

CONFIRMATION OF PROPOSED ACTION PURSUANT TO
GENERAL MUNICIPAL LAW SECTION 862(2)(c)

The Niagara County Industrial Development Agency (the "Agency") previously agreed to undertake a certain project consisting of the proposed acquisition, renovation and equipping of an existing building into a multi-use building containing commercial, office and retail space, together with three (3) market rate apartment by Neighborhood Redevelopment LLC (the "Company"), as agent of the Agency, at 263 East Avenue in the City of Lockport, Niagara County, New York (the "Project").

The Agency has determined that, under Section 862 of the New York General Municipal Law, that the Project will be used to make retail sales of goods or services to customers who personally visit the Project facilities to obtain such goods or services and that more than one-third of the total Project costs will be allocated for such retail purposes.

The Agency also found that, based year 2010 Census data, the poverty rate was 29.00% and the unemployment rate of 10.1%, or 2.24 times the state average, for the year to which the date related, with respect to the adjacent census tract in which the Project is located enabled the Agency to determine that the Project is located in a "highly distressed area" as said term is defined in Section 862 of the New York General Municipal Law.

In Compliance with Section 859 of the Act, on March 3, 2020, the Agency held a public hearing regarding the Project and the proposed financial assistance being contemplated by the Agency.

By resolution adopted by the Agency on March 11, 2020, and in compliance with New York General Municipal Law with respect to the Agency's provision of finance assistance to a retail project located in a highly distressed area, the Agency determined that the undertaking of the Project will serve the public purposes of Article 18-A of the New York General Municipal Law by increasing the overall number of permanent, private sector jobs in the New York State.

The undersigned, being the Chief Executive Officer of Niagara County, New York, hereby acknowledges the findings made by the Agency as summarized above and as found in the Resolution dated March 11, 2020 (in the form attached). Said findings were made pursuant to General Municipal Law Section 862(a)(b)(iii). Pursuant to General Municipal Law Section 862(2)(c), the undersigned hereby confirms the proposed actions to be taken by the Agency.



County Manager