

County of Cattaraugus
Industrial Development Agency

BOARD OF DIRECTORS MEETING - AGENDA

Tuesday, February 18, 2025
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 January 14, 2025 CCIDA Board of Directors Meeting Minutes:

New Applications

-1.) – Mazza Mechanical Services

-Mazza Mechanical Services is a family owned and operated business founded in 1932 known for their superior single sourcing of facility and process mechanical installations including full sheet metal fabrications, installation of full piping systems from heating to complete heat recovery systems. They have locations in Olean, Jamestown, NY and Erie, PA. The company has submitted an application seeking NYS sales tax abatement, and real property tax benefit abatement (PILOT) for renovations to an existing 6,000 +/- square foot building and the purchasing of various equipment and fixtures to allow the company move its pipe fabrication division to Olean. The proposed project is located at 430 North 7th Street, Olean, NY, which is currently vacant.

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

-2.) – TL Schwab & Schwab Aggregates

-TL Schwab & Schwab Aggregates is a multi-generational family-owned business that currently operates a gravel pit, a trucking and hauling division of 40 plus trucks and rigs and offers over 25 products and custom hauling. The company has submitted an application to construct a new 36,000 +/- square foot new shop to grow their business. The proposed new building would allow them to consolidate their trucking and gravel business under one roof which would grow employment by approximately 7-8 machinists and truck drivers. They are seeking NYS sales tax abatement, NYS mortgage tax abatement and real property tax benefits (PILOT). The proposed project is located at 10064 Pigeon Hill Road, Delevan, NY. A cost benefit analysis is in each Board Members packet for their review. **-The Total Project Investment: \$4,000,000.**

-3.) – Kinley Contractors LLC

-Kinley Contractors LLC has submitted an application to the CCIDA for the construction of a new 12,000 sq foot shop to be built adjacent to their newly renovated corporate headquarters in Allegany, NY. This project will allow the company to retain and grow its employment that has been in the County for over a century. This space is needed to support its continued growth in their business operations.

-The Total Project Investment: \$2,500,000.

-4.) – Rusty Rooster Farm & Vintage, LLC:

-Rusty Rooster is a company in Portville that specializes in farmhouse, primitive, lodge and cottage décor. The company has submitted an application seeking NYS sales tax, NYS mortgage tax (if needed) and real property tax benefits (PILOT) for upgrades and finishing of a 9,000 square foot building that is located adjacent to their existing facility and operations. The newly acquired existing building will be constructed into 3,000 +/- square feet of a reception hall and 6,000 +/- square feet for wood production and manufacturing space with a kiln. The proposed project is located at 476 Highland Terrace, Portville, NY. A cost benefit analysis is in each Board Members packet for their review.

-The Total Project Investment: \$200,000

Applications in Process/Projects in Process

-1.) –Creeley Construction/Hidden Gems Family Resorts, LLC:

-Hidden Gems Family Resorts/Creeley Construction (Aranar) is a local Real Estate development Company in Western New York is seeking NYS sales tax, NYS mortgage tax and real property tax benefits (PILOT) for the construction of 30 short term rentals collectively known as a "Landscape Hotel", along with an amenity building and associated parking on property located at 7060 NYS Route 242 in the Town of Mansfield. The developer has a rental destination unit which has been operational since 2023 in Mansfield/Ellicottville located near HoliMont. Please see their website at: <https://aranar.com/> to see their unit and what they are proposing (similarly) with this Landscape Hotel to be constructed. A cost benefit analysis is in each Board Members packet for their review.

A Public Hearing was held on February 12, 2024 at 6:00 p.m. at the Town of Mansfield. The Town and Planning Board support the project. A copy of the public hearing minutes is in each Board Members packet for their review.

-The Total Project Investment: \$10,500,000.

√ Resolution – Creeley
Construction/Hidden Gems Family
Resorts, LLC

-2.) Olean Union Sales Corp.:

-Olean Union Sales Corp. A family-owned building material supplier located in Olean that has been in business since 1919 has submitted an application to the IDA seeking NYS mortgage tax, NYS sales tax and real property tax benefits (PILOT) for the construction of a new 6,000 square foot building that will allow them to expand their product services and materials at 426 South Union Street, Olean, New York. *Reference materials on the business and their services has been included in the application.*

A Public Hearing was held on February 12, 2024 at 1:00 p.m. at the City of Olean. A copy of the public hearing minutes is in each Board Members packet for their review.

-The Total Project Investment: \$750,000.

✓ Resolution – Olean Union Sales Corp.

***CCIDA Financial Reports:**

-Approval of January 2025 Financial Reports

***Income for February 2025 (\$244.18):**

- \$160.00 -annual National Fuel rental fee
- \$74.18- reimbursement on credit card

-\$13,281.25-Fee income relating to project closing on JMI. (Check in the mail).

-General update on projects in process; including the Agency has 3 projects in the closing stage which should close in the 1st quarter of this year.

***Executive Directors Reports:**

-Internal (IDA Meetings/Discussions, Snapshot):

- ✓ Meeting with Rusty Rooster regarding new project.
- ✓ Attended OBDC Board Meeting.
- ✓ Conference call regarding ESD Grant for Ellicottville business.
- ✓ Call with developer on potential new project in the Village of Ellicottville.
- ✓ Meeting with Mazza Mechanical regarding new project.
- ✓ Meeting with developer on potential new project in the Town of Ashford.
- ✓ Meeting with developer on potential new project in the Village of Ellicottville.

- ✓ Meeting with developer on potential new project in Franklinville.
- ✓ Meeting with Dave Fenske and Richard Zink.
- ✓ Meeting with Assemblyman Joe Sempolinski.
- ✓ Meeting with Kinley Contractor regarding possible new project.
- ✓ Meeting with developers of possible new project in Humprey.
- ✓ Attend Cattaraugus County Economic Development Meeting in Little Valley.
- ✓ Meeting regarding possible new project in Portville.
- ✓ Meeting with developer of possible new project in Little Valley.
- ✓ Attend Olean Union Sales public hearing in Olean.
- ✓ Attend Creeley Construction/Hidden Gems Resort public hearing in Mansfield.

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

- ✓ **Olean Times Herald:** Article: "Buffalo Bills stadium steel work just the start for Olean's Cimolai-HY."
- ✓ **Buffalo Business First:** Article: "Indoor farming company rebrands, partners with Tops Friendly Markets."
- ✓ **Camoin Associates:** Article: "Unlocking Business Potential: Who Helps Your Community Grow?"
- ✓ **Handout:** "Manufacturing PMI at 50.9% - January 2025 Manufacturing ISM Report on Business."
- ✓ **Forbes:** Article: "Five Ways to Revitalize American Manufacturing."
- ✓ **Wellsville Sun:** Article: "Confer: New York requires retailers to fix what it broke."
- ✓ **Area Development:** Article: "Large-Scale Projects Face Financing Challenges."
- ✓ **Governing:** Article: "One Way Trump Could Help Revive Rural America."

Executive Session: (For a matter of attorney/client privileges)

Motion- :
:
Time:

-Motion to reenter the CCIDA Board Meeting-:
:
Time:

Adjournment:

Motion- :
:
Time:

*** Next CCIDA Board of Directors Meeting is
March 25, 2025 at 11:15 a.m. at the IDA Office.**

Zoom Meeting access Information:

Topic: County of Cattaraugus IDA Board Meeting
Time: Feb 18, 2025 11:15 AM Eastern Time (US and Canada) Join Zoom Meeting
<https://us02web.zoom.us/j/87370295562?pwd=yDs2Yl1lNP1yAPxOVtcFHMaUu0o65Q.1>

Meeting ID: 873 7029 5562
Passcode: 945419

One tap mobile
+16469313860,,87370295562#,,, *945419# US
+19292056099,,87370295562#,,, *945419# US (New York)
Dial by your location
• +1 646 931 3860 US
• +1 929 205 6099 US (New York)

Meeting ID: 873 7029 5562
Passcode: 945419

**COUNTY OF CATTARAUGUS
INDUSTRIAL DEVELOPMENT AGENCY**

BOARD MEETING MINUTES

January 14, 2025

CCIDA Offices

9 East Washington Street

Ellicottville NY 14731

11:15 a.m. In Person or via Teleconference Call/Zoom

Roll Call: -Taken-

Members

Present:

Mr. Joseph Higgins
Mr. Brent Driscoll
Mr. James (Joe) Snyder
Ms. Ginger Schroder
Mr. Michael Wimer
Mr. Thomas Cullen

Excused:

Mr. Thomas Buffamante-Chairman

CCIDA Staff/Counsel:

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

Presenters/Guests:

Mr. Bob Clark, Olean Times Herald (via zoom)
Mr. Rick Miller, Olean Star (via zoom)
Mr. Jake Creeley, Creeley Construction/Hidden Gems Family Resorts, LLC

Mr. Higgins called the meeting to order at 11:15 a.m.

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

A Motion was made by Brent Driscoll seconded by James Snyder to accept the Board Meeting Minutes from November 19, 2024. All in favor. **Motion Carried.**

New Applications/Projects*

-Mr. Wiktor introduced Jake Creeley of Creeley Construction/Hidden Gems Family Resort, LLC to provide an overview of the project. Jake indicated the project would consist of 30 villas of approximately a little less than 1,000 square feet a piece, a private lounge area of approximately 4,500 square feet and walking trails consisting of concrete pathways as they want to create the experience that the villas are somewhat secluded. Jake stated he has guests from Ohio, Canada and Pennsylvania but would say about 50 to 60 percent are from the Buffalo area, Rochester and Toronto. Jake indicated he feels that value is the key and is looking to be as fully occupied as possible which will happen through smart design, the layout and creating value. Mr. Wiktor thanked Jake for speaking today and the Board thanked Jake for attending and overview of the project.

-1.) -Creeley Construction/Hidden Gems Family Resorts, LLC:

-Hidden Gems Family Resorts/Creeley Construction (Aranar) is a local Real Estate development Company in Western New York is seeking NYS sales tax, NYS mortgage tax and real property tax benefits (PILOT) for the construction of 30 short term rentals collectively known as a "Landscape Hotel", along with an amenity building and associated parking on property located at 7060 NYS Route 242 in the Town of Mansfield. The developer has a rental destination unit which has been operational since 2023 in Mansfield/Ellicottville located near HoliMont.

Please see their website at: <https://aranar.com/> to see their unit and what they are proposing (similarly) with this Landscape Hotel to be constructed.

-The Total Project Investment: \$10,500,000.

-Mr. Wiktor indicated next on the agenda is Olean Union Sale Corp. who has submitted an application for a nice expansion project which will allow them to grow, increase their employment, get more in line with building their sales, with assembly that will help timing for customers and create efficiency when they are installing their materials. Mr. Wiktor indicated they have acquired 2 lots and Steve Blaske, the President and Owner is currently on his honeymoon and could not attend today's meeting, but would like to attend our February meeting to give an overview and express his desire for support.

-2.) Olean Union Sales Corp.:

-Olean Union Sales Corp. A family-owned building material supplier located in Olean that has been in business since 1919 has submitted an application to the IDA seeking NYS mortgage tax, NYS sales tax and real property tax benefits (PILOT) for the construction of a new 6,000 square foot building that will allow them to expand their product services and materials at 426 South Union Street, Olean, New York. *Reference materials on the business and their services has been included in the application.*

-The Total Project Investment: \$750,000.

Resolution from Prior Approved Projects

-Mr. Murray indicated there has been a request for the Board to approve three 5 megawatt solar projects from 2021 called Omni Otto A, B and C in the Town of Otto. He stated the project was approved in 2021 and the company ran into some cost and infrastructure challenges getting on and working the grid. He stated he understands those issues have been resolved; however, in the interim, the current owner ran into some financial challenges. Mr. Murray further stated they have not broken ground and have not spent a penny because of their interconnecting challenges, so a new entity called Radial Power, LLC is going to be acquiring 100 percent of

each of the project entities. Mr. Murray indicated we do not have to have new documents prepared or filings with the clerk, it is just at the ownership level, so the company is seeking the consent of the Agency to sell 100 percent of their interest to the new owner, Radial Power, LLC. Mr. Murray further stated the company said they are prepared to start construction this quarter, the project has not changed, it is the same exact project that was approved.

-1.) -Omni Otto A, LLC:

- Omni Otto A, LLC has notified the IDA of a change of control relative to the project which was approved on January 8, 2021 whereby the current 100% holder of the membership interest in the company being OYA Renewable Construction Holdings 2 LLC will transfer 100% of its membership interest in the company to Radial Power, LLC. The IDA hereby is proposing to consent to the assignment subject to the terms and conditions of the Resolution and to authorize the execution and delivery of certain documents and agreements.

Resolution:

A Motion was made by James Snyder seconded by Brent Driscoll, RESOLUTION OF THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY"): (i) AUTHORIZING AN ASSIGNMENT REQUEST RECEIVED FROM OYA RENEWABLES CONSTRUCTION HOLDINGS 2 LLC (THE "OWNER") OF ALL THE MEMBERSHIP INTERESTS IN OMNI OTTO A LLC (THE "COMPANY") IN CONNECTION WITH A CERTAIN PROJECT (AS MORE FULLY DESCRIBED BELOW) TO BE UNDERTAKEN BY THE AGENCY AND THE COMPANY; AND (ii) AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS WITH RESPECT TO SAME. A roll call of the Board of Directors of the CCIDA was taken, Mr. Higgins, Mr. Snyder, Mr. Driscoll, Mr. Cullen, Mr. Wimer and Ms. Schroder voted yes. **Motion Carried.** Mr. Buffamante was excused.

-2.) -Omni Otto B, LLC:

-Omni Otto B, LLC has notified the IDA of a change of control relative to the project which was approved on January 8, 2021 whereby the current 100% holder of the membership interest in the company being OYA Renewable Construction Holdings 2 LLC will transfer 100% of its membership interest in the company to Radial Power, LLC. The IDA hereby is proposing to consent to the assignment subject to the terms and conditions of the Resolution and to authorize the execution and delivery of certain documents and agreements.

Resolution:

A Motion was made by James Snyder seconded by Brent Driscoll, RESOLUTION OF THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY"): (i) AUTHORIZING AN ASSIGNMENT REQUEST RECEIVED FROM OYA RENEWABLES CONSTRUCTION HOLDINGS 2 LLC (THE "OWNER") OF ALL THE MEMBERSHIP INTERESTS IN OMNI OTTO B LLC (THE "COMPANY") IN CONNECTION WITH A CERTAIN PROJECT (AS MORE FULLY DESCRIBED BELOW) TO BE UNDERTAKEN BY THE AGENCY AND THE COMPANY; AND (ii) AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS WITH RESPECT TO SAME. A roll call of the Board of Directors of the CCIDA was taken, Mr. Higgins, Mr. Snyder, Mr. Driscoll, Mr. Cullen, Mr. Wimer and Ms. Schroder voted yes. **Motion Carried.** Mr. Buffamante was excused.

-3.) -Omni Otto C, LLC:

-Omni Otto C, LLC has notified the IDA of a change of control relative to the project which was approved on January 8, 2021 whereby the current 100% holder of the membership interest in the company being OYA Renewable Construction Holdings 2 LLC will transfer 100% of its membership interest in the company to Radial Power, LLC. The IDA hereby is proposing to consent to the assignment subject to the terms and conditions of the Resolution and to authorize the execution and delivery of certain documents and agreements.

Resolution:

A Motion was made by James Snyder seconded by Brent Driscoll, RESOLUTION OF THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY"): (i) AUTHORIZING AN ASSIGNMENT REQUEST RECEIVED FROM OYA RENEWABLES CONSTRUCTION HOLDINGS 2 LLC (THE "OWNER") OF ALL THE MEMBERSHIP INTERESTS IN OMNI OTTO C LLC (THE "COMPANY") IN CONNECTION WITH A CERTAIN PROJECT (AS MORE FULLY DESCRIBED BELOW) TO BE UNDERTAKEN BY THE AGENCY AND THE COMPANY; AND (ii) AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS WITH RESPECT TO SAME. A roll call of the Board of Directors of the CCIDA was taken, Mr. Higgins, Mr. Snyder, Mr. Driscoll, Mr. Cullen, Mr. Wimer and Ms. Schroder voted yes. Motion Carried. Mr. Buffamante was excused.

-RevRail and Rail Spur in Cattaraugus Update:

-Mr. Wiktor indicated they officially signed the seven (7) year license agreement between Revolution Rail and the IDA in December 2024. Work is ongoing and there is about a mile left as whether is a dependent. Mr. Wiktor spoke to the contractor on Friday and he has already purchased several used ties that they can use so once the weather breaks, he can get his equipment in, replace ties and straighten the line out. There is a tentative opening date of May of 2025 so it is coming along quickly.

*CCIDA Financial Reports:

A Motion was made by Michael Wimer seconded by James Snyder to accept the November 2024 and December 2024 CCIDA Operating Statements as presented to the Board. All in Favor - Motion Carried. Mr. Buffamante was excused.

*Income for December 2024 (\$126,928.12):

- \$ 5,000.00 – CCCR Yearly Payment per Agreement
- \$52,115.62 – First half of Administrative Fee for Field of Dreams (11/20/24)
- \$69,812.50- Kless Boys project (project closed 11/14/2024)

*Income for January 2025 (\$1,500.00):

- \$ 1,500.00 – Application fee from Olean Union Sales

- General update on projects in process; including the Agency has 2 projects in the closing stage which should close in the 1st quarter of this year.

***Executive Directors Reports:**

-Internal (IDA Meetings/Discussions):

- ✓ Meeting with developer of potential apartment project in Ellicottville. Apartments are very much needed!
- ✓ Meeting with Nick Ferreri at Field of Dreams regarding project updates and tour of facilities.
- ✓ Met with developer of potential project in Olean.
- ✓ Continued discussions with an out of area manufacturer who we are trying to lure to Cattaraugus County.
- ✓ Discussed a project/application with an Ellicottville area Company of an IDA project relating to the business needs in the Spring of 2025.
- ✓ Discussing a manufacturing project in the Franklinville area. More to follow in Feb.
- ✓ Met with a Commercial Real estate Firm relating to their listing of the former Bimbo USA facility in Olean.
- ✓ Working with Rich Schechter from Cushman Wakefield with respect to marketing and trying to fill the former Frank Ralph's building in Cattaraugus.
- ✓ Meeting in Cattaraugus regarding RevRail.
- ✓ Participated in NYS Energy Future Zoom meeting.
- ✓ Attended Community Action Enterprise Board Meeting.
- ✓ Attended Laine Business Accelerator Community showcase in December.
- ✓ Attended Cattaraugus County Economic Development Team meeting relating to the Grant that the Economic Development won from the Ralph J. Wilson Foundation.
- ✓ Meeting with Mark Storch regarding a new Campground in the County, along with the developers Engineering Firm who is trying to put the project together.
- ✓ Meeting with developer regarding potential Mansfield project.
- ✓ Meeting with Olean Sales regarding new project.
- ✓ Meeting with an out of state developer who is considering multiple projects in the central part of the County. More to follow.
- ✓ Attended Western New York Regional IDA holiday luncheon.
- ✓ Met with Harold Hibbard who owns a commercial building within the County to assist a possible project.
- ✓ Attended OBDC Board Meeting.

- ✓ Conducted 3 Public Hearings relating to the proposed Alle-Catt Wind project.
- ✓ Meeting with Kinley Contractors on a variety of development projects.
- ✓ Had several meetings with a County Not-For-Profit who is considering doing a sizeable bond/project. Possible application in Feb./March.
- ✓ Meeting with Scott Symans and Mark Storch relating to the rehab of the rail line in Cattaraugus.
- ✓ Met with Bob Murray for a lengthy meeting relating several on-going IDA items.
- ✓ Putting together some stats and figure showing and highlighting several IDA recent projects to show the impact and positive economic development thrust that each project has delivered.
- ✓ Meeting with developer of potential project in Ellicottville area.
- ✓ Meeting with Hart Hotels regarding potential Cattaraugus project.
- ✓ Met with Jean Smith from the Rusty Rooster relating to their expansion project. Possible Feb. application.

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

- ✓ **Olean Star:** Article: Update on Great Lakes Cheese project and producing cheese at the new plant!
- ✓ **Olean Times Herald:** Article: "*DEC: Benson finishes 351 brownfield cleanup*". Great news on a former IDA project.
- ✓ **Handout/Department of Labor:** "*State Labor Department Releases Preliminary November 2024 Area Unemployment Rates*".
- ✓ **Federal Reserve Bank of New York:** Article: "*Empire State Manufacturing Survey*".

Executive Session:

A Motion was made by Michael Wimer seconded by Ginger Schroder to go into Executive Session for Attorney/Client Privilege at 11:55 a.m. All in Favor – **Motion Carried.** Mr. Buffamante was excused.

A Motion was made by Brent Driscoll seconded by Joseph Higgins to exit Executive Session and return to the regular meeting at 1:36 p.m. All in Favor – **Motion Carried.** For the official record, no action was taken in the Executive Session. Mr. Buffamante was excused.

A Motion was made by Brent Driscoll seconded by James Snyder to adjourn the meeting at 1:37 p.m. All in Favor – **Motion Carried.**

*** Next CCIDA Board of Directors Meeting: February 18, 2025 at 11:15 a.m.**
at the CCIDA Offices
9 E. Washington Street, Ellicottville, NY
and also, via Zoom.

APPLICATION FOR FINANCIAL ASSISTANCE



Name of Applicant:

Mazza Mechanical Services, Inc.

Date Submitted:

February 10, 2025

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

I. Eligibility Questionnaire - Applicant Background Information

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

A) Applicant Information-company receiving benefit:

Applicant Name: Mazza Mechanical Services, Inc.
Applicant Address: 430 N. 7th street
City/Town: Olean State: NY Zip: 14760
Phone: 716-372-0091
E-mail: dderose@mazza-hvac.com

B) Business Organization (check appropriate category):

Corporation	<input checked="" type="checkbox"/>	Partnership	<input type="checkbox"/>
Public Corporation	<input type="checkbox"/>	Joint Venture	<input type="checkbox"/>
Sole Proprietorship	<input type="checkbox"/>	Limited Liability Company	<input type="checkbox"/>
Other (specify) _____			
Year Established: _____		State in which Organization is established: _____	

C) Individual Completing Application:

Name: Dan DeRose
Title: President
Address: 430 N. 7th street
City/Town: Olean State: NY Zip: 14760
Phone: 716-378-8726 E-Mail: dderose@mazza-hvac.com

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

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

E) Company Counsel:

Name of Attorney: Attea + Attea, Brian Attea
Firm Name: Attea + Attea
Title: Partner
Address: 11 Main Street
City/Town: Hamburg State: NY Zip: 14775
Phone: 716-648-7000 E-Mail: BAttea@attelaw.com

F) Benefits Requested (select all that apply):

- | | |
|-------------------------------------|--|
| 1. Exemption from Sales Tax | <input checked="" type="checkbox"/> Yes or <input type="checkbox"/> No |
| 2. Exemption from Mortgage Tax | <input type="checkbox"/> Yes or <input checked="" type="checkbox"/> No |
| 3. Exemption from Real Property Tax | <input checked="" type="checkbox"/> Yes or <input type="checkbox"/> No |
| 4. Tax Exempt Financing * | <input type="checkbox"/> Yes or <input checked="" type="checkbox"/> 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: Founded in 1932, the company specialized in sheet metal for HVAC & ventilation systems. Today they have 125 employees in the region. The company designs, engineers, installs and maintains mechanical.
- We have included a full breakdown on the company and its services.

Estimated % of sales within Cattaraugus County: 60
Estimated % of sales outside Cattaraugus County but within New York State: 35%
Estimated % of sales outside New York State but within the U.S.: 5%
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 40%

Identify vendors within Cattaraugus County for major purchases: - Kierley Construction, Hill Electric, Paul Brown, Malloys, IRE Supply, Sartorius Electric

II. Eligibility Questionnaire - Project Description & Details

A) Project Location

Address of Proposed Project Facility: 430 N. 7th Street
City/Town: Olean School District: Olean Central SD
SBL Number(s) for proposed Project _____

Current Address (if different): 430 N. 7th St.
City/Town: Olean NY

What are the current real estate taxes on the proposed Project site? \$8,400
If amount of current taxes is not available, provide assessed value for each
Land: \$ 96,200 Buildings(s): \$ 116,000 *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.):

- Vacant building.

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 purchase of various equipment and fixtures to allow the company to move its pipe fabrication division to clean. Re project is the renovation of roughly 6,000 sq. ft.

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: - However the move to this location is jeopardized.

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: N/A

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):

The physical move, a major period of disruption, record inflation on materials and products could hinder the move that will allow the company to fill a vacant space & hire 5 new people.

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? In other words, by way of example only, you would check the "yes" box if you believe, in the event the Agency was unable to provide financial assistance, that it is likely that you would not undertake the Project. ☒ 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? The project would be in question.

C) Site Characteristics

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

Describe the present zoning/land use: 449 - Storage / Manuf.

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:

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

D) Project Type

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

Acquisition of Existing Facility	<input type="checkbox"/>	Life Care Facility (CCRC)	<input type="checkbox"/>
Affordable/Workforce Housing	<input type="checkbox"/>	Market Rate Housing	<input type="checkbox"/>
Assisted Living	<input type="checkbox"/>	Mixed Use	<input type="checkbox"/>
Back Office	<input type="checkbox"/>	Multi-Tenant	<input type="checkbox"/>
Civic Facility (not for profit)	<input type="checkbox"/>	Renewable Energy	<input type="checkbox"/>
Commercial	<input type="checkbox"/>	Research/Design	<input type="checkbox"/>
Senior Housing	<input type="checkbox"/>	Retail	<input type="checkbox"/>
Facility for Aging	<input type="checkbox"/>	Warehousing	<input 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	6,000	\$1,200,000	100%
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 2025
2. Estimated completion date of project: Jan. 2026
3. Project occupancy – estimated starting date of occupancy: Jan. 2026

E) Overall Project Costs

Estimated costs in connection with Project:

1. Land and/or Building Acquisition _____ acres _____ square feet \$ _____
2. New Building Construction _____ square feet \$ _____
3. New Building Addition(s) _____ square feet \$ _____
4. Infrastructure Work \$ _____
5. Reconstruction/Renovation 6,000 square feet * \$1,200,000
6. Manufacturing Equipment \$ _____
7. Non-Manufacturing Equipment (furniture, fixtures, etc.) * \$ _____
8. Soft Costs: (Legal, architect, engineering, etc.) \$ _____
9. Other, Specify: _____ \$ _____

renovation,
move, equipment,
build out

TOTAL Costs: \$ 1,200,000

Construction Cost Breakdown:

Total Cost of Construction \$ 1,200,000 (sum of 2,3,4 and 5 above)
 Cost of materials: \$ _____
 % sourced in Cattaraugus County 30+ %

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

Sources of Funds for Project:

Bank Financing \$ N/A
Equity (excluding equity that is attributed to grants/tax credits) \$ 1,200,000
Public Sources (Include sum total of all state and federal grants and tax credits) \$ N/A
Identify each state and federal grant/credit: (i.e. Historic Tax Credit, New Market Tax Credit, Brownfield Cleanup Program, ESD, other public sources)

Total Sources of Funds for Project Costs: \$ 1,200,000

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

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: \$ 1,200,000

Estimated State and Local Sales and Use Tax Benefit (multiply 8.0% by the figure, above): \$ 96,000

*** 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): \$ N/A

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

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): 15 Year manufacturing

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 CreationIs the project necessary to expand project employment? ☒ Yes or ☐ NoIs 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)	125	125	5	130
Part Time (PT)	-	-	-	-
Total ***	125	125	130	130

** 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	115	\$40,000	\$70,000		
Administrative	10				
Production					
Independent Contractor	-				
Other	125				

** 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
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

\$ 10,500,000
\$ _____
\$ _____
\$ _____
\$ _____

From (full time) \$ _____
From (part time) \$ _____

To (full time) \$ _____
To (part time) \$ _____

NA

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

NA

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? _____

N/A

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? 0%. If the answer is less than 33% do not complete the remainder of the retail determination and proceed to Inter-Municipal Move Determination.

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

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

If yes, explain - Will move activation of the business into the County into a space that has been vacant, - will allow the creation of 5 jobs.

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

N/A

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? _____

N/A

MA

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.

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.)
\$1,200,000	\$	\$96,000 - At max	NA	NA

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

Attachment A: Representations, Certifications and Indemnification

Daniel DeRose (name of CEO or other authorized representative of Applicant) confirms and says that he/she is the President (title) of Mazza Mechanical Services, Inc. (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 November 1, 2022)

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 Development 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.

Automobile Liability: Business Auto Liability with limits of at least \$1,000,000 each accident. Business Auto coverage must include coverage for liability arising out of all owned, leased, hired and non-owned automobiles.

County of Cattaraugus Industrial Development Agency shall be included as Additional Insured on a Primary & Non-Contributory basis on the auto policy. 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.

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.



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Commercial

[Property Info](#)

[Owner/Sales](#)

[Inventory](#)

[Improvements](#)

[Tax Info](#)

[Tax Calculator](#)

[Report](#)

[Comparables](#)

Com. Sites

[< 1 >](#)

Parcel History

[View parcel history data](#)

Municipality of City of Olean

SWIS: 041200 Tax ID: 94.056-7-2

Tax Map ID / Property Data

Status:	Active	Roll Section:	Taxable
Address:	450 Seventh St N		
Property Class:	449 - Other Storage	Site Property Class:	449 - Other Storage
Ownership Code:			
Site:	Com 1	In Ag. District:	No
Zoning Code:	-	Bldg. Style:	Not Applicable
Neighborhood:	12402 -	School District:	Olean
Total Acreage/Size:	194 x 196	Equalization Rate:	---
Land Assessment:	2024 - \$96,200	Total Assessment:	2024 - \$165,000
Full Market Value:	2024 - \$222,973		
Deed Book:	20222	Deed Page:	4337
Grid East:	1187647	Grid North:	759587

Special Districts for 2024

No information available for the 2024 roll year.

Land Types

Type	Size
Primary	102 x 198

Photographs

(Click on photo to enlarge it.)



10/21/2008-Photo

Photo 1 of 2



Documents

- [Deed History Card](#)
- [RP5217 11/2022](#)

Maps

[CLICK HERE](#) for information on purchasing tax maps.

[View Tax Map](#)

[Pin Property on GIS Map](#)



Photo
Photo 1 of 2

Photo for 94.056-7-2 in City of Olean



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Commercial

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[Comparables](#)

Com. Sites

< 1 >

Parcel History

[View parcel history data](#)

Municipality of City of Olean

SWIS: 041200 Tax ID: 94.056-7-2

Inventory

Overall EFF Year Built:
Overall Condition: Normal
Overall Grade: Average
Overall Desirability: 3

Buildings

Air Cond. %	Sprinkler %	Alarm %	Elevators	Basement Type	Year Built	Eff Year Built	Condition	Quality	Gross Floor Area	Stories	Nbr Identical Bldgs
0	0	0	0		1910		Normal	Average	5928	1	1

Utilities

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

Site Uses

Use	Rentable Area	Total Units
Cold str/Rfng/W	5,928 sq. ft.	0

Photographs

(Click on photo to enlarge it.)



10/21/2008-Photo

Photo 1 of 2

Documents

+ Deed History Card
+ RP5217 11/2022

Maps

[CLICK HERE for information on purchasing tax maps.](#)

[View Tax Map](#)

[Pin Property on GIS Map](#)

Estimated Taxes for Parcel Number 94.056-7-2 in the City of Olean (City) for 2025

Messages

- If you reside in a city/town that is completing a revaluation, the total tax may not be accurate. This is because this tool uses ACTUAL tax rates from the previous year. The new tax rates for a reval city/town may be SIGNIFICANTLY different.

Total Taxes = \$8,831.94 for the year 2025

SCHOOL (Olean (City))

Previous 2024 Assessed Value: \$165,000.00
2024 SCHOOL (Olean (City)) Rate: 25.987016

\$4,287.86 (49%)

COUNTY(Olean (City))

Previous 2023 Assessed Value: \$165,000.00
2024 COUNTY(Olean (City)) Rate: 11.460786

\$1,891.03 (21%)

City(Olean (City))

Previous 2023 Assessed Value: \$165,000.00
2024 City(Olean (City)) Rate: 16.079112

\$2,653.05 (30%)

Total Taxes = \$8,831.94 for the year 2025

Tax report generated on February 12, 2025 (2025-02-12 15:49:47) for Print Key = 09405600070020000000

Error getting ALL Assessed Values for the City of Olean (City) for the year 2025 as assessments may not exist yet.

Notice

- Parcels that have been split / combined may not show all taxes!
- These figures are generated from the current tax rates and represent **base taxes only!**
- **Exemptions**, such as, back taxes, fees and interest **are not included!**
- If you reside in a city/town that is completing a revaluation, the total tax may not be accurate. This is because this tool uses ACTUAL tax rates from the previous year. The new tax rates for a reval city/town may be SIGNIFICANTLY different.

Tax changes occur 5 times per year in New York State.

- School Rates change on *September 1* and use the most current assessed value.
- Town and County Rates change on *January 1*
- Village Tax Rates change on *June 1*
- City of Olean Tax Rates change on *May 1*
- City of Salamanca Tax Rates change on *April 10*

Contacts for this property

Assessor: Gregg Piechota (More information about Assessor Gregg Piechota) 716-376-5630 , assessor@cityofolean.org
Hours: Monday - Friday 9AM - 5PM

Tax Collector: Cattaraugus County Treasurer (More information about Tax Collector Cattaraugus County Treasurer)
Phone: 716-938-9111

School Tax Collector: Sara Williams (More information about Tax Collector Sara Williams)
Phone: 716-375-8020

[View more information about this property](#)



THE HISTORY OF **MAZZA MECHANICAL**

Founded in 1932 as Mazza Bros., the company specialized in sheet metal fabrication as well as heating and ventilation systems. In 1965, the company was officially incorporated as Mazza Sheet Metal, with Joseph DeRose serving as managing partner. By 1974, Joe was the sole owner of the business. Truly a family-owned and operated business, Joe's four sons spent many years working in the field and office, getting their hands dirty and learning the trade. In December 2004, Mazza purchased the Buffalo, N.Y., Linc Service® franchise and followed that up with the nearby Rochester franchise a few years later. With the Linc Service® franchise, the company had the opportunity to grow its service business. Through the decades, Mazza evolved from a two-person sheet metal shop into a thriving, full-service mechanical contractor that employs over 100 people throughout the region. Today, Mazza designs, engineers, installs, and maintains each system in house, and stands behind its work to ensure complete customer satisfaction.

MAZZA MECHANICAL TIMELINE

1932



MAZZA BROTHERS FOUNDED



Brothers by Milo and Edd Mazza, the company began as a sheet metal shop producing everything from roofing, screen doors, awnings, and windows to ductwork for ventilation and heating systems.

1965



MAZZA SHEET METAL

The company was incorporated as Mazza Sheet Metal Inc., with Milo Mazza, Walter Kula, and Joseph DeRose serving as corporate officers.

1974



JOSEPH DEROSE

Joseph DeRose became the sole owner. Today, the business continues to be privately owned and operated by the family.

1994



DAN AND LEDGIE DEROSE

Joseph's sons, Daniel, President, and Ledgie, Vice President, took over management of the business after the death of their father.

July 2004



JAMESTOWN OFFICE

Mazza opened an office in Jamestown to better serve its rapidly growing southern NY and PA clientele. The Jamestown office consists of engineering and sales staff.

December 2004



Acquired Linc Services franchise for the Buffalo territory to offer proactive preventative maintenance solutions.

2007

◀ TRANSITION AND GROWTH

The company integrated as Mazza Mechanical Services to better reflect its status as a full-service mechanical contractor.

July 2007

◀ BUFFALO OFFICE

Mazza opened an office in Orchard Park as part of the vision for growing our Buffalo customer base.

2009

◀ \$1M IN MAINTENANCE

Mazza received the Maintenance Base Achievement Award in recognition of outstanding performance in over \$1 million in the Linc Service Maintenance base.

2017

◀ ORCHARD PARK, NY

Mazza purchases office and fabrication space in Orchard Park, NY to better serve our rapidly expanding Buffalo area customer base.



SAFETY COUNCIL

The National Safety Council recognizes Mazza for operating 100,000 employee hours without a lost time incident due to accident or injury.

2022



NATIONAL CONTRACTOR INSURANCE RECOGNIZES MAZZA

National Contractor Insurance (NCI) recognizes Mazza with an Award of Excellence for outstanding Risk Control, performing in the top 25% of all members.

2023



\$5M IN MAINTENANCE

Mazza's Service group achieves a maintenance base of over \$5M, further demonstrating our ability to exceed our customer's expectations through superior service.



Mazza Mechanical Services is known across Western New York and Northwestern PA for our superior single sourcing of facility and process mechanical installations. Our wide range of capabilities include, full sheet metal fabrications and installations to full piping systems, from simple heating to complex heat recovery systems. We pride ourselves in being a full service design build contractor.





ES

mental impact

🕒 Enhanced compliance



Mazza Mechanical Services is known across Western New York and Northwestern PA for our superior single sourcing of facility and process mechanical installations. Our wide range of capabilities include, full sheet metal fabrications and installations to full piping systems, from simple heating to complex heat recovery systems. We pride ourselves in being a full service design build contractor.





SUSTAINABLE SOLUTIONS

To help our customers leverage the power of energy innovation and control their energy utilization, as well as other natural resources, we offer a full complement of energy solutions. On an individual or bundled basis, we provide energy-efficient infrastructure retrofits and upgrades, equipment, and services for your facility to help reduce energy costs.

Some of the benefits our customers enjoy as a result of employing these practices include:

- ✔ Reduce operational costs

- Mist Collectors
- Fume & Odor Mitigation
- Heat Removal/Recovery
- Flues, Breeching, Process & Exhaust
- Compressed Air, High & Low Pressure
- Compressed Gases, High & Low Pressure
- Material Transfer System
- Waste Treatment
- Rigging Equipment, Ductwork & Piping

FABRICATION

In addition to the fabrication of HVAC systems, our skilled craftsmen are experienced in working with all types of metals, including aluminum, stainless steel and copper. We offer complete custom fabrication for specialty items such as hoods, pans, racks, stands, gutters and flashing – designed to your specifications and fabricated with precision.

- ✔ Plasma Cutter that lays out and cuts pieces for ductwork fittings
- ✔ Ductwork Line that cuts, bends, and seams rectangular ductwork
- ✔ HVAC / Process / Dust Collection / Vacuum



INDUSTRIAL

Our wealth of industrial project experience is time and time again utilized to assist our customers in making an educated decision on what equipment, system & alterations are right for the application.

- Steam & Hot Water Boilers
- Chillers
- Cooling Towers
- Closed Circuit Coolers

DESIGN BUILD

Mazza Mechanical Services possess the knowledge and hands on experience of knowing which system is right for the application. There is something to be said for having, "been there and done that." Equipment vendors and sub-contractors are selected at the beginning of the design process to solidify the team approach, all working toward one common goal. This brings the best ideas to the design phase so that financial decisions can be made and costly change orders eliminated.





Mazza Mechanical Services

OUR WORK

[View all](#) [About Mazza](#) [Project Solutions](#) [Service Solutions](#)



HOW MAZZA DELIVERED OVER \$1 MILLION IN INCENTIVES

Our team at Mazza Mechanical thrives on solving challenges with innovative solutions. T...

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 I based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

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

Part 1 - Project and Sponsor Information							
Name of Action or Project: <i>Mazza Mechanical Services, Inc.</i>							
Project Location (describe, and attach a location map): <i>430 N. 7th Street</i>							
Brief Description of Proposed Action: <i>- Renovation of 6,000 sq. ft. vacant, once manufacturing facility in the City of Olean. This will allow mazza to move their current pipe fabrication division to Olean.</i>							
Name of Applicant or Sponsor: <i>Mazza Mechanical Services, Inc.</i>		Telephone: <i>716-378-8726</i>					
Address: <i>430 N. 7th Street</i>		E-Mail: <i>dderose@mazza-hvac.com</i>					
City/PO: <i>Olean</i>	State: <i>NY</i>	Zip Code: <i>14760</i>					
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.			<table border="1"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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:			<table border="1"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td align="center"><input checked="" type="checkbox"/></td> <td align="center"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3. a. Total acreage of the site of the proposed action?		<i>102 x 148</i> acres					
b. Total acreage to be physically disturbed?		<i>102 x 148</i> acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<i>102 x 148</i> acres					
<i>- All Interior</i>							
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 checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland							

5. Is the proposed action,	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	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: <u>City of Clean</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: <u>City of Clean</u>	<input type="checkbox"/>	<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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

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"/> 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?		<table border="1"> <tr> <th>NO</th> <th>YES</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES					
<input checked="" type="checkbox"/>	<input type="checkbox"/>					
16. Is the project site located in the 100-year flood plain?		<table border="1"> <tr> <th>NO</th> <th>YES</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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,		<table border="1"> <tr> <th>NO</th> <th>YES</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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: _____ _____		<table border="1"> <tr> <th>NO</th> <th>YES</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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: _____ _____		<table border="1"> <tr> <th>NO</th> <th>YES</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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: _____ _____		<table border="1"> <tr> <th>NO</th> <th>YES</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES					
<input checked="" type="checkbox"/>	<input type="checkbox"/>					
<p>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor/name: <u>Daniel DeRose</u> Date: <u>2/14/25</u></p> <p>Signature: <u>Daniel DeRose</u> Title: <u>President</u></p>						

PRINT FORM

APPLICATION FOR FINANCIAL ASSISTANCE



Name of Applicant: The Schwab Transport & Schwab Aggregates
Date Submitted: Feb. 1, 2025

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

I. Eligibility Questionnaire - Applicant Background Information

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

A) Applicant Information-company receiving benefit:

Applicant Name: JL Schwab & Schwab Associates, LLC
Applicant Address: 100 "C" Pigeon Hill Road
City/Town: Delaware State: NY Zip: 14042
Phone: 716-353-2448
E-mail: jschwab386@gmail.com

B) Business Organization (check appropriate category):

Corporation ☐
Public Corporation ☐
Sole Proprietorship ☐
Other (specify) _____

Partnership ☐
Joint Venture ☐
Limited Liability Company ☒

Year Established: _____ State in which Organization is established: NY

C) Individual Completing Application:

Name: Jason & Lauren Schwab
Title: owner / member
Address: 10090 Pigeon Hill Road
City/Town: Delaware State: NY Zip: 14042
Phone: 716-397-5937 E-Mail: _____

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

Name: Lauren Schwab as well
Title: _____
Address: (same)
City/Town: _____ State: _____ Zip: _____
Phone: _____ E-Mail: _____

E) Company Counsel:

Name of Attorney: Hopkins, Sargi & McCarthy PLLC
Firm Name: Peter Sargi
Title: partner
Address: 574 Main St. Suite 201
City/Town: East Aurora State: NY Zip: 14052
Phone: 716-908-3289 E-Mail: p.sargi@hsmlegal.com

F) Benefits Requested (select all that apply):

- | | |
|-------------------------------------|--|
| 1. Exemption from Sales Tax | <input checked="" type="checkbox"/> Yes or <input type="checkbox"/> No |
| 2. Exemption from Mortgage Tax | <input checked="" type="checkbox"/> Yes or <input type="checkbox"/> No |
| 3. Exemption from Real Property Tax | <input checked="" type="checkbox"/> Yes or <input type="checkbox"/> No |
| 4. Tax Exempt Financing * | <input type="checkbox"/> Yes or <input checked="" type="checkbox"/> 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: TL Schuab & Schuab aggregate is a multi generational family owned business that currently operates an ongoing gravel pit, that also has a trucking & hauling division of 40+ trucks and rigs. They offer over 25 products, and do custom hauling as well.

Estimated % of sales within Cattaraugus County: 80
Estimated % of sales outside Cattaraugus County but within New York State: 20%
Estimated % of sales outside New York State but within the U.S.: NA
Estimated % of sales outside the U.S.: NA
(*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 70 %

Identify vendors within Cattaraugus County for major purchases: Spartan, Fleet pride feed, general tools, fuel.

II. Eligibility Questionnaire - Project Description & Details

A) Project Location

Address of Proposed Project Facility: 10064 Pigeon Hill Road.
City/Town: Delavan School/District: Delavan Area 22, 002-2-11
SBL Number(s) for proposed Project: Pioneer CSD

Current Address (if different): 10064 Pigeon Hill Road.
City/Town: Delavan

What are the current real estate taxes on the proposed Project site? \$ 240.00
If amount of current taxes is not available, provide assessed value for each
Land: \$ 8,300 Buildings(s): \$ 11,000 If available include a copy of current tax receipt.

Are Real Property Taxes current at project location? ☒ Yes or ☐ No. If no, explain: Paid current today.

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.):

Vacant land. - old site demolished.

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.):

The Company is proposing to construct a 36,000 sq. ft. new shop to help and grow their business. This will allow them to consolidate their trucking & general business under 1 roof. They will like to grow their employment and will need H/B machinery, truck drivers, trucks, general equipment.

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: The project and growth would not happen but for the consideration of the various EDA incentives based on the investment.

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): Due to record inflation, increased fuel prices and/or rates, regulations the project is in jeopardy of being delayed. The success based on the investment will allow the Company to take this aggressive development project to happen.

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? In other words, by way of example only, you would check the "yes" box if you believe, in the event the Agency was unable to provide financial assistance, that it is likely that you would not undertake the Project. ☒ 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:

MA

If the Applicant is unable to obtain financial assistance for the Project, what will be the impact on the Applicant and Cattaraugus County? The project would be in serious question.

C) Site Characteristics

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

Describe the present zoning/land use: _____

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

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.

- IDA will be "Involved Agency" relating to SEQR

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

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

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

D) Project Type

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

Acquisition of Existing Facility	<input type="checkbox"/>	Life Care Facility (CCRC)	<input type="checkbox"/>
Affordable/Workforce Housing	<input type="checkbox"/>	Market Rate Housing	<input type="checkbox"/>
Assisted Living	<input type="checkbox"/>	Mixed Use	<input type="checkbox"/>
Back Office	<input 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 type="checkbox"/>
Industrial/Manufacturing	<input type="checkbox"/>	Other <u>Gravel + Trucking</u>	<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

- Shop + Back Office

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 *			
Warehouse			
Research & Development			
Commercial *	25,000		60%
Retail (see retail questionnaire) 12,000			
Office	13,000		40%
Renewable Energy			
Specify Other: <u>Shop office</u>	36,000	12,000 \$4,000,000	100%

What is the estimated project timetable (provide dates):

1. Start date: acquisition of equipment or construction of facilities: March 2025
2. Estimated completion date of project: April 2026
3. Project occupancy – estimated starting date of occupancy: April 2026

E) Overall Project Costs

Estimated costs in connection with Project:

1. Land and/or Building Acquisition _____ acres _____ square feet \$ _____
2. New Building Construction 36,000 square feet \$ 2,500,000
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.) \$ 1,500,000
8. Soft Costs: (Legal, architect, engineering, etc.) \$ _____
9. Other, Specify: _____ \$ _____

TOTAL Costs: \$ 4,000,000

25,000 shop
12,000 shop

Construction Cost Breakdown:

Total Cost of Construction \$ 2,500,000 (sum of 2,3,4 and 5 above)
 Cost of materials: \$ 2,500,000
 % sourced in Cattaraugus County 50% %

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

Sources of Funds for Project:

Bank Financing

Equity (excluding equity that is attributed to grants/tax credits)

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)

Possible Farm Credit

Total Sources of Funds for Project Costs:

\$ TBD - Will provide when known.

\$ NA.

\$ NA.

\$ TBD.

\$

\$

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): \$ NA.

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: \$ 4,000,000

Estimated State and Local Sales and Use Tax Benefit (multiply 8.0% by the figure, above): \$ 320,000

*** 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): \$ TBD Will provide and completion provided.

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

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): 10 Year - New Construction Commercial PILOT

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 CreationIs the project necessary to expand project employment? ☒ Yes or ☐ NoIs 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)	80	80	10/15	90
Part Time (PT)	-	-	-	-
Total ***	80	80	10/15=90	90

** 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	-	-	-	-	-
Administrative	10	90,000	-	-	-
Production	70	60,000	-	-	-
Independent Contractor	-	-	-	-	-
Other	Total (80)	-	-	-	-

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

Payroll Information:

Annual Payroll at proposed project site upon project completion	\$	<u>6,700,000</u>
Estimated average annual salary of jobs to be retained (full time)	\$	<u> </u>
Estimated average annual salary of jobs to be retained (part time)	\$	<u> </u>
Estimated average annual salary of jobs to be created (full time)	\$	<u> </u>
Estimated average annual salary of jobs to be created (part time)	\$	<u> </u>
Estimated salary range of jobs to be created		
From (full time)	\$	<u> </u>
To (full time)	\$	<u> </u>
From (part time)	\$	<u> </u>
To (part time)	\$	<u> </u>

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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

MA

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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.
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

Currently 80 people on payroll, will grow & retain employment and will hire skilled professionals for the project. Drivers, mechanics, etc.

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

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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? _____

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NA

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.

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.)
\$4,000,000	\$	\$320,000	\$	TBD

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

Attachment A: Representations, Certifications and Indemnification

Jason Schwab (name of CEO or other authorized representative of Applicant) confirms and says that he/she is the member (title) of Th Schmitt Schwab Agency (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.:

Jason Schwab

being first duly sworn, deposes and says:

1. That I am the member (Corporate Office) of Th Schwab + Schwab Architects (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.

Jason Schwab
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury
this 15 day of February, 2025

Crystal L. Almeter
(Notary Public)

CRYSTAL L. ALMETER, #01AL5068075
Notary Public, State of New York
Qualified in Cattaraugus County
My Commission Expires November 10, 2025

Attachment B: CCIDA Insurance Requirements

COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY (Insurance Specifications as of November 1, 2022)

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 Development 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.

Automobile Liability: Business Auto Liability with limits of at least \$1,000,000 each accident. Business Auto coverage must include coverage for liability arising out of all owned, leased, hired and non-owned automobiles.

County of Cattaraugus Industrial Development Agency shall be included as Additional Insured on a Primary & Non-Contributory basis on the auto policy. 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.

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.



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[Inventory](#)

[Improvements](#)

[Tax Info](#)

[Tax Calculator](#)

[Report](#)

[Comparables](#)

Parcel History

[View parcel history data](#)

Municipality of Freedom

SWIS: 044200 Tax ID: 22.002-2-11

Tax Map ID / Property Data

Status:	Active	Roll Section:	Taxable
Address:	10064 Pigeon Hill Rd		
Property Class:	331 - Com vac w/imp	Site Property Class:	331 - Com vac w/imp
Ownership Code:			
Site:	Com 1	In Ag. District:	No
Zoning Code:	01 -	Bldg. Style:	Not Applicable
Neighborhood:	04200 - Freedom	School District:	Yorkshire-Pioneer
Total Acreage/Size:	0.70	Equalization Rate:	—
Land Assessment:	2024 - \$8,300	Total Assessment:	2024 - \$11,000
Full Market Value:	2024 - \$11,000		
Deed Book:	20221	Deed Page:	1286
Grid East:	1190309	Grid North:	888741

Special Districts for 2024

Description	Units	Percent	Type	Value
FD422-Delevan fire	0	0%		0

Land Types

Type	Size
Primary	0.70 acres

Photographs

(Click on photo to enlarge it.)



05/04/2020-

Photo 1 of 2

Documents

- Deed History Card
- RP5217 11/2019
- RP5217 2/2022

Maps

[CLICK HERE](#) for information on purchasing tax maps.

[View Tax Map](#)

[Pin Property on GIS Map](#)



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Commercial

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[Inventory](#)

[Improvements](#)

[Tax Info](#)

[Tax Calculator](#)

[Report](#)

[Comparables](#)

Parcel History

[View parcel history data](#)

Municipality of Freedom

SWIS: 044200 Tax ID: 22.002-2-11

Ownership Information

Name	Secondary Name	Address
Schwab Land Holdings, LLC		10090 Pigeon Hill Rd Delevan NY 14042

Sale Information

Sale Date	Price	Property Class	Sale Type	Prior Owner
1/27/2022	\$50,000	331 - Com vac w/imp	Land & Building	Gerald M. Kirkby, Revocable Trust
	Value Usable	Arms Length	Deed Book	Deed Page
	No	No	20221	1286
Sale Date	Price	Property Class	Sale Type	Prior Owner
10/23/2019	\$1	331 - Com vac w/imp	Land & Building	Kirkby, Gerald
	Value Usable	Arms Length	Deed Book	Deed Page
	No	No	2019	13029

Historic Deed Information

Book	Page	Prior Printkey
20221	1286	
2019	13029	

Photographs

(Click on photo to enlarge it.)



05/04/2020-

Photo 1 of 2

Documents

- Deed History Card
- RP5217 11/2019
- RP5217 2/2022

Maps

CLICK HERE for information on purchasing tax maps.

[View Tax Map](#)

[Pin Property on GIS Map](#)



Photo 1 of 2

Photo for 22.002-2-11 in Freedom

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																		
Name of Action or Project: TL Schwab Transport + Schwab Aggregates.																		
Project Location (describe, and attach a location map): 10064 Pigeon Hill Rd.																		
Brief Description of Proposed Action: -Construction of 36,000 sq. ft. shop + office for Gravel, Aggregates + trucking etc. - operations.																		
Name of Applicant or Sponsor: TL Schwab Transport + Schwab Aggregates		Telephone: 716-397-5937																
Address: 10090 Pigeon Hill Road.		E-Mail: JSchwab386@gmail.com																
City/PO: Deleware		State: NY	Zip Code: 14042															
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>											
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:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>											
NO	YES																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>																	
3. a. Total acreage of the site of the proposed action?		<u>1.70</u> acres																
b. Total acreage to be physically disturbed?		<u>1.70</u> acres																
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>1.70</u> acres																
4. Check all land uses that occur on, are adjoining or near the proposed action:																		
<table style="width: 100%;"> <tr> <td><input type="checkbox"/> Urban</td> <td><input checked="" type="checkbox"/> Rural (non-agriculture)</td> <td><input type="checkbox"/> Industrial</td> <td><input checked="" type="checkbox"/> Commercial</td> <td><input checked="" type="checkbox"/> Residential (suburban)</td> </tr> <tr> <td><input checked="" type="checkbox"/> Forest</td> <td><input checked="" type="checkbox"/> Agriculture</td> <td><input type="checkbox"/> Aquatic</td> <td colspan="2"><input type="checkbox"/> Other(Specify):</td> </tr> <tr> <td colspan="5"><input type="checkbox"/> Parkland</td> </tr> </table>				<input type="checkbox"/> Urban	<input checked="" type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input checked="" type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Residential (suburban)	<input checked="" type="checkbox"/> Forest	<input checked="" type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other(Specify):		<input type="checkbox"/> Parkland				
<input type="checkbox"/> Urban	<input checked="" type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input checked="" type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Residential (suburban)														
<input checked="" type="checkbox"/> Forest	<input checked="" type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other(Specify):															
<input type="checkbox"/> Parkland																		

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	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: <u>Private</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: <u>Private</u>	<input type="checkbox"/>	<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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline	<input checked="" type="checkbox"/> Forest	<input checked="" type="checkbox"/> Agricultural/grasslands
<input type="checkbox"/> Wetland	<input type="checkbox"/> Urban	<input type="checkbox"/> Suburban
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	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?	NO	YES
If 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)?	NO	YES
If Yes, explain the purpose and size of the impoundment:	<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?	NO	YES
If Yes, describe:	<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?	NO	YES
If Yes, describe:	<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>Jason Schwaes</u> Date: <u>02/12/25</u>		
Signature: <u>[Signature]</u> Title: <u>member</u>		

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

Name of Action or Project:

TL Schuch Transport + Schuch Aggregates.

Project Location (describe, and attach a location map):

10064 Pigeon Hill Rd.

Brief Description of Proposed Action:

-Construction of 36,000 sq. ft. shop + office for Gravel, Aggregates + trucking etc. operations.

Name of Applicant or Sponsor:

TL Schuch Transport + Schuch Aggregates

Telephone: 716-397-5937

E-Mail: JSchuch36@gmail.com

Address:

10090 Pigeon Hill Road.

City/PO:

Deleware

State:

NY

Zip Code:

14042

1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?

NO

YES

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.

☒

☐

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

☒

☐

3. a. Total acreage of the site of the proposed action?

7.0 acres

b. Total acreage to be physically disturbed?

7.0 acres

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

7.0 acres

4. Check all land uses that occur on, are adjoining or near the proposed action:

☐ Urban

☒ Rural (non-agriculture)

☐ Industrial

☒ Commercial

☒ Residential (suburban)

☒ Forest

☒ Agriculture

☐ Aquatic

☐ Other (Specify):

☐ 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	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: <u>Private</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: <u>Private</u>	<input type="checkbox"/>	<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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	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>Jason Schwaes</u> Date: <u>02/12/25</u>		
Signature: <u>[Signature]</u> Title: <u>member</u>		

MRB Cost Benefit Calculator

Cattaraugus County Industrial Development Agency

Date: February 17, 2025
 Project Title: TL Schwab Transport and Schwab Aggregates
 Project Location: 10064 Pigeon Hill Road, Delevan NY

Construction Phase - Project Assumptions

Project Costs	
Enter total project costs:	Value: \$4,000,000
Local Construction Spending*	50%
% of locally sourced materials and labor	\$2,000,000
In-region construction spending:	

Construction Economic Impacts			
Industry	NAICS	% of Total Investment	Investment by Type
Industrial Building Construction	236210	100%	\$2,000,000
[Not Applicable]	0		\$0
[Not Applicable]	0		\$0
Most projects will only have one line related to construction type.		100%	\$2,000,000

Operation Phase - Project Assumptions

Jobs and Earnings from Operations

NAICS Lookup

Year 1 - Enter NAICS	NAICS	Count	Per Job Annual Earnings	Total Earnings
Construction Sand and Gravel Mining	212320	80	\$55,000	\$4,400,000
0	0	0	\$0	\$0
0	0	0	\$0	\$0
0	0	0	\$0	\$0
0	0	0	\$0	\$0
0	0	0	\$0	\$0
Total		80		\$4,400,000

Year 2	NAICS	Count	Per Job Annual Earnings	Total Earnings
Construction Sand and Gravel Mining	212320	90	\$55,000	\$4,950,000
0	0	0	\$0	\$0
0	0	0	\$0	\$0
0	0	0	\$0	\$0
0	0	0	\$0	\$0
0	0	0	\$0	\$0
Total		90		\$4,950,000

Year 3+ (Full Employment)	NAICS	Count	Per Job Annual Earnings	Total Earnings
Construction Sand and Gravel Mining	212320	90	\$55,000	\$4,950,000
0	0	0	\$0	\$0
0	0	0	\$0	\$0
0	0	0	\$0	\$0
0	0	0	\$0	\$0
0	0	0	\$0	\$0
Total		90		\$4,950,000

Fiscal Impact Assumptions

Estimated Costs of Incentives

Sales Tax Exemption	%	Value	Pilot Term (Years)	10
Local Sales Tax Rate	4.00%	\$160,000	Escalation Factor	2%
State Sales Tax Rate	4.00%	\$160,000	Discount Factor	2%
Mortgage Recording Tax Exemption		\$0		
Local	0.75%	\$0		
State	0.92%	\$0		
Total Costs		\$412,385		

Property 1a: Homomorphism

[illegible]

Other Benefits to Public and Private Individuals - If Applicable

[illegible]

Notes

10 Year Commercial PILOT Schedule.

New assessed value estimated at \$750,000.

Other Local Municipal Revenue - Fire District Assessment.

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

Yes

Cattaraugus County Industrial Development Agency
MRB Cost Benefit Calculator



Date February 12, 2025
Project Title TL Schwab Transport and Schwab Aggregates
Project Location 10054 Pigeon Hill Road, Delevan NY

Economic Impacts

Summary of Economic Impacts over the Life of the PILOT
Project Total Investment
\$4,000,000

Temporary (Construction)			
	Direct	Indirect	Total
Jobs	9	3	13
Earnings	\$732,665	\$151,947	\$884,611
Local Spend	\$2,000,000	\$552,766	\$2,552,766

Ongoing (Operations) Aggregate over life of the PILOT			
	Direct	Indirect	Total
Jobs	90	44	134
Earnings	\$51,835,697	\$20,021,508	\$71,857,204

Figure 1

Net Benefits

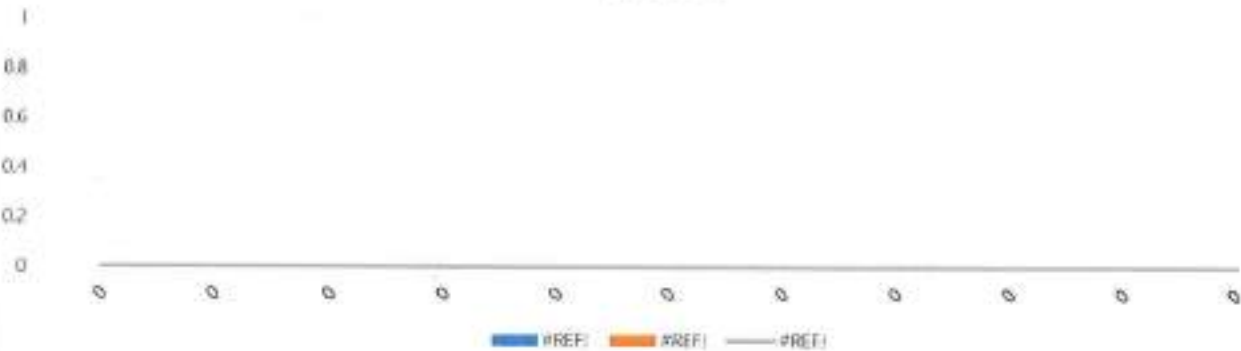


Figure 2

Total Jobs



Figure 3

Total Earnings



Fiscal Impacts

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$92,185	\$85,063
Sales Tax Exemption	\$320,000	\$320,000
Local Sales Tax Exemption	\$160,000	\$160,000
State Sales Tax Exemption	\$160,000	\$160,000
Mortgage Recording Tax Exemption	\$0	\$0
Local Mortgage Recording Tax Exemption	\$0	\$0
State Mortgage Recording Tax Exemption	\$0	\$0
Total Costs	\$412,185	\$405,063

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$73,334,402	\$65,717,689
To Private Individuals	\$72,741,816	\$65,189,222
Temporary Payroll	\$884,677	\$884,677
Ongoing Payroll	\$71,857,204	\$64,304,677
Other Payments to Private Individuals	\$0	\$0
To the Public	\$592,587	\$528,468
Increase in Property Tax Revenue	\$80,492	\$69,545
Temporary Jobs - Sales Tax Revenue	\$6,192	\$6,192
Ongoing Jobs - Sales Tax Revenue	\$503,000	\$450,732
Other Local Municipal Revenue	\$2,903	\$2,598
State Benefits	\$3,782,574	\$3,389,840
To the Public	\$3,782,574	\$3,389,840
Temporary Income Tax Revenue	\$39,808	\$39,808
Ongoing Income Tax Revenue	\$3,293,574	\$2,893,707
Temporary Jobs - Sales Tax Revenue	\$6,192	\$6,192
Ongoing Jobs - Sales Tax Revenue	\$503,000	\$450,732
Total Benefits to State & Region	\$77,116,977	\$69,107,529

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$65,717,689	\$245,063	268:1
State	\$3,389,840	\$160,000	21:1
Grand Total	\$69,107,529	\$405,063	171:1

*Discounted at 2%

Additional Comments from IDA

10 Year Commercial PILOT Schedule.
New assessed value estimated at \$750,000.
Other Local Municipal Revenue - Fire District Assessment.

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

APPLICATION FOR FINANCIAL ASSISTANCE

COUNTY OF
CATTARAUGUS **IDA**

- Kinley Contractors LLC / Kinley Investments

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: Kinley Contractors LLC/Kinley Investments

Applicant Address: 3295 Maple Ave

City/Town: Allegany

State: NY

Zip: 14706

Phone: 716-372-4534

E-mail: mgiardini@kinleycontractors.com

B) Business Organization (check appropriate category):

Corporation ☐

Public Corporation ☐

Sole Proprietorship ☐

Other (specify) _____

Partnership ☐

Joint Venture ☐

Limited Liability Company ☒

Year Established: 1895

State in which Organization is established: Delaware

C) Individual Completing Application:

Name: Mike Giardini

Title: Chief Operating Officer

Address: 3295 Maple Ave

City/Town: Allegany

State: NY

Zip: 14706

Phone: 716-372-4534

E-Mail: mgiardini@kinleycontractors.com

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

Name: _____

Title: _____

Address: _____

City/Town: _____

State: _____

Zip: _____

Phone: _____

E-Mail: _____

E) Company Counsel:

Name of Attorney: Edgar McQueen

Firm Name: Frost Brown Todd LLP

Title: Attorney

Address: Rosewood Court 2102 Cedar Springs Road, Suite 900

City/Town: Dallas

State: TX

Zip: 75201

Phone: 214-580-8634

E-Mail: emcqueen@fbtlaw.com

F) Benefits Requested (select all that apply):

1. Exemption from Sales Tax

☒ Yes or ☐ No

2. Exemption from Mortgage Tax

☒ Yes or ☐ No

3. Exemption from Real Property Tax

☒ Yes or ☐ No

4. Tax Exempt Financing *

☐ Yes or ☒ No

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

G) Applicant Business Description:

Describe in detail company background, history, products and customers. Description is critical in determining eligibility: - See Attached page -

Estimated % of sales within Cattaraugus County: 73%
Estimated % of sales outside Cattaraugus County but within New York State: 22%
Estimated % of sales outside New York State but within the U.S.: 5%
Estimated % of sales outside the U.S.: 0%
(*Percentage to equal 100%)

For your operations, company, and proposed project, what percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Cattaraugus County 85%

Identify vendors within Cattaraugus County for major purchases:
Home Depot of Dean, Chase Lumber, Worth Smith, Hansen Aggregates

II. Eligibility Questionnaire - Project Description & Details

A) Project Location

Address of Proposed Project Facility: 2394 / Allegany NY - West Five Mile Rd.
City/Town: Allegany School District: Allegany Limestone CSD
SBL Number(s) for proposed Project: 93.002-2-2

Current Address (if different): 2394 - West Mile Road
City/Town: Allegany New York

What are the current real estate taxes on the proposed Project site? \$2,400
If amount of current taxes is not available, provide assessed value for each
Land: \$ 16,200 Buildings(s): \$ 70,000 *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.):

- Single Family home.

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.):

Please see attached page. Constructing a 12,000 sq. ft Shop for business support.

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:

It helps us to keep jobs and business competitive in New York with ever increasing cost.

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):

See attached page.

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:

It helps us to keep jobs and business competitive in New York with ever increasing cost.

If the Applicant is unable to obtain financial assistance for the Project, what will be the impact on the Applicant and Cattaraugus County? Project would be scaled back significantly.

C) Site Characteristics

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

Describe the present zoning/land use: Res 1 to Com 1

If a change in zoning/land use is required, provide details/status of any request for change of zoning/land use requirements: In process with the Town of Allegany

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

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

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

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

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

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

D) Project Type

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

Acquisition of Existing Facility	<input type="checkbox"/>	Life Care Facility (CCRC)	<input type="checkbox"/>
Affordable/Workforce Housing	<input type="checkbox"/>	Market Rate Housing	<input type="checkbox"/>
Assisted Living	<input type="checkbox"/>	Mixed Use	<input type="checkbox"/>
Back Office	<input type="checkbox"/>	Multi-Tenant	<input type="checkbox"/>
Civic Facility (not for profit)	<input type="checkbox"/>	Renewable Energy	<input type="checkbox"/>
Commercial	<input type="checkbox"/>	Research/Design	<input type="checkbox"/>
Senior Housing	<input type="checkbox"/>	Retail	<input type="checkbox"/>
Facility for Aging	<input type="checkbox"/>	Warehousing	<input type="checkbox"/>
Industrial/Manufacturing	<input type="checkbox"/>	Other <u>Res 1</u>	<input checked="" type="checkbox"/>
Tourism Facility/Project	<input type="checkbox"/>		

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

Retail Sales: ☐ Yes or ☒ No

Services: ☐ Yes or ☒ No

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

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

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

	Square Footage	Cost	% of Total Cost of Project
Manufacturing/Processing			
Warehouse			
Research & Development			
Commercial	12,000	\$2,200,000	100%
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 2025
2. Estimated completion date of project: April 2026
3. Project occupancy – estimated starting date of occupancy: April 2026

E) Overall Project Costs

Estimated costs in connection with Project:

1. Land and/or Building Acquisition \$ _____
_____ acres _____ square feet
2. New Building Construction 12,000 square feet \$ 2,150,000
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.) \$ _____
8. Soft Costs: (Legal, architect, engineering, etc.) * \$ _____
9. Other, Specify: _____ \$ _____

TOTAL Costs: \$ 2,150,000

Construction Cost Breakdown:

Total Cost of Construction \$ 2,150,000 (sum of 2,3,4 and 5 above)
Cost of materials: \$ _____
% 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: Site

Sources of Funds for Project:

Bank Financing

Equity (excluding equity that is attributed to grants/tax credits)

Public Sources (Include sum total of all state and federal grants and tax credits)

Identify each state and federal grant/credit: (i.e. Historic Tax Credit, New Market Tax Credit, Brownfield Cleanup Program, ESD, other public sources)

Total Sources of Funds for Project Costs:

\$ TBD - will provide when known.
\$ TBD

\$ MA

\$

\$

\$

\$ 2,500,000

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: \$ 2,500,000 Max

Estimated State and Local Sales and Use Tax Benefit (multiply 8.0% by the figure, above): \$ 200,000 max

*** 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): \$ TBD - once known

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

Mtg amount
is known
provided

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): 10-year New Construction Commercial PILOT

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)	47	47	5	5
Part Time (PT)	3	3	3	3
Total ***	50 50	50 50	8	8

** 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	6	110k	40k		
Professional	18	85k	30k		
Administrative	5	40k	15k		
Production	17	55k	15k		
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.

N/A

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

N/A

Payroll Information:

Annual Payroll at proposed project site upon project completion	\$	683,600			
Estimated average annual salary of jobs to be retained (full time)	\$	60,000			
Estimated average annual salary of jobs to be retained (part time)	\$	0			
Estimated average annual salary of jobs to be created (full time)	\$	63,000			
Estimated average annual salary of jobs to be created (part time)	\$	0			
Estimated salary range of jobs to be created					
From (full time)	\$	41,600	To (full time)	\$	93,600
From (part time)	\$	0	To (part time)	\$	0

MA

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? _____

MA

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? 0%. If the answer is less than 33% do not complete the remainder of the retail determination and proceed to Inter-Municipal Move Determination.

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

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

If yes, explain

Albany growth and investment to expand the business operations.

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

MA

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? _____

MA

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

~~_____~~
~~_____~~
~~_____~~
~~_____~~

NA

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

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

PILOT Estimate Table Worksheet

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

Percentage of Project Costs financed from Public Sector Table Worksheet:

Total Project Cost	Estimated Value of PILOT	Estimated Value of Sales Tax Incentive	Estimated Value of Mortgage Tax Incentive	Total of Other Public Incentives (Tax Credits, Grants, ESD Incentives, etc.)
\$2,500,000	\$	\$200,000	\$	NA

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

Attachment A: Representations, Certifications and Indemnification

Michael W. Giardini (name of CEO or other authorized representative of Applicant) confirms and says that he/she is the Chief Operating Officer (title) of Kinley Contractors, 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

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

DBL (Disability Benefits Law) Forms

CE-200	Exemption
DB-120.1	Insurers
DB-155	Self-Insured

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.

G) Applicant Business Description:

Describe in detail the company's background, history, products, and customers. The description is critical in determining eligibility:

- Kinley Contractors has deep roots in Cattaraugus County, dating back six generations to 1895. Kinley started in tanneries and timber, transitioning to gas and oil in the early 1900s. In the 1980s, Kinley expanded oil and gas operations outside of NYS (Nebraska, Oklahoma, and Texas), leading to the acquisition and fuel terminal management in Texas and the establishment of Kinley Construction Group (KCG). KCG is a nationally recognized general contractor serving the industrial and mechanical fueling industries. In the late 1990's Kinley Contractors, a general contracting company serving Western NY and Northwestern Pennsylvania was established and based in Allegany, NY. Since the early 1990's Kinley Contractors has been on a growing trajectory with expanded service areas and increased employment opportunities. Kinley Contractors' goal is to be the premium General Contractor in the country. It has recently expanded by adding a KATS (Kinley Applied Service Technologies) and a General Contracting division that travels nationwide. We intend to increase our annual sales by 250% by 2028 and 500% by 2033. Our current growth trajectory requires more space. Locally, we specialize in Preconstruction Consulting, Design-Build Construction, Pre-Engineered Metal Buildings, and General Contracting Services with plans to expand into renewable energy, service and maintenance, and construction management. In the Cattaraugus County area, we service and support multiple clients, subcontractors, and vendors, helping to support local jobs and commerce in the area. Some of our partners include Iroquois Insurance, Napoleon Engineering Services, Universal Primary Care, YMCA of the Twin Tiers, ACME Business Solutions, and Allegany Crossings LLC, Olean BOCES, Allegany-Limestone Central Schools, Olean Schools, Intandem, Jamestown Community College Olean, Mazza, Kel Kur Electric, Paint Medics, Close's Lumber, Home Depot of Olean, Worth Smith, and many more.

b) Project Description - 2023/24 project : 25/26 - \$2,500,000 - 12,000 sq. ft. Shop

1.) We will make approximately 10,120 sq feet of renovations for new office space, with exterior improvements and roughly a 5,000 sq foot new metal building for a shop. Possible future fabrication of multi-use units.

- 2.) Agency's Financial Assistance: Kinley Contractors is requesting assistance to help offset the extensive cost of the expansion/relocation, required renovations, and new construction for our new Corporate Headquarters in Allegany, NY. Kinley has outgrown our current location, and our communication and collaboration, internal and external, are limited due to a prohibitive layout and existing design. Additionally, we require more offices and meeting space for our growing business. We need to add several offices, two conference rooms, and other meeting areas for our company to function proficiently. We intend to renovate the existing open floor plan and renovate the existing facility into a modern and more efficient office space. Additionally, we plan to construct a 5,000-square-foot workshop for equipment storage and manufacturing and fabrication of modular multi-use buildings. This will allow our current and future employees more accessible access to their Team leaders and supervisors and will enable us to organize our

Internal teams (Project Management, Operations, Accounting, and Administration) in closer proximity. This will permit more effective and timely communication, helping us to provide our services more competently to our clients and increase production. Assisting Kinley in relocating and expanding our headquarters will allow us to continue and accelerate our growth, allowing for additional opportunities for employment and additional revenue being infused into the local economy through expanded and more efficient service being provided to our clients and partners. By financially assisting us, it will allow us to invest additional money into our company sooner rather than later and accelerate our growth potential.

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							
Name of Action or Project: <u>2394 W. 5 mile Road Allegany NY</u>							
Project Location (describe, and attach a location map): <u>Kinley Contractors, LLC / Kinley Investments.</u>							
Brief Description of Proposed Action: <u>- Construction of a 12,000 sq. ft. Shop that is needed as the company has expanded and is continuing to grow its operations in Allegany, NY.</u>							
Name of Applicant or Sponsor: <u>Kinley Contractors LLC / Kinley Investments</u>		Telephone: <u>716-372-4534</u>					
Address: <u>2393 W. 5 mile Road</u>		E-Mail: <u>mgiardini@kinleycontractors.com</u>					
City/PO: <u>Allegany</u>	State: <u>NY</u>	Zip Code: <u>14706</u>					
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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: <u>Town Building Permit</u>			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3. a. Total acreage of the site of the proposed action? <u>1.60</u> acres b. Total acreage to be physically disturbed? <u>1.60 (same)</u> acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <u>1.60</u> acres							
4. Check all land uses that occur on, are adjoining or near the proposed action:							
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input checked="" 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	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: <u>Allegany</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: <u>Allegany</u>	<input type="checkbox"/>	<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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	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
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>Michael W. Giardini</u> Date: <u>2/13/25</u>		
Signature: <u><i>Michael W. Giardini</i></u> Title: <u>Chief Operating Officer</u>		

APPLICATION FOR FINANCIAL ASSISTANCE



Name of Applicant:

Rusty Rooster Farm + Range, LLC.

Date Submitted:

January 27, 2025

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

I. Eligibility Questionnaire - Applicant Background Information

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

A) Applicant Information-company receiving benefit:

Applicant Name: Rusty Rooster Farm + Vintage Inc.
Applicant Address: 4841 Highland Terrace #476 Highland Terrace
City/Town: Portville State: NY Zip: 14770
Phone: 716-474-7402
E-mail: _____

B) Business Organization (check appropriate category):

Corporation ☐
Public Corporation ☐
Sole Proprietorship ☐
Other (specify) _____

Partnership ☐
Joint Venture ☐
Limited Liability Company ☒

Year Established: _____ State in which Organization is established: _____

C) Individual Completing Application:

Name: Jean Smith
Title: Owner
Address: 4841 Highland Terrace #476 Highland Terrace
City/Town: Portville State: NY Zip: 14770
Phone: 716-474-7402 E-Mail: _____

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

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

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 | <input checked="" type="checkbox"/> Yes or <input type="checkbox"/> No |
| 2. Exemption from Mortgage Tax | <input checked="" type="checkbox"/> Yes or <input type="checkbox"/> No |
| 3. Exemption from Real Property Tax | <input checked="" type="checkbox"/> Yes or <input type="checkbox"/> No |
| 4. Tax Exempt Financing * | <input type="checkbox"/> Yes or <input checked="" type="checkbox"/> 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:

- An included "About us" and the variety of business this business and its products/service provider has been included in the packet. Please refer to attachments for a review.

Estimated % of sales within Cattaraugus County: 90%

Estimated % of sales outside Cattaraugus County but within New York State: 10%

Estimated % of sales outside New York State but within the U.S.: NA

Estimated % of sales outside the U.S.: NA

(*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 5 %

Identify vendors within Cattaraugus County for major purchases: locally sourced trees/hardwoods, local honey, paper

II. Eligibility Questionnaire - Project Description & Details

A) Project Location

Address of Proposed Project Facility: 484 Highland Terrace & 476 Highland Terrace

City/Town: Portville School District: Portville CSD

SBL Number(s) for proposed Project 104.004-1-14 & 104.004-1-15

Current Address (if different): NA

City/Town: NA

What are the current real estate taxes on the proposed Project site? \$1972 & \$1,307

If amount of current taxes is not available, provide assessed value for each

Land: \$ 28,000 Buildings(s): \$ 83,000 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.):

Retail, wood production, custom milling.

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.):

The proposed project calls for the upgrades and finishing of the parcel located at 476 Highland Terrace. The building is roughly 9,000 sq. ft. which will be constructed into a 3,000 sq. ft. reception hall and 6,000 sq. ft. of wood production/manufacturing space with a kiln.

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:

The proposed incentives will allow this business to expand its wood manufacturing line and custom milling and new venue foreverts.

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: Oran Business Development

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): With increased costs on labor materials due to record inflation and leading costs, it will allow the business to grow its employee base as well as to re-hab a building that's been vacant for several years.

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? In other words, by way of example only, you would check the "yes" box if you believe, in the event the Agency was unable to provide financial assistance, that it is likely that you would not undertake the Project. ☒ 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:

NA

If the Applicant is unable to obtain financial assistance for the Project, what will be the impact on the Applicant and Cattaraugus County? The project as proposed would be in jeopardy.

C) Site Characteristics

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

Describe the present zoning/land use: H10 - Manufacture - Both properties

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

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

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

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

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

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

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

D) Project Type

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

Acquisition of Existing Facility	<input type="checkbox"/>	Life Care Facility (CCRC)	<input type="checkbox"/>
Affordable/Workforce Housing	<input type="checkbox"/>	Market Rate Housing	<input type="checkbox"/>
Assisted Living	<input type="checkbox"/>	Mixed Use	<input type="checkbox"/>
Back Office	<input type="checkbox"/>	Multi-Tenant	<input type="checkbox"/>
Civic Facility (not for profit)	<input type="checkbox"/>	Renewable Energy	<input type="checkbox"/>
Commercial	<input 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 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	6,000		60%
Warehouse			
Research & Development			
Commercial	3,000		40%
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: Feb. 2025
2. Estimated completion date of project: Fall 2025 ±
3. Project occupancy – estimated starting date of occupancy: Fall 2025 ±

E) Overall Project Costs

Estimated costs in connection with Project:

1. Land and/or Building Acquisition _____ acres _____ square feet \$ 75,000 - paid.
2. New Building Construction _____ square feet \$ ~~200,000~~ MF
3. New Building Addition(s) _____ square feet \$ MF
4. Infrastructure Work _____ square feet \$ _____
5. Reconstruction/Renovation 9,000 square feet \$ 125,000
6. Manufacturing Equipment _____ square feet \$ _____
7. Non-Manufacturing Equipment (furniture, fixtures, etc.) _____ square feet \$ 75,000
8. Soft Costs: (Legal, architect, engineering, etc.) _____ square feet \$ _____
9. Other, Specify: _____ square feet \$ _____

TOTAL Costs: \$ 200,000 (E)

Construction Cost Breakdown:

Total Cost of Construction \$ 200,000 (sum of 2,3,4 and 5 above)
 Cost of materials: \$ _____
 % sourced in Cattaraugus County 50 %

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

If yes, describe: Purchase of building - Jan. 15, 2025

Sources of Funds for Project:

Bank Financing

Equity (excluding equity that is attributed to grants/tax credits)

Public Sources (Include sum total of all state and federal grants and tax credits)

Identify each state and federal grant/credit: (i.e. Historic Tax Credit, New Market Tax Credit, Brownfield Cleanup Program, ESD, other public sources)

Total Sources of Funds for Project Costs:

\$ 750 - will provide when known
\$
\$ N/A
\$ N/A
\$
\$
\$ 200,000 +

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: \$ 200,000

Estimated State and Local Sales and Use Tax Benefit (multiply 8.0% by the figure, above): \$ 16,000

*** 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): \$ N/A

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

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 CreationIs the project necessary to expand project employment? ☒ Yes or ☐ NoIs 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)	1	1	1	1
Part Time (PT)	3	3	1	1
Total ***	4	4	2	2

** 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	1				
Professional	-				
Administrative	2				
Production	1				
Independent Contractor	-				
Other	-				

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

Payroll Information:

Annual Payroll at proposed project site upon project completion
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

\$ 90,000
\$ _____
\$ _____
\$ _____
\$ _____

From (full time) \$ _____
From (part time) \$ _____

To (full time) \$ _____
To (part time) \$ _____

11/15

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

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? 25%%. If the answer is less than 33% do not complete the remainder of the retail determination and proceed to Inter-Municipal Move Determination.

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

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

If yes, explain Project will increase retail manufacturing jobs and grow service product lines relating to the wood production line.

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

MA

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)

NA

Reason

NA

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

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

PILOT Estimate Table Worksheet

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

Percentage of Project Costs financed from Public Sector Table Worksheet:

Total Project Cost	Estimated Value of PILOT	Estimated Value of Sales Tax Incentive	Estimated Value of Mortgage Tax Incentive	Total of Other Public Incentives (Tax Credits, Grants, ESD Incentives, etc.)
\$ 200,000	\$	\$ 16,000		NA

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

- 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.:

Jean Smith, being first duly sworn, deposes and says:

1. That I am the Owner/Member (Corporate Office) of Rusty Rooster Farm Village 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.

Jean Smith
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury
this 17 day of January, 2025
Crystal L. Almeter
(Notary Public)

CRYSTAL L. ALMETER, #01AL5088075
Notary Public, State of New York
Qualified in Cattaraugus County
My Commission Expires November 10, 2025

Attachment A: Representations, Certifications and Indemnification

Jean Smith (name of CEO or other authorized representative of Applicant) confirms and says that he/she is the Owner/Member (title) of Rusty Fork Farm Vintage 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 November 1, 2022)

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 Development 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.

Automobile Liability: Business Auto Liability with limits of at least \$1,000,000 each accident. Business Auto coverage must include coverage for liability arising out of all owned, leased, hired and non-owned automobiles.

County of Cattaraugus Industrial Development Agency shall be included as Additional Insured on a Primary & Non-Contributory basis on the auto policy. 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.

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.



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Parcel History

[View parcel history data](#)

Municipality of Portville

SWIS:	047489	Tax ID:	104.004-1-14
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Tax Map ID / Property Data

Status:	Active	Roll Section:	Taxable
Address:	484 Highland Ter		
Property Class:	710 - Manufacture	Site Property Class:	710 - Manufacture
Ownership Code:			
Site:	Com 1	In Ag. District:	No
Zoning Code:	CON - CONFORMING	Bldg. Style:	Not Applicable
Neighborhood:	74050 -	School District:	Portville
Total Acreage/Size:	3.71	Equalization Rate:	---
Land Assessment:	2024 - \$12,700	Total Assessment:	2024 - \$52,700
Full Market Value:	2024 - \$89,322		
Deed Book:	30563	Deed Page:	6002
Grid East:	1216644	Grid North:	737717

Special Districts for 2024

Description	Units	Percent	Type	Value
FD746-Portville fire 1	0	0%		0

Land Types

Type	Size
Primary	1.00 acres
Residual	2.71 acres

Photographs

No Photo Available

Documents

- Deed History Card
- RP5217 10/2018

Maps

CLICK HERE for information on purchasing tax maps.

[View Tax Map](#)

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Parcel History

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Municipality of Portville

SWIS:	047489	Tax ID:	104.004-1-14
-------	--------	---------	--------------

Inventory

Overall EFF Year Built:	
Overall Condition:	Normal
Overall Grade:	Average
Overall Desirability:	2

Buildings

Air Cond. %	Sprinkler %	Alarm %	Elevators	Basement Type	Year Built	Eff Year Built	Condition	Quality	Gross Floor Area	Stories	Nbr Identical Bldgs
0	0	0	0		1900		Fair	Average	9192	1	1

Utilities

Sewer Type:	Private
Water Supply:	Private
Utilities:	Gas & elec

Site Uses

Use	Rentable Area	Total Units
Light mfg	9,192 sq. ft.	0

Photographs

No Photo Available

Documents

- Deed History Card
- RP6217 10/2018

Maps

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Tax Links

[Property Info](#)[Tax Info](#)[Payment Status](#)

Tax Bill Information

Municipality of Portville

SWIS:	047489	Tax ID:	104.004-1-14
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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
2024	County	\$2,335.25	\$52,700.00	\$79,848.00	66	1

[Display Details for Taxes Levied in 2024](#)

Historical 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
2023	School	\$1,314.96	\$52,700.00	\$79,848.00	66	1
2023	County	\$839.02	\$52,700.00	\$65,062.00	81	1

[Display Details for Taxes Levied in 2023](#)

2022	School	\$1,304.36	\$52,700.00	\$65,062.00	81	1
2022	County	\$868.15	\$52,700.00	\$61,279.00	86	1

[Display Details for Taxes Levied in 2022](#)

2021	County	\$907.43	\$52,700.00	\$61,279.00	86	1
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[Display Details for Taxes Levied in 2021](#)

2020	School	\$1,297.30	\$52,700.00	\$61,279.00	86	1
2020	County	\$2,270.02	\$52,700.00	\$56,064.00	94	1

[Display Details for Taxes Levied in 2020](#)

2019	School	\$1,266.62	\$52,700.00	\$56,064.00	94	1
2019	County	\$926.36	\$52,700.00	\$56,667.00	93	1

[Display Details for Taxes Levied in 2019](#)

Estimated Taxes for Parcel Number 104.004-1-14 in the Town of Portville for 2025

Messages

- If you reside in a city/town that is completing a **revaluation**, the total tax may not be accurate. This is because this tool uses ACTUAL tax rates from the previous year. The new tax rates for a reval city/town may be SIGNIFICANTLY different.

Total Taxes = \$1,961.68 for the year 2025

SCHOOL (Portville)

Previous 2024 Assessed Value: \$52,700.00

2024 SCHOOL (Portville) Rate: 25.171531

\$1,326.54(68%)

Town(Portville)

Previous 2024 Assessed Value: \$52,700.00

2025 Town(Portville) Rate: 2.184786

\$115.14(6%)

COUNTY(Portville)

Previous 2024 Assessed Value: \$52,700.00

2025 COUNTY(Portville) Rate: 9.857196

\$519.47(26%)

Portville Fire 1(FD746)

Previous 2024 Assessed Value: \$52,700.00

2025 Portville Fire 1(FD746) Rate: 0.01

\$0.53(0%)

Total Taxes = \$1,961.68 for the year 2025

Tax report generated on January 27, 2025 (2025-01-27 11:17:35) for Print Key = 10400400010140000000

Error getting ALL Assessed Values for the Town of Portville for the year 2025 as assessments may not exist yet.

Notice

- Parcels that have been split / combined may not show all taxes!
- These figures are generated from the current tax rates and represent **base taxes only**!
- **Exemptions**, such as, back taxes, fees and interest are **not included**!
- If you reside in a city/town that is completing a **revaluation**, the total tax may not be accurate. This is because this tool uses ACTUAL tax rates from the previous year. The new tax rates for a reval city/town may be SIGNIFICANTLY different.

Tax changes occur 5 times per year in New York State.

- School Rates change on *September 1* and use the most current assessed value.
- Town and County Rates change on *January 1*
- Village Tax Rates change on *June 1*
- City of Olean Tax Rates change on *May 1*
- City of Salamanca Tax Rates change on *April 10*

Contacts for this property

Assessor: County Assessor (More information about Assessor County Assessor) 716-938-2343 , assessor@cattco.org

Hours:

Main Office:

207 Rock City St., Little Valley
Monday through Friday, 8:00-5:00

Portville Town Hall Hours:
January 8th, 15th, 22nd, 29th
February 5th, 12th, 19th, 26th
8:30 AM - 11:30 AM

Tax Collector: [Yvonne Rogers \(More information about Tax Collector Yvonne Rogers\)](#) Phone: 716-933-6658

School Tax Collector: [Ashley Hinman \(More information about Tax Collector Ashley Hinman\)](#)
Phone: 716-933-6046

[View more information about this property](#)

[View a map of this property](#)

20 Past Property Value Records found for Parcel # 104.004-1-14

Terms of Use/Disclaimer

You must acknowledge that this tool calculates the assessment multiplied by the tax rate divided by 1,000. Taxes are calculated without any exemptions.

The calculator is based off of the current tax rate and must only be used as an *estimate* for future taxes. You will not hold Cattaraugus County liable for any errors in calculations during this process.

Real Property & GIS for Cattaraugus County

v.2024

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Parcel History

[View parcel history data](#)

Municipality of Portville

SWIS:	047489	Tax ID:	104.004-1-15
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Tax Map ID / Property Data

Status:	Active	Roll Section:	Taxable
Address:	476 Highland Ter		
Property Class:	710 - Manufacture	Site Property Class:	710 - Manufacture
Ownership Code:			
Site:	Com 1	In Ag. District:	No
Zoning Code:	CON - CONFORMING	Bldg. Style:	Not Applicable
Neighborhood:	74050 -	School District:	Portville
Total Acreage/Size:	7.81	Equalization Rate:	---
Land Assessment:	2024 - \$15,500	Total Assessment:	2024 - \$35,111
Full Market Value:	2024 - \$59,510		
Deed Book:	20200	Deed Page:	9276
Grid East:	1217069	Grid North:	737480

Special Districts for 2024

Description	Units	Percent	Type	Value
FD746-Portville fire 1	0	0%		0

Land Types

Type	Size
Primary	1.00 acres
Residual	6.81 acres

Photographs

No Photo Available

Documents

- Deed History Card
- RP-5217 01/24/2012
- RP5217 07/2020

Maps

[CLICK HERE](#) for information on purchasing tax maps.

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Parcel History

[View parcel history data](#)

Municipality of Portville

SWIS:	047489	Tax ID:	104.004-1-15
-------	--------	---------	--------------

Inventory

Overall EFF Year Built:	
Overall Condition:	Normal
Overall Grade:	Average
Overall Desirability:	3

Buildings

Air Cond. %	Sprinkler %	Alarm %	Elevators	Basement Type	Year Built	Eff Year Built	Condition	Quality	Gross Floor Area	Stories	Nbr Identical Bldgs
0	0	0	0		1975		Normal	Economy	8984	1	1

Utilities

Sewer Type:	Private
Water Supply:	Private
Utilities:	Gas & elec

Site Uses

Use	Rentable Area	Total Units
Light mfg	8,984 sq. ft.	0

Photographs

No Photo Available

Documents

- Deed History Card
- RP-5217 01/24/2012
- RP5217 07/2020

Maps

[CLICK HERE](#) for information on purchasing tax maps.

[View Tax Map](#)

[Pin Property on GIS Map](#)

Estimated Taxes for Parcel Number 104.004-1-15 in the Town of Portville for 2025

Messages

- If you reside in a city/town that is completing a revaluation, the total tax may not be accurate. This is because this tool uses ACTUAL tax rates from the previous year. The new tax rates for a reval city/town may be SIGNIFICANTLY different.

Total Taxes = \$1,306.96 for the year 2025

SCHOOL (Portville)

Previous 2024 Assessed Value: \$35,111.00

2024 SCHOOL (Portville) Rate: 25.171531

\$883.80(68%)

Town(Portville)

Previous 2024 Assessed Value: \$35,111.00

2025 Town(Portville) Rate: 2.184786

\$76.71(6%)

COUNTY(Portville)

Previous 2024 Assessed Value: \$35,111.00

2025 COUNTY(Portville) Rate: 9.857196

\$346.10(26%)

Portville Fire 1(FD746)

Previous 2024 Assessed Value: \$35,111.00

2025 Portville Fire 1(FD746) Rate: 0.01

\$0.35(0%)

Total Taxes = \$1,306.96 for the year 2025

Tax report generated on January 27, 2025 (2025-01-27 11:18:14) for Print Key = 10400400010150000000

Error getting ALL Assessed Values for the Town of Portville for the year 2025 as assessments may not exist yet.

Notice

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- Exemptions**, such as, back taxes, fees and interest are **not included**!
- If you reside in a city/town that is completing a revaluation, the total tax may not be accurate. This is because this tool uses ACTUAL tax rates from the previous year. The new tax rates for a reval city/town may be SIGNIFICANTLY different.

Tax changes occur 5 times per year in New York State.

- School Rates change on *September 1* and use the most current assessed value.
- Town and County Rates change on *January 1*
- Village Tax Rates change on *June 1*
- City of Olean Tax Rates change on *May 1*
- City of Salamanca Tax Rates change on *April 10*

Contacts for this property

Assessor: County Assessor (More information about Assessor County Assessor) 716-938-2343 , assessor@cattco.org

Hours:

Main Office:



We bring to market the perfect touch of decor for your home, a vast array of gifts for family and friends, and specialty dessert services. Step into our beautiful hometown historic brick building to find everything from custom heirloom quality woodwork and DIY slab lumber to reclaimed furniture, fine chocolates & coffee to houseplants, architectural salvage to custom metal art, vintage treasure to trendy new home decor whatever your style – we have a little something for everyone inside.

Gift Shop and Showroom



Visit us and discover our historic building, custom woodwork, home decor and gift shop!

Epoxy



Over time our specialty niche in woodworking has become defined by our epoxy wood projects.

Lumber and Milling



We specialize in live and natural edge hardwood lumber products.

The Chocolate Roost



Your one-stop-shop for all things chocolate and sweets! We're proud to offer a wide variety of

Come Browse The Shop!

At the Rusty Rooster we strive to master a perfect blend of old and new in home decor. While we specialize in farmhouse, primitive, lodge and cottage styles – you will find antique and vintage treasure pairs beautifully with the new out of the box items in almost any style. It is hard to even begin to list our market offerings but will always include: florals, soaps, farmhouse and primitive decor, architectural salvage, outdoor and garden items, seasonal merchandise, lodge/ranch decor, braided rugs, houseplants, specialty foods – fine chocolates, coffee, popcorn, fudge, honey and syrup, reclaimed small furniture pieces, metal art and of course our own woodwork pieces (tables, shelving, mantles and serving boards). With three thousand square feet of showroom we have something for everyone's taste and budget.







"Amazing hidden gem! The owners a fabulous and incredibly innovative and creative."

LUMBER AND MILLING

Rusty Rooster is your one-stop shop for high-quality slab lumber! We're passionate about providing our customers with the best wood products on the market, and we take great pride in our extensive selection of slab lumber options. Urban tree reclamation is our focus – salvaging beautiful old wood from sources your traditional lumber mills won't touch.

Whether you're a woodworker, carpenter, furniture maker, or just someone who loves working with wood, you'll find everything you need. We specialize in live and natural edge hardwood lumber products.

We offer a wide range of species, including oak, maple, walnut, cherry, and many others. We run two sawmills allowing us to mill up to 76" diameter trees. In addition to the lumber we mill for our shop we offer very limited custom milling services both on and off site.

We're committed to providing our customers with an exceptional experience. Whether you're a seasoned woodworker or just starting out, we invite you to explore our selection and discover the beauty and versatility of slab lumber!

SBU Logo Items

Store / SBU Logo Items

With love for all things St. Bonaventure University we have unique and creative home goods, gifts and fan gear all produced right here locally in our shop in Portville, NY. Go Bonas!

SORT BY ▾

Metal
Bonaventure Wall
Cutout
\$42.95

SOLD OUT

Metal Wall Mount
St. Bonaventure
Koozie Holder
\$59.95

SOLD OUT

St. Bonaventure
Logo Coaster Set
\$28.95

St. Bonaventure
Logo Walnut
Coaster Set
\$28.95

SOLD OUT

Engraved Bottle
Opener
\$5.95

SOLD OUT

St. Bonaventure
Epoxy Charcuterie
Board 16
\$69.95

St. Bonaventure
Logo Charcuterie
17
\$124.95

St. Bonaventure
Logo Charcuterie
18
\$99.95

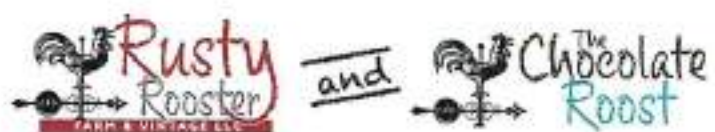


St. Bonaventure

Justin and Jean are both proud graduates of St. Bonaventure University- as such they wanted to bring their Bona pride into their shop work. Located in the local area of the university there is a great following and need for Bonaventure items in the store – ornaments, metal wall hangings and most recently additional woodwork!

In 2020 they had the opportunity to mill the very large spruce trees that were removed from in front of Devereux Hall. After years of drying time this slab slumber is ready for woodworking skills! While most of it is still in large slab form we have milled a few down into smaller pieces to offer this slice of Bona history to everyone – making specialty charcuterie boards, serving trays, lazy susans, tables, etc.

SHOP ST. BONAVENTURE ITEMS NOW!



Select Page



ABOUT US

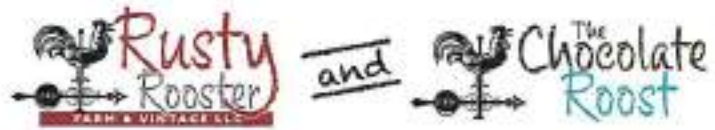


Rusty Rooster Farm & Vintage LLC is a family owned and operated business based in Portville, NY founded by Jean & Justin Smith. When we started this business our roots were in architectural salvage and vintage rehabilitation. We ran the business out of our home for many years until it had literally taken over our home. We have since vastly expanded our business into an amazing historic old brick building (Anderson Pattern Works, formerly the Portville Tannery Boiler House circa 1880s). Housed in the building we now offer an amazingly diverse and beautiful home decor and gift shop market with a specialty focus of hardwood slab lumber milling & full woodworking shop. Preserving this building and growing our business has been a labor of love – take a step back in time in the amazing building we are working hard to preserve and showcase.





Site Designed and Hosted by Duell Design.



Select Page



Custom Epoxy Creations

Over time our specialty niche in woodworking has become defined by our epoxy wood projects. In store and online you will find pieces that have been made right here in our shop from milling the lumber right through to the finished piece on the showroom floor. Bars, end tables, charcuterie boards and lots more! Most pieces can be shipped anywhere in the continental USA.

We have tinkered for years with several brands of epoxy but we always come back to EcoPoxy products for their outstanding quality and user friendly attributes. We continue to both use and sell high volumes of their products. We ship epoxy anywhere in the United States and are here to answer your epoxy questions! Whether you're looking for deep pour or bar top resins we have you covered with experience, knowledge and product.



SHOP EPOXY SUPPLIES NOW!



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																		
Name of Action or Project: Rusty Rooster Farm & Vintage LLC																		
Project Location (describe, and attach a location map): 484 + 476 Highknd Terrace																		
Brief Description of Proposed Action: - Renovation of 476 Highknd Terrace, Portville NY - relating to redevelopment, repurposing of vacant building that comprises of 9,000 sq ft. = 6,000 sq ft into manufacturing (wood products) & 3,000 sq ft of multi purpose venue for events weddings, Birthdays																		
Name of Applicant or Sponsor: Rusty Rooster Farm & Vintage, LLC.		Telephone: 716-474-7462																
Address: 484 + 476 Highknd Terrace		E-Mail: .																
City/PO: Portville		State: NY	Zip Code: 14770															
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.			<table border="1" style="width: 100%;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>											
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:			<table border="1" style="width: 100%;"> <tr> <th style="width: 50%;">NO</th> <th style="width: 50%;">YES</th> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>											
NO	YES																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>																	
3. a. Total acreage of the site of the proposed action?		2 acres																
b. Total acreage to be physically disturbed?		2 acres																
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		3.71 + 6.81 acres																
4. Check all land uses that occur on, are adjoining or near the proposed action:																		
<table style="width: 100%;"> <tr> <td><input type="checkbox"/> Urban</td> <td><input checked="" type="checkbox"/> Rural (non-agriculture)</td> <td><input type="checkbox"/> Industrial</td> <td><input checked="" type="checkbox"/> Commercial</td> <td><input checked="" type="checkbox"/> Residential (suburban)</td> </tr> <tr> <td><input checked="" type="checkbox"/> Forest</td> <td><input checked="" type="checkbox"/> Agriculture</td> <td><input type="checkbox"/> Aquatic</td> <td colspan="2"><input type="checkbox"/> Other(Specify):</td> </tr> <tr> <td><input type="checkbox"/> Parkland</td> <td colspan="4"></td> </tr> </table>				<input type="checkbox"/> Urban	<input checked="" type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input checked="" type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Residential (suburban)	<input checked="" type="checkbox"/> Forest	<input checked="" type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other(Specify):		<input type="checkbox"/> Parkland				
<input type="checkbox"/> Urban	<input checked="" type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input checked="" type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Residential (suburban)														
<input checked="" type="checkbox"/> Forest	<input checked="" type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	<input type="checkbox"/> Other(Specify):															
<input type="checkbox"/> Parkland																		

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	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: <u>Active Water Works of Village of Portville Muni.</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: <u>Onsite Septic & Village of Portville Muni.</u>	<input checked="" type="checkbox"/>	<input 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?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline	<input checked="" type="checkbox"/> Forest	<input type="checkbox"/> Agricultural/grasslands
<input type="checkbox"/> Wetland	<input type="checkbox"/> Urban	<input type="checkbox"/> Suburban
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	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?	NO	YES
If 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?	NO	YES
If Yes, describe:	<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?	NO	YES
If Yes, describe:	<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>Jean Smith</u> Date: <u>1/27/25</u>		
Signature: <u>Jean M Smith</u> Title: <u>Owner/Member</u>		

MRB Cost Benefit Calculator

Cattaraugus County Industrial Development Agency

Date: February 12, 2025
 Project Title: Rusty Rooster Farm & Vintage
 Project Location: 484 and 476 Highland Terrace, Portville NY

Construction Phase - Project Assumptions

Project Costs

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

Project Costs
 Value
 \$200,000
 100%
 \$200,000

Construction Economic Impacts

Industry	NAICS	% of Total Investment	Investment by Type
Industrial Building Construction	236210	100%	\$200,000
(Not Applicable)	0		\$0
(Not Applicable)	0		\$0
Most projects will only have one line related to construction type.		100%	\$200,000

Operation Phase - Project Assumptions

Jobs and Earnings from Operations

Year 1 - Enter NAICS

NAICS	Count	Per Job Annual Earnings	Total Earnings
449110	2	\$22,500	\$45,000
0	0	\$0	\$0
0	0	\$0	\$0
0	0	\$0	\$0
0	0	\$0	\$0
0	0	\$0	\$0
Total	2		\$45,000

Year 2

NAICS	Count	Per Job Annual Earnings	Total Earnings
449110	4	\$22,500	\$90,000
0	0	\$0	\$0
0	0	\$0	\$0
0	0	\$0	\$0
0	0	\$0	\$0
0	0	\$0	\$0
Total	4		\$90,000

Year 3+ (Full Employment)

NAICS	Count	Per Job Annual Earnings	Total Earnings
449110	4	\$22,500	\$90,000
0	0	\$0	\$0
0	0	\$0	\$0
0	0	\$0	\$0
0	0	\$0	\$0
0	0	\$0	\$0
Total	4		\$90,000

Fiscal Impact Assumptions

Estimated Costs of Incentives

	%	Value
Sales Tax Exemption		\$0,000
Local Sales Tax Rate	4.00%	\$8,000
State Sales Tax Rate	4.00%	\$8,000
Mortgage Recording Tax Exemption		\$0
Local	0.75%	\$0
State	0.50%	\$0
Total Costs		\$36,015

PRIOT Term (Years) 10
 Escalation Factor 2%
 Discount Factor 2%

Property Tax Exemption

[illegible]

Other Benefits to Public and Private Individuals - If Applicable

[illegible]

Notes

Adaptive Reuse PILOT Schedule: PILOT calculations based on new assessed value of \$150,000.

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

15

Cattaraugus County Industrial Development Agency
MRB Cost Benefit Calculator



Date February 12, 2025
Project Title Rusty Rooster Farm & Vintage
Project Location 484 and 476 Highland Terrace , Portville NY

Economic Impacts

Summary of Economic Impacts over the Life of the PILOT
Project Total Investment
\$200,000

Temporary (Construction)			
	Direct	Indirect	Total
Jobs	1	0	1
Earnings	\$73,266	\$15,195	\$88,461
Local Spend	\$200,000	\$55,277	\$255,277

Ongoing (Operations)			
Aggregate over life of the PILOT			
	Direct	Indirect	Total
Jobs	4	0	4
Earnings	\$907,467	\$0	\$907,467

Figure 1

Net Benefits

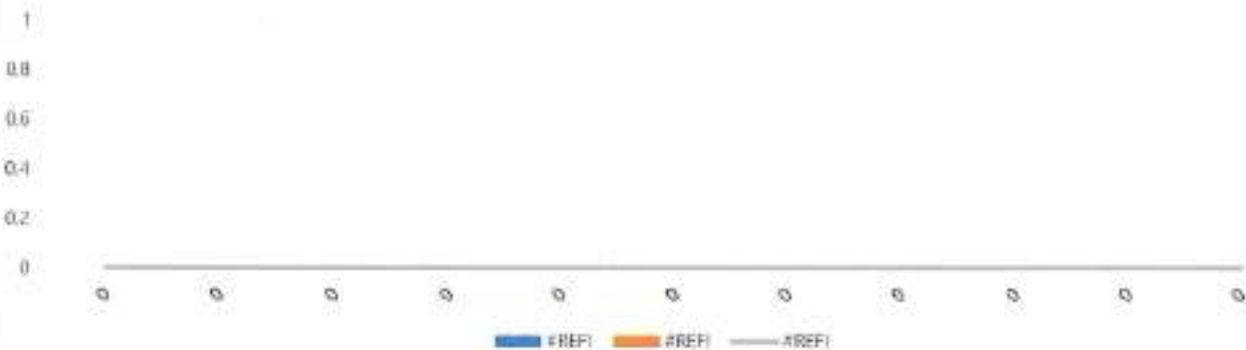


Figure 2

Total Jobs



Figure 3

Total Earnings



Fiscal Impacts

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$20,615	\$18,690
Sales Tax Exemption	\$16,000	\$16,000
Local Sales Tax Exemption	\$8,000	\$8,000
State Sales Tax Exemption	\$8,000	\$8,000
Mortgage Recording Tax Exemption	\$0	\$0
Local Mortgage Recording Tax Exemption	\$0	\$0
State Mortgage Recording Tax Exemption	\$0	\$0
Total Costs	\$36,615	\$34,690

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$1,007,632	\$907,844
To Private Individuals	\$995,928	\$897,556
Temporary Payroll	\$88,467	\$88,467
Ongoing Payroll	\$907,467	\$809,095
Other Payments to Private Individuals	\$0	\$0
To the Public	\$11,704	\$10,288
Increase in Property Tax Revenue	\$4,732	\$4,005
Temporary Jobs - Sales Tax Revenue	\$619	\$619
Ongoing Jobs - Sales Tax Revenue	\$6,352	\$5,664
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$51,788	\$46,673
To the Public	\$51,788	\$46,673
Temporary Income Tax Revenue	\$3,987	\$3,987
Ongoing Income Tax Revenue	\$40,806	\$36,409
Temporary Jobs - Sales Tax Revenue	\$619	\$619
Ongoing Jobs - Sales Tax Revenue	\$6,352	\$5,664
Total Benefits to State & Region	\$1,059,420	\$954,517

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$907,844	\$26,690	34:1
State	\$46,673	\$8,000	6:1
Grand Total	\$954,517	\$34,690	28:1

*Discounted at 2%

Additional Comments from IDA

Adaptive Reuse PILOT Schedule. PILOT calculations based on new assessed value of \$150,000.

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

PUBLIC HEARING SCRIPT

**Olean Union Sales Corp. project and/or
Individual(s), Affiliate(s), Subsidiary(ies),
or Entity(ies) formed or to be formed on
its behalf**

Public Hearing to be held on Wednesday, February 12, 2025, at 1:00 p.m.
at the City of Olean Municipal Building, Conference Room #119, 101 East State Street, Olean,
New York 14760

ATTENDANCE:

Steven Blaske

☐ Members of the General Public

☒ 1. WELCOME: Call to Order and Identity of Hearing Officer.

Hearing Officer: Welcome. This public hearing is now open; it is 1:00 p.m. My name is Corey R. Wiktor. I am the Executive Director for the County of Cattaraugus Industrial Development Agency, and I have been designated by the Agency to be the hearing officer to conduct this public hearing. This public hearing is being live-streamed and made accessible on the Agency's website at www.cattcoida.com.

☒ 2. PURPOSE: Purpose of the Hearing.

Hearing Officer: We are here to hold the public hearing on the Olean Union Sales Corp. project and/or Individual(s), Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf. This public hearing is being recorded and will be transcribed for the Board Members of the Agency for their review and comments before they take any further action. We have a sign in sheet for anyone who would like to participate in this public hearing either by presenting oral comments or we would be happy to take written statements. Notice of this hearing appeared in Olean Times Herald on Friday, January 31, 2025.

☒ 3. PROJECT SUMMARY: Description of Project and Contemplated Agency Benefits.

Hearing Officer: The proposed project (the "Project") consists of: (i) the acquisition by the Agency of a leasehold interest in certain property located at 426 South Union Street in the City of Olean, Cattaraugus County, New York and all other lands in the City of Olean where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (the "Land"), (ii) the construction of a 6,000+/- sq. ft.

building to grow its products, services and materials business on the Land (the "Improvements"); and (iii) the acquisition by the Company in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the "Equipment"; and, together with the Land and the Improvements, the "Facility"). The proposed financial assistance contemplated by the Agency includes New York State and local sales and use tax exemption benefits, mortgage recording tax exemption benefits, and real property tax abatement benefits (in compliance with Agency's uniform tax exemption policy).

☒ **4. FORMAT OF HEARING:** Review the rules and manner in which the hearing will proceed.

Hearing Officer: All those who have joined this conference call will be given an opportunity to make statements and/or comments on the Project if they so desire.

Minutes of the Public Hearing will be transcribed and posted on the Agency's website (www.cattcoida.com). Additional information can be obtained from, and written comments may be addressed to: Corey R. Wiktor, Executive Director, County of Cattaraugus Industrial Development Agency, 9 East Washington Street, P.O. Box 1749, Ellicottville, New York 14731; Telephone: 716-699-2005 and electronically at corey@cattcoida.com or Info@cattcoida.com.

☒ **5. PUBLIC COMMENT:** Hearing Officer gives the Public an opportunity to speak.

Hearing Officer: Those interested in making a statement or comment will be called upon. Please begin by stating your name and address; if you are representing a company, please identify the company. I request that speakers keep statements and/or comments to 5 minutes or less.

The Hearing Moderator introduces each participant in the order they registered for this meeting.

[Insert transcription of public comments here.]

-OR-

☐ Hearing Officer: Note that no one in attendance wished to make a statement or comment.

☒ **6. ADJOURNMENT:**

1:15 As there are no further statements and/or comments, I will close the public hearing at p.m.

SIGN IN SHEET FOR PUBLIC HEARING

Public Hearing to be held on Wednesday, February 12, 2025, at 1:00 p.m.
at the City of Olean Municipal Building, Conference Room #119, 101 East State Street, Olean,
New York 14760

**Olean Union Sales Corp. project and/or Individual(s), Affiliate(s),
Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf**

Project Location: 426 South Union Street, Olean, New York 14760

[illegible]

MRB Cost Benefit Calculator

Cattaraugus County Industrial Development Agency

Date: January 7, 2025
 Project Title: Clean Union Sales Corp
 Project Location: 426 South Union Street, Clean NY

Construction Phase - Project Assumptions

Project Costs

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

Project Costs

Value
 \$750,000
 100%
 \$750,000

Construction Economic Impacts

Industry	NAICS	% of Total Investment	Investment by Type
Industrial Building Construction	236210	100%	\$750,000
(Not Applicable)	0		\$0
(Not Applicable)	0		\$0
Most projects will only have one line related to construction type.		100%	\$750,000

Operation Phase - Project Assumptions

Jobs and Earnings from Operations

[NAICS Lookup](#)

Year 1 - Enter NAICS	NAICS	Count	Per Job Annual Earnings	Total Earnings
0	444000	14	\$60,000	\$840,000
0	0			\$0
0	0			\$0
0	0			\$0
0	0			\$0
0	0			\$0
Total		14		\$840,000

Year 2	NAICS	Count	Per Job Annual Earnings	Total Earnings
0	444000	15	\$60,000	\$900,000
0	0			\$0
0	0			\$0
0	0			\$0
0	0			\$0
0	0			\$0
Total		15		\$900,000

Year 3+ (Full Employment)	NAICS	Count	Per Job Annual Earnings	Total Earnings
0	444000	15	\$60,000	\$900,000
0	0			\$0
0	0			\$0
0	0			\$0
0	0			\$0
0	0			\$0
Total		15		\$900,000

Fiscal Impact Assumptions

Estimated Costs of Incentives

	%	Value
Sales Tax Exemption		\$60,000
Local Sales Tax Rate	4.00%	\$30,000
State Sales Tax Rate	4.00%	\$30,000
Mortgage Recording Tax Exemption		\$8,750
Local	0.75%	\$1,250
State	0.50%	\$3,500
Total Costs		\$85,642

PILOT Term (Years)	10
Escalation Factor	2%
Discount Factor	2%

Property Tax Exemption

[illegible]

Office Benefits to Public and Private Individuals, if Applicable:

[illegible]

Notes

94.013-5-40 (420 South Union, 422 South Union and 426 South Union Street will be combined into 1 parcel

Construction

Current properties 94.073-5-37, 94.073-5-38 and

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

Yes

**COUNTY OF CATTARAUGUS INDUSTRIAL
DEVELOPMENT AGENCY
INDUCEMENT RESOLUTION**

**OLEAN UNION SALES CORP., AND/OR INDIVIDUAL(S) OR AFFILIATE(S),
SUBSIDIARY(IES), OR ENTITY(IES) FORMED OR TO BE FORMED ON ITS
BEHALF**

A regular meeting of the County of Cattaraugus Industrial Development Agency was convened on Tuesday, February 18, 2025 at 11:15 a.m.

The following resolution was duly offered and seconded, to wit:

RESOLUTION OF THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY: (i) ACCEPTING THE APPLICATION OF OLEAN UNION SALES CORP., 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

WHEREAS, County of Cattaraugus Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 536 of the 1971 Laws of New York, as amended, constituting Section 890-b of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and

industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more "projects" (as defined in the Act), or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, the Company has submitted an application to the Agency (the "Application") requesting the Agency's assistance with a certain project (the "Project") consisting of: (i) the acquisition by the Agency of a leasehold interest in certain property located at 426 South Union Street in the City of Olean, Cattaraugus County, New York and all other lands in the City of Olean where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (the "Land"), (ii) the construction of a 6,000+/- sq. ft. building to grow its products, services and materials business on the Land (the "Improvements"); and (iii) the acquisition by the Company in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the "Equipment"; and, together with the Land and the Improvements, the "Facility"); and

WHEREAS, pursuant to General Municipal Law Section 859-a, on Wednesday, February 12, 2025, at 1:00 p.m., local time, a.m. at City of Olean Municipal Building, Mayor's Conference Room 119, 101 East State Street, Olean, New York 14760, the Agency held a public hearing with respect to the Project and the proposed Financial Assistance (as hereinafter defined) being contemplated by the Agency (the "Public Hearing") whereat interested parties were provided a reasonable opportunity, both orally and in writing, to present their views; and

WHEREAS, it is contemplated that the Agency will (i) designate the Company as its agent for the purpose of undertaking the Project pursuant to an Agent and Financial Assistance Project Agreement (the "Agent Agreement"), (ii) negotiate and enter into a lease agreement (the "Lease Agreement") and related leaseback agreement (the "Leaseback Agreement") with the Company, pursuant to which the Agency will retain a leasehold interest in the Land, the Existing Improvements, the Improvements, the Equipment and personal property constituting the Facility; and (iii) provide Financial Assistance to the Company in the form of (a) an exemption benefit from all New York State and local sales and use taxes for purchases and rentals related to the Project with respect to the qualifying personal property included in or incorporated into the Facility or used in the acquisition, construction, reconstruction and/or renovation, rehabilitation or equipping of the Facility, (b) a mortgage recording tax exemption benefit for the financing related to the Project, and (c) a partial abatement from real property taxes benefit through a {#} year term PILOT Agreement for the benefit of each municipality and school district having taxing jurisdiction over the Project, (collectively, the sales and use tax exemption benefit, the mortgage recording tax exemption benefit, and the partial abatement from real property taxes benefit, are hereinafter collectively referred to as the "Financial Assistance"); and

WHEREAS, pursuant to and in accordance with applicable provisions of the State Environmental Quality Review Act ("SEQR"), the Company has submitted to the Agency an Environmental Assessment Form (the "EAF") with respect to the Project; and

WHEREAS, pursuant to Article 18-A of the Act, the Agency desires to adopt a resolution describing the Project and the Financial Assistance that the Agency is contemplating with respect to the Project,

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. The Company has presented an application in a form acceptable to the Agency. Based upon the representations made by the Company to the Agency in the Company's application and any other correspondence submitted by the Company to the Agency, public hearing comments, if any, and Agency board member review of and recommendations related to the Project and its resolution to approve the Project subject to the terms and conditions as described herein, the Agency board member review of the Project's cost benefit ratio, the costs of incentives so applied for, the anticipated new tax revenues to be generated by the Project, as well as the Project's contemplated community benefits, and Agency board member review, discussion, and consideration of same, the Agency hereby finds and determines that:

(A) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and

(B) It is desirable and in the public interest for the Agency to appoint the Company as its agent for purposes of acquiring, constructing and/or renovating and equipping the Project; and

(C) The Agency has the authority to take the actions contemplated herein under the Act; and

(D) The action to be taken by the Agency will induce the Company to develop the Project, thereby increasing and/or retaining employment opportunities in Cattaraugus County, New York and otherwise furthering the purposes of the Agency as set forth in the Act; and

(E) The Project will not result in the removal of a civic, commercial, industrial, or manufacturing plant of the Company or any other proposed occupant of the Project from one area of the State of New York (the "State") to another area of the State or result in the abandonment of one or more plants or facilities of the Company or any other proposed occupant of the Project located within the State; and the Agency hereby finds that, based on the Company's application, to the extent occupants are relocating from one plant or facility to another, the Project is reasonably necessary to discourage the Project occupants from removing such other plant or facility to a location outside the State and/or is reasonably necessary to preserve the competitive position of the Project occupants in their respective industries, and, to the extent occupants are relocating from one plant or facility to another in another area of the State, the Agency has complied with the Act's abandonment procedures; and

(F) The Agency has assessed all material information included in connection with the Application necessary to afford a reasonable basis for the decision by the Agency to provide Financial Assistance for the Project as described herein; and

(G) The Agency has prepared a written cost-benefit analysis satisfactorily identifying the extent to which the Project will create or retain permanent, private sector jobs, the estimated value of any tax exemption to be provided, the amount of private sector investment generated or likely to be generated by the Project, the likelihood of accomplishing the Project in a timely fashion, and the extent to which the Project will provide additional sources of revenue for municipalities and school districts, and any other public benefits that might occur as a result of the Project; and

(H) The Company has provided a written statement confirming that the Project as of the date of the Application is in substantial compliance with all provisions the Act.

(I) The Project involves an "Unlisted Action" as said term is defined pursuant to 6 N.Y.C.R.R. Section 617.2(al) of the SEQR regulations. The Agency has conducted an uncoordinated review of the Project pursuant to 6 N.Y.C.R.R. Section 617.6(b)(4)(i). Based upon a comprehensive and thorough review by the Agency of the EAF and related documents delivered by the Company to the Agency, the criteria set forth in 6 N.Y.C.R.R. Section 617.7 of the SEQR regulations, and the additional representations made by the Company to the Agency in connection with the Project, the Agency hereby finds that the Project will not have a potential significant adverse environmental impact warranting the preparation of an environmental impact statement. The Agency thus issues a "negative declaration" as that term is defined pursuant 6 N.Y.C.R.R. Section 617.2(z); and

(J) The Project qualifies for Agency Financial Assistance as it meets the Agency's general uniform criteria for project evaluation, said criteria established by New York State and the Agency as required under General Municipal Law Section 859-a(5) as evidenced by the following:

- (i) Extent to which the Project will create or retain jobs: The Project will retain 12.5 full-time ("FTE") employee positions and create .5 new FTE employee position.
- (ii) The estimated total value of Financial Assistance is approximately \$85,642 over the 10-year real property tax abatement benefit period.
- (iii) The estimated amount of private sector investment to be made by the Company is \$750,000.
- (iv) Likelihood of the Project being accomplished in a timely fashion: There is a high likelihood that the Project will be completed in a timely manner, by January 1, 2026.
- (v) Extent of new revenue provided to local taxing jurisdictions: The Project will result in new real property tax revenue and increased local sales tax revenue.

- (vi) The extent to which the Project will create local construction jobs. The Company will utilize local construction contractors to the extent, if at all, required.

Section 2. The Agency hereby authorizes the undertaking of the Project and the provision of the Financial Assistance to the Company as described herein.

Section 3. Subject to the Company executing an Agent Agreement and the delivery to the Agency of a binder, certificate or other evidence of insurance for the Project satisfactory to the Agency, the Agency hereby authorizes the Company to proceed with the acquisition, construction and equipping of the Project and hereby appoints the Company as the true and lawful agent of the Agency: (i) to acquire, construct and/or renovate and equip the Project; (ii) to make, execute, acknowledge and deliver any contracts, orders, receipts, writings and instructions, as the stated agent for the Agency with the authority to delegate such agency, in whole or in part, to agents, subagents, contractors, and subcontractors of such agents and subagents and to such other parties as the Company chooses; and (iii) in general, to do all things which may be requisite or proper for completing the Project, all with the same powers and the same validity that the Agency could do if acting in its own behalf; provided, however, the appointment of the Company as agent of the Agency, if utilized, shall expire one year from the date of this resolution (unless extended for good cause by the Chair, the Vice Chair, and/or the Executive Director).

A. Financial Assistance. With respect to the foregoing, and based upon the representations and warranties made by the Company in its application for Financial Assistance, the Agency hereby:

- (i) authorizes and approves the Company, as its agent, to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use tax in an amount estimated up to \$750,000, and, therefore, the value of the sales and use tax exemption benefits ("sales and use tax exemption benefits") authorized and approved by the Agency cannot exceed \$60,000, however, the Agency may consider any requests by the Company for increases to the amount of sales and use tax exemption benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services; and

- (ii) authorizes and approves that the value of the mortgage recording tax exemption benefit ("mortgage recording tax exemption benefits") shall not exceed \$8,750; and

- (iii) authorizes and approves that the real property tax abatement benefits ("PILOT benefits") to be provided over the term of the PILOT Agreement are estimated to be approximately \$16,892, resulting in estimated total PILOT payments of \$246,854 over the term of the PILOT Agreement.

B. Terms and Conditions of Financial Assistance. Pursuant to Section 875(3) of the New York General Municipal Law, and per the policies of the Agency, the Agency may recover

or recapture from the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, any New York State and local sales and use tax exemption benefits, and/or mortgage recording tax exemption benefits, and/or partial abatements from real property taxes benefits taken or purported to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, if it is determined that: (i) the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, is not entitled to the New York State and local sales and use tax exemption benefits; (ii) the New York State and local sales and use tax exemption benefits are in excess of the amounts authorized to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project; (iii) the New York State and local sales and use tax exemption benefits are for property or services not authorized by the Agency as part of the Project; (iv) the Company has made a material false statement on its application for Financial Assistance; and/or (v) the New York State and local sales and use tax exemption benefits and/or mortgage recording tax exemption benefits, and/or the partial abatement from real property taxes benefits are taken in cases where the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, fails to comply with the Investment Commitment, the Employment Commitment, and/or the Construction Jobs and Local Labor Commitment, said commitments, as described below, being a material term or condition to use property or services in the manner approved by the Agency in connection with the Project.

As a condition precedent of receiving Financial Assistance, the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, must cooperate with the Agency in its efforts to recover or recapture any Financial Assistance, and promptly pay over any such amounts to the Agency that the Agency demands.

C. Commitments. As an additional condition precedent of receiving Financial Assistance, and as a material term or condition as approved by the Agency in connection with the Project, the Company covenants and agrees and understands that it must, subject to potential modification, termination and/or recapture of Financial Assistance for failure to meet and maintain the commitments and thresholds as described below, submit, on an annual basis or as otherwise indicated below through the termination of the PILOT Agreement, a certification, as so required by the Agency, confirming:

- (i) Investment Commitment - the total investment actually made with respect to the Project at the time of Project completion equals or exceeds \$750,000, being the total project cost as stated in the Company's application for Financial Assistance.
- (ii) Employment Commitment – that there are at least eleven (11) existing full time equivalent ("FTE") employees located at, or to be located at, the Facility as stated in the Company's application for Financial Assistance (the "Baseline FTE"); and
 - the number of current FTE employees in the then current year at the Facility; and

- that within two (2) years of Project completion, the Company has maintained and created FTE employment at the Facility equal to 13 FTE employees [representing the sum of (x) 12.5 Baseline FTE and (y) .5 FTE employees, (being the .5 new FTE employee positions proposed to be created by the Company as stated in its Application)].
- (iii) Construction Jobs and Local Labor Commitment – - that the Company will utilize local construction laborers to the maximum extent possible.

Section 4. Subject to the terms of this Inducement Resolution, the Chair, the Vice Chair, and/or the Executive Director, are hereby authorized, on behalf of the Agency, to negotiate, execute and deliver (A) an Agent Agreement, (B) the Lease Agreement whereby the Company leases the Project to the Agency, (C) the related Leaseback Agreement whereby the Agency leases the Project back to the Company, and (D) the PILOT Agreement and (E) related documents; provided, however, that (i) the rental payments under the Leaseback Agreement to the Company include payments of all costs incurred by the Agency arising out of or related to the Project and indemnification of the Agency by the Company for actions taken by the Company and/or claims arising out of or related to the Project; and (ii) the terms of the PILOT Agreement are consistent with the Agency's Uniform Tax Exemption Policy, or procedures for deviation have been complied with accordingly.

Section 5. Subject to the terms of this Inducement Resolution, the Chair, the Vice Chair, and/or the Executive Director, are hereby authorized, on behalf of the Agency, to negotiate, execute and deliver any mortgage, assignment of leases and rents, security agreement, UCC-1 Financing Statements and all documents reasonably contemplated by these resolutions or required by any lender identified by the Company (the "Lender") up to a maximum principal amount necessary to undertake the Project, acquire the Facility and/or finance or refinance acquisition and Project costs or equipment and other personal property and related transactional costs (hereinafter, with the Lease Agreement, Leaseback Agreement, and related documents, collectively called the "Agency Documents"); and, where appropriate, the Secretary or the Assistant Secretary of the Agency is hereby authorized to affix the seal of the Agency to the Agency Documents and to attest the same, all with such changes, variations, omissions and insertions as the Chair, the Vice Chair, and/or the Executive Director of the Agency shall approve, the execution thereof by the Chair, the Vice Chair, and/or the Executive Director of the Agency to constitute conclusive evidence of such approval; provided in all events recourse against the Agency is limited to the Agency's interest in the Project.

Section 6. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to negotiate, execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 7. The provision by the Agency of Financial Assistance with respect to the Project as described herein is subject to the Agency's policies.

Section 8. This resolution shall take effect immediately, and shall expire one (1) year from the date hereof unless extended for good cause by the Chair, the Vice Chair, and/or the Executive Director.

Dated: February 18, 2025

PUBLIC HEARING SCRIPT

**Hidden Gems Family Resorts, LLC /
Creeley Construction, LLC project
and/or Individual(s), Affiliate(s),
Subsidiary(ies), or Entity(ies) formed or
to be formed on its behalf**

Public Hearing to be held on Wednesday, February 12, 2025, at 6:00 p.m.
at the Town of Mansfield town offices, 7691 Toad Hollow Road, Little Valley, New York 14755

ATTENDANCE:

See attached

☐ Members of the General Public

X 1. WELCOME: Call to Order and Identity of Hearing Officer.

Hearing Officer: Welcome. This public hearing is now open; it is 6:05 p.m. My name is Corey R. Wiktor. I am the Executive Director for the County of Cattaraugus Industrial Development Agency, and I have been designated by the Agency to be the hearing officer to conduct this public hearing. This public hearing is being live-streamed and made accessible on the Agency's website at www.cattcoida.com.

X 2. PURPOSE: Purpose of the Hearing.

Hearing Officer: We are here to hold the public hearing on the Hidden Gems Family Resorts, LLC / Creeley Construction, LLC project and/or Individual(s), Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf. This public hearing is being recorded and will be transcribed for the Board Members of the Agency for their review and comments before they take any further action. We have a sign in sheet for anyone who would like to participate in this public hearing either by presenting oral comments or we would be happy to take written statements. Notice of this hearing appeared in Olean Times Herald on January 31, 2025.

X 3. PROJECT SUMMARY: Description of Project and Contemplated Agency Benefits.

Hearing Officer: The proposed project (the "Project") consists of: the acquisition by the Agency of a leasehold interest in certain property located at 7060 NYS Route 242 in the Town of Mansfield, Cattaraugus County, New York and all other lands in the Town of Mansfield where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (the "Land"), (ii) the construction of 30 short-term

1,000 sq. ft. cottage rentals along with a 4,500 sq. ft. amenities building and associated parking and landscaping for this boutique luxury spa hotel on 17.5 acres of land (the "Improvements"); and (iii) the acquisition by the Company in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the "Equipment"; and, together with the Land and the Improvements, the "Facility"). The Facility will be initially operated and/or managed by the Company.

The proposed financial assistance contemplated by the Agency includes New York State and local sales and use tax exemption benefits, mortgage recording tax exemption benefits, and real property tax abatement benefits (in compliance with Agency's uniform tax exemption policy).

X 4. FORMAT OF HEARING: Review the rules and manner in which the hearing will proceed.

Hearing Officer: All those who have joined this conference call will be given an opportunity to make statements and/or comments on the Project if they so desire.

Minutes of the Public Hearing will be transcribed and posted on the Agency's website (www.cattcoida.com). Additional information can be obtained from, and written comments may be addressed to: Corey R. Wiktor, Executive Director, County of Cattaraugus Industrial Development Agency, 9 East Washington Street, P.O. Box 1749, Ellicottville, New York 14731; Telephone: 716-699-2005 and electronically at corey@cattcoida.com or Info@cattcoida.com.

X 5. PUBLIC COMMENT: Hearing Officer gives the Public an opportunity to speak.

Hearing Officer: Those interested in making a statement or comment will be called upon. Please begin by stating your name and address; if you are representing a company, please identify the company. I request that speakers keep statements and/or comments to 5 minutes or less.

The Hearing Moderator introduces each participant in the order they registered for this meeting.

Carl Calarco the Town Supervisor had some general questions concerning the proposed incentives. The Town and Planning Board are supportive of the project.

X 6. ADJOURNMENT:

As there are no further statements and/or comments, I will close the public hearing at 6:30 p.m.

SIGN IN SHEET FOR PUBLIC HEARING

Public Hearing to be held on Wednesday, February 12, 2025, at 6:00 p.m.
at the Town of Mansfield town offices, 7691 Toad Hollow Road, Little Valley, New York 14755

**Hidden Gems Family Resorts, LLC / Creeley Construction, LLC project
and/or Individual(s), Affiliate(s),
Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf**

Project Location: 7060 NYS Route 242, Mansfield, New York

[illegible]

MRB Cost Benefit Calculator

Cattaraugus County Industrial Development Agency

Date: February 12, 2025
 Project Title: Creeley Construction/Hidden Gems Family Resorts, LLC
 Project Location: Mansfield NY

Construction Phase - Project Assumptions

Project Costs

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

Project Costs
 Value
 \$10,500,000
 100%
 \$10,500,000

Construction Economic Impacts

Industry	NAICS	% of Total Investment	Investment by Type
Industrial Building Construction	236210	100%	\$10,500,000
(Not Applicable)	0		\$0
(Not Applicable)	0		\$0
Most projects will only have one line related to construction type		100%	\$10,500,000

Operation Phase - Project Assumptions

Jobs and Earnings from Operations

[NAICS List](#)

Year 1 - Enter NAICS

NAICS	Count	Per Job Annual Earnings	Total Earnings
Lessons of Residential Buildings and Dwellin	531110	0	\$0
0			\$0
0			\$0
0			\$0
0			\$0
0			\$0
Total	0		\$0

Year 2

NAICS	Count	Per Job Annual Earnings	Total Earnings
Lessons of Residential Buildings and Dwellin	531110	3	\$180,000
0	0		\$0
0	0		\$0
0	0		\$0
0	0		\$0
0	0		\$0
Total	3		\$180,000

Year 3+ (Full Employment)

NAICS	Count	Per Job Annual Earnings	Total Earnings
Lessons of Residential Buildings and Dwellin	531110	3	\$180,000
0	0		\$0
0	0		\$0
0	0		\$0
0	0		\$0
0	0		\$0
Total	3		\$180,000

Fiscal Impact Assumptions

Estimated Costs of Incentives

	%	Value
Sales Tax Exemption		\$680,000
Local Sales Tax Rate	4.00%	\$340,000
State Sales Tax Rate	4.00%	\$340,000
Mortgage Recording Tax Exemption		\$93,750
Local	0.75%	\$56,250
State	0.50%	\$37,500
Total Costs		\$2,116,723

PILDT Term (Years) 14
 Escalation Factor 2%
 Discount Factor 2%

Property Tax Exemption

[illegible]

Other Benefits to Public and Private Individuals (If Applicable)

[illegible]

Nucleus

14-year Tourism Destination PILOT

3 parcels; 55.001-2-13, 55.001-2-14, and 55.001-2-29.4 PILOT Calculations based on \$4.8 M assessed value of 3 parcels

Other Local Municipal Revenue - Mansfield Fire District

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

Yes

Cattaraugus County Industrial Development Agency

MRB Cost Benefit Calculator



Date February 12, 2025
 Project Title Creeley Construction/Hidden Gems Family Resorts, LLC
 Project Location Mansfield NY

Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

Project Total Investment
 \$10,500,000

Temporary (Construction)			
	Direct	Indirect	Total
Jobs	48	18	66
Earnings	\$3,846,489	\$797,720	\$4,644,209
Local Spend	\$10,500,000	\$2,902,021	\$13,402,021

Ongoing (Operations)			
Aggregate over life of the PILOT			
	Direct	Indirect	Total
Jobs	3	2	5
Earnings	\$2,594,176	\$1,414,288	\$4,008,464

Figure 1

Net Benefits



Figure 2

Total Jobs

Figure 3

Total Earnings



Fiscal Impacts

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$1,342,973	\$1,175,837
Sales Tax Exemption	\$680,000	\$680,000
Local Sales Tax Exemption	\$340,000	\$340,000
State Sales Tax Exemption	\$340,000	\$340,000
Mortgage Recording Tax Exemption	\$93,750	\$93,750
Local Mortgage Recording Tax Exemption	\$56,250	\$56,250
State Mortgage Recording Tax Exemption	\$37,500	\$37,500
Total Costs	\$2,116,723	\$1,949,587

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$8,999,660	\$8,337,222
To Private Individuals	\$8,652,673	\$8,056,621
Temporary Payroll	\$4,644,209	\$4,644,209
Ongoing Payroll	\$4,008,464	\$2,412,413
Other Payments to Private Individuals	\$0	\$0
To the Public	\$346,987	\$280,601
Increase in Property Tax Revenue	\$253,559	\$195,971
Temporary Jobs - Sales Tax Revenue	\$32,509	\$32,509
Ongoing Jobs - Sales Tax Revenue	\$28,059	\$23,687
Other Local Municipal Revenue	\$32,859	\$28,233
State Benefits	\$449,939	\$418,944
To the Public	\$449,939	\$418,944
Temporary Income Tax Revenue	\$208,989	\$208,989
Ongoing Income Tax Revenue	\$180,387	\$152,559
Temporary Jobs - Sales Tax Revenue	\$32,509	\$32,509
Ongoing Jobs - Sales Tax Revenue	\$28,059	\$23,887
Total Benefits to State & Region	\$9,449,599	\$8,756,167

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$8,337,222	\$1,572,087	5:1
State	\$418,944	\$377,500	1:1
Grand Total	\$8,756,167	\$1,949,587	4:1

*Discounted at 2%

Additional Comments from IDA

14-year Tourism Destination PILOT
3 parcels: 55.001-2-13, 55.001-2-14, and 55.001-2-29.4 PILOT Calculations based on \$4.8 M assessed value of 3 parcels
Other Local Municipal Revenue - Mansfield Fire District

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

**COUNTY OF CATTARAUGUS INDUSTRIAL
DEVELOPMENT AGENCY
INDUCEMENT RESOLUTION**

**HIDDEN GEMS FAMILY RESORTS, LLC / CREELEY CONSTRUCTION, LLC,
AND/OR INDIVIDUAL(S) OR AFFILIATE(S), SUBSIDIARY(IES), OR ENTITY(IES)
FORMED OR TO BE FORMED ON ITS BEHALF**

A regular meeting of the County of Cattaraugus Industrial Development Agency was convened on Tuesday, February 18, 2025 at 11:15 a.m.

The following resolution was duly offered and seconded, to wit:

RESOLUTION OF THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY: (i) ACCEPTING THE APPLICATION OF HIDDEN GEMS FAMILY RESORTS, LLC / CREELEY CONSTRUCTION, 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

WHEREAS, County of Cattaraugus Industrial Development Agency (the "Agency") is authorized and empowered by the provisions of Chapter 1030 of the 1969 Laws of New York, constituting Title 1 of Article 18-A of the General Municipal Law, Chapter 24 of the Consolidated Laws of New York, as amended (the "Enabling Act") and Chapter 536 of the 1971 Laws of New York, as amended, constituting Section 890-b of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the "Act") to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving,

maintaining, equipping and furnishing of manufacturing, warehousing, research, commercial and industrial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more "projects" (as defined in the Act), or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, the Company has submitted an application to the Agency (the "Application") requesting the Agency's assistance with a certain project (the "Project") consisting of: (i) the acquisition by the Agency of a leasehold interest in certain property located at 7060 NYS Route 242 in the Town of Mansfield, Cattaraugus County, New York and all other lands in the Town of Mansfield where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (the "Land"), (ii) the construction of 30 short-term 1,000 sq. ft. cottage rentals along with a 4,500 sq. ft. amenities building and associated parking and landscaping for this boutique luxury spa hotel on 17.5 acres of land (the "Improvements"); and (iii) the acquisition by the Company in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the "Equipment"; and, together with the Land and the Improvements, the "Facility"); and

WHEREAS, pursuant to General Municipal Law Section 859-a, on Wednesday, February 12, 2025, at 6:00 p.m., local time, at Town of Mansfield municipal offices, 7691 Toad Hollow Road, Town of Mansfield, New York, the Agency held a public hearing with respect to the Project and the proposed Financial Assistance (as hereinafter defined) being contemplated by the Agency (the "Public Hearing") whereat interested parties were provided a reasonable opportunity, both orally and in writing, to present their views; and

WHEREAS, it is contemplated that the Agency will (i) designate the Company as its agent for the purpose of undertaking the Project pursuant to an Agent and Financial Assistance Project Agreement (the "Agent Agreement"), (ii) negotiate and enter into a lease agreement (the "Lease Agreement") and related leaseback agreement (the "Leaseback Agreement") with the Company, pursuant to which the Agency will retain a leasehold interest in the Land, the Existing Improvements, the Improvements, the Equipment and personal property constituting the Facility; and (iii) provide Financial Assistance to the Company in the form of (a) an exemption benefit from all New York State and local sales and use taxes for purchases and rentals related to the Project with respect to the qualifying personal property included in or incorporated into the Facility or used in the acquisition, construction, reconstruction and/or renovation, rehabilitation or equipping of the Facility, (b) a mortgage recording tax exemption benefit for the financing related to the Project, and (c) a partial abatement from real property taxes benefit through a {#} year term PILOT Agreement for the benefit of each municipality and school district having taxing jurisdiction over the Project, (collectively, the sales and use tax exemption benefit, the mortgage recording tax exemption benefit, and the partial abatement from real property taxes benefit, are hereinafter collectively referred to as the "Financial Assistance"); and

WHEREAS, the Project constitutes a “retail” project as defined under Section 862(2)(a) of the Act and as such requires additional findings; and

WHEREAS, the Agency must, prior to providing any Financial Assistance to such a “retail” Project, find either that: (1) the Project is likely to attract a significant number of visitors from outside the economic development region in which the Project is located as established by Section 230 of the New York Economic Development Law; or (2) the predominant purpose of the Project would be to make available goods or services which would not, but for the Project, be reasonably accessible to residents of the Town of Mansfield because of a lack of reasonably accessible retail trade facilities offering such goods or services; or (3) the Project is located in a “Highly Distressed Area” as such term is defined in Section 854(18) of the Act, and

WHEREAS, the Project provides a one-of-a-kind destination retreat with rustic luxury and scenic-themed rental villas offering premium amenities such as private hot tubs, saunas and fire pits. The Company has confirmed that approximately 48% of its guests are coming from areas outside of the economic development region (as established by Section 230 of the New York State Economic Development Law), said guest utilize the Project year-round, such that Project is and is likely to continue to attract a significant number of visitors from outside the economic development region and therefore the Project constitutes a “tourism destination” as defined in Section 862(2) of the Act; and

WHEREAS, pursuant to and in accordance with applicable provisions of the State Environmental Quality Review Act (“SEQR”), the Company has submitted to the Agency a Full Environmental Assessment Form (the “EAF”) with respect to the Project; and

WHEREAS, the Town of Mansfield Town Board (the “Town Board”) in accordance with Article 8 of the New York Environmental Conservation Law and the regulations promulgated thereto in 6 N.Y.C.R.R. Part 617 (collectively referred to as the “State Environmental Quality Review Act” and/or “SEQR”), undertook coordinated review with respect to the Project, established itself as Lead Agency as defined in SEQR, determined that the Project was an Unlisted Action, and issued a negative declaration (“Negative Declaration”) under SEQR on January 27, 2025 with respect to the Project; and

WHEREAS, pursuant to Article 18-A of the Act, the Agency desires to adopt a resolution describing the Project and the Financial Assistance that the Agency is contemplating with respect to the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. The Company has presented an application in a form acceptable to the Agency. Based upon the representations made by the Company to the Agency in the Company’s application and any other correspondence submitted by the Company to the Agency, public hearing comments, if any, and Agency board member review of and recommendations related to the Project and its resolution to approve the Project subject to the terms and conditions as described herein, the Agency board member review of the Project’s cost benefit ratio, the costs

of incentives so applied for, the anticipated new tax revenues to be generated by the Project, as well as the Project's contemplated community benefits, and Agency board member review, discussion, and consideration of same, the Agency hereby finds and determines that:

(A) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and

(B) It is desirable and in the public interest for the Agency to appoint the Company as its agent for purposes of acquiring, constructing and/or renovating and equipping the Project; and

(C) The Agency has the authority to take the actions contemplated herein under the Act; and

(D) The action to be taken by the Agency will induce the Company to develop the Project, thereby increasing and/or retaining employment opportunities in Cattaraugus County, New York and otherwise furthering the purposes of the Agency as set forth in the Act; and

(E) The Project will not result in the removal of a civic, commercial, industrial, or manufacturing plant of the Company or any other proposed occupant of the Project from one area of the State of New York (the "State") to another area of the State or result in the abandonment of one or more plants or facilities of the Company or any other proposed occupant of the Project located within the State; and the Agency hereby finds that, based on the Company's application, to the extent occupants are relocating from one plant or facility to another, the Project is reasonably necessary to discourage the Project occupants from removing such other plant or facility to a location outside the State and/or is reasonably necessary to preserve the competitive position of the Project occupants in their respective industries, and, to the extent occupants are relocating from one plant or facility to another in another area of the State, the Agency has complied with the Act's abandonment procedures; and

(F) The Agency has assessed all material information included in connection with the Application necessary to afford a reasonable basis for the decision by the Agency to provide Financial Assistance for the Project as described herein; and

(G) The Agency has prepared a written cost-benefit analysis satisfactorily identifying the extent to which the Project will create or retain permanent, private sector jobs, the estimated value of any tax exemption to be provided, the amount of private sector investment generated or likely to be generated by the Project, the likelihood of accomplishing the Project in a timely fashion, and the extent to which the Project will provide additional sources of revenue for municipalities and school districts, and any other public benefits that might occur as a result of the Project; and

(H) The Company has provided a written statement confirming that the Project as of the date of the Application is in substantial compliance with all provisions the Act; and

(I) The Agency finds that the location and the Project attracts and will continue to attract a significant number of visitors from outside the economic development region, that the Facility will entice visitors residing outside the economic development region to come to

Cattaraugus County, that the Facility is situate approximately 50 feet walking distance from the Holimont all-season tourism destination area, and that the Project will pay sales taxes and occupancy taxes as so related to its operations and therefor is a Tourism Destination Facility as defined with the Agency's polices and the Act; and

(J) Based upon a thorough and complete review of the Application and its accompanying materials and information, the Environmental Assessment Form submitted by the Company, and the proceedings conducted by the Agency and the Town of Mansfield Town Board to date, pursuant to SEQR, the Agency hereby:

(i) consents to and affirms the status of the Town Board as "Lead Agency" within the meaning of and for all purposes of complying with SEQR and determines that the proceedings undertaken by the Town Board under SEQR with respect to the undertaking of the Project by the Company (as agent of the Agency) satisfy the requirements of SEQR;

(ii) affirms that the Project involves an "Unlisted Action" as that term is defined under SEQR;

(iii) reviews, considers, ratifies, and adopts such proceedings by the Town Board, including the "Negative Declaration";

(iv) determines that the Project will result in no major impacts and, therefore, is one which will not cause significant damage to the environment, that the Project will not have a "significant effect on the environment" as such quoted terms are defined in SEQR, and that no "environmental impact statement" as such quoted term is defined in SEQR need be prepared for this action; and

(v) determines that all the provisions of SEQR that are required to be complied with as a condition precedent to the approval of the Financial Assistance contemplated by the Agency with respect to the Project, and the participation by the Agency in undertaking the Project, have been satisfied. This determination constitutes a "negative declaration" (as such quoted terms are defined under SEQR) for purposes of SEQR.

(K) The Project qualifies for Agency Financial Assistance as it meets the Agency's general uniform criteria for project evaluation, said criteria established by New York State and the Agency as required under General Municipal Law Section 859-a(5) as evidenced by the following:

- (i) Extent to which the Project will create or retain jobs: The Project will create three (3) full-time ("FTE") and 2 part-time ("PTE") employee positions.
- (ii) The estimated total value of Financial Assistance is approximately \$854,313 over the 15-year real property tax abatement benefit period.

- (iii) The estimated amount of private sector investment to be made by the Company is \$10,500,000.
- (iv) Likelihood of the Project being accomplished in a timely fashion: There is a high likelihood that the Project will be completed in a timely manner, by January 1, 2026.
- (v) Extent of new revenue provided to local taxing jurisdictions: By providing an increased number of new and unique "landscape hotel" accommodations offering unique curated self-guided experiences and related amenities for visitors it is expected that the expanded Project will continue to attract visitors to the Facility and to the County of Cattaraugus resulting in maintenance of and new and increased revenues.
- (vi) The extent to which the Project will create local construction jobs. The Company will utilize local construction contractors to the maximum extent possible.

Section 2. The Agency hereby authorizes the undertaking of the Project and the provision of the Financial Assistance to the Company as described herein.

Section 3. Subject to the Company executing an Agent Agreement and the delivery to the Agency of a binder, certificate or other evidence of insurance for the Project satisfactory to the Agency, the Agency hereby authorizes the Company to proceed with the acquisition, construction and equipping of the Project and hereby appoints the Company as the true and lawful agent of the Agency: (i) to acquire, construct and/or renovate and equip the Project; (ii) to make, execute, acknowledge and deliver any contracts, orders, receipts, writings and instructions, as the stated agent for the Agency with the authority to delegate such agency, in whole or in part, to agents, subagents, contractors, and subcontractors of such agents and subagents and to such other parties as the Company chooses; and (iii) in general, to do all things which may be requisite or proper for completing the Project, all with the same powers and the same validity that the Agency could do if acting in its own behalf; provided, however, the appointment of the Company as agent of the Agency, if utilized, shall expire one year from the date of this resolution (unless extended for good cause by the Chair, the Vice Chair, and/or the Executive Director).

A. Financial Assistance. With respect to the foregoing, and based upon the representations and warranties made by the Company in its application for Financial Assistance, the Agency hereby:

- (i) authorizes and approves the Company, as its agent, to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use tax in an amount estimated up to \$8,500,000, and, therefore, the value of the sales and use tax exemption benefits ("sales and use tax exemption benefits") authorized and approved by the Agency cannot exceed \$680,000, however, the Agency may consider any requests by the Company for increases to the amount of sales and use tax exemption benefits authorized by the Agency upon being

provided with appropriate documentation detailing the additional purchases of property or services; and

(ii) authorizes and approves that the value of the mortgage recording tax exemption benefit ("mortgage recording tax exemption benefits") shall not exceed \$93,750; and

(iii) authorizes and approves that the real property tax abatement benefits ("PILOT benefits") to be provided over the term of the PILOT Agreement are estimated to be approximately \$80,563, resulting in estimated total PILOT payments of \$259,871 over the term of the PILOT Agreement.

B. Terms and Conditions of Financial Assistance. Pursuant to Section 875(3) of the New York General Municipal Law, and per the policies of the Agency, the Agency may recover or recapture from the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, any New York State and local sales and use tax exemption benefits, and/or mortgage recording tax exemption benefits, and/or partial abatements from real property taxes benefits taken or purported to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, if it is determined that: (i) the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, is not entitled to the New York State and local sales and use tax exemption benefits; (ii) the New York State and local sales and use tax exemption benefits are in excess of the amounts authorized to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project; (iii) the New York State and local sales and use tax exemption benefits are for property or services not authorized by the Agency as part of the Project; (iv) the Company has made a material false statement on its application for Financial Assistance; and/or (v) the New York State and local sales and use tax exemption benefits and/or mortgage recording tax exemption benefits, and/or the partial abatement from real property taxes benefits are taken in cases where the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, fails to comply with the Investment Commitment, the Employment Commitment, and/or the Construction Jobs and Local Labor Commitment, said commitments, as described below, being a material term or condition to use property or services in the manner approved by the Agency in connection with the Project.

As a condition precedent of receiving Financial Assistance, the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, must cooperate with the Agency in its efforts to recover or recapture any Financial Assistance, and promptly pay over any such amounts to the Agency that the Agency demands.

C. Commitments. As an additional condition precedent of receiving Financial Assistance, and as a material term or condition as approved by the Agency in connection with the Project, the Company covenants and agrees and understands that it must, subject to potential modification, termination and/or recapture of Financial Assistance for failure to meet and maintain the commitments and thresholds as described below, submit, on an annual basis or as

otherwise indicated below through the termination of the PILOT Agreement, a certification, as so required by the Agency, confirming:

- (i) Investment Commitment - the total investment actually made with respect to the Project at the time of Project completion equals or exceeds \$10,500,000, being the total project cost as stated in the Company's application for Financial Assistance.
- (ii) Employment Commitment – that within two (2) years of Project completion, the Company has maintained and created employment at the Facility equal to 3 FTE and 2 PTE employee positions.
- (iii) Tourism Destination Commitment – that the Company document to the satisfaction of the Agency that the Project resulted in the attraction of at least 35% of the number customers (or 35% of the amount of sales from customers) from outside the economic development region.

Section 4. Subject to the terms of this Inducement Resolution, the Chair, the Vice Chair, and/or the Executive Director, are hereby authorized, on behalf of the Agency, to negotiate, execute and deliver (A) an Agent Agreement, (B) the Lease Agreement whereby the Company leases the Project to the Agency, (C) the related Leaseback Agreement whereby the Agency leases the Project back to the Company, and (D) the PILOT Agreement and (E) related documents; provided, however, that (i) the rental payments under the Leaseback Agreement to the Company include payments of all costs incurred by the Agency arising out of or related to the Project and indemnification of the Agency by the Company for actions taken by the Company and/or claims arising out of or related to the Project; and (ii) the terms of the PILOT Agreement are consistent with the Agency's Uniform Tax Exemption Policy, or procedures for deviation have been complied with accordingly.

Section 5. Subject to the terms of this Inducement Resolution, the Chair, the Vice Chair, and/or the Executive Director, are hereby authorized, on behalf of the Agency, to negotiate, execute and deliver any mortgage, assignment of leases and rents, security agreement, UCC-1 Financing Statements and all documents reasonably contemplated by these resolutions or required by any lender identified by the Company (the "Lender") up to a maximum principal amount necessary to undertake the Project, acquire the Facility and/or finance or refinance acquisition and Project costs or equipment and other personal property and related transactional costs (hereinafter, with the Lease Agreement, Leaseback Agreement, and related documents, collectively called the "Agency Documents"); and, where appropriate, the Secretary or the Assistant Secretary of the Agency is hereby authorized to affix the seal of the Agency to the Agency Documents and to attest the same, all with such changes, variations, omissions and insertions as the Chair, the Vice Chair, and/or the Executive Director of the Agency shall approve, the execution thereof by the Chair, the Vice Chair, and/or the Executive Director of the Agency to constitute conclusive evidence of such approval; provided in all events recourse against the Agency is limited to the Agency's interest in the Project.

Section 6. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to negotiate, execute and deliver all such certificates, instruments and documents, to pay all

such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 7. The provision by the Agency of Financial Assistance with respect to the Project as described herein is subject to the Agency's policies.

Section 8. This resolution shall take effect immediately, and shall expire one (1) year from the date hereof unless extended for good cause by the Chair, the Vice Chair, and/or the Executive Director.

Dated: February 18, 2025

	A	B	C	D	E	F
2	County of Cattaraugus	OPERATING STATEMENT				
3	Industrial Development Agency					
4	Jan-25	2025	2025	2025	2025	2024
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	\$42,000	\$0	\$0	\$42,000	\$0
10	Apps & Fees	\$425,000	\$12	\$12	\$424,988	\$3,000
11	CCCRC/Other Misc. Income	\$0	\$0	\$0	\$1,778	\$198
12	Total	\$467,000	\$12	\$12	\$468,766	\$3,198
13						
14						
15	EXPENSES:					
16	Wages	\$209,000	\$23,192	\$23,192	\$185,808	\$14,646
17	Fringe Benefits	\$82,000	\$4,980	\$4,980	\$77,020	\$5,040
18	A- Performance Bonus	\$20,900	\$0	\$0	\$20,900	\$0
19	Board Meeting/Operations	\$2,000	\$0	\$0	\$2,000	\$116
20	Business Development	\$15,000	\$600	\$600	\$14,400	\$787
21	Office Supplies/Service Contracts	\$2,400	\$0	\$0	\$2,400	\$110
22	D- Office Maint./Repairs/Equip	\$5,000	\$0	\$0	\$5,000	\$1,292
23	E- Office Phones/Cell/fax/internet serv	\$8,000	\$207	\$207	\$7,793	\$761
24	Postage	\$1,200	\$0	\$0	\$1,200	\$100
25	Public Hearings	\$700	\$89	\$89	\$611	\$99
26	Travel/Mileage	\$3,000	\$19	\$19	\$2,981	\$0
27	Service Charges	\$360	\$25	\$25	\$335	\$0
28	Rent	\$20,700	\$1,425	\$1,425	\$19,275	\$1,425
29	Real Estate Taxes	\$100	\$0	\$0	\$100	\$954
30	Utilities	\$4,000	\$343	\$343	\$3,657	\$443
31	Property/Fire/Liability Insurance	\$5,200	\$0	\$0	\$5,200	\$0
32	Education/Training/Prof. Development	\$4,000	\$0	\$0	\$4,000	\$0
33	Professional Associations	\$8,500	\$300	\$300	\$8,200	\$1,150
34	C- Professional Services	\$30,000	\$0	\$0	\$30,000	\$720
35	F- Publications	\$200	\$0	\$0	\$200	\$0
36	Marketing/Promotion/Networking	\$1,000	\$1,328	\$1,328	-\$328	\$1,328
37	Railroad Services	\$25	\$0	\$0	\$25	\$0
38	Miscellaneous	\$100	\$0	\$0	\$100	\$0
39	Project Expenses	\$5,000	\$2,223	\$2,223	\$2,777	\$0
40	B- Consulting Expense	\$15,000	\$5,500	\$5,500	\$9,500	\$3,000
41						
42	Total Expenses	\$443,385	\$40,231	\$40,231	\$403,154	\$31,971
43						
44	Net Difference	\$23,615	-\$40,219	-\$40,219	\$65,612	-\$28,773
45						
46	A-Yearly payment					
47	B- Includes Yearly payment					
48	C- Includes payments due Harris Beach					
49	D- Includes IT invoices, accounting software, computer storage, monthly office cleaning, yearly window cleaning, lawn					
50	E- Includes monthly cell phones, internet, apple storage, storage back up and office phone lines					
51	F- Publications and ads made in local directories					
52						
53						

COUNTY OF CATTARAUGUS IDA

Balance Sheet
January 31, 2025

ASSETS

Current Assets		
CATT CO. BANK	\$	228,445.50
CATT. CO. CAPITAL RES. CORP.		53,481.03
New CCB ISC Account 800027476		1,438,706.05
CD's		216,506.91
KeyBank Investment		114,137.83
PETTY CASH		75.21
SECURITY DEPOSIT - RENT		2,775.00
Accounts Receivable		10,000.00
lease asset		73,708.92
Deferred Outflows		79,305.00
lease liability		(56,156.72)
ACCTS RECEIVABLE		(7,533.31)
PREPAID EXPENSES		150.06
		<hr/>
Total Current Assets		2,153,601.48
Property and Equipment		
EQUIPMENT		38,423.95
LEASEHOLD IMPROVEMENTS		22,173.08
LAND		149,298.92
RAILROAD/IMPROVEMENTS		907,199.96
ACCUM DEPRECIATION		(870,546.17)
		<hr/>
Total Property and Equipment		246,549.74
Other Assets		
		<hr/>
Total Other Assets		0.00
		<hr/>
Total Assets	\$	<u>2,400,151.22</u>

LIABILITIES AND CAPITAL

Current Liabilities		
NYS RETIREMENT LOAN ACCT.	\$	242.31
Employee Health Ins Payable		3.00
Federal Payroll Taxes		(21,199.81)
NYS WITHHOLDING		10,466.17
Social Security Tax Payable		4,782.09
Medicare Withholding Tax Pay		1,118.40
NYS PENSION-EMPLOYEE PORTION		872.66
NYS Retirement Employer Portio		30,721.00
Deferred Inflows		10,002.00
accumulated amort lease asset		17,552.20
ACCOUNTS PAYABLE		13.72
ACCTS. PAYABLE SERV. AGREEME		15,000.00
ACCRUED PAYROLL		7,883.29
		<hr/>
Total Current Liabilities		77,457.03
Long-Term Liabilities		
Pension Liability		133,287.00
		<hr/>
Total Long-Term Liabilities		133,287.00
		<hr/>
Total Liabilities		210,744.03

Unaudited - For Management Purposes Only

COUNTY OF CATTARAUGUS IDA
Balance Sheet
January 31, 2025

Capital		
Retained Earnings	1,919,554.26	
CONTRIBUTED CAPITAL	310,072.06	
Net Income	<u>(40,219.13)</u>	
Total Capital		<u>2,189,407.19</u>
Total Liabilities & Capital	\$	<u><u>2,400,151.22</u></u>

COUNTY OF CATTARAUGUS IDA

Balance Sheet

January 31, 2024

ASSETS

Current Assets		
CATT CO. BANK	\$	323,055.80
SAVINGS CCB		5,211.40
SAVINGS FT		8,295.72
CATT. CO. CAPITAL RES. CORP.		435,799.52
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		176.86
lease amortization expense		4,257.63
Total Current Assets		2,069,121.78
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)
Total Property and Equipment		246,476.24
Other Assets		
net pension asset		50,186.00
Total Other Assets		50,186.00
Total Assets		\$ 2,365,784.02

LIABILITIES AND CAPITAL

Current Liabilities		
NYS RETIREMENT LOAN ACCT.	\$	(126.69)
Employee Health Ins Payable		3.00
Federal Payroll Taxes		(245.42)
NYS WITHHOLDING		8,217.76
Social Security Tax Payable		3,324.03
Medicare Withholding Tax Pay		777.66
NYS PENSION-EMPLOYEE PORTION		(214.62)
NYS Retirement Employer Portio		20,707.00
Deferred Inflows		179,281.00
accumulated amort lease asset		4,257.63
ACCOUNTS PAYABLE		40,430.00
ACCTS. PAYABLE SERV. AGREEME		(15,000.00)
interest expenses		(1,442.37)
Total Current Liabilities		239,968.98
Long-Term Liabilities		
Total Long-Term Liabilities		0.00

Unaudited - For Management Purposes Only

COUNTY OF CATTARAUGUS IDA
Balance Sheet
January 31, 2024

Total Liabilities		<u>239,968.98</u>
Capital		
Retained Earnings	1,844,516.92	
CONTRIBUTED CAPITAL	310,072.06	
Net Income	<u>(28,773.94)</u>	
Total Capital		<u>2,125,815.04</u>
Total Liabilities & Capital	\$	<u><u>2,365,784.02</u></u>

https://www.oleantimesherald.com/news/buffalo-bills-stadium-steel-work-just-the-start-for-oleans-cimolai-hy/article_baafc9c0-d373-11ef-85e1-378895be99a2.html

CENTERPIECE FEATURED

Buffalo Bills stadium steel work just the start for Olean's Cimolai-HY

By BOB CLARK bclark@oleantimesherald.com
Jan 15, 2025



Workers at Cimolai-HY gather Wednesday to say goodbye to the last shipment of steel fabricated in Olean for the new Buffalo Bills stadium in Orchard Park.

Bob Clark/Clean Times Herald

OLEAN — With sparks flying, steel is moving through North Olean as Cimolai-HY shipped off the last of its first major project on Wednesday.

That project — part of the roof supports for the new Buffalo Bills stadium in Orchard Park — caps off years of work to get the facility converted from a steam turbine manufacturer to a structural steel fabricator, said general manager Carolyn Carboneau. The company employs around 95, with around 50 directly involved in manufacturing on the floor of the facilities previously used by Clark Brothers, Dresser-Rand and Siemens Energy.

"We're very proud. Everyone was proud to work on this," Carboneau said as employees milled around the loaded truck.

1 of 6

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An automated machine makes a continuous weld at the Cimolai-HY facility in North Olean.
Bob Clark/Olean Times Herald

To date, she said, 400 tons of steel fabricated into 86 parts for the roof structure have been shipped. "If people look up there, they will see these. It's at the very top."

Not all of the steel for the roof supports came from Olean, Carboneau said, with many other manufacturers working on the job due to the sheer scale of the stadium.

"I heard there were 11 shops working on these," she said.

WITH THE STADIUM project pieces rolling out the door, Cimolai-HY officials said the project is just the beginning.

"We're starting a lot of projects right now," Carboneau said, including several bridge projects in the Bronx.

In mid-February, the company will ship off the parts for a new bridge spanning the Genesee River — the first bridge project to be completed by Cimolai-HY's Olean workers. Officials noted that the winter is a slow time for bridge manufacturing.

"In March we're going to be ramping up," she said, and more workers will be needed. "On the shop floor we're at 50 people — we need to be 120 people. That's with the current backlog — (and) we're still bidding on other projects."



A worker operates a welding machine at the Cimolai-HY facility in North Olean.
Bob Clark/Clean Times Herald

The firm will look to hire more workers in February.

"Welders, fitters, people with robotics to run the machines and programmers. We're going to have to support all the people on the shop floor," she said.

Paying fabrication work began this last summer, she noted, including the startup work on the Bills project and several bridge projects in New York City. More steel rolled out for the Hudson Yards construction projects — an area a few blocks from Madison Square Garden in Manhattan that is being redeveloped by firm co-owner Related Companies.

The "HY" in Cimolai-HY refers to the Hudson Yards. Italian steel company Cimolai S.P.A. partnered with Related to purchase and overhaul the facility in North Olean.

In an odd coincidence, the company making some of the steel for the new Bills stadium shares an owner with one of the team's fiercest rivals. Related's founder and chairman, Stephen Ross, is the principal owner of the Miami Dolphins, who will play at the new stadium annually.

AUTOMATION HAS been the name of the game at Cimolai-HY, Carboneau said. In the old Plant 1, a large machine can handle a hundred-foot-long piece of I-beam, adding supports and making holes for installation hardware with just three workers.

In another building, a computer-controlled laser cutting table as long as a football field can cut out steel in minutes that would have taken a worker with a hand torch hours. In the former testing facility, a custom 125-foot-long I-beam can be built out of flat stock, she said, with continuous welds the entire length of the beam.

When asked how long it would take to do such jobs by hand, "It would take days," Carboneau said, and when done by computer-controlled robots, "it's only a few hours for the largest pieces."

This work is possible right out of the gate, unlike how most steel fabricators start small and build up over a period of years or decades, Carboneau explained, purchasing equipment and expanding their scope of work slowly. By comparison, Cimolai-HY jumped straight into the largest equipment to handle the largest jobs with large amounts of automation. As the equipment was installed, the first equipment could be used to fabricate the steel used to support the later machines.

But the process did have a major downside — a lack of certifications from previous work done by the facility.

In order to land the types of jobs the plant was designed to fabricate, the facility needed to receive the American Institute of Steel Construction's Certified Bridge Fabricator-Advanced certification, Carboneau said. The rating is the highest of three tiers for bridge fabricators, according to the AISC, which, according to the trade group's website, is for projects "requiring an additional standard of care in fabrication and erection, particularly with regard to geometric tolerances."

Typically, firms fabricate materials for bridges that are going to be installed, Carboneau said, and inspectors review that work in order to issue certifications. But with no paying jobs due to a lack of certifications, Cimolai-HY asked to be able to build a sample work piece. As a pilot program, the AISC board agreed. A sample piece was built last spring to show the techniques and tolerances the company could bring to future bridge projects, and the certification was received in June.

"That allows us to go after contracts," Carboneau said, as well as picking up subcontracting jobs that now allow the facility to bring in the paying work that pays the bills.

Carboneau said she would like to have the sample piece moved to the front entrance and painted as the facility's sign for visitors and passers-by, a monument of sorts to the work done in Olean.

THAT SIGN WOULD go hand-in-hand with other signs at the site which point toward its past. While the majority of manufacturing equipment at the site was removed when Siemens Energy closed down production in 2022, some pieces remain and are used as needed — such as a large Ingersoll milling machine dating back to the Clark Bros. days. The overhead cranes capable of lifting a house now sport electromagnets used to move large stock from station to station.

Even Dresser-Rand-marked wood pallets and truck trailers are used to move materials around the production floor.

There are also some familiar faces. Carboneau estimated that about 35% of the workers on site previously worked for Dresser-Rand or Siemens in Olean. Others are new to manufacturing, with Carboneau crediting efforts by SUNY Jamestown Community College to push workforce investment and getting new workers the training they need to get on the floor.

For some jobs, European engineers and workers were brought in temporarily. Teams from the Netherlands came to Olean to install machinery, and several Italian employees are helping with setup and guiding the new workers, Carboneau said.

For more than 100 years, the site was the center of heavy industry in the city. In 1916, Clark Bros. relocated from Belmont to the site — adjacent to the Socory-Vacuum oil refinery, as the company focused production for the oil and gas industry. Through various mergers it became part of Dresser-Rand.

German conglomerate Siemens bought Dresser-Rand in 2015, but in 2020 spun off Siemens Energy, which included several areas of the business tied to oil and gas industries as the firm aimed to focus more on renewable energy operations. Siemens Energy announced in February 2021 that it would close manufacturing in Olean by mid-2022, laying off more than 500 workers.

The company continues to employ around 300 on the campus, focused mainly on engineering and support for company operations.

Cattaraugus County lawmakers loaned Cimolai \$2 million to get started in Olean, which will be forgiven if Cimolai meets hiring targets.

Cimolai pledged 219 jobs in its application for IDA tax breaks. By the start of 2024, the company had employed around 45 in Olean, rising to around 80 this past summer.

Bob Clark
City Editor

Indoor farming company rebrands, partners with Tops Friendly Markets



Gabe Bialkowski, CEO, Nimble Farms
JOED VIERA



By [Lian Bunny](#) – Reporter, Buffalo Business First
Jan 28, 2025
Updated Jan 27, 2025 3:41pm EST
STORY HIGHLIGHTS

- Ellicottville Greens has rebranded as Nimble Farms.
- Nimble Farms has also partnered with Tops Friendly Markets for lettuce distribution.
- The company plans to double its locations nationwide in the next decade.

A local indoor farming company is kicking off 2025 with a rebrand and a major partnership.

Ellicottville Greens is rebranding as Nimble Farms, which uses controlled-environment technology to create a [network of smart modular farms](#) powered by renewable energy. The business also announced a partnership with [Tops Friendly Markets](#). Nimble Farms'

butterhead living lettuce is now available at 152 Tops in New York, Pennsylvania and Vermont, and Nimble Farms hopes to expand its product offerings with Tops.

"Since our inception, we have been dedicated to providing fresh, local produce to our communities using the most effective indoor growing technologies available," said Gabe Bialkowski, CEO of Nimble Farms, in a news release. "Today, we proudly reintroduce ourselves as Nimble Farms — an inspiring new brand identity that honors our roots while reinforcing our mission to responsibly expand access to truly local food."

The rebrand includes a new logo, branding and package design.

The Ellicottville-based company, a [2023 Inno Fire Award winner](#), has three sites in New York state, according to its website: One in Olean and two in the City of Buffalo. The business, founded in 2018, plans to double its sites, expanding operations in New York and Pennsylvania, by the end of 2025. The startup aims to build 100 locations nationwide within the next decade.

Nimble Farms and its farm operations employ 28 people.

Camoin associates

Unlocking Business Potential: Who Helps Your Community Grow?

September 10, 2024 [Karen Meier](#)



If opening a new business or celebrating a company's anniversary was like winning an Oscar, do you know who would be in the owner's thank-you speech? The list might surprise you!

Recently, I attended the [Chesapeake Basic Economic Development Course](#), a week-long IEDC-accredited program for those who are new to economic development or are looking to continue building their knowledge regardless of how long they have been in the industry. It is designed to help participants develop practical skills for implementing strategies and explore tools and resources to support ongoing sustainable economic development in their communities.

The course covers strategic planning, business retention and expansion, finance, workforce development, real estate development, neighborhood and community development, marketing and attraction, small business and entrepreneurship, and ethics. Anything but basic!

After completing the course, I was excited to share the ideas and insights discussed, but I wondered if anyone outside of my economic development circle would understand or care about how impactful this work is.

So, it got me thinking: Do you know all the players in your community who help attract and retain businesses and workers? While some are obvious, others work behind the scenes to make things happen.

When a business considers a new location, it's not just about finding the right site or building. Other influential factors include workforce availability, utility infrastructure, transportation network, proximity to markets and customers, access to suppliers, regulatory and tax environment, business incentives, and overall quality of life for employees.

In this article, I'll highlight some of the key organizations that contribute to the ecosystem that supports new and existing businesses within a community, driving economic development and helping ensure your city, state, or region remains a competitive and attractive place for business.



Before we dive into the list, it's important to define economic development and explain why it matters. I highly recommend this [fun YouTube video](#) from Economic Development Winnipeg, which explains it using LEGO characters:

Economic development improves the financial well-being and quality of life in a community. This includes attracting new businesses, supporting existing ones, improving infrastructure, offering workforce training, promoting tourism, and encouraging foreign direct investment. These efforts are important because they help create jobs, increase prosperity, and build vibrant communities where people can live, work, and play.

Many organizations are involved in helping a business navigate the process of establishing and maintaining a new location to ensure that all regulatory, logistical, and operational needs are met. Let's explore who some of them are.

Economic Development Agencies and Organizations (EDAs and EDOs)

Role: Provide comprehensive support for business expansion, including site selection, financial incentives, workforce development, local regulations, market insights, and connections to local suppliers and service providers.

They often serve as liaisons between the business and local government and help streamline processes like permits and approvals.

Examples:

- Local and regional EDAs and EDOs
- Small Business Development Centers (SBDCs)

Municipal and Regional Government Offices

Role: Assist with zoning, permits, business licenses, and compliance with local regulations while also implementing policies and programs to attract businesses and support local economic growth.

In addition, they often collaborate with companies on public infrastructure needs, such as road improvements or utility upgrades, that can support both the business and the community.

Examples:

- City, county, or state economic development offices
- City or county planning and zoning departments
- City, county, or state business licensing offices

Chambers of Commerce

Role: Provide a range of services to both new and existing businesses, including organizing networking events, offering business development resources, and advocating for favorable policies at the local, regional, and sometimes national levels.

They also help businesses by connecting them with potential clients and partners and providing information about the local business climate.

Example: Local, state, and regional chambers of commerce or departments of commerce

Real Estate and Site Selection Firms

Role: Assist with finding suitable locations for businesses, negotiating leases or purchases, and understanding local real estate markets.

These firms also provide critical insights into zoning laws, local demographics, and future development plans that may impact a business's decision. They help navigate complex real estate transactions to ensure the business secures the best possible location for long-term success.

Examples:

- Commercial real estate firms
- Design and build firms that offer site selection
- Professional services firms specializing in incentives and advisory
- Independent consulting firms that specialize in an industry sector

Construction and Property Management Firms

Role: Oversee the construction or renovation of facilities, ensuring that the space meets the business's needs and complies with building codes. They handle everything from project planning and site preparation to building design and construction management.

For new businesses, these firms facilitate the establishment of new locations, ensuring that facilities are ready for operation.

For existing businesses, they offer long-term property management services, including maintenance, repairs, and facility operations, to help maintain and optimize the functionality of their spaces.

Their expertise ensures that construction projects stay on track and that facilities operate smoothly over time.

Examples:

- General contractors
- Property management companies
- Construction management firms

Utility Companies

Role: Provide information on utility infrastructure, capacity, and incentives for new businesses.

Utility companies often collaborate with economic development agencies and organizations to provide custom energy solutions, like discounted rates or renewable energy options, to meet a business's specific operational needs.

Examples:

- Local electric, water, and gas companies
- Regional energy providers

Transportation Service Providers

Role: Manage and develop transportation infrastructure, including roads, railways, ports, and airports, to support the efficient movement of goods and people.

These providers also work on securing grants or other funding to improve infrastructure in areas where businesses are expanding, ensuring long-term accessibility.

Examples:

- State departments of transportation
- Local transit authorities
- Port authorities
- Airport authorities

State and Local Labor Departments

Role: Administer a range of employment programs and services to help companies connect with available workers and ensure a strong local labor market.

They provide critical data on local employment trends, wages, and workforce availability, which helps companies make informed decisions about hiring.

Labor departments also manage unemployment insurance, job placement services, and training programs to support workforce development.

Examples:

- State departments of labor
- Local workforce agencies

Educational and Workforce Development Institutions

Role: Focus on building the long-term talent pipeline by providing vocational education, training, and specialized programs tailored to meet industry-specific skill demands.

They work closely with businesses to design customized training programs that ensure employees are well-prepared for both immediate and future workforce needs.

These institutions are key partners in connecting businesses with local talent and providing ongoing workforce development.

Examples:

- Universities and colleges
- Local community colleges
- Technical and trade schools
- Vocational schools/career technical education (CTE) programs
- Workforce development agencies
- Local workforce boards
- Job placement agencies

Financial Institutions

Role: Provide financing solutions, including loans, lines of credit, and other financial services to support business operations and expansions.

They may also offer advisory services on managing capital, tax credits, and local investment incentives that align with the business's financial goals. This is particularly important for larger projects or companies expanding into new buildings and regions.

Examples:

- Local banks
- Credit unions

- Venture capital firms
- Community development financial institutions (CDFIs)

Local Childcare Agencies

Role: Support working families by ensuring access to affordable, high-quality childcare options.

They offer resources for finding childcare services, provide information on subsidized programs, and work to improve the overall quality and availability of childcare in the community.

By addressing the childcare needs of employees, these agencies help businesses attract and retain a skilled workforce, as reliable childcare is a significant factor for working parents when considering employment opportunities.

Examples:

- Local childcare resource and referral agencies
- Early childhood education centers

Legal and Compliance Advisors

Role: Offer legal support to ensure that all aspects of the business setup comply with local laws, including contracts, intellectual property, and employment law.

They play a key role in reviewing lease agreements, managing environmental regulations, and handling permitting issues that could delay or complicate the expansion process.

Example: Local law firms specializing in business law

Like my Basic Economic Development Course, this list of organizations is intended to provide a high-level overview rather than an exhaustive guide. Depending on the project, other entities such as business improvement districts (BIDs), business incubators, accelerators, nonprofit organizations, investment promotion agencies (IPAs), and local housing authorities may also play a role.

After reading this, you might wonder how a business even begins to consider a community for a new location. It could be through its own research, a business connection, or a customer request. Or a consulting firm specializing in economic development, site selection, or business attraction strategies may be involved 😊.

This report reflects the recently completed annual adjustments to the seasonal factors used to calculate the indexes.

Manufacturing PMI[®] at 50.9%

January 2025 Manufacturing ISM[®] *Report On Business*[®]

New Orders Growing and Backlogs Contracting
Production and Employment Growing
Supplier Deliveries Slowing
Raw Materials Inventories Contracting; Customers' Inventories Too Low
Prices Increasing; Exports and Imports Growing

(Tempe, Arizona) — Economic activity in the manufacturing sector expanded in January after 26 consecutive months of contraction, say the nation's supply executives in the latest Manufacturing ISM[®] *Report On Business*[®].

The report was issued today by Timothy R. Fiore, CP5M, C.P.M., Chair of the Institute for Supply Management[®] (ISM[®]) Manufacturing Business Survey Committee:

"The Manufacturing PMI[®] registered 50.9 percent in January, 1.7 percentage points higher compared to the seasonally adjusted 49.2 percent recorded in December. The overall economy continued in expansion for the 57th month after one month of contraction in April 2020. (A Manufacturing PMI[®] above 42.3 percent, over a period of time, generally indicates an expansion of the overall economy.) The New Orders Index was in expansion territory for the third month after seven months of contraction, strengthening again to a reading of 55.1 percent, 3 percentage points higher than the seasonally adjusted 52.1 percent recorded in December. The January reading of the Production Index (52.5 percent) is 2.6 percentage points higher than December's seasonally adjusted figure of 49.9 percent. The Index returned to expansion after eight months in contraction. The Prices Index continued in expansion (or 'increasing') territory, registering 54.9 percent, up 2.4 percentage points compared to the reading of 52.5 percent in December. The Backlog of Orders Index registered 44.9 percent, down 1 percentage point compared to the 45.9 percent recorded in December. The Employment Index registered 50.3 percent, up 4.9 percentage points from December's seasonally adjusted figure of 45.4 percent.

"The Supplier Deliveries Index indicated marginally slower deliveries, registering 50.9 percent, 0.8 percentage point higher than the 50.1 percent recorded in December. (Supplier Deliveries is the only ISM[®] *Report On Business*[®] index that is inverted; a reading of above 50 percent indicates slower deliveries, which is typical as the economy improves and customer demand increases.) The Inventories Index registered 45.9 percent, down 2.5 percentage points compared to December's seasonally adjusted reading of 48.4 percent.

"The New Export Orders Index reading of 52.4 percent is 2.4 percentage points higher than the 'unchanged' reading of 50 percent registered in December. The Imports Index returned to expansion in January, registering 51.1 percent, 1.4 percentage points higher than December's reading of 49.7 percent."

Fiore continues, "U.S. manufacturing activity expanded in January after 26 consecutive months of contraction. Demand clearly improved, while output expanded and inputs remained accommodative. Demand improvement includes: the (1) New Orders Index moving further into expansion territory, (2) New Export Orders Index moving back into expansion, (3) Backlog of Orders Index dropping slightly and continuing in contraction, and (4) Customers' Inventories Index remaining in 'too low' territory. Output (measured by the Production and Employment indexes) was positive, as factory output improved compared to December, indicating that panelists' companies are proceeding with growth plans. Employment was stable as final head-count adjustments were made, in many cases among the white-collar workforces. Inputs — defined as supplier deliveries, inventories, prices and imports — generally continued to accommodate future demand growth, with inventories declining, but imports returning to expansion, prices increasing and supplier deliveries marginally slowing.

"Demand and production improved; and employment expanded. However, staff reductions continued with many companies, but at weaker rates. Prices growth was moderate, indicating that further growth will put additional pressure on prices. As predicted, maintaining a slower rate of price increases as demand returns will be a major challenge for 2025. Forty-three percent of manufacturing gross domestic product (GDP) contracted in January, down from 52 percent in December. The share of manufacturing sector GDP registering a composite PMI® calculation at or below 45 percent (a good barometer of overall manufacturing weakness) was 8 percent in January, a dramatic 41-percentage point improvement compared to the 49 percent reported in December. Four of the six largest manufacturing industries (Petroleum & Coal Products; Chemical Products; Machinery; and Transportation Equipment) expanded in January, up from none in December," says Fiore.

The eight manufacturing industries reporting growth in January — listed in order — are: Textile Mills; Primary Metals; Petroleum & Coal Products; Chemical Products; Machinery; Transportation Equipment; Plastics & Rubber Products; and Electrical Equipment, Appliances & Components. The eight industries reporting contraction in January — in the following order — are: Nonmetallic Mineral Products; Miscellaneous Manufacturing; Wood Products; Fabricated Metal Products; Furniture & Related Products; Computer & Electronic Products; Paper Products; and Food, Beverage & Tobacco Products.

WHAT RESPONDENTS ARE SAYING

- "Customer orders slightly stronger than expected. Seeing more general price increases for chemicals/raw materials. No International Longshoremen's Association strike is a tremendous help." [Chemical Products]
- "Alleviating supply chain conditions are noticeably pivoting back into acute shortage situations, with headwinds following. For aerospace and defense companies, critical minerals supply chains are tightening dramatically due to Chinese restrictions. Concerns are growing of an environment of more supply chain shortages." [Transportation Equipment]
- "As the U.S. administration transfers, we will continue to monitor impact of tariffs on materials used for manufacturing. China stimulus is helping us win orders and increase use of services and consumables. Cost pressures remain for all materials and parts but are starting to stabilize." [Computer & Electronic Products]
- "Volume in 2025 is targeting 2-percent growth. The organization is mindful of potential tariffs and what to do with re-routing or cost increases in supply chains that are impacted." [Food, Beverage & Tobacco Products]
- "Although we are in our busy season, our demand for the first two weeks of 2025 has outpaced normal levels for this period of time." [Machinery]
- "Business is slowly improving." [Electrical Equipment, Appliances & Components]
- "Capital equipment sales are starting 2025 off strong. Normally, we see a soft start to the year, so this strong start is unusual." [Fabricated Metal Products]
- "New orders are still good but decreasing compared to previous quarters. Working through current backlog." [Miscellaneous Manufacturing]
- "Automotive order demand continues to be consistent and on a steady pace. Beginning to look at hiring additional team members once again. Pricing is holding firm. Having to work overtime to cover plant inefficiency to date." [Primary Metals]
- "Looking forward to a year of strong customer demand and higher sales than 2024." [Textile Mills]

MANUFACTURING AT A GLANCE

January 2025

Index	Series Index Jan	Series Index Dec	Percentage Point Change	Direction	Rate of Change	Trend* (Months)
Manufacturing PMI®	50.9	49.2	+1.7	Growing	From Contracting	1
New Orders	55.1	52.1	+3.0	Growing	Faster	3
Production	52.5	49.9	+2.6	Growing	From Contracting	1
Employment	50.3	45.4	+4.9	Growing	From Contracting	1
Supplier Deliveries	50.9	50.1	+0.8	Slowing	Faster	2
Inventories	45.9	48.4	-2.5	Contracting	Faster	5

Index	Series Index Jan	Series Index Dec	Percentage Point Change	Direction	Rate of Change	Trend* (Months)
Customers' Inventories	46.7	46.7	0.0	Too Low	Same	4
Prices	54.9	52.5	+2.4	Increasing	Faster	4
Backlog of Orders	44.9	45.9	-1.0	Contracting	Faster	28
New Export Orders	52.4	50.0	+2.4	Growing	From Unchanged	1
Imports	51.1	49.7	+1.4	Growing	From Contracting	1
OVERALL ECONOMY				Growing	Faster	57
Manufacturing Sector				Growing	From Contracting	1

Manufacturing ISM® Report On Business® data is seasonally adjusted for the New Orders, Production, Employment and Inventories indexes.

*Number of months moving in current direction.

Indexes reflect newly released seasonal adjustment factors.

COMMODITIES REPORTED UP/DOWN IN PRICE AND IN SHORT SUPPLY

Commodities Up in Price

Aluminum* (14); Aluminum Coil; Freight Rates; Industrial Gases; Natural Gas (4); Packaging Materials (2); Steel — Scrap; and Sulfur.

Commodities Down in Price

Aluminum*; Plastic Resins (3); Polypropylene Resin (2); Solvents (3); Steel — General (2); and Steel — Hot Rolled (3).

Commodities in Short Supply

Electrical Components (52); Electronic Components (10); Labor — Construction; Rare Earths; and Semiconductors.

Note: The number of consecutive months the commodity is listed is indicated after each item.

*Indicates both up and down in price.

JANUARY 2025 MANUFACTURING INDEX SUMMARIES

MANUFACTURING PMI®

The U.S. manufacturing sector expanded for first time in January after 26 months of contraction, as the Manufacturing PMI® registered 50.9 percent, 1.7 percentage points higher compared to the seasonally adjusted 49.2 percent reported in December. "The PMI® has increased for three consecutive months, with the most recent bump finally returning the manufacturing sector to expansion. Of the five subindexes that directly factor into the Manufacturing PMI®, four (New Orders, Production, Employment and Supplier Deliveries) were in expansion territory, compared to three in December. The Employment Index expanded in January after seven months in

contraction, and the New Orders Index moved further into expansion. Of the six biggest manufacturing industries, four (Petroleum & Coal Products; Chemical Products; Machinery; and Transportation Equipment) registered growth," says Fiore. A reading above 50 percent indicates that the manufacturing sector is generally expanding; below 50 percent indicates that it is generally contracting.

A Manufacturing PMI® above 42.3 percent, over a period of time, generally indicates an expansion of the overall economy. Therefore, the January Manufacturing PMI® indicates the overall economy grew for the 57th straight month after last contracting in April 2020. "The past relationship between the Manufacturing PMI® and the overall economy indicates that the January reading (50.9 percent) corresponds to a change of plus-2.4 percent in real gross domestic product (GDP) on an annualized basis," says Fiore.

THE LAST 12 MONTHS

Month	Manufacturing PMI®
Jan 2025	50.9
Dec 2024	49.2
Nov 2024	48.4
Oct 2024	46.9
Sep 2024	47.5
Aug 2024	47.5
Month	Manufacturing PMI®
Jul 2024	47.0
Jun 2024	48.3
May 2024	48.5
Apr 2024	48.8
Mar 2024	49.8
Feb 2024	47.6

Average for 12 months - 48.4
High - 50.9
Low - 46.9

NEW ORDERS

ISM's New Orders Index expanded in January for the third consecutive month after seven months in contraction, registering 55.1 percent, an increase of 3 percentage points compared to December's seasonally adjusted figure of 52.1 percent. The New Orders Index hasn't indicated consistent growth since a 24-month streak of expansion ended in May 2022. "Of the six largest manufacturing sectors, four (Petroleum & Coal Products; Machinery; Chemical Products; and Transportation Equipment) reported increased new orders. Panelists noted an improved level of demand performance, with a 2-to-1 ratio of positive comments versus those expressing concern about near-term demand, an improvement compared to December. Capital and export orders were significant contributors," says Fiore. A New Orders Index above 52.1 percent, over time, is generally consistent with an increase in the Census Bureau's series on manufacturing orders (in constant 2000 dollars).

The nine manufacturing industries that reported growth in new orders in January, in order, are: Textile Mills; Primary Metals; Petroleum & Coal Products; Machinery; Chemical Products; Transportation Equipment; Plastics & Rubber Products; Fabricated Metal Products; and Electrical Equipment, Appliances & Components. The five industries reporting a decline in new orders in January are: Nonmetallic Mineral Products; Miscellaneous Manufacturing; Wood Products; Furniture & Related Products; and Food, Beverage & Tobacco Products.

New Orders	% Higher	% Same	% Lower	Net	Index
Jan 2025	26.3	53.7	20.0	+6.3	55.1
Dec 2024	21.0	54.9	24.1	-3.1	52.1
Nov 2024	21.0	54.3	24.7	-3.7	50.3
Oct 2024	20.4	50.6	29.0	-8.6	47.9

PRODUCTION

The Production Index elevated into expansion territory in January, registering 52.5 percent, 2.6 percentage points higher than the seasonally adjusted December reading of 49.9 percent. Prior to this month's reading, the index was in contraction territory for eight consecutive months. The last time the index registered above 50 percent was in April 2024 (50.7 percent). Of the six largest manufacturing sectors, three (Machinery; Transportation Equipment; and Chemical Products) reported increased production. "Production levels improved in January, led by the more capital-intensive industry sectors and in spite of weather issues," says Fiore. An index above 52.1 percent, over time, is generally consistent with an increase in the Federal Reserve Board's Industrial Production figures.

The six industries reporting growth in production during the month of January, in order, are: Textile Mills; Plastics & Rubber Products; Machinery; Transportation Equipment; Electrical Equipment, Appliances & Components; and Chemical Products. The five industries reporting a decrease in production in January are: Nonmetallic Mineral Products; Wood Products; Furniture & Related Products; Food, Beverage & Tobacco Products; and Miscellaneous Manufacturing. Six industries reported no change in production levels in January as compared to December.

Production	% Higher	% Same	% Lower	Net	Index
Jan 2025	19.4	62.1	18.5	+0.9	52.5
Dec 2024	15.3	59.3	25.4	-10.1	49.9
Nov 2024	15.9	63.2	20.9	-5.0	47.5
Oct 2024	16.8	59.3	23.9	-7.1	47.0

EMPLOYMENT

ISM®'s Employment Index registered 50.3 percent in January, 4.9 percentage points higher than December's seasonally adjusted reading of 45.4 percent. "The index has returned to expansion after contracting in 14 of the last 16 months. Of the six big manufacturing sectors, two (Chemical Products; and Transportation Equipment) expanded employment in January. Respondents' companies are continuing to reduce head counts through layoffs, attrition and hiring freezes. This action is supported in January by the approximately 1-to-1 ratio of hiring versus staff-reduction comments, compared to a 1-to-2 ratio the previous month, meaning less workforce reduction activity is occurring as we enter 2025," says Fiore. An Employment Index above 50.3 percent, over time, is generally consistent with an increase in the Bureau of Labor Statistics (BLS) data on manufacturing employment.

Of 18 manufacturing industries, the four industries reporting employment growth in January are: Chemical Products; Transportation Equipment; Miscellaneous Manufacturing; and Electrical Equipment, Appliances & Components. The eight industries reporting a decrease in employment in January, in the following order, are: Textile Mills; Primary Metals; Furniture & Related Products; Fabricated Metal Products; Machinery; Computer & Electronic Products; Plastics & Rubber Products; and Food, Beverage & Tobacco Products.

Employment	% Higher	% Same	% Lower	Net	Index
Jan 2025	11.7	75.1	13.2	-1.5	50.3
Dec 2024	7.0	75.3	17.7	-10.7	45.4
Nov 2024	14.2	65.3	20.5	-6.3	48.1
Oct 2024	9.0	70.6	20.4	-11.4	44.8

SUPPLIER DELIVERIES*

Delivery performance of suppliers to manufacturing organizations was marginally slower in January, with the Supplier Deliveries Index registering 50.9 percent, a 0.8-percentage point increase compared to the reading of 50.1 percent reported in December. This expansion follows a contraction in November preceded by four consecutive months of slower deliveries, with four straight months of faster deliveries before that. After a reading of 52.4 percent in September 2022, the index went into contraction territory the following month and remained there for 20 out of 21 months (with February 2024 the exception). Of the six big industries, four (Food, Beverage & Tobacco Products; Transportation Equipment; Computer & Electronic Products; and Machinery) reported slower supplier deliveries in January. "Supplier deliveries moved marginally deeper into 'slower' territory, as respondents indicated that supplier delivery performance continues to meet the expectations of their companies' customers. Panelists' comments support the fact that suppliers are having more difficulty in meeting companies' demands," says Fiore. A reading below 50 percent indicates faster deliveries, while a reading above 50 percent indicates slower deliveries.

The five manufacturing industries reporting slower supplier deliveries in January are: Textile Mills; Food, Beverage & Tobacco Products; Transportation Equipment; Computer & Electronic Products; and Machinery. The three industries reporting faster supplier deliveries in January are: Electrical Equipment, Appliances & Components; Fabricated Metal Products; and Chemical Products. Nine industries reported no change in supplier deliveries in January as compared to December.

Supplier Deliveries	% Slower	% Same	% Faster	Net	Index
Jan 2025	7.8	86.2	6.0	+1.8	50.9
Dec 2024	6.4	87.4	6.2	+0.2	50.1
Nov 2024	5.7	86.0	8.3	-2.6	48.7
Oct 2024	11.9	80.1	8.0	+3.9	52.0

INVENTORIES

The Inventories Index registered 45.9 percent in January, down 2.5 percentage points compared to the seasonally adjusted reading of 48.4 percent reported in December. The last time the Inventories Index registered above 50 percent was in August, when it registered 50.2 percent. "Manufacturing inventories contracted in January, as panelists' companies produced more goods and likely did not receive as much material as desired. The inventory account will most likely remain dynamic as supply and demand come into better balance," says Fiore. An Inventories Index greater than 44.5 percent, over time, is generally consistent with expansion in the Bureau of Economic Analysis (BEA) figures on overall manufacturing inventories (in chained 2000 dollars).

Of 18 manufacturing industries, the six industries reporting higher inventories in January — listed in order — are: Textile Mills; Nonmetallic Mineral Products; Furniture & Related Products; Primary Metals; Machinery; and Food, Beverage & Tobacco Products. The seven industries reporting lower inventories in January — in the following order — are: Computer & Electronic Products; Miscellaneous Manufacturing; Fabricated Metal Products; Paper Products; Transportation Equipment; Plastics & Rubber Products; and Chemical Products.

Inventories	% Higher	% Same	% Lower	Net	Index
Jan 2025	12.2	67.4	20.4	-8.2	45.9
Dec 2024	14.4	64.8	20.8	-6.4	48.4
Nov 2024	15.5	63.2	21.3	-5.8	47.7
Oct 2024	14.2	59.1	26.7	-12.5	43.2

CUSTOMERS' INVENTORIES*

ISM®'s Customers' Inventories Index registered a reading of 46.7 percent in January, the same reading as reported in December. "Customers' inventory levels in January continue on the high side of 'too low.' Panelists are reporting that the amounts of their companies' products in their customers' inventories suggest a demand level that is positive for future production," says Fiore.

The five industries reporting customers' inventories as too high in January are: Nonmetallic Mineral Products; Electrical Equipment, Appliances & Components; Computer & Electronic Products; Miscellaneous Manufacturing; and Plastics & Rubber Products. The eight industries reporting customers' inventories as too low in January, in order, are: Textile Mills; Paper Products; Primary Metals; Machinery; Food, Beverage & Tobacco Products; Transportation Equipment; Chemical Products; and Fabricated Metal Products.

Customers' Inventories	% Reporting	% Too High	% About Right	% Too Low	Net	Index
Jan 2025	77	9.0	75.4	15.6	-6.6	46.7
Dec 2024	78	11.5	70.3	18.2	-6.7	46.7
Nov 2024	77	10.6	75.5	13.9	-3.3	48.4
Oct 2024	80	12.2	69.1	18.7	-6.5	46.8

PRICES*

The ISM® Prices Index registered 54.9 percent, 2.4 percentage points higher compared to the December reading of 52.5 percent, indicating raw materials prices increased for the fourth straight month in January after a decrease in September. Of the six largest manufacturing industries, four — Petroleum & Coal Products; Food, Beverage & Tobacco Products; Chemical Products; and Transportation Equipment — reported price increases in January. "The Prices Index indicated increasing prices in January for the fourth consecutive month, likely reflecting the agreement and deployment of prices by buyers for 2025. Mill materials (steel, aluminum and copper), food elements and natural gas registered increases, offset by plastic resins and diesel fuel moving down in price. Twenty-one percent of companies reported higher prices in January, compared to 14 percent in December," says Fiore. A Prices Index above 52.8 percent, over time, is generally consistent with an increase in the Bureau of Labor Statistics (BLS) Producer Price Index for Intermediate Materials.

In January, the 11 industries that reported paying increased prices for raw materials, in order, are: Paper Products; Petroleum & Coal Products; Primary Metals; Wood Products; Food, Beverage & Tobacco Products; Electrical Equipment, Appliances & Components; Nonmetallic Mineral Products; Fabricated Metal Products; Miscellaneous Manufacturing; Chemical Products; and Transportation Equipment. The four industries report paying decreased prices for raw materials in January are: Textile Mills; Furniture & Related Products; Computer & Electronic Products; and Machinery.

Prices	% Higher	% Same	% Lower	Net	Index
Jan 2025	20.7	68.3	11.0	+9.7	54.9
Dec 2024	14.4	76.1	9.5	+4.9	52.5
Nov 2024	12.2	76.1	11.7	+0.5	50.3
Oct 2024	19.8	69.9	10.3	+9.5	54.8

BACKLOG OF ORDERS*

ISM®'s Backlog of Orders Index registered 44.9 percent, a decrease of 1 percentage point compared to the December reading of 45.9 percent, indicating order backlogs contracted for the 28th consecutive month after a 27-month period of expansion. None of the six largest manufacturing industries reported expanded order backlogs in January. "It appears that the extensive decline in order books has dramatically slowed, indicated by two months at moderate rather than significant contraction. By definition, the Backlog of Orders Index

will be the last of the four demand indicators to enter expansion,” says Fiore.

Of the 18 manufacturing industries, five reported growth in order backlogs in January: Textile Mills; Miscellaneous Manufacturing; Primary Metals; Fabricated Metal Products; and Electrical Equipment, Appliances & Components. The eight industries reporting lower backlogs in January — in the following order — are: Petroleum & Coal Products; Nonmetallic Mineral Products; Plastics & Rubber Products; Wood Products; Chemical Products; Transportation Equipment; Machinery; and Computer & Electronic Products.

Backlog of Orders	% Reporting	% Higher	% Same	% Lower	Net	Index
Jan 2025	93	12.6	64.6	22.8	-10.2	44.9
Dec 2024	91	14.9	62.0	23.1	-8.2	45.9
Nov 2024	92	14.5	54.6	30.9	-16.4	41.8
Oct 2024	93	14.1	56.4	29.5	-15.4	42.3

NEW EXPORT ORDERS*

ISM®'s New Export Orders Index registered a reading of 52.4 percent in January, up 2.4 percentage points from December's "unchanged" reading of 50 percent. "The New Export Orders Index reading indicates that export orders grew compared to last month, following six straight months of contraction. New export orders expanded this month, as panelists' comments support more activity due to Chinese stimulus measures and as Beijing prepares for its own potential counter tariffs," says Fiore.

The seven industries reporting growth in new export orders in January — in the following order — are: Textile Mills; Primary Metals; Transportation Equipment; Chemical Products; Computer & Electronic Products; Food, Beverage & Tobacco Products; and Machinery. The four industries reporting a decrease in new export orders in January are: Plastics & Rubber Products; Paper Products; Miscellaneous Manufacturing; and Electrical Equipment, Appliances & Components.

New Export Orders	% Reporting	% Higher	% Same	% Lower	Net	Index
Jan 2025	74	12.0	80.8	7.2	+4.8	52.4
Dec 2024	74	10.9	78.2	10.9	0.0	50.0
Nov 2024	75	10.6	76.1	13.3	-2.7	48.7
Oct 2024	74	7.7	75.6	16.7	-9.0	45.5

IMPORTS*

ISM®'s Imports Index turned upward in January and returned to expansion territory; the reading of 51.1 percent is 1.4 percentage points higher compared to the reading of 49.7 percent reported in December. "Imports expanded this month after contracting for seven months in a row, preceded by five consecutive months of expansion and 14 consecutive months of contraction prior to that. Imports re-entered growth as inventory constraints weaken, tariff countermeasures are put in place, a ports strike was avoided and the deliveries from the Lunar New Year season arrive at U.S. ports," says Fiore.

The eight industries reporting an increase in import volumes in January, in order, are: Textile Mills; Wood Products; Furniture & Related Products; Machinery; Miscellaneous Manufacturing; Food, Beverage & Tobacco Products; Computer & Electronic Products; and Transportation Equipment. The four industries that reported lower volumes of imports in January are: Paper Products; Primary Metals; Electrical Equipment, Appliances & Components; and Chemical Products.

Imports	% Reporting	% Higher	% Same	% Lower	Net	Index
Jan 2025	85	11.6	78.9	9.5	+2.1	51.1
Dec 2024	85	12.8	73.8	13.4	-0.6	49.7
Nov 2024	83	10.2	74.8	15.0	-4.8	47.6
Oct 2024	84	11.7	73.1	15.2	-3.5	48.3

BUYING POLICY

The average commitment lead time for Capital Expenditures in January was 168 days, a decrease of seven days compared to December. Average lead time in January for Production Materials was 83 days, an increase of two days compared to December. Average lead time for Maintenance, Repair and Operating (MRO) Supplies was 47 days, an increase of one day compared to December.

Percent Reporting							
Capital Expenditures	Hand-to-Mouth	30 Days	60 Days	90 Days	6 Months	1 Year +	Average Days
Jan 2025	17	4	8	15	30	26	168
Dec 2024	14	5	8	15	30	28	175
Nov 2024	16	4	9	15	29	27	170
Oct 2024	16	5	12	12	28	27	168

Percent Reporting							
Production Materials	Hand-to-Mouth	30 Days	60 Days	90 Days	6 Months	1 Year +	Average Days
Jan 2025	6	25	29	26	9	5	83
Dec 2024	7	25	28	27	8	5	81
Nov 2024	8	24	28	27	9	4	79
Oct 2024	9	25	26	26	9	5	81

Percent Reporting							
MRO Supplies	Hand-to-Mouth	30 Days	60 Days	90 Days	6 Months	1 Year +	Average Days
Jan 2025	29	34	19	11	6	1	47
Dec 2024	30	35	16	13	5	1	46
Nov 2024	30	34	17	13	6	0	44
Oct 2024	30	34	18	12	5	1	46

About This Report

DO NOT CONFUSE THIS NATIONAL REPORT with the various regional purchasing reports released across the country. The national report's information reflects the entire U.S., while the regional reports contain primarily regional data from their local vicinities. Also, the information in the regional reports is not used in calculating the results of the national report. The information compiled in this report is for the month of January 2025.

The data presented herein is obtained from a survey of manufacturing supply executives based on information they have collected within their respective organizations. ISM® makes no representation, other than that stated within this release, regarding the individual company data collection procedures. The data should be compared to all other economic data sources when used in decision-making.

Data and Method of Presentation

The Manufacturing ISM® *Report On Business*® is based on data compiled from purchasing and supply executives nationwide. The composition of the Manufacturing Business Survey Committee is stratified according to the North American Industry Classification System (NAICS) and each of the following NAICS-based industries' contribution to gross domestic product (GDP): Food, Beverage & Tobacco Products; Textile Mills; Apparel, Leather & Allied Products; Wood Products; Paper Products; Printing & Related Support Activities; Petroleum & Coal Products; Chemical Products; Plastics & Rubber Products; Nonmetallic Mineral Products; Primary Metals;

Fabricated Metal Products; Machinery; Computer & Electronic Products; Electrical Equipment, Appliances & Components; Transportation Equipment; Furniture & Related Products; and Miscellaneous Manufacturing (products such as medical equipment and supplies, jewelry, sporting goods, toys and office supplies). The data is weighted based on each industry's contribution to GDP. According to BEA estimates (the average of the fourth quarter 2023 GDP estimate and the GDP estimates for first, second, and third quarter 2024, as released on December 19, 2024), the six largest manufacturing industries are: Chemical Products; Transportation Equipment; Computer & Electronic Products; Food, Beverage & Tobacco Products; Machinery; and Petroleum & Coal Products.

Survey responses reflect the change, if any, in the current month compared to the previous month. For nine indicators (New Orders, Backlog of Orders, New Export Orders, Imports, Production, Supplier Deliveries, Inventories, Employment, and Prices), this report shows the percentage reporting each response, the net difference between the number of responses in the positive economic direction (higher, better and slower for Supplier Deliveries) and the negative economic direction (lower, worse and faster for Supplier Deliveries), and the diffusion index. For Customers' Inventories, respondents report their assessment of their customers' stock levels of respondent companies' products this month (rather than last month): too high, about right, and too low. Responses are raw data and are never changed. The diffusion index includes the percent of positive responses plus one-half of those responding the same (considered positive).

The resulting single index number for those meeting the criteria for seasonal adjustments (Manufacturing PMI®, New Orders, Production, Employment and Inventories) is then seasonally adjusted to allow for the effects of repetitive intra-year variations resulting primarily from normal differences in weather conditions, various institutional arrangements, and differences attributable to non-moveable holidays. All seasonal adjustment factors are subject annually to relatively minor changes when conditions warrant them. The Manufacturing PMI® is a composite index based on the diffusion indexes of five of the indexes with equal weights: New Orders (seasonally adjusted), Production (seasonally adjusted), Employment (seasonally adjusted), Supplier Deliveries, and Inventories (seasonally adjusted).

Diffusion indexes have the properties of leading indicators and are convenient summary measures showing the prevailing direction of change and the scope of change. A Manufacturing PMI® reading above 50 percent indicates that the manufacturing economy is generally expanding; below 50 percent indicates that it is generally declining. A Manufacturing PMI® above 42.3 percent, over a period of time, indicates that the overall economy, or gross domestic product (GDP), is generally expanding; below 42.3 percent, it is generally declining. The distance from 50 percent or 42.3 percent is indicative of the extent of the expansion or decline. With some of the indicators within this report, ISM® has indicated the departure point between expansion and decline of comparable government series, as determined by regression analysis. For the Customers' Inventories Index, numerically, a reading above 50 percent is "too high," equal to 50 percent is "about right," and below 50 percent is "too low." However, in practice and in the context of other data, customers' inventories may be considered to be "about right" if the diffusion index is between 52 percent (the high side of about right) and 48 percent (the low side of about right).

The Manufacturing ISM® *Report On Business*® survey is sent out to Manufacturing Business Survey Committee respondents the first part of each month. Respondents are asked to report on information for the current month for U.S. operations only. ISM® receives survey responses throughout most of any given month, with the majority of respondents generally waiting until late in the month to submit responses to give the most accurate picture of current business activity. ISM® then compiles the report for release on the first business day of the following month.

The industries reporting growth, as indicated in the Manufacturing ISM® *Report On Business*® monthly report, are listed in the order of most growth to least growth. For the industries reporting contraction or decreases, those are listed in the order of the highest level of contraction/decrease to the least level of contraction/decrease.

Responses to Buying Policy reflect the percent reporting the current month's lead time, the approximate weighted number of days ahead for which commitments are made for Capital Expenditures; Production Materials; and Maintenance, Repair and Operating (MRO) Supplies, expressed as hand-to-mouth (five days), 30 days, 60 days, 90 days, six months (180 days), a year or more (360 days), and the weighted average number of days. These responses are raw data, never revised, and not seasonally adjusted.

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The full text version of the Manufacturing ISM[®] Report On Business[®] is posted on ISM[®]'s website at www.ismrob.org on the first business day* of every month after 10:00 a.m. ET. The one exception is in January when the report is released on the second business day of the month.

The next Manufacturing ISM[®] Report On Business[®] featuring February 2025 data will be released at 10:00 a.m. ET on Monday, March 3, 2025.

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Forbes

Five Ways To Revitalize American Manufacturing

Darcy Burner

Forbes Councils Member

Forbes Business Council

COUNCIL POST | Membership (fee-based)

Mar 13, 2023, 09:15am EDT

Darcy is the CEO at [Buttonsmith Inc.](#), using software and networks to rebuild US manufacturing for the 21st century, currently crowdfunding.



America's manufacturing sector is in clear need of revitalization. The U.S. has seen a decline in both its share of global manufacturing exports and domestic production. As a result, there are concerns that America will be unable to compete effectively with other countries on the world stage if it does not address these issues soon.

The good news is that there are many ways to revitalize American manufacturing. Here are some ideas for entities in the sector:

First, make capital available to U.S. manufacturers. Investing in American manufacturing will not only help revitalize the sector but also create many jobs for Americans. To accomplish this, it's important that businesses are able to get financing

when they need it, especially small and medium-sized companies. Furthermore, it can be helpful to create incentives for investment in U.S. manufacturing.

Second, recognize small and medium-sized manufacturers. Large companies have received a lot of attention in recent years, but it's important to remember that they only account for about 30% of American manufacturing jobs, according to the U.S. Census Bureau. Meanwhile, small to medium-sized employers — which employ upward of 80 million people worldwide — account for roughly 60% of manufacturing jobs in the U.S. Therefore, policies aimed at revitalizing American manufacturing should focus primarily on helping small and medium-sized manufacturers grow their businesses since they play such a large role in America's economy, including job creation.

Third, realize that government purchasing can be used as a means of support. This is because government purchasing power gives policymakers the ability to support American manufacturers who are growing, creating jobs for Americans and generating revenue for the economy. Furthermore, this isn't just helpful in terms of job creation; it's also critical as a way to drive investment into research and development (R&D), which can help create new technologies and services that could lead to major advancements for American manufacturers.

Fourth, invest in R&D. Encouraging investment in R&D will help create the technology necessary for U.S. manufacturers to innovate their products and processes, which can make them more competitive with foreign firms that benefit from lower costs due to currency manipulation and other factors. Creating incentives for R&D investment can be helpful, but it should go hand in hand with policies that support the commercialization of new ideas, i.e., the process by which an innovation is brought from its initial experimental stage (research) into a viable product or service (development).

Fifth, bolster the supply chain. If parts and materials are not readily available to manufacturers, their businesses will struggle, which can lead to less hiring, slower

growth and even closure of operations. To ensure that American factories have access to basic goods like copper or steel (or an increased variety of specialized inputs), it's important to invest in the supply chain. This can be accomplished by supporting existing suppliers, investing in new technologies that help create stronger supply chains and ensuring that there are domestic sources for key minerals like rare earth elements.

Revitalizing American manufacturing is essential because of the potential shortages that could occur if certain goods are not available and everyday goods become scarce. The global supply chain problems of 2020 and 2021 prove that U.S. manufacturing is strategically important for our country.

In conclusion, revitalizing American manufacturing will require a multi-pronged approach, including making investment capital available to U.S. manufacturers; recognizing that small and medium-sized manufacturers are the majority of manufacturing and should be a key focus; using government purchasing to provide a base of support for U.S. manufacturers; and investing in the supply chain, research and development and commercialization of new ideas.

January 20, 2025

Confer: New York requires retailers to fix what it broke

Share:



With retail theft and violence out of control, The Retail Worker Safety Act is merely a Band-Aid

A COLUMN By Bob Confer

The state legislature is known for lacking nuance and failing to roll out reforms in an incremental fashion. Our lawmakers, especially those from downstate, tend to go all-in with their ideas and legislations and worry not about domino effects and unintended outcomes. That's why local taxpayers are on the hook for so many unfunded mandates and businesses are saddled with so many regulations.

Consider the latest set of rules to be placed upon employers – the Retail Worker Safety Act.

This act came about because of how the Senate and Assembly totally transformed, even gutted, public safety in recent years. Lawmakers

instituted a variety of changes to criminal justice with the primary goal being social justice reform, that have had, in many circumstances, considerable unwelcome consequences despite the best of intentions. You're familiar with the culprits like bail reform and raise the age which have lead to culprits on the streets — criminals are now more emboldened than ever because of catch and release and other slaps on the wrist. They know they can get away it. You can understand that most viscerally in the fact that the Governor had to send the National Guard to the subways of New York City and is now having 750 more police officers stationed on NYC's subways and platforms during the overnight hours.

Rather than addressing this situation properly by going back and making some reforms to the reforms that they went all-in with, the legislature, which is not one to lose face and admit failure by doing so, has sought bandages – like those deployments of potential force on public transit — to cover the wounds. The Retail Worker Safety Act is another one of those first aid measures.

Since the advent of criminal justice reform, retail theft and violence have gone out of control. Larceny offenses in NYC have spiked by 51% since 2017 while robberies, grand larceny and petit larceny in the Big Apple are up by 86%. And, the value of those thefts and brutality of that violence have become more disgusting. Retail workers are put, in many places, in harm's way, something that had been unheard of just a few years ago.

So, the state is now mandating that retail businesses – not so much the police and courts they relied on before – ramp up the security and protection of their workers.

Effective March 3 of this year – or June 1 if a chapter amendment goes into play – any retailer with 10 or more employees in the state must comply with the act (it does not apply to retail businesses that primarily sell food or beverages for consumption *on the premises*).

It requires retailers to create and distribute to all employees a workplace violence prevention policy. It must address the situations that place employees at risk such as working late at night or in the early morning,

exchanging money with the public, working alone or in small numbers, and uncontrolled access to the workplace. The policy must provide methods that the employer can use to prevent workplace violence while giving remedies to employees who are victims of it.

The act also requires retailers to provide violence prevention training to all employees when hired and then again every year (if the business has 50 or more employees in the state) or every two years (if employing less than 50). The training has to be interactive and include measures that employees can use to protect themselves when faced with violence, such as de-escalation, active shooter drills, emergency procedures, security devices, and training on previous and specific incidents of violence.

Then, on January 1, 2027, retail employers with 500 or more workers statewide must provide access to panic buttons on the premises — or wearable, cellular-based panic buttons — that request immediate assistance from local law enforcement (a proposed amendment would include a change to the recipient of the alert to a security officer, manager, or supervisor).

It's said that the New York State Department of Labor will provide samples of policies and training that can then be tailored by the employers for their specific workplace. Those samples are not yet available. Regardless, retail businesses should start developing their plans now in the event the act goes into effect just 6 weeks from now (though June is still a possibility). Consult with your employees, lawyers, and trade organizations to ensure compliance.

It's no doubt frustrating to shop owners and store managers, especially those just learning of it now, to face yet another in a long line of piles of paperwork and policies and hours of training to appease the state...a state that absolutely broke retail safety and now wants that industry to fix it.

Large-Scale Projects Face Financing Challenges

Executives have been forced to find new ways to finance projects.

- Adam Glatz, Managing Director , Maxis Advisers

Q4 2024



Lately, securing financing for large-scale development projects has become increasingly complicated and nuanced. Executives looking to expand facilities or select new locations must navigate myriad challenges, from volatile capital markets to stringent investor expectations.

That's because in 2023, capital markets encountered disruptions reminiscent of the 2008 global financial crisis. The Federal Reserve's ongoing efforts to combat inflation through interest rate hikes resulted in borrowing costs reaching their highest levels in over a decade. The cumulative effect of these measures made it extraordinarily difficult for companies and developers to secure the necessary funding for their projects. Money was essentially frozen.

For corporate executives, this tightening of capital availability means that traditional avenues for financing, such as bank loans and equity investments, are less accessible. The increased cost of capital also translates into higher project costs, making it imperative to explore alternative financing strategies and sources.

Investor Behavior and Selectivity

In this challenging environment, investors have adopted a highly selective approach to deploying their capital. Despite having significant funds at their disposal, investors are demanding higher returns to compensate for the perceived risks associated with large-scale projects. This cautious stance is driven by the need to ensure that investments are not only profitable but also resilient to economic fluctuations.

Corporate executives must present compelling business cases to attract investment.

Corporate executives must present compelling business cases to attract investment. This involves demonstrating strong financial metrics, robust risk management strategies, and alignment with current market trends. Investors are particularly interested in projects that offer clear paths to high returns and have built-in safeguards against potential disruptions.

Regulatory and Economic Incentives

Federal funding programs and regulatory changes play a crucial role in mitigating some of the financing challenges. Initiatives such as the Inflation Reduction Act, the Infrastructure and Jobs Act, and the CHIPS and Science Act provide substantial support for development projects and investments in technology and certain sustainability initiatives. These programs offer financial incentives, tax breaks, and grants that can offset the higher costs of capital and make projects more attractive to investors.

Corporate executives should actively engage with these programs to maximize their benefits. Understanding the specific requirements and opportunities associated with each initiative can provide a competitive edge in securing funding and moving projects forward. Additionally, state and local economic development agencies can be valuable partners in navigating the regulatory landscape and accessing available resources to reduce project costs and increase returns. While the federal programs typically get the most media attention, the state and local offerings are more widely applicable to a larger swath of project types and often more impactful to the project's successful implementation.

The site received \$7 million in infrastructure development, resulting in a \$160+ million investment.

Mitigating Financing Risks

Given the current economic conditions, companies must employ strategic approaches to reduce financing risks and enhance project viability.

Several effective strategies include:

1. **Cost Reductions**
 - **Cash Grants:** Securing direct financial support through cash grants can significantly improve project financials. While not universally available and often tied to job creation requirements, cash grants can be a critical component of the funding mix.
 - **Fee Reductions and Speed to Market:** Reducing permitting fees and expediting the approval process can lower upfront costs and accelerate project timelines, making projects more appealing to investors. Securing a property's entitlements as quickly and efficiently as possible is crucial to a development's success.
 - **Infrastructure Improvements:** Preemptive site improvements, such as upgrading utilities and transportation access, can enhance site readiness and reduce project delays.
2. **Leveraging Public-Private Partnerships**
 - Collaborating with local governments and economic development agencies to share risks and benefits. Successful examples include projects where public entities have contributed to infrastructure costs, significantly lowering the financial burden on private developers.
3. **Diversified Funding Sources**
 - Combining traditional financing with alternative sources such as bonds, private equity, and public funding. This diversification can spread risk and provide a more stable financial foundation for projects.

Borrowing costs reached their highest levels in over a decade.

Examples of Successful Strategies

A developer-owned property in North Carolina with prohibitive infrastructure costs sat undeveloped for years. Through a public-private partnership with the county, the site received \$7 million in infrastructure development, which made further development feasible. This collaboration resulted in a \$160+ million investment and the creation of 400 new jobs for the county, demonstrating the potential of public-private partnerships to overcome financing hurdles.

Money was essentially frozen, making it extraordinarily difficult to secure funding.

Similarly, an office building in Texas sat vacant for years, in desperate need of a remodel even before the current office vacancy crisis. Thanks to a novel application of a new city-level incentive designed to assist with the renovation and modernization of corporate office campuses, the developer was able to secure financing to convert the property's use from office to industrial. This partnership provided the city with a highly desired industrial site that immediately received interest from multiple potential tenants even before construction commenced.

To be sure, the current economic landscape presents significant financing challenges for large-scale development projects, requiring corporate executives to adopt innovative strategies to secure necessary financing.

By understanding investor requirements and utilizing non-traditional strategies for reducing costs, executives can enhance the financial viability of their projects and drive successful outcomes. As the market continues to evolve, proactive and strategic approaches will be key to securing the necessary funding and achieving long-term growth.



POLICY

One Way Trump Could Help Revive Rural America

Grant programs too often send money to areas that already have resources. Federal agencies should work with state and local leaders to identify the place-specific needs of regional economies and develop custom projects.

OPINION | Jan. 15 2025 • Tim O'Brien and Tim Freeman, Harvard Kennedy School



Abandoned buildings in Jeffrey City, Wyo., once a uranium-mining boom town with a population of 5,000. Relying on fewer and less diversified sources of tradable income, rural economies are much more vulnerable than urban economies to existential economic and environmental shocks. (Mel Melcon/Los Angeles Times/TNS)

Picture yourself living the American Dream. You likely have more opportunity than your parents did. Through hard work, smart choices and perhaps some good luck along the way, you have financial stability and a great deal of freedom to choose your next steps in life.

Chances are also good that you live in or near a vibrant community with a robust local economy.

We tend to focus on the individual aspects of the American Dream, but we also value our communities — our downtowns, Little Leagues, good schools, safe public spaces and local traditions. Individuals and families tend to seek out the places that provide these things along with nearby jobs. And when communities begin to lose these quality-of-life assets, residents notice. Younger people tend to migrate away.

But why do places that were once vibrant sometimes lose this quality?

This is a question that we have reckoned with as economists who study constraints to better economic growth, most recently **with the state of Wyoming**. We've found that there is an often overlooked factor shared across many different places, and understanding it is critical to helping such communities recover: Whether a community thrives or falls into an economic tailspin depends greatly on its ability to generate "tradable income."

Tradable income is jargon for money generated from stuff that a local economy sells beyond its borders. This could be the crops people grow, the products that factories manufacture, the services that businesses sell or the minerals that are pulled from the ground. This income is then circulated within the local economy in the form of demand for other jobs, such as cashiers, barbers and handymen. Tradable income is essential to import all the goods and services that are not produced locally.

Without tradable income, the rest of the local economy will struggle to survive. You can think of tradable income like the oxygen that circulates through the body of the local economy.

Booms and Busts

Rural economies nearly uniformly have fewer and less diversified sources of tradable income than urban economies. They may rely on the same main source of tradable income that was the reason the community was settled in the first place.

These economies are much more vulnerable to existential economic and environmental shocks and downward spirals of community decay than urban economies, which have built up more diversified tradable income sources over time.

Regional economies that were built on extracting and selling a natural resource, for example, can face booms and busts based on resource prices or government policies. The sudden closure of a mine can, within years, begin to wipe a community off the map. This is even though most jobs in the community were not directly supplied by the mine. The deeper and often overlooked problem is that the tradable income was tied to the mine.

This process is nothing new. It is the reason **why the West has many ghost towns**, and why many once-strong manufacturing towns **transformed into the Rust Belt**. In small communities, a regional school or even a Walmart can have the same effect if it closes, since these can be the sole sources of outside money.

The loss of any critical source of tradable income, if not replaced, deprives the local economy of the oxygen that it needs to survive. Without new sources of tradable income, downtown stores close because businesses lack demand, joblessness rises, local tax revenue collapses and people leave.

Different Places, Different Needs

State and federal policy has never been particularly effective at enabling local economic transitions from old sources of tradable income to new ones, or even softening the blow.

Today, it is not hard to see how climate change — as well as efforts to fight it by shutting down fossil fuel extraction and power plants — **can bring new and painful shocks** to local economies, just as **automation** and **globalization** have done.

The Biden administration's recent push to build infrastructure and jump-start strategic industries — including through **the Infrastructure Investment and Jobs Act**, **the Inflation Reduction Act** and **the CHIPS and Science Act** — was partly driven by a desire to provide economic opportunity to parts of America that have increasingly been left behind.

Recognizing that different places have different needs, these federal efforts tended to channel resources to communities through **discretionary grants** rather than formula funding. In other words, the system put the responsibility on community leaders to identify funding opportunities and compete for that funding through proposed projects meeting predefined criteria, rather than have resources divided according to population or some other formula.

Discretionary grant use rose during the Biden years

From 2021 to 2024, the Biden administration significantly increased discretionary grants, often via communities competing for funding. This rise reflects major federal spending packages, including the Inflation Reduction Act and CHIPS Act, and expanded Medicaid grants to states.



Figures display grant obligation amounts, excluding formula grants.

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A key problem, however, is that most rural places do not have the local-government bandwidth and staffing to navigate this system. Town clerks and part-time local officials are often responsible for many public jobs and do not have the time or resources to navigate what can be byzantine federal funding systems. They do not have the time to absorb the flood of webinars, newsletters and online tools that federal agencies have created to circulate opportunities, let alone to mobilize successful grant applications for complicated programs with short application windows.

Not surprisingly, federal funds have tended to flow to larger municipalities with

greater resources to begin with.

Grant funding per capita: Urban vs. rural counties

Counties with more rural populations received lower discretionary funding per capita than urban ones over the 2021-2024 period. The data shows how rural counties are still being left behind.

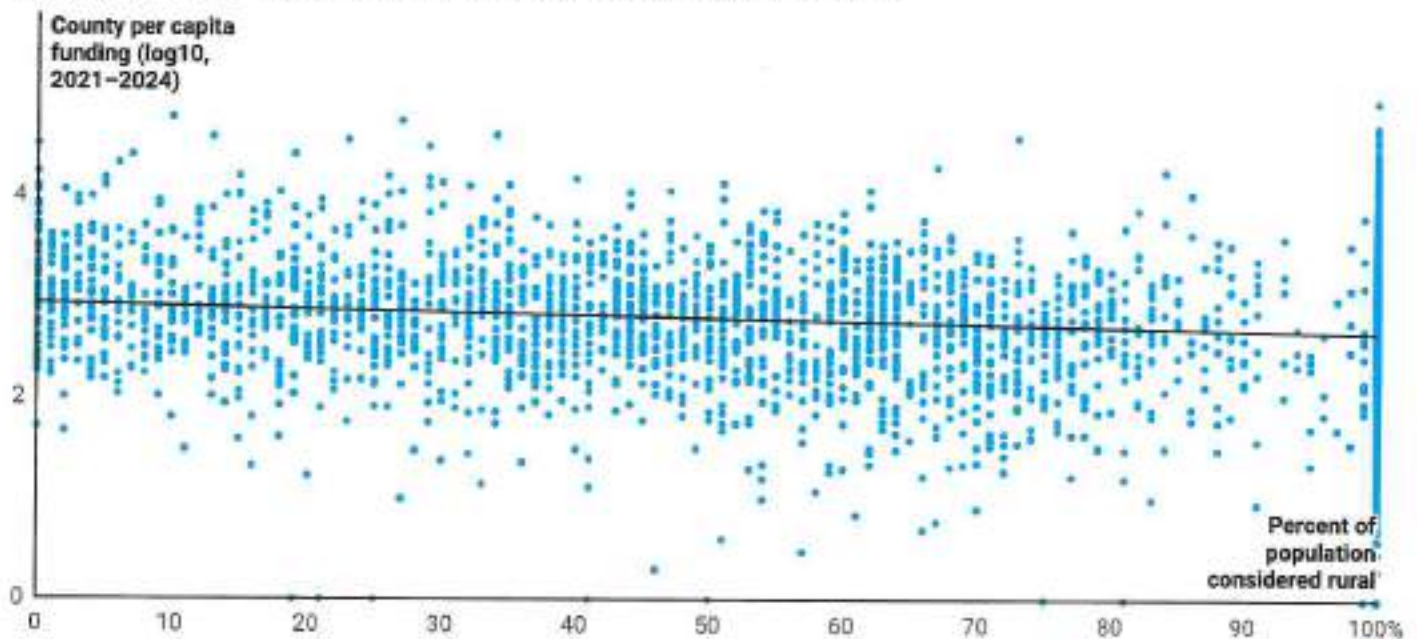


Chart uses logarithmic data with base 10: 2=\$100 per capita, 3=\$1,000 per capita, 4=\$10,000 per capita

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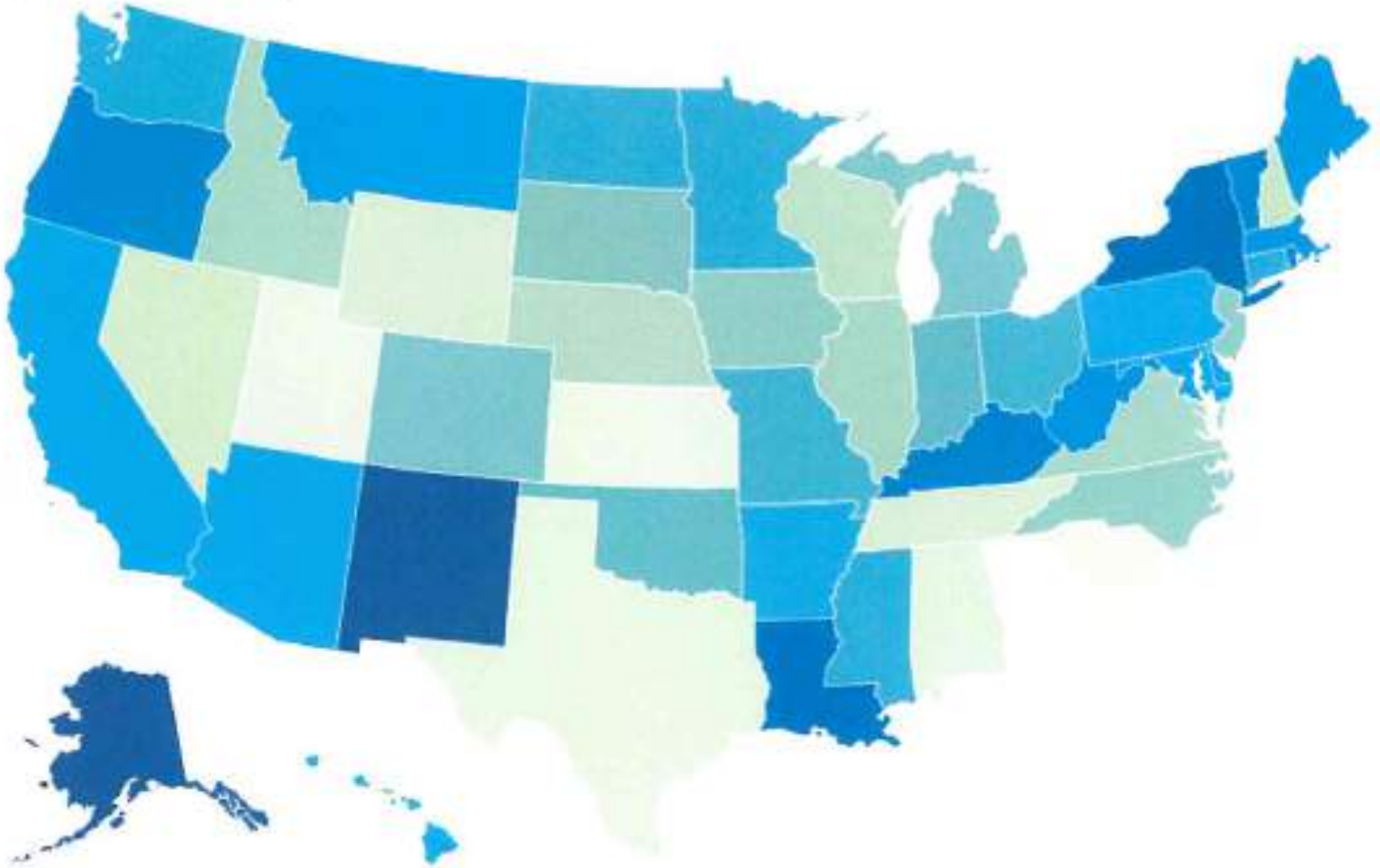
Wyoming is an example. The state is receiving **less per capita in federal discretionary grants** than most other states, and those grants are reaching relatively few communities. Our team at **the Growth Lab at the Harvard Kennedy School** has been working with officials and residents there to find solutions.

States' federal discretionary grants per capita, 2021-24

Over the four years from 2021 to 2024, Wyoming received among the lowest per capita levels of discretionary federal grant funding among the states. One reason was the time-consuming process, which small town governments aren't designed to handle.

U.S. dollars

6,000 18,000



Figures display grant obligation amounts, excluding formula grants.

Map: Tim Freeman/CC-BY-ND • Source: USASpending.gov • [Get the data](#) • [Embed](#) • [Download image](#) • Created with [Datavrapper](#)

Many folks in Wyoming believe that qualifying criteria for grants have purposefully disadvantaged the very conservative state. There are some criteria for qualifying for programs that fuel this narrative, such as grants targeted to coal communities that match the demographics and income levels of Appalachia more than Wyoming. Similarly, the lack of Medicaid expansion in the state lessens federal funding flows.

However, the main reason is much simpler and more mundane. Small and stressed communities from Wyoming to **Vermont**, across the political spectrum, face the same systemic obstacles in navigating the system.

Flipping the Script

Statewide efforts have grown, **including in Wyoming**, to help local leaders identify and access federal grants, most importantly by building staffing and help centers that local leaders can draw upon to help navigate the federal system. But we believe a fundamentally better system is possible.

Rather than federal entities creating highly specific grant programs, inviting communities to apply and compete, and then selecting winners centrally, they could flip the script when it comes to rural communities in regions that are facing shocks to tradable income.

Federal entities could instead work in concert with each other and with local leaders, starting with the place-specific needs of regional economies, and develop custom projects accordingly. Instead of shopping around centrally designed programs, federal agencies could do more to empower and support locally determined transformation efforts.

This was the spirit of **the Recompete Pilot Program** of the U.S. Economic Development Administration, which awarded six large grants last year among many, many locally driven proposals from economically distressed areas. A similar shift in approach was a key takeaway of the federal government's **Interagency Working Group** on Coal and Power Plant Communities and Economic Revitalization, whose recent progress report looking back at three years of work emphasizes a greater need for working with, rather than imposing on, local leaders and coalitions.

Developing new pathways for tradable income will rarely be easy or fast, but this is one better place to start.

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