

County of Cattaraugus
Industrial Development Agency

BOARD OF DIRECTORS MEETING - AGENDA

Tuesday, September 23, 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 July 29, 2025 CCIDA Board of Directors Meeting Minutes:

New Application/Project in Process

-1.) Daich Coatings Corp.

-Daich Coatings Corp. has submitted an application to the CCIDA seeking NYS Sales Tax Abatement, NYS Mortgage Tax Abatement and Real Property Tax Abatement for their proposed manufacturing project at 261 S. Main Street in the Village of Cattaraugus (the former SetterStix Building). Daich Coatings Corp. was established in 1993 and functions as a world leader in the development and manufacture of a wide range of decorative and maintenance coatings. The Cattaraugus location would be established to house the new US production facility branded DAICH Coatings architectural finish coatings. They specialize in the manufacturing of natural, water-based non-toxic coating systems used to transform and protect concrete floors and walls. Their products are sold through The Home Depot, Lowes and Menards throughout the USA.

A public hearing was held on **Thursday, September 18, 2025 at 9:30 a.m.** at the Village of Cattaraugus. A copy of the public hearing minutes is included in each board members package for their review. There were 4 people in attendance the Mayor Nagel stated he supports the project.

-The Total Project Investment: \$1,110,387

√ Resolution-Daich Coatings Corp.

Natural Gas Ban Update/Resolution Opposing

On July 8, 2025 New York State enacted the Climate Leadership and Community Protection Act (CLCPA). The goals set forth in the CLCPA, legislation enacted in the State Budget bans for the use of gas-powered stoves, furnaces, propane and other fossil fuel hookups in most new residential and commercial buildings. CCIDA would like to show their support in conjunction with the County Legislature and Congressmen Langworthy opposing the new Law relating to natural gas ban in New York State. This act that the State adopted will be very problematic to not only homeowners but new businesses alike.

A proposed resolution is included in the board packet for consideration.

✓ Resolution – Opposition to Government-Mandated Natural Gas Ban

***CCIDA Financial Reports:**

-Approval of July and August 2025 Financial Reports (Vote required):

***Income for July 2025 (\$57,281.25):**

- \$57,281.25 – *First half of the Administrative Fee for Hidden Gems Family Resorts*

***Income for August 2025 (\$20,355.74):**

- \$ 1,500.00 – *Application Fee-Win-Sum Ski Corp.*
-\$ 134.01 – *Refund of ESD Event at Holiday Valley*
-\$ 18,092.50 – *Reimbursement of SEQR work for Olean Town Centre*
-\$ 629.23 – *Reimbursement from 4646 Genesee for ½ cost of window washing and gutter cleaning*

***Income for September 2025 (\$0.00):**

- \$ 750.00 – *First half administrative fee for Rusty Rooster (forthcoming)*
-\$120,000.00 – *Reimbursement from Cattaraugus County for RevRail project expenses (forthcoming)*

-*General update on projects in process; including the Agency has 4 projects in the closing stage which should close in the 3rd quarter of this year.*

-Internal (IDA Meetings/Discussions, Snapshot):

- ✓ Attended OBDC Board Meeting.
- ✓ Met with the new owners of the West Valley Hotel to discuss ways the IDA can help and assist their proposed redevelopment plans.
- ✓ Several meetings with RevRail and the contractors in Cattaraugus.

- ✓ Meeting with developer of potential project in Allegany.
- ✓ Meeting with developer of potential project in the Village of Ellicottville.
- ✓ Meeting with Frank Puglisi, Governor Hochul's WNY Representative in Buffalo.
- ✓ Attended conference call regarding New Market Tax Credits for distressed areas and how we could apply those to future projects.
- ✓ Meeting with developer of potential commercial project in Olean.
- ✓ Met with Jake Creely for a project update on his new development project in Mansfield and Ellicottville.
- ✓ Had a conference call regarding potential warehouse project in Olean.
- ✓ Several update calls with Matt from Great Lakes Cheese.
- ✓ Met with Nick Ferrai from Field of Dreams on the new development projects.
- ✓ Meeting with developer of potential new project in Hinsdale.
- ✓ Attended Cattaraugus County Economic Team Meeting in Little Valley.
- ✓ Attended Community Action Board Meeting.
- ✓ Attended Global NY Export Tour at Buffalo State University.
- ✓ Meeting with developer of potential project in the Olean area near I-86.
- ✓ Meeting with Jacob from Buffalo Business First regarding 2025 projects.
- ✓ Meeting with Jason Schwab regarding updates on his development project
- ✓ Meeting with John from Crosbys to discuss a possible site in Cattaraugus.
- ✓ Meeting with John Kelly from Cimolai-HY regarding updates on their business and exciting news on their hiring front and growth!
- ✓ Attended Cattaraugus County Data Center site selection Meeting.
- ✓ Meeting upcoming with the new owner of Bear Creek Lake Resort
- ✓ Continuing to outreach, market and looking for new investments and projects within the County.

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

- ✓ **Handout:** *Olean Manufacturing Job Fair.*
- ✓ **Utility Dive:** Article: *"NYPA's updated renewables plan would more than double capacity to 7 GW."*

- ✓ **Client Alerts:** Article: *"All-Electric Building Act Approved in New York State."*
- ✓ **Empire Center:** Article: *"A Warning for New York's Energy Policy."*
- ✓ **National Fuel:** Article: *"Speak Up to Protect New York's Energy Future."*
- ✓ **Handout:** *Cimolai-HY-We're Hiring Material Handlers.*

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

Motion- :
:
Time:

-Motion to re-enter the CCIDA Board Meeting-:
:
Time:

Adjournment:

Motion- :
:
Time:

*** The next CCIDA Board of Directors Meeting is
Tuesday, October 21, 2025 at 11:15 a.m. at the CCIDA Office**

Zoom Meeting access Information:

Topic: CCIDA's Zoom Meeting
Time: Sep 23, 2025 11:15 AM Eastern Time (US and Canada) Join Zoom Meeting:

<https://us02web.zoom.us/j/85348271727?pwd=ZlyKK42y5mmKfvfvUM1bEyKR1hC1LM.1>

Meeting ID: 853 4827 1727
Passcode: 198851

One tap mobile
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+16469313860,,85348271727#,,,,*198851# US

COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY

BOARD MEETING MINUTES

July 29, 2025

CCIDA Offices

9 East Washington Street

Ellicottville NY 14731

9:00 a.m. In Person or via Teleconference Call/Zoom

Roll Call: -Taken-

Members

Present:

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

Excused:

Mr. Thomas Cullen

CCIDA Staff/Counsel:

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

Presenters/Guests:

Tracey Drury, Business First of Buffalo (via zoom)
Bob Clark, Olean Times Herald (via zoom)
Rick Miller, Olean Star (via zoom)
Samantha Christmann, The Buffalo News (via zoom)

Mr. Buffamante called the meeting to order at 9:05 a.m.

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

-Mr. Buffamante: Good Morning. Thank you everyone for attending as we did not have a quorum for the regularly scheduled July meeting. In your packet is the June 17, 2025 Board Meeting Minutes, I would ask for a motion to approve those.

A Motion was made by Michael Wimer seconded by Brent Driscoll to accept the Board Meeting Minutes from June 17, 2025. All in favor. **Motion Carried.** Mr. Cullen was excused.

-Mr. Wiktor: Again, I thank the Board for reviewing the minutes.

-Mr. Buffamante: We have one application today to address today for the 1378 Group which is the current Wingate Hotel and the future Huntley House Hotel.

-Mr. Wiktor: Yes, thank you again everyone again for moving your schedule. The good news is 1378 Group who submitted their application in the month of June is looking to get started literally ASAP on the renovation of the hotel and doing a lot of the upgrades, amenities and wholesale change in every aspect inside the hotel that will be occurring. If you remember, Bill Paladino, President of Ellicott Development was here at the IDA last month to give a presentation and overview of the project. We did conduct the public hearing on Tuesday, July 8, 2025 at 11:30 a.m. and there was no one in attendance and we did not receive any comments prior or after. I have had several conversations with people in the Village and they are very excited to see the complete renovation. There is a resolution based on the \$2.4 million and is a sales tax only project so there is no mortgage tax or PILOT. In your packet we did include a resolution for the board to consider adopting to allow us to induce the project which I think will be an excellent upgrade to the Village and the community and delivers employment, sales tax, bed tax and of course, real property tax. With that, I turn it over to the Chairman.

Resolution from Prior Application/Project in Process

-1.) 1378 Group, LLC

-1378 Group, LLC (Wingate Hotel) has submitted an application to the CCIDA seeking NYS Sales Tax Abatement and Real Property Tax Abatement for the renovation, additions and rebranding of the Wingate Hotel to the new **Huntley House Hotel**, located at 11 Mill Street, Ellicottville, NY. The project will transform the hotel into a luxury, lodge-style hotel with higher end accommodations, finishes and amenities. Renovations include an updated lobby with a new fireplace, an upscale coffee area, a self-serve alcohol tap station and a high end a la carte breakfast. The guest rooms will have higher end amenities and 13 suites will get statement fireplaces. New additions include an expansive deck overlooking the creek, a 12-month heated mineral pool, infrared saunas and fire pits. The hotel will stay open during the reconstruction.

A public hearing was held in CCIDA's office on Tuesday, July 8, 2025 at 11:30 a.m. There was no one in attendance. The public hearing script is included in each Board Members packet.

-The Total Project Investment: \$2,400,000

Resolution:

A Motion was made by James Snyder seconded by Ginger Schroder, RESOLUTION OF THE COUNTY OF CATTARAUGUS INDUSTRIAL DEVELOPMENT AGENCY: (i) ACCEPTING THE APPLICATION OF 1378 GROUP, LLC, AND/OR INDIVIDUAL(S) OR AFFILIATE(S), SUBSIDIARY(IES), OR ENTITY(IES) FORMED OR TO BE FORMED ON ITS BEHALF (INDIVIDUALLY, AND/OR COLLECTIVELY, THE "COMPANY") IN CONNECTION WITH A CERTAIN PROJECT DESCRIBED BELOW; (ii) APPOINTING THE COMPANY, OR ITS DESIGNEE, AS ITS AGENT TO UNDERTAKE THE PROJECT; (iii) AUTHORIZING THE UNDERTAKING OF THE PROJECT TO PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE

FORM OF A SALES TAX EXEMPTION BENEFIT FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT; AND (iv) AUTHORIZING THE NEGOTIATION AND EXECUTION OF AN AGENT AND FINANCIAL ASSISTANCE PROJECT AGREEMENT, AND RELATED DOCUMENTS. A roll call of the Board of Directors of the CCIDA was taken, Mr. Buffamante, Mr. Higgins, Mr. Driscoll, Mr. Snyder, Ms. Schroder and Mr. Wimer voted yes. Mr. Cullen was excused. **Motion Carried.** (*Mr. Wimer and Ms. Schroder stated with disclaimer as they have a working relationship with the company; however, they have no financial interest in the company or this particular project.*)

-Mr. Wiktor: Thank you, we will turn this over to Harris Beach. I spoke with Bill Paladino last week and are looking to get started ASAP.

-Mr. Buffamante: When will they have the project done?

-Mr. Wiktor: Octoberfest is the goal, they think they can hit that date, they are hiring I believe 5-7 local contractors, half of which are located right here in Ellicottville. It will be 7 days a week, all day and no current disruption the current hotel as they are doing it in stages and again their goal is Fall Fest.

-Mr. Buffamante: Next on the agenda is the June financial reports.

-Mr. Wiktor: Yes, we did have some income as HoliMont closed and 1378 Group's application fee. In July we did receive half of the administrative fee from Hidden Gems Family resort with the proposed 27 units that the board supported as a resolution and then as an amended resolution which is the former Fitzpatrick home.

-Mr. Driscoll: Did they start anything yet?

-Mr. Wiktor: They just closed on the property and there a couple of bulldozers on site and we did the sales tax letter last week to get them started. We did receive half of the income and the additional half will be received when they close on the PILOT, which will probably be next year. Also, the good news, for public reference, the house and the 5 acres will stay on the tax roll for Town, Village and School as it is not part of the PILOT. Any questions?

-Mr. Buffamante: Usually mid-year we update this. Is that something we could do?

-Mr. Wiktor: Yes, we are doing to do that in August. We included the updated certificates of deposit and accounts for CCIDA and CCCRC and are putting together a potential revised budget. We will talk to the finance committee on that. Some years we have reviewed it, some years we have changed it based on income, deal flow, expenses and that is what we are looking at right now from the last 6 months and looking forward to 12/31/25.

-Mr. Buffamante: Any questions on the financials?

***CCIDA Financial Reports:**

A Motion was made by Michael Wimer seconded by Joseph Higgins to accept the June 2025 CCIDA Operating Statement as presented to the Board. All in Favor - Motion Carried. Mr. Cullen was excused.

***Income for June 2025 (\$12,395.94):**

- \$ 1,500.00 – 1378 Group, LLC - Application Fee
- \$10,895.94 – Full Administrative Fee – HoliMont, Inc.

***Income for July 2025 (\$57,281.25):**

- \$57,281.25 – Full Administrative Fee- Hidden Gems Family Resort

-Updated Certificates of Deposit (quarterly)

-General update on projects in process; including the Agency has 4 projects in the closing stage which should close in the 3rd quarter of this year.

-Mr. Buffamante: Corey is there anything you wish to report?

-Mr. Wiktor: Sure. Again, I appreciate the Board's time and with a little additional time I will be able to go through some topics. Two weeks from Tuesday Tim Emley from Portville has invited me in to be part of their Board Meeting. Obviously, there was some recent press about a proposed wind project, Hemlock Hollow Wind, which they are proposing in the Towns of Allegany, Portville and Olean. The meetings have been highly critical and push back to Liberty Wind relating to the project. When I was party to the one meeting, I did find it quite striking that opposition was very versed and their comments were thought out, their opposition was very well stated. I found it interesting the wind company heard the comments and at the end acting like everything was a home run. It was 35 well thought out comments and when you have a project like this where the communities are very aligned with their comments, the company basically said, thank you and we will see you in the Fall. They have not reached out to the IDA at all, nor have I reached out to them but I will be there on the 12th with the Town of Portville to hear their concerns directly and officially. There is some information on the proposed project that I will pass around for you to look at regarding the proposed project.

-Mr. Wiktor: Regarding RevRail, the Ralph Wilson people were in town last week and they had a quick tour and yesterday we had a retreat with them. The good news is we had a soil expert/engineer come in from York, PA on July 2, 2025 and he spent the whole day walking it and said this is the highest grade he has ever seen a railroad in in his life. He put together a 100-page study and 2 major issues, one is the shale is sliding and two is what is called Cattaraugus clay. We are working with the landowner that owns the property above the IDA and we have a local contractor from Cattaraugus proposing to put a road in which will allow them to get the heavy equipment in. We are hoping for a September kick off there.

-Mr. Wiktor: In other good news, the Edelweiss project, we have had some tremendous support locally with letters, Cattaraugus County Legislature, Senator Borrello and Assemblymen Sempolinski. We have had some key conversations and Bob's firm was able to connect some dots. There was a delay due to the volume cap on the bond and there is a relative sense it will be resolved shortly in a positive way.

-Mr. Wiktor: Next week I am meeting with a manufacturing company regarding the former Setterstix Building and hope to have an application forthcoming for the August meeting.

-Mr. Wiktor: The 1887 Building in Ellicottville, the Village was just approved the recipient of a very large award with respect to somethings in the building. We are still trying to hammer out a local developer. The initial developer that we were working with did walk away a few months ago. It's a great award! I did meet with one developer 2 weeks ago and they are interested but the problem is it is a very long payback model; you are talking a 15-to-20-year investment.

-Mr. Wiktor: The IDA did co-sponsor back in June the ESD overview training session for the CFAs which are due this Friday.

-Mr. Wiktor: Also, real quick, one thing I did want to touch on is the report that we do each March for PARIS reporting through the controller's office. It is done in arrears so it is always a year behind. I do want to pull out a few highlights of the 20+ page report for the Cattaraugus County IDA. There are about 112 IDAs in the State

of New York whether they are County, Municipal, City, Town or Village. As the breakdown starts on page 14, I don't want to state this as a ranking or in a way of competition to others. A few striking points of the 112 IDAs in the State, from New York City to the County of Monroe, very large cities and counties, our IDA ranks in the top 20 at number 17. In terms of projects, deal flow and what I find is more critical, are statistics if you look at the job count, jobs to be created, jobs maintained and the PILOT, but also looking at our expenses. If you really look at our IDA with our board and legislature, our staff, this County is run very efficiently and effectively as a cost per job created. In terms of when added up, all of the incentives (mortgage, sales tax and PILOT), those abatements and those jobs created divide out to cost a taxpayer. That is a number we certainly try to keep as low as possible. Look at the IDA expenses from payroll to meetings, copies, legal and look at the expenses and cost per job, I would say this agency ranks in the top 20 in the IDAs in the State. We look at this and utilize it, send it to the County and what I like to explain is having a 2 people office, a 7 people board, a 15-member legislature in a very rural and one of the largest geographically large Counties in the State, a State which has its challenges. This IDA should be looked at favorably and I appreciate the Board.

-Internal (IDA Meetings/Discussions, Snapshot):

- ✓ Congratulations to Jack Searles on his retirement. A Cutco gift set was sent to show his appreciation for all his support to the IDA over the years.
- ✓ Co-host and sponsor ESD Workshop at Holiday Valley.
- ✓ Attend DRI Information/Question Workshop at Cattaraugus-Little Valley School.
- ✓ Conference call regarding Edelweiss Dairy volume cap.
- ✓ Conference regarding Rev Rail.
- ✓ Meeting with Alex from 42 North.
- ✓ Call with a developer of potential project in the Village of Cattaraugus.
- ✓ Attended Ralph Wilson Meeting.
- ✓ Conference call regarding Cattaraugus rail study.
- ✓ On site walk with soil engineer regarding rail work for RevRail.
- ✓ Call with Department of Transportation regarding Route 353 crossing in Dayton.
- ✓ Attended OBDC Board Meeting.
- ✓ Meeting with commercial developer regarding potential manufacturing site within the County.
- ✓ Attend Congressman Langworthy event in West Seneca.
- ✓ Meeting with Rev Rail in Cattaraugus.
- ✓ Conference regarding Olean Centre Mall updates.
- ✓ Met with out-of-town Developer relating to a possible project in Ellicottville.
- ✓ Conference regarding 1887 Building in Village of Ellicottville.

- ✓ Meeting with Invest Buffalo Niagara regarding several sites in Cattaraugus County.
- ✓ Met with Rich Schechter from Pyramid Brokerage regarding possible new manufacture coming to the County.
- ✓ Conference with Dana Cornell regarding Allegany Crossings.

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

- ✓ **Woodworking Network:** Article: *"Fitzpatrick & Weller awarded \$800k U.S. Forest Service grant."*
- ✓ **Dairy Producer:** Article: *"10,000 Cows and Rising: A Chapter for New York Dairy."*
- ✓ **Handout:** Performance of Industrial Development Agencies in New York State
- ✓ **Governing:** Article: *"N.Y. Environmental Bills Highlight Tensions Within Legislatures."*
- ✓ **NBCNews:** Article: *"A megabill mystery: New solar and wind tax comes as a surprise to Republican senators."*
- ✓ **Politico Live:** Article: *"Kill shot: GOP megabill targets solar, wind projects with new tax."*
- ✓ **Empire Center:** Article: *"Kathy Hochul's ambition cancel out claims of coming 'climate disaster'."*
- ✓ **Spectrum News1:** Article: *"N.Y. Senate GOP to Hochul: Suspend parts of 2019 climate law due to demand, cost concerns."*

A Motion was made by Brent Driscoll seconded by Joseph Higgins to adjourn the meeting at 10:38 a.m. All in Favor – **Motion Carried.** Mr. Cullen was excused.

*** Next CCIDA Board of Directors Meeting: September 23, 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: Daich Coatings Corp.

Date Submitted: August 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: DaichCoatings Corp.

Applicant Address: 304 Gage Avenue North

City/Town: Hamilton State: ON Zip: L8L7A7

Phone: 416-726-7763 (local phone not set up yet)

E-mail: peter@daichcoatings.com

B) Business Organization (check appropriate category):

Corporation ☒

Partnership ☐

Public Corporation ☐

Joint Venture ☐

Sole Proprietorship ☐

Limited Liability Company ☐

Other (specify) _____

Year Established: 1993 State in which Organization is established: Ontario, Canada

C) Individual Completing Application:

Name: Peter Daich

Title: President (Daich Coatings Corp. - Established 1995)

Address: 304 Gage Avenue North

City/Town: Hamilton State: ON Zip: L8L 7A7

Phone: 416-726-7763 E-Mail: peter@daichcoatings.com

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

Name: N/A

Title: _____

Address: _____

City/Town: _____ State: _____ Zip: _____

Phone: _____ E-Mail: _____

E) Company Counsel:

Name of Attorney: Jonathan Schechter

Firm Name: Gross Shuman Inc.

Title: _____

Address: 465 Main Street, Suite 600 |, NY 14203

City/Town: Buffalo State: NY Zip: 14203

Phone: 716-854-4300 x264 E-Mail: JSchechter@gross-shuman.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:

Cattaraugus Workforce Development Board, Cattaraugus County

Estimated % of sales within Cattaraugus County: 0% currently

Estimated % of sales outside Cattaraugus County but within New York State: 0% currently

Estimated % of sales outside New York State but within the U.S.: 0% currently

Estimated % of sales outside the U.S.: 0% currently

(*Percentage to equal 100%)

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

Identify vendors within Cattaraugus County for major purchases:

The new location in Cattaraugus would be established to house US production demand for branded DAICH Coatings architectural finish coatings. The company is a specialist in the manufacture of natural, water-based non-toxic coating systems used to transform and protect concrete floors and walls. DAICH products are sold through The Home Depot, Lowes and Menards throughout the USA. DAICH COatings was established in 1993 and functions as a world leader in the development and manufacture of a wide range of decorative and maintenance coatings.

II. Eligibility Questionnaire - Project Description & Details

A) Project Location

Address of Proposed Project Facility: 261 S. Main Street

City/Town: Cattaraugus

School District: Cattaraugus Little Valley

SBL Number(s) for proposed Project 44033-1-10

Current Address (if different): 261 S. Main Street


City/Town: Cattaraugus, NY 14719

What are the current real estate taxes on the proposed Project site? \$33,000

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

Land: \$ 35,000 Buildings(s): \$ 1,028,700.00 *If available include a copy of current tax receipt.*

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

The proposed production facility at 261 S. Main Street will be a net new company to Cattaraugus County and NY state. The facility has been vacant for the past 12 months. With addition of DAICH product manufacturing, the site will become a new home to business activity. 

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:

An all new US operation must be established, resulting in duplicated and/or added costs of hiring, training, shipping, materials, new facility set-up costs, maintenance costs, additional tax burden and overall higher finance costs, .

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

Manufacturing - 710 Code - but currently vacant

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 new location in Cattaraugus would be established to house US production demand for branded DAICH Coatings architectural finish coatings. The company is a specialist in the manufacture of natural, water-based non-toxic coating systems used to transform and protect concrete floors and walls. DAICH products are sold through The Home Depot, Lowes and Menards throughout the USA. DAICH Coatings was established in 1993 and functions as a world leader in the development and manufacture of a wide range of decorative and maintenance coatings.

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 production facility at 261 S. Main Street will be a net new company to Cattaraugus County and NY state. The facility has been vacant for the past 12 months. With addition of DAICH product manufacturing, the site will become a new home to business activity, job creation, stimulus to the local economy — and a dedicated new member of the community.

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:

Cattaraugus Workforce Development Board, Cattaraugus County

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):

An all new US operation must be established, resulting in duplicated and/or added costs of hiring, training, shipping, materials, new facility set-up costs, maintenance costs, additional tax burden and overall higher finance costs.

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:

Manufacturing - 710 Code - but currently vacant

If the Applicant is unable to obtain financial assistance for the Project, what will be the impact on the Applicant and Cattaraugus County? Puts the new investment and project in flux. Proposed project brings new investment to Catt. county.

Will onsite child daycare facilities be available on the project site? ☐ Yes ☒ No

If onsite child daycare facilities are available on the project site, please briefly describe:

C) Site Characteristics

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

Describe the present zoning/land use: 710 manufacture

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

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

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

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

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

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

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 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 | 59,623 | | |
| 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: Oct/Nov 2025

2. Estimated completion date of project: _____

3. Project occupancy – estimated starting date of occupancy: November 2025

E) Overall Project Costs

Estimated costs in connection with Project:

- | | |
|--|---------------|
| 1. Land and/or Building Acquisition | \$ 950,000.00 |
| _____ acres _____ square feet | |
| 2. New Building Construction _____ square feet | \$ _____ |
| 3. New Building Addition(s) _____ square feet | \$ _____ |
| 4. Infrastructure Work | \$ _____ |
| 5. Reconstruction/Renovation <u>59,623</u> square feet | \$ _____ |
| 6. Manufacturing Equipment | \$ 149,788.00 |
| 7. Non-Manufacturing Equipment (furniture, fixtures, etc.) | \$ 3599.00 |
| 8. Soft Costs: (Legal, architect, engineering, etc.) | \$ 7000 |
| 9. Other, Specify: _____ | \$ _____ |

TOTAL Costs: \$ 1,110,387.00 / ~\$ 1,200,000

Construction Cost Breakdown:

Total Cost of Construction

\$ 1,200,000¹ (sum of 2,3,4 and 5 above)

Cost of materials:

\$ _____

% sourced in Cattaraugus County

_____ %

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 land and building

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: | \$ _____ |

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: \$ 24,000

Estimated State and Local Sales and Use Tax Benefit (multiply 8.0% by the figure, above): \$ 300,000

*** 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): \$ NA

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

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): NA 15 year PILOT - 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 Creation

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

Is project necessary to retain existing employment? ☐ Yes or ☒ No ****VACANT**

Employment Plan (Specific to the proposed project location): **Positions phased in over 1 - 2 years

| | 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) | | | 15 - 20 | 15 - 20 |
| Part Time (PT) | | | | |
| Total *** | | | | |

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

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

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

| Category of jobs to be retained and/or created | # of employees retained and/or created | Average salary for Full Time | Average fringe benefits for full time | Average salary for part time, if applicable | Average fringe benefits for part time, if applicable |
|--|--|------------------------------|---------------------------------------|---|--|
| Management | 2 | \$60,000 | Health Insurance | | |
| Professional | | | | | |
| Administrative | 2 | \$44,000 | Health Insurance | | |
| Production | 10 - 12 | \$44,000 | Health Insurance | | |
| 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 | | \$ \$673,000 - \$750,000 |
| 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) | \$ | 44,000 |
| Estimated average annual salary of jobs to be created (part time) | \$ | |
| Estimated salary range of jobs to be created | | |
| From (full time) | \$ 670,000 | To (full time) \$ \$750,000 |
| From (part time) | \$ | To (part time) \$ |

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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 |
|-------------|---------------------------------------|---|---|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

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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.

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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? ____%. 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

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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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.

15 Year Manufacturing Pilot

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 | \$ | \$24,000± | NA | |

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

Attachment A: Representations, Certifications and Indemnification

Peter Daich (name of CEO or other authorized representative of
Applicant) confirms and says that he/she is the President (title) of
Vilnik Corp. (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.:

_____, being first duly sworn, deposes and says:

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


(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury
this ____ day of _____, 20__.

(Notary Public)

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.

Attachment A:

Daich Coatings is a world leader in the development and manufacture of decorative stone coatings, high performance paints and architectural maintenance products. We combine our expertise in polymer coatings chemistry with nature's most enduring raw material — STONE — and use it to create a line of proprietary finishes that make surfaces beautiful — and pack them with key performance benefits.

Every gallon of product that leaves our factory is made to deliver significant value-added functionality — from reduced maintenance and repainting costs and safer, more slip-resistant surfaces, to water protection, extreme durability and lasting beauty — indoors and out.

We also care about the environment. Today, we're proud to announce that we've been formulating and manufacturing "green" low VOC products long before it was in style.

Whether your interest is DIY or Professional — residential or commercial — Daich Coatings answers your everyday surface finishing challenges with exciting new solutions.

1993

We extended our stone coating technology to high performance interior/exterior paints and decorative textured wall finishes.

1994

We developed a line of DIY finishes for the retail market. Today, our products are sold through more than 1000 retail stores in North America.

2001

Daich Global Distribution

With exhibited worldwide demand for our innovative surface finish solutions, we're actively growing our network of distributors and retail dealers – and expanding our geographic reach.

We employ a number of flexible supply programs to enable our selling partners to effectively service customers in their local marketplaces.

If you are an established distributor or retail dealer – and have an interest in securing access to the Daich Coatings line of products for your country or region – we invite you to contact us to discuss availability.

Daich Global Distribution

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We employ a number of flexible supply programs to enable our selling partners to effectively service customers in their local marketplaces.

If you are an established distributor or retail dealer – and have an interest in securing access to the Daich Coatings line of products for your country or region – we invite you to contact us to discuss availability.

Find Daich products in Canada at:

Home Hardware
Home Depot
Canadian Tire
Lowe's
Rona
Benjamin Moore

In the U.S.A:

Home Depot
Lowe's



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[Inventory](#)

[Improvements](#)

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[Tax Calculator](#)

[Report](#)

[Comparables](#)

Parcel History

[View parcel history data](#)

Municipality of V. Cattaraugus

SWIS: 046401 Tax ID: 44.033-1-10

Tax Map ID / Property Data

| | | | |
|---------------------|--------------------|----------------------|----------------------------|
| Status: | Active | Roll Section: | Taxable |
| Address: | 261 S Main St | | |
| Property Class: | 710 - Manufacture | Site Property Class: | 710 - Manufacture |
| Ownership Code: | | | |
| Site: | Com 1 | In Ag. District: | No |
| Zoning Code: | - | Bldg. Style: | Not Applicable |
| Neighborhood: | 64100 - | School District: | Cattaraugus - Little Valey |
| Total Acreage/Size: | 3.50 | Equalization Rate: | --- |
| Land Assessment: | 2025 - \$35,000 | Total Assessment: | 2025 - \$1,028,700 |
| Full Market Value: | 2025 - \$1,028,700 | | |
| Deed Book: | 22970 | Deed Page: | 8001 |
| Grid East: | 1070928 | Grid North: | 845204 |

Special Districts for 2025

| Description | Units | Percent | Type | Value |
|-----------------------|-------|---------|------|-------|
| FD640-Fire protection | 0 | 0% | | 0 |
| AD640-Ambulance | 0 | 0% | | 0 |

Land Types

| Type | Size |
|----------|------------|
| Primary | 1.00 acres |
| Residual | 2.50 acres |

Photographs

(Click on photo to enlarge it.)



07/14/2022-

Documents

- Deed History Card
- History Combine
- History Combine
- History Combine
- RP5217 - 6/09
- RP5217 01/2015
- Survey Map

Maps

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

[View Tax Map](#)

[Pin Property on GIS Map](#)



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[Improvements](#)

[Tax Info](#)

[Tax Calculator](#)

[Report](#)

[Comparables](#)

Parcel History

[View parcel history data](#)

Municipality of V. Cattaraugus

SWIS: 046401 Tax ID: 44.033-1-10

Inventory

Overall EFF Year Built: 1998
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 | | 1950 | 1998 | Normal | Average | 59632 | 2 | 1 |

Utilities

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

Site Uses

| Use | Rentable Area | Total Units |
|-----------|----------------|-------------|
| Light mfg | 59,632 sq. ft. | 0 |

Photographs

(Click on photo to enlarge it.)



07/14/2022-

Documents

- Deed History Card
- History Combine
- History Combine
- History Combine
- RP5217 - 8/09
- RP5217 01/2015
- Survey Map

Maps

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

Tax Links

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

Tax Bill Information

Municipality of V. Cattaraugus

| | | | |
|-------|--------|---------|-------------|
| SWIS: | 046401 | Tax ID: | 44.033-1-10 |
|-------|--------|---------|-------------|

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 |
|----------|----------|---------------|----------------------|-------------------|-----------|--------------|
| 2025 | County | \$32,944.80 | \$1,028,700.00 | \$1,028,700.00 | 100 | 1 |

[Display Details for Taxes Levied in 2025](#)

[Display Historical Tax Information](#)

Estimated Taxes for Parcel Number 44.033-1-10 in the Village of Cattaraugus 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 = \$29,979.03 for the year 2025

SCHOOL (Cattaraugus-Little Valley)

Previous 2024 Assessed Value: \$1,028,700.00

2024 SCHOOL (Cattaraugus-Little Valley) Rate: 8.164252

\$8,398.57(28%)

Village(Cattaraugus)

Previous 2024 Assessed Value: \$1,028,700.00

2025 Village(Cattaraugus) Rate: 9.130115

\$9,392.15(31%)

Town(Cattaraugus)

Previous 2024 Assessed Value: \$1,028,700.00

2025 Town(Cattaraugus) Rate: 2.944706

\$3,029.22(10%)

COUNTY(Cattaraugus)

Previous 2024 Assessed Value: \$1,028,700.00

2025 COUNTY(Cattaraugus) Rate: 8.291704

\$8,529.68(28%)

Fire(FD640)

Previous 2024 Assessed Value: \$1,028,700.00

2025 Fire(FD640) Rate: 0.611847

\$629.41(2%)

Total Taxes = \$29,979.03 for the year 2025

Tax report generated on August 22, 2025 (2025-08-22 12:10:02) for Print Key = 04403300010100000000

In the year 2025, the Village of Cattaraugus had 502 properties with a Total Assessed Value of \$66,675,526 with an average value of \$132,820

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

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>Darch Coatings Corp.</u> | | | |
| Project Location (describe, and attach a location map): <u>261 South Main Street Cortlandt, NY 14719.</u> | | | |
| Brief Description of Proposed Action: <u>- Project location: 261 S. Main St. Cortlandt.</u> <u>- See Attachment A.</u> | | | |
| Name of Applicant or Sponsor: <u>Darch Coating Corp.</u> | | Telephone: <u>(616) 726-7463</u> | |
| Address: <u>301 Gage Avenue N.</u> | | E-Mail: <u>Peter@DarchCoatings.com</u> | |
| City/PO: <u>Hamlet</u> | | State: <u>Ontario, CA</u> | Zip Code: <u>L8L 7A7</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. | | NO <input checked="" type="checkbox"/> | YES <input type="checkbox"/> |
| 2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: | | NO <input checked="" type="checkbox"/> | YES <input type="checkbox"/> |
| 3. a. Total acreage of the site of the proposed action? | | <u>3.50</u> acres | |
| b. Total acreage to be physically disturbed? | | <u>.1</u> acres | |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? | | <u>3.50</u> acres | |
| 4. Check all land uses that occur on, are adjoining or near the proposed action: | | | |
| <input type="checkbox"/> Urban <input checked="" 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 | |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| 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: _____ _____ | <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: _____ _____ | <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 type="checkbox"/> Forest | <input type="checkbox"/> Agricultural/grasslands |
| <input type="checkbox"/> Wetland | <input checked="" type="checkbox"/> Urban | <input checked="" type="checkbox"/> Suburban |
| 15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? | NO <input checked="" type="checkbox"/> | YES <input type="checkbox"/> |
| 16. Is the project site located in the 100-year flood plan? | NO <input checked="" type="checkbox"/> | YES <input type="checkbox"/> |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources? | NO <input checked="" type="checkbox"/> | YES <input type="checkbox"/> |
| 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: | <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: | <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: | <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>Peter Daich</u> Date: <u>Sept. 4/25</u> Signature: <u>[Signature]</u> Title: _____ | | |

MRB Cost Benefit Calculator

Cattaraugus County Industrial Development Agency

Date
 Project Title
 Project Location

Construction Phase - Project Assumptions

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

Construction Economic Impacts

| Industry | NAICS | % of Total Investment | Investment by Type |
|---|--------|-----------------------|--------------------|
| Industrial Building Construction | 236210 | 100% | \$600,000 |
| (Not Applicable) | 0 | | \$0 |
| (Not Applicable) | 0 | | \$0 |
| Most projects will only have one line related to construction type. | | 100% | \$600,000 |

Operation Phase - Project Assumptions

Jobs and Earnings from Operations

NAICS Lookup

| Year 1 - Enter NAICS | NAICS | Count | Per Job Annual Earnings | Total Earnings |
|---------------------------------|--------|-------|-------------------------|----------------|
| Paint and Coating Manufacturing | 325510 | 0 | \$0 | \$0 |
| Paint and Coating Manufacturing | 325510 | 0 | \$0 | \$0 |
| Paint and Coating Manufacturing | 325510 | 0 | \$0 | \$0 |
| Paint and Coating Manufacturing | 325510 | 0 | \$0 | \$0 |
| 0 | 0 | | | \$0 |
| 0 | 0 | | | \$0 |
| Total | | 0 | | \$0 |

| Year 2 | NAICS | Count | Per Job Annual Earnings | Total Earnings |
|---------------------------------|--------|-------|-------------------------|----------------|
| Paint and Coating Manufacturing | 325510 | 2 | \$60,000 | \$120,000 |
| Paint and Coating Manufacturing | 325510 | 2 | \$44,000 | \$88,000 |
| Paint and Coating Manufacturing | 325510 | 11 | \$44,000 | \$484,000 |
| Paint and Coating Manufacturing | 325510 | 0 | \$0 | \$0 |
| 0 | 0 | | | \$0 |
| 0 | 0 | | | \$0 |
| Total | | 15 | | \$692,000 |

| Year 3+ (Full Employment) | NAICS | Count | Per Job Annual Earnings | Total Earnings |
|---------------------------------|--------|-------|-------------------------|----------------|
| Paint and Coating Manufacturing | 325510 | 2 | \$60,000 | \$120,000 |
| Paint and Coating Manufacturing | 325510 | 2 | \$44,000 | \$88,000 |
| Paint and Coating Manufacturing | 325510 | 11 | \$44,000 | \$484,000 |
| Paint and Coating Manufacturing | 325510 | 0 | \$0 | \$0 |
| 0 | 0 | | | \$0 |
| 0 | 0 | | | \$0 |
| Total | | 15 | | \$692,000 |

Fiscal Impact Assumptions

Estimated Costs of Incentives

| | % | Value |
|----------------------------------|-------|----------|
| Sales Tax Exemption | | \$24,000 |
| Local Sales Tax Rate | 4.00% | \$12,000 |
| State Sales Tax Rate | 4.00% | \$12,000 |
| Mortgage Recording Tax Exemption | | \$12,500 |
| Local | 0.75% | \$7,500 |
| State | 0.50% | \$5,000 |
| Total Costs | | \$48,757 |

| | |
|--------------------|---------------------------------|
| PILOT Term (Years) | <input type="text" value="15"/> |
| Escalation Factor | <input type="text" value="2%"/> |
| Discount Factor | <input type="text" value="2%"/> |

Property Tax Exemption

| | | | | | | | |
|-------|----|------|-----------|-----------|--------------|-----|-----------|
| | 1 | 2026 | \$29,627 | \$29,627 | \$30,336 | \$0 | -\$709 |
| | 2 | 2027 | \$30,220 | \$30,220 | \$30,942 | \$0 | -\$723 |
| | 3 | 2028 | \$30,824 | \$30,824 | \$31,561 | \$0 | -\$737 |
| | 4 | 2029 | \$31,440 | \$31,440 | \$32,193 | \$0 | -\$752 |
| | 5 | 2030 | \$32,069 | \$32,069 | \$32,836 | \$0 | -\$767 |
| | 6 | 2031 | \$32,711 | \$32,711 | \$33,493 | \$0 | -\$783 |
| | 7 | 2032 | \$33,365 | \$33,365 | \$34,163 | \$0 | -\$798 |
| | 8 | 2033 | \$34,032 | \$34,032 | \$34,846 | \$0 | -\$814 |
| | 9 | 2034 | \$34,713 | \$34,713 | \$35,543 | \$0 | -\$830 |
| | 10 | 2035 | \$35,407 | \$35,407 | \$36,254 | \$0 | -\$847 |
| | 11 | 2036 | \$36,115 | \$36,115 | \$36,979 | \$0 | -\$864 |
| | 12 | 2037 | \$36,837 | \$36,837 | \$37,719 | \$0 | -\$881 |
| | 13 | 2038 | \$37,574 | \$37,574 | \$38,473 | \$0 | -\$899 |
| | 14 | 2039 | \$38,326 | \$38,326 | \$39,243 | \$0 | -\$917 |
| | 15 | 2040 | \$39,092 | \$39,092 | \$40,027 | \$0 | -\$935 |
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| Total | | | \$512,352 | \$512,352 | \$524,609 | \$0 | -\$12,257 |
| | | | | | Discounted-> | \$0 | -\$10,425 |

Other Benefits to Public and Private Individuals - If Applicable

| Year # | Year | Other Local Municipal Revenue | Other Payments to Private Individuals |
|--------|------|----------------------------------|--|
| 1 | 2026 | \$655 | \$0 |
| 2 | 2027 | \$668 | \$0 |
| 3 | 2028 | \$681 | \$0 |
| 4 | 2029 | \$695 | \$0 |
| 5 | 2030 | \$709 | \$0 |
| 6 | 2031 | \$723 | \$0 |
| 7 | 2032 | \$737 | \$0 |
| 8 | 2033 | \$752 | \$0 |
| 9 | 2034 | \$767 | \$0 |
| 10 | 2035 | \$782 | \$0 |
| 11 | 2036 | \$798 | \$0 |
| 12 | 2037 | \$814 | \$0 |
| 13 | 2038 | \$830 | \$0 |
| 14 | 2039 | \$847 | \$0 |
| 15 | 2040 | \$864 | \$0 |
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| Total | | \$11,320 | \$0 |

Notes

15 year manufacturing PILOT. Tax year 1-15 100% exempt. Tax year 16 and thereafter 0% exempt. Real Property Tax and PILOT calculations based on assessed value of \$1,069,848.

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

Yes

Cattaraugus County Industrial Development Agency

MRB Cost Benefit Calculator

Date September 4, 2025
 Project Title Daich Coatings Corp.
 Project Location 261 South Main Street, Cattaraugus NY



Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

Project Total Investment

\$1,200,000

| Temporary (Construction) | | | |
|--------------------------|-----------|-----------|-----------|
| | Direct | Indirect | Total |
| Jobs | 3 | 1 | 4 |
| Earnings | \$219,799 | \$45,584 | \$265,383 |
| Local Spend | \$600,000 | \$165,830 | \$765,830 |

| Ongoing (Operations) | | | |
|----------------------------------|--------------|-------------|--------------|
| Aggregate over life of the PILOT | | | |
| | Direct | Indirect | Total |
| Jobs | 15 | 5 | 20 |
| Earnings | \$10,850,789 | \$4,179,808 | \$15,030,597 |

Figure 1

Net Benefits

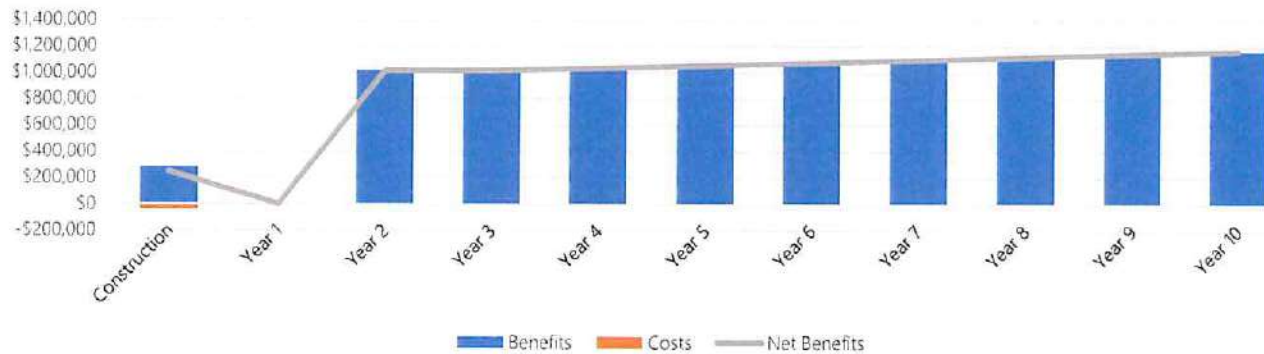


Figure 2

Figure 3

Total Jobs

Total Earnings



Fiscal Impacts

Estimated Costs of Exemptions

| | Nominal Value | Discounted Value* |
|--|---------------|-------------------|
| Property Tax Exemption | \$12,257 | \$10,423 |
| Sales Tax Exemption | \$24,000 | \$24,000 |
| Local Sales Tax Exemption | \$12,000 | \$12,000 |
| State Sales Tax Exemption | \$12,000 | \$12,000 |
| Mortgage Recording Tax Exemption | \$12,500 | \$12,500 |
| Local Mortgage Recording Tax Exemption | \$7,500 | \$7,500 |
| State Mortgage Recording Tax Exemption | \$5,000 | \$5,000 |
| Total Costs | \$48,757 | \$46,923 |

State and Local Benefits

| | Nominal Value | Discounted Value* |
|---------------------------------------|---------------|-------------------|
| Local Benefits | \$15,414,373 | \$13,029,445 |
| To Private Individuals | \$15,295,981 | \$12,929,313 |
| Temporary Payroll | \$265,383 | \$265,383 |
| Ongoing Payroll | \$15,030,597 | \$12,663,930 |
| Other Payments to Private Individuals | \$0 | \$0 |
| To the Public | \$118,392 | \$100,131 |
| Increase in Property Tax Revenue | \$0 | \$0 |
| Temporary Jobs - Sales Tax Revenue | \$1,858 | \$1,858 |
| Ongoing Jobs - Sales Tax Revenue | \$105,214 | \$88,648 |
| Other Local Municipal Revenue | \$11,320 | \$9,626 |
| State Benefits | \$795,391 | \$672,324 |
| To the Public | \$795,391 | \$672,324 |
| Temporary Income Tax Revenue | \$11,942 | \$11,942 |
| Ongoing Income Tax Revenue | \$676,377 | \$569,877 |
| Temporary Jobs - Sales Tax Revenue | \$1,858 | \$1,858 |
| Ongoing Jobs - Sales Tax Revenue | \$105,214 | \$88,648 |
| Total Benefits to State & Region | \$16,209,764 | \$13,701,769 |

Benefit to Cost Ratio

| | Benefit* | Cost* | Ratio |
|-------------|--------------|----------|-------|
| Local | \$13,029,445 | \$29,923 | 435:1 |
| State | \$672,324 | \$17,000 | 40:1 |
| Grand Total | \$13,701,769 | \$46,923 | 292:1 |

*Discounted at 2%

Additional Comments from IDA

15 year manufacturing PILOT. Tax year 1-15 100% exempt. Tax year 16 and thereafter 0% exempt.
Real Property Tax and PILOT calculations based on assessed value of \$1,069,848.

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

PUBLIC HEARING SCRIPT

**Daich Coatings 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 September 18, 2025 at 9:30 a.m.
at the Village of Cattaraugus, 114 Main Street, Cattaraugus, New York 14719

ATTENDANCE:

see attached

☐ 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 9:34 a.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 Daich Coatings 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 September 6, 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 a 3.5+/- parcel of land located at 261 S. Main Street, Village of Cattaraugus, Town of New Albion, Cattaraugus County, New York, and all other lands in the County of Cattaraugus where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (the "Land") and the existing 59,632+/- square-foot building located thereon (the

"Existing Improvements"); (ii) the renovation, reconstruction and refurbishment of the Existing Improvements for use by the Company in furtherance of the manufacture of natural, water-based non-toxic coating systems to transform and protect concrete floors and walls (the "Improvements"); and (iii) the acquisition by the Company in and around the Existing Improvements and Improvements of certain items of machinery, equipment and other tangible personal property (the "Equipment"; and, together with the Land, the Existing Improvements, 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.

Anthony Nagel: I am in support of the project.

-OR-

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

☒ **6. ADJOURNMENT:**

As there are no further statements and/or comments, I will close the public hearing at 10:04 a.m.

SIGN IN SHEET FOR PUBLIC HEARING

Public Hearing to be held on September 18, 2025 at 9:30 a.m.
at the Village of Cattaraugus, 114 Main Street, Cattaraugus, New York 14719

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

Project Location: 261 S. Main Street, Village of Cattaraugus, Town of New Albion,
Cattaraugus County, New York

[illegible]

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

**DAICH COATINGS 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, September 23, 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 DAICH COATINGS 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) APPOINTING THE COMPANY, OR ITS DESIGNEE, AS ITS AGENT TO UNDERTAKE THE PROJECT; (iv) AUTHORIZING THE UNDERTAKING OF THE PROJECT TO PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES TAX EXEMPTION BENEFIT FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT, (B) A 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 (v) AUTHORIZING THE NEGOTIATION AND EXECUTION OF A LEASE AGREEMENT, LEASEBACK AGREEMENT, A PAYMENT-IN-LIEU-OF-TAX AGREEMENT, AN AGENT AND FINANCIAL ASSISTANCE PROJECT AGREEMENT, AND RELATED DOCUMENTS

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, DAICH COATINGS CORP. or on behalf of an affiliated entity formed or to be formed (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 a 3.5+/- parcel of land located at 261 S. Main Street, Village of Cattaraugus, Town of New Albion, Cattaraugus County, New York, and all other lands in the County of Cattaraugus where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (the “Land”) and the existing 59,632+/- square-foot building located thereon (the “Existing Improvements”); (ii) the renovation, reconstruction and refurbishment of the Existing Improvements for use by the Company in furtherance of the manufacture of natural, water-based non-toxic coating systems to transform and protect concrete floors and walls (the “Improvements”); and (iii) the acquisition by the Company in and around the Existing Improvements and Improvements of certain items of machinery, equipment and other tangible personal property (the “Equipment”; and, together with the Land, the Existing Improvements, and the Improvements, the “Facility”); and

WHEREAS, pursuant to General Municipal Law Section 859-a, on September 18, 2025, at 9:30 a.m., at the Village of Cattaraugus, 114 Main Street, Cattaraugus, New York 14719, 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 fifteen (15) 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 involves a "Type II action" as said term is defined within the New York State Environmental Quality Review Act ("SEQR") and therefore no other determination or procedures under SEQR are required; 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 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 15 new FTE employee position.
- (ii) The estimated total value of Financial Assistance is approximately \$61,014 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 \$1,200,000.
- (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 December 31, 2025.
- (v) Extent of new revenue provided to local taxing jurisdictions: The Project will create 15 new FTE employee positions and such new employees will generate new sales tax 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 \$300,000, 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 \$24,000, 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 \$12,500; 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 \$12,257, resulting in estimated total PILOT payments of \$512,352 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 made with respect to the Project at the time of Project completion equals or exceeds \$1,200,000, being the total project cost as stated in the Company's application for Financial Assistance.
- (ii) Employment Commitment – that there are at least 15 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 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 15 FTE employees.

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: September 23, 2025

**COUNTY OF CATTARAUGUS
INDUSTRIAL DEVELOPMENT AGENCY**

RESOLUTION

A regular meeting of the County of Cattaraugus Industrial Development Agency was convened on Tuesday, September 23, 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 IN SUPPORT OF CONGRESSMAN NICK
LANWORTHY'S ENERGY CHOICE ACT (H.R. 3699, S. 1945) AND IN
OPPOSITION TO GOVERNMENT-MANDATED NATURAL GAS BANS**

WHEREAS, the 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, on July 8, 2019, New York State (the "State") enacted the Climate Leadership and Community Protection Act (the "CLCPA"), which legally mandates aggressive emissions reductions and lofty climate goals, leading to sweeping energy restrictions, including a push to phase out natural gas; and

WHEREAS, in furtherance of the goals set forth in the CLCPA, legislation enacted in the 2023-24 State Budget bans the use of gas-powered stoves, furnaces, propane, and other fossil fuel hookups in most new residential and commercial buildings, beginning in 2026 for smaller buildings, and expanding to most larger buildings by 2029; and

WHEREAS, Governor Hochul has spoken in support of the gas ban and related measures to further her climate agenda, despite public concern that such bans will diminish the State's energy supply, raise energy costs and eliminate consumers' and businesses' rights to choose their own reliable, proven and affordable energy supply; and

WHEREAS, natural gas remains a dependable, cost-effective, and clean-burning energy source used by millions of New Yorkers to heat their homes, cook their food, and power their businesses; and

WHEREAS, Congressman Nick Langworthy of New York and Senator Jim Justice of West Virginia introduced federal legislation, the Energy Choice Act (H.R. 3699, S. 1945), to prohibit state and local governments from prohibiting or limiting the connection, reconnection, modification, installation, transportation, distribution, or expansion of an energy service based on the type or source of energy to be delivered, thereby protecting freedom of choice for New Yorkers and all Americans; and

WHEREAS, the Energy Choice Act would safeguard households, small businesses, hospitals, farmers, and manufacturers from harmful government overreach and preserve access to an “all-of-the-above” energy strategy; and

WHEREAS, the Energy Choice Act promotes the purposes of the Agency by preserving access to a sufficient and reliable energy supply, strengthening the reliability and affordability of energy, and ultimately encouraging and assisting in development to promote, attract and develop economically sound commerce and industry in the County of Cattaraugus to advance the job opportunities, health, general prosperity and economic welfare of the people of the County of Cattaraugus, the surrounding counties, and the State, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration.

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

Section 1. The County of Cattaraugus Industrial Development Agency strongly supports the Energy Choice Act as introduced by Congressman Langworthy (H.R. 3699) and Senator Justice (S. 1945) and stands firmly opposed to New York State’s natural gas bans, the CLCPA-driven restrictions, and other state energy mandates that eliminate consumer choice; and

Section 2. The County of Cattaraugus Industrial Development Agency urges Congress to pass the Energy Choice Act to defend consumer choice, protect energy affordability, and preserve reliable access to natural gas for New Yorkers; and

Section 3. Copies of this resolution shall be sent to Congressman Nick Langworthy, Senator Jim Justice, the New York Congressional delegation, Senators Chuck Schumer and Kirsten Gillibrand, Governor Kathy Hochul, and leadership of the New York State Legislature.

Dated: September 23, 2025

| | A | B | C | D | E | F |
|----|---|-----------|----------------------------|---|-----------|------------|
| 2 | County of Cattaraugus | | OPERATING STATEMENT | | | |
| 3 | Industrial Development Agency | | | | | |
| 4 | Jul-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 | \$10 | \$70 | \$41,930 | \$5,976 |
| 10 | Apps & Fees | \$425,000 | \$57,281 | \$232,422 | \$192,578 | \$491,211 |
| 11 | CCCRC/Other Misc. Income | \$0 | \$0 | \$105 | \$1,778 | \$3,505 |
| 12 | Total | \$467,000 | \$57,291 | \$232,597 | \$236,286 | \$500,692 |
| 13 | | | | | | |
| 14 | | | | | | |
| 15 | EXPENSES: | | | | | |
| 16 | Wages | \$209,000 | \$27,869 | \$128,369 | \$80,631 | \$112,154 |
| 17 | Fringe Benefits | \$82,000 | \$7,654 | \$39,855 | \$42,145 | \$35,216 |
| 18 | A- Performance Bonus | \$20,900 | \$20,100 | \$20,100 | \$800 | \$0 |
| 19 | Board Meeting/Operations | \$2,000 | \$126 | \$1,021 | \$979 | \$1,069 |
| 20 | Business Development | \$15,000 | \$1,567 | \$13,129 | \$1,871 | \$12,837 |
| 21 | Office Supplies/Service Contracts | \$2,400 | \$86 | \$1,105 | \$1,295 | \$900 |
| 22 | D- Office Maint./Repairs/Equip | \$5,000 | \$2,008 | \$6,721 | -\$1,721 | \$4,778 |
| 23 | E- Office Phones/Cell/fax/internet serv | \$8,000 | \$535 | \$5,701 | \$2,299 | \$6,186 |
| 24 | Postage | \$1,200 | \$31 | \$295 | \$905 | \$584 |
| 25 | I - Public Hearings | \$700 | \$0 | \$787 | -\$87 | \$510 |
| 26 | Travel/Mileage | \$3,000 | \$20 | \$937 | \$2,063 | \$87 |
| 27 | Service Charges | \$360 | \$25 | \$225 | \$135 | \$260 |
| 28 | Rent | \$20,700 | \$1,425 | \$9,975 | \$10,725 | \$9,975 |
| 29 | Real Estate Taxes | \$100 | \$0 | \$90 | \$10 | \$87 |
| 30 | Utilities | \$4,000 | \$498 | \$3,131 | \$869 | \$2,518 |
| 31 | Property/Fire/Liability Insurance | \$5,200 | \$0 | \$4,896 | \$304 | \$3,936 |
| 32 | Education/Training/Prof. Development | \$4,000 | \$0 | \$0 | \$4,000 | \$0 |
| 33 | Professional Associations | \$8,500 | \$5,000 | \$5,923 | \$2,577 | \$1,150 |
| 34 | C- Professional Services | \$30,000 | \$0 | \$21,435 | \$8,565 | \$63,233 |
| 35 | F- Publications | \$200 | \$0 | \$0 | \$200 | \$1,328 |
| 36 | G- Marketing/Promotion/Networking | \$1,000 | \$355 | \$2,021 | -\$1,021 | \$0 |
| 37 | J- Railroad Services | \$25 | \$6,640 | \$6,640 | -\$6,615 | \$0 |
| 38 | Miscellaneous | \$100 | \$0 | \$0 | \$100 | -\$1 |
| 39 | H - Project Expenses | \$5,000 | \$0 | \$20,316 | -\$15,316 | \$3,750 |
| 40 | B- Consulting Expense | \$15,000 | \$6,000 | \$28,000 | -\$13,000 | \$28,500 |
| 41 | Great Lakes Cheese | | | | | \$55,500 |
| 42 | Total Expenses | \$443,385 | \$79,939 | \$320,672 | \$122,713 | \$344,557 |
| 43 | | | | | | |
| 44 | Net Difference | \$23,615 | -\$22,648 | -\$88,075 | \$113,573 | \$156,135 |
| 45 | | | | | | |
| 46 | A- Yearly payment | | | | | |
| 47 | B- Includes Yearly payment and assistance with Cattaraugus DRI | | | | | |
| 48 | C- Includes payments due Harris Beach | | | I- Costs have increased and more projects than anticipated | | |
| 49 | D- Includes IT invoices, accounting software, computer storage, monthly office cleaning, yearly window cleaning, lawn, flower, | | | | | |
| 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 | | | J- Feasibility Study Catt. Railroad | | |
| 52 | G- Advertisements in local newspaper | | | | | |
| 53 | H - Includes Stenographer for Alle-Catt project and SEQR work on Olean Town Centre | | | | | |

COUNTY OF CATTARAUGUS IDA

Balance Sheet

July 31, 2025

ASSETS

Current Assets

| | | | |
|-------------------------------|----|--------------|--------------|
| CATT CO. BANK | \$ | 196,501.93 | |
| CATT. CO. CAPITAL RES. CORP. | | 53,603.71 | |
| New CCB ISC Account 800027476 | | 1,481,005.63 | |
| Savings 476 | | 2,367.04 | |
| MMM 476 | | 9,227.05 | |
| CD's | | 342,981.14 | |
| PETTY CASH | | 43.21 | |
| SECURITY DEPOSIT - RENT | | 1,350.00 | |
| Prepaid rent | | 1,425.00 | |
| Accounts Receivable | | 9,728.13 | |
| lease asset | | 73,708.92 | |
| Deferred Outflows | | 90,350.00 | |
| lease liability | | (42,042.16) | |
| ACCTS RECEIVABLE | | 866.69 | |
| PREPAID EXPENSES | | 150.06 | |
| | | | |
| Total Current Assets | | | 2,221,266.35 |

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) | |
| | | | |
| Total Property and Equipment | | | 246,549.74 |

Other Assets

| | | | |
|--------------------|----|--|--------------|
| Total Other Assets | | | 0.00 |
| | | | |
| Total Assets | \$ | | 2,467,816.09 |

LIABILITIES AND CAPITAL

Current Liabilities

| | | | |
|--------------------------------|----|-------------|------------|
| NYS RETIREMENT LOAN ACCT. | \$ | 123.00 | |
| Employee Health Ins Payable | | 3.00 | |
| Federal Payroll Taxes | | (12,306.36) | |
| NYS WITHHOLDING | | 6,753.82 | |
| Social Security Tax Payable | | 4,026.39 | |
| Medicare Withholding Tax Pay | | 1,830.02 | |
| NYS PENSION-EMPLOYEE PORTION | | 177.58 | |
| NYS Retirement Employer Portio | | 17,899.00 | |
| Deferred Inflows | | 61,811.00 | |
| accumulated amort lease asset | | 31,666.76 | |
| ACCOUNTS PAYABLE | | 1,739.65 | |
| ACCRUED PAYROLL | | 5,654.02 | |
| ACCRUED PAYROLL TAXES | | 560.21 | |
| | | | |
| Total Current Liabilities | | | 119,938.09 |

Long-Term Liabilities

| | | | |
|-----------------------------|--|------------|------------|
| Pension Liability | | 112,808.00 | |
| | | | |
| Total Long-Term Liabilities | | | 112,808.00 |

Unaudited - For Management Purposes Only

COUNTY OF CATTARAUGUS IDA
Balance Sheet
July 31, 2025

| | | |
|-----------------------------|--------------------|----------------------------|
| Total Liabilities | | <u>232,746.09</u> |
| Capital | | |
| Retained Earnings | 2,013,073.52 | |
| CONTRIBUTED CAPITAL | 310,072.06 | |
| Net Income | <u>(88,075.58)</u> | |
| Total Capital | | <u>2,235,070.00</u> |
| Total Liabilities & Capital | \$ | <u><u>2,467,816.09</u></u> |

COUNTY OF CATTARAUGUS IDA

Balance Sheet

July 31, 2024

ASSETS

Current Assets

| | | | |
|-------------------------------|----|--------------|--------------|
| CATT CO. BANK | \$ | 266,912.43 | |
| CATT. CO. CAPITAL RES. CORP. | | 58,347.29 | |
| New CCB ISC Account 800027476 | | 1,538,706.47 | |
| 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 | | (4,023.14) | |
| PREPAID EXPENSES | | 150.06 | |
| Total Current Assets | | | 2,300,445.26 |

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) | |
| Total Property and Equipment | | | 246,549.74 |

Other Assets

| | | | |
|--------------------|----|--|--------------|
| Total Other Assets | | | 0.00 |
| Total Assets | \$ | | 2,546,995.00 |

LIABILITIES AND CAPITAL

Current Liabilities

| | | | |
|--------------------------------|----|------------|-----------|
| NYS RETIREMENT LOAN ACCT. | \$ | (126.69) | |
| Employee Health Ins Payable | | 3.00 | |
| Federal Payroll Taxes | | (8,951.70) | |
| NYS WITHHOLDING | | 4,842.41 | |
| Social Security Tax Payable | | 2,264.51 | |
| Medicare Withholding Tax Pay | | 529.60 | |
| NYS PENSION-EMPLOYEE PORTION | | 55.84 | |
| NYS Retirement Employer Portio | | 16,429.00 | |
| Deferred Inflows | | 10,002.00 | |
| accumulated amort lease asset | | 17,552.20 | |
| ACCOUNTS PAYABLE | | 6,650.87 | |
| ACCTS. PAYABLE SERV. AGREEME | | 15,000.00 | |
| ACCRUED PAYROLL | | 7,883.29 | |
| Total Current Liabilities | | | 72,134.33 |

Long-Term Liabilities

| | | | |
|-----------------------------|--|------------|------------|
| Pension Liability | | 133,287.00 | |
| Total Long-Term Liabilities | | | 133,287.00 |

| | | | |
|-------------------|--|--|------------|
| Total Liabilities | | | 205,421.33 |
|-------------------|--|--|------------|

Unaudited - For Management Purposes Only

COUNTY OF CATTARAUGUS IDA
Balance Sheet
July 31, 2024

| | | |
|-----------------------------|-------------------|----------------------------|
| Capital | | |
| Retained Earnings | 1,875,367.40 | |
| CONTRIBUTED CAPITAL | 310,072.06 | |
| Net Income | <u>156,134.21</u> | |
| Total Capital | | <u>2,341,573.67</u> |
| Total Liabilities & Capital | \$ | <u><u>2,546,995.00</u></u> |

| | A | B | C | D | E | F |
|----|---|--|----------------------------|---|------------------|------------------|
| 2 | County of Cattaraugus | | OPERATING STATEMENT | | | |
| 3 | Industrial Development Agency | | | | | |
| 4 | Aug-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 | \$10 | \$79 | \$41,921 | \$5,986 |
| 10 | Apps & Fees | \$425,000 | \$1,500 | \$233,922 | \$191,078 | \$499,392 |
| 11 | CCCRC/Other Misc. Income | \$0 | \$0 | \$105 | \$1,778 | \$3,505 |
| 12 | Total | \$467,000 | \$1,510 | \$234,106 | \$234,777 | \$508,883 |
| 13 | | | | | | |
| 14 | | | | | | |
| 15 | EXPENSES: | | | | | |
| 16 | Wages | \$209,000 | \$16,046 | \$144,415 | \$64,585 | \$139,154 |
| 17 | Fringe Benefits | \$82,000 | \$5,270 | \$45,125 | \$36,875 | \$41,572 |
| 18 | A- Performance Bonus | \$20,900 | \$0 | \$20,100 | \$800 | \$21,637 |
| 19 | Board Meeting/Operations | \$2,000 | \$111 | \$1,132 | \$868 | \$1,167 |
| 20 | Business Development | \$15,000 | \$123 | \$13,252 | \$1,748 | \$15,680 |
| 21 | Office Supplies/Service Contracts | \$2,400 | \$133 | \$1,238 | \$1,162 | \$1,141 |
| 22 | D- Office Maint./Repairs/Equip | \$5,000 | \$619 | \$7,339 | -\$2,339 | \$4,908 |
| 23 | E- Office Phones/Cell/fax/internet serv | \$8,000 | \$601 | \$6,302 | \$1,698 | \$6,958 |
| 24 | Postage | \$1,200 | \$31 | \$326 | \$874 | \$614 |
| 25 | I - Public Hearings | \$700 | \$0 | \$787 | -\$87 | \$510 |
| 26 | Travel/Mileage | \$3,000 | \$0 | \$937 | \$2,063 | \$87 |
| 27 | Service Charges | \$360 | \$25 | \$250 | \$110 | \$305 |
| 28 | Rent | \$20,700 | \$1,425 | \$11,400 | \$9,300 | \$11,400 |
| 29 | Real Estate Taxes | \$100 | \$0 | \$90 | \$10 | \$87 |
| 30 | Utilities | \$4,000 | \$0 | \$3,132 | \$868 | \$2,645 |
| 31 | Property/Fire/Liability Insurance | \$5,200 | \$0 | \$4,896 | \$304 | \$3,937 |
| 32 | Education/Training/Prof. Development | \$4,000 | \$0 | \$0 | \$4,000 | \$0 |
| 33 | Professional Associations | \$8,500 | \$0 | \$5,923 | \$2,577 | \$1,320 |
| 34 | C- Professional Services | \$30,000 | \$0 | \$21,435 | \$8,565 | \$63,233 |
| 35 | F- Publications | \$200 | \$0 | \$0 | \$200 | \$1,328 |
| 36 | G- Marketing/Promotion/Networking | \$1,000 | \$0 | \$2,021 | -\$1,021 | \$0 |
| 37 | J- Railroad Services | \$25 | \$0 | \$6,640 | -\$6,615 | \$0 |
| 38 | Miscellaneous | \$100 | \$0 | \$0 | \$100 | -\$1 |
| 39 | H - Project Expenses | \$5,000 | \$0 | \$20,316 | -\$15,316 | \$3,750 |
| 40 | B- Consulting Expense | \$15,000 | \$0 | \$28,000 | -\$13,000 | \$31,500 |
| 41 | Great Lakes Cheese | | | | | \$55,500 |
| 42 | Total Expenses | \$443,385 | \$24,384 | \$345,056 | \$98,329 | \$408,432 |
| 43 | | | | | | |
| 44 | Net Difference | \$23,615 | -\$22,874 | -\$110,950 | \$136,448 | \$100,451 |
| 45 | | | | | | |
| 46 | A- Yearly payment | | | | | |
| 47 | B- Includes Yearly payment and assistance with Cattaraugus DRI | | | | | |
| 48 | C- Includes payments due Harris Beach | | | I- Costs have increased and more projects than anticipated | | |
| 49 | D- Includes IT invoices, accounting | software, computer storage, monthly office cleaning, yearly window cleaning, lawn, flower, | | | | |
| 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 | | | J- Feasibility Study Catt. Railroad | | |
| 52 | G- Advertisements in local newspaper | | | | | |
| 53 | H - Includes Stenographer for Alle-Catt project and SEQR work on Olean Town Centre | | | | | |

COUNTY OF CATTARAUGUS IDA

Balance Sheet

August 31, 2025

ASSETS

Current Assets

| | | | |
|-------------------------------|----|--------------|--------------|
| CATT CO. BANK | \$ | 194,703.78 | |
| CATT. CO. CAPITAL RES. CORP. | | 53,603.71 | |
| New CCB ISC Account 800027476 | | 1,481,005.63 | |
| Savings 476 | | 2,367.04 | |
| MMM 476 | | 9,227.05 | |
| CD's | | 342,981.14 | |
| PETTY CASH | | 43.21 | |
| SECURITY DEPOSIT - RENT | | 1,350.00 | |
| Prepaid rent | | 1,425.00 | |
| Accounts Receivable | | 9,728.13 | |
| lease asset | | 73,708.92 | |
| Deferred Outflows | | 90,350.00 | |
| lease liability | | (42,042.16) | |
| ACCTS RECEIVABLE | | (17,989.05) | |
| PREPAID EXPENSES | | 150.06 | |
| | | | |
| Total Current Assets | | | 2,200,612.46 |

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) | |
| | | | |
| Total Property and Equipment | | | 246,549.74 |

Other Assets

| | | | |
|--------------------|----|--|--------------|
| | | | |
| Total Other Assets | | | 0.00 |
| | | | |
| Total Assets | \$ | | 2,447,162.20 |

LIABILITIES AND CAPITAL

Current Liabilities

| | | | |
|--------------------------------|----|-------------|------------|
| Employee Health Ins Payable | \$ | 3.00 | |
| Federal Payroll Taxes | | (13,540.85) | |
| NYS WITHHOLDING | | 7,507.34 | |
| Social Security Tax Payable | | 4,339.41 | |
| Medicare Withholding Tax Pay | | 1,903.23 | |
| NYS PENSION-EMPLOYEE PORTION | | 58.85 | |
| NYS Retirement Employer Portio | | 20,456.00 | |
| Deferred Inflows | | 61,811.00 | |
| accumulated amort lease asset | | 31,666.76 | |
| ACCOUNTS PAYABLE | | 1,739.65 | |
| ACCRUED PAYROLL | | 5,654.02 | |
| ACCRUED PAYROLL TAXES | | 560.21 | |
| | | | |
| Total Current Liabilities | | | 122,158.62 |

Long-Term Liabilities

| | | | |
|-----------------------------|--|------------|------------|
| Pension Liability | | 112,808.00 | |
| | | | |
| Total Long-Term Liabilities | | | 112,808.00 |

Unaudited - For Management Purposes Only

COUNTY OF CATTARAUGUS IDA
Balance Sheet
August 31, 2025

| | | |
|-----------------------------|---------------------|----------------------------|
| Total Liabilities | | 234,966.62 |
| Capital | | |
| Retained Earnings | 2,013,073.52 | |
| CONTRIBUTED CAPITAL | 310,072.06 | |
| Net Income | <u>(110,950.00)</u> | |
| Total Capital | | <u>2,212,195.58</u> |
| Total Liabilities & Capital | \$ | <u><u>2,447,162.20</u></u> |

COUNTY OF CATTARAUGUS IDA
Balance Sheet
August 31, 2024

ASSETS

| | | |
|-------------------------------|----|---------------------|
| Current Assets | | |
| CATT CO. BANK | \$ | 210,420.63 |
| CATT. CO. CAPITAL RES. CORP. | | 58,347.29 |
| New CCB ISC Account 800027476 | | 1,538,706.47 |
| 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 | | (8,223.14) |
| PREPAID EXPENSES | | 150.06 |
| <hr/> | | |
| Total Current Assets | | 2,239,753.46 |
| 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>2,486,303.20</u> |

LIABILITIES AND CAPITAL

| | | |
|--------------------------------|----|-------------|
| Current Liabilities | | |
| NYS RETIREMENT LOAN ACCT. | \$ | (126.69) |
| Employee Health Ins Payable | | 3.00 |
| Federal Payroll Taxes | | (12,706.39) |
| NYS WITHHOLDING | | 6,624.28 |
| Social Security Tax Payable | | 3,127.37 |
| Medicare Withholding Tax Pay | | 731.40 |
| NYS PENSION-EMPLOYEE PORTION | | 55.84 |
| NYS Retirement Employer Portio | | 18,776.00 |
| Deferred Inflows | | 10,002.00 |
| accumulated amort lease asset | | 17,552.20 |
| ACCOUNTS PAYABLE | | 202.97 |
| ACCTS. PAYABLE SERV. AGREEME | | 15,000.00 |
| ACCRUED PAYROLL | | 7,883.29 |
| <hr/> | | |
| Total Current Liabilities | | 67,125.27 |
| Long-Term Liabilities | | |
| Pension Liability | | 133,287.00 |
| <hr/> | | |
| Total Long-Term Liabilities | | 133,287.00 |
| <hr/> | | |
| Total Liabilities | | 200,412.27 |

Unaudited - For Management Purposes Only

COUNTY OF CATTARAUGUS IDA
Balance Sheet
August 31, 2024

| | | |
|-----------------------------|-------------------|----------------------------|
| Capital | | |
| Retained Earnings | 1,875,367.40 | |
| CONTRIBUTED CAPITAL | 310,072.06 | |
| Net Income | <u>100,451.47</u> | |
| Total Capital | | <u>2,285,890.93</u> |
| Total Liabilities & Capital | \$ | <u><u>2,486,303.20</u></u> |



*** SAVE THE DATE ***


Olean Manufacturing Job Fair

September

10

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DIVE BRIEF

NYPA's updated renewables plan would more than double capacity to 7 GW

The New York Power Authority's draft plan includes new renewable and energy storage projects totaling more than 3.8 GW.

Published July 31, 2025



Robert Walton
Senior Reporter

An aerial view of solar panels at the Sutter Greenworks Solar Site on Sept. 19, 2021, in Calverton, New York. A draft renewable energy plan issued on July 29, 2025, by the New York Power Authority calls for adding 7 GW of solar, wind and energy storage in the state. Bruce Bennett via Getty Images

Dive Brief:

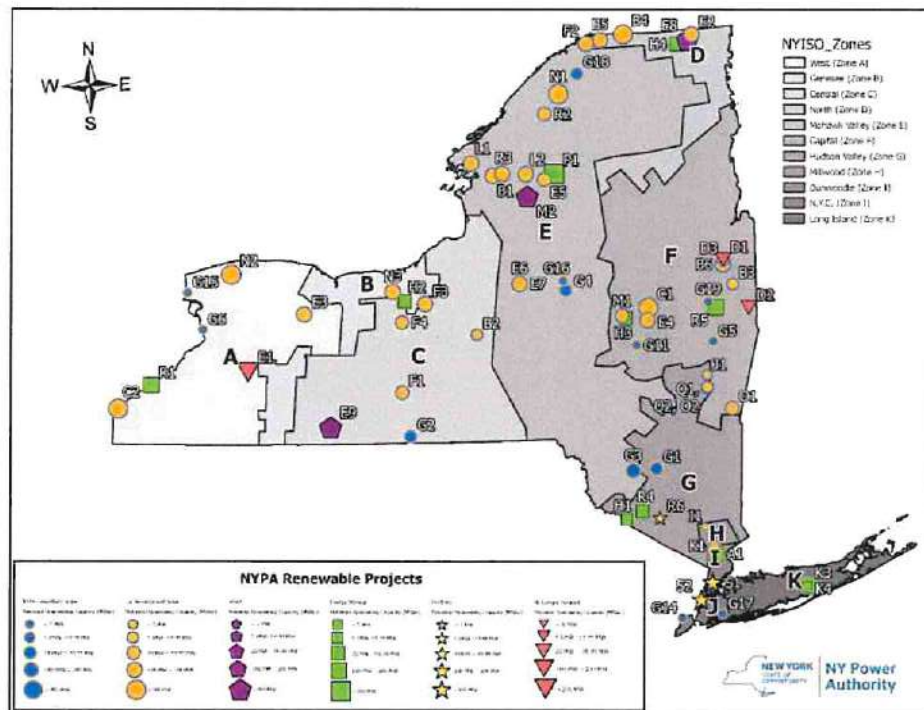
- The New York Power Authority on Tuesday published a draft of its Renewables Updated Strategic Plan, calling for 7 GW of solar, wind and energy storage — more than doubling the total energy capacity outlined in its initial plan released in January.
- New York lawmakers in 2023 expanded NYPA's authority to develop, own and operate renewable energy resources. Officials at the public power utility say they are using the new authority to continue the state's clean energy transition at a time when federal policy is shifting away from renewables.
- "There has never been a more critical time for NYPA to move expeditiously as we contend with expiring federal tax credits and associated increased competition for equipment and

installers,” President and CEO Justin Driscoll said in a statement.

Dive Insight:

Advocates say public pressure for more clean energy led to NYPA expanding its renewables plan, and the timing is particularly acute given headwinds to solar and wind coming from the White House.

“Instead of cutting deals with Trump or gutting New York’s climate mandates the way he is federally, [New York Democratic Gov. Kathy] Hochul must ensure NYPA leads the nation on lowering energy bills, slashing pollution, creating good green jobs, and protecting our planet now,” the Public Power NY Coalition said in a statement.



Retrieved from [New York Power Authority](#).

The expanded plan “shows NYPA can build even more than the 15 GW necessary for us to meet the state’s climate goals, including 5 GW downstate,” the group added.

The draft plan notes that the most frequent comment received during the renewables strategy public comment period was for the power authority to build 15 GW of renewable energy. “NYPA has limited financing capability and must act prudently within its resources to finance and partner on those new renewables projects it can while maintaining its AA credit rating,” the report said.

The plan published Tuesday calls for 20 new renewable generation projects and 156 energy storage projects representing a combined capacity of more than 3.8 GW. That is on top of the 37 projects totaling 3 GW of renewables in the initial plan.

The NYPA Board of Trustees approved the first tranche of projects identified in the inaugural strategic plan in January. Including those, NYPA said the draft plan highlights 64 potential clean energy projects representing nearly 7 GW of capacity.

A public comment period for the updated draft will run until Sept. 12, the power authority said, and two public hearings will be held in August.

Ban on Fossil Fuel Equipment in Certain New Buildings to Take Effect in New Year

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Written By: [Kimberly R. Nason](#), [Kenneth R.](#)

[Crystal](#), [Allen Major](#)

All-Electric Buildings Act Approved in New York State

On July 25, 2025, the New York State Fire Prevention and Building Code Council approved the implementation of the All-Electric Buildings Act, which changes the state's Energy Conservation Construction Code to prohibit fossil fuel systems in certain new buildings. Accordingly, starting January 1, 2026, New York State will require that most newly constructed buildings be fully powered by electricity. Building equipment and systems using fossil fuels such as natural gas, heating oil and propane will be prohibited in many new buildings.

The act was passed as part of the state budget in 2023, and it seeks to implement NYS' energy mandates required by the Climate Leadership and Community Protection Act of 2019 (CLCPA). The CLCPA seeks to sharply reduce greenhouse gas emissions in phases by 2030 and 2050. By their nature, buildings are responsible for a large portion of greenhouse gas emitted in the state.

Most buildings seven stories or less (including homes), except for commercial or industrial buildings with more than 100,000 square feet of conditioned floor area and other exempted buildings listed below, with a building permit application submitted *on or after December 31, 2025*, must be built to use only electric heat and appliances. Starting January 1, 2029, these restrictions will apply to all new construction regardless of size and height. Building owners that attempt to file for building permits before year-end to avoid these requirements should be aware that the statute requires such building permit applications to be "substantially complete" by the deadline.

Certain buildings are exempt from the new requirements. Exempt buildings include: restaurants, hospitals, doctors' offices, agricultural buildings, and factories. However, these buildings are still required to limit the use of fossil fuel equipment "to the fullest extent feasible" and be "electrification ready." In addition, existing buildings and their equipment, even those being renovated or repaired, are not affected by the new requirements. In addition, backup and standby power systems like emergency generators may continue to use fossil fuels.

The act includes an exemption for buildings where electric service "cannot be reasonably provided by the grid." The current proposal from the Public Service Commission, offered in a white paper dated February 27, 2025, would limit this exception to situations where implementing full electric service would take 18 months longer than providing traditional electric and gas service. This proposal is open to public comment and has not yet been finalized.

Various business trade groups and labor unions sued in federal court to block NYS' laws banning fossil fuel equipment, arguing that these laws conflict with the federal Energy Policy and Conservation Act. In *Mulhern Gas Co., Inc. v. Mosley*, a decision handed down on July 23, 2025, U.S. District Judge Glenn Suddaby of the Northern District of New York refused to block the bans from taking effect, holding that they were not preempted by federal law. The judge, however, did not dismiss the case and gave plaintiffs 21 days to offer a persuasive reason as to why the case should not be decided in favor of the defendants.

The recent action by the Fire Prevention and Building Code Council to implement the act followed a rulemaking process that included public comment. The Council is a 17-member administrative body comprised of heads of government departments, elected officials and private individuals. They are responsible for maintaining and updating the State Energy and Building Codes. The Council is also working to modify the state Energy Code to increase the minimum efficiency requirements for gas-fired water heaters and hot water boilers, and to require separate electric meters for low rise multifamily dwellings.

The [Phillips Lytle Real Estate Industry Team](#) will continue to monitor developments in New York State's energy policy as it relates to the real estate industry and is happy to answer any questions you may have. Phillips Lytle can assist developers and others seeking exemptions under the code or seeking variances from code requirements.

Additional Assistance

For more information, please contact a member of our [Energy and Renewables Industry Team](#), [Environmental Law Practice Team](#), or the [Phillips Lytle attorney](#) with whom you have a relationship.



A Warning for New York's Energy Policy

by Zilvinas Silenas © July 17, 2025

On June 24th New York's electricity grid nearly blew a fuse. That day was extremely hot, and air conditioning was working overtime. The New York Independent System Operator (NYISO), the entity running New York's electricity grid, declared the so-called "Energy Warning."

How bad was it? According to NYISO, an energy *warning* is issued when operating reserves drop below 1965 MW. An energy *emergency* and cutting off electricity for some consumers begins when reserves fall below 1310 MW.

Rather than arguing over why it was so hot, a reasonable policy response for the near future is to make sure New York does not run out of energy. We should treat June 24th as a warning.

In fact, the people running New York's electricity grid (NYISO) have been sounding the alarm for quite a while. According to the latest 2025 Power Trends Report, New York is losing capacity to generate electricity and relying on hardware that in some cases is more than 50 years old. Your phone or laptop might be running on energy produced by equipment made during the Iranian Hostage Crisis or the Reagan presidency.

Rather than rectifying the situation, New York's energy and climate policies are making things worse. Ever since 2019 when Albany passed Climate Leadership Community Protection Act (CLCPA) declaring that New York will run on green electricity, companies have been reluctant to invest in new gas or oil power plants – which would feel too much like trying to open a brewery during Prohibition.

Even if companies were willing to invest in New York, there would be no guarantee that Albany's bureaucracy would grant the necessary permits for a new power plant.

Despite the "*out with the old, in with the new*" vibe among the politicians, new renewable energy sources such as wind and solar provide less than 6 percent of the state's electricity. Hydropower produces a lot of energy upstate, but New York's still runs on hydrocarbons, mostly natural gas and oil — especially downstate. Since New York passed CLCPA in 2019, the share of hydrocarbon fuels in electricity production has gone up, not down.

One could argue that so far New York's energy policy has produced more virtue signaling than clean and affordable energy. It scared energy companies and investors and added a whole lot of uncertainty to New York's economy.

Making matters worse, Albany is behaving as if New York has an endless supply of cheap electricity—enough to heat homes, electrify cars, buses, and trucks, and still power massive future demands from microchip factories, data centers, and other energy-hungry industries it is trying to attract to New York.

If things do not change, one day New York's electricity system is going to blow a fuse.

How can we resolve this issue? First, Albany should stop pushing electrification of heating and transportation at least until New York has a lot of cheap electricity.

Second, there are many reasonable ways to reduce energy use and help the environment with current fuel sources and technologies. Weatherization of homes and buildings reduces energy use, greenhouse gas emissions, and energy bills.

NYISO pitched a similar idea: modernizing existing energy production facilities and hydrocarbon power plants. Newer generators could provide reliable electricity and reduce emissions at reasonable cost and timeframe. To put it simply, replacing a 50-year-old generator with a new one is faster and easier than building a brand-new offshore wind farm.

Third, and more broadly, New York should be open to all energy sources. Hochul's recent announcement to add one gigawatt of nuclear power is a step in the right direction. However, it is far from a silver bullet, and new nuclear plans could become hobbled by Albany's red tape and cost overruns. The most recent reactor in Georgia, Vogtle Unit 4, took seven years longer to build — and cost twice as much money — as planned.

New York's leaders are getting things backward — pushing their citizens to switch to electric home heat and electric vehicles when the grid is not ready to handle the additional load. If the future is to be all electric — or even mostly electric — making electricity cheap and plentiful must be the first step.

ABOUT THE AUTHOR



Zilvinas Silenas

Speak Up to Protect New York's Energy Future

New York is updating its State Energy Plan – and your input matters. This plan will guide how our state powers homes and businesses through 2040.

Good news: The draft plan recognizes that **natural gas will remain essential** for at least the next 15 years. That's a smart move for keeping energy **affordable, reliable**, and enabling more viable options to **lower emissions**.

But there's a risk: Downstate lawmakers and overzealous advocates are pushing policies like the **NY HEAT Act** that would phase out natural gas. That could lead to **higher costs, less reliable energy, and fewer jobs as it impedes New York's ability to compete in economic growth opportunities that nearby states are now**

capturing – especially in growing industries like AI, data centers, and advanced manufacturing.

Now's the time to speak up.

Tell New York leaders that we need an **“all-of-the-above” energy strategy** – one that includes natural gas alongside renewables to protect affordability, reliability, and progress.

Public Hearing Info:

Date: Wednesday, September 3, 2025

Time: 5:00 – 7:00 PM

Location: Buffalo & Erie County Public Library, Mason O. Damon Auditorium, 1 Lafayette Square, Buffalo, NY 14203

Or join virtually:

- <https://us02web.zoom.us/j/82160345593>
- **Event number: 821 6034 5593**
- **Call-in: 1-646-931-3860 (no access code needed)**

Click here for a full schedule of public hearings across New York State.

Can't attend?

About the State Energy Plan:

What the Draft State Energy Plan Gets Right

▼ 1. Natural Gas Remains in the Mix at Least Through 2040

The SEP confirms that natural gas will continue to play a critical role in meeting peak demand and ensuring reliability, especially during extreme weather and seasonal surges.

▶ 2. Acknowledgment of Reliability Needs

▶ 3. Shift Toward a More Balanced Energy Strategy

▶ 4. Recognition of Market Realities

▶ 5. Support for Continued Investment in Gas Infrastructure

▶ 6. Energy Affordability Analysis Shows Trade-Offs

Where the Draft SEP Falls Short

▼ 1. Overly Optimistic Timelines vs. Grid Readiness

The SEP maintains aggressive renewable energy targets despite warnings from the NYISO that the grid lacks sufficient capacity to support full electrification. Policies like the NY HEAT Act, Cap & Invest, and the All-Electric Buildings Act ignore infrastructure realities and risk destabilizing the energy system. Legislative action should be recommended to fix emissions accounting methodologies and modify mandated timelines in the CLCPA. Failure to make these critical changes could have negative impacts on the state as individuals and businesses move to other states that can better ensure energy reliability and affordability.

► 2. Continued Push for Aggressive Electrification

► 3. Uncertainty Around Long-Term Role of Natural Gas and Low-Carbon Fuels

► 4. An Effective Decarbonization Pathway – Hybrid Heating – Should be Prioritized

► 5. Rising Electricity Demand May Outpace Efficiency Gains

Visit energyplan.ny.gov for more details on the Draft State Energy Plan.

“All of the above” benefits all.

As a result of lagging wind and solar development, New York State will not reach key mandates of the Climate Leadership and Community Protection Act (CLCPA).

But with a sensible “all-of-the-above” approach to emissions reduction, we can complement the growth of weather-dependent renewables with the consistency of natural gas and low-carbon fuels supplied through secure, existing delivery systems.

Using this strategy, we will be able to improve our energy future while prioritizing reliability and affordability throughout the diverse regions of our state. Plus, by incorporating more options, customers will have greater flexibility in their daily energy use.



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