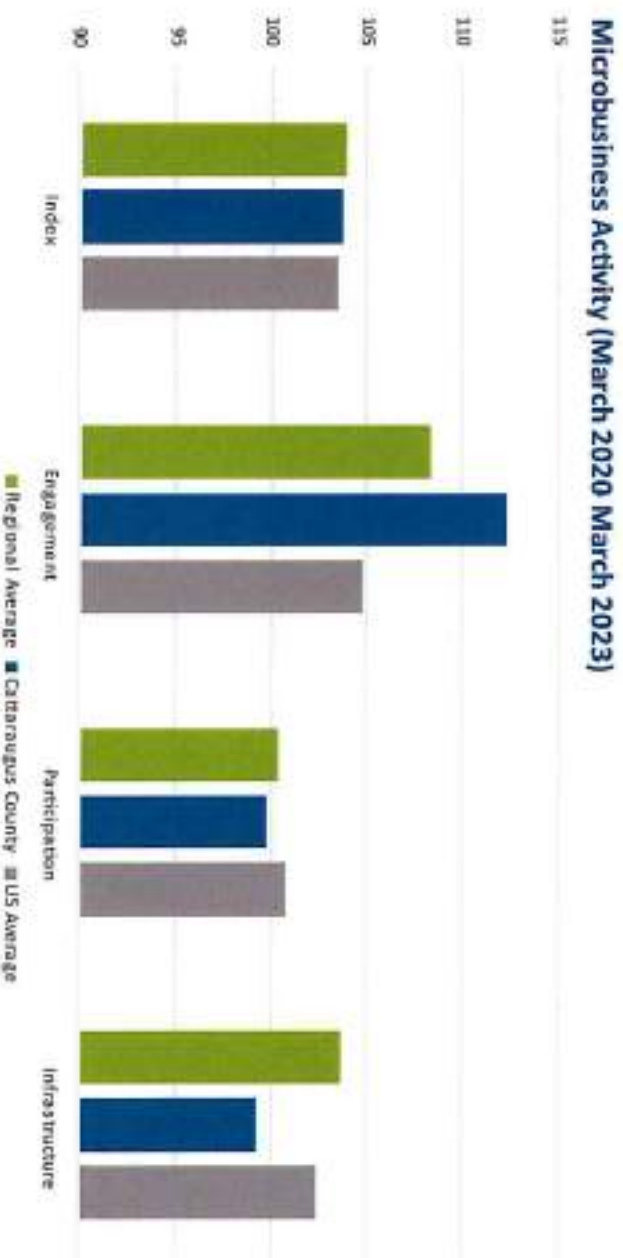


Key Takeaway: Microbusinesses

Based on the data analysis, Cattaraugus County is a supportive environment for businesses with 10 employees or fewer, with one of the highest and fastest-growing microbusiness densities in the region.

Key Takeaway: Online Effectiveness

Small business websites outperform others in the region when it comes to traffic and website maintenance, but the county falls short on both the intellectual and physical infrastructure.



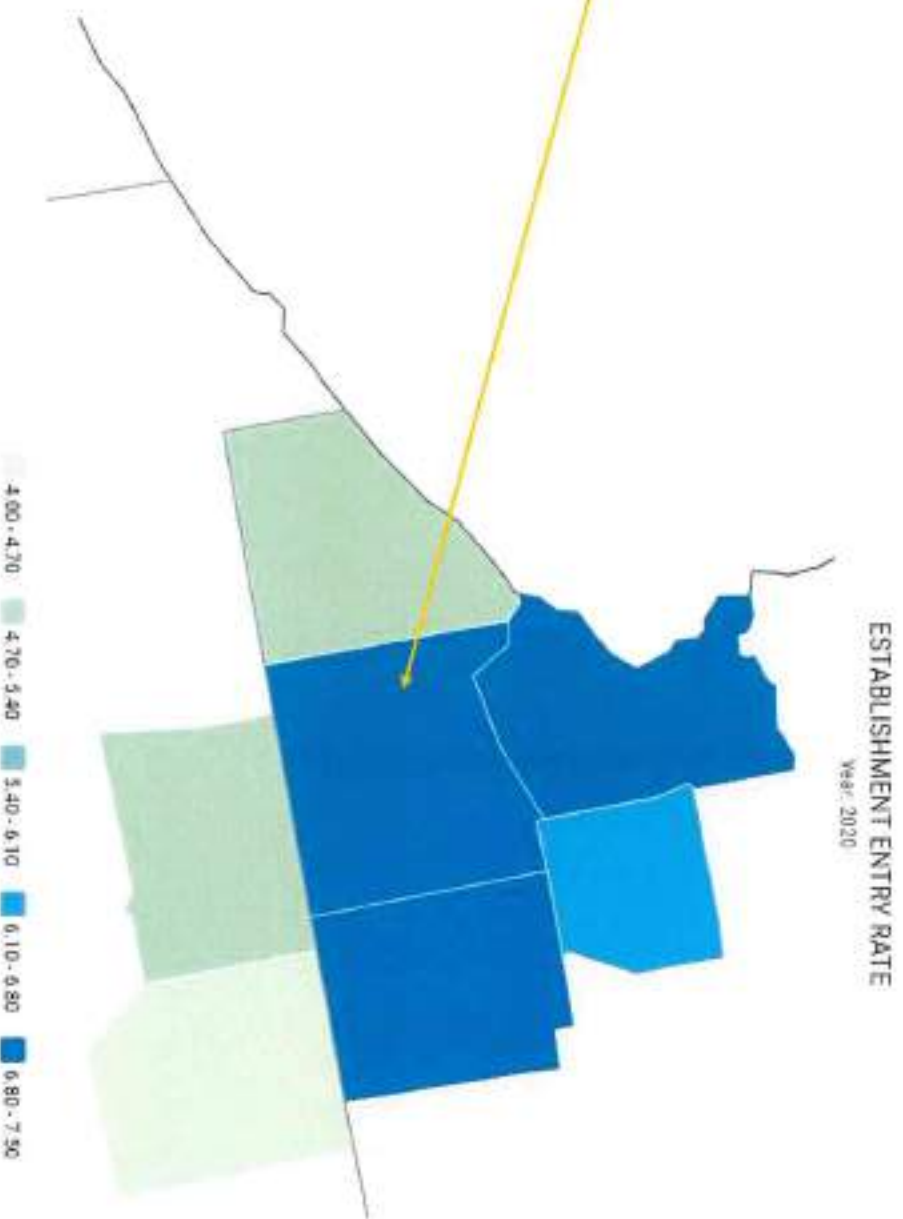
Source: GoBarfy Microbusiness Data Hub

Key Takeaway: Establishments

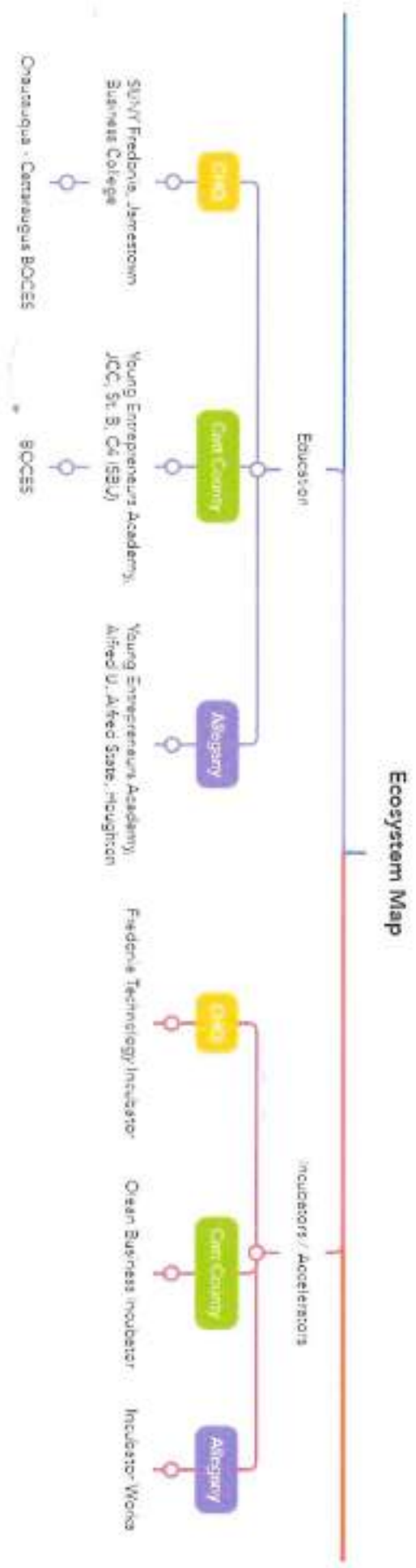
Establishment Entry Rate, 2020

Geography	Count
Allegheny County, NY	7.3
Cattaraugus County, NY	6.9
Chautauqua County, NY	5.1
Erie County, NY	7.4
Wyoming County, NY	6.5
McKean County, PA	4.8
Potter County, PA	4.2
Average	6.0

Source: U.S. Census Bureau - Center for Economic Studies - Business Dynamic Statistics (2020)



Entrepreneurial Ecosystem



Framework for Entrepreneurship

What categories of the framework do we deliver well?

Where are there gaps in framework?



Business Assistance
Capital
Physical Environment
Supportive Regulation
Startup Culture

Where are we seeing barriers in the entrepreneurial journey
Who are these barriers impacting?

What Success Requires



Understanding

Culture

Language, values, attitudes, traditions, and norms supporting entrepreneurs



Building

Relationships

With influencers and partners



Assessing

Continuously

Measuring and tracking with data

What's next...

- ✓ Talking with business
- ✓ Workforce data
- ✓ Additional interviews

Contact Information:

Alexandra@camoinassociates.com

christa@camoinassociates.com

Report Provides Latest Data About Minimum Wage Workers in the US

September 6, 2023 [John C. Downen](#)



The US Bureau of Labor Statistics recently released [a report on minimum wage workers](#) that shows that the number of hourly workers paid at or below the prevailing federal minimum wage has declined 85% since 1979, shrinking from a high of 7.8 million workers in 1981 to just 1 million workers in 2022.

This occurred despite a 52% increase in hourly workers in the US, and a 150% increase in the federal minimum wage (which would also increase the number of individuals working at or below the minimum wage).

Workers Paid at or Below the Prevailing Federal Minimum Wage, 1979-2022



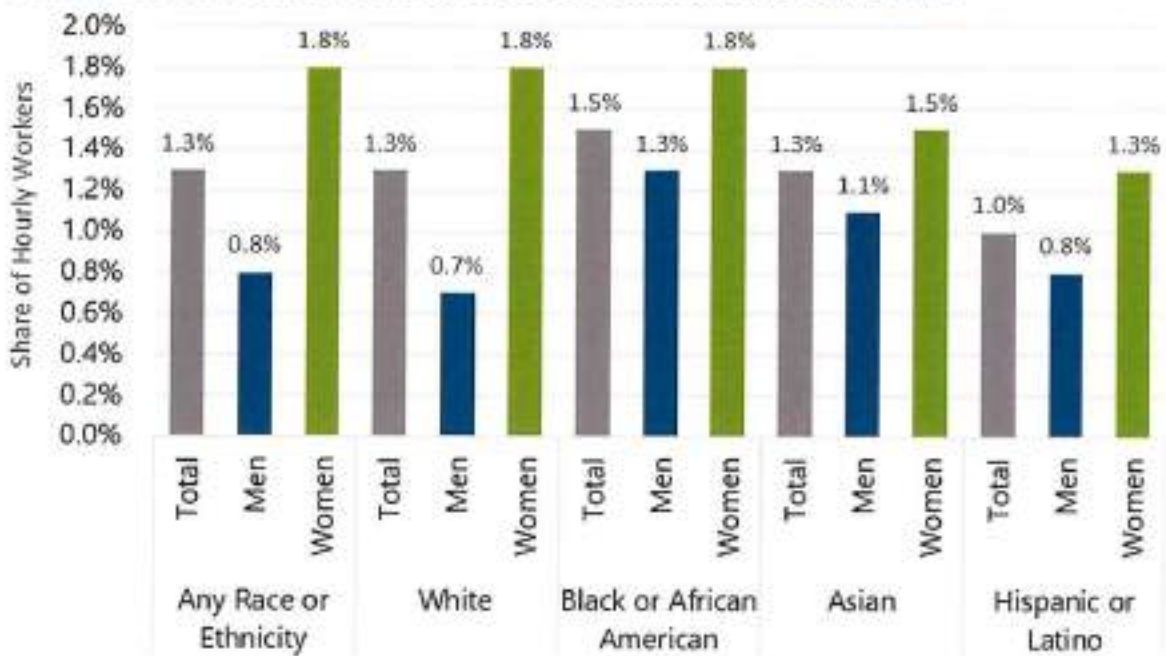
Source: US Bureau of Labor Statistics, Current Population Survey

In 1979, 13.4% of all hourly workers earned minimum wage or less. As of 2022, the share had shrunk to just 1.3% of hourly workers.

Other key takeaways from the report include:

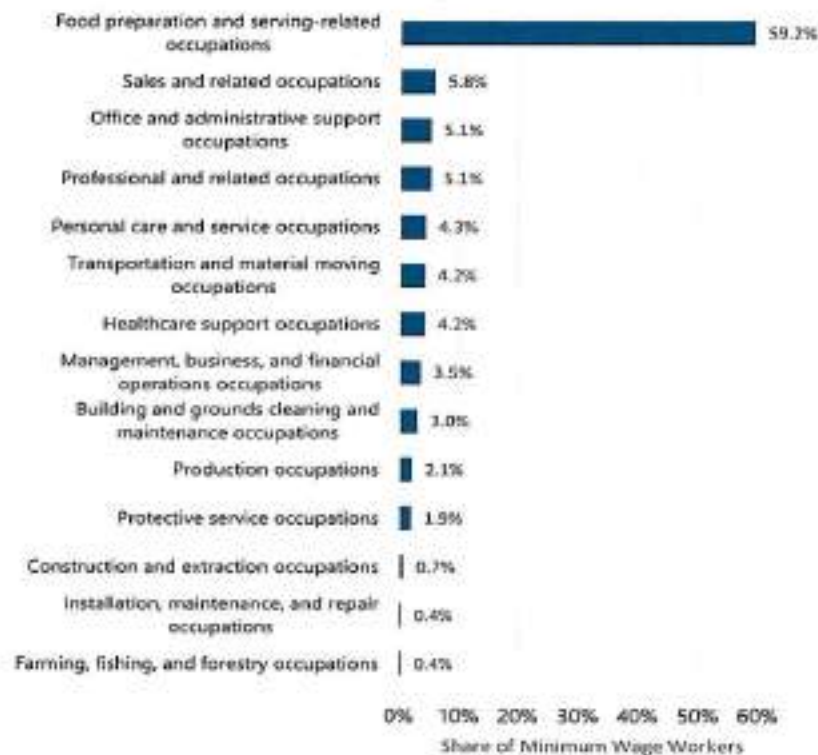
- 56.7% of minimum wage workers in 2022 were young (aged 16–29); most were still in high school or college or recently graduated, and likely had few skills.
- 3.4% of 16- to 19-year-olds working for hourly pay earned minimum wage or less, as did 2.7% of 20- to 24-year-olds and 1.3% of 25- to 29-year-olds.
- Women are disproportionately represented among minimum wage workers. Although men and women represented nearly equal shares of total hourly workers (50.1% vs. 49.9%, respectively) in 2022, men made up just 32.1% of minimum wage workers while women represented 67.9%. This is not significantly different from the shares in 1979, but the rates have fluctuated over the past 43 years.
- Female hourly workers are more likely to earn minimum wage than male workers. In 2022, 1.8% of female hourly workers were paid at or below minimum wage but 0.8% of male hourly workers were.
- Black or African American workers are overrepresented among minimum wage workers. White people represented 75.4% of all hourly workers and 72.6% of minimum wage workers. Asians represented 5.2% of hourly workers and 5% of minimum wage workers. Hispanics or Latinos represented 22.9% of hourly workers and 17.7% of minimum wage workers. However, Black or African American people represented 14.9% of hourly workers but 17.5% of minimum wage workers. (Shares do not add up to 100% because not all racial groups are shown and Hispanics or Latinos can be of any race.)
- A greater share of Black or African American hourly workers earn minimum wage than do other racial or ethnic groups. The data shows that 1.5% of Black or African American hourly workers were paid at or below the minimum wage, compared with 1.3% of White hourly workers, 1.3% of Asians, and 1% of Hispanics or Latinos.

Hourly Workers Paid at or Below Federal Minimum Wage, 2022



- **Source:** US Bureau of Labor Statistics, Current Population Survey
- Over one-third (36%) of minimum wage workers in 2022 were high school graduates with no college education. Another 28.1% of minimum wage workers attended some college (but did not earn a degree) and 15.5% had at least a bachelor's degree.
- Nearly two-thirds, 66.5%, of minimum wage workers are single (never married). Nearly two-thirds of those (42.9%) are 16–24 years old.
- The states with the highest shares of hourly workers paid at or below minimum wage in 2022 were Louisiana (2.8%), the District of Columbia (2.7%), Mississippi (2.5%), Rhode Island (2.5%), and North Carolina (2.3%). Connecticut (0.1%), Hawaii (0.3%), Nevada (0.4%), and Oregon (0.4%) all had minimum wage shares below 0.5% of hourly workers.
- Not too surprisingly, Food Preparation and Serving-Related occupations account for 59.2% of minimum wage workers, although they represent only 8.8% of all hourly workers. This is likely driven by restaurant wait staff, who are generally paid below minimum wages in lieu of income from tips.

Occupations' Share of Minimum Wage Workers, 2022



Source: US Bureau of Labor Statistics, Current Population Survey

The data shows that most minimum wage workers are young, single, and without a college degree. These workers are just beginning their professional lives, possibly still in school or college, and these jobs likely do not represent long-term career choices. Gaining in-demand skills through education and training is one of the best ways to increase earnings.

The US Congress has increased the federal minimum wage only sporadically over the past 85 years, with the present \$7.25/hour rate set in 2009. If the original minimum wage of 25¢/hour set in October 1938 had grown with inflation (as measured by the Consumer Price Index), it would be at \$5.37/hour today. However, when Congress does raise the minimum wage, most of the time it is by much more than the amount of inflation since the last increase. Therefore, if the \$2.90/hour minimum wage in 1979 had kept pace with inflation, it would be at \$11.69/hour today. And if our current minimum wage had increased with inflation since it was set 14 years ago, it would be at \$10.24/hour today.

Data in this report were compiled from the [Current Population Survey \(CPS\)](#), a monthly household survey conducted by the US Census Bureau. The CPS data covers only “wage and salary” workers and excludes the self-employed. Minimum wage numbers are calculated only for workers paid an hourly wage due to data quality concerns around calculating an equivalent hourly rate for salaried employees.

Camoin Associates is a national leader in using research and data analysis to help communities and organizations understand where they are now and develop actionable, equitable goals designed to get them where they want to be. [Learn more about our services.](#)



OLEAN... MEMORIES BACK IN TIME.....

John Firkel · 22h · 🌐

25 years ago this month the Allegheny River Valley Trail opened ! The prettiest part (pictured) of the trail meanders through a forested route for almost three miles along the Allegheny River, and crosses several wooden bridges.

The brainchild of Joe & Cecily Higgins, the original 6.2 mile loop runs between the Town of Allegheny, NY and the City of Olean, NY & along the Allegheny River.

The trail has added several extensions over the years including a loop thru the St. Bonaventure campus & an extension into East Olean. There are close to 10 miles of paved trail now, for walkers, joggers, bicyclists, roller bladers & even cross country skiers in the winter.

Future plans may possibly include connecting the East Olean end near Bradner Stadium to the West Olean loop, with a paved trail along the top of the Allegheny River dike.





Legend

- Allegheny River Trail
- Proposed Hiking Trail
- Railroad
- Parks and Cemeteries
- Parking
- Back Plaza

0.25 0.5 Miles



National Grid Energizes Great Lakes Cheese Facility in Franklinville Provides Grants to help Local Company Retain, Grow Jobs

*Manufacturer to receive \$1 million in energy efficiency incentives,
\$500,000 economic development grant, \$33,000 for EV charging*

September 21, 2023

CONTACT: David Bertola - 716-831-7136

BUFFALO, N.Y. – National Grid recently energized Great Lakes Cheese's new Franklinville manufacturing facility and, as an additional boost, has provided the company with more than \$1.5 million in economic development, energy efficiency and EV Make-Ready funding. The grants will help the local manufacturer remain competitive and retain and add hundreds of jobs at its \$621 million, 500,000-square-foot facility.

"Great Lakes Cheese has been working hand in hand with National Grid for more than three years to identify a viable location for our new manufacturing facility and packaging plant," said Matt Wilkinson, Vice President of IT and Business Development for Great Lakes Cheese. "Our operations are energy intensive and we need a reliable supplier who is as committed to the New York community as we are. We are grateful for National Grid's support to expand the electrical infrastructure necessary to make this project a reality."

National Grid Regional Director Ken Kujawa said that Great Lakes Cheese's new facility, the largest economic development project in Cattaraugus County, should promote regional employment as local agricultural jobs are retained.

"Some manufacturers will often compete for their parent company's corporate investment dollars," he said. "And when costs can be lowered and kept low for area companies like Great Lakes Cheese, it can help them to grow and prosper. That's where our programs can be of assistance, as they better position our customers to win those kinds of investments. Then, rather than consider options that may include cutting jobs or moving out of New York State, our customers can keep facilities local, build their workforces and achieve their goals."

National Grid Energizes Phase One for New Facility

On Sept. 8, National Grid energized phase one of the facility, which allows Great Lakes Cheese to begin testing processes and equipment in advance of its 2024 opening. A final energization phase, scheduled to be completed later this year, will tap a newly constructed 34.5 kV distribution line that is part of new infrastructure that delivers 15 megawatts of electricity to the facility.

When construction of the Franklinville site is complete in 2024, the facility will begin with packaging operations, then cheese manufacturing, and ultimately will close its Cuba, N.Y., plant and transition its more than 230 employees to the new location. In addition, when the new plant becomes operational, the company plans to hire at least 200 new employees and will double its cheese production. It's anticipated that daily milk purchases also will double, to 4 million pounds.

\$500,000 Economic Development Grant

To help offset the costs of the new electricity infrastructure Great Lakes Cheese has been awarded a \$500,000 [economic development grant](#) through National Grid's Electric Capital Investment Incentive program. The program assists companies with utility infrastructure upgrades that enable business expansion or new construction projects.

\$1 million in Energy Efficiency Incentives

National Grid also will provide \$1 million in energy efficiency incentives to support the new facility through its [Energy Efficiency Program](#). Incentives are available for customers who install energy-efficient lighting, controls, HVAC equipment, motors/electronic speed controls and other systems that reduce energy use and/or enhance productivity. Great Lakes Cheese became eligible for the funding because the manufacturer is installing state-of-the-art lighting, refrigeration, and other pieces of equipment that will reduce annual energy consumption by a projected 6 million kilowatt-hours.

\$33,000 provided for new EV charging stations

Through National Grid's [EV Make-Ready program](#), Great Lakes Cheese received \$33,000 to help offset about a third of the cost of installing eight plugs for EV drivers who may need a charge. A portion of funding also will be used to future-proof additional stations, as Great Lakes Cheese anticipates the needs of their employees and visitors.

Senator George Borrello, 57th Senate District, said: "National Grid's generous commitment to the development of the new Great Lakes Cheese manufacturing facility is greatly appreciated and the latest example of the willing collaboration that has moved this project forward from the start. The electricity infrastructure required for a facility of this scale is massive and costly, which is why the support that National Grid provided through their various programs was critically needed. My thanks go out to National Grid for their contribution and partnership in bringing this transformational project to life."

Assemblyman Joseph Giglio said: "The Great Lakes Cheese project is an example of how the cooperation of state and local government and agencies, utilities, and businesses can create major economic development and growth. From the very beginning, everyone worked together to make this plant a reality. We are fortunate to have partners at every level willing to invest in projects like this to ensure that manufacturing and job opportunities remain in this region. We are grateful for National Grid's grant to offset electricity infrastructure costs, which will provide a necessary boost to support the construction of the new Great Lakes Cheese manufacturing facility and packaging plant."

###

National Grid (NYSE: NGG) is an electricity, natural gas, and clean energy delivery company serving more than 20 million people through our networks in New York and Massachusetts. National Grid is focused on building a smarter, stronger, cleaner energy future - transforming our networks with more reliable and resilient energy solutions to meet state climate goals and reduce greenhouse gas emissions. For more information, please visit our [website](#), follow us on [Twitter](#), watch us on [YouTube](#), like us on [Facebook](#), and find us on [Instagram](#).

Great Lakes Cheese is an award-winning, premier manufacturer and packager of natural and processed bulk, shredded, and sliced cheeses. The country's largest natural cheese packager, Great Lakes Cheese primarily services grocery retailers and foodservice operators. The company has a national footprint with facilities in Ohio, New York, Tennessee, Utah, Wisconsin, and two under construction in Texas and New York. Family- and employee-owned, Great Lakes Cheese celebrated their 60th year of business in 2018.

Sustainability

New York State Issues Buy Clean Concrete Guidelines for State Projects

The program takes a gradual approach to lowering embodied carbon in the material

By [Nadine M. Post](#)



New York state's guidelines for reducing the carbon footprint of concrete in most public buildings and transportation projects become mandatory in January 2025 but there will be no penalties until 2027.

Photo by Don Davies/Davies-Crooks Associates

September 24, 2023

On Sept. 19, New York's Gov. Kathy Hochul announced the adoption and release of mandatory rules establishing greenhouse gas emissions limits on concrete for most state-funded public building and transportation projects. The National Ready-

Mixed Concrete Association, the New York Building Congress and several environmental groups support the action, which takes a gradual approach to lowering embodied carbon in concrete on state projects.

"Adopting [Buy Clean Concrete Guidelines](#) marks a monumental step in our journey towards a more sustainable and eco-friendly New York State," Governor Hochul said during the announcement. "By setting mandatory emissions limits on concrete used in state-funded projects, we're not just leading by example but creating a tangible roadmap for reducing greenhouse gas emissions across the board."

The guidelines also support Gov. Hochul's Leading by Example Executive Order 22, under which state agencies are required to collect New York-specific data for common construction materials, including the ubiquitous concrete. For concrete, the data will be used to tighten the state's initial requirements for greenhouse gas emissions (GHGs) from production.

The initial mandatory emissions limits, measured in kgCO₂e, are based on 150% of the National Ready Mixed Concrete Association's regional baselines, equivalent to 150% of the average emissions for concrete mixes in the Eastern region. That means the state's reduction targets are less strict than those established by the global warming potential (GWP) benchmark mixes of NRMCA, which has been collecting data from its members since 2014.

"New York state set targets slightly more lenient than ours as a way to encourage more participation and get more data so they can develop [lower-emission] benchmarks specific to New York by January 2027," says Lionel Lemay, NRMCA's executive vice president of structures and sustainability, who was involved in the development of the state's rules. "After many discussions, I'm convinced they probably did the right thing."

The state's guidelines apply to state agency contracts exceeding \$1 million that involve the use of more than 50 cu yd of concrete, or New York Dept. of Transportation contracts exceeding \$3 million that include at least 200 cu yd of concrete. The guidelines include exceptions for emergency projects and those requiring high-strength or quick-cure concrete and do not apply to state authorities.

The mandatory limits will go into effect starting in 2025, but there will be no penalties imposed until 2027. Starting Jan. 1, 2025, the guidelines require environmental product declarations (EPDs) for all mixes to be used on state construction projects, according to Georgina Parsons, associate commissioner for

communications & media in the state Office of General Services (OGS), which is administering the program.

Maximum Global Warming Potential (GWP) Limits for Low Embodied Carbon Concrete (relevant for Phase 1 and Phase 2)	
Specified compressive strength (f'c in PSI)	Maximum Global Warming Potential Limits for Low Embodied Carbon Concrete (kilograms of carbon dioxide equivalent per cubic yard - CO₂e kg per cu yd)
0 - 2500	275
2501 - 3000	302
3001 - 4000	360
4001 - 5000	434
5001 - 6000	458
6001 - 8000	541
These limits reflect 150% of the Eastern Region average GWP figures from the National Ready Mix Concrete Associations' "A Cradle-to-Gate Life Cycle Assessment of Ready-Mixed Concrete Manufactured by NRMCA Members – Version 3.2 "(Jul 2022), page 62	

NRMCA benchmark mixes represent average designs from each region in the U.S. and a national average design. There are nine mixes per region, six with normal weight aggregates ranging from 2,500-psi to 8,000-psi compressive strength, and three with lightweight aggregates from 3,000 psi to 5,000 psi.

In 2021, NRMCA reported a 21% reduction in concrete's carbon footprint since 2014, when it started collecting data for its benchmarks. The group established its benchmarks by surveying members about plant operations—mostly energy use—and materials they use to get an average of environmental impacts, including GWP. The group publishes benchmarks periodically on its website in a document called the [LCA and Benchmark Report](#). The benchmarks represent the average of impacts for different concrete strengths. The next report is due out in the middle of next year.

“New York simply took our benchmarks and multiplied them by 1.5–150%—to basically make the benchmarks higher to include more producers in the process,” says Lemay. “If you simply went off of our benchmarks, which are averages, then in theory, 50% of the producers might be above the benchmark and eliminated from participating on projects,” he explains.

The state's “relatively easy-to-achieve carbon footprint targets” in the first and second phases of the program are 50% above the averages set by NRMCA, explains Lemay. In the third phase, starting in 2027, the state will set more aggressive goals by lowering the limits based on the earlier data collected. The more-aggressive goals “will begin to ratchet down the average carbon footprint of concrete,” says Lemay.

The state program's three phases are:

Phase 1: Voluntary concrete GWP limits and EPDs. Between Jan. 1, 2024, and Dec. 31, 2024, contracts for relevant projects will ask for the EPDs of concrete mixes, where available, and use the EPDs to compare against New York State's voluntary concrete GWP limits.

Phase 2: Mandatory concrete GWP limits and EPDs. Starting Jan. 1, 2025, New York State's voluntary concrete GWP limits above will become mandatory limits. Between Jan. 1, 2025 and Dec. 31, 2025, contracts for relevant projects will require concrete mixes procured to certify a GWP lower than the state's GWP limit in the relevant compressive strength category, in the form of an EPD, and require additional certifications as required by each agency.

Phase 3: Revised mandatory concrete GWP limits and EPDs. Starting Jan. 1, 2027, or at an appropriate date, New York state will revise (lower) the mandatory concrete GWP limits (see chart above for current limits).

Partnership Developed Guidelines

Following Gov. Hochul's signing of State Finance Law §136-d, which called for these guidelines to be developed, OGS partnered with the New York State Energy Research and Development Authority and convened a stakeholder and expert group to help develop the guidelines. The group included state agency and authority officials, among them the Dept. of Transportation, Dept. of Environmental Conservation, the Metropolitan Transportation Authority and the Port Authority of New York and New Jersey, which has [its own guidelines](#).

The group also included licensed professional engineers, licensed registered architects, representatives of the construction industry, representatives of an accredited school of civil engineering, and knowledgeable sources from think tanks, nonprofit environmental organizations and academia, says OGS.

The guidance enacts several recommendations from New York's Climate Action Council Scoping Plan, including those for making embodied carbon transparent and adopting lower carbon specifications for high-intensity materials for state projects. It also implements recommendations to identify carbon intense materials and develop standards for reducing the environmental impact of building materials, according to OGS.

New York reports it is on a path to achieving a zero-emission electricity sector by 2040, including 70% renewable energy generation by 2030 and economy-wide carbon neutrality by mid-century. This includes investing more than \$35 billion in 120 large-scale renewable and transmission projects across the state, \$6.8 billion to reduce building emissions, \$3.3 billion to scale up solar, more than \$1 billion for clean transportation initiatives and over \$2 billion in NY Green Bank commitments, according to OGS.

These and other investments are supporting more than 165,000 jobs in New York's clean energy sector in 2021 and over 3,000% growth in the distributed solar sector since 2011.

Other jurisdictions that have adopted rules to lower the carbon footprint of concrete include [New Jersey](#), Pennsylvania, Colorado and Denver, Maryland, Portland, Ore., and [Marin County, Calif.](#) Many others are in the process of adoption,

including California, Connecticut, Minnesota and Massachusetts. States that have so far rejected such rules include Washington and Hawaii.

With the U.S. General Services Administration, the Federal Highway Administration and other agencies "setting targets for concrete and other materials, likely more states will follow," says Lemay, who doesn't see any problems with concrete producers meeting the mandates.

He adds that the governmental policies "will take years to have an impact, but by setting a target most companies are going to say, 'I can beat that, I want to satisfy my customer!'

NY businesses launch \$1M push to roll back climate-change laws that left city 'at a crossroads'

By

[Nolan Hicks](#)

Published Sep. 26, 2023, 4:23 p.m. ET

New York businesses are launching a \$1 million campaign to push Gov. Kathy Hochul and state lawmakers to ease anti-pollution laws battling climate change — arguing the regs are too costly to them and consumers.

The groups — representing many of the largest Empire State employers — gripe that New York's 2019 "Climate Leadership and Community Protection Act" requiring greenhouse gases be cut 40% by 2030 and 85% by 2050 could lead to blackouts and [soaring electric bills](#) and have "adverse impacts" on economic growth.

"New York is at a crossroads," warned Heather Mulligan, who leads one of the groups, the Business Council of New York State, on Tuesday.

"Let's be clear: It is essential to push a green economy. It is also essential to make sure we can reach our environmental and clean energy goals without severely damaging New York's families and businesses as well as jeopardizing the reliability of New York's energy infrastructure," she said.

Dottie Gallagher of the Buffalo Niagara Partnership added bluntly, "Continuing to implement climate policy without regard to energy affordability and reliability is guaranteed to raise prices on all New Yorkers, weaken our economy, and accelerate New York's nation-worst outmigration trend."

Some of the new green-energy requirements include phasing out fossil-fuel-using vehicles such as school buses and commercial trucks in favor of electric ones.



Gov. Kathy Hochul, seen at an unrelated press conference in November, has approved the construction of new transmission lines to bring in more power generated by dams in New York's mountainous counties and Canada. Susan Watts/Office of Governor Kathy Hochul

Most construction equipment using fossil fuels must eventually hit the highway, too, while many buildings will have to limit their greenhouse gas emissions.

In May, New York controversially became the first state to even ban gas stoves from new residential building construction.

Kathy Wylde, the head of the Big Apple's chief business group, the Partnership for New York City, noted in a statement that her organization supported the state's 2019 climate-change law — but said it needs more cautious "implementation paths" to "protect the economic vibrancy of the state."

The statewide coalition urging the slowing down of the new restrictions also includes the chambers of commerce in Westchester County, Rochester and Albany.



Climate change protestors march from Zuccotti Park to the Federal Exchange Building in Lower Manhattan demanding divestment of fossil fuels. Around 100 people were arrested. Stephen Yang for NY Post

A spokesman for the Business Council said the campaign has already secured "six-figure" amounts in funding for the effort and is aiming to raise more than \$1 million by the end of October.

The targeted green legislation was inked by ex-Gov. Andrew Cuomo and has since been embraced by his successor, Hochul. She [recently OK'd the construction](#) of new transmission lines that will bring in substantial amounts of electricity from dams in Canada and the state's mountainous counties as part of greener efforts.

State Sen. Brad Hoylman-Sigal (D-Manhattan), who co-sponsored the 2019 law, groused of critics, "I wish they would use their resources to help us transition to clean energy rather than throw up roadblocks to the implementation of a law meant to save our planet for future generations.

"If the business community has concerns, they should speak to legislators about addressing them before wasting money on a campaign," he said. "Addressing climate change can't wait, but I think my colleagues are open to hearing concerns about the implementation of the law."



The now-shuttered Indian Point nuclear power plant was one of New York City's biggest suppliers of electricity until it closed down in spring 2021. Christopher Sadowski

Hochul spokeswoman Katy Zielinski said in a statement, "Governor Hochul understands that we are the first generation to feel the effects of climate change and the last generation that can do anything about.

"The Administration is committed to working with all stakeholders to ensure we're building a clean and reliable energy grid, preserving energy affordability, and creating good-paying jobs and a competitive business environment."

The operator of New York's power grid warned earlier this year that [there may not be enough electrical generation](#) downstate during heat waves in future summers with the expected retirement of a series of heavily polluting power plants that are only fired up during times of high demand.

Regulations requiring the older plants to pay for expensive improvements that would slash emissions or shut down [were approved when Cuomo was governor](#).

Cuomo also [spearheaded the controversial campaign](#) to shut down one of New York's biggest generators of carbon-free electricity, the Indian Point nuclear power plant, in spring 2021, leading to an increase in [gas-fired power production](#).

"We are a worldwide leader in environmental initiatives and green energy policies, and we must and will continue to be the leader," Mulligan said. "But, we must also look at the policies and determine what is feasible, what is affordable, and what is best for the future of the state."

John Ravitz, head of the Business Council of Westchester, said, "No business sector will be unaffected if fossil fuels are prematurely banned.

"The simple fact is that New York is way behind schedule in building the renewable energy infrastructure that must be created to achieve the goals that we support."

Discussions with the state has to "include transition plans that include continuing to use natural gas to support the energy system until the renewable energy infrastructure is in place," Ravitz added.

OLEAN TIMES HERALD
FEATURED

Borrello, Giglio tour manufacturers in Olean

- [By BOB CLARK Olean Times Herald](#)
- [Sep 14, 2023 Updated Sep 14, 2023](#)



A worker (from left) at Mazza Mechanical operates a computer controlled metal cutting machine as Mazza President Daniel DeRose and state Sen. George Borrello look on.

- [Bob Clark/Olean Times Herald](#)



State Sen. George Borrello (second from right) and state Assemblyman Joseph Giglio (right) hear from Cutco staff about the manufacturing process at the East State Street facility on Thursday.

- Photo provided

OLEAN — More workforce development and a hard look at regulations are needed in the state, local manufacturers told elected officials during tours on Thursday.

State Sen. George Borrello, R-Sunset Bay, and state Assemblyman Joseph Giglio, R-Gowanda, toured Cutco on East State Street on Thursday morning, inspecting the operation and hearing from management.

Later in the day, Borrello toured Mazza Mechanical Services on North Seventh Street. Borrello is set to tour the Cummins plant in Lakewood and Nestle Purina in Dunkirk on Friday with state Assemblyman Andrew Goodell, R-Jamestown.

"It's important we bring attention to these places," Borrello said, adding the tours served to get feedback from manufacturers on what they need from the state to succeed. Joining him for the tours was Todd Tranum, executive director of the Manufacturers Association of the Southern Tier.

After touring Cutco in the morning, Borrello said he was proud of the work at the firm, as well as the cooperative efforts between area businesses to support each other.

He noted a push toward automation at Cutco, including "'cobots' are just aiding the workers" with repetitive tasks that could lead to fatigue.

Mazza President Daniel DeRose, showing a computer-controlled metal cutting machine making individual parts from a roll of metal, said such equipment has helped productivity.

"This would have taken a guy half a day to lay out and do," he said.

Mazza currently employs around 150 workers, officials said, with about 25 at the shop and offices, and the remainder out on installation or other jobs. Many of the workers are younger, said Ledgie DeRose, vice president of Mazza, and the company has been offering internships to students in order to get them interested in working in trades.

"We had so many we had to turn kids away this summer," said DeRose. He also noted that more than 20 of the firm's employees are graduates of Alfred State College, and the company has worked with the college to foster workforce development.

Borrello noted efforts, including by MAST, have moved the discussion with youth earlier in the course of their education to good effect.

"We can't be having this discussion with our high schoolers — by then, it's too late," Borrello said, with many students making up their minds on whether or not to pursue a career in trades by junior high school.

Daniel DeRose said that while company is doing well with retention and new employees, "it is one of the biggest problems among our peers."

By improving the readiness of the workforce and getting more people interested in trades, "that offsets a lot of the other challenges we face in the state," Borrello said, including higher taxes than most states and stricter requirements for many facets of business.

Borrello noted he has heard complaints from manufacturers about the legalization of cannabis, which under current law is difficult to enforce to ensure worker safety due to the way the state's law is written.

Scott Puller, Mazza's director of human resources and environmental safety, told Borrello that many of the company's workers operate under federal Department of Transportation rules and are subject to drug tests, but those tests do not tell if an employee is positive during work hours or in their personal time where it would not affect safety on the job.

DeRose noted issues with high demand for green energy and a push away from fossil fuels.

"That's not necessarily bad for us," he said, noting Mazza will find work in retrofitting and new builds, but the transition poses hurdles for customers and his company, such as higher prices for electric vehicles that are often not even available due to high demand.

Borrello, who has been critical of green energy projects including wind turbines on Lake Erie, said "the inmates are running the asylum on energy policy," and there must be changes made to current goals.

"I'm not saying we have to rely on only fossil fuels, but there needs to be a bridge," Borrello said, including a portfolio of natural gas, hydrogen, nuclear and hydroelectric generation to offset decreased burning of coal, oil and natural gas for energy.

(Contact City Editor Bob Clark at bclark@oleantimesherald.com.)

**over 35 employers
offering over 400 jobs on**

Thursday October 19, 2023

From 1 to 4pm during the

Autumn Job Fair

**Cattaraugus County Fairgrounds
Corporate Building**

**Learn more at
ccBizHelp.com/Job-Fair**