

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: August 13, 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
___ **William L. Ross**, Secretary
___ **Mark Berube**, Assistant Secretary
___ **Ryan Mahoney**, Member
___ **David J. Masse**, Member
___ **William Fekete**, Member
___ **Susan C. Langdon**, 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
___ **Alex Zulia**, Project Manager
___ **Mark J. Gabriele**, Agency Counsel

-
- 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 – July 9, 2025**
 - 6.0 Finance & Audit Committee Reports – J. Krempa**
 - 6.1 Agency Payables – July 31, 2025**
 - 6.2 Budget Variance Report – July 31, 2025**

7.0 Unfinished Business

8.0 New Business

8.1 Rock One Development LLC – *J.Grenga*

8.1.1 Final Resolution

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: September 10, 2025

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

PLACE: Niagara County Center for Economic Development

13.0 Adjournment - *M. Ones*

5.1

Meeting Minutes

REGULAR NCIDA/NCDC/NADC BOARD MEETING

DATE: July 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

1.0 Meeting Called to Order

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

2.0 Roll Call

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

3.0 Introduction of Guests

Jonathan Epstein, Buffalo News
Jim Fink, WBFO Radio
Rob Creenan, Niagara Gazette

Staff Present

Michael S. Dudley, Director of Finance & Real Estate
Susan Barone, Grants, Loans, & Compliance Manager
Joseph Grenga, Project Manager
Mark J. Gabriele, Agency Counsel
Elizabeth Hughes, Counsel

4.0 Pledge of Allegiance

Mr. Mahoney led the pledge of allegiance.

5.0 Approval of Meeting Minutes

5.1 Regular NCIDA/NCDC/NADC – June 11, 2025

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

6.0 Finance & Audit Committee Reports

6.1 Agency Payables – June 30, 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. Mahoney seconded the motion. The motion passed.

6.2 Budget Variance Report – June 30, 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; Mr. Mahoney seconded the motion. The motion passed.

7.0 Unfinished Business

7.1 Live-USA Incorporated

Mr. Gabriele stated that Live-USA Incorporated requested a six-month extension. The project experienced some delays but still plans on moving forward.

7.1.1 Inducement Extension

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

Mr. Krempa made a motion to approve the Inducement Extension, Mr. Fekete 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			
David J. Masse				x
William Fekete	x			
Susan C. Langdon	x			

The Resolution was thereupon duly adopted.

7.2 Cataract Grant Live-USA

Mr. Gabriele stated that Live-USA Incorporated currently has a Cataract Grant through the Agency. The company is requesting a six-month extension on the project.

7.2.1 Inducement Extension

RESOLUTION AUTHORIZING AN EXTENSION OF GRANT EXPIRATION DATE TO JUNE 30, 2026, ALL RELATING TO THE GRANT ACCEPTANCE AGREEMENT WITH LIVE-USA INCORPORATED.

Mr. Fekete made a motion to approve the Inducement Extension, Mr. Krempa 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			
David J. Masse				x
William Fekete	x			
Susan C. Langdon	x			

The Resolution was thereupon duly adopted.

7.3 Updated Policies

7.3.1 Airborne Contaminants Policy

Mr. Gabriele stated that the Airborne Contaminants Policy is a new required policy by New York State. This policy was recommend to the Board for approval by the Governance Committee.

Mr. Berube made a motion to approve the Airborne Contaminants Policy, Mr. Fekete 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			
David J. Masse				x
William Fekete	x			
Susan C. Langdon	x			

The Resolution was thereupon duly adopted.

7.3.2 Solar Policy

Mr. Gabriele stated that the Solar Policy has had some updates. The new updates allow the Agency to offer a PILOT incentive for up to 20 years. The Agency has a 2% escalator built into the new policy that would go up 2% every year to keep up with the cost of living. The price per mega-watt would be a minimum of \$4,000. The Agency will continue to encourage the local municipalities to enter into their own Community Host Agreement. The Agency recognizes the ability of a municipality to dictate weather solar projects would be in their Town, Village, or City. The Agency will not entertain an application for solar benefits until the municipality sends a letter of support to the Agency. This policy was recommend to the Board for approval by the Governance Committee.

Mr. Berube made a motion to approve the Solar Policy, Mr. Krempa 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			
David J. Masse				x
William Fekete	x			
Susan C. Langdon	x			

The Resolution was thereupon duly adopted.

7.3.3 Procurement Policy

Mr. Gabriele stated that the current Procurement Policy needed some updates to streamline processes for the Agency. The updated policy clarifies and makes it easier for the staff to make sure they can abide by it. This policy was recommend to the Board for approval by the Governance Committee.

Mr. Berube made a motion to approve the Procurement Policy, Mr. Fekete 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			
David J. Masse				x
William Fekete	x			
Susan C. Langdon	x			

The Resolution was thereupon duly adopted.

8.0 New Business

8.1 RFP for General Construction Separation Wall

Mr. Dudley stated that the Agency issued an RFP for the construction of an interior wall to divide tenant units at 2055 Niagara Falls Boulevard, Niagara Falls, NY 14304. RFPs were delivered to three companies, posted on the Agency website and posted on the NYS Construction Exchange Website.

The Agency received two sealed bids. Staff is recommending that the work be completed by RMF Construction, LLC.

8.1.1 NIIA - 2055 Niagara Falls Boulevard

Mr. Krempa made a motion to approve the RFP, Mr. Fekete 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			
David J. Masse				x
William Fekete	x			
Susan C. Langdon	x			

The Resolution was thereupon duly adopted.

9.0 Agency Counsel

Agency Counsel had no comments at this time.

10.0 Information Items

There were no information items at this time.

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: August 13, 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 9:19 a.m.

Respectfully Submitted:

Reviewed By:

Approved By:

Julie Lamoreaux
Administrative Assistant

Andrea Klyczek
Executive Director

William L. Ross
Secretary

6.1

Agency Payables

Niagara County Industrial Devel. Agency
Check Register
For the Period From Jul 1, 2025 to Jul 31, 2025

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
30418	7/2/25	Cooper Electric	10001.100	198.72
30419	7/2/25	THE HARTFORD	10001.100	272.67
30420	7/2/25	Jeremy Geartz	10001.100	524.37
30421	7/2/25	LAMAR COMPANIES	10001.100	1,450.00
30422	7/2/25	M&T Bank	10001.100	1,607.30
30423	7/2/25	National Grid	10001.100	659.72
30424	7/2/25	Professional Janitorial Services, Inc.	10001.100	823.00
30425	7/2/25	STAPLES CONTRACT & COMMERCIAL	10001.100	44.23
30426	7/2/25	Guardian	10001.100	233.69
30427	7/8/25	Niag Cnty Dept of Economic Development	10001.100	482.08
7/10/25	7/10/25	PAYCHEX, INC.	10001.100	75.30
7/11/25	7/11/25	NYS DEFERRED COMPENSATION PLAN	10001.100	968.55
30428	7/15/25	360 PSG.com	10001.100	60.00
30429	7/15/25	Amazon Capital Services	10001.100	334.97
30430	7/15/25	Cintas Corporation LOC. 067P	10001.100	108.56
30431	7/15/25	County of Niagara	10001.100	40.17
30432	7/15/25	First Choice Coffee Services	10001.100	210.20
30433	7/15/25	The Hartford	10001.100	736.61
30434	7/15/25	Niag Cnty Dept of Economic Development	10001.100	59,095.50
30435	7/15/25	PURCHASE POWER	10001.100	200.00
7/20/25	7/20/25	PAYCHEX, INC.	10001.100	134.00
30436	7/23/25	Amazon Capital Services	10001.100	107.26
30437	7/23/25	Charter Communications	10001.100	130.00
30438	7/23/25	County of Niagara	10001.100	187.67
30439	7/23/25	Guardian	10001.100	240.70
30440	7/23/25	Harris Beach Murtha Cullina PLLC	10001.100	11,610.10
7/24/25	7/24/25	PAYCHEX, INC.	10001.100	98.96
7/25/25	7/25/25	NYS DEFERRED COMPENSATION PLAN	10001.100	926.55
7/29/25	7/29/25	NEW YORK STATE AND LOCAL	10001.100	858.49
Total				82,419.37

NCIDA VIP-MTF Operating
Check Register
For the Period From Jul 1, 2025 to Jul 31, 2025

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
5042	7/2/25	H.W.BRYK & SONS, INC.	10001.600	556.50
5043	7/2/25	Cooper Electric	10001.600	329.52
5044	7/2/25	Frontier	10001.600	328.33
5045	7/2/25	National Grid	10001.600	538.57
5046	7/2/25	Professional Janitorial Services, Inc.	10001.600	346.00
5047	7/8/25	Beau Enterprises, Inc.	10001.600	1,929.00
5048	7/15/25	H.W.BRYK & SONS, INC.	10001.600	1,185.65
5049	7/15/25	DAVIS-ULMER Sprinkler Co.	10001.600	1,617.00
5050	7/15/25	Modern Disposal Services, Inc.	10001.600	214.50
5051	7/22/25	Baughman Magic Seal Inc.	10001.600	128,200.00
5052	7/22/25	Grove Roofing Services, Inc.	10001.600	836.80
5053	7/22/25	Harris Beach Murtha Cullina PLLC	10001.600	248.61
5054	7/22/25	County of Niagara	10001.600	153.93
5055	7/31/25	DAVIS-ULMER Sprinkler Co.	10001.600	190.00
5056	7/31/25	County of Niagara	10001.600	383.39
5057	7/31/25	Professional Janitorial Services, Inc.	10001.600	346.00
Total				137,403.80

NCIDA - MTF - Operating Fund
Check Register
For the Period From Jul 1, 2025 to Jul 31, 2025

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
3263	7/2/25	M&T Bank	10001.600	59.37
3264	7/2/25	National Fuel	10001.600	174.15
3265	7/8/25	Beau Enterprises, Inc.	10001.600	1,118.00
3266	7/8/25	National Grid	10001.600	539.01
3267	7/15/25	National Grid	10001.600	116.55
3268	7/15/25	VERIZON	10001.600	136.45
3269	7/22/25	Harris Beach Murtha Cullina PLLC	10001.600	583.18
3270	7/30/25	National Grid	10001.600	168.21
Total				2,894.92

Niagara Industrial Incubator Associates
Check Register
For the Period From Jul 1, 2025 to Jul 31, 2025

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1480	7/8/25	H.W. Bryk & Sons, Inc.	10000.100	449.00
1481	7/8/25	National Grid	10000.100	327.35
1482	7/22/25	Gratwick Pest Control	10000.100	375.00
1483	7/22/25	Harris Beach Murtha Cullina PLLC	10000.100	248.17
1484	7/30/25	A 24 Hour Door National, Inc.	10000.100	4,200.00
Total				5,599.52

Niag. Cnty Dev. Corp. - EDA RLF**Check Register**

For the Period From Jul 1, 2025 to Jul 31, 2025

Filter Criteria includes: Report order is by Date.

Check #	Date	Payee	Cash Account	Amount
1365	7/2/25	M&T Bank	10001.100	20.00
Total				20.00

6.2

Budget Variance Reports

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY
BUDGET VARIANCE REPORT AS OF July 31, 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
<u>Operating Revenues</u>						
Project Administrative Fees	\$ 0.00	\$ 39,219.00	\$ 691,169.00	\$ 405,812.00	285,357.00	\$ 527,232.00
Project Application Fees	1,000.00	1,000.00	10,000.00	7,000.00	3,000.00	12,000.00
NEDF RLF Administrative Fee	4,166.67	4,166.67	29,166.69	29,166.69	0.00	50,000.00
Administrative Fees - Other	0.00	0.00	22,080.00	21,126.00	954.00	52,070.00
Interest Earnings	396.67	5,497.42	72,593.27	38,481.94	34,111.33	65,969.00
Miscellaneous Income	14,675.76	14,674.50	104,080.32	102,721.50	1,358.82	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	20,239.10	64,557.59	929,089.28	604,308.13	324,781.15	1,083,365.00
<u>Operating Expenses</u>						
Salaries	31,384.59	32,923.06	209,999.84	246,922.95	(36,923.11)	428,000.00
Benefits	4,710.83	7,790.92	26,723.16	54,536.44	(27,813.28)	93,491.00
Retirement Benefits	4,926.33	4,926.33	34,484.31	34,484.31	0.00	59,116.00
Payroll Taxes	2,411.77	2,485.08	16,359.19	18,604.59	(2,245.40)	32,239.00
Unemployment Taxes	48.46	0.00	1,392.56	1,613.00	(220.44)	1,613.00
Consultants	2,500.00	2,500.00	17,500.00	17,500.00	0.00	30,000.00
Executive Director	9,674.33	9,674.33	68,769.83	67,720.31	1,049.52	116,092.00
Legal Services	6,666.67	6,666.67	78,465.29	46,666.69	31,798.60	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	908.40	1,833.33	13,906.49	12,833.31	1,073.18	22,000.00
Sponsorships	0.00	83.33	250.00	583.31	(333.31)	1,000.00
Printing	0.00	83.33	219.02	583.31	(364.29)	1,000.00
Office Supplies	142.84	166.67	852.41	1,166.69	(314.28)	2,000.00
Postage	475.85	620.00	2,252.39	2,574.00	(321.61)	3,950.00
Telephone & Fax	139.09	127.50	875.52	892.50	(16.98)	1,530.00
Internet Service	285.99	197.42	1,612.46	1,381.94	230.52	2,369.00
Common Area Charges	906.33	906.33	6,344.31	6,344.31	0.00	10,876.00
Energy	1,248.57	1,264.00	11,553.44	9,885.00	1,668.44	16,100.00
Conference & Travel	0.00	1,000.00	6,159.43	7,000.00	(840.57)	12,000.00
Employee Training	0.00	500.00	0.00	3,500.00	(3,500.00)	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	12,932.29	12,770.94	161.35	21,893.00
Library & Membership	0.00	119.73	2,679.48	2,603.38	76.10	3,202.00
General Office	1,108.96	1,110.00	6,953.45	7,770.00	(816.55)	13,320.00
Repairs & Maintenance	927.38	1,132.25	7,213.88	7,925.75	(711.87)	13,587.00
Computer Support	0.00	500.00	0.00	3,500.00	(3,500.00)	6,000.00
Public Hearings	(16.31)	25.00	(16.31)	175.00	(191.31)	300.00
Furniture & Equipment Purchase	0.00	166.67	0.00	1,166.69	(1,166.69)	2,000.00
Other Expense	0.00	83.33	186.29	583.31	(397.02)	1,000.00
Total Operating Expenses	70,297.55	78,709.70	552,344.73	594,297.73	(41,953.00)	1,010,150.00
Net Operating Income/(Loss)	(50,058.45)	(14,152.11)	376,744.55	10,010.40	366,734.15	73,215.00
<u>Non-Operating Revenue & Expense</u>						
Grant Rev- City NF Initiative	0.00	0.00	1,104,000.00	1,072,804.50	31,195.50	2,145,609.00
Grant Sub-City NF Initiative	0.00	0.00	1,104,000.00	1,072,804.50	31,195.50	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)	(\$ 50,058.45)	(\$ 14,152.11)	\$ 376,744.55	\$ 10,010.40	366,734.15	\$ 73,215.00

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Balance Sheet

July 31, 2025

ASSETS

Current Assets		
Cash - Checking	\$	225,024.33
Petty Cash		300.00
Certificates of Deposit		2,600,000.00
Mmkt Acct. - M&T Bank		246,769.38
Cash - First Response		66,640.37
Cash - City of N.F.		955.08
Cataract Tourism C/D		1,400,000.00
Mmkt Acct. - Cataract Tourism		335,984.23
Accts Rec - Public Hearings		2,000.39
Accounts Receivable Niag. Cnty		848.40
Accounts Rec. EDA - RLF		242,499.98
Due To/From Micro RLF		5,316.38
Due To/From VIP - MTF		511,057.08
Due From NCDG CDBG/HUD		5,000.04
Due To/Due From NADC		500.56
Due To/From MTF Operating		121,128.84
Prepaid Insurance		<u>12,100.17</u>
Total Current Assets		5,776,125.23
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>\$ 6,343,793.73</u></u>

LIABILITIES AND NET ASSETS

Current Liabilities		
Accrued Retirement	\$	34,484.31
Deferred Rev. - NEDF		20,833.31
Deferred Rev. - First Repsonse		66,640.37
Def. Rev. - City of N.F.		1,736,939.31
Accounts Payable		18,399.78
Acct. Payable - Niag. County		<u>9,674.33</u>
Total Current Liabilities		1,886,971.41
Long-Term Liabilities		
Pension Liability		115,680.00
Deferred Inflows of Resources		<u>67,839.00</u>
Total Long-Term Liabilities		<u>183,519.00</u>
Total Liabilities		2,070,490.41
Net Assets		
Fund Balance - Operating Fund		3,896,558.77
Net Income		<u>376,744.55</u>
Total Net Assets		<u>4,273,303.32</u>
Total Liabilities & Net Assets		<u><u>\$ 6,343,793.73</u></u>

Unaudited - For Management Purposes Only

**Niagara County Industrial
Development Agency
Aged Payables
As of July 31, 2025**

Vendor ID Vendor	Invoice #	Amount Due
County County of Niagara	Jun 25 Elec	470.94
EATON Eaton Office Supply Co., Inc.	PINV1283025	10.40
ind Independent Health	Aug 2025	4,106.93
M&TBUS M&T Bank	Jul 2025	1,934.57
NATGRID National Grid	39004 7/25	698.57
PITBOW Pitney Bowes Global Financial	3321102999	275.85
ProJan Professional	2271	823.00
STAPLES STAPLES CONTRACT & COMMERCIAL	7006243371	132.85
Report Total		<u>8,453.11</u>

Adjusting Journal Entries

Estimated Jul 2025 Legal Fees	6,666.67
Estimated Jul 2025 Copier usage	200.00
Estimated Jul 2025 Telephone	30.00
Estimated Jul 2025 Niagara County Electric	500.00
Estimated Jul 2025 Niagara County Gas	50.00
Estimated Jul 2025 Consulting	<u>2,500.00</u>
	<u><u>18,399.78</u></u>

8/6/2025

Closed 2025	Project Type	Total Project Amount	IDA Project Amount	Admin. Fees	Application Fees	Amount Received to Date	Date Received	Balance Due	Date Closed
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 Corp.	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	-	3/17/25
Rainbow Sweet Cravings, LLC	Sales Tax C	460,000	460,000	4,600	1,000	5,600	5/27/25	-	3/19/25
Niagaras Krispy Crunchy Fried Chicken, LLC	Sales Tax C	410,000	410,000	4,100	1,000	5,100	5/27/25	-	3/19/25
Niagara Club LLC	Sales Tax C	2,004,961	1,951,961	2,719	1,000	3,719	5/14/25	-	4/21/25
Vishay Dale Electronics, LLC	No assistance provided.			0	1,000	1,000	12/12/23	-	
3816 Forest Parkway Holdings, LLC fka MGA	L/L Back	11,027,000	8,900,000	89,000	1,000	90,000	6/16/25	-	3/19/25
Indian Ocean LLC (Phase II)	L/L Back	10,000,000	6,900,000	69,000	1,000	70,000	6/18/25	-	5/14/25
National Vacuum Environmental Services Corp.	Sales Tax C	1,164,020	1,012,500	10,125	1,000	11,125	6/30/25	-	
Bogart-Sinatra Development, LLC	L/L Back	1,625,000	1,250,000	12,500	1,000	1,000	5/13/25	12,500	7/25/25
								-	
TOTAL				<u>703,669</u>					
Fees received in prior year				<u>-</u>					
Total fees received to date in 2025				<u>703,669</u>					
Total 2025 Budgeted Fees				<u>527,232</u>					
Balance of Budgeted Fees				(176,437)					

	Project Type	Total Project Amount	IDA Project Amount	Anticipated Fees	Application Fee	Amount Received to Date	Date Received	Anticipated Balance Due	Inducement Expiration
Projected 2026									
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		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	3/1/2026	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	1/1/2024	185,250.00		Facade renovations.
Niagara Falls International Cuisine, Inc.	76,500	0	2/8/2023	1/1/2024	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	6/30/2026	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.
Niagaras Krispy Crunchy Fried Chicken, LLC	48,750	48,750	6/11/2025	To Be Disbursed	0.00	12/31/2025	Open a Niagaras Krispy Crunchy Fried Chicken restaurant in the Hyatt Hotel in downtown Niagara Falls.
To Date Sub-Total	5,293,643	1,711,359			3,149,367.34		
Cash on hand as of 7/31/2025	1,736,939.31						
Less: Outstanding Awards	(1,711,359.00)						
Available for awarding grants	25,580.31						
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	246,349.91						
Bank Fees	(43.26)						
Grant Disbursements	(3,149,367.34)						
Grant Fund Balance	1,736,939.31						

8.1

Rock One

Development LLC

PROJECT SUMMARY
Rock One Development, LLC



Applicant:	Rock One Development, LLC	
Project Location:	614 River Road North Tonawanda NY, 14120	
Assistance:	Sales Tax Abatement	
Description:	<p>In 2017 the original 6 acre parcel located at 600 River Road was purchased by Rock One Development, LLC for residential and commercial development. The site has since been remediated through the NYS Brownfields program after 2 ½ years. The project was awarded a Certificate of Completion from NYS Department of Environmental Conservation.</p> <p>Of the proposed 100 market rate apartment rental units, 88 have been completed. The current proposal for assistance will lead to the completion of 9 additional market rate units, addressing the ever important need for housing in NYS. This necessity aligns with the Governor's office seeking to build 800,000 homes across NYS over the next decade in the Housing Compact. This development will continue to benefit the local community through local spending as well as public access to the Niagara River waterfront.</p>	
Project Costs:	Construction/Improvements Furniture, Fixtures & Equipment Soft costs Other TOTAL	\$ 1,832,800 \$ 80,000 \$ 72,920 \$ 0 <hr/> \$ 1,985,720
Employment:	Current jobs in Niagara County: 3 Jobs retained in the next 3 years: 3 Estimated Annual Payroll for New Jobs: \$180,000 Skills: Management, Administrative, Leasing	
Evaluative Criteria:	Alignment with local planning and development efforts. Ability to conventionally finance, regional wealth creation, job retention, in region purchases.	

Niagara County Industrial Development Agency

MRB Cost Benefit Calculator

Date July 18th 2025
Project Title Rock One Development LLC
Project Location 614 River Road North Tonawanda NY 14120

MRB | group
Cost-Benefit Analysis Tool powered by MRB Group

Economic Impacts

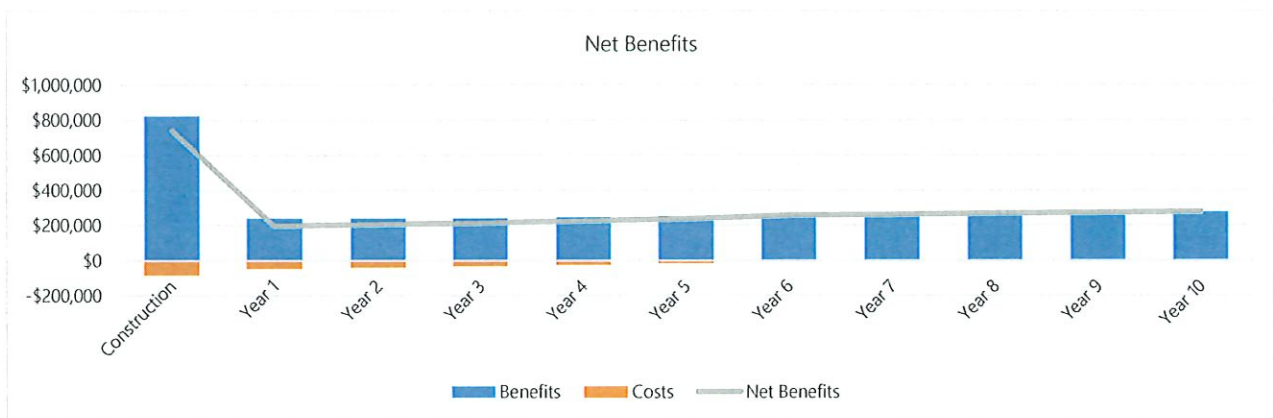
Summary of Economic Impacts over the Life of the PILOT

Project Total Investment
\$1,985,720

Temporary (Construction)			
	Direct	Indirect	Total
Jobs	7	3	10
Earnings	\$612,202	\$165,812	\$778,014
Local Spend	\$1,588,576	\$570,809	\$2,159,385

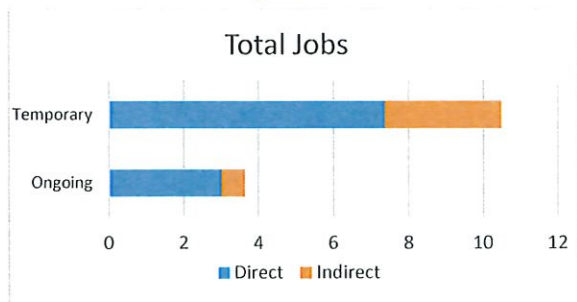
Ongoing (Operations)			
Aggregate over life of the PILOT			
	Direct	Indirect	Total
Jobs	3	1	4
Earnings	\$1,904,934	\$514,120	\$2,419,055

Figure 1



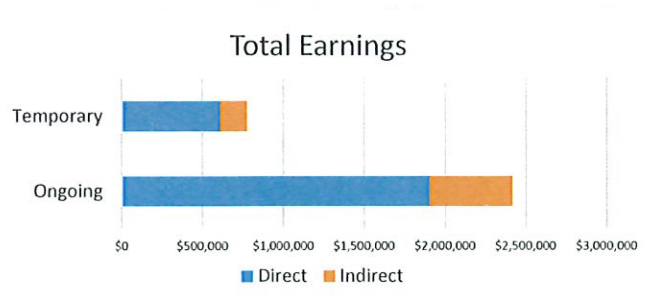
Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2



© Copyright 2023 MRB Engineering, Architecture and Surveying, D.P.C.

Figure 3



Ongoing earnings are all earnings over the life of the PILOT.

Fiscal Impacts

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$143,478	\$136,717
Sales Tax Exemption	\$79,712	\$79,712
Local Sales Tax Exemption	\$39,856	\$39,856

MRB | group
Cost-Benefit Analysis Tool powered by MRB Group

State Sales Tax Exemption	\$39,856	\$39,856
Mortgage Recording Tax Exemption	\$0	\$0
Local Mortgage Recording Tax Exemption	\$0	\$0
State Mortgage Recording Tax Exemption	\$0	\$0
Total Costs	\$223,190	\$216,429

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$3,329,744	\$3,068,119
To Private Individuals	\$3,197,069	\$2,944,984
Temporary Payroll	\$778,014	\$778,014
Ongoing Payroll	\$2,419,055	\$2,166,970
Other Payments to Private Individuals	\$0	\$0
To the Public	\$132,675	\$123,134
Increase in Property Tax Revenue	\$110,296	\$102,520
Temporary Jobs - Sales Tax Revenue	\$5,446	\$5,446
Ongoing Jobs - Sales Tax Revenue	\$16,933	\$15,169
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$166,248	\$153,139
To the Public	\$166,248	\$153,139
Temporary Income Tax Revenue	\$35,011	\$35,011
Ongoing Income Tax Revenue	\$108,857	\$97,514
Temporary Jobs - Sales Tax Revenue	\$5,446	\$5,446
Ongoing Jobs - Sales Tax Revenue	\$16,933	\$15,169
Total Benefits to State & Region	\$3,495,992	\$3,221,258

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$3,068,119	\$176,573	17:1
State	\$153,139	\$39,856	4:1
Grand Total	\$3,221,258	\$216,429	15:1

*Discounted at 2%

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

Yes

Additional Revenues:

County	\$0
City/Town/Village	\$0
School District	\$0

*Estimated Value of Goods and Services to be exempt from sales and use tax as a result of the Agency's involvement in the Project. PLEASE NOTE:

These amounts will be verified and there is potential for a recapture of sales tax exemptions (see "Recapture" on page 11 of the Application)
(To be used on NYS ST-60) \$996,400

Additional Comments from IDA

0

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

Yes

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

Rock One Development LLC

(Applicant Name)

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

Updated May 2025

Please note the following Application conditions:

1. One (1) original signed copy of the Application for Assistance along with a signed Environmental Assessment form is to be submitted to the Niagara County Industrial Development Agency ("Agency").
2. A **\$1,000.00 non-refundable application fee** payable to the Niagara County Industrial Development Agency **MUST** accompany the Application submission.
3. 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.
4. At the time of the Project closing, the project Applicant is required to pay certain costs associated with the Project, including payment of an Agency Fee in the amount of 1% of the total value of the project, and payment of 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.

IMPORTANT NOTE: In the event of a project termination or withdrawal, the Applicant will still be responsible for payment of the Agency Counsel fees mentioned above.

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

NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY

APPLICATION FOR FINANCIAL ASSISTANCE

I. APPLICANT INFORMATION

Company Name: Rock One Development LLC

Mailing Address: 9829 Main St

City/Town/Village & Zip code: Clarence, NY 14031

Phone: (716) 759-1715

Website: N/A

Fed Id. No.: 45-3994533

Contact Person and Title: Brianne Frawley (Director of Real Estate)

Email: brianne@visoneco.com

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

Lucian D. Visone Jr.

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 ¹ _____)

Date of organization: 2013

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: NA

Contact Person, and Title: NA

Mailing Address: NA

City/Town/Village & Zip code: NA

Email: NA

Phone: _____

Fax No.: _____

II. PROJECT INFORMATION

A) Project Address: 614 River Road (New Address TBD)

Tax Map Number (SBL) 181.16-1-21.131
(Section/Block/Lot)

SWIS Number 291200

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 103,000.00

Total 5,600,000.00

C) Present legal owner of the site Rock One Development LLC

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

D) Describe the project:

Construction of 9 additional town home units at 600 River road apartments

1. Project site (land)

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

2.33 acres

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

vacant

2. Indicate number, size (in square feet) and approximate age of existing buildings on site
Built in approx 2020: Apartment building (52,585 sf) Clubhouse (2850 sf) Garage (1365 s'

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.
One additional building (8022 sf 9 units)

4. Does the project consist of additions and/or renovations to existing buildings? If yes,
indicate nature of expansion and/or renovation.
no

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.
NA

6. Will onsite childcare be provided at the project facility?

7. List principal items/categories of equipment to be acquired as part of the project.
Apartment equipment

8. 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:

NA

- 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.

- G) Project Annual Compliance Reporting Contact(s) - Upon project closing, there are several required annual compliance reports applicable to the Project that will need to be completed each year throughout the length of the financial assistance. Please list contact information for the Annual Reports that will include; Local Labor, Project Investment, Project Employment, Insurance verification.

Name/Title: David Hillery, CPA

Address: 9829 Main Street

Clarence, NY 14031

Phone: (716) 759-1715

Email: david@visoneco.com

Name/Title: Brianne Frawley

Address: 9829 Main Street

Clarence, NY 14031

Phone: (716) 221-4412

Email: brianne@visoneco.com

III. SOURCES & USES OF FUNDS

- A) Estimated Project Costs:

Property Acquisition	\$	0
Construction (Improvements)	\$	1,832,800
Equipment Purchases/Fixtures/Furnishings	\$	80,000
Soft costs (i.e. engineering, architectural)	\$	72,920
Other (describe)	\$	
TOTAL USES OF FUNDS	\$	1,985,720

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

Bank Financing	\$	1,588,580
Equity	\$	397,140
Grants/Tax Credits	\$	
Taxable or Tax Exempt Bond	\$	
Other	\$	
TOTAL SOURCES OF FUNDS	\$	1,985,720

- C) Identify each state and federal grant/credit:

	\$	
	\$	
	\$	
	\$	
TOTAL PUBLIC FUNDS	\$	0

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: _____

Sales and Use Tax

Estimated value of Sales Tax exemption for facility construction: \$ 73,312

Estimated value of Sales Tax exemption for fixtures and equipment: \$ 6,400

Estimated duration of Sales Tax exemption: 1.5 Years

Mortgage Recording Tax Exemption Benefit

Estimated value of Mortgage Recording Tax exemption: \$ 0

C.) Financial Assistance Determination:

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

☐

Yes

☒

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:

High costs of infrastructure and remediation costs heavily burden the project.

This project will provide more opportunities for people to live in Niagara County/North Tonawanda

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	3	\$ 60,000		
Part time		\$ 0		
TOTAL FTEs	3	\$ 60,000		

Annual Salary Range of Jobs to be Created: \$ 60,000 to \$ 60,000

Category of Jobs to be Retained and Created:

Job Categories (ie. Management, Administrative, Production, etc.) Management, maintenance
leasing

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 Entity") 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 Niagara) ss.:

Lucian D. Visure Jr., being first duly sworn, deposes and says:

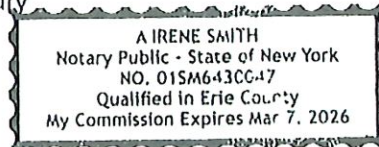
1. That I am the Managing Member (Corporate Office) of Rock One Development LLC (Applicant) and that I am duly authorized on behalf of the Applicant to bind the Applicant.
2. That I have read the attached Application, I know the contents thereof, and that to the best of my knowledge and belief, this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


(Signature of Officer)

Subscribed and affirmed to me under penalties of perjury

this 20th day of June, 2025

A. Irene Smith
(Notary Public)



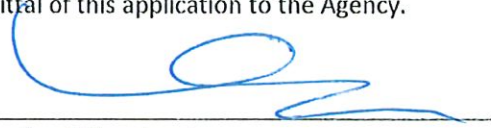
This Application should be submitted to the Niagara County Industrial Development Agency, 6311 Inducon Corporate Drive, Suite One, Sanborn, New York 14132.

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.


(Applicant Signature)

By: Lucian D. Visone Sr.

Name: Rock One Development LLC

Title: Managing Member


(Notary Public)

Sworn to before me this 30th day

of June, 2025



617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

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

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

Part 1 - Project and Sponsor Information			
Name of Action or Project: 600 River Road 9 unit town home addition			
Project Location (describe, and attach a location map): Portion of 614 River Road - map attached			
Brief Description of Proposed Action: Addition of 9 town-home units to 614 River Road in North Tonawanda, NY			
Name of Applicant or Sponsor: Rock One Development LLC		Telephone: 716-759-1715 E-Mail: brianne@visoneco.com	
Address: 9829 Main Street			
City/PO: Clarence		State: NY	Zip Code: 14031
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/> YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: City of North Tonawanda building permit.			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action? 2.33 acres			
b. Total acreage to be physically disturbed? 0.5 (est.) acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 10 acres			
4. Check all land uses that occur on, adjoining and near the proposed action. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <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 <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO <input checked="" type="checkbox"/>	YES <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 type="checkbox"/>	<input checked="" type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____		NO <input type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?		<input type="checkbox"/>	<input checked="" 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 <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES 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 TIE-INTO EXISTING ON-SITE STORM SEWER SYSTEM.		NO <input type="checkbox"/>	YES <input type="checkbox"/>

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 <input checked="" type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <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: _____ The site has been remediated through NYS DEC Brownfield Cleanup Program.	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Rock One Development LLC</u>		Date: <u>07/21/25</u>
Signature: <u>[Signature]</u>		

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

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<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: 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.
<div style="display: flex; justify-content: space-between;"> <div> <u>Niagara County Industrial Development</u> Name of Lead Agency </div> <div> <u>8/5/25</u> Date </div> </div>	
<div style="display: flex; justify-content: space-between;"> <div> <u>Andrea Kypczak</u> Print or Type Name of Responsible Officer in Lead Agency </div> <div> <u>Executive Director</u> Title of Responsible Officer </div> </div>	
<div style="display: flex; justify-content: space-between;"> <div> <u>Chris Kypczak</u> Signature of Responsible Officer in Lead Agency </div> <div> _____ Signature of Preparer (if different from Responsible Officer) </div> </div>	

PRINT

