

# Niagara County Industrial Development Agency

Niagara County Center for Economic Development • 6311 Inducon Corporate Drive, Ste. 1 • Sanborn, NY 14132

## **REGULAR NCIDA/NCDC/NADC BOARD MEETING**

**DATE:** May 14, 2025  
**MEETING TIME:** 9:00 a.m.  
**MEETING PLACE:** Niagara County Industrial Development Agency  
Vantage Center, Suite One  
6311 Inducon Corporate Drive  
Sanborn, NY 14132

### **Board of Directors:**

\_\_\_ **Mark A. Onesi**, Chairman  
\_\_\_ **Jason Krempa**, First Vice Chairman  
\_\_\_ **Anne McCaffrey**, Second Vice Chairperson  
\_\_\_ **William L. Ross**, Secretary  
\_\_\_ **Mark Berube**, Assistant Secretary  
\_\_\_ **Ryan J. Mahoney**, Member  
\_\_\_ **David J. Masse**, Member  
\_\_\_ **William Fekete**, Member

### **Staff Members:**

\_\_\_ **Andrea Klyczek**, Executive Director  
\_\_\_ **Michael S. Dudley**, Director of Finance & Real Estate  
\_\_\_ **Susan Barone**, Grants, Loans & Compliance Manager  
\_\_\_ **Jeremy Geartz**, Director of Business Development & Retention  
\_\_\_ **Julie Lamoreaux**, Office & HR Administrator  
\_\_\_ **Joseph Grenga**, Project Manager  
\_\_\_ **Mark J. Gabriele**, Agency Counsel

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- 1.0 Meeting Called to Order – *M. Onesi*
  - 2.0 Roll Call – *J. Lamoreaux*
  - 3.0 Introduction of Guests – *M. Onesi*
  - 4.0 Pledge of Allegiance – *M. Onesi*
  - 5.0 Approval of Meeting Minutes – *W. Ross*
    - 5.1 Regular NCIDA/NCDC/NADC – April 9, 2025
  - 6.0 Finance & Audit Committee Reports – *J. Krempa*
    - 6.1 Agency Payables – April 30, 2025
    - 6.2 Budget Variance Report – April 30, 2025

**7.0 Unfinished Business**

**7.1 Greenpac Mill, LLC – *M. Gabriele***

**7.1.1 Consent to Mortgage**

**8.0 New Business**

**8.1 Bogart-Sinatra Development LLC – *J. Grenga***

**8.1.1 Preliminary Resolution**

**8.1.2 Authorize Public Hearing**

**8.2 NCDC Microenterprise Grant Approvals – *S.Barone***

**8.2.1 Prime Legacy Inc.**

**8.2.2 Harmony Spa Head to Toe LLC**

**8.2.3 Sheri-Lynn Senek dba Senek Farms Cider Co.**

**8.3 NCDC Loan Approval- *A. Klyczek***

**8.3.1 Bairco, Inc.**

**8.4 Paving Lot Repair and Resurfacing RFP – *A.Klyczek***

**8.4.1 NCIDA – 6311 Incducon Corporate Drive**

**8.4.2 NIIA – 2055 Niagara Falls Boulevard**

**9.0 Agency Counsel – *M. Gabriele***

**10.0 Information Items**

**11.0 Any Other Matters the Board Wishes to Discuss**

**12.0 Next Regular NCIDA/NCDC/NADC Meeting:**

**DATE: June 11, 2025**

**TIME: \*\* 9:00 a.m. \*\***

**PLACE: Niagara County Center for Economic Development**

**13.0 Adjournment - *M. Ones***

**5.1**

# **Meeting Minutes**

# Niagara County Industrial Development Agency

Niagara County Center for Economic Development • 6311 Inducon Corporate Drive, Ste. 1 • Sanborn, NY 14132

## **REGULAR NCIDA/NCDC/NADC BOARD MEETING**

**DATE:** April 9, 2025  
**MEETING TIME:** 9:00 a.m.  
**MEETING PLACE:** Niagara County Industrial Development Agency  
Vantage Center, Suite One  
6311 Inducon Corporate Drive  
Sanborn, NY 14132

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### **1.0 Meeting Called to Order**

The regular meeting of the Niagara County Industrial Development Agency was called to order by Chairperson Onesi at 9:00 a.m.

### **2.0 Roll Call**

Mark A. Onesi, Chairperson	Present
Jason Krempa, First Vice Chairman	Present
Anne E. McCaffrey, Second Vice Chairman	Present
William L. Ross, Secretary	Present
Mark Berube, Assistant Secretary	Present
Ryan J. Mahoney, Member	Excused
David J. Masse, Member	Present
William Fekete, Member	Excused

### **3.0 Introduction of Guests**

Jonathan Epstein, Buffalo News  
Jim Fink, WBFO Radio  
Robert Creenan, Niagara Gazette  
Mike Casalle, Department of Economic Development  
Babu Patel, Niagara Club LLC – Arrived at 9:16 a.m.

#### **Staff Present**

Andrea Klyczek, Executive Director  
Jeremy Geartz, Director of Business Development & Retention  
Susan Barone, Grants, Loans, & Compliance Manager  
Julie Lamoreaux, Office & HR Administrator  
Joseph Grenga, Project Manager  
Mark J. Gabriele, Agency Counsel

### **4.0 Pledge of Allegiance**

Ms. Klyczek led the pledge of allegiance.



**5.0 Approval of Meeting Minutes**

**5.1 Regular NCIDA/NCDC/NADC – March 19, 2025**

*Mr. Ross motioned to approve the meeting minutes; Mr. Berube seconded the motion. The motion passed.*

**6.0 Finance & Audit Committee Reports**

**6.1 Agency Payables – March 31, 2025**

Mr. Krempa stated that the monthly payables have been reviewed and found to be in order.

*Mr. Krempa made a motion to approve the monthly payables; Mr. Masse seconded the motion. The motion passed.*

**6.2 Budget Variance Report – March 31, 2025**

Mr. Krempa stated that the budget variance reports have been reviewed and found to be in order.

*Mr. Krempa made a motion to approve the Budget Variance Report; Ms. McCaffrey seconded the motion. The motion passed.*

**7.0 Unfinished Business**

**7.1 Cityscape Property Management (83 Division Street)**

Mr. Gabriele stated that Cityscape Property Management is requesting a 6 month inducement extension. The company is expecting to have the project complete within the next four months.

**7.1.1 Inducement Extension Resolution**

RESOLUTION AUTHORIZING THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO EXTEND THE INDUCEMENT TERM FOR CITYSCAPE PROPERTY MANAGEMENT INC. FOR AN ADDITIONAL SIX-MONTH PERIOD WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF CITYSCAPE PROPERTY MANAGEMENT INC. OR AN ENTITY FORMED OR TO BE FORMED.

*Mr. Berube made a motion to approve the Inducement Extension, Mr. Ross seconded the motion. The Motion passed.*

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mark Onesi	x			
Jason Krempa	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney				x
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete				x

The Resolution was thereupon duly adopted.

## 8.0 New Business

### 8.1 Niagara Club LLC

Mr. Geartz stated that Niagara Club LLC has applied for sales tax abatement. They are located just across from Niagara Falls State Park, this location has been grossly underutilized and in disrepair since the Niagara Club closed in the mid-2000s. It has enormous potential as a dining and entertainment destination in Downtown Niagara Falls. The vision for the Niagara Club is to serve as Niagara's premiere dining, social, and entertainment destination with Niagara's only urban rooftop bar. The Niagara Club will key on the classic décor embedded within the building and restore it to the 1930s charm using period styling and fixtures. The banquet and event hall will be able to accommodate up to 250 guests for conferences, weddings, and events. The restaurant will feature an iconic floor-to-ceiling 25 seat bar and 150 seat dining area and an outdoor patio overlooking the Niagara Rapids and Niagara Falls State Park.

The Niagara Club will help keep visitors in downtown longer and offer them a better overall experience. The project is located in distressed census tract 211, as defined by the Federal poverty rate and the NYS unemployment rate. The business plans to bring 21 jobs to Niagara County.

#### 8.1.1 Final Resolution

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (i) ACCEPTING THE APPLICATION OF NIAGARA CLUB, LLC WITH RESPECT TO A CERTAIN PROJECT (AS MORE FULLY DEFINED BELOW) TO BE UNDERTAKEN BY THE AGENCY FOR THE BENEFIT OF NIAGARA CLUB, LLC OR AN ENTITY FORMED OR TO BE FORMED; (ii) PROVIDE SALES TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE CONSTRUCTION AND EQUIPPING OF THE PROJECT; AND DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY.

***Mr. Ross made a motion to approve the Final Resolution, Ms. McCaffrey seconded the motion. The Motion passed.***

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mark Onesi	x			
Jason Krempa	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney				x
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete				x

The Resolution was thereupon duly adopted.

## 8.2 NCDC Microenterprise Grant Approvals

Ms. Barone stated that the Agency held a NCDC Loan/Grant Committee meeting on April 1<sup>st</sup>. At that time, each one of these projects was reviewed by the Committee to recommend approval by the Board.

### 8.2.1 BeOK LLC

Ms. Barone stated that BeOK LLC is a fitness studio operating in the Town of Lewiston. They are adding a café in the studio that will offer health-conscious food and beverages in-house and through mobile ordering. They worked with SBDC to submit their application. The owner qualifies as a low-to-moderate income owner and plans to hire 1 to 2 part-time employees. The business is requesting a \$25,000 Microenterprise Grant. The Grant request was unanimously approved by the Committee for recommendation to the Board.

### 8.2.1 BeOK LLC

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPROVING MICRO ENTERPRISE FUND GRANT TO BeOK LLC

***Mr. Krempa made a motion to approve the Grant Resolution, Mr. Masse seconded the motion. The Motion passed.***

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mark Onesi	x			
Jason Krempa	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney				x
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete				x

The Resolution was thereupon duly adopted.

#### 8.2.2 Cakes by Katya LLC

Ms. Barone stated that Cakes by Katya LLC is a bakery that is opening a new location on Niagara Falls Boulevard in Wheatfield in order to expand their business offering specialty baked goods and custom cakes. SBDC assisted them in submitting their application. The owner qualifies as low-to-moderate income and plans to hire 2 to 3 part-time employees. The business has requested \$25,000 from the Microenterprise Grant program. The Grant request was unanimously approved by the Committee for recommendation to the Board.

#### 8.2.2 Cakes by Katya LLC

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPROVING MICRO ENTERPRISE FUND GRANT TO CAKES BY KATYA, LLC.

***Mr. Krempa made a motion to approve the Grant Resolution, Mr. Berube seconded the motion. The Motion passed.***

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mark Onesi	x			
Jason Krempa	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney				x
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete				x

The Resolution was thereupon duly adopted.

**8.2.3 Release & Restore Therapy**

Ms. Barone stated that Release & Restore Therapy is a start-up business that has recently opened a myofascial release therapy practice in the Town of Lockport. The therapy is similar to massage therapy but concentrates on different tissue aimed to help with chronic pain due to injuries and stress. They worked with SBDC to submit their business plan and application. The owners qualifies as low-to-moderate income. The business has requested \$13,000 in Microenterprise Grant funds. The Grant request was unanimously approved by the Committee for recommendation to the Board.

**8.2.3 Release & Restore Therapy**

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPROVING MICRO ENTERPRISE FUND GRANT TO RELEASE & RESTORE THERAPY

***Mr. Krempa made a motion to approve the Grant Resolution, Mr. Masse seconded the motion. The Motion passed.***

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mark Onesi	x			
Jason Krempa	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney				x
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete				x

The Resolution was thereupon duly adopted.

**8.2.4 B's Flowers LLC**

Ms. Barone stated that B's Flowers LLC is located in Gasport and has been providing fresh cut flowers and custom floral arrangements for a variety of events and wholesale to other florists. They are expanding their farming capacity to meet larger demands. They were assisted by SBDC with submitting their application. The owner qualifies as a low-to-moderate income applicant. The business has requested \$21,000 from the Microenterprise Grant program. This Grant was unanimously approved by the Committee for recommendation to the Board.

**8.2.4 B's Flowers LLC**

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPROVING MICRO ENTERPRISE FUND GRANT TO B'S FLOWERS LLC

***Mr. Krempa made a motion to approve the Grant Resolution, Mr. Masse seconded the motion. The Motion passed.***

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mark Onesi	x			
Jason Krempa	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney				x
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete				x

The Resolution was thereupon duly adopted.

#### **8.2.5 Gerald Kunkle DBA Kunkle's Landscaping**

Ms. Barone stated that Gerald Kunkle DBA Kunkle's Landscaping operates in North Tonawanda and offers lawn maintenance and snow plowing services. They are expanding their services to include trim work, garden bed construction, mulching, and top soil filling. They worked with SBDC to submit their application. The owner qualifies as a low-to-moderate income owner and will be hiring an additional landscaper. The business has requested a \$25,000 Microenterprise Grant. The Grant Request was unanimously approved by the Committee for recommendation to the Board.

#### **8.2.5 Gerald Kunkle DBA Kunkle's Landscaping**

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPROVING MICRO ENTERPRISE FUND GRANT TO GERALD KUNKLE dba KUNKLE'S LANDSCAPING

***Mr. Krempa made a motion to approve the Grant Resolution, Ms. McCaffrey seconded the motion. The Motion passed.***

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mark Onesi	x			
Jason Krempa	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney				x
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete				x

The Resolution was thereupon duly adopted.

#### **8.2.6 NickNats Landscaping LLC**

Ms. Barone stated that NickNats Landscaping LLC is located in Wheatfield and offers lawn and landscaping services including seasonal cleanups, tree work, and lawn gardening. To enhance its offerings, the business is expanding to offer concrete curbing services along with decorative landscape edging. The business will also transition from seasonal to year-round operations. The business will be hiring a low-to-moderate income individual as a landscape worker for the increased workload. The business has requested a \$25,000 Microenterprise Grant. The Grant request was unanimously approved by the Committee for recommendation to the Board.

#### **8.2.6 NickNats Landscaping LLC**

RESOLUTION OF THE NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPROVING MICRO ENTERPRISE FUND GRANT TO NICKNATS LANDSCAPING LLC

***Mr. Krempa made a motion to approve the Grant Resolution, Ms. Masse seconded the motion. The Motion passed.***

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mark Onesi	x			
Jason Krempa	x			
William L. Ross	x			
Mark Berube	x			
Ryan Mahoney				x
Anne E. McCaffrey	x			
David J. Masse	x			
William Fekete				x

The Resolution was thereupon duly adopted.

#### 9.0 Agency Counsel

Agency Counsel had no comments at this time.

#### 10.0 Information Items

**10.1** Agency staff recommended the Board watch a six minute video of the Annual Economic Development Address.

#### 11.0 Any Other Matters the Board Wishes to Discuss

There were no other matters the Board wished to discuss.

#### 12.0 Next Regular NCIDA/NCDC/NADC Meeting:

**DATE: May 14, 2025**

**TIME: \*\* 9:00 a.m. \*\***

**PLACE: Niagara County Center for Economic Development**

#### 13.0 Adjournment

Mr. Onesi made a motion to adjourn; Mr. Berube seconded the motion. The meeting adjourned at 9:27 a.m.

Respectfully Submitted:

Reviewed By:

Approved By:

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Julie Lamoreaux  
Administrative Assistant

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Andrea Klyczek  
Executive Director

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William L. Ross  
Secretary



**6.1**

# **Agency Payables**

**Niagara County Industrial Devel. Agency**  
**Check Register**  
**For the Period From Apr 1, 2025 to Apr 30, 2025**

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
30348	4/1/25	Harris Beach Murtha Cullina PLLC	10001.100	608.00
30349	4/1/25	The Hartford	10001.100	584.37
30350	4/1/25	Lumsden & McCormick, LLP	10001.100	1,600.00
30351	4/1/25	M&T Bank	10001.100	2,185.26
30352	4/1/25	Niag Cnty Dept of Economic Development	10001.100	314.15
30353	4/1/25	Professional Janitorial Services, Inc.	10001.100	823.00
30354	4/1/25	THE HARTFORD	10001.100	229.39
4/3/25	4/3/25	PAYCHEX, INC.	10001.100	72.89
4/4/25	4/4/25	NYS DEFERRED COMPENSATION PLAN	10001.100	1,037.00
30355	4/15/25	360 PSG.com	10001.100	60.00
30356	4/15/25	Cintas Corporation LOC. 067P	10001.100	108.56
30357	4/15/25	County of Niagara	10001.100	794.78
30358	4/15/25	LAMAR COMPANIES	10001.100	1,450.00
30359	4/15/25	National Grid	10001.100	492.02
30360	4/15/25	PITNEY BOWES	10001.100	85.90
30361	4/15/25	STAPLES CONTRACT & COMMERCIAL	10001.100	467.79
4/17/25	4/17/25	PAYCHEX, INC.	10001.100	60.07
4/20/25	4/20/25	PAYCHEX, INC.	10001.100	128.00
4/21/25	4/21/25	NYS DEFERRED COMPENSATION PLAN	10001.100	950.00
30362	4/22/25	Amazon Capital Services	10001.100	221.53
30363	4/22/25	Charter Communications	10001.100	130.00
30364	4/22/25	First Choice Coffee Services	10001.100	123.94
30365	4/22/25	Gibson, McAskill & Crosby, LLP	10001.100	165.00
30366	4/22/25	Guardian	10001.100	233.69
30367	4/22/25	Harris Beach Murtha Cullina PLLC	10001.100	13,766.40
30368	4/22/25	Independent Health	10001.100	2,413.35
30369	4/22/25	Lumsden & McCormick, LLP	10001.100	6,000.00
4/24/25	4/24/25	NEW YORK STATE AND LOCAL	10001.100	754.64
30370	4/30/25	County of Niagara	10001.100	470.34
30371	4/30/25	LAMAR COMPANIES	10001.100	2,275.00
<b>Total</b>				<b>38,605.07</b>

**NCIDA VIP-MTF Operating**  
**Check Register**  
For the Period From Apr 1, 2025 to Apr 30, 2025

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
5010	4/1/25	Professional Janitorial Services, Inc.	10001.600	346.00
5011	4/15/25	CIR Electrical Construction Co.	10001.600	767.70
5012	4/15/25	FIRE SAFETY SYSTEMS, INC.	10001.600	360.00
5013	4/15/25	Frontier	10001.600	327.78
5014	4/15/25	Grove Roofing Services, Inc.	10001.600	908.60
5015	4/15/25	Modern Disposal Services, Inc.	10001.600	214.50
5016	4/15/25	National Grid	10001.600	441.35
5017	4/15/25	County of Niagara	10001.600	562.46
5018	4/22/25	A 24 Hour Door National, Inc.	10001.600	402.37
5019	4/30/25	DAVIS-ULMER Sprinkler Co.	10001.600	170.00
5020	4/30/25	County of Niagara	10001.600	292.14
<b>Total</b>				<b>4,792.90</b>

**NCIDA - MTF - Operating Fund**  
**Check Register**  
For the Period From Apr 1, 2025 to Apr 30, 2025

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
3240	4/1/25	National Fuel	10001.600	19.72
3241	4/15/25	National Grid	10001.600	445.71
3242	4/15/25	VERIZON	10001.600	133.46
3243	4/22/25	Harris Beach Murtha Cullina PLLC	10001.600	1,024.11
3244	4/22/25	National Grid	10001.600	24.27
3245	4/30/25	Niagara Falls Water Board	10001.600	782.29
<b>Total</b>				<u><u>2,429.56</u></u>

**Niagara Industrial Incubator Associates****Check Register****For the Period From Apr 1, 2025 to Apr 30, 2025**

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1467	4/1/25	Lumsden & McCormick, LLP	10000.100	2,100.00
1468	4/15/25	H.W. Bryk & Sons, Inc.	10000.100	536.00
1469	4/15/25	National Grid	10000.100	384.72
1470	4/22/25	Harris Beach Murtha Cullina PLLC	10000.100	223.43
<b>Total</b>				<b>3,244.15</b>

**NIAG ECONOMIC DEV FUND**  
**Check Register**  
**For the Period From Apr 1, 2025 to Apr 30, 2025**

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1362	4/1/25	Lumsden & McCormick, LLP	10000-200	1,800.00
1363	4/15/25	Niagara County Industrial	10000-200	50,000.00
1364	4/22/25	Harris Beach Murtha Cullina PLLC	10000-200	223.44
<b>Total</b>				<b>52,023.44</b>

**NCDC - CDBG/HUD - RLF**  
**Check Register**  
**For the Period From Apr 1, 2025 to Apr 30, 2025**

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
288	4/1/25	Lumsden & McCormick, LLP	10200-300	1,276.58
289	4/30/25	Lumsden & McCormick, LLP	10200-300	386.84
<b>Total</b>				<u><u>1,663.42</u></u>

**Niag. Cnty Dev. Corp. - EDA RLF****Check Register****For the Period From Apr 1, 2025 to Apr 30, 2025**

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1361	4/1/25	Lumsden & McCormick, LLP	10001.100	1,662.96
1362	4/30/25	Lumsden & McCormick, LLP	10001.100	503.93
<b>Total</b>				<b>2,166.89</b>



**Niag. Cnty Dev. Corp. - Micro RLF**  
**Check Register**  
**For the Period From Apr 1, 2025 to Apr 30, 2025**

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
2140	4/1/25	Lumsden & McCormick, LLP	10004.400	360.46
2141	4/30/25	Lumsden & McCormick, LLP	10004.400	109.23
<b>Total</b>				<u><u>469.69</u></u>

**6.2**

# **Budget Variance Reports**

**NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**  
**BUDGET VARIANCE REPORT AS OF April 30, 2025**  
**UN-AUDITED STATEMENT FOR INTERNAL MANAGEMENT USE ONLY**

	Current Month Actual	Current Month Budget	Year To Date Actual	Year To Date Budget	Year To Date Variance	Total Budget
<b><u>Operating Revenues</u></b>						
Project Administrative Fees	\$ 8,700.00	\$ 63,124.00	\$ 520,325.00	\$ 339,103.00	181,222.00	\$ 527,232.00
Project Application Fees	1,000.00	1,000.00	5,000.00	4,000.00	1,000.00	12,000.00
NEDF RLF Administrative Fee	4,166.67	4,166.67	16,666.68	16,666.68	0.00	50,000.00
Administrative Fees - Other	0.00	0.00	22,080.00	10,563.00	11,517.00	52,070.00
Interest Earnings	2,750.15	5,497.42	71,435.79	21,989.68	49,446.11	65,969.00
Miscellaneous Income	14,675.76	14,674.50	58,703.04	58,698.00	5.04	176,094.00
Distributions From Affiliates	0.00	0.00	0.00	0.00	0.00	100,000.00
Distribution from VIP MTF	0.00	0.00	0.00	0.00	0.00	100,000.00
Total Operating Revenues	31,292.58	88,462.59	694,210.51	451,020.36	243,190.15	1,083,365.00
<b><u>Operating Expenses</u></b>						
Salaries	29,076.90	32,923.06	105,923.00	131,692.24	(25,769.24)	428,000.00
Benefits	3,596.78	7,790.92	14,280.76	31,163.68	(16,882.92)	93,491.00
Retirement Benefits	4,926.33	4,926.33	19,705.32	19,705.32	0.00	59,116.00
Payroll Taxes	2,282.10	2,485.08	8,288.07	9,940.32	(1,652.25)	32,239.00
Unemployment Taxes	103.23	50.93	1,257.50	1,613.00	(355.50)	1,613.00
Consultants	2,500.00	2,500.00	10,000.00	10,000.00	0.00	30,000.00
Executive Director	9,674.33	9,674.33	38,697.32	38,697.32	0.00	116,092.00
Legal Services	8,485.23	6,666.67	38,139.91	26,666.68	11,473.23	80,000.00
Accounting Services	0.00	0.00	23,000.00	21,510.00	1,490.00	21,510.00
Accounting Services - NADC	0.00	0.00	1,600.00	1,500.00	100.00	1,500.00
Advertising & Promotion	0.00	0.00	76.00	0.00	76.00	0.00
Marketing	810.00	1,833.33	3,965.00	7,333.32	(3,368.32)	22,000.00
Sponsorships	0.00	83.33	0.00	333.32	(333.32)	1,000.00
Printing	0.00	83.33	219.02	333.32	(114.30)	1,000.00
Office Supplies	0.00	166.67	640.52	666.68	(26.16)	2,000.00
Postage	371.03	440.00	1,446.88	1,561.00	(114.12)	3,950.00
Telephone & Fax	139.26	127.50	507.21	510.00	(2.79)	1,530.00
Internet Service	185.99	197.42	953.49	789.68	163.81	2,369.00
Common Area Charges	906.33	906.33	3,625.32	3,625.32	0.00	10,876.00
Energy	1,137.46	1,201.00	7,455.59	6,346.00	1,109.59	16,100.00
Conference & Travel	441.66	1,000.00	4,084.84	4,000.00	84.84	12,000.00
Employee Training	0.00	500.00	0.00	2,000.00	(2,000.00)	6,000.00
Depreciation Expense	0.00	0.00	0.00	0.00	0.00	6,462.00
Insurance Expense	1,847.47	1,824.42	7,389.88	7,297.68	92.20	21,893.00
Library & Membership	0.00	119.73	2,298.48	2,244.19	54.29	3,202.00
General Office	720.42	1,110.00	2,917.57	4,440.00	(1,522.43)	13,320.00
Repairs & Maintenance	894.50	1,132.25	3,866.22	4,529.00	(662.78)	13,587.00
Computer Support	0.00	500.00	0.00	2,000.00	(2,000.00)	6,000.00
Public Hearings	0.00	25.00	0.00	100.00	(100.00)	300.00
Furniture & Equipment Purchase	0.00	166.67	0.00	666.68	(666.68)	2,000.00
Other Expense	186.29	83.33	186.29	333.32	(147.03)	1,000.00
Total Operating Expenses	68,285.31	78,517.63	300,524.19	341,598.07	(41,073.88)	1,010,150.00
Net Operating Income/<Loss>	(36,992.73)	9,944.96	393,686.32	109,422.29	284,264.03	73,215.00
<b><u>Non-Operating Revenue &amp; Expense</u></b>						
Grant Rev- City NF Initiative	0.00	0.00	1,104,000.00	536,402.25	567,597.75	2,145,609.00
Grant Sub-City NF Initiative	0.00	0.00	1,104,000.00	536,402.25	567,597.75	2,145,609.00
Net Non-Operating Income/<Loss>	0.00	0.00	0.00	0.00	0.00	0.00
Total Net Income/<Loss>	(\$ 36,992.73)	\$ 9,944.96	\$ 393,686.32	\$ 109,422.29	284,264.03	\$ 73,215.00

# NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Balance Sheet  
April 30, 2025

## ASSETS

Current Assets		
Cash - Checking	\$	302,653.21
Petty Cash		300.00
Certificates of Deposit		2,600,000.00
Mmkt Acct. - M&T Bank		227,245.90
Cash - First Response		66,556.46
Cash - City of N.F.		953.88
Cataract Tourism C/D		1,400,000.00
Mmkt Acct. - Cataract Tourism		334,294.81
Accts Rec - Public Hearings		2,490.58
Accounts Rec. EDA - RLF		202,499.99
Due To/From Micro RLF		2,499.99
Due To/From VIP - MTF		532,565.10
Due From NCDC CDBG/HUD		2,500.02
Due To/Due From NADC		500.56
Due To/From MTF Operating		121,128.84
Prepaid Insurance		<u>16,214.00</u>
Total Current Assets		5,812,403.34
Other Assets		
Deferred Outflows		204,837.00
Investment in NIIA		<u>342,500.00</u>
Total Other Assets		547,337.00
Fixed Assets		
Furniture & Equipment		231,672.18
Furn & Fixtures - Fed purchase		5,861.08
Accum Dep. - Furn & Equip		(211,340.68)
Accum Dep. - F&F Fed Purch		<u>(5,861.08)</u>
Total Fixed Assets		20,331.50
Total Assets		<u><u>\$ 6,380,071.84</u></u>

## LIABILITIES AND NET ASSETS

Current Liabilities		
Accrued Retirement	\$	19,705.32
Deferred Rev. - NEDF		33,333.32
Deferred Rev. - First Repsonse		66,556.46
Def. Rev. - City of N.F.		1,735,248.69
Accounts Payable		12,766.64
Acct. Payable - Niag. County		<u>38,697.32</u>
Total Current Liabilities		1,906,307.75
Long-Term Liabilities		
Pension Liability		115,680.00
Deferred Inflows of Resources		<u>67,839.00</u>
Total Long-Term Liabilities		183,519.00
Total Liabilities		2,089,826.75
Net Assets		
Fund Balance - Operating Fund		3,896,558.77
Net Income		<u>393,686.32</u>
Total Net Assets		4,290,245.09
Total Liabilities & Net Assets		<u><u>\$ 6,380,071.84</u></u>

Unaudited - For Management Purposes Only

**Niagara County Industrial  
Development Agency  
Aged Payables  
As of April 30, 2025**

<b>Vendor ID Vendor</b>	<b>Invoice #</b>	<b>Amount Due</b>
CNIT County of Niagara	Jan-Mar 2025	40.17
FEDEX FedEx	8-843-76286	9.28
JEREMY Jeremy Geartz	3/3/25-3/28/25 4/2/25-4/30/25	200.27 170.59
jos Joseph Grenga	3/6/25-4/30/25	179.55
M&TBUS M&T Bank	Apr 2025	333.80
NATGRID National Grid	39004 4/25	487.46
PITBOW Pitney Bowes Global Financial	3320676859	275.85
ProJan Professional	2113	823.00
Report Total		<u>2,519.97</u>

**Adjusting Journal Entries**

Estimated Apr 2025 Legal Fees	6,666.67
Estimated Mar 2025 Copier usage	200.00
Estimated Apr 2025 Copier usage	200.00
Estimated Apr 2025 Telephone	30.00
Estimated Apr 2025 Niagara County Electric	300.00
Estimated Apr 2025 Niagara County Gas	350.00
Estimated Mar 2025 Consulting	2,500.00
	<u>12,766.64</u>

# NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

5/9/2025

## Project Income - 2025 Lease/Lease Back and Bonds

	Project Type	Total Project Amount	IDA Project Amount	Admin. Fees	Application Fees	Amount Received to Date	Date Received	Balance Due	Date Closed
<b>Closed 2025</b>									
Amazon.com Services LLC	L/L Back			357,500		357,500	1/10/25	-	
9745 Rochester Road LLC (Brent Industries)	Additional Sales Tax Exemption			7,425		7,425	1/22/25	-	1/10/25
Duncan's Heating and Cooling Corj Sales & Mtg Tax Only		1,300,000	1,300,000	7,200	1,000	8,200	2/19/25	-	1/8/25
Peak Development Partners, LLC	No assistance provided.			0	1,000	1,000	1/31/23	-	
Niacet Corporation 2023	No assistance provided.			0	1,000	1,000	3/14/23	-	
Shoaib & Sons LLC	L/L Back	2,550,000	1,500,000	25,500	1,000	26,500	3/6/25	-	3/3/25
MT Altimeter LLC	L/L Back	13,450,000	12,800,000	114,000	1,000	115,000	3/19/25	-	
Rainbow Sweet Cravings, LLC	Sales Tax C	460,000	460,000	4,600	1,000	4,600	4/14/25	1,000	3/19/25
Niagaras Krispy Crunchy Fried Chicken, LLC	Sales Tax C	410,000	410,000	4,100	1,000	4,100	4/14/25	1,000	3/19/25

TOTAL

520,325

Fees received in prior year -

Total fees received to date in 2025 520,325

Total 2025 Budgeted Fees 527,232

Balance of Budgeted Fees 6,907

	Project Type	Total Project Amount	IDA Project Amount	Anticipated Fees	Application Fee	Amount Received to Date	Date Received	Anticipated Balance Due	Inducement Expiration
<b>Projected 2025</b>									
Cityscape Property Management Inc. - Division	L/L Back	1,122,000	970,000	9,700	1,000	1,000	9/20/23	9,700	11/9/25
Vishay Dale Electronics, LLC	L/L Back	8,200,000	8,000,000	80,000	1,000	1,000	12/12/23	80,000	6/30/25
MGA Construction, LLC	L/L Back	11,027,000	8,900,000	89,000	1,000	1,000	3/1/24	89,000	6/30/25
Live-USA Incorporated	L/L Back	16,000,000	10,500,000	102,500	1,000	1,000	7/3/24	102,500	7/31/25
Hotel Niagara Development, LLC	L/L Back	43,959,500	41,709,500	220,000	1,000	1,000	7/5/24	220,000	7/31/25
235 River Road LLC	L/L Back	36,665,978	28,426,762	190,000	1,000	1,000	9/11/24	190,000	10/31/25
Indian Ocean LLC (Phase II)	L/L Back	10,000,000	9,000,000	90,000	1,000	1,000	10/24/24	90,000	11/30/25
VPS Property Ventures, LLC	L/L Back	7,270,000	7,000,000	70,000	1,000	1,000	1/3/25	70,000	2/28/26
Voss Manufacturing, Inc.	L/L Back	4,731,000	2,700,000	27,000	1,000	1,000	1/3/25	27,000	2/28/26
Saint-Gobain Ceramics & Plastics Inc.	L/L Back	41,523,000		TBD	1,000			1,000	
Niagara Club LLC	Sales Tax C	2,004,961	1,951,961	TBD	1,000	1,000	4/11/25	-	4/30/26

TOTAL

878,200      11,000      10,000

879,200

0

TOTAL - Projected Income 2025

1,398,525      11,000      10,000

879,200

520,325

	Project Type	Total Project Amount	IDA Project Amount	Anticipated Fees	Application Fee	Amount Received to Date	Date Received	Anticipated Balance Due	Inducement Expiration
<b>Projected 2026</b>									

TOTAL

0      0      0

0

0

\* Pending Board Approval



# Cataract Tourism Fund Grant Program

Grantee Name	Grant Awards	Outst'd g Awards	Approval Date	Disbursement Date	Disbursement Amount	Offer Expiration	Project Description
Niagara County Dept. of Economic Development	37,667	0	10/11/2017	1/23/2018	37,667.00		Feasibility study for Niagara Falls area multi-use facility.
Niagara Aquarium Foundation	88,147	0	2/14/2018	7/15/2019	88,147.00		Jellyfish exhibit and equipment.
The Tourism Research Entrepreneurship Center (TReC)	176,600	0	8/8/2018	6/2/2020	176,600.00		Buildout audio/visual equipment and network connectivity hardware.
Niagara Aquarium Foundation	16,717	0	2/12/2020	10/21/2020	16,717.00		Renovations to second floor event room.
Niagara Aquarium Foundation	370,000	0	8/14/2019	2/9/2021	370,000.00		Interactive touch pools adjacent to main entrance of the Aquarium.
Red Star Builders, LLC (The Niagara Club)	64,403	0	7/10/2019	9/7/2021	64,403.00		Spot Coffee.
Niagara Falls Center for Tourism LLC	1,000,000	0	6/12/2019	7/7/2023	598,661.03	3/1/2026	Construction of an indoor family entertainment center and outdoor improvements.
The Center for Kashmir, Inc.	573,000	300,000	6/14/2023	8/9/2023	273,000.00		Renovations to vacant church for a museum of art and culture for Kashmir.
Savarino Companies, LLC	155,000	0	4/14/2021	4/26/2023	155,000.00		Rehabilitation of 4,000 square feet of commercial/retail storefront space.
Niagara Aquarium Foundation	900,000	0	2/9/2022	3/6/2025	900,000.00		Renovations to the Niagara Gorge Discovery Center for expanded programming.
Niagara Aquarium Foundation	35,000	0	2/8/2023	1/2/2024	35,000.00		Sea turtle exhibit.
Burger Factory Niagara Falls, Inc.	185,250	0	2/8/2023	1/11/2024	185,250.00		Facade renovations.
Niagara Falls International Cuisine, Inc.	76,500	0	2/8/2023	1/11/2024	44,922.31		Dining area renovations.
TM Montante Development(Radio Niagara)	912,609	912,609	3/22/2023	To Be Disbursed	0.00	11/1/2025	Renovations for restaurant, bar, game space, bowling lounge and boutique hotel.
Live-USA Incorporated	450,000	450,000	8/14/2024	To Be Disbursed	0.00	12/31/2025	Renovation of restaurant, bar and music entertainment venue.
Niagara Falls Urban Renewal Agency	204,000	0	10/9/2024	1/29/2025	204,000.00		Acquisition of properties along Main Street in Niagara Falls.
To Date Sub-Total	5,244,893	1,662,609			3,149,367.34		

Cash on hand as of 4/30/2025  
1,735,248.69  
Less: Outstanding Awards  
(1,662,609.00)  
Available for awarding grants  
72,639.69

Grant Fund Balance  
Grant Funding from NYS 11/22/2016  
1,600,000.00  
Grant Funding from NYS 10/16/2017  
1,440,000.00  
Grant Funding from NYS 10/12/2018  
1,600,000.00  
Bank Interest  
244,659.29  
Bank Fees  
(43.26)  
Grant Disbursements  
(3,149,367.34)  
Grant Fund Balance  
1,735,248.69

**8.1**

**Bogart-Sinatra  
Development LLC**



# NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

## APPLICATION FOR FINANCIAL ASSISTANCE

Bogart-Sinatra Development, LLC

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(Applicant Name)

6311 Inducon Corporate Drive, Suite One  
Sanborn, New York 14132  
Phone: 716-278-8760 Fax: 716-278-8769  
<http://niagaracountybusiness.com>

Updated April 2022

- I. Subject to the applicable statute, information provided by applicant will be treated as confidential until such time as the Agency takes action on the request. However, in accordance with Article 6 of the Public Officers Law, all records in possession of the Agency are open to public inspection and copy.
- II. The Niagara County Industrial Development Agency has a one thousand dollar (\$1000.00) non-refundable application fee that must accompany the application submission.
- III. At the time of the project closing, project applicant is required to pay certain costs associated with the project. The applicant shall be responsible for the payment of an Agency fee in the amount of one percent (1.00%) of the total value of the project, together with Agency counsel fees as set forth in the Agency fee policy schedule, together with various related costs, including but not limited to public hearing expenses. Upon request, a fee summary will be provided to each applicant.
- IV. One (1) original signed copy of the Application and Environmental Assessment form should be submitted with the Application for Assistance.

*The Niagara County Industrial Development Agency does not discriminate on the basis of race, color, religion, sex, sexual orientation, marital status, age, national origin, disability or status as a disabled or Vietnam Veteran or any other characteristic protected by law.*

6311 Inducon Corporate Drive, Suite One ■ Sanborn, NY 14132-9099 ■ 716-278-8760  
Fax 716-278-8769 ■ [www.niagaracountybusiness.com](http://www.niagaracountybusiness.com)

# NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

## APPLICATION FOR FINANCIAL ASSISTANCE

### I. APPLICANT INFORMATION

Company Name: Bogart-Sinatra Development, LLC

Mailing Address: 7235 Campbell Blvd

City/Town/Village & Zip code: North Tonawanda, NY 14120

Phone: (716) 807-2388

Website: n/a

Fed Id. No.: 82-5244589

Contact Person, and Title: Eric Bogart, Member

Email: eric.bogart1@yahoo.com

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

Eric Bogart 50% / Michael Sinatra 50%

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

#### Form of Entity

☐ **Corporation**

Date of Incorporation: \_\_\_\_\_

State of Incorporation: \_\_\_\_\_

☐ **Partnership**

General \_\_\_\_\_ or Limited \_\_\_\_\_

Number of general partners \_\_\_\_\_

If applicable, number of limited partners \_\_\_\_\_

Date of formation \_\_\_\_\_

Jurisdiction of Formation \_\_\_\_\_

☒ **Limited Liability Company/Partnership** (number of members <sup>2</sup> \_\_\_\_\_)

Date of organization: April 11, 2018

State of Organization: New York

☐ **Sole Proprietorship**

If a foreign organization, is the applicant authorized to do business in the State of New York?

\_\_\_\_\_

**Applicant's Counsel**

Company Name: Fromen Law

Contact Person, and Title: Michael Iacono, Attorney

Mailing Address: 4367 Harlem Road

City/Town/Village & Zip code: Snyder, NY 14226

Email: miacono@fromenlaw.com

Phone: (716) 341-9442

Fax No.: \_\_\_\_\_

**II. PROJECT INFORMATION**

**A)** Project Address: 1212 Erie Ave

Tax Map Number (SBL) 176.20-1-56

(Section/Block/Lot)

SWIS Number \_\_\_\_\_

Located in City of North Tonawanda

Located in Town of \_\_\_\_\_

Located in Village of \_\_\_\_\_

School District of North Tonawanda

**B)** Current Assessment of Property:

Land \$58,000.00

Total \$290,000.00

**C)** Present legal owner of the site Bogart-Sinatra Development, LLC

If other than from applicant, by what means will the site be acquired for this project?

**D)** Describe the project:

Addition of 12,000+ sqft of commercial warehouse flex space for businesses

**1. Project site (land)**

**(a)** Indicate approximate size (In acres or square feet) of project site.

3 acres

**(b)** Indicate the present use of the project site.

warehouse space & land



2. Indicate number, size (in square feet) and approximate age of existing buildings on site  
3 buildings totaling 9200sqft  
\_\_\_\_\_
3. Does the project consist of the construction of a new building or buildings?  
If yes, indicate number and size (in square feet) of new buildings.  
Yes, 2 buildings totaling over 12,000 sqft  
\_\_\_\_\_
4. Does the project consist of additions and/or renovations to existing buildings? If yes,  
indicate nature of expansion and/or renovation.  
\_\_\_\_\_  
\_\_\_\_\_
5. If any space in the project is to be leased to third parties, indicate total square footage  
of the project amount to be leased to each tenant and proposed use by each tenant.  
all space will be leased by various business owners  
\_\_\_\_\_
6. List principal items/categories of equipment to be acquired as part of the project.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. Has construction work on this project begun?  
No  
\_\_\_\_\_

E) Inter-Municipal Move Determination

Will the project result in the removal of a plant or facility of the applicant from one area of the State of New York to another?

☐ Yes or ☒ No

Will the project result in the removal of a plant or facility of another proposed occupant of the project from one area of the State of New York to another area of the State of New York?

☐ Yes or ☒ No

Will the project result in the abandonment of one or more plants or facilities located in the State of New York?

☐ Yes or ☒ No

If Yes to any of the questions above, explain how, notwithstanding the aforementioned closing or activity reduction, the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- F) Furnish a copy of any environmental application presently in process of completion concerning this project, providing name and address of the agency, and copy all pending or completed documentation and determinations.

### III. SOURCES & USES OF FUNDS

A) Estimated Project Costs:

Property Acquisition	\$ 375,000
Construction (Improvements)	\$ 1,250,000
Equipment Purchases/Fixtures/Furnishings	\$
Soft costs (i.e. engineering, architectural)	\$
Other (describe)	\$
TOTAL USES OF FUNDS	\$ 1,625,000

B) Sources of Funds for Project Costs *(Must match above Total Uses of Funds):*

Bank Financing	\$ 1,250,000
Equity	\$ 375,000
Grants/Tax Credits	\$
Taxable or Tax Exempt Bond	\$
Other	\$
TOTAL SOURCES OF FUNDS	\$ 1,625,000

C) Identify each state and federal grant/credit:

	\$
	\$
	\$
	\$
TOTAL PUBLIC FUNDS	\$

**IV. FINANCIAL ASSISTANCE REQUESTED**

**A.) Benefits Requested:**



Sales Tax Exemption



Mortgage Recording Tax Exemption



Real Property Tax Abatement (PILOT)

**B.) Value of Incentives: LEAVE THIS SECTION BLANK (will be estimated by NCIDA Staff)**

Property Tax Exemption

Estimated duration of Property Tax exemption: 10 Years

Sales and Use Tax

Estimated value of Sales Tax exemption for facility construction: \$ 53,125

Estimated value of Sales Tax exemption for fixtures and equipment: \$

Estimated duration of Sales Tax exemption: 2 Years

Mortgage Recording Tax Exemption Benefit

Estimated value of Mortgage Recording Tax exemption: \$ 9,375

**C.) Financial Assistance Determination:**

If financial incentives are not provided by NCIDA, is the project financially viable?



Yes

or



No

If the Project could be undertaken without Financial Assistance provided by the Agency, then provide a statement in the space provided below indicating why the Project should be undertaken by the Agency:

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**V. EMPLOYMENT PLAN**

	# of Retained Jobs	Retained Jobs Average Annual Salary	# of Created Jobs (3 yrs after project completion)	Created Jobs Average Annual Salary
Full Time	18	\$ 75,000	10	\$ 75,000
Part time	0	\$ 0	3	\$ 40,000
TOTAL FTEs	18	\$ 75,000	13	\$ 115,000

Annual Salary Range of Jobs to be Created: \$ 40,000 to \$ 100,000

Category of Jobs to be Retained and Created:

Job Categories (ie. Management, Administrative, Production, etc.) labor, foreman  
manufacturing, design, administrative, operating, production, management



**VI. REPRESENTATIONS BY THE APPLICANT**

The Applicant understands and agrees with the Agency as follows:

- A. Job Listings: In accordance with Section 858-b(2) of the New York General Municipal Law, the applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, new employment opportunities created as a result of the proposed project must be listed with the New York State Department of Labor Community Services Division (the "DOL") and with the administrative entity (collectively with the DOL, the "JTPA Entitle") of the service delivery area created by the federal job training partnership act (Public Law 97-300)("JTPA") in which the project is located.
- B. First Consideration for Employment: In accordance with Section 858-b(2) of the General Municipal Law, the applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, except as otherwise provided by collective bargaining agreements, where practicable, the applicant must first consider persons eligible to participate in JTPA programs who shall be referred by the JTPA Entities for new employment opportunities created as a result of the proposed project.
- C. Compliance with Section 224-a(8)(a) of N.Y Labor Law. The applicant acknowledges receipt of notice from the Agency pursuant to Section 224-a(8)(d) of the New York Labor Law that the estimated mortgage recording tax exemption benefit amount, the estimated sales and use tax exemption benefit amount, and the estimated real property tax abatement benefit amount as so identified within this Application are "public funds" and not otherwise excluded under Section 224-a(3) of the New York Labor Law. You further acknowledge and understand that you have certain obligations as related thereto pursuant to Section 224-a(8)(a) of the New York Labor.
- D. Annual Sales Tax Filings: In accordance with Section 874(8) of the General Municipal Law, the Applicant understands and agrees that, if the proposed project receives any sales tax exemptions as part of the Financial Assistance from the Agency, in accordance with Section 874(8) of the General Municipal Law, the applicant agrees to file, or cause to be filed, with the New York State Department of Taxation and Finance, the annual form prescribed by the Department of Taxation and Finance, describing the value of all sales tax exemptions claimed by the applicant and all consultants or subcontractors retained by the Applicant.
- E. Annual Employment Reports: The applicant understands and agrees that, if the proposed project receives any Financial Assistance from the Agency, the applicant agrees to file, or cause to be filed, with the Agency, on an annual basis, reports regarding the number of people employed at the project site.



- F. Compliance with N.Y. GML Sec. 862(1): Applicant understands and agrees that the provisions of Section 862(1) of the New York General Municipal Law, as provided below, will not be violated if Financial Assistance is provided for the proposed Project:

§ 862. Restrictions on funds of the agency. (1) No funds of the agency shall be used in respect of any project if the completion thereof would result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, provided, however, that neither restriction shall apply if the agency shall determine on the basis of the application before it that the project is reasonably necessary to discourage the project occupant from removing such other plant or facility to a location outside the state or is reasonably necessary to preserve the competitive position of the project occupant in its respective industry.

- G. Compliance with Applicable Laws: The Applicant confirms and acknowledges that the owner, occupant, or operator receiving Financial Assistance for the proposed Project is in substantial compliance with applicable local, state and federal tax, worker protection and environmental laws, rules and regulations.
- H. False and Misleading Information: The Applicant confirms and acknowledges that the submission of any knowingly false or knowingly misleading information may lead to the immediate termination of any Financial Assistance and the reimbursement of an amount equal to all or part of any tax exemption claimed by reason of the Agency's involvement the Project.
- I. Recapture: Should the Applicant not expend or hire as presented, the Agency may view such information/status as failing to meet the established standards of economic performance. In such events, some or all of the benefits taken by the Applicant will be subject to recapture.
- J. Absence of Conflicts of Interest: The applicant has received from the Agency a list of the members, officers, and employees of the Agency. No member, officers or employee of the Agency has an interest, whether direct or indirect, in any transaction contemplated by this Application, except as herein described.

The Applicant and the individual executing this Application on behalf of applicant acknowledge that the Agency and its counsel will rely on the representations made in this Application when acting hereon and hereby represents that the statements made herein do not contain any untrue statement of a material fact and do not omit to state a material fact necessary to make the statements contained herein not misleading.

STATE OF NEW YORK )  
COUNTY OF ) ss.:

Michael Sinatra, being first duly sworn, deposes and says:

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

Michael Sinatra  
(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury  
this 9<sup>th</sup> day of May, 2025

Julie Lynn Lamoreaux  
(Notary Public)

Julie Lynn Lamoreaux  
Notary Public, State of New York  
Registration No. 01LA6421615  
Qualified in Erie County  
My Commission Expires September 7, 2025

This Application should be submitted to the Niagara County Industrial Development Agency, 6311 Inducon Corporate Drive, Suite One, Sanborn, New York 14132.

Attach copies of preliminary plans or sketches of proposed construction or rehabilitation or both.



### HOLD HARMLESS AGREEMENT

Applicant hereby releases the NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY and the members, officers, servants, agents and employees thereof (the "Agency") from, agrees that the Agency shall not be liable for and agrees to indemnify, defend and hold the Agency harmless from and against any and all liability arising from or expense incurred by (A) the Agency'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 Agency, and (B) any further action taken by the Agency with respect to the Project; including without limiting the generality of the foregoing, all causes of action and reasonable 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 Agency or the Applicant are unable to reach final agreement with respect to the Project, then, and in the event, upon presentation of an invoice itemizing the same, the Applicant shall pay to the Agency, its agents or assigns, all out of pocket costs incurred by the Agency in processing of the Application, including reasonable attorneys' fees, if any. Notwithstanding anything contained herein to the contrary, the foregoing indemnities shall not be applicable with respect to misconduct, negligence, or criminal activity on the part of the Agency. It is understood and agreed that the Applicant has the right to join in any defense, and participate in the management of the defense, of any claim for which the Agency seeks indemnification.

In addition to the foregoing, the Applicant understands and acknowledges that (i) this application does not create or give rise to any legal obligations on the part of the Niagara County Industrial Development Agency (the "Agency") or the Applicant except as expressly stated herein, (ii) the terms and conditions governing the award of the financial assistance described herein will be set forth in a separate agreement(s), with the Agency, the form of which will be provided to the Applicant only upon the processing and approval of this application, (iii) the requested financial assistance described in application is based upon the representations made by the Applicant, based upon the Applicant's actual knowledge as of the date of this application, to the Agency, regarding the project, and (iv) that the Agency reserves the right to revise the financial assistance described in this application if any aspect of the project changes after receipt of the application, including changes to the number of jobs, amount of capital investment, or wages, by way of example only. In addition, the Applicant reserves the right to retract, clarify, amend or modify any such representations made prior to (or concurrently with) the submittal of this application to the Agency.

Michael Sinatra  
(Applicant Signature)

By: Begent-Sinatra Development LLC

Name: Michael Sinatra

Title: owner

Julie Lynn Lamoreaux  
(Notary Public)

Julie Lynn Lamoreaux  
Notary Public, State of New York  
Registration No. 01LA6421815  
Qualified in Erie County  
My Commission Expires September 7, 2025

Sworn to before me this 9<sup>th</sup> day

of May, 2025

[stamp]

**Real Property Tax Benefits (Detailed):**

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

PILOT Estimate Table Worksheet

Dollar Value of New Construction and Renovation Costs	Estimated New Assessed Value of Property Subject to IDA*	County Tax Rate/1000	Local Tax Rate (Town/City/Village)/1000	School Tax Rate/1000
\$1,800,000	\$3,000,000	8.677701	18.667600	27.934200

\*Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Local PILOT amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	20%	\$ 1,552	\$ 2,388	\$ 3,555	\$ 7,495	\$ 37,473	\$ 29,979
2	25%	\$ 1,940	\$ 2,984	\$ 4,444	\$ 9,368	\$ 37,473	\$ 28,105
3	30%	\$ 2,328	\$ 3,581	\$ 5,333	\$ 11,242	\$ 37,473	\$ 26,231
4	35%	\$ 2,716	\$ 4,178	\$ 6,221	\$ 13,116	\$ 37,473	\$ 24,358
5	40%	\$ 3,104	\$ 4,775	\$ 7,110	\$ 14,989	\$ 37,473	\$ 22,484
6	45%	\$ 3,492	\$ 5,372	\$ 7,999	\$ 16,863	\$ 37,473	\$ 20,610
7	50%	\$ 3,880	\$ 5,969	\$ 8,888	\$ 18,737	\$ 37,473	\$ 18,737
8	55%	\$ 4,268	\$ 6,566	\$ 9,776	\$ 20,610	\$ 37,473	\$ 16,863
9	60%	\$ 4,656	\$ 7,163	\$ 10,665	\$ 22,484	\$ 37,473	\$ 14,989
10	65%	\$ 5,044	\$ 7,759	\$ 11,554	\$ 24,358	\$ 37,473	\$ 13,116
<b>TOTAL</b>		<b>\$ 32,981</b>	<b>\$ 50,735</b>	<b>\$ 75,546</b>	<b>\$ 159,261</b>	<b>\$ 374,731</b>	<b>\$ 215,471</b>

\*Estimates provided are based on current property tax rates and assessment value



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.

<b>Part 1 - Project and Sponsor Information</b>							
1212 Erie Ave Commercial Warehouse Project							
Name of Action or Project:							
Project Location (describe, and attach a location map): 1212 Erie Ave N. Tonawanda, NY 14120 between wurltzer & walck							
Brief Description of Proposed Action: Construction of 12,000sqft of commercial warehouse flex space catered to business owners							
Name of Applicant or Sponsor: Bogart-Sinatra Development, LLC		Telephone: 716-807-2388					
		E-Mail: eric.bogart1@yahoo.com					
Address: 7235 Campbell Blvd.							
City/PO: North Tonawanda		State: New York	Zip Code: 14120				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action? <span style="float: right;">3 acres</span>							
b. Total acreage to be physically disturbed? <span style="float: right;">.98 acres</span>							
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <span style="float: right;">10.26 acres</span>							
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES	
If Yes,			
a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?			
If Yes, briefly describe: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES			
underground retention w/ oil/water separator & sediment trap			



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
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor name: <u>Eric Bogart Michael Sinatra</u> Date: <u>4/21/25</u> Signature: <u><i>Michael Sinatra</i></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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	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.

<input type="checkbox"/>	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.
<input checked="" type="checkbox"/>	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.
Niagara Industrial Dev. Agency	5/9/25
Name of Lead Agency	Date
Andrea Klyczek	Executive Director
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Andrea Klyczek	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**PRINT**



**8.2**

**NCDC**

**Microenterprise  
Grant Approvals**

**REQUEST FOR GRANT APPROVAL**  
**Niagara County Development Corporation**  
**Micro Enterprise Program**

**APPLICANT INFORMATION:**

Grant Applicant: Prime Legacy Inc.  
UEID# Number: HHXSCNLZTND6  
Business Type: Photographers  
Business Established: January 2023  
Business Address: 106 Windermere Rd, Lockport NY 14094  
Email: primelegacyphotography@gmail.com  
Phone: (716) 534-6630  
Owner(s): Brianna Hayes Eleasa Hayes  
Percent Ownership: 50% 50%

**PROJECT INFORMATION:**

Prime Legacy Photography has been in business over 8 years and is based in Lockport. They are a family-owned business operated by a husband and wife team who are both experienced photographers. Currently they provide photography services for various occasions, such as weddings, engagements, and family portraits. The business plans to diversify the company's offerings by expanding their portfolio to different types of photography; such as, real estate photography, fashion photography, and other marketing photography for businesses. They also are expanding into educational opportunities for aspiring photographers and venturing into printing services.

Different lenses offer unique perspectives so it is necessary for the business to invest in multiple different lenses which will allow them to enhance their current offerings and the ability to capture sharp, high-end quality images which can open up new business opportunities. The new equipment will also enable them to expand to video services, to create vlogs on YouTube and other streaming sites to show their workflow and educate other photographers. This can also open another source of revenue for them. By bringing printing in-house, the company can provide high-quality, customized prints of their work ranging from traditional photo prints to larger formats like canvases, posters, or fine art prints. The new lenses and equipment will allow Prime Legacy to offer premium services, target new industries and improve workflow efficiency while providing both creative and business advantages.

Prime Legacy is seeking a \$20,000 microenterprise grant to purchase photography equipment, including several specialty camera lenses and various lighting equipment along with a large-format printer and printing equipment and supplies.

**CREDIT & FINANCIAL SUMMARY:**

The financial projections were provided by the applicant with the assistance of the SBDC. The income is based on family photoshoots, weddings, print sales, and business photoshoots. The projections appear to be conservative with a three-year projection that shows a moderate increase in sales of 5% commensurate with earnings. The company projects a modest net profit which is consistent with their cost estimates, growth strategy and marketing efforts.

Credit reports were obtained for the owners Brianna and Eleasa Hays. Prime Legacy Inc. did not have a credit report as there was no past debt and they only have one recently opened business credit card account with a minimal balance. The credit reports obtained for the owners shows FICO credit scores of 530. The poor credit scores are due to recent enrollment in a debt relief program they decided to join in an effort to manage their financial obligations more effectively and reduce their debt. They have paid off several credits and remaining balances are continuing to decrease with monthly payments. They have one delinquent line of credit that is 90 days past due. The reports indicate there are two open credit accounts with minimal balances and two car loans balance of \$65,000, one mortgage balance of \$288,000, two personal loans balance of \$10,000, and two deferred student loans with balance of \$20,000. All accounts are now current and in good standing. No bankruptcies, judgments or liens were reported.

**SOURCE & USE OF FUNDS:**

Source and Use of Funds				
Use of Funds	Estimated Project Total	Owner Equity	Other Sources	Grant Request
Working Capital	\$960	\$960		\$0
Fixtures				
Equipment	\$18,725	\$0		\$18,725
Inventory	\$2,565	\$1,290		\$1,275
Totals	\$22,250	\$2,250		\$20,000
	100%	10%		90%

## RISK ASSESSMENT:

### Positive Factors:

- Has a base clientele to start
- New equipment will allow growth in services and quality
- Offering a wide range of high-quality services to consumers and businesses
- Good marketing and advertising strategies
- Woman- and Veteran-owned business
- Owner equity of at least 10% of project costs

### Negative Factors:

- Highly competitive industry
- Will need to market in a wide area to promote new business services
- Low credit score due to past debt reconciliation with 3<sup>rd</sup> party service

## GRANT RANKING CRITERIA:

Clearly Defined Project: Yes ☒ No ☐

If Yes, Expansion ☒ or Start-up ☐

Project Industry: Photography

Potential for future job creation: Yes ☐ No ☒

Minority, Woman, or Veteran Owned: Yes ☒ No ☐

Community Impact: Providing specialized photography services for community residents and businesses locally and nationally.

Cost/Benefit:	Year One Income:	\$168,000
	Total Project Costs:	\$22,500
	Grant funds requested:	\$20,000
	Owner Equity:	11%

## GRANT SUMMARY:

**Grant Request:** \$ 20,000 reimbursable based on submitted expense receipts

**Grant Term:** Release upon grantee compliance with all grant requirements and closeout of OCR grant.

**Repayment:** Grant subject to recapture if Grantee fails to comply with grant requirements.

**Feasibility:** There is nothing in the company's historical operating performance or projections that suggests the proposed grant would produce an unreasonable return on equity or result in profitability substantially in excess of industry standards.

**Eligibility:**

- Private for-profit business entity in Niagara County with less than 5 employees
- Business will commit at least 10% in equity
- SBDC Technical Assistance Program In Process, *must be completed for eligibility*

**National Objective:** ☐ Will create at least one FTE job made available to individuals of Low-to-Moderate-Income  
☒ Owner is Low-to-Moderate Income

## REQUEST FOR GRANT APPROVAL

### Niagara County Development Corporation Micro Enterprise Program

#### APPLICANT INFORMATION:

Grant Applicant: Harmony Spa Head to Toe LLC  
UEID Number: NLKSTBE8EH23  
Business Type: Nail Salon  
Business Established: March 2025  
Business Address: 2497 Lockport Rd, Sanborn NY 14132  
Email : charm2614@yahoo.com  
Phone: (716) 870-1765  
Owner(s): Courtney Harm  
Percent Ownership: 100%

#### PROJECT INFORMATION:

Courtney Harm has been a licensed cosmetologist for 8 years and is opening a salon to include services such as, manicures, pedicures, waxing and facials along with retail product sales. She has already invested \$15,000 to renovate the 240 sq ft garage at her residence which includes a separate entrance for clients. All interior work is on schedule and she is planning on a June/July opening. As Ms. Harm builds her clientele, she will continue to work part-time for supplemental income. The salon will be open, initially four days a week providing hours in the evening and Saturdays to accommodate the needs of clients.

Social media will be the primary focus of promoting the business, incorporating consistent branding using cohesive visuals across both platforms and by highlighting the spa's calming and aesthetically pleasing atmosphere. Content will highlight services, products used, client testimonials and special occasion promotions. She has reached out to her former colleagues at a home healthcare agency and will be added to their list of "Employee Perks" program which offers a 20% discount off their first service. The program was very popular among employees and a great way to build clientele. She will also incorporate ClassPass in her marketing efforts. ClassPass is an app with credit-based membership that grants access to thousands of gyms, salons and spas.

The business is requesting a microenterprise grant in the amount of \$18,000 to purchase spa and office equipment such as: pedicure spa chair, esthetician table, paraffin wax bath, laptop and Square credit card terminal with iPad. Funds will also be used for furniture and decor including salon chairs and tables, wall art decor, shelving and organizational displays along with start-up supplies and inventory.

#### CREDIT & FINANCIAL SUMMARY:

The financial projections were provided by the applicant with the assistance of the SBDC. The income is based on spa services and product sales. The projections appear to be conservative with a three-year projection that shows a moderate increase in sales of 10% commensurate with earnings. The company projects a modest net profit for the next few years.

A credit report was obtained for the business owner, Courtney Harm. The business is a start-up, so there is no credit information. The credit report obtained for the owner shows a FICO credit score of 799 which is a very good credit score. The report indicates there are four open credit accounts with minimal or zero balances and one mortgage balance of \$112,000. All open accounts in good standing. No bankruptcies, judgments or liens were reported.

#### SOURCE & USE OF FUNDS:

Source and Use of Funds				
Use of Funds	Estimated Project Total	Owner Equity	Other Sources	Grant Request
Working Capital	\$6,000	\$1,200		\$4,800
Fixtures	\$1,000	\$400		\$600
Equipment	\$5,775	\$600		\$5,175
Inventory	\$7,425			\$7,425
Totals	\$20,200	\$2,200		\$18,000
	100%	11%		89%

## RISK ASSESSMENT:

### Positive Factors:

- Licensed Owner with experience in salon services; also has a business degree
- Has a base clientele to start
- Good marketing and advertising strategies using social media
- Located on a heavily-traveled road
- As opposed to large salons, will provide a quiet one-on-one space for clients
- Additional income to support start-up
- Owner equity of at least 10% of project costs

### Negative Factors:

- Start up business slowly growing customer base
- Very Competitive market
- Will need to market to promote new business and build customer base

## GRANT RANKING CRITERIA:

Clearly Defined Project: Yes ☒ No ☐  
If Yes, Expansion ☐ or Start-up ☒

Project Industry: Nail and Waxing Salon

Potential for future job creation: Yes ☐ No ☒

Minority, Woman, or Veteran Owned: Yes ☒ No ☐

Community Impact: Small client-oriented salon providing relaxing one-on-one environment.

Cost/Benefit:	Year One Income:	\$ 45,000
	Total Project costs:	\$ 20,200
	Grant funds requested:	\$ 18,000
	Owner Equity:	10%

## GRANT SUMMARY:

**Grant Request:** \$18,000 reimbursable based on submitted expense receipts

**Grant Term:** Release upon grantee compliance with all grant requirements and closeout of OCR grant.

**Repayment:** Grant subject to recapture if Grantee fails to comply with grant reimbursement requirements.

**Feasibility:** There is nothing in the company's historical operating performance or projections that suggests the proposed grant would produce an unreasonable return on equity or result in profitability substantially in excess of industry standards.

**Eligibility:**

- Private for-profit business entity in Niagara County with less than 5 employees
- Start-up business
- Business will commit at least 10% in equity
- SBDC Technical Assistance Program in Process, must be completed for eligibility

**National Objective:**

<input type="checkbox"/>	Will create at least one FTE job made available to individuals of Low-to-Moderate-Income
<input checked="" type="checkbox"/>	Owner is Low-to-Moderate Income

## REQUEST FOR GRANT APPROVAL

### Niagara County Development Corporation Micro Enterprise Program

#### APPLICANT INFORMATION:

Grant Applicant: Sheri-Lynn Senek dba Senek Farms Cider Co.  
UEID Number:  
Business Type: Beverage Manufacturing and Sales  
Business Established: April 2025  
Business Address: 2087 Youngstown Wilson Rd, Ransomville NY  
Email : 14131 berry3536@aol.com  
Phone: (716) 525-2249  
Owner(s): Sheri-Lynn Senek  
Percent Ownership: 100%

#### PROJECT INFORMATION:

Senek Farms Cider Co. is a new business located adjacent to the farm property of Senek Farms in Ransomville, NY. The farm has been attending farmers markets for over 10 years and is well known for their cider. Senek Farms Cider Co. will press homegrown apples and fruit from the family farm. The farm previously had a third party press apples for them, but are now taking the opportunity to establish a new business opening a cider house and custom press. The new business will also help them to expand their product lines, availability and customer base.

They will offer their own apple cider and diversify their cider line by adding different flavors from fruit grown on their family farm. They will sell year-round at six weekly farmers markets in Niagara and Erie counties and expand to retail, wholesale and custom press. They will be the only cider press in Niagara County offering pressing services to other local orchards. During peak pressing seasons they will create at least 2 part-time cider-maker positions. In year 2 they plan to increase year-round cider sales with an on-site cider retail space.

The business is seeking \$18,000 in funding through the Microenterprise Grant Program to support the purchase of a CiderSure 3550 UV Treatment System. The total cost of the system is \$44,000 in which the owner will invest the remaining amount. This summer, the CiderSure 3550 will be installed in Senek Farms Cider Co.'s newly constructed cider house.

#### CREDIT & FINANCIAL SUMMARY:

The financial projections were provided by the applicant with the assistance of the SBDC. The income is based on cider retail and wholesale sales and custom pressing services. The projections appear to be conservative with a three-year projection that shows a moderate increase in sales of 10% commensurate with earnings. The company projects moderately increasing net profits for the next few years.

A credit report was obtained for the business owner, Sheri-Lynn Senek. The business is a start-up, so there is no credit information. The credit report obtained for the owner shows a FICO credit score of 757 which is a very good credit score. The report indicates there are four open credit accounts with minimal or zero balances. All open accounts in good standing. No bankruptcies, judgments or liens were reported.

#### SOURCE & USE OF FUNDS:

Source and Use of Funds				
Use of Funds	Estimated Project Total	Owner Equity	Other Sources	Grant Request
Working Capital				
Fixtures				
Equipment	\$44,000	\$26,000		\$18,000
Machinery				
Inventory				
Totals	\$44,000	\$26,000		\$18,000
	100%	59%		41%

## RISK ASSESSMENT:

### Positive Factors:

- Owner experienced with cider and farming processes
- Past Farm market experience with loyal customers
- Proven cider sales to support new business venture-(In 2024, sold approx. 5,000 gallons of cider in 6 months)
- Has a base of long-time retail customers
- Previous custom cider press business ceased operations, so local farmers already inquiring about service
- Additional income to support start-up
- Owner equity of over 50% of project costs

### Negative Factors:

- Initial investment high for Start up business
- Very Competitive market
- Will need to market to promote new business and build customer base

## GRANT RANKING CRITERIA:

Clearly Defined Project: Yes ☒ No ☐  
If Yes, Expansion ☐ or Start-up ☒

Project Industry: Cider Mill and Sales

Potential for future job creation: Yes ☒ No ☐

Minority, Woman, or Veteran Owned: Yes ☒ No ☐

Community Impact: The business will offer high-quality cider products along with offering local farmers a vital specialty service and will contribute positively to the agricultural landscape of Niagara County.

Cost/Benefit:	Year One Income:	\$127,000
	Total Project costs:	\$ 44,000
	Grant funds requested:	\$ 18,000
	Owner Equity:	+50%

## GRANT SUMMARY:

**Grant Request:** \$18,000 reimbursable based on submitted expense receipts

**Grant Term:** Release upon grantee compliance with all grant requirements and closeout of OCR grant.

**Repayment:** Grant subject to recapture if Grantee fails to comply with grant reimbursement requirements.

**Feasibility:** There is nothing in the company's historical operating performance or projections that suggests the proposed grant would produce an unreasonable return on equity or result in profitability substantially in excess of industry standards.

**Eligibility:**

- Private for-profit business entity in Niagara County with less than 5 employees
- Start-up business
- Business will commit at least 10% in equity
- SBDC Technical Assistance Program in Process, must be completed for eligibility

**National Objective:**

<input type="checkbox"/>	Will create at least one FTE job made available to individuals of Low-to-Moderate-Income
<input checked="" type="checkbox"/>	Owner is Low-to-Moderate Income

**8.3**

**NCDC**

**Loan Approval**



**Request for Loan Approval  
Niagara County Development Corporation  
As Administrator for the EDA Revolving Loan Fund**

Loan Applicant: Bairco, Inc.

Tax ID#: 88-2340401

Business Address: 2055 Niagara Falls Blvd., Suite #1  
Niagara Falls, NY 14304

Project Address: Same as above

Telephone: 716-330-0104

Website: [www.bairco.com](http://www.bairco.com)

Ownership: Matthew Brooks – 100%

Business: Manufacturing and distribution of filtration systems.

NAICS: 333413 - Industrial and Commercial Fan and Blower and Air Purification  
Equipment Manufacturing

Date of Review: May 5, 2025

Loan Request: \$100,000

Project Description: Bairco is embarking on an expansion project to support its growing demand and need to increase production capacity. This project will involve investment in new equipment and improvements to the production floor, the addition of new employees, and focused marketing efforts.

**History and Background of the Applicant/Management**

Bairco Inc. was established in April 2022 by Matthew Brooks with the purpose of building a filtration manufacturing and distribution company in Western New York. During the first full year of operations in 2023, the business operated out of 1,000 sq. ft. of leased space at 889 Erie Ave. in North Tonawanda. The primary goal during the year was to establish modernized business processes, supply agreements, and a presence in the market. The owner felt this was achieved and by 2024, the company had determined that on-site manufacturing was feasible and moved to a larger space at 2055 Niagara Falls Blvd. to accommodate that need.

Matthew Brooks has 15 years of experience in the filtration industry. He began his career in 2010 with John W. Danforth, learning the technical side of the business and helping grow the filtration division with direct customer sales. In 2015, Matt was recruited by R.P. Fedder Industrial to establish a Buffalo office for a manufacturing and distribution company based out of Rochester, NY. He averaged 35% growth each year for five consecutive years while managing that territory. He believes this experience in building a market presence from the ground up will allow him to be successful in this venture.

### History and Background of the Applicant/Management (cont.)

In addition to his prior work experience, Mr. Brooks also builds his network in the industry through membership in the National Air Filtration Association. He's been a member since 2022 and currently serves as the Chair of the Education and Training Committee.

Bairco offers a wide range of air filtration solutions, including:

**Custom OEM Filters:** Tailored filtration solutions for equipment manufacturers.

**HVAC Filters:** Standard, high-purity, and custom-sized filters for commercial and industrial use.

**Spray Finishing Filters:** High-performance filters designed for the spray finishing market.

**Custom-Packed and Scheduled Filters:** A unique system that simplifies filter changeouts for contractors and facility managers by providing pre-packed filters on a scheduled timeline.

Currently, Mr. Brooks is the only employee of the company. The need to focus on business development and administrative tasks has limited the time he can devote to manufacturing products. The overall purpose of this project is to scale the business to allow for the hiring of employees and a shift in focus to higher volume manufacturing. This requires an upgrade to more efficient equipment with a larger capacity and working capital support to expand marketing efforts and pay / train new employees until increased revenue is realized. More specific information on the project budget is detailed below in the review of sources and uses of funds.

### Sources and Uses of Funds

<b>Sources</b>	
Isolation Systems	\$141,000
NCDC EDA-RLF Loan	\$100,000
Pursuit Lending	\$59,000
Borrower Equity	\$35,000
<b>Total</b>	<b>\$335,000</b>
<b>Uses</b>	
Equipment	\$158,000
Working Capital / Closing Costs	\$121,000
Inventory	\$41,000
Leasehold Improvements	\$15,000
<b>Total</b>	<b>\$335,000</b>

Isolation Systems is a vendor providing the company with \$100,000 worth of used filter manufacturing equipment and \$41,000 worth of inventory. They have agreed, in writing, to provide financing over 10 years for the equipment and 2 years for the inventory.

A commitment letter is on file for the Pursuit financing and the owner has stated that the loan has been closed. Those funds will be designated towards working capital and closing costs.

### Sources and Uses of Funds (cont.)

The NCDC funds will be used to purchase various pieces of new manufacturing equipment in the amount of approximately \$58,000. Invoices to support those costs are on file. The pieces of equipment all cost between \$5k and \$25k and included items like hot melt roll coaters, pleat cutters, and drying tables. The remainder of the NCDC funds will be used along with Borrower equity towards working capital to cover operating expenses as manufacturing ramps up and new employees are hired.

### Financial Analysis

Bairco has provided its 2022 and 2023 federal tax returns along with a management prepared income statement for 2024. Note that the company was formed in April 2022. The company also provided three years of projections (income statement, balance sheet, cash flow). The financial statements are displayed on the following pages (with commentary).

Bairco - Historical Income Statement			
Year	2023		2024
Source	FTR		Mgmt
Income			
Sales	254,251		344,188
COGS	(176,555)		(150,866)
<b>Gross Income</b>	<b>77,696</b>		<b>193,322</b>
Expenses			
Payroll	0		13,607
Rent	0		44,796
Travel	5,807		13,001
Communication	3,395		4,531
Dues & Subscriptions	2,220		2,095
Insurance	1,998		1,738
Supplies	1,303		5,198
Other	5,412		17,283
<b>Total Expenses</b>	<b>20,135</b>		<b>102,249</b>
<b>Net Income</b>	<b>57,561</b>		<b>91,073</b>

#### **Historical Income Statement Comments:**

- 2022 results not included as it was a stub year, and the company didn't generate significant revenue. Revenue to date has mostly been generated through distribution.
- Payroll was for a part time worker to help fulfill orders during a busy time. That person is not currently employed.
- COGS improved through larger orders and less contracted labor.
- Using 2024 net income, DSCR on the full debt load required for the proposed project would be 1.29X.

**BAIRCO INC.  
PRO FORMA BALANCE SHEETS**

	12/31/2024	Project	Year 1	Year 2	Year 3
<b>Assets</b>					
<b>Current Assets:</b>					
Bank & Cash Accounts	11,402	75,792	49,442	65,111	305,912
Accounts Receivable	41,656	0	41,656	41,656	41,656
Inventory	49,780	41,751	91,531	91,531	91,531
<b>Total Current Assets</b>	<b>102,839</b>	<b>117,543</b>	<b>182,630</b>	<b>198,298</b>	<b>439,099</b>
<b>Fixed Assets:</b>					
Equipment	0	158,208	158,208	158,208	158,208
Leasehold Improvements	0	15,000	15,000	15,000	15,000
	0	173,208	173,208	173,208	173,208
Less: Accumulated Depreciation	0	0	24,744	49,488	74,232
<b>Net Fixed Assets</b>	<b>0</b>	<b>173,208</b>	<b>148,464</b>	<b>123,720</b>	<b>98,976</b>
<b>Intangible Assets:</b>					
Closing Costs & Professional Fees	0	10,000	10,000	10,000	10,000
Less Amortization	0	0	3,333	6,667	10,000
<b>Total Intangible Assets</b>	<b>0</b>	<b>10,000</b>	<b>6,667</b>	<b>3,333</b>	<b>0</b>
<b>Total Assets</b>	<b>102,839</b>	<b>300,751</b>	<b>337,760</b>	<b>325,352</b>	<b>538,075</b>
<b>Liabilities &amp; Shareholders' Equity</b>					
<b>Current Liabilities:</b>					
Accounts Payable	7,449	0	7,449	7,449	7,449
Credit Cards Payable	1,926	0	1,926	1,926	1,926
Pursuit Loan, Current Portion	0	9,233	10,821	11,661	12,567
NCIDA Loan, Current Portion	0	16,604	17,411	18,256	19,142
Inventory Loan, Current Portion	0	18,517	21,393	1,841	0
<b>Total Current Liabilities</b>	<b>9,376</b>	<b>44,355</b>	<b>59,001</b>	<b>41,134</b>	<b>41,084</b>
<b>Long Term Liabilities:</b>					
Equipment Loan, Private	0	100,000	90,833	80,833	80,833
Bank Loan	0	49,767	38,945	27,284	14,717
NCIDA Loan	0	83,396	65,985	47,729	28,587
Inventory Loan, Private	0	23,234	1,841	0	0
<b>Total Long Term Liabilities</b>	<b>0</b>	<b>256,397</b>	<b>197,605</b>	<b>155,846</b>	<b>124,138</b>
<b>Owners' Equity:</b>					
Common Stock	100	0	100	100	100
Additional Paid in Capital	4,275	0	4,275	4,275	4,275
Current Earnings	0	0	-12,308	47,216	244,482
Retained Earnings	89,088	0	89,088	76,780	123,996
<b>Total Owners' Equity</b>	<b>93,463</b>	<b>0</b>	<b>81,155</b>	<b>128,371</b>	<b>372,853</b>
<b>Total Liabilities &amp; Owners' Equity</b>	<b>102,839</b>	<b>300,751</b>	<b>337,760</b>	<b>325,352</b>	<b>538,075</b>

**Balance Sheet Comments:**

- Current cash on hand under "project" supported by bank statement.
- \$100k equipment loan from vendor Isolation Systems is interest free.
- Borrower has no debt prior to commencement of this project.

**BAIRCO INC.**  
**PRO FORMA INCOME STATEMENT**  
**THREE YEARS**

	Year 1	% of Sales	Year 2	% of Sales	Year 3	% of Sales
Sales:						
Reseller	228,000	26.48%	619,920	40.00%	929,880	40.00%
Original Equipment Manufacturer	273,000	31.71%	309,960	20.00%	464,940	20.00%
End User	360,000	41.81%	619,920	40.00%	929,880	40.00%
Total Sales	861,000	100.00%	1,549,800	100.00%	2,324,700	100.00%
Cost of Sales:						
Beg. Inventory	49,780	5.78%	91,531	5.91%	91,531	3.94%
Purchases, Reseller	164,900	19.15%	402,948	26.00%	604,422	26.00%
Purchases, OEM	172,150	19.99%	185,976	12.00%	278,964	12.00%
Purchases, End User	196,700	22.85%	309,960	20.00%	464,940	20.00%
Freight-In	16,013	1.86%	146,518	9.45%	219,777	9.45%
Shop Supplies	21,525	2.50%	38,745	2.50%	38,745	1.67%
	621,069	72.13%	1,175,678	75.86%	1,698,379	73.06%
Less: Ending Inventory	91,531	10.63%	91,531	5.91%	91,531	3.94%
Total Cost of Sales	529,538	61.50%	1,084,147	69.95%	1,606,848	69.12%
Gross Profit	331,462	38.50%	465,653	30.05%	717,852	30.88%
Operating Expenses:						
Owner's Salary	50,000	5.81%	50,000	3.23%	53,000	2.28%
Salaries & Wages	124,880	14.50%	190,426	12.29%	235,859	10.15%
Payroll Taxes	26,232	3.05%	36,064	2.33%	43,329	1.86%
Rent	72,000	8.36%	72,000	4.65%	72,000	3.10%
Telephone & Internet	3,500	0.41%	3,675	0.24%	3,859	0.17%
Repairs and Maintenance	400	0.05%	420	0.03%	441	0.02%
Insurance	2,100	0.24%	2,205	0.14%	2,315	0.10%
Professional Fees	1,750	0.20%	1,838	0.12%	1,929	0.08%
Meals	2,400	0.28%	2,520	0.16%	2,646	0.11%
Dues & Subscriptions	2,220	0.26%	2,331	0.15%	2,448	0.11%
Office Supplies	4,057	0.47%	4,260	0.27%	4,473	0.19%
Utilities	4,611	0.54%	4,842	0.31%	5,084	0.22%
Travel	4,844	0.56%	5,086	0.33%	5,341	0.23%
Bank Fees	300	0.03%	315	0.02%	331	0.01%
Website	1,250	0.15%	1,313	0.08%	1,378	0.06%
Advertising & Promotion	1,200	0.14%	1,260	0.08%	1,323	0.06%
Postage, Shipping & Printing	800	0.09%	840	0.05%	882	0.04%
Miscellaneous	3,396	0.39%	3,566	0.23%	3,744	0.16%
Interest, NCIDA Loan	4,028	0.47%	3,222	0.21%	2,377	0.10%
Interest, Pursuit Loan	3,771	0.44%	3,366	0.22%	2,525	0.11%
Interest, Inventory Loan Private	1,954	0.23%	812	0.05%	9	0.00%
Amortization	3,333	0.39%	3,333	0.22%	3,333	0.14%
Depreciation	24,744	2.87%	24,744	1.60%	24,744	1.06%
Total Operating Expenses	343,771	39.93%	418,437	27.00%	473,370	20.36%
Pre-tax Profit	-12,308	-1.43%	47,216	3.05%	244,482	10.52%



**BAIRCO INC.**  
**PRO FORMA CASH FLOW STATEMENT**  
**THREE YEARS**

	Year 1	Year 2	Year 3
<b>Cash Sources:</b>			
Beginning Balance	11,402	49,442	65,111
Net Sales	861,000	1,549,800	2,324,700
Owners' Investment	0	0	0
Owners' Investment,	0	0	0
Line of Credit	0	0	0
Pursuit Loan	59,000	0	0
NCIDA Loan	100,000	0	0
Equipment Loan, Private	100,000	0	0
Inventory Loan, Private	41,751	0	0
<b>Total Cash Sources</b>	<b>1,173,154</b>	<b>1,599,242</b>	<b>2,389,811</b>
<b>Cash Uses:</b>			
Purchases, Materials	529,538	1,084,147	1,606,848
Operating Expenses	315,693	390,359	445,292
Principal Pmt., Pursuit Loan	9,233	10,821	11,661
Principal Pmt., NCIDA Loan	16,604	17,411	18,256
Principal Pmt., Inventory, Private	18,517	21,393	1,841
Principal Pmt., Equip, Private	9,167	10,000	0
<b>Project Costs:</b>			
Used Equipment	100,000	0	0
New Equipment	58,208	0	0
Leasehold Improvements	15,000	0	0
Inventory	41,751	0	0
Closing Costs/Prof. Fees	10,000	0	0
<b>Total Cash Uses</b>	<b>1,123,711</b>	<b>1,534,131</b>	<b>2,083,899</b>
<b>Cash Balance</b>	<b>49,442</b>	<b>65,111</b>	<b>305,912</b>

<b>Debt Service Coverage - Bairco</b>					
	Year 1		Year 2		Year 3
<b>Sources</b>					
Net Income	(12,308)		47,216		244,482
Depreciation / Amort	28,077		28,077		28,077
Interest	9,753		7,400		4,902
<b>Total</b>	<b>25,522</b>		<b>82,693</b>		<b>277,461</b>
<b>Uses</b>					
NCDC (5 yrs, 5.625%)	22,991		22,991		22,991
Iso. Systems (10 yrs, 0%)	10,000		10,000		10,000
Iso. Systems (2 yrs, 5.5%)	23,283		23,283		23,283
Pursuit (1 yr I/O, then 5 yrs, 7.50%)	2,723		14,222		14,222
<b>Total</b>	<b>58,997</b>		<b>70,496</b>		<b>70,496</b>
<b>DSCR</b>	<b>0.43</b>		<b>1.17</b>		<b>3.94</b>

**Projected Income Statement, Cash Flow, and DSCR Comments:**

- Revenue projections are based upon the owner's experience in the market, and the void left by the sale of his former employer (R.P. Fedder). Additionally, the equipment being purchased from Isolation Systems will be accompanied by their client list, which the owner believes will result in significant growth opportunities.
- Gross profit margin is within the expected range for a manufacturing company.
- DSCR is below 1 to 1 in the first year, however cash flow is still positive from loan assistance.
- DSCR is projected to be sufficient to cover all debt in year 2, with significant excess cash flow after debt service in year 3.
- Salary and wage line is consistent with hiring required by the proposed loan.

**Personal Guarantor Financials**

The personal credit report from Equifax for **Matthew Brooks** was obtained on May 2, 2025. His FICO score is reported at 562 which is considered poor credit. The report shows a number of late payments and one collection account which has since been paid. The majority of the late payments are on a \$3k credit card and an auto loan obtained through the Kenmore Teachers Credit Union by Mr. Brooks' wife. While he was a signer, he was not managing the accounts and indicated that the lack of payment was due to mismanagement, not lack of funds. Those accounts now have a zero balance. There is one account, an education loan, currently past due in the amount of \$697.

A signed personal financial statement for Mr. Brooks dated March 7, 2025 is on file. His primary residence is the only significant asset he holds, along with a modest amount of cash on hand. His liabilities consist of the mortgage on his personal residence, a student loan, and several credit cards. His 2024 federal income tax return is on file, showing an adjusted gross income of \$124,537.

<b>Matthew Brooks - 3/7/25</b>	
<b><u>Assets</u></b>	
Cash on Hand	\$ 3,000
Real Estate	325,000
<b>Total Assets</b>	<b>\$ 328,000</b>
<b><u>Liabilities</u></b>	
Installment Debt	9,000
Revolving Debt	11,000
Real Estate Mortgages	176,000
<b>Total Liabilities</b>	<b>\$ 196,000</b>
<b>Net Worth</b>	<b>\$ 132,000</b>

## Employment

The owner, Matthew Brooks, is currently the only employee of the company. As a result of this project, the company will immediately hire two full-time employees. Over a two-year period, the company plans to hire five full-time employees. According to the Revolving Loan Fund guidelines, the maximum loan amount on a project cannot exceed \$40,000 per full time job created over a two-year period. Based on the proposed \$100,000 loan amount, the company must create at least 2.5 full-time equivalent positions in order to be compliant. A schedule of the positions the company plans to create is below:

Job Classification	Pay Range*	Number of Employees Per Category			
		Presently	6 months	1 year	2 years
Manufacturing Engineer	60,000	0.0	0.0	0.0	1.0
Office Manager	50,000	0.0	1.0	1.0	1.0
Warehouse	37,440	0.0	1.0	1.0	1.0
Machine operator	37,440	0.0	1.0	0.0	0.0
Assembly	37,440	0.0	0.0	1.0	1.0
Owner	50,000	1.0	1.0	1.0	1.0

The warehouse worker and the machine operator are the first two positions the company plans to hire immediately when the project commences.

## Summary & Recommendations

The proposed NCDL EDA-RLF loan to Bairco Inc. represents a moderate degree of credit risk and an appropriate use of loan funds according to the EDA-RLF management plan. Below is a summary of the strengths and weaknesses of the Borrower's credit profile, along with the analyst's summary and recommended terms, if approved.

### *Strengths:*

- Owner has industry experience and contacts in the region from previously building a book of business in the same territory.
- Business has been profitable in its first two years of operation.
- Creation of five jobs that will pay at least a living wage.
- Projections show potential for a company that could grow significantly beyond the required job creation.

### *Weaknesses:*

- Owner has a poor credit score with a history of delinquency and minimal liquidity to support operations, if necessary.
- Owner will continue to need access to credit in order to support growth, which could strain both the company's balance sheet and the owner's personal resources.
- Upcoming growth in the scale of the business will present increased operational challenges.



### *Analyst Summary:*

Bairco is a relatively new company entering a growth phase in its business cycle. The owner's industry knowledge and experience, having previously built a book of business in this territory, is the primary strength of the company. Bairco's strong financial performance over its first two full years of operation speaks to this. While the company is off to a strong start, it's been operated by the owner as the sole employee and with very low overhead. As the scale of the business changes and overhead increases, the operational challenges will increase. The owner's past experience should theoretically help him continue to successfully navigate those challenges. Another risk to consider is the personal financial profile of the owner. The history of delinquency and lack of personal liquidity suggests that the owner will struggle to cover cash flow shortfalls in the event that projections are not met.

In summary, the analyst believes the proposed loan presents a moderate but acceptable level of credit risk and recommends approval of the loan as presented. The recommendation is based primarily upon the owner's experience, the financial performance of the company to date, the projected job creation, and the potential for significant growth moving forward as shown in the projections. If approved, the analyst recommends the followings structure:

### Recommended Loan Structure

Lender:	Niagara County Development Corporation ("NCDC") as Administrator of the EDA Revolving Loan Fund
Borrower:	Bairco Inc.
Loan Amount:	\$100,000
Interest Rate:	75% of the prime interest rate listed in the <i>Wall Street Journal</i> , to be fixed at closing. Based on today's WSJP of 7.50%, the calculation would yield a 5.625% interest rate.
Loan Term & Amortization:	60 months resulting in approximate monthly principal and interest payments of \$1,915.89.
Use of Proceeds:	Funds will be used towards the purchase of equipment and for working capital.
Collateral/Security:	A general security interest in all business assets of Bairco Inc. to be evidenced by UCC-1 filings.  It's noted that NYBDC Local Development Corporation dba Pursuit Community Finance also took a filing on all assets of the company as part of their loan agreement.
Personal Guarantors:	Unlimited joint and several personal guaranty of Matthew Brooks.
Loan Disbursement:	Disbursed or reimbursed at closing with documented project costs.

Financial Reporting: The Borrower shall submit their federal income tax return and financial statements (if available) annually within 60 days of completion.

Prepared by: Michael G. Thomas, Vice President – Commercial Finance  
The Harrison Studio  
May 5, 2025

**8.4**

**Paving Lot Repair  
and Resurfacing  
RFP**

**INVITATION FOR BID**

**Notice to Bidders**

**Parking Lot Repair and Resurfacing**

**For Services at:  
6311 Inducon Corporate Drive  
Sanbron, NY 14132**

**BIDS DUE: October 4, 2024 at 12:00 p.m.**

**NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
6311 Inducon Corporate Drive, Suite 1  
Sanborn, NY 14132  
Julie Lamoreaux  
(716) 278-8760**

**INVITATION FOR BIDS**

Niagara County Industrial Development Agency, whose offices are located at 6311 Inducon Corporate Drive, Suite One, Sanborn, New York 14132, hereby invites the submission of sealed bids for Parking Lot Repair and Resurfacing at 6311 Inducon Corporate Drive, Sanborn, NY 14132.

Specifications and bid forms may be obtained by contacting Julie Lamoreaux at the aforementioned address, between the hours of 8:00 AM and 3:30 PM, Monday through Friday.

All bids will be publicly opened and read in the Board Room of said offices on October 4, 2024 at 12:00 p.m.

**NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**  
**PARKING LOT REPAIR AND RESURFACING**

## **INSTRUCTIONS TO BIDDERS**

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (“NCIDA”) is soliciting sealed bids from qualified contractors for Parking Lot Repair and Resurfacing at 6311 Inducon Corporate Drive, Sanborn, NY 14132. Bids are to be opened and read publicly at the offices of NCIDA, 6311 Inducon Corporate Drive, Suite One, Sanborn, New York 14132 on October 4, 2024 at 12:00 p.m.

All bids must be submitted in a sealed envelope clearly marked as to the contents therein, bearing on the outside the name and address of the vendor. If sent by mail, the sealed envelope containing the bid must be enclosed in another envelope labeled as specified and is to be sent to the attention of Julie Lamoreaux

In case of inability to make delivery on account of strikes, governmental priorities or rules and regulations, the bidder, upon written notification to NCIDA, may extend such delivery date.

All bids must be accompanied by a non-collusion statement in order to be considered.

NCIDA reserves the right to reject any or all bids and to waive informalities with respect thereto.

Bidders shall read thoroughly and understand the specifications and bid conditions contained herein.

No fax or verbal bids will be accepted. Bidders are responsible for the timely delivery of bid packages to NCIDA.

**NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**  
**PARKING LOT REPAIR AND RESURFACING**



## **INSTRUCTIONS TO BIDDERS**

1. **CHANGES AND EXTRAS** – The NCIDA may at any time by a written order make changes within the general scope of this contract. If any such change causes an increase or decrease in the cost or time required for the performance of this contract, then an equitable adjustment shall be made in the contract price. Such cost may be adjusted in writing only, and must be signed by both contractor and NCIDA. Likewise, any claim for extra charges by the contractor must be agreed upon in writing by the NCIDA prior to beginning such work.
2. **SALES TAX** - NCIDA is exempt from paying any State and Local sales tax. Vendors shall not include any such taxes in their bids. Exemption certificates will be furnished upon request.
3. **SITE VISITS** – Bidders are encouraged to visit and inspect the site prior to submitting their bid.
4. **SAFETY** – The successful bidder shall protect the tenants and general public while performing such work.
5. **PREVAILING RATE OF WAGES** – The successful bidder will be required to pay each laborer, workman or mechanic employed by the contractor or subcontractor not less than the New York State Department of Labor prevailing rate of wages.
6. **CONTRACTOR'S RESPONSIBILITY** - These specifications shall not be construed as placing the work under the specific direction or control of NCIDA or relieving the contractor from liability as an independent contractor and, as such, the contractor shall be solely responsible for the method, manner and means by which the work shall be performed, including, but not limited to supervision and control of their employed personnel and scheduling of the work required to insure proper and timely performance and shall exercise due care to prevent bodily injury and damage to property in the prosecution of the work required.
7. **PROSECUTION OF WORK** – The contractor shall give personal attention to the work while in progress and shall provide competent reliable

employees at all times. Any discrepancies or questions pertaining to the extent of the work shall be submitted immediately to Mike Dudley, Project Manager. If the contractor fails to begin the work within the time specified, or fails to perform the work with adequacy or performs the work unsuitable or does not carry the work in an acceptable manner, the NCIDA shall give notice in writing to the contractor of such and the NCIDA shall have full power and authority without violating contract to terminate the agreement.

8. **PAYMENT** – The contractor shall furnish to the NCIDA a complete itemized bill. The NCIDA will make payment within thirty (30) days after the completion of the work.
9. **WORKING CONDITION** – The contractor shall not leave equipment on site without approval of the NCIDA. The contractor shall be responsible for any damages to the NCIDA property. The contractor shall secure the work site against possible injury or harm to others.
10. **SCHEDULE COORDINATION** - All work will be coordinated with the Property Manager.

**NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**  
**PARKING LOT REPAIR AND RESURFACING**  
**Services for:**



**6311 Inducon Corporate Drive  
Sanborn, NY 14132**

**PARKING LOT REPAIR AND RESURFACING**

**Work to Perform**

**1. Crack filling/sealing to consist of the following:**

Mechanically routing all cracks that can be routed to a width and depth of one half of an inch. Torching all cracks clean and dry using a torch with 3,000 ft/sec velocity.

Melting material in agitated, oil jacketed kettle. Applying a 375-degree F polymeric modified rubber and dusting all cracks with coal slag sand. This material shall meet Federal Specification SS\_S-1401-B.

**2. All pothole/asphalt repairs should adhere to the following:**

Cut edges of damaged areas by mechanical means. Corners of repair areas shall be at right angles, whenever possible. Remove existing pavement that has failed to a depth not less than 10". Compact sub-grade, wet or damaged sub-grade material shall be removed and replaced with suitable material, not less than 6" (treated soil, crushed stone or concrete). Sub-grade shall be of consistent depth throughout the repair area. Edges of repair areas shall have vertical edges, cleaned and tacked with emulsified asphalt for adhesion. Place hot mix asphalt in lifts not exceeding 3" per lift and not less than two lifts.

Hot mixed asphalt shall meet or exceed current DOT specifications. Placed hot mixed asphalt shall be compacted to a minimum density of 96%.

All mill & overlay asphalt repair should adhere to the following specifications.

Mill area of damaged asphalt by mechanical mill. Corners of repair area shall be at right angles, whenever possible. Remove existing pavement that has failed to 2" depth. Clean and tack with emulsified asphalt for adhesion. Place hot mix asphalt in lifts not exceeding 2" per lift. Hot mixed asphalt

shall meet or exceed current DOT specifications. Placed hot mixed asphalt shall be compacted to a minimum density of 96%.

**3. Seal coating to consist of the following:**

Mechanically cleaning pavement using power blowers, brooms and shovels.

All soil and gas stains will be burned off using a torch 3,000 degrees F, 3,000 ft/sec velocity.

Mechanically mixing rubberized coal tar emulsion, mineral aggregate and water in proper proportion.

Applying two (2) coats of industrial sand slurry emulsion containing five (5) pounds of silica sand per gallon of sealer and spreading it evenly on the surface as per manufacturer's specifications. The cured slurry shall have a homogeneous consistency and adhere firmly to the surface. The material shall meet Federal Specification P\R-P-355.

**4. Pavement striping shall consist of the following:**

Pavement striping using oil-based paint utilizing glass bead for increased visibility. Markings will go over the existing layout.

All work will need to be scheduled around parking lot use. Work may not be able to be done during normal business hours of Monday through Friday, 8a.m. to 5p.m.

Vendor must provide own road cones to avoid wet paint areas.

**If bids are submitted with work that is alternative to the above outlined scope specifically reference this in proposal.**

**NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

## PARKING LOT REPAIR AND RESURFACING

**INSURANCE REQUIREMENTS** - The successful bidder shall furnish the NCIDA certificates of insurance indicating the type, amount, class of operations, coverage effective dates and expiration dates of such policies. Such certificates shall also contain substantially the following statement. "The insurance covered by this certificate will not be cancelled or materially altered except (a) after ten (10) days written notice has been received by Niagara County Industrial Development Agency and (b) the Unlimited Indemnity shown in the contract documents is included." NCIDA shall be named as "additional insured".

Insurance requirements are as follows:

### Minimum Limits of Insurance

		MINIMUM LIMITS OF LIABILITY	
<u>Type of Insurance</u>		<u>Each Occurrence</u>	<u>Aggregate</u>
<u>COMMERCIAL GENERAL LIABILITY</u>	Bodily Injury and Property Damage Combined	\$500,000.00	\$500,000.00
<u>EXCESS LIABILITY</u>	Bodily Injury and Property Damage Combined		\$500,000.00
Umbrella Form			
Other than Umbrella Form			
<u>WORKERS COMPENSATION</u>	Statutory State of New York		

**NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**



## PARKING LOT REPAIR AND RESURFACING

**REFERENCES** – Bidders are to submit three (3) references based on projects of a similar nature.

COMPANY Gimelli Real Estate  
ADDRESS 50 Fountain Plaza Ste 500  
Buffalo, NY 14202  
PHONE # Jeff O'Bannon  
CONTACT NAME 716-631-8000

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COMPANY Patterson Stevens  
ADDRESS 400 Sawyer Ave  
Tonawanda, NY 14150  
PHONE # 716-873-5300  
CONTACT NAME Todd Dowling

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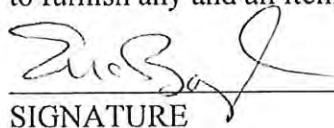
COMPANY R+D Property Mgmt  
ADDRESS Po Box 895  
Getzville, NY 14068  
PHONE # 716-688-2083  
CONTACT NAME Cindy Morris

### NON-COLLUSION BIDDING CERTIFICATION

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies and in the case of a joint bid, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

1. The prices in this bid have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any other competitor;
2. Unless otherwise required by law, the prices which have been bid have not knowingly been disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any other competitor;
3. No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition; and
4. Except for inquiries within the purview of the bidding process, each bidder and each signing on behalf of any bidder certifies it has not communicated with any officer, employee, agent or consultant of NCIDA regarding this bid for the purpose of securing unto itself a favorable advantage.

In compliance with this invitation for bids and subject to the conditions thereof, the undersigned offers and agrees, if this bid is accepted within forty-five (45) days from the date of the opening, to furnish any and all items or services upon which prices are submitted.

  
SIGNATURE

Eric Baughman  
PRINT NAME

President  
TITLE

12/9/24  
DATE

352310793  
EMPLOYER TAX ID OR SOCIAL SECURITY

Baughman Magic Seal, Inc  
BUSINESS NAME

P.O. Box 663  
ADDRESS

Amherst, NY 14204  
CITY, STATE & ZIP CODE

716-836-8880  
TELEPHONE #

Chrissy@baughmanmagicseal.com  
EMAIL

**YOU MUST SIGN AND RETURN THIS SHEET WITH YOUR BID**

**OFFERER'S AFFIRMATION OF UNDERSTANDING OF  
AND  
AGREEMENT PURSUANT TO STATE FINANCE LAW 139-j(6)(b)**

**BACKGROUND:**

State Finance Law 139-j(6)(b) provides that:

Every Governmental Entity (including NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY "NCIDA") shall seek written affirmations from all Offerers as to the Offerer's understanding of and agreement to comply with NCIDA's procedures relating to permissible contracts during a Governmental Procurement pursuant to State Finance Law 139-j(3).

**INSTRUCTIONS:**

In connection with all proposals, bids, RFP's, etc., NCIDA must obtain the following affirmation of understanding and agreement to comply with procedures on procurement lobbying restrictions regarding permissible contacts in the Restricted Period for a Procurement Contract in accordance with State Finance Law 139-j and 139-k;

*Offerer affirms that it understands and agrees to comply with State Finance Law 139-j(3) and 139-j(6)(b).*

**OFFERER CERTIFICATION OF COMPLIANCE WITH  
STATE FINANCE LAW 139-K(5)**

NCIDA shall obtain the following Offerer certification in connection with all proposals, bids, RFP's, etc.:

*I certify that all information provided to NCIDA with respect to State Finance Law 139-K is complete, true and accurate.*

  
Signature



# NIAGAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

## Request for Proposals

### OFFERER/BIDDER DISCLOSURE OF PRIOR NON-RESPONSIBILITY DETERMIANTION AND AFFIRMATION/CERTIFICATION IN ACCORDANCE WITH NYS FINANCE LAW 139-J AND 139-K

Name of Individual or Entity Seeking to Enter into the Procurement Contract:

PO Box 6603, Amherst, NY 14226

Address:

Eric Baughman

Name & Title of Person Submitting this Form:

Contract Procurement Number: \_\_\_\_\_

Date: 10/9/24

1. Has any Government Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years?

(Circle One): Yes No

*If yes, answer the next questions*

2. Was the basis for the finding of non-responsibility due to a violation of State Finance Law 139-J? (Circle One): Yes No

3. Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Government Entity? (Circle One): Yes No

4. If you answered yes to any of the above questions, provide details regarding the finding of non-responsibility below.

Government Entity: \_\_\_\_\_

Date of Finding of Non-Responsibility: \_\_\_\_\_

Basis of Finding of Non-Responsibility: \_\_\_\_\_

(Add additional pages as necessary)



5. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named individual or entity due to the intentional provision of false or incomplete information? (Circle One): Yes No

6. If yes, please provide details below:

Governmental Entity: \_\_\_\_\_

Date of Termination or Withholding of Contract: \_\_\_\_\_


Basis of Termination or Withholding: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Add additional pages as necessary)

Offerer certifies that all information provided to Niagara County Industrial Development Agency with respect to State Finance Law 139-K is complete, true and accurate.

BY: Eric Baughman DATE: 10/9/24

SIGNATURE: 

**NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**  
**PARKING LOT REPAIR AND RESURFACING**  
**BID SHEET**

Services for:  
6311 Inducon Corporate Drive  
Sanborn, NY 14132

BIDDER NAME: Baughman Magic Seal, Inc  
ADDRESS: Po Box 1063  
Archerst, NY 14226  
PHONE: 716 836 8880 EMAIL: Chrissy@baughmanmagicseal.com  
DATE: 10/9/24

TOTAL BID AMOUNT \$ 128,200.00  
SPECIFIC WORK TO BE PERFORMED See Attachment

The undersigned understands and agrees to comply with and be bound by instructions to bidders issued for this work. Prices for these services include all labor, equipment, fuel, materials, surcharges and incidentals.

This bid shall remain valid for a period of forty-five (45) days from the date of the bid opening.

BIDDER: Baughman Magic Seal, Inc  
(Legal Name of Bidder)  
Eric Baughman - President  
(Name & Title of Principle Acknowledging Bid)  
Eric Baughman  
(Signature of Principal)

MAIL TO: Niagara County Industrial Development Agency  
6311 Inducon Corporate Drive, Suite One  
Sanborn, New York 14132  
Attention: Julie Lamoreaux



# BAUGHMAN MAGIC SEAL INC.

PO Box 663 • Amherst, NY 14226  
Phone 716-836-8880  
Fax 716-836-8884

www.BaughmanMagicSeal.com

## QUOTATION - REVISED

10/22/2024

Quote #: 28954

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT  
6311 INDUCON CORPORATE DR.  
SANBORN, NY 14132

Attn: JULIE LAMOUREAUX e-mail:

Property/Location: 6311 INDUCON CORPORATE DR. SANBORN, NY-14132-2024

Description	Price	Suffix
<b>Paving</b> AREA IN YELLOW: APPROX 78,898 SQ FT - MILL REBATES AS NEEDED - CLEAN & PREP - APPLY TACK - INSTAL 1-1.5" 7F BLACKTOP - ROLL TO A SMOOTH EVEN FINISH - LAYOUT & STRIPE	119,000.00	
<b>Seal/Striping</b> AREA IN ORANGE: APPROX 48,737 SQ FT -- APPLICATION: -- POWER CLEAN ENTIRE AREA WITH INDUSTRIAL BLOWER -- TREAT ALL OIL SPOTS WITH POLY OIL SEAL -- APPLY NYS APPROVED ASPHALT EMULSION SEALER WITH 3-5 LBS SAND PER GALLON, 1% LATEX ADDITIVE -- BLOCK ALL AREAS TO BE WORKED ON -- STRIPING	9,200.00	

Sub Total \$128,200.00

Sales Tax

Total \$128,200.00

ASPHALT PRICE BASED UPON ASPHALT INDEX PRICE AS OF TODAY'S DATE.

### Plus NYS Sales Tax or Tax Exempt Certificate

We are NOT responsible for damage to property resulting in tracking of wet materials by persons or vehicles. It is recommended that you stay off that area for 24 hours.

This quote is for one mobilization only; additional mobilizations will be surcharged.

Charges will be incurred for any changes/additions to this quote once work has been commenced.



Niagara County IDA  
6311 Inducon Corporate Dr  
Sanborn, NY

Area  
Area: 78897.7 Square Feet  
Perimeter: 2636.5 Feet

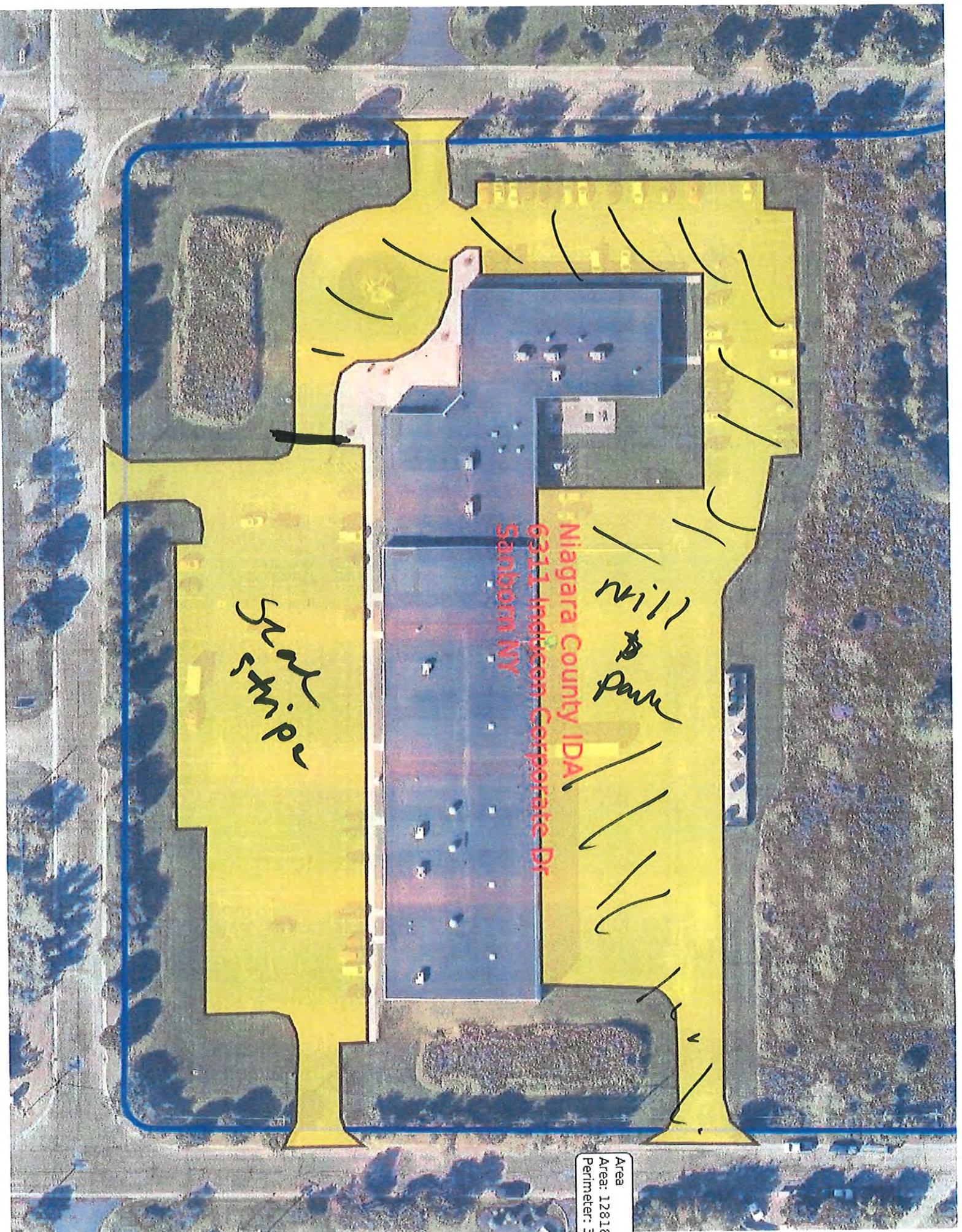
Area  
Area: 48736.6 Square Feet  
Perimeter: 1352.2 Feet



Area  
Area: 12813  
Perimeter: 3

will  
park  
Niagara County IDA  
6311 Hudson Corporate Dr  
Sanborn NY

Shawipe





We are NOT responsible for damage to property resulting in tracking of wet materials by persons or vehicles. It is recommended that you stay off that area for 24 hours.

This quote is for one mobilization only; additional mobilizations will be surcharged.

Charges will be incurred for any changes/additions to this quote once work has been commenced.

Acceptance of Quote & TERMS:

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the specified. Payment Terms: Due upon receipt of invoice. 2% per month finance charge will be applied on accounts over 30 days. Modifications to payment schedule must be made prior to any work being performed. The customer will be responsible for any and all collection fees incurred.

Date of Acceptance:	Signature:
---------------------	------------

PRINT NAME:





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
October 9, 2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Christopher Peters Agency LLC 3306 Spring Ct  North Tonawanda NY 14120		<b>CONTACT NAME:</b> Christopher M Peters <b>PHONE (A/C, No, Ext):</b> (716) 628-4389 <b>FAX (A/C, No):</b> (716) 328-1769 <b>E-MAIL ADDRESS:</b> cpeters@cpetersagency.com	
<b>INSURED</b>  BAUGHMAN MAGIC SEAL INC 44 MEYER RD  AMHERST NY 14226-1001		<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A:</b> ERIE INS CO <b>INSURER B:</b> NYSIF - GROUP 90 <b>INSURER C:</b> <b>INSURER D:</b> <b>INSURER E:</b> <b>INSURER F:</b>	
		<b>NAIC #</b> 26263	

**COVERAGES** **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> CONTRACTUAL LIABILITY <input checked="" type="checkbox"/> X,C,U INCLUDED GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X	X	Q61-0416578	06/01/2024	06/01/2025	EACH OCCURRENCE \$ 1,000,000
	DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000						
	MED EXP (Any one person) \$ 5,000						
	PERSONAL & ADV INJURY \$ 1,000,000						
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY	X	X	Q06-5140189	06/01/2024	06/01/2025	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	BODILY INJURY (Per person) \$						
	BODILY INJURY (Per accident) \$						
	PROPERTY DAMAGE (Per accident) \$						
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10000	X	X	Q30-5170450	06/01/2024	06/01/2025	EACH OCCURRENCE \$ 5,000,000
	AGGREGATE \$ 5,000,000						
	PR/COMP OPS AGG \$ 5,000,000						
	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER						
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		B 1391 057-5	06/01/2024	06/01/2025	E.L. EACH ACCIDENT \$ 1,000,000
	E.L. DISEASE - EA EMPLOYEE \$ 1,000,000						
	E.L. DISEASE - POLICY LIMIT \$ 1,000,000						

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER AND ALL OTHER PARTIES AS PER WRITTEN CONTRACT ARE LISTED AS AN ADDITIONAL INSURED UNDER THE GL, AUTO AND UMBRELLA POLICIES ON A PRIMARY AND NONCONTRIBUTORY BASIS. A WAIVER OF SUBROGATION APPLIES IN FAVOR OF CERTHOLDER UNDER THE GL.

ENDORSEMENTS: ERIE EPP1802 BLANKET ADDITIONAL INSURED

## CERTIFICATE HOLDER

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
6311 INDUCON CORPORATE DRIVE SUITE 1  
SANBORN, NY 14132

## CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE  
*Christopher M Peters*

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# **INVITATION FOR BID**

## **Notice to Bidders**

### **Parking Lot Repair and Resurfacing**

**For Services at:  
2055 Niagara Falls Boulevard  
Niagara Falls, NY 14304**

**BIDS DUE: October 4, 2024 at 12:00 p.m.**

**NIAGARA INDUSTRIAL INCUBATOR ASSOCIATES  
C/O Niagara County Industrial Development Agency  
6311 Inducon Corporate Drive, Suite 1  
Sanborn, NY 14132  
Julie Lamoreaux  
(716) 278-8760**

## **INVITATION FOR BIDS**

Niagara Industrial Incubator Associates, whose offices are located at 6311 Inducon Corporate Drive, Suite One, Sanborn, New York 14132, hereby invites the submission of sealed bids for Parking Lot Repair and Resurfacing at 2055 Niagara Falls Boulevard, Niagara Falls, NY 14304.

Specifications and bid forms may be obtained by contacting Julie Lamoreaux at the aforementioned address, between the hours of 8:00 AM and 3:30 PM, Monday through Friday.

All bids will be publicly opened and read in the Board Room of said offices on October 4, 2024 at 12:00 p.m.



**NIAGARA INDUSTRIAL INCUBATOR ASSOCIATES**  
**PARKING LOT REPAIR AND RESURFACING**

**INSTRUCTIONS TO BIDDERS**

NIAGARA INDUSTRIAL INCUBATOR ASSOCIATES ("NIIA") is soliciting sealed bids from qualified contractors for Parking Lot Repair and Resurfacing at 2055 Niagara Falls Boulevard, Niagara Falls, NY 14304. Bids are to be opened and read publicly at the offices of NIIA, 6311 Inducon Corporate Drive, Suite One, Sanborn, New York 14132 on October 4, 2024 at 12:00 p.m.

All bids must be submitted in a sealed envelope clearly marked as to the contents therein, bearing on the outside the name and address of the vendor. If sent by mail, the sealed envelope containing the bid must be enclosed in another envelope labeled as specified and is to be sent to the attention of Julie Lamoreaux

In case of inability to make delivery on account of strikes, governmental priorities or rules and regulations, the bidder, upon written notification to NIIA, may extend such delivery date.

All bids must be accompanied by a non-collusion statement in order to be considered.

NIIA reserves the right to reject any or all bids and to waive informalities with respect thereto.

Bidders shall read thoroughly and understand the specifications and bid conditions contained herein.

No fax or verbal bids will be accepted. Bidders are responsible for the timely delivery of bid packages to NIIA.

**NIAGARA INDUSTRIAL INCUBATOR ASSOCIATES**  
**PARKING LOT REPAIR AND RESURFACING**

**INSTRUCTIONS TO BIDDERS**

1. **CHANGES AND EXTRAS** – The NIIA may at any time by a written order make changes within the general scope of this contract. If any such change causes an increase or decrease in the cost or time required for the performance of this contract, then an equitable adjustment shall be made in the contract price. Such cost may be adjusted in writing only, and must be signed by both contractor and NIIA. Likewise, any claim for extra charges by the contractor must be agreed upon in writing by the NIIA prior to beginning such work.
2. **SALES TAX** - NIIA is exempt from paying any State and Local sales tax. Vendors shall not include any such taxes in their bids. Exemption certificates will be furnished upon request.
3. **SITE VISITS** – Bidders are encouraged to visit and inspect the site prior to submitting their bid.
4. **SAFETY** – The successful bidder shall protect the tenants and general public while performing such work.
5. **PREVAILING RATE OF WAGES** – The successful bidder will be required to pay each laborer, workman or mechanic employed by the contractor or subcontractor not less than the New York State Department of Labor prevailing rate of wages.
6. **CONTRACTOR'S RESPONSIBILITY** - These specifications shall not be construed as placing the work under the specific direction or control of NIIA or relieving the contractor from liability as an independent contractor and, as such, the contractor shall be solely responsible for the method, manner and means by which the work shall be performed, including, but not limited to supervision and control of their employed personnel and scheduling of the work required to insure proper and timely performance and shall exercise due care to prevent bodily injury and damage to property in the prosecution of the work required.



7. **PROSECUTION OF WORK** – The contractor shall give personal attention to the work while in progress and shall provide competent reliable employees at all times. Any discrepancies or questions pertaining to the extent of the work shall be submitted immediately to Mike Dudley, Project Manager. If the contractor fails to begin the work within the time specified, or fails to perform the work with adequacy or performs the work unsuitable or does not carry the work in an acceptable manner, the NIIA shall give notice in writing to the contractor of such and the NIIA shall have full power and authority without violating contract to terminate the agreement.
8. **PAYMENT** – The contractor shall furnish to the NIIA a complete itemized bill. The NIIA will make payment within thirty (30) days after the completion of the work.
9. **WORKING CONDITION** – The contractor shall not leave equipment on site without approval of the NIIA. The contractor shall be responsible for any damages to the NIIA property. The contractor shall secure the work site against possible injury or harm to others.
10. **SCHEDULE COORDINATION** - All work will be coordinated with the Property Manager.



**NIAGARA INDUSTRIAL INCUBATOR ASSOCIATES**  
**PARKING LOT REPAIR AND RESURFACING**

**Services for:**

**2055 Niagara Falls Boulevard  
Niagara Falls, NY 14304**

**PARKING LOT REPAIR AND RESURFACING**

**Work to Perform**

**1. Crack filling/sealing to consist of the following:**

Mechanically routing all cracks that can be routed to a width and depth of one half of an inch. Torching all cracks clean and dry using a torch with 3,000 ft/sec velocity.

Melting material in agitated, oil jacketed kettle. Applying a 375-degree F polymeric modified rubber and dusting all cracks with coal slag sand. This material shall meet Federal Specification SS\_S-1401-B.

**2. All pothole/asphalt repairs should adhere to the following:**

Cut edges of damaged areas by mechanical means. Corners of repair areas shall be at right angles, whenever possible. Remove existing pavement that has failed to a depth not less than 10". Compact sub-grade, wet or damaged sub-grade material shall be removed and replaced with suitable material, not less than 6" (treated soil, crushed stone or concrete). Sub-grade shall be of consistent depth throughout the repair area. Edges of repair areas shall have vertical edges, cleaned and tacked with emulsified asphalt for adhesion. Place hot mix asphalt in lifts not exceeding 3" per lift and not less than two lifts.

Hot mixed asphalt shall meet or exceed current DOT specifications. Placed hot mixed asphalt shall be compacted to a minimum density of 96%.

All mill & overlay asphalt repair should adhere to the following specifications.

Mill area of damaged asphalt by mechanical mill. Corners of repair area shall be at right angles, whenever possible. Remove existing pavement that has failed to 2" depth. Clean and tack with emulsified asphalt for adhesion. Place hot mix asphalt in lifts not exceeding 2" per lift. Hot mixed asphalt shall meet or exceed current DOT specifications. Placed hot mixed asphalt shall be compacted to a minimum density of 96%.

**3. Seal coating to consist of the following:**

Mechanically cleaning pavement using power blowers, brooms and shovels.

All soil and gas stains will be burned off using a torch 3,000 degrees F, 3,000 ft/sec velocity.

Mechanically mixing rubberized coal tar emulsion, mineral aggregate and water in proper proportion.

Applying two (2) coats of industrial sand slurry emulsion containing five (5) pounds of silica sand per gallon of sealer and spreading it evenly on the surface as per manufacturer's specifications. The cured slurry shall have a homogeneous consistency and adhere firmly to the surface. The material shall meet Federal Specification P\R-P-355.

**4. Pavement striping shall consist of the following:**

Pavement striping using oil-based paint utilizing glass bead for increased visibility. Markings will go over the existing layout.

All work will need to be scheduled around parking lot use. Work may not be able to be done during normal business hours of Monday through Friday, 8a.m. to 5p.m.

Vendor must provide own road cones to avoid wet paint areas.

**If bids are submitted with work that is alternative to the above outlined scope specifically reference this in proposal.**

**NIAGARA INDUSTRIAL INCUBATOR ASSOCIATES**  
**PARKING LOT REPAIR AND RESURFACING**

**INSURANCE REQUIREMENTS** - The successful bidder shall furnish the NIIA certificates of insurance indicating the type, amount, class of operations, coverage effective dates and expiration dates of such policies. Such certificates shall also contain substantially the following statement. "The insurance covered by this certificate will not be cancelled or materially altered except (a) after ten (10) days written notice has been received by Niagara Industrial Incubator Associates and (b) the Unlimited Indemnity shown in the contract documents is included." NIIA shall be named as "additional insured".

Insurance requirements are as follows:

Minimum Limits of Insurance

		MINIMUM LIMITS OF LIABILITY	
<u>Type of Insurance</u>		<u>Each Occurrence</u>	<u>Aggregate</u>
<u>COMMERCIAL GENERAL LIABILITY</u>	Bodily Injury and Property Damage Combined	\$500,000.00	\$500,000.00
<u>EXCESS LIABILITY</u>	Bodily Injury and Property Damage Combined		\$500,000.00
Umbrella Form			
Other than Umbrella Form			
<u>WORKERS COMPENSATION</u>	Statutory State of New York		



## PARKING LOT REPAIR AND RESURFACING

**REFERENCES** – Bidders are to submit three (3) references based on projects of a similar nature.

COMPANY

Cimigelli Real Estate

ADDRESS

50 Fountain Plaza Ste 500  
Buffalo, NY 14202

PHONE #

Jeff O'Bannon

CONTACT NAME

716-631-8000

COMPANY

Patterson Stevens

ADDRESS

400 Sawyer Ave  
Tonawanda, NY 14150

PHONE #

716-873-5300

CONTACT NAME

Todd Dowling

COMPANY

R+D Property Mgmt

ADDRESS

Po Box 895  
Getzville, NY 14068

PHONE #

716-688-2083

CONTACT NAME

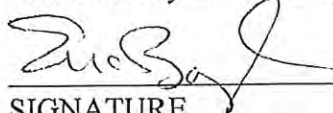
Cindy Morris

### NON-COLLUSION BIDDING CERTIFICATION

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies and in the case of a joint bid, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

1. The prices in this bid have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any other competitor;
2. Unless otherwise required by law, the prices which have been bid have not knowingly been disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any other competitor;
3. No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition; and
4. Except for inquiries within the purview of the bidding process, each bidder and each signing on behalf of any bidder certifies it has not communicated with any officer, employee, agent or consultant of NCIDA regarding this bid for the purpose of securing unto itself a favorable advantage.

In compliance with this invitation for bids and subject to the conditions thereof, the undersigned offers and agrees, if this bid is accepted within forty-five (45) days from the date of the opening, to furnish any and all items or services upon which prices are submitted.



SIGNATURE

Erica Baughman

PRINT NAME

President

TITLE

12/9/24

DATE

352310793

EMPLOYER TAX ID OR SOCIAL SECURITY

Baughman Magic Seal, Inc

BUSINESS NAME

Po Box 663

ADDRESS

Amherst, NY 14226

CITY, STATE & ZIP CODE

716-836-8880

TELEPHONE #

Chrissy@baughmanmagicseal.com

EMAIL

**YOU MUST SIGN AND RETURN THIS SHEET WITH YOUR BID**

**YOU MUST SIGN AND RETURN THIS SHEET WITH YOUR BID**

**OFFERER'S AFFIRMATION OF UNDERSTANDING OF  
AND  
AGREEMENT PURSUANT TO STATE FINANCE LAW 139-j(6)(b)**

**BACKGROUND:**

State Finance Law 139-j(6)(b) provides that:

Every Governmental Entity (including NIAGARA INDUSTRIAL INCUBATOR ASSOCIATES "NIIA") shall seek written affirmations from all Offerers as to the Offerer's understanding of and agreement to comply with NIIA's procedures relating to permissible contracts during a Governmental Procurement pursuant to State Finance Law 139-j(3).

**INSTRUCTIONS:**

In connection with all proposals, bids, RFP's, etc., NIIA must obtain the following affirmation of understanding and agreement to comply with procedures on procurement lobbying restrictions regarding permissible contacts in the Restricted Period for a Procurement Contract in accordance with State Finance Law 139-j and 139-k;

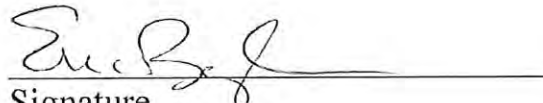
*Offerer affirms that it understands and agrees to comply with State Finance Law 139-j(3) and 139-j(6)(b).*



**OFFERER CERTIFICATION OF COMPLIANCE WITH  
STATE FINANCE LAW 139-K(5)**

NCIDA shall obtain the following Offerer certification in connection with all proposals, bids, RFP's, etc.:

*I certify that all information provided to NCIDA with respect to State Finance Law 139-K is complete, true and accurate.*

  
Signature

# NIAGAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

## Request for Proposals

### OFFERER/BIDDER DISCLOSURE OF PRIOR NON-RESPONSIBILITY DETERMIANTION AND AFFIRMATION/CERTIFICATION IN ACCORDANCE WITH NYS FINANCE LAW 139-J AND 139-K

Name of Individual or Entity Seeking to Enter into the Procurement Contract:

PO Box 6603, Amherst, NY 14226

Address:

Eric Baughman

Name & Title of Person Submitting this Form:

Contract Procurement Number:

Date:

10/9/24

1. Has any Government Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years?  
(Circle One): Yes ☒ No

*If yes, answer the next questions*

2. Was the basis for the finding of non-responsibility due to a violation of State Finance Law 139-J? (Circle One): Yes ☒ No
3. Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Government Entity? (Circle One): Yes ☒ No
4. If you answered yes to any of the above questions, provide details regarding the finding of non-responsibility below.  
Government Entity: \_\_\_\_\_  
Date of Finding of Non-Responsibility: \_\_\_\_\_  
Basis of Finding of Non-Responsibility: \_\_\_\_\_

(Add additional pages as necessary)

5. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named individual or entity due to the intentional provision of false or incomplete information? (Circle One): Yes No

6. If yes, please provide details below:

Governmental Entity: \_\_\_\_\_

Date of Termination or Withholding of Contract: \_\_\_\_\_

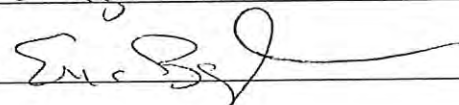
Basis of Termination or Withholding: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Add additional pages as necessary)

Offerer certifies that all information provided to Niagara County Industrial Development Agency with respect to State Finance Law 139-K is complete, true and accurate.

BY: Eric Baughman DATE: 10/9/24

SIGNATURE: 

**NIAGARA INDUSTRIAL INCUBATOR ASSOCIATES**  
**PARKING LOT REPAIR AND RESURFACING**  
**BID SHEET**

Services for:  
2055 Niagara Falls Boulevard  
Niagara Falls, NY 14304

BIDDER NAME: Baughman Magic Seal, Inc  
ADDRESS: PO Box 663  
Amherst, NY 14226  
PHONE: 716-836-8880 EMAIL: Chris@baughmanmagicseal.com  
DATE: 10/9/21  
TOTAL BID AMOUNT \$ 57,000.00  
SPECIFIC WORK TO BE PERFORMED See Attachment

The undersigned understands and agrees to comply with and be bound by instructions to bidders issued for this work. Prices for these services include all labor, equipment, fuel, materials, surcharges and incidentals.

This bid shall remain valid for a period of forty-five (45) days from the date of the bid opening.

BIDDER: Baughman Magic Seal, Inc  
(Legal Name of Bidder)  
Eric Baughman - President  
(Name & Title of Principle Acknowledging Bid)  
Eric Baughman  
(Signature of Principal)

MAIL TO: Niagara Industrial Incubator Associates  
6311 Inducon Corporate Drive, Suite One  
Sanborn, New York 14132  
Attention: Julie Lamoreaux





# BAUGHMAN MAGIC SEAL INC.

PO Box 663 • Amherst, NY 14226  
Phone 716-836-8880  
Fax 716-836-8884

[www.BaughmanMagicSeal.com](http://www.BaughmanMagicSeal.com)

## QUOTATION

10/22/2024

Quote #: 28985

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT  
6311 INDUCON CORPORATE DR.  
SANBORN, NY 14132

Attn: JULIE LAMOUREAUX e-mail:

Property/Location: 2055 NIAGARA FALLS BLVD NIAGARA FALLS, NY-14304-2024

Description	Price	Suffix
<b>Seal/Striping</b> APPROX 194,262 SQ FT	38,500.00	
-- APPLICATION:		
-- POWER CLEAN ENTIRE AREA WITH INDUSTRIAL BLOWER		
-- TREAT ALL OIL SPOTS WITH POLY OIL SEAL		
-- APPLY NYS APPROVED ASPHALT EMULSION SEALER WITH 3-5 LBS SAND PER GALLON, 1% LATEX ADDITIVE		
-- BLOCK ALL AREAS TO BE WORKED ON		
-- STRIPING		
<b>Crack Fill</b>	2,500.00	
- MAJOR CRACKS ONLY		
- NO GATORED AREAS		
<b>Other</b> MISC MILL & PATCH APPROX 2,900 SQ FT	11,000.00	
<b>Catch Basins</b>	5,000.00	
- DEMO 2 CATCH BASINS		
- REFORM & REPOUR 6" DEEP X 12-18 " WIDE		
- RESET FRAME AND GRATE		
Sub Total		\$57,000.00
Sales Tax		
Total		\$57,000.00

DUE TO FLUCTUATING ASPHALT PRICES, THIS QUOTE IS VALID FOR 30 DAYS.

### Plus NYS Sales Tax or Tax Exempt Certificate

We are NOT responsible for damage to property resulting in tracking of wet materials by persons or vehicles. It is recommended that you stay off that area for 24 hours.

This quote is for one mobilization only; additional mobilizations will be surcharged.

**Charges will be incurred for any changes/additions to this quote once work has been commenced.**

**Acceptance of Quote & TERMS:**

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the specified. Payment Terms: Due upon receipt of invoice. 2% per month finance charge will be applied on accounts over 30 days. Modifications to payment schedule must be made prior to any work being performed. The customer will be responsible for any and all collection fees incurred.

Date of Acceptance:

Signature:

PRINT NAME:



Niagara County IDA  
2055 Niagara Falls Blvd  
NF NY

Area  
Area: 194262.1 Square Feet  
Perimeter: 6366.5 Feet