

Genesee County Economic Development Center

Meeting Agenda

Thursday, July 2, 2020

Location: Electronically

PAGE #	1.0	Call to Order	4:00pm
		<p>Because of the Novel Coronavirus (COVID-19) Emergency and State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020 suspending the Open Meetings Law, this Board Meeting is being held electronically via conference call / video conference instead of a public meeting open for the public to attend in person.</p>	
	1.1	Enter Executive Session	4:00pm
		<p>Motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105 for the following reasons:</p> <ol style="list-style-type: none"> 1. The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. 	
	1.2	Enter Public Session	4:15pm
	2.0	Chairperson's Report & Activities	4:15pm
	2.1	<p>Upcoming Meetings: Next Scheduled Board Meeting: Thursday, August 6th at 4:00 p.m. Audit & Finance Committee Meeting: Tuesday, August 4th at 8:30 a.m. STAMP Committee Meeting: Tuesday, August 4th at 10:30 a.m.</p>	
	2.2	Agenda Additions / Deletions / Other Business **Vote	
	2.3	Minutes: June 4, 2020 **Vote	
2-9	3.0	Report of Management –	4:15pm
10-54	3.1	<p>Fancher / Brick House Corners BETP Housing Project – Final Resolution **Vote – C. Suozzi</p>	
55-94 95-110	3.2	Fraser-Branche Property, LLC / YWCA – Final Resolution ** Vote – C. Suozzi	
	3.3	<p>Batavia Senior Housing Preservation, LLC Project – Initial Resolution ** Vote – M. Masse</p>	
111-114 115-121	4.0	Audit & Finance Committee – M. Gray	4:30pm
	4.1	May 2020 Financial Statements **Vote	
	4.2	Assessment of Internal Controls **Vote	
	5.0	Governance & Nominating Committee – C. Yunker	4:40pm
	5.1	Nothing at this time.	
122-125	6.0	STAMP Committee – A. Young	4:40pm
126	6.1	Resolution to Submit an Application for Transportation & Utility Systems & Facilities on Federal Lands **Vote	
	6.2	Global Location Strategies – STAMP Site Analysis Consulting **Vote	
	7.0	Employment & Compensation Committee – T. Bender	4:55pm
	7.1	Nothing at this time.	
	8.0	Housing Committee – P. Battaglia	4:55pm
	8.1	Nothing at this time.	
	9.0	Other Business	4:55pm
	10.0	Adjournment	4:55pm



**GCEDC Board Meeting
Thursday, June 4, 2020
Location: Electronically
4:00 PM**

GCEDC MINUTES

Attendance

Board Members: P. Battaglia, C. Yunker, A. Vanderhoof, T. Bender, A. Young, P. Zeliff, M. Gray
Staff: L. Farrell, M. Masse, L. Casey, P. Kennett, J. Krencik, S. Hyde, C. Suozzi
Guests: D. Cunningham (GGLDC Board Member), S. Noble-Moag
(GGLDC Board Member), G. Torrey (GGLDC Board Member), M. Wiater
(GGLDC Board Member), T. Felton (GGLDC Board Member), R. Gaenzle (Harris
Beach)

Absent:

Attorney-Client privilege meeting to obtain legal advice on potential policy change held from 4 p.m. to 4:45 p.m.

1.0 Call to Order

P. Battaglia called the meeting to order at 4:48 p.m. via conference call / video conference.

Because of the Novel Coronavirus (COVID-19) Emergency and State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020 suspending the Open Meetings Law, this Meeting is being held electronically via conference call / video conference instead of a public meeting open for the public to attend in person.

1.1 Enter Executive Session

C. Yunker made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 4:49 p.m. for the following reasons:

1. The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

The motion was seconded by A. Young and approved by all members present.

1.2 Enter Public Session

A. Young made a motion to enter back into public session at 5:03 p.m., seconded by T. Bender and approved by all members present.

2.0 Chairman's Report & Activities

2.1 Upcoming Meetings:

Next Scheduled Board Meeting: Thursday, July 2nd at 4:00 p.m.

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Audit & Finance Committee Meeting: Tuesday, June 30th at 8:30 a.m.
STAMP Committee Meeting: Tuesday, June 30th at 10:30 a.m.

2.2 Agenda Additions / Deletions / Other Business-

C. Yunker made a motion to add Agenda item 5.7 for the “Potential addition/creation of another Committee”; the motion was seconded by T. Bender. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zeliff -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Yes		

The item was approved as presented.

2.3 Minutes: May 7, 2020

P. Zeliff made a motion to approve the May 7, 2020 minutes as presented; the motion was seconded by A. Young. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zeliff -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Yes		

The item was approved as presented.

3.0 Report of Management

3.1 Darien Lake 2019 Project Revision – On October 3, 2019, the GCEDC approved a sales tax exemption only, valued at approximately \$126,000 to assist Project 2020, a \$1.575 million investment for a new attraction. Due to the negative impact of the COVID-19 pandemic on the Company’s cash flow and the construction of the Project, Six Flags Darien, LLC has requested an additional \$90,000 in New York State and local sales and use tax exemption benefits and an extension for the Project to June 30, 2021.

R. Gaenzle advised that a public hearing for the increased New York State and local sales and use tax exemption benefits was not required.

Resolution No. 06/2020 – 01

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) AUTHORIZING ADDITIONAL SALES AND USE TAX EXEMPTION BENEFITS FOR THE BENEFIT OF SIX FLAGS DARIEN, LLC (THE "COMPANY") IN AN AMOUNT EXCEEDING THE AMOUNT APPROVED BY THE AGENCY IN ITS RESOLUTION ADOPTED ON OCTOBER 3, 2019, AND , (ii) AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED (INCREASED AND EXTENDED) NYS FORM ST-60 AND RELATED DOCUMENTS.

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C. Yunker made a motion to accept authorizing resolution #06/2020-01; authorizing increased incentives as presented; the motion was seconded by T. Bender. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zeliff -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Yes		

The item was approved as presented.

3.2 Bright Oak Solar – Final Resolution- The company is planning a community solar farm in the Town of Batavia. The project is a 4MW (AC) solar generation system that will be interconnected with National Grid. While acknowledging this project does not advance the job creation opportunities of our IDA statutory powers, it offers several benefits that align with GCEDC statutory powers including advancing the health, general prosperity and economic welfare of the people of the state of New York (Genesee County).

A virtual public hearing regarding the proposed incentives for the project was held on May 26, 2020. No written or oral comments were received.

See the Statement of Compliance of Project Criteria Listed in the Uniform Tax Exemption Policy (UTEP), attached to the minutes for additional Project details.

Resolution No. 06/2020 - 02

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON MAY 26, 2020, WITH RESPECT TO THE BRIGHT OAK SOLAR LLC (THE "COMPANY") PROJECT ("THE PROJECT"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA; (iii) APPOINTING THE COMPANY AS AGENT OF THE AGENCY; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION AND EQUIPPING OF THE PROJECT, (B) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A TAX AGREEMENT, AND (C) A MORTGAGE RECORDING TAX EXEMPTION AS PERMITTED BY LAW; AND (v) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, TAX AGREEMENT, MORTGAGE, AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

P. Zeliff made a motion to accept Final resolution #06/2020-02; authorizing incentives as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zeliff -	Yes
A. Young -	No	M. Gray -	Yes
A. Vanderhoof -	Yes		

The item was approved as presented.

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3.3 Ellicott Station – Revised Resolution- As Savarino Co's are performing more detailed planning and tightening up final budgets as they look towards a possible project initiation / groundbreaking in 2020, we have received a request for minor adjustments to the IDA incentives package and final resolution which require GCEDC board approval. The changes requested include:

1. Technical clean up of some clerical errors noted in the final resolution dated and acted upon by the GCEDC Board on March 5, 2020. These cleanup items add clarity to the revised final resolution and do not change the project or benefits acted upon on March 5, 2020.

2. Given more detailed budget analysis related to project construction costs, Savarino Co's is requesting an increase to the Sales Tax Exemption for the project from \$790,512 to a figure not to exceed \$850,000. This is an increase of \$59,488 which is a 1.6% increase to the total value of the IDA incentives package approved on March 5, 2020.

The requested action is to vote on the requested Sales Tax Exemption increase to the project and approval of a new version of the final resolution that corrects clerical errors in the March 5, 2020 final resolution.

Resolution No. 06/2020 – 03

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") RATIFYING CERTAIN PRIOR RESOLUTIONS AND FINDINGS AND (i) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, TAX AGREEMENT, TAX AGREEMENT MORTGAGE, IF NECESSARY, AND RELATED DOCUMENTS; (ii) AUTHORIZING FINANCIAL ASSISTANCE TO SAVARINO COMPANIES, LLC IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION AND EQUIPPING OF THE PROJECT, (B) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A TAX AGREEMENT, AND (C) A MORTGAGE RECORDING TAX EXEMPTION AS PERMITTED BY NEW YORK STATE LAW; AND (iii) AUTHORIZING THE EXECUTION AND DELIVERY OF A MORTGAGE AND RELATED DOCUMENTS.

P. Zelif made a motion to accept Final resolution #06/2020-03; authorizing incentives as presented; the motion was seconded by T. Bender. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Yes		

The item was approved as presented.

4.0 Audit & Finance Committee

4.1 April 2020 Financial Statements- L. Farrell noted the following:

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- Accounts receivable decreased. We received the 1st Quarter Economic Development Program Support Grant and the MedTech Centre Property Management Fee from the GGLDC.
- No GURFs were approved for the STAMP project so no grant funds were spent in April.
- We collected almost \$13,000, which was the second half of the project origination fee from the Graham project. They paid 50% of the fee at the end of 2019 and the remaining fee in April.
- Projects are required to pay an annual administrative fee in the amount of \$500 or \$1,000. The fee is based on the Cap X of the project.
- Project origination revenue is projected to exceed the 2020 budget by around \$250,000.

This was recommended for approval by the Committee.

M. Gray made a motion to approve the April 2020 Financial Statements as presented; the motion was seconded by A. Young. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Yes		

The item was approved as presented.

5.0 Governance & Nominating Committee – C. Yunker

5.1 Officer Appointments – The current slate of officers is set to expire on June 30th. It is suggested to approve the below listed slate of officers:

Chair -	P. Zelif
Vice-Chair -	M. Gray
Secretary -	P. Kennett
Treasurer -	L. Farrell
President/CEO -	S. Hyde

The appointed officers shall hold office for one year or until their successors are appointed.

This was recommended for approval by the Committee.

C. Yunker made a motion to approve the slate of officers as presented; the motion was seconded by T. Bender. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Yes		

The item was approved as presented.

5.2 Authorized to Request Information Regarding Bank Accounts – C. Yunker stated that L. Farrell and P. Kennett need to be authorized to request information regarding the bank accounts. No changes to this authorization are being suggested at this time.

This was recommended for approval by the Committee.

C. Yunker made a motion to approve the authorized individuals to obtain bank account information as presented; the motion was seconded by P. Zelif. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Yes		

The item was approved as presented.

5.3 Authorized Signers of Agreements, Contracts, etc – C. Yunker shared that currently the authorized signers of agreements, contracts, etc. are the Chair (per Bylaws), Vice Chair (per Bylaws), President & CEO (Per Bylaws), Sr. VP of Operations and VP of Business Development. No changes are being suggested at this time.

This was recommended for approval by the Committee.

C. Yunker made a motion to approve the Authorized Signers of Contracts, Agreements, etc. as presented; the motion was seconded by A. Vanderhoof. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Yes		

The item was approved as presented.

5.4 Procurement Policies and Procedures – C. Yunker shared that this policy is required to be reviewed annually. There are no changes being recommended.

This was recommended for approval by the Committee.

C. Yunker made a motion to approve the Procurement Policies and Procedures as presented; the motion was seconded by A. Young. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
T. Bender -	Yes	P. Zelif -	Yes
A. Young -	Yes	M. Gray -	Yes
A. Vanderhoof -	Yes		

The item was approved as presented.

5.5 Investment Policy – C. Yunker shared that this policy is required to be reviewed annually. There are no changes being recommended.

This was recommended for approval by the Committee.

C. Yunker made a motion to approve the Investment Policy as presented; the motion was seconded by T. Bender. Roll call resulted as follows:

P. Battaglia -	Yes	C. Yunker -	Yes
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T. Bender - Yes
A. Young - Yes
A. Vanderhoof - Yes

P. Zelif - Yes
M. Gray - Yes

The item was approved as presented.

5.6 Disposition of Property Guidelines – C. Yunker shared that this policy is required to be reviewed annually. There are no changes being recommended.

This was recommended for approval by the Committee.

C. Yunker made a motion to approve the Disposition of Property Guidelines as presented; the motion was seconded by P. Zelif. Roll call resulted as follows:

P. Battaglia - Yes
T. Bender - Yes
A. Young - Yes
A. Vanderhoof - Yes

C. Yunker - Yes
P. Zelif - Yes
M. Gray - Yes

The item was approved as presented.

5.7 Potential addition/creation of another Committee – C. Yunker stated that the Committee discussed the importance of supporting housing initiatives and incentives.

The Committee did not make a formal recommendation.

C. Yunker made a motion to authorize the Board to create a Housing Policy Committee and authorize the Chair to appoint such Committee to discuss and recommend policy regarding housing initiatives and incentives; the motion was seconded by P. Zelif. Roll call resulted as follows:

P. Battaglia - Yes
T. Bender - Yes
A. Young - Yes
A. Vanderhoof - Yes

C. Yunker - Yes
P. Zelif - Yes
M. Gray - Yes

The item was approved as presented.

6.0 STAMP Committee – P. Zelif

6.1 Nothing at this time.

7.0 Employment & Compensation – T. Bender

7.1 Nothing at this time.

8.0 Other Business

8.1 Nothing at this time.

9.0 Adjournment

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As there was no further business, T. Bender made a motion to adjourn at 5:34 p.m., which was seconded by P. Zelif and passed unanimously.

GCEDC Opportunity Summary

Created On: 5/7/2020

MM
4/30/20

Customer Information

Potential Customer:	J & R Fancher Property Holdings, LLC	Opportunity Type:	Tax Incentive Lease
Proj. St. Address:	Route 77	Opportunity Product:	Property Sales & Mortgage Recording Taxes Only
City/Town/Village:	//Pembroke	Type of Project:	Attraction
Proj. Description:	J & R Fancher Property Holdings LLC	New Jobs:	5 ✓
Total Capital Investment:	\$3,000,000	Retained Jobs:	
Incentive Amount:	\$615,924	School District:	Pembroke
Benefited Amount:	\$3,000,000	PILOT Applicable:	

Project Information

Organization: GCEDC
Opportunity Source: Direct/Personal Contact **Date of Public Hearing:**
Initial Acceptance Date: 5/7/2020 **Inducement Date:**

Opportunity Summary: J & R Fancher Property Holdings, LLC is proposing to construct a three-story, mixed-use building on 2 buildable acres (7.9 acres) total at Buffalo East Technology Park in Pembroke, NY.

The \$3 million project includes:
 1. Create 17 market-rate 1-bedroom and 2-bedroom apartments on the second and third floors with indoor parking available and a fitness center.
 2. Create a "vanilla" box interior space on the first floor, a total of 4 spaces, to attract commercial tenants that will comprise less than 1/3 of total project costs.

Total planned square footage of new construction is 32,254 sq. ft.

Two recent studies by LaBella Associates - the Genesee County Housing Needs Assessment - and The Rockefeller Institute of Government (SUNY's Think Tank) - Generating Growth in Genesee County - identify housing availability as Genesee County's biggest challenge in order to fully realize the value of the economic development strategy that is in-place and being implemented. LaBella Associates reported that 4,800 units are needed in the next 20 years across multiple sectors, including rental units and single-family homes.

The GCEDC is assisting the project with sales tax exemptions, mortgage tax exemptions and property tax exemptions.

Economic Impact: 5.5:1

Project Detail (Total Capital Investment)

Building Cost (Construction):	\$2,800,000	Capital Improvements:	\$0
Equipment (non-taxable):	\$0	Equipment (Taxable) / Other Proj Investment:	\$0
Land Cost (Real Estate):	\$200,000		
Total Capital Investment:	\$3,000,000		

Estimated Benefits Provided

Sales Tax Exempt:	\$134,400	Tax Exempt Bond:	\$0
Mortgage Tax Exempt:	\$25,000	Land Sale Subsidy:	\$0
Property Tax Exempt:	\$456,524		
Total Estimated Tax Incentives Provided:	\$615,924		

Total Amount Finance:	\$3,000,000		
Mortgage Amount:	\$2,500,000	ESD-JDA:	
GCEDC RLF:	\$0	Other Name:	Equity
City of Batavia:	\$0	Other Amount:	\$500,000

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Chamber of Commerce:

Total Amount Finance:

\$3,000,000

Noted #1/30/20



Internal Report: J & R Specialties - Pembroke

Table 1: Basic Information

Project Name	Pembroke
Project Applicant	J & R Specialties
Project Description	The company is seeking to construct a (3) story mix use building at Buffalo East Technology Park in Pembroke. The top floors of each unit will accommodate 17 - 1 and 2 bedroom apartments and the bottom will be aimed at 4 retail/commercial space but less than 1/3 of projects total cost.
Project Industry	Food Services and Drinking Places
Municipality	Pembroke Town
School District	Pembroke
Type of Transaction	Tax Exemptions
Project Cost	\$3,000,000 ✓
Mortgage Amount	\$2,500,000 ✓

Table 2: Permanent New/Retained Employment (Annual FTEs)

	State	Region
Total Employment	34	34
Direct**	5	5 ✓
Indirect***	1	1
Induced****	1	1
Temporary Construction (Direct and Indirect)	28	28

Table 3: Permanent New/Retained Labor Income (Annual) & Average Salary (Annual)

	State Labor Income	Region Labor Income	Average Salary
Total	\$1,519,952	\$1,519,952	\$44,510
Direct**	\$92,499	\$92,499	\$18,500
Indirect***	\$30,670	\$30,670	\$55,136
Induced****	\$31,399	\$31,399	\$39,916
Temporary Construction (Direct and Indirect)	\$1,365,384	\$1,365,384	\$49,104

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Table 4: Cost/Benefit Analysis (Discounted Present Value*)

Total Costs to State and Region	\$578,424
Mortgage Tax Revenue Forgone	\$25,000
State	\$18,750
County	\$6,250
Local	\$0
Property Tax Revenue Forgone	\$456,524
485-B Property Tax Abatement	\$73,001
Above 485-B	\$383,523
Sales Tax Revenue Forgone	\$134,400
Construction Materials	\$134,400
Other Items	\$0
Other State Incentives	\$0
Other Local Incentives	\$0
Less IDA Fee	-\$37,500
Total Benefits to State and Region	\$3,198,818
Total State Benefits	\$2,882,875
Income Tax Revenue	\$70,155
Direct**	\$6,780
Indirect***	\$10,116
Induced****	\$7,192
Construction (Direct and Indirect, over 0 years)	\$46,067
Sales Tax Revenue	\$31,154
Direct**	\$9,492
Indirect***	\$3,147
Induced****	\$3,222
Construction (Direct and Indirect, over 0 years)	\$15,292
Labor Income	\$2,781,566
Total Regional Benefits	\$315,943
Property Tax/PILOT Revenue	\$284,789
Sales Tax Revenue	\$31,154
Direct**	\$9,492
Indirect***	\$3,147
Induced****	\$3,222
Construction (Direct and Indirect, over 0 years)	\$15,292
Benefit to Cost Ratio	5.5:1

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Table 5: Regional Fiscal Impact (Discounted Present Value*)

Total Local Client Incentives	\$492,474
Total Anticipated Local Revenue (Property Tax plus Local Sales Tax)	\$315,943
Net Local Revenue	\$-176,531
Total Anticipated Labor Income	\$2,781,566
Benefit to Cost Ratio	6.3:1

Table 6: Property Tax Revenue (Discounted Present Value*)

Total Property Tax	\$284,789
County Property Tax	\$99,041
School District Property Tax	\$185,749

* Figures over 10 years and discounted by 2%

** Direct - The recipient of IDA assistance adds new jobs to the regional economy and/or retains jobs at risk of being lost to another region. Investments that result in displacing existing jobs (e.g., most retail and many service sector industries) do not fall under this definition.

*** Indirect - The recipient of IDA assistance makes purchases from regional firms, which stimulates suppliers to add jobs and payroll that are new to the regional economy or are saved from being lost to competitors outside the region.

**** Induced - The recipient of IDA assistance by adding to and/or retaining payroll stimulates household spending that is new to the regional economy and/or saved from being lost to competitors outside the region.

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Board Report

Table 1: Basic Information

Project Name	Pembroke
Project Applicant	J & R Specialties
Project Description	The company is seeking to construct a (3) story mix use building at Buffalo East Technology Park in Pembroke. The top floors of each unit will accomodate 17 - 1 and 2 bedroom apartments and the bottom will be aimed at 4 retail/commerical space but less than 1/3 of projects total cost.
Project Industry	Food Services and Drinking Places
Municipality	Pembroke Town
School District	Pembroke
Type of Transaction	Tax Exemptions
Project Cost	\$3,000,000
Mortgage Amount	\$2,500,000
Direct Employment Expected to Result from Project (Annual FTEs)	5

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Figure 1: Estimated State & Regional Benefits / Estimated Project Incentives (Discounted Present Value*)



Table 2: Estimated State & Regional Benefits / Estimated Project Incentives Analysis (Discounted Present Value*)

Total State and Regional Benefits	\$3,198,818	
Total Project Incentives	\$578,424	
Benefit to Cost Ratio	5.5:1	
Projected Employment	State	Region
Total Employment	34	34
Direct**	5	5
Indirect***	1	1
Induced****	1	1
Temporary Construction (Direct and Indirect)	28	28

3.1

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Table 3: Estimated State & Regional Benefits (Discounted Present Value*)

Total State and Regional Benefits	\$3,198,818
Income Tax Revenue	\$70,155
Property Tax/PILOT Revenue	\$284,789
Sales Tax Revenue	\$62,307
Labor Income	\$2,781,566

Table 4: Estimated Project Incentives (Discounted Present Value*)

Total Project Incentives	\$578,424
Mortgage Tax	\$25,000
Property Tax	\$456,524
Sales Tax	\$134,400
Other State Incentives	\$0
Other Local Incentives	\$0
Less IDA Fee	-\$37,500

* Figures over 10 years and discounted by 2%

** Direct - The recipient of IDA assistance adds new jobs to the regional economy and/or retains jobs at risk of being lost to another region. Investments that result in displacing existing jobs (e.g., most retail and many service sector industries) do not fall under this definition.

*** Indirect - The recipient of IDA assistance makes purchases from regional firms, which stimulates suppliers to add jobs and payroll that are new to the regional economy or are saved from being lost to competitors outside the region.

**** Induced - The recipient of IDA assistance by adding to and/or retaining payroll stimulates household spending that is new to the regional economy and/or saved from being lost to competitors outside the region.

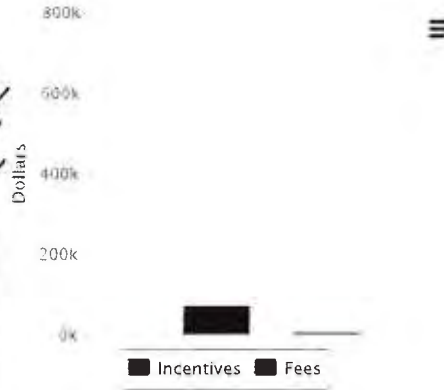
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Incentives for the J & R Specialties Pembroke Project

Table 1: Estimated Incentives & Fees*

Total Project Incentives	\$615,924
Mortgage Tax	\$25,000
Property Tax	\$456,524
Sales Tax	\$134,400
Other State Incentives	\$0
Other Local Incentives	\$0
Total Project Fees	\$44,500
Fixed Fee	\$37,500
Legal Fees	\$7,000
Net Project Incentives	\$571,424



* Figures over 10 years and discounted by 2%.

Table 2: Estimated Property Tax Paid**

Year	Total
1	\$0
2	\$0
3	\$16,182
4	\$16,182
5	\$32,364
6	\$32,364
7	\$48,546
8	\$48,546
9	\$64,728
10	\$64,728
Total	\$323,639

** Figures assume constant property tax rates. Figures are not discounted.

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7/30/2020



Project Name: J&R Fancher Property Holdings, LLC

Board Meeting Date: May 7, 2020

STATEMENT OF COMPLIANCE OF PROJECT CRITERIA LISTED IN UNIFORM TAX EXEMPTION POLICY (UTEP)

PROJECT DESCRIPTION:

J&R Fancher Property Holdings, LLC is proposing the to construct a three-story mixed-used building on 2 buildable acres (7.9 total acres) at Buffalo East Technology Park in Pembroke, NY.

The \$3 million project includes the following:

1. Create 17 market rate 1-bedroom and 2-bedroom apartments on the second and third floors with indoor parking available and a fitness center.
2. Create a "vanilla" box interior space for first floor, a total of 4 spaces, to attract commercial tenants that will comprise less than 1/3 of total project cost*.

Total planned square footage of new construction is 32,254 sq. ft.

Two recent studies by LaBella Associates – the Genesee County Housing Needs Assessment - and The Rockefeller Institute of Government (SUNY’s Think Tank) – Generating Growth in Genesee County – identify housing availability as Genesee County’s biggest challenge in order to fully realize the value of the economic development strategy that is in-place and being implemented. LaBella reported that 4,800 units are needed in next 20 years across multiple sectors, including rental units and single-family homes.

The GCEDC is assisting the project with Sales tax exemption, Mortgage Tax Exemption and Property Tax abatement.

*Note: The project is allowable Under § 862-a of GML, an IDA is limited in its ability to provide financial assistance to projects where facilities “that are primarily used in making retail sales to customers who personally visit such facilities constitute more than one-third of the total project cost”.

Criteria #1 – The Project pledges to create and/or retain quality, good paying jobs in Genesee County.

Project details: The project will create 5 FTE’s based on future tenants.

Board Discussion:

Board Concurrence: YES NO If no, state justification:

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Criteria #2- Completion of the Project will enhance the long-term tax base and/or make a significant capital investment.

Project details: The Project will make a \$3 million investment and enhance the long-term tax base when completed.

Board Discussion:

Board Concurrence: YES NO If no, state justification:

Criteria #3- The Project will contribute towards creating a “liveable community” by providing a valuable product or service that is underserved in Genesee County.

Project details: The Project is part of a county wide housing deficit (see Genesee County 2018 Housing Study by LaBella Associates) and is providing market rate housing and other services to Pembroke and Genesee County.

Board Discussion:

Board Concurrence: YES NO If no, state justification:

Criteria #4: The Board will review the Agency’s Fiscal and Economic Impact analysis of the Project to determine if the Project will have a meaningful and positive impact on Genesee County. This calculation will include the estimated value of any tax exemptions to be provided along with the estimated additional sources of revenue for municipalities and school districts that the proposed project may provide.

Project details: For every \$1 of public benefit offered, the company is investing and helping generate an economic contribution/economic impact of \$5.5 into the local/regional/state economy. See economic impact report for further details.

Board Discussion:

Board Concurrence: YES NO If no, state justification:

Criteria #5: The Project is included in one of the Agency’s strategic industries: Agri-Business and Food Processing, Manufacturing, Advanced Manufacturing and Nano-Enabled Manufacturing, Life Sciences and Medical Device.

Project details: While the project is not defined within the Agency’s strategic industries, this project is a strategic project within GCEDC’s placemaking initiative and important to Genesee County’s broader objectives. Recent studies by LaBella Associates and an economic strategy study by The Rockefeller Institute of Government (SUNY’s Thinktank) suggest this is Genesee County’s biggest challenge in order to fully realize the value of the economic development strategy that is in-place and being implemented. Some 4,800 units needed in next 20 years across multiple sectors including rental units and single-family homes.

Board Discussion:

Board Concurrence: YES NO If no, state justification:

Criteria #6: The Project will give a reasonable estimated timeline for the completion of the proposed project.

Project details: The project is planning to begin construction in Fall/Winter of 2020 and be operational in 2021.

Board Discussion:

Board Concurrence: YES NO If no, state justification:

MSA
6/26/202

FINAL RESOLUTION

(J & R Fancher Property Holdings, LLC Project)

A regular meeting of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center was convened on Thursday, July 2, 2020.

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

Resolution No. 07/2020 - _____

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON MAY 26, 2020, WITH RESPECT TO THE J & R FANCHER PROPERTY HOLDINGS, LLC (THE "COMPANY") PROJECT (AS FURTHER DESCRIBED BELOW); (ii) APPOINTING THE COMPANY AS AGENT OF THE AGENCY; (iii) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION AND EQUIPPING OF THE PROJECT, (B) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A TAX AGREEMENT, AND (C) A MORTGAGE RECORDING TAX EXEMPTION AS PERMITTED BY NEW YORK STATE LAW; AND (iv) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, MORTGAGE AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the "State"), as amended, and Chapter 565 of the Laws of 1970 of the State of New York, as amended (hereinafter collectively called the "Act"), the **GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY d/b/a GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER** (the "Agency") was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping industrial, manufacturing and commercial facilities as authorized by the Act; and

WHEREAS, **J & R FANCHER PROPERTY HOLDINGS, LLC**, for itself or on behalf of an entity formed or to be formed by it or on its behalf (the "Company"), has submitted an application (the "Application") to the Agency, a copy of which is on file with the Agency, requesting the Agency's assistance with respect to a certain project (the "Project"), consisting of: (A) the acquisition by the Agency of a leasehold or other interest in certain property located across from Pembroke High School on Route 77 in the Town of Pembroke, Genesee County, New York (the "Land"); (B) the construction on the Land of an approximately 30,000 square-foot 3-story building that will accommodate retail space on the first floor and apartments on the second and third floors (collectively, the "Improvements"); and (C) the acquisition by the

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Company in and around the 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 Article 18-A of the Act the Agency desires to adopt a resolution approving the Project and the Financial Assistance (as defined below) that the Agency is contemplating with respect to the Project; and

WHEREAS, it is contemplated that the Agency will (i) designate the Company as agent of the Agency for the purpose of undertaking the Project pursuant to a project agreement (the "Project Agreement"), (ii) negotiate and enter into a lease agreement (the "Lease Agreement"), a leaseback agreement (the "Leaseback Agreement"), a tax agreement (the "Tax Agreement") and related documents with the Company, (iii) take or retain title to or a leasehold interest in the Land, the Improvements, the Equipment and personal property constituting the Project (once the Lease Agreement, the Leaseback Agreement and the Tax Agreement have been negotiated), and (iv) provide financial assistance to the Company in the form of (a) a sales and use tax exemption for purchases and rentals related to the acquisition, construction and equipping of the Project, (b) a partial real property tax abatement structured through the Tax Agreement, and (c) an exemption from the mortgage recording tax as authorized by the laws of the State for financing related to the Project (collectively, the "Financial Assistance"); and

WHEREAS, on May 7, 2020, the Agency adopted a resolution (the "Initial Resolution"), among other things, (i) accepting the Application, (ii) directing that a public hearing be held, and (iii) determining that the portion of the Facility that is primarily used in making retail sales (as such term is defined in Section 862(2)(a) of the General Municipal Law of the State of New York) to customers who personally visit such Facility shall constitute less than one-third of the total Project cost, as indicated in the Application of the Company to the Agency; and

WHEREAS, pursuant to Section 859-a of the Act, on Tuesday, May 26, 2020, at 10:00 a.m., local time, via video conference, the Agency held a public hearing with respect to the Project and the proposed Financial Assistance 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; a copy of the Notice of Public Hearing published in *The Batavia Daily News*, the affidavit of publication of such newspaper, and Minutes of the Public Hearing are attached hereto as Exhibit A; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto at 6 N.Y.C.R.R. Part 617, as amended (collectively referred to as "SEQRA"), the Agency must satisfy the applicable requirements set forth in SEQRA, as necessary, prior to making a final determination whether to undertake the Project; and

WHEREAS, the Project Agreement, the Lease Agreement, the Leaseback Agreement, the Tax Agreement and related documents have been negotiated and will be presented to the President/CEO, Chair, Vice Chair and/or Senior Vice President of Operations of the Agency for approval and execution subject to adoption of the resolutions contained herein.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER 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 Application, 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 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 employment opportunities in Genesee 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 facility or commercial, industrial, or manufacturing plant of the Company or any other proposed occupant of the Project from one area of 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 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

(F) The Town of Pembroke Planning Board has conducted a review of the Project pursuant to Article 8 of the Environmental Conservation Law and 6 N.Y.C.R.R. Part 617 (collectively referred to as "SEQRA"). The Town of Pembroke Planning Board classified the Project as an Unlisted Action and issued a Negative Declaration on June 24, 2020 (the "Negative Declaration") determining that the Project does not pose a potential significant adverse environmental impact. The Agency, having reviewed the materials presented by the Company, including, but not limited to, the Full Environmental Assessment Form and the Negative Declaration, further determines that the Project does not pose a potential significant adverse environmental impact and thus ratifies the Negative Declaration previously issued by the Town of Pembroke Planning Board pursuant to 6 N.Y.C.R.R. Part 617.7. A copy of the Negative Declaration issued by the Town of Pembroke Planning Board is attached hereto as **Exhibit B**.

Section 2. The Public Hearing held by the Agency on May 26, 2020, concerning the Project and the Financial Assistance, was duly held in accordance with the Act, including, but

not limited to, the giving of at least ten (10) days published notice of the Public Hearing (such notice also being provided to the Chief Executive Officer of each affected tax jurisdiction), affording interested parties a reasonable opportunity, both orally and in writing, to present their views with respect to the Project.

Section 3. The Agency is hereby authorized to provide to the Company the Financial Assistance in the form of (a) a sales and use tax exemption for purchases and rentals related to the acquisition, construction, reconstruction, renovation and equipping of the Project, (b) a partial real property tax abatement structured through the Tax Agreement, and (c) a mortgage recording tax exemption as permitted by State law.

Section 4. Based upon representations and warranties made by the Company in the Application, the Agency hereby authorizes and approves the Company, as its agent, to make purchases of goods and services relating to the Project, that would otherwise be subject to State and local sales and use tax in an amount up to **\$1,680,000**, which result in State and local sales and use tax exemption benefits ("Sales and Use Tax Exemption Benefits") not to exceed **\$134,400**. The Agency agrees to consider any requests by the Company for an increase 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.

Section 5. Pursuant to Section 875(3) of the Act, 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 Sales and Use Tax Exemption 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 Sales and Use Tax Exemption Benefits; (ii) the 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 Sales and Use Tax Exemption Benefits are for property or services not authorized by the Agency as part of the Project; or (iv) the Sales and Use Tax Exemption 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 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 Sales and Use Tax Exemption Benefits, the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, shall (i) cooperate with the Agency in its efforts to recover or recapture any Sales and Use Tax Exemption Benefits, and (ii) promptly pay over any such amounts to the Agency that the Agency demands.

Section 6. Subject to the Company executing the Project Agreement and the delivery to the Agency of a binder, certificate or other evidence of liability insurance policy 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, reconstruct, 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 Project Agreement shall expire on **July 30, 2021** (unless extended for good cause by the President/CEO of the Agency) if the Lease Agreement, the Leaseback Agreement and the Tax Agreement contemplated have not been executed and delivered

Section 7. The Agency is hereby authorized to provide the Company with an exemption from mortgage recording taxes as permitted by State law in an amount not to exceed Twenty-Five Thousand and 00/100 Dollars (**\$25,000**).

Section 8. The President/CEO, Chair, Vice Chair and/or Senior Vice President of Operations of the Agency are hereby authorized, on behalf of the Agency, to negotiate and enter into (A) the Project Agreement, (B) the Lease Agreement, pursuant to which the Company leases the Project to the Agency, and (C) the related Leaseback Agreement, pursuant to which the Agency leases its interest in the Project back to the Company, and (D) the Tax Agreement; *provided, however*, (i) the rental payments under the Leaseback Agreement 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 Tax Agreement are consistent with the Agency's Uniform Tax Exemption Policy or the procedures for deviation have been complied with.

Section 9. The President/CEO, Chair, Vice Chair and/or Senior Vice President of Operations of the Agency are hereby authorized, on behalf of the Agency, to execute, deliver and record any mortgage, 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") (collectively, the "Mortgage") necessary to undertake the Project, acquire the Facility and/or finance or refinance the Facility or equipment and other personal property and related transactional costs (hereinafter, with the Project Agreement, Lease Agreement, Leaseback Agreement, Tax Agreement and the Mortgage, collectively called the "Agency Documents"); and, where appropriate, the Secretary or 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 President/CEO, Chair, Vice Chair and/or Senior Vice President of Operations of the Agency shall approve, the execution thereof by the President/CEO, Chair, Vice Chair and/or Senior Vice President of Operations 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 10. 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 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 11. These Resolutions shall take effect immediately upon adoption.

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

	<i>Yea</i>	<i>Nay</i>	<i>Absent</i>	<i>Abstain</i>
Paul Battaglia	[]	[]	[]	[]
Peter Zeliff	[]	[]	[]	[]
Craig Yunker	[]	[]	[]	[]
Matthew Gray	[]	[]	[]	[]
Todd Bender	[]	[]	[]	[]
Andrew Young	[]	[]	[]	[]
Amy Vanderhoof	[]	[]	[]	[]

The Resolutions were thereupon duly adopted.

SECRETARY'S CERTIFICATION
(J & R Fancher Property Holdings, LLC Project)

STATE OF NEW YORK)
COUNTY OF GENESEE) SS.:

I, the undersigned Secretary of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center, DO HEREBY CERTIFY:

That I have compared the annexed extract of minutes of the meeting of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency"), including the resolution contained therein, held on July 2, 2020, with the original thereof on file in the Agency's office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY, that all members of said Agency had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with such Article 7.

I FURTHER CERTIFY, that there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY, that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency this ___ day of July, 2020.

Secretary

Exhibit A

Notice Letter, Notice of Public Hearing,
Affidavit of Publication of *The Batavia Daily News*
and Minutes of Public Hearing

[Attached Hereto]



**NOTICE LETTER
J & R FANCHER PROPERTY HOLDINGS, LLC PROJECT**

May 14, 2020

VIA CERTIFIED MAIL

To: Chief Executive Officers of
Affected Taxing Jurisdiction Listed on Attached Schedule A

Re: Genesee County Industrial Development Agency d/b/a Genesee County
Economic Development Center and J & R Fancher Property Holdings, LLC;
Public Hearing

Ladies and Gentlemen:

On Tuesday, May 26, 2020, at 10:00 a.m., the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency") will conduct a public hearing regarding the above-referenced project. Enclosed is a copy of the Notice of Public Hearing describing the project and the financial assistance being contemplated by the Agency. The Notice has been submitted to *The Batavia Daily News* for publication.

In accordance with Section 859-a of the Act, a representative of the Agency will be at the above-stated time and place to present a copy of the Company's project Application, which is also available for viewing on the Agency's website at: [gcedc.com/index.php/news/gcedc-approved-projects](https://www.gcedc.com/index.php/news/gcedc-approved-projects).

However, given the ongoing COVID-19 public health crisis and related Executive Orders issued by Governor Andrew M. Cuomo, the Agency will not be able to accommodate any in-person public attendance or participation at this hearing. Nonetheless, and in furtherance of the provisions of Section 859-a of the Act requiring interested parties be provided a reasonable opportunity, both orally and in writing, to present their views with respect to the Project, the Agency will broadcast the Public Hearing live on a video conference (<https://zoom.us/j/94303375341?pwd=NVY0MjZPZ0VrN2FSWlJyY2R6UzVpdz09>), with written comments accepted on that platform in real time. In addition, the Agency will provide public access to provide oral comments in real time via conference bridge at telephone number: 1-929-205-6099, meeting ID 94303375341, passcode 293291.

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The Agency also encourages all interested parties to submit written comments to the Agency, which will be included within the public hearing record. Any written comments may be sent to GCEDC, Attention: Mark Masse, Senior Vice President of Operations, 99 MedTech Drive, Suite 106, Batavia, New York 14020, and/or via email at gcedc@gcedc.com, with the subject line being "Re: J & R Fancher Property Holdings, LLC", no later than Tuesday, June 2, 2020.

The public hearing is being conducted pursuant to Section 859-a of the General Municipal Law. We are providing this notice to you, pursuant to General Municipal Law Section 859-a, as the chief executive officer of an affected tax jurisdiction within which the project is located.

Very truly yours,

GENESEE COUNTY INDUSTRIAL
DEVELOPMENT AGENCY d/b/a
GENESEE COUNTY ECONOMIC
DEVELOPMENT CENTER

Enclosure

Schedule A

Chief Executive Officers
of Affected Tax Jurisdictions

Via Certified Mail

No. 9489-0090-0027-6195-9852-10

Genesee County Manager
Genesee County Courthouse
Old Courthouse
7 Main Street
Batavia, New York 14020

Via Certified Mail

No. 9489-0090-0027-6195-9852-27

Genesee County Legislature
Attn: Chairman
Old Courthouse
7 Main Street
Batavia, New York 14020

Via Certified Mail

No. 9489-0090-0027-6195-9852-34

Town of Pembroke
Attn: Town Supervisor
1145 Main Road
Corfu, New York 14036

Via Certified Mail

No. 9489-0090-0027-6195-9852-41

Pembroke Central School District
Attn: Board of Education President
8750 Allegheny Road
Routes 5 and 77
Corfu, New York 14036

Via Certified Mail

No. 9489-0090-0027-6195-9852-58

Pembroke Central School District
Attn: Superintendent
8750 Allegheny Road
Routes 5 and 77
Corfu, New York 14036

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York General Municipal Law (the "Act") will be held by the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency") on Tuesday, May 26, 2020, at 10:00 a.m., local time, in connection with the matter described below. **PLEASE NOTE THE SPECIAL PUBLIC HEARING LOGISTICS AND INSTRUCTIONS INCLUDED AT THE END OF THIS NOTICE.**

J & R Fancher Property Holdings, LLC, for itself or on behalf of an entity formed or to be formed on behalf of the foregoing (the "Company") has submitted an application (the "Application") requesting the Agency's assistance with a project (the "Project") consisting of: (A) the acquisition by the Agency of a leasehold or other interest in certain property located across from Pembroke High School on Route 77 in the Town of Pembroke, Genesee County, New York (the "Land"); (B) the construction on the Land of an approximately 30,000 3-story building that will accommodate retail space on the first floor and apartments on the second and third floors (collectively, the "Improvements"); and (C) the acquisition by the Company in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the "Equipment"; and, together with the Land, the Existing Improvements and the Improvements, the "Facility").

The Agency will acquire a leasehold interest in the Facility and lease the Facility back to the Company. The Company will operate the Facility during the term of the lease. At the end of the lease term, the leasehold interests will be terminated. The Agency contemplates that it will provide financial assistance to the Company in the form of (a) a sales and use tax exemption for purchases and rentals related to the acquisition, construction, and equipping of the Facility, (b) a partial real property tax abatement structured within a payment-in-lieu-of-tax agreement, and (c) a mortgage recording tax exemption for financing or re-financing related to the Project (collectively, the "Financial Assistance").

PLEASE NOTE SPECIAL PUBLIC HEARING CONDUCT INSTRUCTIONS AND INFORMATION:

In accordance with Section 859-a of the Act, a representative of the Agency will be at the above-stated time and place to present a copy of the Company's project Application, which is also available for viewing on the Agency's website at: gcedc.com/index.php/news/gcedc-approved-projects.

However, given the ongoing COVID-19 public health crisis and related Executive Orders issued by Governor Andrew M. Cuomo, the Agency will not be able to accommodate any in-person public attendance or participation at this hearing. Nonetheless, and in furtherance of the provisions of Section 859-a of the Act requiring interested parties be provided a reasonable opportunity, both orally and in writing, to present their views with respect to the Project, the Agency will broadcast the Public Hearing live on a video conference

(<https://zoom.us/j/94303375341?pwd=NvY0MjZPZ0VrN2FSWlJyY2R6UzVpdz09>), with written comments accepted on that platform in real time. In addition, the Agency will provide public access to provide oral comments in real time via conference bridge at telephone number: **1-929-205-6099**, meeting ID **94303375341**, passcode **293291**.

The Agency also encourages all interested parties to submit written comments to the Agency, which will be included within the public hearing record. Any written comments may be sent to GCEDC, Attention: Mark Masse, Senior Vice President of Operations, 99 MedTech Drive, Suite 106, Batavia, New York 14020, and/or via email at gcedc@gcedc.com, with the subject line being "Re: J & R Fancher Property Holdings, LLC", no later than Tuesday, June 2, 2020.

Dated: May 16, 2020

GENESEE COUNTY INDUSTRIAL
DEVELOPMENT AGENCY d/b/a
GENESEE COUNTY ECONOMIC
CENTER

BATAVIA NEWSPAPERS CORP
 PO BOX 870
 BATAVIA, NY 14021
 (585) 343-8000

BILLING PERIOD		ADVERTISER/CLIENT NAME	
05/10/20 - 05/16/20		HARRIS BEACH PLLC	
TOTAL AMOUNT DUE	INVOICE NUMBER	TERMS OF PAYMENT	
86.40	255269	DUE WITHIN 28 DAYS	

ADVERTISING INVOICE

PAGE #	BILLING DATE	BILLED ACCOUNT NUMBER
1	05/16/20	90601

BILLED ACCOUNT NAME AND ADDRESS

REMITTANCE ADDRESS

ERCILIA GONZALEZ ACEVEDO
 HARRIS BEACH PLLC
 677 BROADWAY SUITE 1101
 ALBANY NY 12207

JOHNSON NEWSPAPER CORPORATION
 260 WASHINGTON ST
 WATERTOWN NY 13601

PLEASE DETACH AND RETURN UPPER PORTION WITH YOUR REMITTANCE

DATE	NEWSPAPER REFERENCE	DESCRIPTION - OTHER COMMENTS / CHARGES	SAU SIZE BILLED UNITS	TIMES RUN RATE	GROSS AMOUNT	NET AMOUNT
05/16	PUBLICATION: AD CLASS: 20440522 05/16	BATAVIA NEWSPAPERS CORPORATION - FULL RU LEGALS NOTICE NOTICE OF PUB LIC HEARING NOTICE I AMY ABBINK Affidavit Fee Ad Class Totals: Publication Totals:	1x0L 166L	1	166.000 line	66.40 20.00
			\$86.40 \$86.40			



TOTAL AMOUNT DUE
86.40

PLEASE NOTE OUR REMITTANCE ADDRESS HAS CHANGED.

BATAVIA NEWSPAPERS CORP (585) 343-8000

A FINANCE CHARGE OF 1.5% PER MONTH, WHICH IS AN ANNUAL
 RATE OF 18% (MINIMUM \$1.00) WILL BE ADDED TO ACCOUNTS OVER
 28 DAYS
 *UNAPPLIED AMOUNTS ARE INCLUDED IN TOTAL AMOUNT DUE

INVOICE NUMBER	ADVERTISER INFORMATION		
	BILLING PERIOD	BILLED ACCOUNT NUMBER	ADVERTISER / CLIENT NAME
255269	05/10/20 - 05/16/20	90601	HARRIS BEACH PLLC

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Johnson Newspaper Corporation

Client:	90601	HARRIS BEACH PLLC	Phone:	(585) 419-8800
Class.:	99	GARNSEY Rd		PITTSFORD, NY 14534
Ad #	20440522	Requested By:	AMY ABBINK	Fax:
Sales Rep.:	B19	Rebecca Renzetti	Phone:	(585) 343-8000
		rrenzetti@batavianews.com	Fax:	(585) 343-2623
Class.:	0110	Public Notices		
Start Date:	05/16/2020	End Date:	05/16/2020	Nb. of Inserts: 1
PO #:		Entered By:	RRENZE	
Publications:	Batavia Daily News			
Paid Amount:	\$0.00	Balance:	\$86.40	
Total Price:	Ref. # 1	\$86.40	Page 1 of 3	

Ref. # 1

NOTICE

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York General Municipal Law (the "Act") will be held by the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency") on Tuesday, May 26, 2020, at 10:00 a.m., local time, in connection with the matter described below. **PLEASE NOTE THE SPECIAL PUBLIC HEARING LOGISTICS AND INSTRUCTIONS INCLUDED AT THE END OF THIS NOTICE.**

J & R Fancher Property Holdings, LLC, for itself or on behalf of an entity formed or to be formed on behalf of the foregoing (the "Company") has submitted an application (the "Application") requesting the Agency's assistance with a project (the "Project") consisting of: (A) the acquisition by the Agency of a leasehold or other interest in certain property located across from Pembroke High School on Route 77 in the Town of Pembroke, Genesee County, New York (the "Land"); (B) the construction on the Land of an approximately 30,000 3-story building that will accommodate retail space on the first floor and apartments on the second and third floors (collectively, the "Improvements"); and (C) the acquisition by the Company in and around the Improvements of certain items of machinery, equipment and other tangible personal prop-

erty (the "Equipment"; and, together with the Land, the Existing Improvements and the Improvements, the "Facility").

The Agency will acquire a leasehold interest in the Facility and lease the Facility back to the Company. The Company will operate the Facility during the term of the lease. At the end of the lease term, the leasehold interests will be terminated. The Agency contemplates that it will provide financial assistance to the Company in the form of (a) a sales and use tax exemption for purchases and rentals related to the acquisition, construction, and equipping of the Facility, (b) a partial real property tax abatement structured within a payment-in-lieu-of-tax agreement, and (c) a mortgage recording tax exemption for financing or re-financing related to the Project (collectively, the "Financial Assistance").

PLEASE NOTE SPECIAL PUBLIC HEARING CONDUCT INSTRUCTIONS AND INFORMATION:

In accordance with Section 859-a of the Act, a representative of the Agency will be at the above-stated time and place to present a copy of the Company's project Application, which is also available for viewing on the Agency's website at: gcedc.com/index.php/news/gcedc-approved-projects.

However, given the ongoing COVID-19 public health crisis and related Executive Orders issued by Governor Andrew M. Cuomo, the Agency will not be able to accommodate any in-person public attendance or participation at this hearing. Nonetheless, and in furtherance of the provisions of Section 859-a of the Act requiring interested parties be provided a reasonable opportunity, both orally and in writing, to present their views with respect to the Project, the Agency will broadcast the Public Hearing live on a video conference (<https://zoom.us/j/94303375341?pwd=NYY0MjZPZ0VrN2FSWjJyY2R6UzVpdz09>), with written comments accepted on that platform in real time. In addition, the Agency will provide public access to provide oral comments in real time via conference bridge at telephone number: 1-829-205-8099, meeting ID 94303375341, passcode 293291.

The Agency also encourages all interested parties to submit written comments to the Agency, which will be included within the public hearing record. Any written comments may be sent to

GCEDC, Attention: Mark
Masse, Senior Vice President
of Operations, 99 MedTech
Drive, Suite 106, Batavia,
New York 14020, and/or via
email at gcedc@gcedc.com,
with the subject line being
"Re: J & R Fancher Property
Holdings, LLC", no later than
Tuesday, June 2, 2020.

Dated: May 16, 2020
GENESEE COUNTY INDUS-
TRIAL DEVELOPMENT
AGENCY d/b/a
GENESEE COUNTY ECO-
NOMIC CENTER



REPORT OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY'S PUBLIC HEARING OF J&R FRANCHER PROPERTY HOLDINGS, LLC., HELD ON TUESDAY, MAY 26, 2020 10:00 A.M. AT THE GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER, 99 MEDTECH DRIVE, BATAVIA, NEW YORK, GENESEE COUNTY, NEW YORK AND ELECTRONICALLY VIA VIDEO CONFERENCE

I. ATTENDANCE

Mark Masse, Sr. VP of Operations – GCEDC
Chris Suozzi, VP of Business Development – GCEDC
Jim Krencik, Director of Marketing and Communications – GCEDC
Penny Kennett, Operations Manager – GCEDC

II. CALL TO ORDER

The public hearing of J&R Francher Property Holdings, LLC, Inc. was opened at 10:00 am at the Genesee County Economic Development Center and electronically via video conference.

PLEASE NOTE SPECIAL PUBLIC HEARING CONDUCT INSTRUCTIONS AND INFORMATION:

In accordance with Section 859-a of the Act, a representative of the Agency will be at the above-stated time and place to present a copy of the Company's project Application, which is also available for viewing on the Agency's website at: <https://www.gcedc.com/index.php/news/gcedc-approved-projects>

However, given the ongoing COVID-19 public health crisis and related Executive Orders issued by Governor Andrew M. Cuomo, the Agency will not be able to accommodate any in-person public attendance or participation at this hearing. Nonetheless, and in furtherance of the provisions of Section 859-a of the Act requiring interested parties be provided a reasonable opportunity, both orally and in writing, to present their views with respect to the Project, the Agency will broadcast the Public Hearing live: <https://zoom.us/j/94303375341?pwd=NVY0MjZPZ0VrN2FSWlJyY2R6UzVpdz09>, with written comments accepted on that platform in real time. In addition, the Agency will provide public access to provide oral comments in real time via conference bridge at telephone number: 1-929-205-6099, passcode 293291. The Agency also encourages all interested parties to submit written comments to the Agency, which will be included within the public hearing record. Any written comments may be sent to GCEDC, Attention: Mark Masse, Senior Vice President of Operations, 99 MedTech Drive, Suite 106, Batavia, New York 14020, and/or via email at mmasse@gcedc.com no later than Tuesday, June 2, 2020.

A notice of this public hearing describing the project was published in the Batavia Daily News, a copy of which is attached and is an official part of this transcript.

III. PROJECT SUMMARY

J&R Francher Property Holdings, LLC is proposing the to construct a three-story mixed-used building on 2 buildable acres (7.9 total acres) at Buffalo East Technology Park in Pembroke, NY.

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IV. COMMENTS

M. Masse began the public hearing by introducing himself as the Sr. VP of Operations of the Genesee County Economic Development Center. He then stated the purpose and guidelines for the public hearing. The purpose of the public hearing is to solicit comments and feedback from the public regarding the proposed incentives on the above outlined project. It is not a question and answer session.

V. ADJOURNMENT

As there were no written or oral comments, the public hearing was closed at 10:15 am.

Exhibit B

Negative Declaration issued by the Town of Pembroke Planning Board on June 24, 2020

[Attached Hereto]

Project: Brickhouse Commons

Date: 6/24/2020

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Town of Pembroke Planning Board _____ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Brickhouse Commons

Name of Lead Agency: Town of Pembroke Planning Board

Name of Responsible Officer in Lead Agency: James Uebelhoer

Title of Responsible Officer: Chairman

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: James Uebelhoer

Address: 1145 Main Road, Corfu, NY 14036

Telephone Number: 585-599-4892

E-mail: jbulb@yahoo.com

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

PRINT FULL FORM

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]

Project:	Brickhouse Commons
Date:	5/24/2020

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	
1. Impact on Land			
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)			
<i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

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2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

NO

YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

NO

YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

1. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater
 The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. NO YES
 (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)
 If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: <u>Monroe County Water Authority</u>	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding
 The proposed action may result in development on lands subject to flooding. NO YES
 (See Part 1. E.2)
 If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway,	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air The proposed action may include a state regulated air emission source. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.f., D.2.h., D.2.g.) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO ₂)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
ii. More than 3.5 tons/year of nitrous oxide (N ₂ O)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iv. More than .045 tons/year of sulfur hexafluoride (SF ₆)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochlorofluorocarbons (HFCs) emissions	D2g	<input type="checkbox"/>	<input type="checkbox"/>
vi. 43 tons/year or more of methane	D2h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

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e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Yes", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.
(See Part 1. C.2.c, E.1.c., E.2.q.)
If "Yes", answer questions a - e. If "No", go to Section 12.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)
If "Yes", answer questions a - c. If "No", go to Section 13.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

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13. Impact on Transportation
 The proposed action may result in a change to existing transportation systems. NO YES
 (See Part 1. D.2.j)
If "Yes", answer questions a - g. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy
 The proposed action may cause an increase in the use of any form of energy. NO YES
 (See Part 1. D.2.k)
If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____			

15. Impact on Noise, Odor, and Light
 The proposed action may result in an increase in noise, odors, or outdoor lighting. NO YES
 (See Part 1. D.2.m., n., and o.)
If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

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d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) NO YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation,	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

17. Consistency with Community Plans
 The proposed action is not consistent with adopted land use plans.
 (See Part 1. C.1, C.2. and C.3.)
 If "Yes", answer questions a - h. If "No", go to Section 18.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character
 The proposed project is inconsistent with the existing community character.
 (See Part 1. C.2, C.3, D.2, E.3)
 If "Yes", answer questions a - g. If "No", proceed to Part 3.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

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Customer Information

Potential Customer:	Fraser-Branche Property, LLC	Opportunity Type:	Expansion
Proj. St. Address:	301 North Street	Opportunity Product:	Property Sales & Mortgage Recording Taxes Only
City/Town/Village:	City of Batavia//	Type of Project:	Expansion
Proj. Description:	2019 YWCA Renovation	New Jobs:	2 ✓
Total Capital Investment:	\$1,405,862	Retained Jobs:	5 ✓
Incentive Amount:	\$105,519	School District:	Batavia
Benefited Amount:	\$1,405,862	PILOT Applicable:	Increase in assessed value of land and/or other buildings (pre-project value of land and or buildings excluded)

Project Information

Organization:	GCEDC
Opportunity Source:	Date of Public Hearing: tbd
Initial Acceptance Date:	Inducement Date:

Opportunity Summary: Fraser-Branche Property, LLC is seeking to purchase and renovate the YWCA building on North Street in the City of Batavia. The company will renovate approximately 67% of the 13,000-sf facility, including new HVAC, plumbing and electrical improvements, and a complete remodel of the existing, underutilized space for an expansion of their medical practice's pediatric care. The company will lease back the remainder of the facility to the YWCA and 2 other existing tenants.

The company is currently leasing space on Ellicott St in the city of Batavia and will move once the North St location is ready. The company currently employs 5 full-time equivalents and is pledging to create an additional 1.5 FTE's.

The total project capital investment is \$1.4 million, including \$1.0 million of related construction costs. The project will be part of the Batavia Pathway to Prosperity (BP2) model. GCEDC is seeking to assist the project with sales tax exemption valued at \$50,105, mortgage tax exemption valued at \$12,653 and property tax abatement for the incremental increase in assessed value using the BP2 Model 67% PILOT schedule valued at \$42,761.

Note: the property was a nonexempt property and will be first placed on the tax rolls at its base valuation. The PILOT will be for only the incremental increase in assessed value.

Economic Impact: 24.5 : 1

Project Detail (Total Capital Investment)

Building Cost (Construction):	\$1,023,862	Capital Improvements:	\$0
Equipment (non-taxable):	\$0	Equipment (Taxable) / Other Proj Investment:	\$12,000 ✓
Land Cost (Real Estate):	\$370,000 ✓		
Total Capital Investment:	\$1,405,862		

Estimated Benefits Provided

Sales Tax Exempt:	\$50,105	Tax Exempt Bond:	\$0
Mortgage Tax Exempt:	\$12,653	Land Sale Subsidy:	\$0
Property Tax Exempt:	\$42,761		
Total Estimated Tax Incentives Provided:	\$105,519		

Total Amount Finance:	\$1,415,276
Mortgage Amount:	\$1,265,276 ESD-JDA:
GCEDC RLF:	\$0 Other Name: Gift
City of Batavia:	\$0 Other Amount: \$150000

Incentives for the Fraser-Branche Property, LLC YWCA Project

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10/24/19

Table 1: Estimated Incentives & Fees*

Total Project Incentives	\$105,520
Mortgage Tax	\$12,653 ✓
Property Tax	\$42,761 ✓
Sales Tax	\$50,105 ✓
Other State Incentives	\$0
Other Local Incentives	\$0
Total Project Fees	\$22,573
Fixed Fee	\$17,573
Legal Fees	\$5,000
Net Project Incentives	\$82,947



* Figures over 10 years and discounted by 2%.

Table 2: Estimated Property Tax Paid**

Year	Existing Property	Improvement	Total
1	\$21,486	\$6,818	\$28,304
2	\$21,486	\$6,818	\$28,304
3	\$21,486	\$6,818	\$28,304
4	\$21,486	\$6,818	\$28,304
5	\$21,486	\$10,227	\$31,713
6	\$21,486	\$10,227	\$31,713
7	\$21,486	\$10,227	\$31,713
8	\$21,486	\$10,227	\$31,713
9	\$21,486	\$10,227	\$31,713
10	\$21,486	\$12,272	\$33,758
Total	\$214,864	\$90,677	\$305,541

** Figures assume constant property tax rates. Figures are not discounted.

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Table 3: Estimated State & Regional Benefits (Discounted Present Value*)

Total State and Regional Benefits	\$2,197,781
Income Tax Revenue	\$67,575
Property Tax/PILOT Revenue	\$82,171
Sales Tax Revenue	\$44,871
Labor Income	\$2,003,164

Table 4: Estimated Project Incentives (Discounted Present Value*)

Total Project Incentives	\$87,947
Mortgage Tax	\$12,653
Property Tax	\$42,761
Sales Tax	\$50,105
Other State Incentives	\$0
Other Local Incentives	\$0
Less IDA Fee	-\$17,573

* Figures over 10 years and discounted by 2%

** Direct - The recipient of IDA assistance adds new jobs to the regional economy and/or retains jobs at risk of being lost to another region. Investments that result in displacing existing jobs (e.g., most retail and many service sector industries) do not fall under this definition.

*** Indirect - The recipient of IDA assistance makes purchases from regional firms, which stimulates suppliers to add jobs and payroll that are new to the regional economy or are saved from being lost to competitors outside the region.

**** Induced - The recipient of IDA assistance by adding to and/or retaining payroll stimulates household spending that is new to the regional economy and/or saved from being lost to competitors outside the region.



Internal Report: Fraser-Branche Property, LLC - YWCA

Table 1: Basic Information

Project Name	YWCA
Project Applicant	Fraser-Branche Property, LLC
Project Description	The company is purchasing and rehabilitating the former YWCA building into a medical office in the city of Batavia.
Project Industry	Ambulatory Health Care Services
Municipality	Batavia City
School District	Batavia City
Type of Transaction	Tax Exemptions
Project Cost	\$1,405,862
Mortgage Amount	\$1,265,276

Table 2: Permanent New/Retained Employment (Annual FTEs)

	State	Region
Total Employment	13	13
Direct**	2	2 ✓
Indirect***	0	0
Induced****	1	1
Temporary Construction (Direct and Indirect)	10	10

Table 3: Permanent New/Retained Labor Income (Annual) & Average Salary (Annual)

	State Labor Income	Region Labor Income	Average Salary
Total	\$663,413	\$663,413	\$49,579
Direct**	\$111,593	\$111,593	\$55,797
Indirect***	\$18,716	\$18,716	\$51,474
Induced****	\$33,831	\$33,831	\$39,808
Temporary Construction (Direct and Indirect)	\$499,273	\$499,273	\$49,104

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Table 4: Cost/Benefit Analysis (Discounted Present Value*)

Total Costs to State and Region	\$89,655
Mortgage Tax Revenue Forgone	\$12,653
State	\$9,490
County	\$3,163
Local	\$0
Property Tax Revenue Forgone	\$44,470
485-B Property Tax Abatement	\$35,376
Above 485-B	\$9,094
Sales Tax Revenue Forgone	\$50,105
Construction Materials	\$49,145
Other Items	\$960
Other State Incentives	\$0
Other Local Incentives	\$0
Less IDA Fee	-\$17,573
Total Benefits to State and Region	\$2,196,072
Total State Benefits	\$2,093,175
Income Tax Revenue	\$67,575
Direct**	\$36,808
Indirect***	\$6,173
Induced****	\$7,749
Construction (Direct and Indirect, over 0 years)	\$16,845
Sales Tax Revenue	\$22,435
Direct**	\$11,451
Indirect***	\$1,921
Induced****	\$3,472
Construction (Direct and Indirect, over 0 years)	\$5,592
Labor Income	\$2,003,164
Total Regional Benefits	\$102,898
Property Tax/PILOT Revenue	\$80,462
Sales Tax Revenue	\$22,435
Direct**	\$11,451
Indirect***	\$1,921
Induced****	\$3,472
Construction (Direct and Indirect, over 0 years)	\$5,592

3.2

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Benefit to Cost Ratio

24.5:1

3.2

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Table 5: Regional Fiscal Impact (Discounted Present Value*)

Total Local Client Incentives	\$55,113
Total Anticipated Local Revenue (Property Tax plus Local Sales Tax)	\$102,898
Net Local Revenue	\$47,784
Total Anticipated Labor Income	\$2,003,164
Benefit to Cost Ratio	38.2:1

Table 6: Property Tax Revenue (Discounted Present Value*)

Total Property Tax	\$80,462
County Property Tax	\$19,945
City/Village Property Tax	\$17,818
School District Property Tax	\$42,699

* Figures over 10 years and discounted by 2%

** Direct - The recipient of IDA assistance adds new jobs to the regional economy and/or retains jobs at risk of being lost to another region. Investments that result in displacing existing jobs (e.g., most retail and many service sector industries) do not fall under this definition.

*** Indirect - The recipient of IDA assistance makes purchases from regional firms, which stimulates suppliers to add jobs and payroll that are new to the regional economy or are saved from being lost to competitors outside the region.

**** Induced - The recipient of IDA assistance by adding to and/or retaining payroll stimulates household spending that is new to the regional economy and/or saved from being lost to competitors outside the region.

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Board Report

Table 1: Basic Information

Project Name	YWCA
Project Applicant	Fraser-Branche Property, LLC
Project Description	The company is purchasing and rehabilitating the former YWCA building into a medical office in the city of Batavia.
Project Industry	Ambulatory Health Care Services
Municipality	Batavia City
School District	Batavia City
Type of Transaction	Tax Exemptions
Project Cost	\$1,405,862
Mortgage Amount	\$1,265,276
Direct Employment Expected to Result from Project (Annual FTEs)	2

3.2

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Figure 1: Estimated State & Regional Benefits / Estimated Project Incentives (Discounted Present Value*)



Table 2: Estimated State & Regional Benefits / Estimated Project Incentives Analysis (Discounted Present Value*)

Total State and Regional Benefits	\$2,196,072	
Total Project Incentives	\$89,655	
Benefit to Cost Ratio	24.5:1	
Projected Employment	State	Region
Total Employment	13	13
Direct**	2	2
Indirect***	0	0
Induced****	1	1
Temporary Construction (Direct and Indirect)	10	10

3.2

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Table 3: Estimated State & Regional Benefits (Discounted Present Value*)

Total State and Regional Benefits	\$2,196,072
Income Tax Revenue	\$67,575
Property Tax/PILOT Revenue	\$80,462
Sales Tax Revenue	\$44,871
Labor Income	\$2,003,164

Table 4: Estimated Project Incentives (Discounted Present Value*)

Total Project Incentives	\$89,655
Mortgage Tax	\$12,653
Property Tax	\$44,470
Sales Tax	\$50,105
Other State Incentives	\$0
Other Local Incentives	\$0
Less IDA Fee	-\$17,573

* Figures over 10 years and discounted by 2%
 ** Direct - The recipient of IDA assistance adds new jobs to the regional economy and/or retains jobs at risk of being lost to another region. Investments that result in displacing existing jobs (e.g., most retail and many service sector industries) do not fall under this definition.
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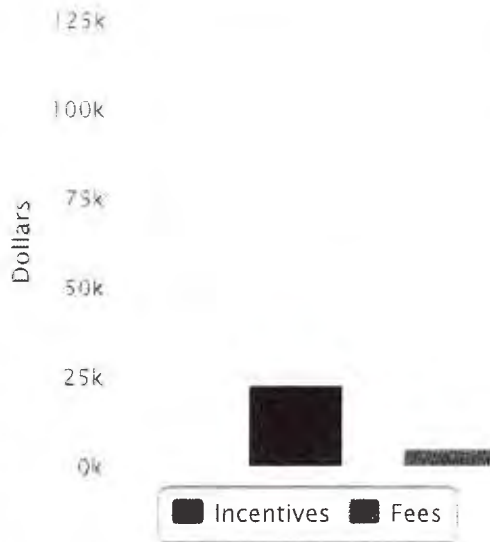
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Incentives for the Fraser-Branche Property, LLC YWCA Project

Table 1: Estimated Incentives & Fees*

Total Project Incentives	\$107,228
Mortgage Tax	\$12,653
Property Tax	\$44,470
Sales Tax	\$50,105
Other State Incentives	\$0
Other Local Incentives	\$0
Total Project Fees	\$22,573
Fixed Fee	\$17,573
Legal Fees	\$5,000
Net Project Incentives	\$84,655



* Figures over 10 years and discounted by 2%.

Table 2: Estimated Property Tax Paid**

Year	Total
1	\$6,676
2	\$6,676
3	\$6,676
4	\$6,676
5	\$10,014
6	\$10,014
7	\$10,014
8	\$10,014
9	\$10,014
10	\$12,017
Total	\$88,791

** Figures are not discounted.

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Internal Report: Fraser-Branche Property, LLC - YWCA

Table 1: Basic Information

Project Name	YWCA
Project Applicant	Fraser-Branche Property, LLC
Project Description	The company is purchasing and rehabilitating the former YWCA building into a medical office in the city of Batavia.
Project Industry	Ambulatory Health Care Services
Municipality	Batavia City
School District	Batavia City
Type of Transaction	Tax Exemptions
Project Cost	\$1,405,862
Mortgage Amount	\$1,265,276

Table 2: Permanent New/Retained Employment (Annual FTEs)

	State	Region
Total Employment	13	13
Direct ^{**}	2	2
Indirect ^{***}	0	0
Induced ^{****}	1	1
Temporary Construction (Direct and Indirect)	10	10

Table 3: Permanent New/Retained Labor Income (Annual) & Average Salary (Annual)

	State Labor Income	Region Labor Income	Average Salary
Total	\$663,413	\$663,413	\$49,579
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Total Costs to State and Region	\$87,947
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Property Tax Revenue Forgone	\$42,761
485-B Property Tax Abatement	\$35,376
Above 485-B	\$7,385
Sales Tax Revenue Forgone	\$50,105
Construction Materials	\$49,145
Other Items	\$960
Other State Incentives	\$0
Other Local Incentives	\$0
Less IDA Fee	-\$17,573
Total Benefits to State and Region	\$2,197,781
Total State Benefits	\$2,093,175
Income Tax Revenue	\$67,575
Direct**	\$36,808
Indirect***	\$6,173
Induced****	\$7,749
Construction (Direct and Indirect, over 0 years)	\$16,845
Sales Tax Revenue	\$22,435
Direct**	\$11,451
Indirect***	\$1,921
Induced****	\$3,472
Construction (Direct and Indirect, over 0 years)	\$5,592
Labor Income	\$2,003,164
Total Regional Benefits	\$104,607
Property Tax/PILOT Revenue	\$82,171
Sales Tax Revenue	\$22,435
Direct**	\$11,451
Indirect***	\$1,921
Induced****	\$3,472
Construction (Direct and Indirect, over 0 years)	\$5,592

Benefit to Cost Ratio

25:1

3.2

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Table 5: Regional Fiscal Impact (Discounted Present Value*)

Total Local Client Incentives	\$53,404
Total Anticipated Local Revenue (Property Tax plus Local Sales Tax)	\$104,607
Net Local Revenue	\$51,202
Total Anticipated Labor Income	\$2,003,164
Benefit to Cost Ratio	39.5:1

Table 6: Property Tax Revenue (Discounted Present Value*)

Total Property Tax	\$279,035
County Property Tax	\$66,517
Property Tax on Existing Property	\$46,929
Property Tax on Improvement to Property	\$19,588
City/Village Property Tax	\$62,263
Property Tax on Existing Property	\$43,927
Property Tax on Improvement to Property	\$18,335
School District Property Tax	\$150,255
Property Tax on Existing Property	\$106,007
Property Tax on Improvement to Property	\$44,248

* Figures over 10 years and discounted by 2%

** Direct - The recipient of IDA assistance adds new jobs to the regional economy and/or retains jobs at risk of being lost to another region. Investments that result in displacing existing jobs (e.g., most retail and many service sector industries) do not fall under this definition.

*** Indirect - The recipient of IDA assistance makes purchases from regional firms, which stimulates suppliers to add jobs and payroll that are new to the regional economy or are saved from being lost to competitors outside the region.

**** Induced - The recipient of IDA assistance by adding to and/or retaining payroll stimulates household spending that is new to the regional economy and/or saved from being lost to competitors outside the region.

Board Report

Table 1: Basic Information

Project Name	YWCA
Project Applicant	Fraser-Branche Property, LLC
Project Description	The company is purchasing and rehabilitating the former YWCA building into a medical office in the city of Batavia.
Project Industry	Ambulatory Health Care Services
Municipality	Batavia City
School District	Batavia City
Type of Transaction	Tax Exemptions
Project Cost	\$1,405,862
Mortgage Amount	\$1,265,276
Direct Employment Expected to Result from Project (Annual FTEs)	2

32

70

Figure 1: Estimated State & Regional Benefits / Estimated Project Incentives (Discounted Present Value*)



Table 2: Estimated State & Regional Benefits / Estimated Project Incentives Analysis (Discounted Present Value*)

Total State and Regional Benefits	\$2,197,781	
Total Project Incentives	\$87,947	
Benefit to Cost Ratio	25:1	
Projected Employment	State	Region
Total Employment	13	13
Direct**	2	2
Indirect***	0	0
Induced****	1	1
Temporary Construction (Direct and Indirect)	10	10

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71

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10/24/19



Project Name: Fraser-Branche Property, LLC

Board Meeting Date: October 31, 2019

STATEMENT OF COMPLIANCE OF PROJECT CRITERIA LISTED IN UNIFORM TAX EXEMPTION POLICY (UTEP)

PROJECT DESCRIPTION:

Fraser-Branche Property, LLC is seeking to purchase and renovate the YWCA building on North Street in the City of Batavia. The company will renovate approximately 67% of the 13,000-sf facility, including new HVAC, plumbing and electrical improvements, and a complete remodel of the existing, underutilized space for an expansion of their medical practice's pediatric care. The company will lease back the remainder of the facility to the YWCA and 2 other existing tenants.

The company is currently leasing space on Ellicott St in the city of Batavia and will move once the North St location is ready. The company currently employs 5 full-time equivalents and is pledging to create an additional 1.5 FTE's.

The total project capital investment is \$1.4 million, including \$1.0 million of related construction costs.

The project will be part of the Batavia Pathway to Prosperity (BP2) model.

GCEDC is seeking to assist the project with sales tax exemption valued at \$50,105, mortgage tax exemption valued at \$12,653 and property tax abatement for the incremental increase in assessed value using the BP2 Model 67% PILOT schedule valued at \$42,761.

Note: the property was a tax-exempt property and will be placed on the taxable side of the tax rolls at its base valuation. The PILOT will be for only the incremental increase in assessed value based on the purchased amount and the proposed improvements.

Criteria #1 – The Project pledges to create and/or retain quality, good paying jobs in Genesee County.

Project details: The company is retaining 5 FTE's in the region. The company pledges to add an additional 1.5 FTE's in Genesee County with an average salary ranging from \$31,000 to \$73,000.

Board Discussion:

Board Concurrence: YES NO If no, state justification:

Criteria #2- Completion of the Project will enhance the long -term tax base and/or make a significant capital investment.

Project details: The project will enhance long term tax base by first placing a tax-exempt property on the taxable side of the tax rolls at base valuation, and make a total investment of \$1.4 million.

Board Discussion:

Board Concurrence: YES NO If no, state justification:

Criteria #3- The Project will contribute towards creating a “liveable community” by providing a valuable product or service that is underserved in Genesee County.

Project details: Additional services will enable a healthier community as well as contribute to the BP2 Fund.

Board Discussion:

Board Concurrence: YES NO If no, state justification:

Criteria #4: The Board will review the Agency’s Fiscal and Economic Impact analysis of the Project to determine if the Project will have a meaningful and positive impact on Genesee County. This calculation will include the estimated value of any tax exemptions to be provided along with the estimated additional sources of revenue for municipalities and school districts that the proposed project may provide.

Project details: For every \$1 of public benefit offered, the company is investing and helping generate an economic contribution/economic impact of \$24.5 into the local/regional economy for this project. See economic impact report for further details.

Board Discussion:

Board Concurrence: YES NO If no, state justification:

Criteria #5: The Project is included in one of the Agency’s strategic industries: Agri-Business and Food Processing, Manufacturing, Advanced Manufacturing and Nano-Enabled Manufacturing, Life Sciences and Medical Device.

Project details: N/A

Board Discussion:

Board Concurrence: YES NO If no, state justification:

Criteria #6: The Project will give a reasonable estimated timeline for the completion of the proposed project.

Project details: The project is planning to begin in 4th quarter 2019/first quarter 2020 and be operation within approximately 6 months

Board Discussion:

Board Concurrence: YES NO If no, state justification:

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6/26/2020

FINAL RESOLUTION
(Fraser-Branche Property LLC Project)

A regular meeting of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center was convened on Thursday, July 2, 2020.

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

Resolution No. 07/2020 - _____

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON NOVEMBER 20, 2019, WITH RESPECT TO THE FRASER-BRANCHE PROPERTY LLC (THE "COMPANY") PROJECT (THE "PROJECT"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA (AS DEFINED BELOW); (iii) APPOINTING THE COMPANY AS AGENT OF THE AGENCY; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION AND EQUIPPING OF THE PROJECT, (B) A REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A TAX AGREEMENT, AND (C) A MORTGAGE RECORDING TAX EXEMPTION AS PERMITTED BY LAW; AND (v) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, TAX AGREEMENT, MORTGAGE, AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the "State"), as amended, and Chapter 565 of the Laws of 1970 of the State of New York, as amended (hereinafter collectively called the "Act"), the **GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY d/b/a GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER** (the "Agency") was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping industrial, manufacturing and commercial facilities as authorized by the Act; and

WHEREAS, **FRASER-BRANCHE PROPERTY LLC** (the "Company") previously submitted an application (the "Application") to the Agency requesting the Agency's assistance with respect to a certain project (the "Project"), consisting of: (i) the acquisition by the Agency of a leasehold or other interest in certain property located at 301 North Street, City of Batavia, Genesee County, New York (the "Land") and the existing approximately 13,000 square-foot building located thereon (the "Existing Improvements"); (ii) the demolition of approximately 6,000 square feet of the Existing Improvements; (iii) the reconstruction, renovation and equipping of approximately 6,000 square feet of the Existing Improvements to allow for the

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expansion of a pediatric care medical practice together with new HVAC, plumbing and electrical improvements (the "Improvements"); and (iv) the acquisition by the Company in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the "Equipment"; and, together with the Land, the Existing Improvements and the Improvements, the "Facility"); and

WHEREAS, pursuant to Article 18-A of the Act the Agency desires to adopt a resolution approving the Project and the Financial Assistance (as defined below) that the Agency is contemplating with respect to the Project; and

WHEREAS, it is contemplated that the Agency will (i) designate the Company as agent of the Agency for the purpose of undertaking the Project pursuant to a project agreement (the "Project Agreement"), (ii) negotiate and enter into a lease agreement (the "Lease Agreement"), a leaseback agreement (the "Leaseback Agreement"), a tax agreement (the "Tax Agreement") and related documents with the Company, (iii) take or retain title to or a leasehold interest in the Land, the Existing Improvements, the Improvements, the Equipment and personal property constituting the Project (once the Lease Agreement, the Leaseback Agreement and the Tax Agreement have been negotiated), and (iv) provide financial assistance to the Company in the form of (a) a sales and use tax exemption for purchases and rentals related to the acquisition, construction and equipping of the Project, (b) a partial real property tax abatement structured through the Tax Agreement, and (c) an exemption from the mortgage recording tax as authorized by the laws of the State for financing related to the Project (collectively, the "Financial Assistance"); and

WHEREAS, on October 31, 2019, the Agency adopted a resolution (the "Initial Resolution") accepting the Application and directing that a public hearing be held; and

WHEREAS, pursuant to Section 859-a of the Act, on Wednesday, November 20, 2019, at 4:00 p.m., local time, at Batavia City Hall, Community Room, One Batavia City Centre, Batavia, New York 14020, the Agency held a public hearing with respect to the Project and the proposed Financial Assistance 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; a copy of the Notice of Public Hearing published in *The Batavia Daily News*, the affidavit of publication of such newspaper, and Minutes of the Public Hearing are attached hereto as **Exhibit A**; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto at 6 N.Y.C.R.R. Part 617, as amended (collectively referred to as "SEQRA"), the Agency must satisfy the applicable requirements set forth in SEQRA, as necessary, prior to making a final determination whether to undertake the Project; and

WHEREAS, the Project is located in a "highly distressed area" as defined in Section 854(18) of the Act; and

WHEREAS, pursuant to that certain Batavia Pathway to Prosperity Capital and Reinvestment Fund Agreement, dated February 22, 2016, by and among the City of Batavia, the

County of Genesee, the Batavia City School District, the Agency and the Batavia Development Corporation (the "BP2 Agreement"), the Agency will determine that funds from the Batavia Pathway to Prosperity Capital and Reinvestment Fund (the "BP2 Fund") will be allocated and disbursed in connection with the Project; and

WHEREAS, the Project Agreement, the Lease Agreement, the Leaseback Agreement, the Tax Agreement and related documents will be negotiated and presented to the President/CEO, Chair, Vice Chair and/or Senior Vice President of Operations of the Agency for approval and execution subject to adoption of the resolutions contained herein.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER 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 Application, 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 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 employment opportunities in Genesee County, New York and otherwise furthering the purposes of the Agency as set forth in the Act; and

(E) The Project is located in a "highly distressed area" as defined in Section 854(18) of the Act; and

(F) The Project will not result in the removal of a facility or commercial, industrial, or manufacturing plant of the Company or any other proposed occupant of the Project from one area of 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 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

(G) The City of Batavia Planning and Development Committee has conducted a review of the Project pursuant to Article 8 of the Environmental Conservation Law and 6 N.Y.C.R.R. Part 617 (collectively referred to as "SEQRA"). The City of Batavia Planning and Development Committee issued a Negative Declaration on June 25, 2020 (the "Negative Declaration"), determining that the Project does not pose a potential significant adverse environmental impact. The Agency, having reviewed the materials presented by the Company, including, but not limited to, the Full Environmental Assessment Form and the Negative Declaration, further determines that the Project does not pose a potential significant adverse environmental impact and thus ratifies the Negative Declaration previously issued by the Town of Batavia Planning Board pursuant to 6 N.Y.C.R.R. Part 617.7. A copy of the Negative Declaration issued by the City of Batavia Planning and Development Committee is attached hereto as **Exhibit B**.

Section 2. The Public Hearing held by the Agency on November 20, 2019, concerning the Project and the Financial Assistance was duly held in accordance with the Act, including, but not limited to, the giving of at least ten (10) days published notice of the Public Hearing (such notice also being provided to the Chief Executive Officer of each affected tax jurisdiction), affording interested parties a reasonable opportunity, both orally and in writing, to present their views with respect to the Project.

Section 3. The Agency is hereby authorized to provide to the Company the Financial Assistance in the form of (a) a sales and use tax exemption for purchases and rentals related to the acquisition, construction, reconstruction, renovation and equipping of the Project, (b) a partial real property tax abatement structured through the Tax Agreement, and (c) a mortgage recording tax exemption as permitted by State law.

Section 4. Based upon representations and warranties made by the Company in the Application, the Agency hereby authorizes and approves the Company, as its agent, to make purchases of goods and services relating to the Project, that would otherwise be subject to State and local sales and use tax in an amount up to **\$626,317**, which result in State and local sales and use tax exemption benefits ("Sales and Use Tax Exemption Benefits") not to exceed **\$50,105**. The Agency agrees to consider any requests by the Company for an increase 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.

Section 5. Pursuant to Section 875(3) of the Act, 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 Sales and Use Tax Exemption 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 Sales and Use Tax Exemption Benefits; (ii) the 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 Sales and Use Tax Exemption Benefits are for property or services not authorized by the Agency as part of the Project; or (iv) the Sales

and Use Tax Exemption 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 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 Sales and Use Tax Exemption Benefits, the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, shall (i) cooperate with the Agency in its efforts to recover or recapture any Sales and Use Tax Exemption Benefits, and (ii) promptly pay over any such amounts to the Agency that the Agency demands.

Section 6. Subject to the Company executing the Project Agreement and the delivery to the Agency of a binder, certificate or other evidence of liability insurance policy 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, reconstruct, 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 Project Agreement shall expire on July 31, 2021 (unless extended for good cause by the President/CEO of the Agency) if the Lease Agreement, the Leaseback Agreement and the Tax Agreement contemplated have not been executed and delivered.

Section 7. The Agency is hereby authorized to provide the Company with an exemption from mortgage recording taxes as permitted by New York State law in an amount not to exceed Twelve Thousand Six Hundred Fifty-Three and 00/100 Dollars (\$12,653).

Section 8. The President/CEO, Chair, Vice Chair and/or Senior Vice President of Operations of the Agency are hereby authorized, on behalf of the Agency, to negotiate and enter into (A) the Project Agreement, (B) the Lease Agreement, pursuant to which the Company leases the Project to the Agency, (C) the related Leaseback Agreement, pursuant to which the Agency leases its interest in the Project back to the Company, and (D) the Tax Agreement; *provided, however*, (i) the rental payments under the Leaseback Agreement 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 Tax Agreement are consistent with the Agency's Uniform Tax Exemption Policy or the procedures for deviation have been complied with.

Section 9. The President/CEO, Chair, Vice Chair and/or Senior Vice President of Operations of the Agency are hereby authorized, on behalf of the Agency, to execute, deliver and record any mortgage, 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") (collectively, the "Mortgage") up to a maximum principal amount necessary to undertake the Project, acquire the Facility and/or finance or refinance the Facility or equipment and other personal property and related transactional costs (hereinafter, with the

Project Agreement, Lease Agreement, Leaseback Agreement, Tax Agreement and the Mortgage, collectively called the "Agency Documents"); and, where appropriate, the Secretary or 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 President/CEO, Chair, Vice Chair and/or Senior Vice President of Operations of the Agency shall approve, the execution thereof by the President/CEO, Chair, Vice Chair and/or Senior Vice President of Operations 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 10. 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 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 11. These Resolutions shall take effect immediately upon adoption.

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

	<i>Yea</i>	<i>Nay</i>	<i>Absent</i>	<i>Abstain</i>
Paul Battaglia	[]	[]	[]	[]
Peter Zeliff	[]	[]	[]	[]
Craig Yunker	[]	[]	[]	[]
Matthew Gray	[]	[]	[]	[]
Todd Bender	[]	[]	[]	[]
Andrew Young	[]	[]	[]	[]
Amy Vanderhoof	[]	[]	[]	[]

The Resolutions were thereupon duly adopted.

SECRETARY'S CERTIFICATION
(Fraser-Branche Property LLC Project)

STATE OF NEW YORK)
COUNTY OF GENESEE) SS.:

I, the undersigned Secretary of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center, DO HEREBY CERTIFY:

That I have compared the annexed extract of minutes of the meeting of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency"), including the resolution contained therein, held on July 2, 2020, with the original thereof on file in the offices of the Agency, and that the same is a true and correct copy of the proceedings of the Agency and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY, that all members of said Agency had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with such Article 7.

I FURTHER CERTIFY, that there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY, that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency this ____ day of July, 2020.

Secretary

Exhibit A

Notice Letter, Notice of Public Hearing,
Affidavit of Publication of *The Batavia Daily News*
and Minutes of Public Hearing

[Attached Hereto]



NOTICE LETTER
(Notice of Public Hearing – Fraser-Branche Property, LLC)

November 5, 2019

To: Chief Executive Officers of
Affected Taxing Jurisdiction Listed on Attached Schedule A

Re: Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center and Fraser-Branche Property, LLC: Public Hearing Regarding Proposed Financial Assistance

Ladies and Gentlemen:

On Wednesday, November 20, 2019, at 4:00 p.m., local time, at Batavia City Hall, Community Room, One Batavia City Centre, Batavia, New York, the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency") will conduct a public hearing regarding the above-referenced project. Enclosed is a copy of the Notice of Public Hearing describing the project and the financial assistance being contemplated by the Agency. The Notice has been submitted to *The Batavia Daily News* for publication.

You are welcome to attend such hearing at which time you will have an opportunity to review the project application and present your views, both orally and in writing, with respect to the project. We are providing this notice to you, pursuant to the New York General Municipal Law Section 859-(a), as the chief executive officer of an affected tax jurisdiction within which the project is located.

Very truly yours,

GENESEE COUNTY INDUSTRIAL
DEVELOPMENT AGENCY d/b/a
GENESEE COUNTY ECONOMIC
DEVELOPMENT CENTER

Enclosure

Schedule A

Chief Executive Officers
of Affected Tax Jurisdictions

Via Certified Mail

No. 91-7199-9991-7039-8847-3810

Genesee County Manager
Genesee County Courthouse
Old Courthouse
7 Main Street
Batavia, New York 14020

Via Certified Mail

No. 91-7199-9991-7039-8847-3803

Genesee County Legislature
Attn: Chairman
Old Courthouse
7 Main Street
Batavia, New York 14020

Via Certified Mail

No. 91-7199-9991-7039-8847-3797

City of Batavia
Attn: City Council President
Batavia City Hall
One Batavia City Centre
Batavia, New York 14020

Via Certified Mail

No. 91-7199-9991-7039-8847-3780

Batavia City School District
Attn: Board of Education President
Administration Building
260 State Street
Batavia, New York 14020

Via Certified Mail

No. 91-7199-9991-7039-8847-3773

City of Batavia
Attn: City Manager
Batavia City Hall
One Batavia City Centre
Batavia, New York 14020

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York General Municipal Law will be held by the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency") on Wednesday, November 20, 2019, at 4:00 p.m., local time, at Batavia City Hall, Community Room, One Batavia City Centre, Batavia, New York 14020, in connection with the following matter:

FRASER-BRANCHE PROPERTY, LLC, for itself or on behalf of an entity formed or to be formed by it or on its behalf (the "Company"), has requested the Agency's assistance with a certain project (the "Project") consisting of: (i) the acquisition by the Agency of a leasehold or other interest in certain property located at 301 North Street, City of Batavia, Genesee County, New York (the "Land") and the existing approximately 13,000 square-foot building located thereon (the "Existing Improvements"); (ii) the demolition of approximately 6,000 square feet of the Existing Improvements; (iii) the reconstruction, renovation and equipping of approximately 6,000 square feet of the Existing Improvements to allow for the expansion of a pediatric care medical practice, together with new HVAC, plumbing and electrical improvements (the "Improvements"); and (iv) the acquisition by the Company in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the "Equipment"; and, together with the Land, the Existing Improvements and the Improvements, the "Facility").

The Agency will acquire title to, or a leasehold interest in, the Facility and lease the Facility back to the Company. The Company will operate the Facility during the term of the lease. At the end of the lease term, the Company will purchase the Facility from the Agency, or if the Agency holds a leasehold interest, the leasehold interest will be terminated. The Agency contemplates that it will provide financial assistance (the "Financial Assistance") to the Company in the form of sales and use tax exemptions and a mortgage recording tax exemption, consistent with the policies of the Agency, and a partial real property tax abatement.

A representative of the Agency will be at the above-stated time and place to present a copy of the Company's project Application and hear and accept written and oral comments from all persons with views in favor of or opposed to or otherwise relevant to the proposed Financial Assistance.

Dated: November 7, 2019

GENESEE COUNTY INDUSTRIAL
DEVELOPMENT AGENCY D/B/A
GENESEE COUNTY ECONOMIC
DEVELOPMENT CENTER

BATAVIA NEWSPAPERS CORPORATION
The Daily News
Batavia, New York
AFFIDAVIT OF PUBLICATION

BATAVIA NEWSPAPERS CORPORATION

AMY ABBINK
HARRIS BEACH PLLC
99 GARNSEY Rd
PITTSFORD NY 14534

REFERENCE: 90601
20433987 Notice: NOTICE OF PU

STATE OF NEW YORK)
) ss.:
GENESEE COUNTY)

Linda Dixon being duly sworn deposes and says she is legal billing clerk of Batavia Newspapers Corporation, Publisher of "The Daily News," a newspaper published in Batavia, County of Genesee, State of New York, and that a Legal Notice, of which the annexed is a printed copy, was duly published in said Newspaper.

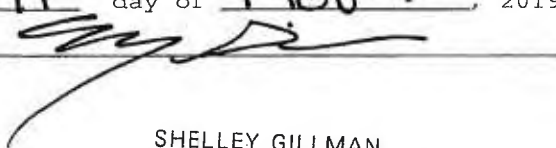
Linda Dixon
Legal Billing Clerk



PUBLISHED ON: 11/07

TOTAL COST: 54.40 AD SPACE: 111 LINE
FILED ON: 11/09/19

Sworn to and subscribed before me the)
11 day of Nov., 2019)



SHELLEY GILLMAN
NOTARY PUBLIC-STATE OF NEW YORK
No. 01G16342627
Qualified In Genesee County
My Commission Expires 05-23-2020

Johnson Newspaper Corporation

Client: 90601 HARRIS BEACH PLLC Phone: (585) 419-8800
Class.: 99 GARNSEY Rd PITTSFORD, NY 14534
Ad # 20433987 Requested By: STEPHEN MAIER Fax:
Sales Rep.: B40 Jennifer Farley Phone: (585) 343-8000 Ext: 2111
legalads@batavianews.com Fax: (585) 343-2623
Class.: 0110 Public Notices
Start Date: 11/07/2019 End Date: 11/07/2019 Nb. of Inserts: 1
PO #: Entered By: JFARLE
Publications: Batavia Daily News
Paid Amount: \$0.00 Balance: \$54.40
Total Price: Ref. # 4 \$54.40 Page 1 of 2

Ref. # 4

Notice:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York General Municipal Law will be held by the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency") on Wednesday, November 20, 2019, at 4:00 p.m., local time, at Batavia City Hall, Community Room, One Batavia City Centre, Batavia, New York 14020, in connection with the following matter:

FRASER-BRANCH PROPERTY, LLC, for itself or on behalf of an entity formed or to be formed by it or on its behalf (the "Company"), has requested the Agency's assistance with a certain project (the "Project") consisting of: (i) the acquisition by the Agency of a leasehold or other interest in certain property located at 301 North Street, City of Batavia, Genesee County, New York (the "Land") and the existing approximately 13,000 square-foot building located thereon (the "Existing Improvements"); (ii) the demolition of approximately 6,000 square feet of the Existing Improvements; (iii) the reconstruction, renovation and equipping of approximately 6,000 square feet of the Existing Improvements to allow for the expansion of a pediatric care medical practice, together with new HVAC, plumbing and electrical improvements (the

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"Improvements"); and (iv) the acquisition by the Company in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the "Equipment"; and, together with the Land, the Existing Improvements and the Improvements, the "Facility").

The Agency will acquire title to, or a leasehold interest in, the Facility and lease the Facility back to the Company. The Company will operate the Facility during the term of the lease. At the end of the lease term, the Company will purchase the Facility from the Agency, or if the Agency holds a leasehold interest, the leasehold interest will be terminated. The Agency contemplates that it will provide financial assistance (the "Financial Assistance") to the Company in the form of sales and use tax exemptions and a mortgage recording tax exemption, consistent with the policies of the Agency, and a partial real property tax abatement.

A representative of the Agency will be at the above-stated time and place to present a copy of the Company's project Application and hear and accept written and oral comments from all persons with views in favor of or opposed to or otherwise relevant to the proposed Financial Assistance.

Dated: November 7, 2019
GENESEE COUNTY INDUSTRIAL
DEVELOPMENT AGENCY
D/B/A
GENESEE COUNTY ECONOMIC
DEVELOPMENT CENTER



REPORT OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY'S PUBLIC HEARING OF FRASER-BRANCHE PROPERTY, LLC HELD ON WEDNESDAY, NOVEMBER 20, 2019, 4:00 P.M. AT BATAVIA CITY HALL COMMUNITY ROOM, 1 BATAVIA CITY CENTRE, BATAVIA, NEW YORK, GENESEE COUNTY, NEW YORK

I. ATTENDANCE

Chris Suozzi, VP of Business Development – GCEDC
Lauren Casey, Finance Assistant – GCEDC
Andrew Maguire, Executive Director – Batavia Development Corporation

II. CALL TO ORDER

The public hearing of Fraser-Branche Property, LLC was opened at 4:00 pm at Batavia City Hall Community Room, 1 Batavia City Centre, in the City of Batavia, Genesee County, New York.

A notice of this public hearing describing the project was published in the Batavia Daily News, a copy of which is attached and is an official part of this transcript.

III. PROJECT SUMMARY

Fraser-Branche Property, LLC is seeking to purchase and renovate the YWCA building on North St. in the City of Batavia. The company will renovate approximately 67% of the 13,000 sf facility, including new HVAC, plumbing and electrical improvements, and a complete remodel of the existing, underutilized space for an expansion of their medical practice's pediatric care. The company will lease back the remainder of the facility to the YWCA and two other existing tenants.

The company is currently leasing space on Ellicott St in the City of Batavia and will move once the North St. location is ready. The company currently employs 5 full-time equivalents and is pledging to create an additional 1.5 FTE's.

The total project capital investment is \$1.4M, including \$1.0M of related construction costs. The project will be part of the Batavia Pathway to Prosperity (BP2) model.

GCEDC is seeking to assist the project with sales tax exemption valued at \$50,105, mortgage tax exemption valued at \$12,653 and property tax abatement for the incremental increase in assessed value using the BP2 Model 67% fixed PILOT schedule valued at \$42,761.

Note: The property was a tax-exempt property and will be placed on the taxable side of the tax rolls at its base valuation. The PILOT will be for only the incremental increase in assessed value based on the purchase amount and the proposed improvements.

IV. COMMENTS

There was no public comment.

V. ADJOURNMENT

As there were no other comments, the public hearing was closed at 4:15 pm.

Genesee County Industrial Development Agency
d/b/a Genesee County Economic Development Center

Fraser-Branche Property, LLC

Public Hearing – Wednesday, November 20, 2019
4:00 PM

Batavia City Hall, Community Room
One Batavia City Centre, Batavia, NY

Print First & Last Name	Representing <small>Leave blank if you prefer</small>	Email <small>Will be used to contact you with additional info - leave blank if preferred</small>	Please check if you would like to speak
Chris Suozzi	GCEDC		
Lauren Casey	GCEDC		
Andrew Maguire	BDC		

Exhibit B

Negative Declaration of City of Batavia Planning and Development Committee
Adopted on June 25, 2020

[Attached Hereto]

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

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

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

Part 1 - Project and Sponsor Information			
Name of Action or Project: ZONING VARIANCE FOR YWCA 301 NORTH ST			
Project Location (describe, and attach a location map): 301 NORTH ST, BATAVIA, NY 14020			
Brief Description of Proposed Action: ZONING VARIANCE TO ALLOW FOR SALE OF EXISTING BUILDING WHICH WOULD PERMIT BUSINESS USE OF THE FACILITY WHICH IS IN AN R-1 ZONE			
Name of Applicant or Sponsor: YWCA / Katherine Y. Hens		Telephone: 585 343-5808	
Address: 301 NORTH ST		E-Mail: ehens.123@gmail.com	
City/PO: BATAVIA		State: NY	Zip Code: 14020
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO YES
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO YES
3.a. Total acreage of the site of the proposed action? <u>5.51</u> acres			
b. Total acreage to be physically disturbed? <u>0</u> acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <u>5.51</u> acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input 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			

3.2

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18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	X	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	X	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	X	
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>YWCA / Katherine Y. Hens</u> Date: <u>11/29/18</u>		
Signature: <u>[Signature]</u>		

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

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

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

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

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Planning and Development Comm. 6/25/20
Name of Lead Agency Date

Paul McCarthy Chairman
Print or Type Name of Responsible Officer in Lead Agency Title of Responsible Officer

[Signature] _____
Signature of Responsible Officer in Lead Agency Signature of Preparer (if different from Responsible Officer)

PRINT

RESET

3.2

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MAN
6/26/2020

OFFICIAL INTENT RESOLUTION
(Batavia Senior Housing Preservation, LLC Project)

A regular meeting of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center was convened on Thursday, July 2, 2020.

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

Resolution No. 07/20 - _____

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (1) TAKING OFFICIAL ACTION TOWARD THE ISSUANCE OF UP TO \$8,500,000 PRINCIPAL AMOUNT INDUSTRIAL DEVELOPMENT REVENUE BONDS FOR THE PURPOSE OF FINANCING A CERTAIN PROJECT (AS SET FORTH BELOW) FOR THE BENEFIT OF BATAVIA SENIOR HOUSING PRESERVATION, LLC; (2) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE ISSUER WITH RESPECT TO SUCH PROJECT; AND (3) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO SUCH FINANCING AND THE UNDERTAKING OF SUCH PROJECT

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 565 of the Laws of 1970 of the State of New York, as amended (hereinafter collectively called the "Act"), **GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER** (hereinafter called the "Issuer") was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping industrial, manufacturing and commercial facilities as authorized by the Act; and

WHEREAS, the Act authorizes and empowers the Issuer to issue its small issue manufacturing revenue bonds to promote, develop, encourage and assist projects such as the Project (as hereinafter defined) and to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York; and

WHEREAS, **BATAVIA SENIOR HOUSING PRESERVATION, LLC**, a New York limited liability company, on its own behalf or of an entity or entities formed or to be formed on its behalf (collectively, the "Company"), has submitted an application (the "Application") to the Issuer requesting the Issuer's assistance with a certain project (the "Project") consisting of: (i) the acquisition by the Issuer of title to or a leasehold interest in certain property located at 1 State Street in the City of Batavia, Genesee County, New York, such land being more particularly described as tax map number 84.011-1-52 (the "Land"); (ii) the reconstruction, renovation, refurbishment and equipping on the Land of an approximately 107,160 square-foot six-story elevator-serviced building to consist of (a) approximately 130 Section 8 residential rental units for seniors aged sixty-two (62) years old and older, sixteen (16) of which units will be designated as handicapped units; and (b) a staff unit (together, the "Improvements"); (iii) the acquisition in

and around the Improvements and of certain items of equipment and other tangible personal property and equipment (the "Equipment"; and, collectively with the Land and the Improvements, the "Facility"); (iv) the issuance by the Issuer of its Industrial Development Revenue Bonds (Batavia Senior Housing Preservation, LLC Project) in a principal amount not to exceed \$8,500,000 (the "Bonds") for the purpose of financing the acquisition, reconstruction, renovation, refurbishment and equipping of the Facility; (v) funding a debt service reserve fund, if any, and paying capitalized interest, if any, and certain other costs incidental to the issuance of the Bonds (the costs associated with items (i) through (v) above being hereinafter collectively referred to as the "Project Costs"); and (vi) the lease (with the obligation to purchase) or sale of the Issuer's interest in the Facility back to the Company; and

WHEREAS, the Issuer is contemplating providing financial assistance to the Company with respect to the Project (collectively, the "Financial Assistance") in the form of: (1) the issuance of the Bonds in an amount not to exceed the lesser of the Project Costs or \$8,500,000, (2) an exemption from all New York State and local sales and use taxes with respect to the qualifying personal property included within the Facility or used in reconstruction, renovation, refurbishment and equipping of the Facility, (3) an exemption from New York State and local mortgage recording taxes, as permitted by New York State law, with respect to any qualifying mortgage on the Facility (or such interest in the Facility as is conveyed to the Issuer) to secure the Bonds, and (4) the retention of title to or a leasehold (or other) interest in the Facility by the Issuer for a period of time so as to enable the Company to enter into an agreement with the Issuer regarding payments in lieu of real property taxes (the "Tax Agreement"), subject to compliance with the Issuer's policies with respect to Tax Agreements and, if necessary, a Tax Agreement Mortgage (the "PILOT Mortgage") with the Issuer, each for the benefit of each municipality having taxing jurisdiction over the Facility; and

WHEREAS, pursuant to Section 147(f) of the Code, interest on the Bonds will not be excluded from gross income for federal income tax purposes unless the issuance of the Bonds is approved by the "applicable elected representative" of the Genesee County, New York (the "County") after a public hearing has been held on the Project (the "Public Hearing"); and

WHEREAS, prior to the Public Hearing, public notice of the hearing will be given as required by Section 147(f) of the Code and pursuant to Section 859-a and the Act, and such public notice will comply with all requirements of the Code and the Act; and

WHEREAS, the Public Hearing will be held to hear all persons with views in favor of or opposed to the issuance of the Bonds, the Project, and the other Financial Assistance contemplated by the Issuer; and

WHEREAS, the Company has agreed to indemnify the Issuer against certain losses, claims, expenses, damages and liabilities that may arise in connection with the transaction contemplated by the issuance of the Bonds and the financing of the Project; and

WHEREAS, the Issuer reasonably expects that it will (1) pay or incur certain capital expenditures in connection with the Project prior to the issuance of the Bonds, (2) use funds from sources other than proceeds of the Bonds which are or will be available on a short-term basis to

pay for such capital expenditures, and (3) reimburse itself for the use of such funds with proceeds of the Bonds; and

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

NOW, THEREFORE, BE IT RESOLVED by the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (a majority of the members thereof affirmatively concurring) that:

Section 1. The Company has presented the Application in a form acceptable to the Issuer. Based upon the representations made by the Company to the Issuer in the Company's Application, the Issuer hereby finds and determines that:

- (a) By virtue of the Act, the Issuer 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 Issuer to (i) acquire title to or a leasehold (or other) interest in the Land, the Improvements and the Equipment constituting the Facility, (ii) lease or sell the Issuer's interest in the Land, the Improvements and the Equipment constituting the Facility to the Company pursuant to a lease agreement or sale agreement to be negotiated, and (iii) issue the Bonds to pay all or a portion of the Project Costs; and
- (c) The Issuer has the authority to take the actions contemplated herein under the Act; and
- (d) The action to be taken by the Issuer will induce the Company to undertake the Project, thereby increasing employment opportunities in Genesee County, New York, and otherwise furthering the purposes of the Issuer as set forth in the Act; and
- (e) The Project will not result in the removal of a facility or plant of the Company or any other proposed occupant of the Facility 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 Facility located within the State; and the Issuer 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 Company from removing such other facility or plant to a location outside the State and/or is reasonably necessary to preserve the competitive position of the Company in its industry.

- Section 2.
- (a) The financing of the Project by the Issuer, through the issuance of the Bonds pursuant to the Act, and the provision of other Financial Assistance in connection therewith pursuant to the Act, will promote job opportunities, health, general prosperity and the economic welfare of the inhabitants of the Genesee County and the people of the State of New York and improve their standard of living, and thereby serve the public purposes of the Act; and
 - (b) It is desirable and in the public interest for the Issuer to issue the Bonds for the purposes of financing the costs of all or a portion of the Project, together with necessary incidental expenses in connection therewith as reflected in the Company's application to the Issuer, as amended from time to time prior to the issuance of the Bonds. The aggregate principal amount of the Bonds shall not exceed \$8,500,000.

Section 3. Subject to the approval of the issuance of the Bonds by the County Executive of Genesee County, New York, and the compliance with any other applicable provisions of the Code and the New York State Environmental Quality Review Act, Article 8 of the Environmental Conservation Law and its implementing regulations at 6 N.Y.C.R.R. Part 617 (collectively referred to as "SEQRA"), the Issuer shall (i) issue the Bonds in an amount and with maturities, an interest rate, redemption terms and other terms and provisions to be determined by a further resolution of the Issuer, (ii) lease or sell the Facility to the Company pursuant to the terms of a Lease or other agreement whereby the Company will be obligated, among other things, to make rental payments to or for the account of the Issuer in amounts and at times so that such rental payments will be adequate to pay the principal of, premium, if any, and interest on the Bonds, and (iii) secure the Bonds in such manner as the Issuer, the Company and the purchaser(s) of the Bonds mutually deem appropriate.

Section 3. The proposed Financial Assistance being contemplated by the Issuer includes (i) financing all or a portion of the costs of the Project by the issuance of the Bonds in an amount not to exceed the lesser of the Project Costs or \$8,500,000, (ii) an exemption from all state and local sales and use taxes with respect to the qualifying personal property included within the Facility or used in the acquisition, construction and/or equipping of the Facility; (iii) an exemption from all New York State and local mortgage recording taxes with respect to any qualifying mortgage on the Facility (or such interest in the Land as is conveyed to the Issuer) to secure the Bonds, and (iv) the retention of title to or a leasehold (or other) interest in the Facility by the Issuer for a period of time so as to enable the Company to enter into the Tax Agreement and, if necessary, the Tax Mortgage.

Section 4. The Company is hereby authorized to undertake the financing of all or a portion of the Project Costs through the issuance of the Bonds.

- Section 5. The law firm of Harris Beach PLLC is hereby appointed Bond Counsel to the Issuer in connection with the issuance of the Bonds.
- Section 6. Bond Counsel is hereby authorized to work with Counsel to the Company and others to prepare, for submission to the Issuer, all documents necessary to effect the authorization, issuance and sale of the Bonds.
- Section 7. The Chairman, Vice Chair, Senior Vice President of Operations and/or the President/CEO of the Issuer are hereby authorized and directed (i) to distribute copies of this resolution to the Company, (ii) to hold a public hearing in compliance with Section 147(f) of the Code and pursuant to Section 859-a and the Act, (iii) to request the County Executive of Genesee County, New York, to approve the issuance of the Bonds following the public hearing, (iv) to comply with the volume cap limitation set forth in Section 146 of the Code and with any applicable New York State law, such that interest on the Bonds shall not be included in gross income for purposes of Federal income taxation; and (v) to do such further things or perform such acts as may be necessary or convenient to implement the provisions of this resolution.
- Section 8. This resolution shall constitute the adoption of "official intent" (within the meaning of the United States Treasury Regulations Section 1.150-2(d)) with respect to issuance of the Bonds and the original expenditures which are reasonably expected to be reimbursed from the proceeds of the Bonds.
- Section 9. This resolution shall take effect immediately and shall be continuously available for inspection by the general public during normal business hours at the Issuer's office.

The resolutions were duly moved, seconded, discussed and adopted with the following members voting:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Paul Battaglia	[]	[]	[]	[]
Peter Zelif	[]	[]	[]	[]
Craig Yunker	[]	[]	[]	[]
Matthew Gray	[]	[]	[]	[]
Todd Bender	[]	[]	[]	[]
Andrew Young	[]	[]	[]	[]
Amy Vanderhoof	[]	[]	[]	[]

The resolution was thereupon duly adopted.

SECRETARY'S CERTIFICATION
(Batavia Senior Housing Preservation, LLC Project)

STATE OF NEW YORK)
COUNTY OF GENESEE) SS.:

I, the undersigned Secretary of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center, DO HEREBY CERTIFY:

That I have compared the annexed extract of minutes of the meeting of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency"), including the resolution contained therein, held on July 2, 2020, with the original thereof on file in the offices of the Agency, and that the same is a true and correct copy of the proceedings of the Agency and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY, that all members of said Agency had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with such Article 7.

I FURTHER CERTIFY, that there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY, that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency this ___ day of July, 2020.

Secretary

GCEDC Opportunity Summary

Created On: 7/2/2020

AMM
6/26/2020

Customer Information

Potential Customer: Batavia Senior Housing Preservation, LLC **Opportunity Type:** Retention

Proj. St. Address: 1 State Street **Opportunity Product:**

City/Town/Village: City of Batavia// **Type of Project:**

Proj. Description: Batavia Senior Housing Preservation, LLC **New Jobs:**

Total Capital Investment: \$12,800,000 **Retained Jobs:** 4

Incentive Amount: \$376,466 **School District:** Batavia

Benefited Amount: \$12,800,000 **PILOT Applicable:**

Project Information

Organization: GCEDC

Opportunity Source: Direct/Personal Contact **Date of Public Hearing:**

Initial Acceptance Date: **Inducement Date:**

Opportunity Summary: The Project is a proposed recapitalization and preservation of an existing Section 8 apartment complex in City of Batavia. The Project offers 130 units to seniors 62+, all 130 units benefit from Section 8 rental subsidy. Of the 130 units, 16 are handicapped units. The Project consists of a single six-story elevator serviced building.

The proposed renovation, which is expected to include \$21,400 per unit in hard costs, will assure the Project remains viable as a safe and sanitary housing option for low income seniors for years to come. Residents will not be displaced during the rehabilitation.

GCEDC will seek to assist the project with private activity bond, sales tax exemption, mortgage tax exemption and a property tax abatement program for the increase in future value only.

Economic Impact: For every \$1 of public benefit offered, the company is investing and helping generate an economic contribution/economic impact of \$61 into the local/regional/state economy.

Project Detail (Total Capital Investment)

Building Cost (Construction): **Capital Improvements:**

Equipment (non-taxable): **Equipment (Taxable) /**
Other Proj Investment:

Land Cost (Real Estate):

Total Capital Investment: \$12,800,000

Estimated Benefits Provided

Sales Tax Exempt: \$173,998 **Tax Exempt Bond:** \$0

Mortgage Tax Exempt: \$123,400 **Land Sale Subsidy:** \$0

Property Tax Exempt: \$79,068

Total Estimated Tax Incentives Provided: \$376,466

Total Amount Finance: \$0

Mortgage Amount: \$0 **ESD-JDA:**

GCEDC RLF: \$0 **Other Name:**

City of Batavia: \$0 **Other Amount:** \$0

Chamber of Commerce:

Total Amount Finance: \$0

MM
6/26/2020

↳ No Property KAP
on this report

Cost-Benefit Analysis for Batavia Senior Housing Preservation, LLC

Prepared by Genesee County Economic Development Center using Inform Analytics

Executive Summary

INVESTOR
Batavia Senior Housing Preservation, LLC

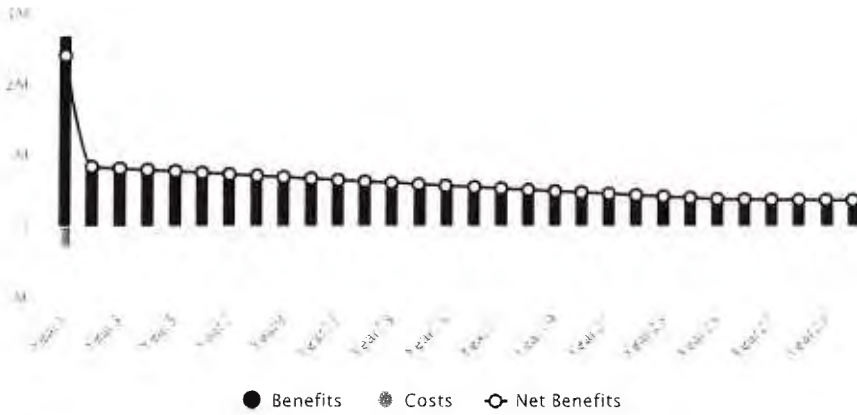
TOTAL INVESTED
\$12.8 Million

LOCATION
1 State St. Batavia, NY 14020

TIMELINE
30 Years

Discounted* Net Benefits for Batavia Senior Housing Preservation, LLC by Year

Total Net Benefits: \$18,388,000



Total Jobs

Total Payroll



3.3

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Proposed Investment

Batavia Senior Housing Preservation, LLC proposes to invest \$12.8 million at 1 State St. Batavia, NY 14020 over 30 years. Genesee County Economic Development Center staff summarize the proposed with the following: The Project is a proposed recapitalization and preservation of an existing Section 8 apartment complex in City of Batavia. The Project offers 130 units to seniors 62+, all 130 units benefit from Section 8 rental subsidy. Of the 130 units, 16 are handicapped units. The Project consists of a single six-story elevator serviced building. The proposed renovation, which is expected to include \$21,400 per unit in hard costs, will assure the Project remains viable as a safe and sanitary housing option for low income seniors for years to come. Residents will not be displaced during the rehabilitation.

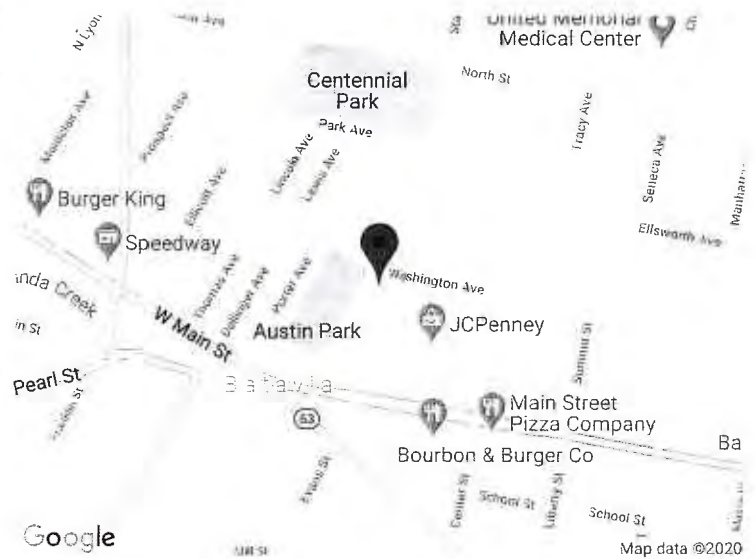
TABLE 1

Proposed Investments

Description	Amount
CONSTRUCTION SPENDING	
Rehabilitation of 107,160 sq.ft. facility 6 story built in 1980	\$3,542,000
OTHER SPENDING	
FFE	\$50,000
Real Estate	\$9,165,000
Total Investments	\$12,757,000
Discounted Total (2%)	\$12,757,000

FIGURE 4

Location of Investment



May not sum to total due to rounding.

3.3

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Cost-Benefit Analysis

A cost-benefit analysis of this proposed investment was conducted using InformAnalytics, an economic impact model developed by CGR. The report estimates the impact that a potential project will have on the local economy based on information provided by Genesee County Economic Development Center. The report calculates the costs and benefits for specified local taxing districts over the first 30 years, with future returns discounted at a 2% rate.



Estimated Costs or Incentives

Genesee County Economic Development Center is considering the following incentive package for Batavia Senior Housing Preservation, LLC.

Description	Nominal Value	Discounted Value*
Sales Tax Exemption	\$172,000	\$172,000
Mortgage Recording Tax Exemption	\$123,000	\$123,000
Bond Interest Savings	\$10,000	\$9,000
Total Costs	\$305,000	\$305,000

May not sum to total due to rounding.

* Discounted at 2%

3.3

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State & Regional Impact (Life of Project)

The following table estimates the total benefits from the project over its lifetime.

Description	Direct	Spillover	Total
REGIONAL BENEFITS	\$13,862,000	\$12,413,000	\$21,396,000
Temporary Payroll	\$1,306,000	\$413,000	\$1,719,000
Ongoing Payroll	\$3,230,000	\$7,027,000	\$10,257,000
Property Tax Revenue	\$4,390,000	N/A	\$4,390,000
Temporary Sales Tax Revenue	\$16,000	\$5,000	\$21,000
Ongoing Sales Tax Revenue	\$40,000	\$87,000	\$128,000
Bond Interest	\$10,000	N/A	\$10,000
STATE BENEFITS	\$159,000	\$445,000	\$603,000
Temporary Income Tax Revenue	\$58,000	\$20,000	\$78,000
Ongoing Income Tax Revenue	\$43,000	\$331,000	\$373,000
Temporary Sales Tax Revenue	\$17,000	\$5,000	\$22,000
Ongoing Sales Tax Revenue	\$41,000	\$89,000	\$130,000
Total Benefits to State & Region	\$14,021,000	\$12,858,000	\$27,999,000
Discounted Total Benefits (2%)	\$12,512,000	\$10,351,000	\$18,692,000

May not sum to total due to rounding.

3.3

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Benefit to Cost Ratio

The following benefit to cost ratios were calculated using the discounted totals.

Description	Benefit*	Cost*	Ratio
Region	\$18,209,000	\$156,000	117:1
State	\$483,000	\$149,000	3:1
Grand Total	\$18,692,000	\$305,000	61:1

May not sum to total due to rounding.

* Discounted at 2%

CGR has exercised reasonable professional care and diligence in the the production and design of the InformAnalytics™ tool. However, the data used is provided by users. InformAnalytics does not independently verify, validate or audit the data supplied by users. CGR makes no representations or warranties with respect to the accuracy of the data supplied by users.

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Incentives for Batavia Senior Housing Preservation, LLC



Estimated Incentives & Fees

Description	Amount
Sales Tax Exemption	\$172,000
Mortgage Recording Tax Exemption	\$123,000
Bond Interest Savings	\$10,000
Total Project Incentives	\$305,000
Discounted Total (2%)	\$305,000



Incentives & Investments



May not sum to total due to rounding.

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10/14
6/26/2020



Project Name: Batavia Senior Housing Preservation, LLC

Board Meeting Date: July 2, 2020

STATEMENT OF COMPLIANCE OF PROJECT CRITERIA LISTED IN UNIFORM TAX EXEMPTION POLICY (UTEP)

PROJECT DESCRIPTION:

The Project is a proposed recapitalization and preservation of an existing Section 8 apartment complex in City of Batavia. The Project offers 130 units to seniors 62+, all 130 units benefit from Section 8 rental subsidy. Of the 130 units, 16 are handicapped units. The Project consists of a single six-story elevator serviced building. The proposed renovation, which is expected to include \$21,400 per unit in hard costs, will assure the Project remains viable as a safe and sanitary housing option for low income seniors for years to come. Residents will not be displaced during the rehabilitation.

GCEDC will seek to assist the project with private activity bond, sales tax exemption, mortgage tax exemption and a property tax abatement program for the increase in future value only.

Criteria #1 – The Project pledges to create and/or retain quality, good paying jobs in Genesee County.

Project details: The project will retain 4 FTE's.

Board Discussion:

Board Concurrence: YES NO If no, state justification:

Criteria #2- Completion of the Project will enhance the long-term tax base and/or make a significant capital investment.

Project details: The Project will make a \$12.8 million investment and enhance the long-term tax base when completed.

Board Discussion:

Board Concurrence: YES NO If no, state justification:

Criteria #3- The Project will contribute towards creating a "liveable community" by providing a valuable product or service that is underserved in Genesee County.

Project details: This is an existing asset within the City. Having this facility that is almost 50 years old upgraded and the apartments renovated as proposed with this project would probably only happen if a new buyer comes in. This type of existing asset is crucial to have in our community as it gives seniors a

place to age without having to stay in their homes. If they were to stay in their homes, as we have seen throughout the county, the homes are not renovated or are modified for special needs such as handicap accessibility. All of those factors significantly drive down housing values and do not provide an opportunity for working class families to start in a modest home. This existing facility is a key component of the current housing ecosystem in Genesee County.

Board Discussion:

Board Concurrence: YES NO If no, state justification:

Criteria #4: The Board will review the Agency's Fiscal and Economic Impact analysis of the Project to determine if the Project will have a meaningful and positive impact on Genesee County. This calculation will include the estimated value of any tax exemptions to be provided along with the estimated additional sources of revenue for municipalities and school districts that the proposed project may provide.

Project details: For every \$1 of public benefit offered, the company is investing and helping generate an economic contribution/economic impact of \$61 into the local/regional/state economy. See economic impact report for further details.

Board Discussion:

Board Concurrence: YES NO If no, state justification:

Criteria #5: The Project is included in one of the Agency's strategic industries: Agri-Business and Food Processing, Manufacturing, Advanced Manufacturing and Nano-Enabled Manufacturing, Life Sciences and Medical Device.

Project details: Although housing is not listed as one of the Agency's strategic industries, it has emerged as an area that is a concern and issue for the County to the point where the Agency has created a Housing Committee to start to examine the current housing stock and potential for involvement.

Board Discussion:

Board Concurrence: YES NO If no, state justification:

Criteria #6: The Project will give a reasonable estimated timeline for the completion of the proposed project.

Project details: The project is planning to begin construction in Winter of 2020 and be fully operational by the end of 2021.

Board Discussion:

Board Concurrence: YES NO If no, state justification:

**Genesee County Economic Development Center
May 2020 Dashboard
Balance Sheet - Accrual Basis**

[Per Audit]
12/31/19

	<u>5/31/20</u>	<u>4/30/20</u>	
ASSETS:			
Cash - Unrestricted	\$ 1,591,260	\$ 1,675,547	\$ 1,409,323
Cash - Restricted (A)(1)	12,178,261	12,749,015	13,742,990
Cash - Reserved (B)	789,829	789,627	788,561
Cash - Subtotal	14,559,350	15,214,189	15,940,874
Grants Receivable (2)	65,850	86,092	386,091
Accts Receivable- Current (3)	363,767	332,059	397,089
Deposits	2,832	2,832	2,832
Prepaid Expense(s) (4)	6,262	6,955	33,355
Loans Receivable - Current	52,615	52,571	51,450
Total Current Assets	15,050,676	15,694,698	16,811,691
Land Held for Dev. & Resale (5)	14,186,274	14,156,249	13,886,275
Furniture, Fixtures & Equipment	67,982	67,982	67,982
Total Property, Plant & Equip.	14,254,256	14,224,231	13,954,257
Less Accumulated Depreciation	(67,945)	(67,939)	(67,917)
Net Property, Plant & Equip.	14,186,311	14,156,292	13,886,340
Accts Receivable- Non-current (6)	539,295	539,295	559,295
Loans Receivable- Non-current (Net of \$47,429 Allow. for Bad Debt)	286,246	290,963	309,788
Other Assets	825,541	830,258	869,083
TOTAL ASSETS	30,062,528	30,681,248	31,567,114
DEFERRED OUTFLOWS OF RESOURCES			
Deferred Pension Outflows (11)	160,725	160,725	160,725
Deferred Outflows of Resources	160,725	160,725	160,725
LIABILITIES:			
Accounts Payable (7)	6,816	19,174	927,789
Loan Payable - Genesee County - Current (8)	290,000	290,000	285,000
Accrued Expenses	16,283	8,905	12,608
Unearned Revenue (9)	9,733,265	10,309,198	10,408,563
Total Current Liabilities	10,046,364	10,627,277	11,633,960
Loans Payable - ESD (10)	5,196,487	5,196,487	5,196,487
Loan Payable - Genesee County - Noncurrent (8)	3,425,000	3,425,000	3,715,000
Aggregate Net Pension Liability (11)	199,875	199,875	199,875
Total Noncurrent Liabilities	8,821,362	8,821,362	9,111,362
TOTAL LIABILITIES	18,867,726	19,448,639	20,745,322
DEFERRED INFLOWS OF RESOURCES			
Deferred Pension Inflows (11)	109,989	109,989	109,989
Deferred Inflows of Resources	109,989	109,989	109,989
NET ASSETS	\$ 11,245,538	\$ 11,283,345	\$ 10,872,528

Significant Events:

1. Restricted Cash - ESD deposited \$4M into an imprest account related to the \$8M STAMP grant in November 2019 and \$15.1M into an imprest account related to the \$33M STAMP grant in January 2018. Expenditures out of these accounts are pre-authorized by ESD. In May 2018, the County remitted \$4M to the GCEDC per a Water Supply Agreement, to be put towards water improvements located in the Town of Alabama and the Town of Pembroke and other Phase II improvements as identified by the County. These funds are being used to pay qualifying expenditures.

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2. Grants Receivable - Decreased due to receipt of funds from National Grid as reimbursement for STAMP expenses.
3. Accounts Receivable (Current) - Econ. Dev. Program Support Grant; MedTech Centre Property Management; termed out Project Origination Fees from Rochester Gas & Electric and HP Hood to be collected in the next 12 months.
4. Prepaid Expense(s) - D&O insurance, life insurance, long-term and short-term disability.
5. Land Held for Dev. & Resale - Additions are related to STAMP development costs.
6. Accounts Receivable - Non-current - Termed out Project Origination Fees from HP Hood that will not be collected within 12 months of the Balance Sheet date.
7. Accounts Payable - e3communications expenses and unpaid 2019 expenses.
8. Loan Payable - Genesee County (Current & Noncurrent) - Per a Water Supply Agreement with Genesee County, the County remitted \$4M to the GCEDC to put towards water improvements located in the Town of Alabama and the Town of Pembroke and other Phase II improvements as identified by the County. GCEDC will make annual payments to the County of \$448,500 beginning in January 2020.
9. Unearned Revenue - Genesee County contribution received in advance; Funds received from municipalities to support park development; Funds received from National Fuel to support workforce development; ESD Grant funds to support STAMP development, not actually earned until eligible expenditures are incurred.
10. Loans Payable - ESD - Loans from ESD to support STAMP land acquisition and related soft costs.
11. Deferred Pension Outflows / Aggregate Net Pension Liability / Deferred Pension Inflows - Accounts related to implementation of GASB 68.

(A) Restricted Cash = Municipal Funds, RLF #2 Funds, Grant Funds Received in Advance.

(B) Reserved Cash = RLF #1 Funds (defederalized).

**Genesee County Economic Development Center
May 2020 Dashboard
Profit & Loss - Accrual Basis**

	Month to Date		YTD		2020	2020
	5/30/20	5/30/19	2020	2019	Board Approved Budget	YTD % of Budget
<u>Operating Revenues:</u>						
Genesee County	\$ 19,459	\$ 19,459	\$ 97,296	\$ 97,296	\$ 233,513	42%
Fees - Projects	250	41,224	29,968	201,922	392,000	8%
Fees - Services	6,707	6,687	33,535	33,435	80,483	42%
Interest Income on Loans	329	305	1,684	1,555	3,877	43%
Rent	1,310	4,613	2,110	5,433	23,995	9%
Common Area Fees - Parks	-	-	700	-	-	N/A
Grants (1)	575,728	350,013	1,160,641	777,164	26,022,377	4%
GGLDC Grant- Econ. Dev. Program Support	25,000	25,000	125,000	125,000	300,000	42%
GCFC Grant - Econ. Dev. Program Support	-	-	50,000	-	50,000	100%
BP ² Revenue	-	176	-	578	2,698	0%
Other Revenue	50	250	6,447	5,081	5,000	129%
Total Operating Revenues	628,833	447,727	1,507,381	1,247,464	27,113,943	6%
<u>Operating Expenses</u>						
General & Admin	124,107	134,488	539,907	541,627	1,379,649	39%
Professional Services	2,713	14,655	20,808	43,050	96,000	22%
Site Maintenance/Repairs	-	390	1,622	1,950	17,000	10%
Property Taxes/Special District Fees	-	-	2,533	2,951	11,890	21%
PIF Expense	-	-	28,410	14,714	93,824	30%
CBA Pass Through	-	-	-	205,125	-	N/A
Site Development Expense	545,788	271,586	554,472	289,975	2,501,475	22%
Real Estate Development (2)	30,025	91,327	299,999	283,487	25,642,025	1%
Balance Sheet Absorption	(30,025)	(91,327)	(299,999)	(283,487)	-	N/A
Total Operating Expenses	672,608	421,119	1,147,752	1,099,392	29,741,863	4%
Operating Revenue (Expense)	(43,775)	26,608	359,629	148,072	(2,627,920)	
<u>Non-Operating Revenue (Expense)</u>						
Other Interest Income	5,968	9,416	13,381	17,224	5,000	268%
Econ. Dev. Loan Fund (LDC/County)	-	-	-	(233,764)	-	N/A
Total Non-Operating Revenue (Expense)	5,968	9,416	13,381	(216,540)	5,000	268%
Change in Net Assets	(37,807)	36,024	373,010	(68,468)	\$ (2,622,920)	
Net Assets - Beginning	11,283,345	10,611,269	10,872,528	10,715,761		
Net Assets - Ending	\$ 11,245,538	\$ 10,647,293	\$ 11,245,538	\$ 10,647,293		

Significant Events:

- Grants - YTD includes \$448K Community Benefit Agreement payment dedicated to STAMP by sourcing debt service payments to the County; PIF from RJ Properties (Liberty Pumps) supports Apple Tree Acres Infrastructure improvements; PIF from Yancey's Fancy supports Infrastructure Fund Agreement with the Town of Pembroke; ESD \$33M & \$8M Grants support STAMP development costs.
- Real Estate Development Costs - Includes STAMP development costs.

Genesee County Economic Development Center
May 2020 Dashboard
Statement of Cash Flows

	May 2020	YTD
CASH FLOWS USED BY OPERATING ACTIVITIES:		
Genesee County	\$ 19,459	\$ 116,755
Fees - Projects	250	38,968
Fees - Services	-	40,182
Interest Income on Loans	325	1,605
Rent	1,110	2,110
Common Area Fees - Parks	-	700
Grants	20,241	797,204
GGLDC Grant - Economic Development Program Support	-	150,000
GCFC Grant - Economic Development Program Support	-	50,000
Other Revenue	50	6,447
Repayment of Loans	4,673	22,377
General & Admin Expense	(115,871)	(513,310)
Professional Services	(9,916)	(28,661)
Site Maintenance/Repairs	-	(1,622)
Site Development	(545,788)	(1,249,244)
Property Taxes/Special District Fees	-	(2,533)
PIF Expense	-	(28,410)
Improv/Additions/Adj to Land Held for Development & Resale	(30,025)	(512,681)
Net Cash Used By Operating Activities	(655,492)	(1,110,113)
CASH FLOWS USED BY NONCAPITAL FINANCING ACTIVITIES:		
Principal Payments on Loan	-	(285,000)
Net Cash Used By Noncapital Financing Activities	-	(285,000)
CASH FLOWS PROVIDED BY INVESTING ACTIVITIES:		
Interest Income (Net of Remittance to ESD)	653	13,589
Net Change in Cash	(654,839)	(1,381,524)
Cash - Beginning of Period	15,214,189	15,940,874
Cash - End of Period	\$ 14,559,350	\$ 14,559,350
RECONCILIATION OF NET OPERATING REVENUE (EXPENSE) TO NET CASH USED BY OPERATING ACTIVITIES:		
Operating Revenue (Expense)	\$ (43,775)	\$ 359,629
Depreciation Expense	6	28
(Increase) Decrease in Operating Accounts/Grants Receivable	(11,466)	371,665
Decrease in Prepaid Expenses	693	27,093
Decrease in Loans Receivable	4,673	22,377
Increase in Land Held for Development & Resale	(30,025)	(299,999)
Decrease in Operating Accounts Payable	(7,043)	(919,283)
Increase in Accrued Expenses	7,378	3,675
Decrease in Unearned Revenue	(575,933)	(675,298)
Total Adjustments	(611,717)	(1,469,742)
Net Cash Used By Operating Activities	\$ (655,492)	\$ (1,110,113)

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2020 Assessment of the Effectiveness of Internal Controls

Purpose of the Genesee County Industrial Development Agency D/B/A Genesee County Economic Development Center (GCEDC)

The GCEDC is a public benefit corporation of the State of New York created in 1970 by a resolution of the Genesee County Legislature to facilitate economic development in the County of Genesee, New York.

Internal Controls

The accounting, financial reporting, and cash management functions are carried out relying on a multitude of internal controls. A Financial Procedures document details all aspects of the financial controls in place.

Examples of some of the controls used are listed below:

- Payroll for the GCEDC's employees is processed externally by a payroll processing company, Complete Payroll Processing, Inc. (CPP). The Operations Manager and/or CFO verify that payments are only made to employees that are entitled to be paid. – **Low risk.**
- All invoices must be reviewed and verified by the CFO, CEO or Sr. VP of Operations. All checks require two signatures, with one of the signatures being a board member. The CEO and the Sr. VP of Operations are the only two employees authorized to sign checks. The CFO opens and reviews all bank statements and bank reconciliations. – **Multiple persons signing off on the process and the CFO opens and reviews bank statements and does not have authorization to sign checks.**
- All checks received by the GCEDC are recorded and stamped “for deposit only” by the Operations Assistant and given to the Operations Manager for review. The Operations Manager ensures that all funds are coded correctly, and that each transaction is recorded in Peachtree (accounting software). Deposit slips are then prepared by the Staff Accountant and deposited in the bank. The deposit receipt from the bank is then attached to the appropriate back up for the deposit. – **Bank verification and receipts make this low risk.**
- Computers are password protected. Accounting software is separately password protected. Access to the accounting software is limited to the Operations Manager, Staff Accountant and CFO. – **Password protection and limited access to accounting software makes this low risk.**

Note: Internal controls are reviewed continuously, and adjustments are made as necessary.

The system of controls applicable to the GCEDC was last reviewed by the GCEDC's Audit Committee on June 30, 2020. The Audit Committee's review affirmed that there are no material control weaknesses to be reported. The GCEDC undergoes an annual financial audit by an independent CPA firm. While auditors are not engaged to perform an audit of internal controls, auditors do provide management letter comments when they encounter internal weaknesses. No material weaknesses or recommendations for improvement have been identified by the independent auditors.

In summary, the present internal control structure appears to be sufficient to meet internal control objectives that pertain to the prevention and detection of errors and irregularities.

**Client Name: Genesee County Industrial Development Agency
dba Genesee County Economic Development Center
Genesee Gateway Local Development Corporation**

GGLDC administrative tasks are performed by GCEDC employees

Audit & Finance Committee Last Reviewed: 6/30/2020

CASH CONTROL ACTIVITIES

Cash Receipts

The GCEDC/GGLDC does not routinely handle cash. When cash is received, it's generally once a year at the annual meeting location via registration fees paid. Mail is opened by the Operations Assistant. All receipts are immediately marked "for deposit only". The cash receipts are deposited every 3 – 5 days in the appropriate cash account either in Five Star Bank, Key Bank, or The Bank of Castile. Posting of cash receipts to accounts receivable is done by the Staff Accountant. The postings are done promptly and accurately recorded as to customer account, amount and period. The Operations Manager reviews deposits and postings to customer accounts and general ledger accounts. Any adjustments to cash accounts are approved by the CFO. Cash held on site is stored in a locked file cabinet and kept independent of mail receipts. A PayPal account is used for annual meeting registration fees paid. Email notifications are received when payments have been made. PayPal deposits are recorded in the general ledger weekly by the Staff Accountant and the Operations Manager reviews the monthly activity.

Cash Disbursements

Cash disbursements are made by check, online payments, online bill pay or bank wire, except for small amounts from petty cash. Online payments and online bill pay are only made to ensure that bills are paid on time and to prevent late payment charges.

All checks require two signatures. GCEDC checks must be co-signed by at least one board member. GGLDC checks are signed by two board members. The GCEDC and GGLDC Audit & Finance Committee members are authorized bank signers.

All GCEDC line of credit withdrawals must be co-signed by at least one board member. GGLDC line of credit withdrawals must be signed by two board members.

Checks are pre-numbered and the sequence is accounted for regularly. All blank checks are kept in a secure location. All cash disbursement records are matched against accounts payable/open invoice files by the Operations Manager.

Invoices received are date stamped by the Operations Assistant and given to the Staff Accountant for review, tracking against contracts in place, to make sure supporting documentation is attached, and to ensure that the appropriate person signs off for approval of payment. All invoices are then reviewed by the Operations Manager and the CFO prior to disbursement checks being prepared. Checks are prepared by the Staff Accountant, only after proper matching of supporting documentation. Supporting documentation is marked with the check number when a check is prepared. The check signer reviews all supporting documentation. Purchasing documents are accounted for and controlled by the Operations Manager. Signed disbursement checks are returned to the Staff Accountant / Operations Assistant for mailing.
Mitigating controls: The CFO opens and reviews bank statements and does not have authorization to sign checks.

All bank and interfund transfers are authorized by the CFO and the Sr. VP of Operations.

Electronic/Online Payments

Online bill pay can be used for payments to vendors that are on the Audit & Finance Committee pre-approved list. The same cash disbursement control procedures are followed, except that payments are acknowledged by two authorized bank signers after the online payment is complete.

Bank Account Reconciliations

Bank accounts are reconciled monthly by the Staff Accountant and reconciliations are reviewed by the Operations Manager and the CFO. All reconciling items are appropriate and supported. All bank statements received in the mail are delivered unopened to the CFO who opens, reviews and signs off prior to reconciliations being performed.

Journal entries

Non-standard journal entries are recorded in the general ledger by Operations Manager and the Staff Accountant and reviewed by the CFO.

SUPPORT, PROGRAM SERVICE FEES, REVENUE AND RECEIVABLE CONTROL ACTIVITIES

Program Service Receivables

Invoices are prepared once a month by the Staff Accountant. All invoices are numbered and issued in sequential order. Invoices are posted to the accounting system as payment is received. The individual(s) charged with the billing duties is also responsible for accounts receivable with the Operations Manager monitoring and reviewing the process.

Pledges Receivable (Not Applicable)

Collections

There are no established credit policies.

When cash payments are received they are posted to customer accounts by the Staff Accountant. The GCEDC/GGLDC does not prepare regular customer statements. Invoices for rent and revolving loan fund payments are mailed once a month and outstanding invoices older than 30 days are followed up via telephone by the VP of Business Development, Senior VP of Operations, or CFO.

Trial Balance

The accounts receivable aging is maintained separately from the general ledger. The aging is reconciled once a month by the Operations Manager. Program revenues recorded are compared with the budget monthly by the Operations Manager and any significant deviations from budget are investigated and explained.

Allowance for Doubtful Accounts Program Services fee write-offs:

All write-offs to rent or revolving loan fund accounts are approved by the GCEDC/GGLDC Board of Directors. The accounts receivable aging is reviewed monthly by the Operations Manager. Accounts are deemed possibly uncollectible and written off to the allowance for doubtful accounts when they meet the following criteria: When the board of directors determines that all efforts to collect have been exhausted.

INVESTMENTS AND DERIVATIVE CONTROL ACTIVITIES

The GCEDC and GGLDC's Investment Policies are provided separately.

EXPENSES FOR PROGRAM AND SUPPORTING SERVICES AND ACCOUNTS PAYABLE AND PURCHASES CONTROL ACTIVITIES

Purchasing (Other than Inventory)

Purchasing is done by the Operations Assistant. For all purchases (other than items of inventory), the purchases are supported by approvals and authorizations. The GCEDC/GGLDC does not require pre-numbered purchase orders. Individuals with the right to approve and authorize purchases are the President/CEO, CFO, and Senior VP of Operations. The Operations Manager approves purchases of supplies, equipment and postage that are within budget as well as any other purchases that were planned for within the budget.

Receiving, Recording Payable and Expense

When the ordered items are received they are inspected for condition and counted by the Operations Assistant. Due to the small nature of the organization, full segregation of duties is not possible. The individual responsible for receiving is also responsible for purchasing, with oversight by Operations Manager or Staff Accountant.

The invoices subsequently received from vendors are matched up to the purchase orders and receiving reports and compared for quantities received, product ordered, pricing and clerical accuracy by the Operations Manager. For any goods that are returned, the shipping documents are maintained and reviewed and matched to vendor credit memos.

The payables are paid approximately twice a month by the Staff Accountant. The checks are reviewed and signed by two authorized bank account signers.

Trial Balance

The accounts payable aging is maintained separately from the general ledger. The aging is reconciled monthly by the Operations Manager. The GCEDC/GGLDC does not prepare monthly vendor statements. The President/CEO, CFO and the Audit & Finance Committee review the detailed monthly financial statements and compare the balances in expense accounts to budgeted amounts and any significant deviations from expectations are investigated and explained.

GCEDC PAYROLL AND EMPLOYEE BENEFITS CONTROL ACTIVITIES

Payroll

Employees are paid biweekly out of the Five Star Bank primary checking account. Funds are transferred into the account used for payroll from the Five Star Bank primary savings account by the Operations Manager. The GCEDC transfers funds to cover payroll as needed. All fund transfers are authorized by the CFO and Senior VP of Operations. Employees are never paid in cash.

Salaried employees are not required to submit weekly time records however; a record of absence is to be maintained by each employee, kept current and electronically stored in a common location as directed. Employees must have vacation compensation approved by the President/CEO or CFO. The individuals responsible for approving time are not responsible for processing or recording payroll.

Hourly employees are required to submit bi-weekly time records to their supervisor to report hours worked.

Complete Payroll Processing is the service provider used to process payroll. All the payroll information provided to the service organization such as pay rates and withholdings is authorized by the President/CEO and/or CFO. Bi-weekly payroll information is submitted to Complete Payroll Processing by the Operations Manager after compiling adequate support for the time worked by the employees. The registers produced by the service are reviewed after processing and approved by Operations Manager. The review is done to ensure the payroll transactions are only for authorized employees and that the correct pay rate is used. GCEDC does not pay commission to its employees.

All payroll checks are pre-numbered and used in sequence and any unissued checks are controlled by Complete Payroll Processing.

When new employees are hired they complete the appropriate paperwork including withholding forms and authorizations for payroll deductions that are maintained in personnel files by the Operations Manager and are entered into the payroll system by the Operations Manager. When employees are terminated they are removed from the payroll system by the Operations Manager. When there are raises or changes in pay rates, they are approved by the President/CEO or CFO and entered into the payroll system by the Operations Manager. All changes in personnel data are reported promptly so they can be properly taken care of in the payroll database.

The timely remittance of payroll taxes and of the payroll tax returns is overseen by Complete Payroll Processing.

Employee Benefits

For all benefits provided to employees such as health insurance, retirement plans, and fringe benefits, support is maintained in the personnel files authorizing deductions by the Operations Manager. Individuals with the appropriate level of knowledge are responsible for monitoring employee benefit matters and for ensuring withholdings such as 403(b) or NYS Deferred Compensation deferrals and cafeteria plan withholdings are remitted timely. These individuals include the CFO and Operations Manager.

Trial Balance

The Operations Manager reviews the monthly financial statements and compares the balances in the payroll and employee benefit expense accounts to budgeted amounts and any significant deviations from expectations are investigated and explained. The detailed payroll records are also reconciled by the Operations Manager to the payroll tax returns quarterly, and the total W-2s are reconciled to the general ledger at year end by the Operations Manager.

When necessary the appropriate payroll accruals including accruals for compensated absences are made to the general ledger by the Operations Manager.

Computers / IT

All computers are password protected. Peachtree is password protected. Each user has an independent password. Those with access to the Peachtree system are the Operations Manager, Staff Accountant, and CFO. The CFO does not post or change any data in the system; he/she reviews data only.

All employee computer files are backed up to the server and the server is backed up to an off-site location (Erie County IDA) on a nightly basis. The back-up is monitored by the IT Consultant and the Operations Manager.

GCEDC Employee Reimbursements

Employee reimbursement requests are submitted to and approved by the Senior VP of Operations and CFO. The President/CEO must sign off on requests submitted by the Senior VP of Operations or CFO. Two Board members must sign off on requests submitted by the President/CEO.

GCEDC Travel Authorization

Travel involving overnight accommodation or travel outside of New York State requires prior approval of the President & CEO (or the Chairman or Vice-Chairman of the Board, in the case of the CEO's travel).

Signed travel authorization forms are attached to subsequent reimbursement requests to verify that expenditures are appropriate and in line with the prior approval.

GCEDC / GGLDC

Pre-Approved List of Vendors That Can Be Paid Online:

- Tompkins Trust Company (Visa)
- Selective Insurance
- Toshiba Financial Services
- National Grid
- National Fuel
- Level 3 Communications (Internet & Phone)
- Verizon (Elevator security phone)
- Five Star Bank (Loan payments)
- KeyBank (Line of Credit payments)
- Bank of Castile
- Five Star Bank

Last Reviewed & Approved by Audit & Finance Committee:

GCEDC - 6/30/2020

GGLDC - 6/30/2020

Mark Masse

STAMP Committee

June 30, 2020

USFWS ROW permit along Route 63

Discussion: The GCEDC has completed the NEPA process with US Fish and Wildlife for the Iroquois Refuge and received a favorable compatibility determination for our force main project for STAMP to a proposed direct discharge location in Oak Orchard Creek. The next step is to submit an Application for Transportation and Utility Systems and Facilities on Federal Lands to receive our permit for construction. One of the requirements is to have the Board pass a resolution authorizing the submission of the application.

Board action request: Authorize the GCEDC to submit and Application for Transportation and Utility Systems and Facilities on Federal Lands to the United States Fish and Wildlife Service and any other applicable Federal Agency.

Fund Commitment: \$300 application fee

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AUTHORIZING RESOLUTION

A regular meeting of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center was convened on Thursday, July 2, 2020.

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

Resolution No. 7/2020 - _____

RESOLUTION AUTHORIZING THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") TO EXECUTE CERTAIN APPLICATION DOCUMENTS IN CONNECTION WITH A CERTAIN PROJECT (AS DESCRIBED BELOW)

Project Description: The Genesee County Industrial Development Agency d/b/a the Genesee County Economic Development Center ("GCEDC") has been working on the development of the Western New York Science & Technology Advanced Manufacturing Park ("STAMP" or the "Project"), an advanced manufacturing technology campus on approximately 1,262 acres located on the west side of New York State Route 63/77, approximately five miles north of the I-90/New York State Thruway ("Site") in the Town of Alabama, New York ("Town").

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York (the "State"), as amended, and Chapter 565 of the Laws of 1970 of the State, as amended (hereinafter collectively called the "Act"), the **GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY d/b/a GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER** (the "Agency") was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping industrial, manufacturing and commercial facilities as authorized by the Act; and

WHEREAS, the Agency is authorized and empowered by the provisions of the Act to promote, develop, encourage and assist in the acquiring, constructing, renovating, improving, maintaining, equipping and furnishing of commercial facilities, among others, for the purpose of promoting, attracting and developing economically sound commerce and industry to advance the job opportunities, health, general prosperity and economic welfare of the people of the State of New York, to improve their prosperity and standard of living, and to prevent unemployment and economic deterioration; and

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

WHEREAS, the Agency desires to adopt a resolution authorizing the execution and delivery of an Application for Transportation and Utility Systems and Facilities on Federal

Lands along with any necessary and incidental documents to the issuance of the permit by the United States Fish and Wildlife Service

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER AS FOLLOWS:

Section 1. The Chairman, Vice Chairman, President and CEO, and/or Senior Vice President of Operations of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver an Application for Transportation and Utility Systems and Facilities on Federal Lands along with any necessary and incidental documents to the issuance of the permit by the United States Fish and Wildlife Service (collectively, the "Application"), and, where appropriate, the Secretary or Assistant Secretary of the Agency is hereby authorized to affix the seal of the Agency to the Application and to attest the same, all with such changes, variations, omissions and insertions as the Chairman, Vice Chairman, President and CEO, and/or Senior Vice President of Operations of the Agency shall approve, the execution thereof by the Chairman, Vice Chairman, President and CEO and/or Senior Vice President of Operations 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 Project.

Section 2. 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 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; and it is further

Section 3. These Resolutions shall take effect immediately.

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

	<i>Yea</i>		<i>Nay</i>		<i>Absent</i>		<i>Abstain</i>	
Paul Battaglia	[]	[]	[]	[]
Peter Zeliff	[]	[]	[]	[]
Craig Yunker	[]	[]	[]	[]
Matthew Gray	[]	[]	[]	[]
Todd Bender	[]	[]	[]	[]
Andrew Young	[]	[]	[]	[]
Amy Vanderhoof	[]	[]	[]	[]

The Resolutions were thereupon duly adopted.

SECRETARY'S CERTIFICATION

STATE OF NEW YORK)
COUNTY OF GENESEE) ss.:

I, the undersigned Secretary of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center, DO HEREBY CERTIFY:

That I have compared the annexed extract of minutes of the meeting of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency"), including the resolution contained therein, held on July 2, 2020, with the original thereof on file at the Agency's office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY, that all members of said Agency had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with such Article 7.

I FURTHER CERTIFY, that there was a quorum of the members of the Agency present throughout said meeting.

I FURTHER CERTIFY, that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency this ____ day of July, 2020.

Secretary

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GCEDC

Jim Krencik, Director of Marketing & Communications

Memo on Global Location Strategies Reverse Site Selection Analysis Proposal

June 24, 2020

In preparation for the next phase of marketing of the WNY STAMP site and the STAMP North and STAMP South campuses to companies, the GCEDC has engaged with Global Location Strategies (GLS) on a proposal for a reverse site search.

The project would commence in August 2020 and provide the GCEDC with a deep evaluation of our site readiness, site marketing, and industry targets at STAMP.

GLS is a leading site selection and location advisory firm, and their leadership proposes to perform a site asset analysis, a target industry audit, a site competitiveness analysis, and a marketing evaluation over three phases. Recommendations to the GCEDC will be provided throughout the process and at completion of the reverse site search.

The project is intended to confirm STAMP's market placement and provide prioritized guidance as the GCEDC staff prepares delivery of site readiness, site infrastructure, project financing structures, and site marketing for a launch to market for projects at the shovel-ready 400-acre STAMP South campus and 850-acre STAMP North campus.

Based on the project proposal, and a requested National Grid matching grant, the estimated cost of all phases would be covered by the GCEDC's 2020 budget.

Board Request: Authorization to contract with Global Location Strategies for a cost not to exceed \$55,000. A matching grant from National Grid has been requested.