Application for Financial Assistan

Applicant Information

Company Name: Lassiter Properties, LLC/ University Eye

Specialists, PC

Address: 2469 State Route 19N City / Town: Warsaw State: NY

14569

Fax No.: 786-3699 Phone No.: 585-786-2288

Email Address: pek@universityeyespl.com Fed. Id. No.: 16-1552923 LP /16-1178293 UES

Economic

Development Center

Zip:

Contact Person: Paula Kelly

Principal Owners / Officers / Directors: (list owners with 15% or more in equity holdings with percentage ownership)

Reginald Ishman, MD

President

Name & Title

William N White, MD

Vice President

Ik Sung Kwon, MD

Secretary / Treasurer

Name & Title

Corporate Structure (attach schematic if Applicant is a subsidiary or otherwise affiliated with another entity)

Form of Entity:

☐ C Corp □ LLP

☐ S Corp ☐ Sole Proprietorship □ Partnership ☐ Not for Profit □ LLC

If a corporation, partnership, limited liability company/partnership or Not for Profit:

What is the date of the establishment 4/18/1982 UES; 6/29/98 LP, Place of organization Warsaw, NY and, if a foreign organization, is the Applicant authorized to do business in the State of New York? Yes

Applicant's Counsel:

Name: Michael Kelley Address: 24 Lake St City / Town: Perry State: NY

Zip: 14530

Phone No.: 237-2111

Fax No.:

237-6901

Project Information

A) Detailed Description of Project: Expansion of medical office

B) Location of Project / Project Address: 217 Summit St Batavia, NY 14020

C) Current Assessed Value of Property \$ 260,000 Tax Map #84-2007-2-1

(not required if project is for equipment purchases only)

D) Square footage of existing building 2816 S/F

Square footage of new build

1961 s/F

Total Square Footage

4777 S/F

E) Project Employment Information:

**Note: Please use full time equivalents, approximately Two part time is equivalent to one full time.

- E1) Current number of full time equivalent employees (prior to project): 6t1
- E2) Estimate how many full time/ part-time jobs will be retained as a result of this Project over the next three years:

Full Time (FT) 6

Part-Time (PT) 3

** Total Full Time Equivalents (FTE) 7

E3) What is the average estimated (annual) salary range of jobs to be retained 26000 staff to 100,000

E4) Estimate how many full time/ part-time jobs will be created as a result of this Project over the

next three years: Full Time (FT) -45 Part-Time (PT) 2 Doctors

** Total Full Time Equivalents (FTE) 5-6

- E5) What is the planned average hourly wage for the FTE jobs to be created \$10
- E6) What is the average estimated annual salary range of FTE jobs to be created \$21000 to \$_____
- E7) What is the planned average annual benefits paid in \$\$ per FTE job to be created \$8,000
- E8) Estimate how many construction jobs will be created by this project: 44job specific trade
- E9) Estimate average length of employment for each construction job for this Project: 8 days
- E10) Is the Project Commercial in nature (Sales Tax Generating for Community)?
- E11) What is the estimated annual total Sales Tax to be generated from this project at full build-out? \$0
- E12) Expected Break ground date for project (if any) May 2012 (mo / year)
- E13) Expected timeframe for project to achieve full build-out? 4 months (in months)

Detailed Company Info: (**Confidential** – will not be shared publicly) – **information required** in order to perform direct economic impact analysis as justification for GCEDC participation in this project

- E14) Current Annual Wages / Payroll (w/n Genesee County): \$342,900
- E15) Current Annual Benefits Paid (w/n Genesee County) or % of wages: \$ 30%
- E16) Average annual growth rate of annual wages: %4
- E17) Average annual growth rate of benefits costs: % 2
- E18) Company Average Yearly Production Related Purchases (COGS / Inventory) from vendors within NYS (Gen County Ops): \$0
- E19) Company Average Yearly Non-Production Purchases (Supplies, Materials, Equipment) non-capitalized from vendors within NYS (Gen County Ops): \$74,500
- E20) Company Average Annual Sales / Use Taxes paid (Gen County Ops): \$0
- E21) Company Planned Property Taxes Paid for current calendar year (Genesee County Ops): \$11,389
- E22) Company Current Year Expected EBT (Earnings B4 Taxes or Profit B4 Taxes) for Genesee County Ops: \$828,4000
- E23) Company expected average annual growth rate for EBT: %7
- E24) Company Current Year Expected NYS Income Taxes paid for Genesee County Ops: \$0

Next 5 years planned / conservative estimates for capital investment beyond this project (if available)

	Year 1	Year 2	Year 3	Year 4	Year 5
Ī	\$	\$	\$	\$	\$

Is the company delinquent in the payment of any state or municipal property taxes?	No
Is the company delinquent in the payment of any income tax obligation?	No
Is the company delinquent in the payment of any loans?	No
Is the company currently in default on any of its loans?	No
Are there currently any unsatisfied judgments against the company?	No
Are there currently any unsatisfied judgments against any of the company's principals?	No
Has the company ever filed for bankruptcy?	No
Have any of the company's principals ever personally filed for bankruptcy or in any way sought protection from creditors?	No

If the answer to any of the questions and additional pages if necessary.	above is "Yes," pleas	e provide additional cor	nments in the space be	low and on

Estimated Project Costs / Project Capital Investment:

Building Cost \$500,000 (New Building Construction cost or Existing building expansion construction

Land and Building \$60,000 (Purchase Value of land and/or building incl. engineering, architect and blue print fees)

Production Equipment \$120,000 (\$ Value of Production Equipment – not sales taxable)

Other Equipment \$75,000 (\$ Value of sales taxable equip = Furniture/Fixtures, Computers, Lockers..)

Other \$____ describe: ____

Tot. Cap Invest: \$755,000 (Sum all lines above)

Note:

Total Amount Financed \$635,000 describe: Lassiter Corporate owners planning to self finance.

Mortgage Amount on this Project? \$to be determined

Hold Harmless Agreement

Applicant hereby releases Genesee County Economic Development Center and the members, officers, servants, agents and employees thereof(the "GCEDC") from, agrees that the GCEDC shall not be liable for and agrees to indemnify, defend and hold the GCEDC harmless from and against any and all liability arising from or expense incurred by (A) the GCEDC's examination and processing of, and action pursuant to or upon, the attached Application, regardless of whether or not the Application or the Project described therein or the tax exemptions and other assistance requested therein are favorably acted upon by the GCEDC, (B) the GCEDC's acquisition, construction and/or installation of the Project described therein and (C) any further action taken by the GCEDC with respect to the Project; including without limiting the generality of the foregoing, all causes of action and attorneys' fees and any other expenses incurred in defending any suits or actions which may arise as a result of any of the foregoing. If, for any reason, the Applicant fails to conclude or consummate necessary negotiations, or fails, within a reasonable or specified period of time, to take reasonable, proper or requested action, or withdraws, abandons, cancels or neglects the Application, or if the GCEDC or the Applicant are unable to reach final agreement with the respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the GCEDC, its agents or assigns, all costs incurred by the GCEDC in the processing of the Application, including attorneys' fees, if any.

William N White, II. MD

University Eye Specialists R Company Name Properties LCC

Sworn to before me this

Notary Public

TERESA A. REYNOLDS Notary Public, State of New York

Qualified in Wyoming County

My Commission Expires 40/3/192013

EXHIBIT A

(A copy of this list should be provided to applicant's legal Counsel)

Please ensure that the following items are delivered	with the application:	
1. A \$250 Application Fee	☑Yes ☐ No	
2. An EAF (Environmental Assessment Form)	☐ Yes ☐ No	
3. Have Financing arrangements been made?	☐ Yes ☐ No	
A copy of the bank commitment letter or personal / company financial statement	☐ Yes ☐ No	
Prior to the closing of this transaction applicant sha project) to GCEDC's legal counsel	ıll deliver the following documentation <i>(whe</i>	re applicable to th
Insurance Certificates (please see exhibit B for additional in Certificate of Worker's Compensation Insurance (GCEDC)		☐ Yes ☐ No
Certificate of General Liability Insurance (GCEDC named Limits not less than \$1,000,000 per occurrence /accident and a business.)	l as additional insured) blanket excess liability not less than \$3,000,000	☐ Yes ☐ No
Certificate of insurance against loss/damage by fire, lightr standard extended coverage endorsement in an amount r of the Facility. (GCEDC named as additional insured).		☐ Yes ☐ No
2. Certificate of Incorporation/Articles of Organization together	er with all amendments or restatements thereto.	☐ Yes ☐ No
3. By-Laws/Operating Agreement together with any amendm	ents thereto	☐ Yes ☐ No
4. Good Standing Certificate(s) issued by the State of Incorport	oration/Organization of the Company <u>AND</u> NYS.	☐ Yes ☐ No
5. Resolutions of the Board of Directors/Members of the Com	npany approving the Project.	☐ Yes ☐ No
6. List of all Material Pending Litigation of the Company.		☐ Yes ☐ No
7. List of all Underground Storage Tanks containing Hazardo	ous Materials at the Project.	☐ Yes ☐ No
8. List of all Required Environmental Permits for the Project.		☐ Yes ☐ No
9. Legal Description of the Project Premises.		☐ Yes ☐ No
10. Name and title of Person signing on behalf of the Compar Name:	ny.	☐ Yes ☐ No
11. Copy of the proposed Mortgage (if any).		☐ Yes ☐ No
12. Company's Federal Tax ID Number (EIN).		☐ Yes ☐ No
13. Tax Map Number of Parcel(s) comprising the Project.		☐ Yes ☐ No
14. Copy of the Certificate of Occupancy (as soon as available	e).	☐ Yes ☐ No

EXHIBIT B

INSURANCE COVERAGE

- 1. Requirements. The Company shall maintain or cause to be maintained insurance against such risks and for such amounts as are customarily insured against by businesses of like size and type paying, as the same become due and payable, all premiums in respect thereto, including, but not necessarily limited to:
- (a) (i) Insurance against loss or damage by fire, lightning and other casualties, with a uniform standard extended coverage endorsement, such insurance to be in an amount not less than the full replacement value of the Project, exclusive of excavations and foundations, as determined by a recognized appraiser or insurer selected by the Company or (ii) as an alternative to the above requirements (including the requirement of periodic appraisal), the Company may insure the Project under a blanket insurance policy or policies covering not only the Project but other properties as well.
- (b) Workers' compensation insurance, disability benefits insurance, and each other form of insurance which the Agency or the Company is required by law to provide, covering loss resulting from injury, sickness, disability or death of employees of the Company who are located at or assigned to the Project.
- (c) Insurance against loss or losses from liabilities imposed by law or assumed in any written contract and arising from personal injury and death or damage to the property of others caused by any accident or occurrence, with limits of not less than \$1,000,000 per accident or occurrence on account of personal injury, including death resulting there from, and \$1,000,000 per accident or occurrence on account of damage to the property of others, excluding liability imposed upon the Company by any applicable workers' compensation law; and a blanket excess liability policy in the amount not less than \$3,000,000, protecting the Company against any loss or liability or damage for personal injury or property damage.
- 2. Additional Provisions Respecting Insurance. (a) All insurance required by Section 4(a) hereof shall name the Agency as a named insured and all other insurance required by Section 4 hereof shall name the Agency as an additional insured. All insurance shall be procured and maintained in financially sound and generally recognized responsible insurance companies selected by the Company and authorized to write such insurance in the State. Such insurance may be written with deductible amounts comparable to those on similar policies carried by other companies engaged in businesses similar in size, character and other respects to those in which the Company is engaged. All policies evidencing such insurance shall provide for (i) payment of the losses of the Company and the Agency as their respective interest may appear, and (ii) at least thirty (30) days' prior written notice of the cancellation thereof to the Company and the Agency.
- (b) All such policies of insurance, or a certificate or certificates of the insurers that such insurance is in force and effect, shall be deposited with the Agency on the date hereof. Prior to expiration of any such policy, the Company shall furnish the Agency evidence that the policy has been renewed or replaced or is no longer required by this Agent Agreement.

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confundamentands and approximate the OCEDC as follows:

Please initial each Item where indicated

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Genelian for languagement to accordance with Society Bill-last of the him West General Changes to each the Applicant understand and is Pilic Project receives any Financial Assistance from the CKIENC, occupi as eitherwise provided by criticalne burganing aspeciation, where App Applicant will first consister persons elegate to contespote in STEA production and shall be reformably the JETA Entities for each various/leading accompanies on a manifest the Property enforts invisis

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GCEDC Rudor He, o desire to applicable cale இ் அறை ந B – 48 – The Applicant orderstants and agrees that, if the Project receives any Forendal Assistance for the GCEDS, the Assistant expess to be blied bed with the CSCE DC, a certified Armself region Report (to be maded to the Applicant) does by the four day of Lendary following garmgar yaza. am tam's hillsh

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the The SCEDE will rely an the representations made homer when acting on the Application and tapply mane contribut the kab statements made horein sin my certain day unituo statement of a material local and do actional to state a material fact mornment same to make the statements contained baselined in steeding all Fabure of the Applicant to file appropriate Sales Tax and Employment reports will result in the revocution of factorists and

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The GCEDC

pro mocurages the usu of Comoseo County contractors/suppliers and asks that they be ellowed in bid year project

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To be c completed / calculated by GCEDC

	Type of Pro	oject:	Attraction Infrastructure		pansion orkforce	Retention	
	Offerings:	⊠ SLB □ RLF / Loar	☐ Bond ☐ Const	Itilting	rant Z B.A.	☐ EZ Certification ☐ EZ Consulting	ZCC
	<u>Estimated</u>	Financial Assis	stance to be prov	cided via GCE	DC partici	pation – subject to GCE	DDC Board Approval
	1)	Estimated Sales	Tax Exemption (38%)	\$ 26,0	000	
	2)	Estimated Morto	gage Tax Exempti	หวก (1.25%)	\$		
	3)	Estimated Prop	erly Tax Abatemei	itht	\$ 52,5	47	
	4)	Estimated Total	Tax Savings (1+3):1):	\$ 78,5	47	
	5)	Estimated Tax-F	Exempt Interest Co	est Savings	\$	(via Tax-Exempl Bond)	
	6)	Empire Zone Be	enefits		\$		
		Grant e or name of grant (_	1		\$		
	8)	Land Sale Subs			\$		
	9)	Estimated total	Company Savings	(+4+5+6+7+8)	\$		
	10) Benefited Proje	ect Amount			(the capital investment directly relate	dad to the benefits received)
	11) Bond Amount			\$		
) Mortgage Amo			\$ \$		
	') GCEDC Revol	ving Loan Hund		\$,
) Loan Secured urce of toan ()			Ψ		
	15) Total Amount I	Financed / Loan F	uunds Secured	\$	j	
	Proposed I	PILOT structure	: Standard PILOT	6 60% abatemen	t on the incr	emental increase in assess	ded value
Fees	t to be Paid by	the Applicant:		,			
Gene throu desig realis to tax more	njnated GCEDC	ction between th partner entily. <u>T</u> stment costs of the In additional 0.5°	e Applicant and C he GCEDC will co his project stated % fee on the value	GCEDC. A 1.28 ibliect its partici nin this applicat	5% fee app pation fee ion. If bond	collect a 1% fee if this tr illes if this project was ret at the time of closing, ba- d financing is being enab s. (Should the actual cos	ansaction was consummated elerred to GCEDC from a seed upon the company provide led through GCEDC in additional tests exceed those estimates by
the (sis Beach, LLP idenesee County cicable filing or	y Economic Dev	elopment Center;	r r legal service) Applicant n	s required ay be req	in connection with the four featured to pay additional	ninancial assistance provided I out-of-pocket expenses at
FI.	nancial ince	ntives are pi	ublic informat	icion and will	be rele	ased to the media,	ιμροή board approval
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Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)				
1. APPLICANT/SPONSOR Richard Mauser RA, Agent for Lassiter Properties & UES	2. PROJECT NAME University Eye Specialists Batavia Office Addition & Alterations			
3. PROJECT LOCATION:				
Municipality City of Batavia NY	County Genesee			
4. PRECISE LOCATION (Street address and road intersections, prominent	landmarks, etc., or provide map)			
217 Summit Street, located 735 feet north of the intersection with	North Street, within the United Memorial Medical Center campus.			
5. PROPOSED ACTION IS: New Expansion Modification/alteration	on			
6. DESCRIBE PROJECT BRIEFLY:				
Interior alterations and a 1,970 sq.ft. addition to an existing one sto	ory brick building.			
7. AMOUNT OF LAND AFFECTED: Initially 0.297 acres Ultimately 0.297	acres			
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OT Yes No If No, describe briefly The proposed addition will en	HER EXISTING LAND USE RESTRICTIONS? croach on a setback and additional off-site parking is needed			
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? Residential Industrial Commercial Describe: Medical facilities, doctors offices	Agriculture Park/Forest/Open Space Other			
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NO	OW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY			
(FEDERAL, STATE OR LOCAL)? Ves No If Yes, list agency(s) name and per	rmit/approvals:			
Genesee County				
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID	PERMIT OR APPROVAL?			
Yes No If Yes, list agency(s) name and per	rmit/approvals:			
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/A	PPROVAL REQUIRE MODIFICATION?			
I CERTIFY THAT THE INFORMATION PROVIDED A Applicant/sponsor name: Richard A Mauser RA	BOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Date: 10-26-11			
Signature: / www.				

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

	SESSMENT (To be completed by Lead Agency) If yes, coordinate the review process and use the FULL EAF. RECEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
e decla	ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative reation may be superseded by another involved agency. Yes V No
<u></u>	D ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)
	Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: No adverse effects.
G2.	Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: No adverse effects.
C3.	Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: No adverse effects.
C4.	A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: No adverse effects.
C5.	Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: No adverse effects.
C6.	Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: No adverse effects.
	Other impacts (including changes in use of either quantity or type of energy)? Explain briefly: No adverse effects.
ENVI	THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL RONMENTAL AREA (CEA)? Yes No If Yes, explain briefly:
. IS TH	IERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
	Yes No If Yes, explain briefly:
INST effect geog	- DETERMINATION OF SIGNIFICANCE (To be completed by Agency) RUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each standard to each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each standard to each adverse in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) graphic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain cleant detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.
	Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
凶	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 AND provide, on attachments as necessary, the reasons supporting this determination
City	of Batavia Planning & Dev. Conuncitée 11/15/2011
	Name of Lead Agency Edward J. Johnson Title of Responsible Officer
	Print or Type Name of Responsible Officer in Lead Agency
	Signature of Responsible Officer in Lead Agency Signature of Preparer (If officer) from responsible officer)