

**Genesee County Economic Development Center  
Meeting Agenda**

Thursday, October 26, 2023  
Location: 99 MedTech Drive, Innovation Zone

<b>PAGE #</b>	<b>1.0</b>	<b>Call to Order</b>	<b>4:00 pm</b>
	1.1	<b>Enter Executive Session</b>	<b>4:00 pm</b>
		Motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105 for the following reasons:	
	1.	The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.	
	2.	Discussions regarding proposed, pending or current litigation.	
	1.2	<b>Enter Public Session</b>	<b>5:00pm</b>
	<b>2.0</b>	<b>Chairperson's Report &amp; Activities</b>	<b>5:00pm</b>
	2.1	Upcoming Meetings:	
		<b>Next Scheduled Board Meeting: Thursday, December 7<sup>th</sup> at 4 p.m.</b>	
		Audit & Finance Committee Meeting: Tuesday, December 5 <sup>th</sup> at 8:30 a.m.	
		STAMP Committee Meeting: Wednesday, December 6 <sup>th</sup> at 8 a.m.	
		Employment & Compensation Committee: Thursday, December 7 <sup>th</sup> at 3:00 p.m.	
	2.2	Agenda Additions / Deletions / Other Business <b>**Vote</b>	
	2.3	Minutes: October 5, 2023 <b>**Vote</b>	
<b>2-7</b>	<b>3.0</b>	<b>Report of Management –</b>	<b>5:05pm</b>
<b>8-15</b>	3.1	Countryside Apartments – Final Resolution – C. Suozzi	
<b>16-17</b>		a. UTEP <b>**Vote</b>	
<b>18-40</b>		b. Final Resolution <b>**Vote</b>	
<b>41-44</b>	<b>4.0</b>	<b>Audit &amp; Finance Committee – K. Manne</b>	<b>5:15pm</b>
<b>45-46</b>	4.1	September 2023 Financial Statements <b>**Vote</b>	
<b>47-54</b>	4.2	2024 General Cleaning Services <b>**Vote</b>	
<b>55-57</b>	4.3	12/31/23 Audit Services <b>**Vote</b>	
<b>58-59</b>	4.4	Government Relations Contract - Ostroff and Associates <b>**Vote</b>	
	4.5	Batavia Home Fund Recommendation of Award <b>**Vote</b>	
	<b>5.0</b>	<b>Governance &amp; Nominating Committee – C. Yunker</b>	<b>5:30pm</b>
	5.1	Nothing at this time.	
	<b>6.0</b>	<b>STAMP Committee – P. Zelif</b>	<b>5:30pm</b>
	6.1	Nothing at this time.	
	<b>7.0</b>	<b>Employment &amp; Compensation Committee – M. Gray</b>	<b>5:30pm</b>
	7.1	Nothing at this time.	
	<b>8.0</b>	<b>Housing Committee – P. Battaglia</b>	<b>5:30pm</b>
	8.1	Nothing at this time.	
	<b>9.0</b>	<b>Other Business</b>	<b>5:30pm</b>
	9.1	Nothing at this time.	
	<b>10.0</b>	<b>Adjournment</b>	<b>5:30pm</b>



**GCEDC Board Meeting  
Thursday, October 5, 2023  
Location: 99 MedTech Drive, Innovation Room  
4:00 PM**

**GCEDC MINUTES**

**Attendance**

Board Members: M. Gray, C. Kemp, P. Battaglia, P. Zeliff, K. Manne, M. Clattenburg, C. Yunker

Staff: M. Masse, S. Hyde, L. Farrell, P. Kennett, L. Casey, J. Krencik, E. Finch, C. Suozzi

Guests: R. Gaenzle (Harris Beach), M. Brooks (GGLDC Board Member), S. Noble-Moag (GGLDC Board Member), J. Tretter (GGLDC Board Member), S. Maier (Harris Beach), G. Torrey (GGLDC Board Member), M. Fitzgerald (Phillips Lytle), Zachary Chittenden (Pembroke Resident), Josh Brown, (Pembroke Resident), T. Schneider (Town of Pembroke Supervisor), Tom Eckrote (Pembroke Resident), Stefanee Oneil (Pembroke Resident), Jason Lord (Pembroke Resident)

Absent:

**1.0 Call to Order**

P. Zeliff called the meeting to order at 4:02 p.m. in the Innovation Zone.

**1.1 Enter Executive Session**

P. Battaglia made a motion to enter executive session under the Public Officers Law, Article 7, Open Meetings Law Section 105, at 4:04 p.m. for the following reasons:

1. The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.
2. Discussions regarding proposed, pending, or current litigation.

The motion was seconded by M. Gray and approved by all members present.

All guests, excluding GGLDC Board members and legal counsel, left the meeting at 4:04 p.m.

G. Torrey joined the meeting at 4:13 p.m.

M. Fitzgerald from Phillips Lytle left the meeting during executive session.

E. Finch left the meeting as executive session ended.

**1.2 Enter Public Session**

P. Battaglia made a motion to enter back into public session at 4:58 p.m., seconded by M. Gray and approved by all members present.

**2.0 Chairman’s Report & Activities**

**2.1 Upcoming Meetings:**

**Next Scheduled Board Meeting: Thursday, October 26<sup>th</sup> at 4:00 p.m.**

Audit & Finance Committee Meeting: Tuesday, October 24<sup>th</sup> at 8:30 a.m.

STAMP Committee Meeting: Wednesday, October 25<sup>th</sup> at 8:00 a.m.

Employment & Compensation Committee Meeting: Thursday, October 26<sup>h</sup> at 3:00 p.m.

P. Zeliff stated that the Employment & Compensation Committee meeting date will be changed because he is not able to attend.

**2.2 Agenda Additions / Deletions / Other Business – Nothing at this time.**

**2.3 Minutes: September 7, 2023 –**

**P. Battaglia made a motion to accept the September 7, 2023 minutes as presented; the motion was seconded by K. Manne. Roll call resulted as follows:**

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Yes	P. Zeliff -	Yes
M. Clattenburg –	Yes	M. Gray -	Yes
C. Kemp -	Yes		

**The item was approved as presented.**

All guests that had previously left the meeting rejoined the meeting at 5:05 p.m.

**3.0 Report of Management**

**3.1 Countryside Apartments, LLC- Initial Resolution -** Countryside Apartments, LLC is proposing to develop four 24-unit market-rate apartment buildings in the Town of Pembroke.

The \$15.65 million project would be built in phases, with one 24-unit building per phase, for a total of 96 units. Each building will have eight 1-bedroom and 16 2-bedroom units. Each building will be 21,096 sq. ft. for a total of 84,384 sq. ft. The project anticipates creating two part-time positions (1 FTE).

The project is requesting assistance from the GCEDC with a sales tax exemption estimated at \$739,200, a property tax abatement estimated at \$2,020,688 based on the incremental increase in assessed value via a fixed 60% 20-year PILOT (Housing PILOT for 20+ market-rate units), and a mortgage tax exemption estimated at \$130,000.

The project aligns with the Genesee County Economic Development Center's Housing Policy #1 and a recognized need for housing availability. The Genesee County Housing Needs Assessment identified that 4,800 units are needed in the next 20 years across single-family homes and rental units.

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACCEPTING AN APPLICATION OF COUNTRYSIDE APARTMENTS, LLC WITH RESPECT TO A CERTAIN PROJECT (THE "PROJECT"), (ii) AUTHORIZING A PUBLIC HEARING WITH RESPECT TO THE PROJECT, AND (iii) DESCRIBING THE FORMS OF FINANCIAL ASSISTANCE BEING CONTEMPLATED BY THE AGENCY WITH RESPECT TO THE PROJECT

**M. Clattenburg made a motion to accept Initial Resolution #10/2023-01, authorizing the acceptance of the application and scheduling of a public hearing as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:**

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Yes	P. Zeliff -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

**The item was approved as presented.**

Chairman P. Zeliff provided an opportunity for the guests from the Town of Pembroke to speak. The residents expressed that they do not want subsidized housing. GCEDC staff and Board Members as well as the Town of Pembroke Supervisor spoke to their concerns. In summary, they stated that the proposed housing project is for market rate apartments only. The developer, in a previous meeting, stated that a one-bedroom apartment will rent for \$1,100 and a two-bedroom apartment will rent for \$1,400. If the project is not built as described in the project description, the IDA has the authority to cancel the PILOT and claw back tax benefits. The public hearing notice for the Countryside Apartments Project will be posted in the Pembroke Town Hall and The Daily News.

The Town of Pembroke residents, excluding T. Schneider, left the meeting.

**3.2 GLOW With Your Hands Summary Report** – More than 1,100 students from GLOW region schools participated in this year's GLOW With Your Hands: Manufacturing event, including every high school in Genesee County. With an increased focus on pre-BOCES grade levels, students experience both the careers and the available training pathways in Genesee County and our neighboring communities.

Participating manufacturers and employers included Nortera Foods, O-AT-KA Milke Products, Chapin Manufacturing, Graham Manufacturing, LandPro Equipment, Oxbo International, US Gypsum, Liberty Pumps and Amanda Tool America.

Led by Co-Founder Chris Suozzi, we were pleased to demonstrate our high school mechatronics training program and pre-apprenticeship programs with guests, including representatives of our elected leaders and Edwards Vacuum.

**3.3 Cornell Food Processing Bootcamp Announcement Date** – C. Suozzi announced that students that attend the Cornell Food Processing Bootcamp will earn a certificate in food processing from Cornell University Department of Food Science. The three-day program will be held November 7-9, 2023 at SUNY Genesee Community College for high school seniors only.

**3.4 New York Bus Sales Project Update** – New York Bus Sales held a celebration launching the company's first ever purpose-built EV bus training, preparation and distribution center on Saile Drive in the town of Batavia on Friday, September 22. The \$6 million, 20,000 sq. ft. new build will service the local and Buffalo-Rochester markets and facilitate the conversion of school buses to all-electric in the coming decade.

Company leaders thanked the GCEDC for assistance in site selection, financing, workforce development, and connections that enable New York Bus Sales to be ready to launch.

**4.0 Audit & Finance Committee**

**4.1 August 2023 Financial Statements** – L. Farrell reviewed the August 2023 financial statements with the Board. The following was noted:

- Reserved cash decreased to almost zero in August. We moved RLF #1 funds from Reserved Cash to Restricted Cash. These funds will be used to pay STAMP construction contracts that were previously authorized as well as the mitigation contracts that were required by the DEC as part of the Part 182 Permit.
- On the P&L, there are origination fees of \$166,000. We closed on the Ivy Village Project, RPNY Solar 6 and RPNY Solar 7 Projects.
- For expenditures on the P&L, there is normal monthly activity.
- M. Masse also stated that we closed on the Edwards land sale and incentives, as well as the Apple Tree Acres land sale with Berardi and the Forefront Power Solar Project. These changes will be reflected in the September financial statements.

The financial statements were reviewed in detail by the Committee and are recommended for approval.

**K. Manne made a motion to approve the August 2023 Financial Statements as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:**

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Yes	P. Zeliff -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

**The item was approved as presented.**

**4.2 GCEDC 1+3 Budget** – The 2024 Budget was approved at the last Board meeting. The budget was then extended another 3 years. The 1+3 Budget must be entered into the NYS Public Authorities Reporting Information System (PARIS) online. It was noted that most line items show a 3% increase year over year. The line items with an asterisk are those that could be estimated more accurately as more information was available or schedules were utilized.

The Committee noted that given current market conditions, an estimated 3% increase year over year may not be sufficient. At the Committee meeting, L. Farrell stated that this is simply a forecast and not a formal approval of the budgets for the years 2025-2027. L. Farrell also stated that if inflation is still a concern during next years' budgeting season, she will take a closer look at the individual line items that may be impacted by inflation. Since the Audit and Finance Committee meeting, K. Manne pulled a CPI

report showing that inflation last year was approximately 7% and has gone to approximately 2% as of June this year.

This was recommended for approval by the Committee.

**K. Manne made a motion to approve the GCEDC 1+3 Budget as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:**

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Yes	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

**The item was approved as presented.**

**4.3 Land Lease Rates** – M. Masse presented the proposed schedule for the land lease rates that were included with the meeting materials.

**Fund commitment:** None.

Location	Term	Rate/Acre
Apple Tree Acres	One year	\$ 70.00
Oatka Hills	One year	\$ 70.00
LeRoy	One year	\$ 70.00

STAMP	One year	\$70.00
STAMP	One year	\$75.00
STAMP	One year	\$3.98

The Land Lease Rates were reviewed in detail by the Committee and were recommended for approval pending review and approval by our agricultural experts on the Board.

C. Yunker and S. Noble-Moag stated that the rates were agreeable.

**K. Manne made a motion to approve the Land Lease Rates as presented; the motion was seconded by P. Battaglia. Roll call resulted as follows:**

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Yes	P. Zelif -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The agenda item was approved as presented.

**5.0 Governance & Nominating Committee – C. Yunker**

5.1 Nothing at this time.

**6.0 STAMP Committee – P. Zeliff**

**6.1 Storage Yard Agreement** - In conjunction with the installation of the force main from the STAMP site to the direct discharge point at Oak Orchard Creek, the GCEDC had to extend the rental agreement for the storage of pipes until construction is completed.

**Fund Commitment:** \$4,000 from the \$33 million.

**Board Action Request:** Approval of payment of \$4,000 to the landowner.

This was recommended for approval by the Committee.

**M. Clattenburg made a motion to approve the storage yard agreement and payment of \$4,000 to the landowner as presented; the motion was seconded by C. Yunker. Roll call resulted as follows:**

P. Battaglia -	Yes	C. Yunker -	Yes
K. Manne -	Yes	P. Zeliff -	Yes
M. Clattenburg -	Yes	M. Gray -	Yes
C. Kemp -	Yes		

The item was approved as presented.

**7.0 Employment & Compensation – T. Bender**

7.1 Nothing at this time.

**8.0 Housing Committee – P. Battaglia**

8.1 Nothing at this time

**9.0 Other Business**

9.1 Nothing at this time.

**10.0 Adjournment**

As there was no further business, M. Clattenburg made a motion to adjourn at 5:31 p.m., which was seconded by C. Yunker and passed unanimously.

MAH  
9/27/23

**Customer Information**

Potential Customer:	Countryside Apartments, LLC	Opportunity Type:	Attraction
Proj. St. Address:	8900 Alleghany Road	Opportunity Product:	Property Sales & Mortgage Recording Taxes Only
City/Town/Village:	//Pembroke	Type of Project:	Attraction
Proj. Description:	Pembroke Apartment Development	New Jobs:	1
Total Capital Investment:	\$15,650,000	Retained Jobs:	N/A
Incentive Amount:	\$2,889,888	School District:	Pembroke
Benefited Amount:	\$15,650,000	PILOT Applicable:	Increase in assessed value of land and/or other buildings (pre-project value of land and or buildings excluded)

**Project Information**

Organization:	GCEDC
Opportunity Source:	Direct/Personal Contact Date of Public Hearing: TBD
Initial Acceptance Date:	10/5/2023 Inducement Date: TBD

**Opportunity Summary:** Countryside Apartments, LLC is proposing to develop four 24-unit market-rate apartment buildings in the town of Pembroke.

The \$15.65 million project would be built in phases, with one 24-unit building per phase, for a total of 96 units. Each building will have eight 1-bedroom and 16 2-bedroom units. Each building will be 21,096 sq. ft. for a total of 84,384 sq. ft. The project anticipates creating two part-time positions (1 FTE).

The project is requesting assistance from the GCEDC with a sales tax exemption estimated at \$739,200, a property tax abatement estimated at \$2,020,688 based on the incremental increase in assessed value via a fixed 60% 20-year PILOT (Housing PILOT for 20+ market-rate units), and a mortgage tax exemption estimated at \$130,000.

The project aligns with the Genesee County Economic Development Center's Housing Policy #1 and a recognized need for housing availability. The Genesee County Housing Needs Assessment identified that 4,800 units are needed in the next 20 years across single-family homes and rental units.

**Economic Impact:** The fiscal impacts (discounted value) on local benefits total \$10,032,176 (\$8,705,683 in temporary and ongoing payroll and \$1,326,493 to the public in tax revenues). For every \$1 of public benefit, the company is investing \$5 into the local economy.

**Project Detail (Total Capital Investment)**

Building Cost (Construction):	\$15,400,000	Capital Improvements:	\$0
Equipment (non-taxable):	\$0	Equipment (Taxable) / Other Project Investment:	\$0
Land Cost (Real Estate):	\$250,000		
Total Capital Investment:	\$15,650,000		

**Estimated Benefits Provided**

Sales Tax Exempt:	\$739,200
Mortgage Tax Exempt:	\$130,000
Property Tax Exempt:	\$2,020,688
Total Estimated Tax Incentives Provided:	\$2,889,888
Total Amount Finance:	\$15,650,000
Mortgage Amount:	\$13,000,000
Equity:	\$2,650,000



man  
9/21/2

# Genesee County Industrial Development Agency

## MRB Cost Benefit Calculator

Date: October 5, 2023  
 Project Title: Countryside Apartments, LLC  
 Project Location: Pembroke, NY 14036



### Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

Project Total Investment

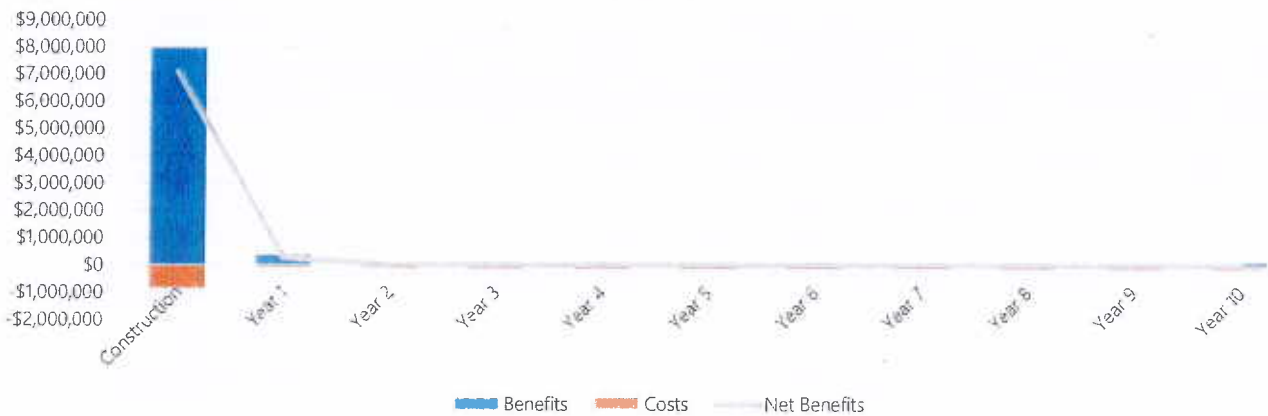
\$15,650,000

	Temporary (Construction)		
	Direct	Indirect	Total
Jobs	81	22	103
Earnings	\$6,454,442	\$1,067,842	\$7,522,284
Local Spend	\$15,400,000	\$3,816,863	\$19,216,863

	Ongoing (Operations)		
	Aggregate over life of the PILOT		
	Direct	Indirect	Total
Jobs	1	0	1
Earnings	\$800,000	\$347,669	\$1,147,669

Figure 1

Net Benefits

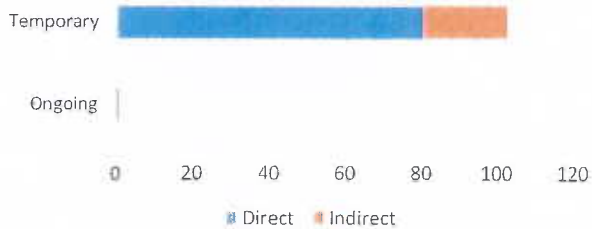


Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

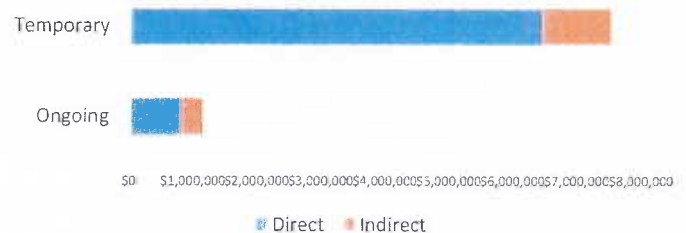
Figure 2

Figure 3

### Total Jobs



### Total Earnings



# Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

## Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$2,020,700 ✓	\$1,584,073
Sales Tax Exemption	\$739,200 ✓	\$739,200
Local Sales Tax Exemption	\$369,600	\$369,600
State Sales Tax Exemption	\$369,600	\$369,600
Mortgage Recording Tax Exemption	\$130,000 ✓	\$130,000
Local Mortgage Recording Tax Exemption	\$65,000	\$65,000
State Mortgage Recording Tax Exemption	\$65,000	\$65,000
<b>Total Costs</b>	<b>\$2,889,900</b>	<b>\$2,453,273</b>

## State and Local Benefits

	Nominal Value	Discounted Value*
<b>Local Benefits</b>	<b>\$10,530,682</b>	<b>\$10,032,176</b>
To Private Individuals	<del>\$8,919,953</del>	<del>\$8,705,683</del>
Temporary Payroll	\$7,522,284	\$7,522,284
Ongoing Payroll	\$1,147,669	\$938,302
Other Payments to Private Individuals	\$250,000	\$245,098
To the Public	<del>\$1,610,730</del>	<del>\$1,326,493</del>
Increase in Property Tax Revenue	\$1,335,780	\$1,092,096
Temporary Jobs - Sales Tax Revenue	\$52,656	\$52,656
Ongoing Jobs - Sales Tax Revenue	\$8,034	\$6,568
Other Local Municipal Revenue	\$214,260	\$175,173
<b>State Benefits</b>	<b>\$450,838</b>	<b>\$439,950</b>
To the Public	<del>\$450,838</del>	<del>\$439,950</del>
Temporary Income Tax Revenue	\$338,503	\$338,503
Ongoing Income Tax Revenue	\$51,645	\$42,224
Temporary Jobs - Sales Tax Revenue	\$52,656	\$52,656
Ongoing Jobs - Sales Tax Revenue	\$8,034	\$6,568
<b>Total Benefits to State &amp; Region</b>	<b>\$10,981,520</b>	<b>\$10,472,127</b>

## Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$10,032,176	\$2,018,673	5:1
State	\$439,950	\$434,600	1:1
<b>Grand Total</b>	<b>\$10,472,127</b>	<b>\$2,453,273</b>	<b>4:1</b>

\*Discounted at 2%

### Additional Comments from IDA

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

MM  
4/21/2

## MRB Cost Benefit Calculator

Genesee County Industrial Development Agency

Date   
 Project Title   
 Project Location

### Construction Phase - Project Assumptions

**Project Costs**

Enter total project costs:  ✓

Local Construction Spending\*  
 % of locally sourced materials and labor   
 In-region construction spending

#### Construction Economic Impacts

Industry	NAICS	% of Total Investment	Investment by Type
New Multifamily Building Construction	236116	100%	\$15,400,000 ✓
[Not Applicable]	0		\$0
[Not Applicable]	0		\$0
		100%	\$15,400,000

*Most projects will only have one line related to construction type.*

### Operation Phase - Project Assumptions

#### Jobs and Earnings from Operations

Year 1 - Enter NAICS NAICS Lookup

	NAICS	Count	Per Job Annual Earnings	Total Earnings
Residential Property Managers	531311	1 ✓	\$40,000 ✓	\$40,000
	0			\$0
	0			\$0
	0			\$0
	0			\$0
<b>Total</b>		<b>1</b>		<b>\$40,000</b>

Year 2

	NAICS	Count	Per Job Annual Earnings	Total Earnings
Residential Property Managers	531311	1 ✓	\$40,000 ✓	\$40,000 ✓
	0			\$0
	0			\$0
	0			\$0
	0			\$0
<b>Total</b>		<b>1</b>		<b>\$40,000</b>

Year 3+ (Full Employment)

	NAICS	Count	Per Job Annual Earnings	Total Earnings
Residential Property Managers	531311	1 ✓	\$40,000 ✓	\$40,000 ✓
	0			\$0
	0			\$0
	0			\$0
	0			\$0
<b>Total</b>		<b>1</b>		<b>\$40,000</b>

### Fiscal Impact Assumptions

#### Estimated Costs of Incentives

Sales Tax Exemption	%	Value	PILOT Term (Years)	<input type="text" value="20"/>
Local Sales Tax Rate	4.00%	\$739,200 ✓	Escalation Factor	<input type="text" value="0%"/>
State Sales Tax Rate	4.00%	\$369,600	Discount Factor	<input type="text" value="2%"/>
Mortgage Recording Tax Exemption		<input type="text" value="\$130,000"/>		
Local	0.50%	\$65,000		
State	0.50%	\$65,000		
<b>Total Costs</b>		<input type="text" value="\$2,889,900"/> <small>Includes PILOT exemption, calculated below.</small>		







## Client Company Investment Project Financial Assistance PROPOSAL

Figures on this Worksheet are estimates only and are subject to change

Project Profile:	
<b>Company:</b>	<b>inputs</b> Countryside Apartments, LLC
Project Description:	Pembroke
Project Cost	\$ 15,650,000
Project Cost subject to Sales Tax	\$ 9,240,000
Project Cost to be Financed via Mortgage	\$ 13,000,000
Estimated Assessed value of Real Property/Building upon completion*	\$ 6,156,880
Jobs Created: next 3 years	250,000
Jobs Retained: next 3 years	84,384
	\$ 70.00 *
	land sq ft Assessed \$/sq/ft

	1 Year View	3 Year View	Project Lifetime
<b>Applicable GCEDC Products:</b>			
<b>Financial Assistance: Cost Reduction Through Tax Savings:</b>			
<b>Sale/Leaseback (SLB):</b>			
Sales Tax Exemption (Savings):	8.00% \$ 739,200	\$ 739,200	\$ 739,200
Mortgage Tax Exemption (Savings):	1.00% \$ 130,000	\$ 130,000	\$ 130,000
Real Property Tax Abatement (PILOT):			
Average Abatement (savings %) over project life	60.0%	60.0%	
PILOT Term in years	20		
Gross Property Tax Costs	\$ 27.35 \$ 168,391	\$ 505,172	\$ 3,367,813
Payment Schedule (% Real Property Taxes Paid)	40%	40%	40%
Net Required Property Tax payments per PILOT	\$ 67,356	\$ 202,069	\$ 1,347,125
PILOT Real Property Tax Savings (Next taxable year)	\$ 101,034	\$ 303,103	\$ 2,020,688
Total Tax Savings via Sale/Leaseback (SLB):	\$ 970,234	\$ 1,172,303	\$ 2,889,888
<b>Financing: Cost Reduction via low cost financing (below prime rate):</b>			
<b>Revolving Loan Fund (RLF):</b>			
	\$ Financed	Term in mo	RLF APR
Loan Factors:			Prime + 1%
Interest Rate Savings:	\$ -	\$ -	\$ -
<b>Gross Cost Savings via GCEDC programs:</b>	\$ 970,234	\$ 1,172,303	\$ 2,889,888

<b>Participation Fees (Costs):</b>			
GCEDC Application Fee (non-refundable):	\$ 250		
GCEDC Project Fee (% Total Project Cost):	1.25% \$ 195,625		
Legal Fees: SLB (Contract Development, Documentation, Filing fees)	\$ 20,500		
Legal Fees: RLF (Contract Development, Documentation, Filing fees):			
Total Participation Fees:	\$ 216,375		
<b>Summary:</b>			
Total Costs Savings / Benefits via GCEDC programs(after participation f	\$ 753,859	\$ 955,928	\$ 2,673,513
Total Benefits as % Total Project Cost:	5%	6%	17%
Return on Investment (ROI) = Net Savings / Participation Fees:	348%	442%	1236%

**NOTE: PILOT REAL PROPERTY TAX ABATEMENT EFFECTIVE DATE DEPENDS UPON DATE OF SALE LEASE BACK (SLB) CLOSING COMPARED TO MUNICIPALITIES TAXABLE STATUS DATE.**

1) IF SLB CLOSING IS PRIOR TO TAXABLE STATUS DATE - PILOT WILL BE EFFECTED IN FOLLOWING TAXABLE YEAR AND CURRENT YEAR TAX BILLS WILL BE ADJUSTED ACCORDINGLY.

2) IF SLB CLOSING IS SUBSEQUENT TO MUNICIPALITIES TAXABLE STATUS DATE - THERE WILL BE A 12 MONTH DELAY IN PILOT IMPLEMENTATION.

**PLEASE PLAN CASH FLOW NEEDS ACCORDINGLY!**

Gross Property Tax Per Year \$ 168,391

fire district

\$1.74 corfu

Year of Exemption	% of Paid Taxes	Net Savings	Municipalities	
			Tax to be Paid	Total
1	40%	\$101,034	\$ 67,356	\$168,391
2	40%	\$101,034	\$ 67,356	\$168,391
3	40%	\$101,034	\$ 67,356	\$168,391
4	40%	\$101,034	\$ 67,356	\$168,391
5	40%	\$101,034	\$ 67,356	\$168,391
6	40%	\$101,034	\$ 67,356	\$168,391
7	40%	\$101,034	\$ 67,356	\$168,391
8	40%	\$101,034	\$ 67,356	\$168,391
9	40%	\$101,034	\$ 67,356	\$168,391
10	40%	\$101,034	\$ 67,356	\$168,391
11	40%	\$101,034	\$ 67,356	\$168,391
12	40%	\$101,034	\$ 67,356	\$168,391
13	40%	\$101,034	\$ 67,356	\$168,391
14	40%	\$101,034	\$ 67,356	\$168,391
15	40%	\$101,034	\$ 67,356	\$168,391
16	40%	\$101,034	\$ 67,356	\$168,391
17	40%	\$101,034	\$ 67,356	\$168,391
18	40%	\$101,034	\$ 67,356	\$168,391
19	40%	\$101,034	\$ 67,356	\$168,391
20	40%	\$101,034	\$ 67,356	\$168,391
Total	60.0%	\$2,020,688	\$1,347,125	\$3,367,813

To be paid 100%

Fire District fee

\$ 10,713  
 \$ 10,713  
 \$ 10,713  
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 \$ 214,259



9/12/23

Project Name: Countryside Apartments, LLC

Board Meeting Date: October 5, 2023

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

### PROJECT DESCRIPTION:

Countryside Apartments, LLC is proposing to develop four 24-unit market-rate apartment buildings in the town of Pembroke.

The \$15.65 million project would be built in phases, with one 24-unit building per phase, for a total of 96 units. Each building will have eight 1-bedroom and 16 2-bedroom units. Each building will be 21,096 sq. ft. for a total of 84,384 sq. ft. The project anticipates creating two part-time positions (1 FTE).

The project is requesting assistance from the GCEDC with a sales tax exemption estimated at \$739,200, a property tax abatement estimated at \$2,020,688 based on the incremental increase in assessed value via a fixed 60% 20-year PILOT (Housing PILOT for 20+ market-rate units), and a mortgage tax exemption estimated at \$130,000.

The project aligns with the Genesee County Economic Development Center's Housing Policy #1 and a recognized need for housing availability. The Genesee County Housing Needs Assessment identified that 4,800 units are needed in the next 20 years across single-family homes and rental units.

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

**Project details:** The project is planning on creating two part-time or 1 FTE direct job between \$40,000-45,000 annually plus benefits.

### Board Discussion:

**Board Concurrence:** YES NO If no, state justification:

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

**Project details:** The project will enhance long term tax base with an investment of \$15,600,000 and construct 84,384 sq. ft. of market-rate housing.

### Board Discussion:

**Board Concurrence:** YES NO If no, state justification:

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



**Project details:** Yes, the project will contribute towards a “livable community” as the housing shortage is outlined in Labella’s housing study of Genesee County 2018 report.

**Board Discussion:**

**Board Concurrence:** YES NO If no, state justification:

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

The Fiscal impacts (discounted value) on Local Benefits totals \$10,032,176 (\$8,705,683 in payroll and \$1,326,493 to the public in tax revenues). See attached MRB Cost Benefit Calculator.

**Project details:** For every \$1 of public benefit the company is investing \$5 into the local economy.

**Board Discussion:**

**Board Concurrence:** YES NO If no, state justification:

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

**Project details:** N/A

**Board Discussion:**

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

**Project details:** The project is planning to begin construction in late 2023/spring 2024 and be operational within 6 months for each phase.

**Board Discussion**

**Board Concurrence:** YES NO If no, state justification:

MAN  
1-12-23

**FINAL RESOLUTION**  
*(Countryside Apartments, LLC Project)*

A regular meeting of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center was convened on Thursday, October 26, 2023.

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

Resolution No. 10/2023 - \_\_\_\_\_

RESOLUTION OF THE GENESEE COUNTY INDUSTRIAL DEVELOPMENT AGENCY D/B/A GENESEE COUNTY ECONOMIC DEVELOPMENT CENTER (THE "AGENCY") (i) ACKNOWLEDGING THE PUBLIC HEARING HELD BY THE AGENCY ON OCTOBER 25, 2023, WITH RESPECT TO THE COUNTRYSIDE APARTMENTS, LLC (THE "COMPANY") PROJECT (THE "PROJECT"); (ii) MAKING A DETERMINATION WITH RESPECT TO THE PROJECT PURSUANT TO SEQRA (AS DEFINED BELOW); (iii) APPOINTING THE COMPANY AS AGENT OF THE AGENCY; (iv) AUTHORIZING FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES AND USE TAX EXEMPTION FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION, RENOVATION AND EQUIPPING OF THE PROJECT, (B) A PARTIAL REAL PROPERTY TAX ABATEMENT STRUCTURED THROUGH A TAX AGREEMENT AND (C) A PARTIAL MORTGAGE RECORDING TAX EXEMPTION AS AUTHORIZED BY THE LAWS OF NEW YORK STATE; AND (v) AUTHORIZING THE NEGOTIATION, EXECUTION AND DELIVERY OF A PROJECT AGREEMENT, LEASE AGREEMENT, LEASEBACK AGREEMENT, TAX AGREEMENT, MORTGAGE AND RELATED DOCUMENTS WITH RESPECT TO THE PROJECT.

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

WHEREAS, **COUNTRYSIDE APARTMENTS, LLC**, for itself or on behalf of an entity formed or to be formed by it or on its behalf (the "Company") has submitted an application (the "Application") to the Agency, a copy of which is on file with the Agency, requesting the Agency's assistance with respect to a certain project (the "Project") consisting of: (i) the acquisition by the Agency of a leasehold or other interest in certain property located at 8900 Alleghany Road, Town of Pembroke, Genesee County, New York and all other lands in the Town of Pembroke where, by license or easement or other agreement, the Company or its

designees are making improvements that benefit the Project (the "Land", being more particularly described as tax parcel No. 19.-1-86); (ii) the phased planning, design, construction and operation of four (4) twenty-four (24) unit market rate apartment buildings, along with utility and site improvements, parking lots, access and egress improvements, signage, curbage, landscaping and stormwater retention improvements (collectively, the "Improvements"); and (iii) the acquisition by the Company in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the "Equipment"; and, together with the Land and the Improvements, the "Facility"); and

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

WHEREAS, on October 5, 2023, the Agency adopted a resolution (the "Initial Resolution") pursuant to which the Agency (i) accepted the Application of the Company, (ii) directed that a public hearing be held, and (iii) described the forms of financial assistance being contemplated by the Agency with respect to the Project; and

WHEREAS, pursuant to Section 859-a of the Act, on Wednesday, October 25, 2023, at 6:00 p.m., the Agency held a public hearing with respect to the Project and the proposed Financial Assistance being contemplated by the Agency (the "Public Hearing") whereat interested parties were provided a reasonable opportunity, both orally and in writing, to present their views. A copy of the Notice of Public Hearing published and forwarded to the affected taxing jurisdictions at least ten (10) days prior to said Public Hearing are attached hereto as Exhibit A; and

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

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

WHEREAS, the Project Agreement, the Lease Agreement, the Leaseback Agreement, the Tax Agreement and related documents will be negotiated and presented to the President/CEO,

Chair, Vice Chair and/or Senior Vice President of Operations of the Agency for approval and execution subject to adoption of the resolutions contained herein.

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

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

(A) By virtue of the Act, the Agency has been vested with all powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act and to exercise all powers granted to it under the Act; and

(B) It is desirable and in the public interest for the Agency to appoint the Company as its agent for purposes of acquiring, constructing and equipping the Project; and

(C) The Agency has the authority to take the actions contemplated herein under the Act; and

(D) The action to be taken by the Agency will induce the Company to develop the Project, thereby increasing employment opportunities in Genesee County, New York and otherwise furthering the purposes of the Agency as set forth in the Act; and

(E) The Project will not result in the removal of a facility or commercial, industrial, or manufacturing plant of the Company or any other proposed occupant of the Project from one area of the State to another area of the State or result in the abandonment of one or more plants or facilities of the Company or any other proposed occupant of the Project located within the State; and the Agency hereby finds that, based on the Application and the Company's certifications therein, to the extent occupants are relocating from one plant or facility to another, the Project is reasonably necessary to discourage the Project occupants from removing such other plant or facility to a location outside the State and/or is reasonably necessary to preserve the competitive position of the Project occupants in their respective industries; and

(F) The Town of Pembroke Planning Board (the "Board") has conducted a review of the Project pursuant to Article 8 of the Environmental Conservation Law and 6 N.Y.C.R.R. Part 617 (collectively referred to as "SEQRA"). In addition to classifying the Project as an "Unlisted" action (as defined in SEQRA), the Board issued a Negative Declaration on September 27, 2023 (the "Negative Declaration"), determining that the Project does not pose a potential significant adverse environmental impact. The Agency, having reviewed the materials presented by the Company, including, but not limited to, the Full Environmental Assessment Form and the Negative Declaration, further determines that the Project does not pose a potential significant adverse environmental impact and thus ratifies the Negative Declaration previously issued by the Board pursuant to 6 N.Y.C.R.R. Part 617.7. A copy of the Negative Declaration issued by the Board is attached hereto as Exhibit B.

Section 2. The Public Hearing held by the Agency on Wednesday, October 25, 2023, at 6:00 p.m., concerning the Project and the Financial Assistance was duly held in accordance with the Act, including but not limited to the giving of at least ten (10) days published notice of the Public Hearing (such notice also provided to the Chief Executive Officer of each affected tax jurisdiction), affording interested parties a reasonable opportunity, both orally and in writing, to present their views with respect to the Project.

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

Section 4. Based upon representations and warranties made by the Company in the Application, the Agency hereby authorizes and approves the Company, as its agent, to make purchases of goods and services relating to the Project, that would otherwise be subject to State and local sales and use tax in an amount up to **\$9,240,000**, which result in State and local sales and use tax exemption benefits ("Sales and Use Tax Exemption Benefits") not to exceed **\$739,200**. The Agency agrees to consider any requests by the Company for an increase to the amount of Sales and Use Tax Exemption Benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services.

Section 5. Pursuant to Section 875(3) of the Act, the Agency may recover or recapture from the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, any Sales and Use Tax Exemption Benefits taken or purported to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, if it is determined that: (i) the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, is not entitled to the Sales and Use Tax Exemption Benefits; (ii) the Sales and Use Tax Exemption Benefits are in excess of the amounts authorized to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project; (iii) the Sales and Use Tax Exemption Benefits are for property or services not authorized by the Agency as part of the Project; or (iv) the Sales and Use Tax Exemption Benefits are taken in cases where the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, fails to comply with a material term or condition to use property or services in the manner approved by the Agency in connection with the Project. As a condition precedent of receiving Sales and Use Tax Exemption Benefits, the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, shall (i) cooperate with the Agency in its efforts to recover or recapture any Sales and Use Tax Exemption Benefits, and (ii) promptly pay over any such amounts to the Agency that the Agency demands.

Section 6. Subject to the Company executing the Project Agreement and the delivery to the Agency of a binder, certificate or other evidence of liability insurance policy for the

Project satisfactory to the Agency, the Agency hereby authorizes the Company to proceed with the acquisition, construction and equipping of the Project and hereby appoints the Company as the true and lawful agent of the Agency: (i) to acquire, reconstruct, renovate and equip the Project; (ii) to make, execute, acknowledge and deliver any contracts, orders, receipts, writings and instructions, as the stated agent for the Agency with the authority to delegate such agency, in whole or in part, to agents, subagents, contractors, and subcontractors of such agents and subagents and to such other parties as the Company chooses; and (iii) in general, to do all things which may be requisite or proper for completing the Project, all with the same powers and the same validity that the Agency could do if acting in its own behalf; *provided, however*, the Project Agreement shall expire on December 31, 2024 (unless extended for good cause by the President/CEO of the Agency) if the Lease Agreement, the Leaseback Agreement and the Tax Agreement contemplated have not been executed and delivered.

Section 7. The President/CEO, Chair, Vice Chair and/or Senior Vice President of Operations of the Agency are hereby authorized, on behalf of the Agency, to negotiate and enter into (A) the Project Agreement, (B) the Lease Agreement, pursuant to which the Company leases the Project to the Agency, (C) the related Leaseback Agreement, pursuant to which the Agency leases its interest in the Project back to the Company, and (D) the Tax Agreement; *provided, however*, (i) the rental payments under the Leaseback Agreement include payments of all costs incurred by the Agency arising out of or related to the Project and indemnification of the Agency by the Company for actions taken by the Company and/or claims arising out of or related to the Project and (ii) the terms of the Tax Agreement are consistent with the Agency's Uniform Tax Exemption Policy or the procedures for deviation have been complied with.

Section 8. The President/CEO, Chair, Vice Chair and/or Senior Vice President of Operations of the Agency are hereby authorized, on behalf of the Agency, to execute, deliver and record the Mortgage securing an aggregate principal amount not to exceed **\$13,000,000.00**, and any security agreement, UCC-1 Financing Statements and all documents reasonably contemplated by these resolutions or required by any lender identified by the Company (the "Lender") to assist with the undertaking of the Project, the acquisition of the Facility and/or the finance or re-finance the Facility or equipment and other personal property and related transactional costs (hereinafter, with the Project Agreement, Lease Agreement, Leaseback Agreement, Tax Agreement and the Mortgage, collectively called the "Agency Documents"); and, where appropriate, the Secretary or Assistant Secretary of the Agency is hereby authorized to affix the seal of the Agency to the Agency Documents and to attest the same, all with such changes, variations, omissions and insertions as the President/CEO, Chair, Vice Chair and/or Senior Vice President of Operations of the Agency shall approve, the execution thereof by the President/CEO, Chair, Vice Chair and/or Senior Vice President of Operations of the Agency to constitute conclusive evidence of such approval; provided in all events recourse against the Agency is limited to the Agency's interest in the Project.

Section 9. The Agency is hereby authorized to provide the Company with an exemption from mortgage recording taxes as permitted by New York State law in an amount not to exceed One Hundred Thirty Thousand and 00/100 Dollars (\$130,000.00).

Section 10. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 10. These Resolutions shall take effect immediately upon adoption.

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

	<i>Yea</i>		<i>Nay</i>		<i>Absent</i>		<i>Abstain</i>	
Peter Zeliff	[	]	[	]	[	]	[	]
Matthew Gray	[	]	[	]	[	]	[	]
Paul Battaglia	[	]	[	]	[	]	[	]
Craig Yunker	[	]	[	]	[	]	[	]
Kathleen Manne	[	]	[	]	[	]	[	]
Chandy Kemp	[	]	[	]	[	]	[	]
Marianne Clattenburg	[	]	[	]	[	]	[	]

The Resolutions were thereupon duly adopted.

**SECRETARY'S CERTIFICATION**  
*(Countryside Apartments, LLC Project)*

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

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

That I have compared the annexed extract of minutes of the meeting of the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency"), including the resolution contained therein, held on October 26, 2023, with the original thereof on file in the offices of the Agency, and that the same is a true and correct copy of the proceedings of the Agency and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Agency this \_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Secretary

3.1

24



**Exhibit A**

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

[Attached Hereto]

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing pursuant to Article 18-A of the New York General Municipal Law will be held by the Genesee County Industrial Development Agency d/b/a Genesee County Economic Development Center (the "Agency") on Wednesday, October 25, 2023, at 6:00 p.m., local time, at Town of Pembroke Town Hall, 1145 Main Road, in the Town of Pembroke, New York 14036, in connection with the following matter:

**COUNTRYSIDE APARTMENTS, LLC**, for itself or on behalf of an entity formed or to be formed (the "Company"), has submitted an application (the "Application") to the Agency requesting the Agency's assistance with a certain project (the "Project") consisting of: (i) the acquisition by the Agency of a leasehold or other interest in certain property located at 8900 Alleghany Road, Town of Pembroke, Genesee County, New York and all other lands in the Town of Pembroke where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (the "Land", being more particularly described as tax parcel No. 19.-1-86); (ii) the phased planning, design, construction and operation of four (4) twenty-four (24) unit market rate apartment buildings, along with utility and site improvements, parking lots, access and egress improvements, signage, curbage, landscaping and stormwater retention improvements (collectively, the "Improvements"); and (iii) the acquisition by the Company in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the "Equipment"; and, together with the Land and the Improvements, the "Facility").

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

The Agency will broadcast the public hearing live at on the Agency's website at [www.gcedc.com](http://www.gcedc.com).

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

Dated: October 12, 2023

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

Minutes to be provided after the public hearing is held on October 25, 2023.

Exhibit B

Negative Declaration of the Town of Pembroke Planning Board

[Attached Hereto]

# Countryside Apts

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

Agency Use Only [If applicable]

Project: 8900 Allegheny Apartments

Date: 9-25-2023

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

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

### Tips for completing Part 2:

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

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

**2. Impact on Geological Features**  
 The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)  NO  YES  
*If "Yes", answer questions a - c. If "No", move on to Section 3.*

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

**3. Impacts on Surface Water**  
 The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)  NO  YES  
*If "Yes", answer questions a - l. If "No", move on to Section 4.*

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

1. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>4. Impact on groundwater</b> The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>5. Impact on Flooding</b> The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in development in a designated floodway.	E2i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>
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**6. Impacts on Air**

The proposed action may include a state regulated air emission source.  
(See Part 1. D.2.f., D.2.h, D.2.g)  
*If "Yes", answer questions a - f. If "No", move on to Section 7.*

NO       YES

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

**7. Impact on Plants and Animals**

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.)  
*If "Yes", answer questions a - j. If "No", move on to Section 8.*

NO       YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>



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

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

**9. Impact on Aesthetic Resources**

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part I. E.1.a, E.1.b, E.3.h.)

If "Yes", answer questions a - g. If "No", go to Section 10.

NO       YES

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

**10. Impact on Historic and Archeological Resources**

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part I. E.3.e, f. and g.)

If "Yes", answer questions a - e. If "No", go to Section 11.

NO       YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

NO       YES

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

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

NO       YES

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

3.1

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

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

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

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

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

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

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

**16. Impact on Human Health**

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)  
If "Yes", answer questions a - m. If "No", go to Section 17.

NO

YES

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

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

NO       YES

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

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

NO       YES

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

**PRINT FULL FORM**

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

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

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

**Reasons Supporting This Determination:**

To complete this section:

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

**Determination of Significance - Type 1 and Unlisted Actions**

SEQR Status:       Type 1                       Unlisted

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

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

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

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

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

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).


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

Name of Action: 8900 Alleghany Apartments

Name of Lead Agency: Town of Pembroke Planning Board

Name of Responsible Officer in Lead Agency: Dave Knupfer

Title of Responsible Officer: Planning Board Chairmen

Signature of Responsible Officer in Lead Agency: 

Date: 9/27/23

Signature of Preparer (if different from Responsible Officer)

Date:

**For Further Information:**

Contact Person: James Wolbert

Address: 1145 Main Rd

Telephone Number: 585-599-1209

E-mail: zoning-codes@townofpembroke.org

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

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

Other involved agencies (if any)

Applicant (if any)

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

PRINT FULL FORM



**Genesee County Economic Development Center**  
**September 2023 Dashboard**  
**Balance Sheet - Accrual Basis**

	<u>9/30/23</u>	<u>8/31/23</u>	<u>[Per Audit]</u> <u>12/31/22</u>
<b>ASSETS:</b>			
Cash - Unrestricted (1)	\$ 5,644,349	\$ 6,406,435	\$ 6,428,049
Cash - Restricted (A)(2)	8,361,953	8,779,717	8,955,862
Cash - Reserved (B)(3)	672	672	797,149
Cash - Subtotal	14,006,974	15,186,824	16,181,060
Grants Receivable (4)	68,355	65,869	67,663
Accounts Receivable (5)	170,695	68,296	105,672
Deposits	2,832	2,832	2,832
Prepaid Expense(s) (6)	24,854	31,998	25,691
Loans Receivable - Current	56,527	56,299	54,539
<b>Total Current Assets</b>	<b>14,330,237</b>	<b>15,412,118</b>	<b>16,437,457</b>
Land Held for Dev. & Resale (7)	23,822,376	23,396,210	22,615,924
Furniture, Fixtures & Equipment	71,257	71,257	71,257
Total Property, Plant & Equip.	23,893,633	23,467,467	22,687,181
Less Accumulated Depreciation	(69,675)	(69,620)	(69,183)
<b>Net Property, Plant &amp; Equip.</b>	<b>23,823,958</b>	<b>23,397,847</b>	<b>22,617,998</b>
Loans Receivable- Non-current (Net of \$47,429 Allow. for Bad Debt)	94,705	99,211	138,073
Right to Use Assets, Net of Accumulated Amortization	30,078	30,078	30,078
Net Pension Asset (12)	200,580	200,580	200,580
<b>Other Assets</b>	<b>325,363</b>	<b>329,869</b>	<b>368,731</b>
<b>TOTAL ASSETS</b>	<b>38,479,558</b>	<b>39,139,834</b>	<b>39,424,186</b>
<b>DEFERRED OUTFLOWS OF RESOURCES</b>			
Deferred Pension Outflows (12)	416,930	416,930	416,930
<b>Deferred Outflows of Resources</b>	<b>416,930</b>	<b>416,930</b>	<b>416,930</b>
<b>LIABILITIES:</b>			
Accounts Payable (8)	28,807	31,144	218,950
Loan Payable - Genesee County - Current (9)	315,000	315,000	305,000
Accrued Expenses	46,237	38,566	30,879
Lease Payable - Current	12,167	12,167	12,167
Unearned Revenue (10)	7,473,603	7,900,717	8,533,938
<b>Total Current Liabilities</b>	<b>7,875,814</b>	<b>8,297,594</b>	<b>9,100,934</b>
Loans Payable - ESD (11)	5,196,487	5,196,487	5,196,487
Loan Payable - Genesee County - Noncurrent (9)	2,510,000	2,510,000	2,825,000
Lease Payable - Noncurrent	17,911	17,911	17,911
<b>Total Noncurrent Liabilities</b>	<b>7,724,398</b>	<b>7,724,398</b>	<b>8,039,398</b>
<b>TOTAL LIABILITIES</b>	<b>15,600,212</b>	<b>16,021,992</b>	<b>17,140,332</b>
<b>DEFERRED INFLOWS OF RESOURCES</b>			
Deferred Pension Inflows (12)	712,344	712,344	712,344
<b>Deferred Inflows of Resources</b>	<b>712,344</b>	<b>712,344</b>	<b>712,344</b>
<b>NET ASSETS</b>	<b>\$ 22,583,932</b>	<b>\$ 22,822,428</b>	<b>21,988,440</b>

**Significant Events:**

1. Unrestricted Cash - STAMP land sale funds used for 716 Contracting STAMP expense.
2. Restricted Cash - Includes cash deposited by ESD into imprest accounts related to the \$8M and \$33M STAMP grants. Expenditures out of these accounts are pre-authorized by ESD.
3. Reserved Cash - RLF funds were used to cover STAMP expenses in August of 2023. \$564K was used to set up the STAMP Part 182 Permit Reserve and \$320K was used for the Keeler and 716 Contracts.
4. Grants Receivable - National Grid grants support marketing and development activities for STAMP and the LeRoy Food & Tech Park.
5. Accounts Receivable - Econ. Dev. Program Support Grant, MedTech Centre Property Management, etc., final origination fee installment from Nexgistics.
6. Prepaid Expense(s) - Cyber, D&O, life, general liability, umbrella, workers compensation and short-term disability insurance, etc.
7. Land Held for Dev. & Resale - Additions are related to STAMP development costs.
8. Accounts Payable - e3communications and interest earned on imprest accounts that will be remitted to ESD.
9. Loan Payable - Genesee County (Current & Noncurrent) - Per a Water Supply Agreement with Genesee County, the County remitted \$4M to the GCEDC to put towards water improvements located in the Town of Alabama and the Town of Pembroke and other Phase II improvements as identified by the County. GCEDC started making annual payments to the County of \$448,500 beginning in January 2020.
10. Unearned Revenue - Interest received in advance; Genesee County contribution received in advance; Funds received from municipalities to support park development; Funds received to support workforce development; ESD Grant funds to support STAMP development, not actually earned until eligible expenditures are incurred.
11. Loans Payable - ESD - Loans from ESD to support STAMP land acquisition and related soft costs.
12. Net Pension Asset / Deferred Pension Outflows / Deferred Pension Inflows - Accounts related to implementation of GASB 68.

**Genesee County Economic Development Center  
September 2023 Dashboard  
Profit & Loss - Accrual Basis**

	Month to Date		YTD		2023	2023
	9/30/23	9/30/22	2023	2022	Board Appr. Budget	YTD % of Budget
<b>Operating Revenues:</b>						
Genesee County	\$ 19,459	\$ 19,459	\$ 175,132	\$ 175,133	\$ 233,513	75%
Genesee County - WFD	2,083	2,083	18,748	18,749	25,000	75%
Fees - Projects	147,671	500	478,449	382,093	487,000	98%
Fees - Services	7,262	7,099	65,358	63,892	87,146	75%
Interest Income on Loans	171	219	1,682	2,114	2,170	78%
Rent	-	-	11,257	16,393	32,910	34%
Common Area Fees - Parks	-	-	391	373	380	103%
Grants (1)	429,580	500	1,573,485	3,895,975	4,600,459	34%
GGLDC Grant- Econ. Dev. Program Support	25,000	25,000	225,000	225,000	300,000	75%
GCFC Grant - Econ. Dev. Program Support	-	-	-	328,388	-	N/A
Land Sale Proceeds	-	-	-	67,500	-	N/A
BP <sup>2</sup> Revenue	(5,789)	-	1,714	8,597	52,819	3%
Other Revenue	161	128	5,432	1,390	5,000	109%
<b>Total Operating Revenues</b>	<b>625,598</b>	<b>54,988</b>	<b>2,556,648</b>	<b>5,185,597</b>	<b>5,826,397</b>	<b>44%</b>
<b>Operating Expenses</b>						
General & Admin	111,552	102,034	1,074,736	1,030,070	1,519,303	71%
Professional Services	7,295	4,578	62,195	54,304	206,620	30%
Site Maintenance/Repairs	894	447	4,024	4,024	38,000	11%
Property Taxes/Special District Fees	-	-	5,275	3,518	3,030	174%
BP <sup>2</sup> Expense	-	-	-	-	17,244	0%
PIF Expense	-	-	48,162	43,296	151,906	32%
Site Development Expense (2)	766,859	63,025	932,687	2,438,259	3,103,493	30%
Cost of Land Sales	-	-	-	5,775	-	N/A
Real Estate Development (3)	426,165	250,056	1,206,453	2,074,724	1,040,007	116%
Balance Sheet Absorption	(426,165)	(250,056)	(1,206,453)	(2,074,724)	-	N/A
<b>Total Operating Expenses</b>	<b>886,600</b>	<b>170,084</b>	<b>2,127,079</b>	<b>3,579,246</b>	<b>6,079,603</b>	<b>35%</b>
<b>Operating Revenue (Expense)</b>	<b>(261,002)</b>	<b>(115,096)</b>	<b>429,569</b>	<b>1,606,351</b>	<b>(253,206)</b>	
<b>Non-Operating Revenue</b>						
Other Interest Income (4)	22,506	1,732	165,923	11,993	5,900	2812%
<b>Total Non-Operating Revenue</b>	<b>22,506</b>	<b>1,732</b>	<b>165,923</b>	<b>11,993</b>	<b>5,900</b>	<b>2812%</b>
<b>Change in Net Assets</b>	<b>(238,496)</b>	<b>(113,364)</b>	<b>595,492</b>	<b>1,618,344</b>	<b>\$ (247,306)</b>	
<b>Net Assets - Beginning</b>	<b>22,822,428</b>	<b>21,315,203</b>	<b>21,988,440</b>	<b>19,583,495</b>		
<b>Net Assets - Ending</b>	<b>\$ 22,583,932</b>	<b>\$ 21,201,839</b>	<b>\$ 22,583,932</b>	<b>\$ 21,201,839</b>		

**Significant Events:**

1. Grants - PIF from RJ Properties (Liberty Pumps) supports Apple Tree Acres Infrastructure improvements; PIF from Yancey's Fancy supports Infrastructure Fund Agreement with the Town of Pembroke; \$448K Community Benefit Agreement payment dedicated to STAMP by sourcing debt service payments to the County; National Grid grant supports marketing and development activities for STAMP; ESD \$33M & \$8M Grants support STAMP engineering, environmental, legal, infrastructure, etc.
2. Site Development Expense - Installation of, or improvements to, infrastructure that is not owned by the GCEDC, or will be dedicated to a municipality in the foreseeable future, is recorded as site development expense when costs are incurred.
3. Real Estate Development Costs - Includes STAMP development costs.
4. Other Interest Income - Interest rates have increased substantially; invested funds into a CD for additional interest income.

**Genesee County Economic Development Center**  
**September 2023 Dashboard**  
**Statement of Cash Flows**

	<u>September 2023</u>	<u>YTD</u>
<b>CASH FLOWS USED BY OPERATING ACTIVITIES:</b>		
Genesee County	\$ 21,542	\$ 215,422
Fees - Projects	77,671	385,949
Fees - Services	-	64,870
Interest Income on Loans	151	1,570
Rent	-	19,506
Common Area Fees - Parks	-	391
Grants	-	513,528
BP <sup>2</sup> Revenue	(5,789)	1,714
GGLDC Grant - Economic Development Program Support	-	225,000
Other Revenue	161	5,432
Repayment of Loans	4,278	41,380
General & Admin Expense	(101,118)	(1,066,229)
Professional Services	(7,295)	(76,735)
Site Maintenance/Repairs	(894)	(3,577)
Site Development	(766,859)	(1,038,624)
Property Taxes/Special District Fees	-	(5,275)
PIF Expense	-	(48,162)
Improv/Additions/Adj to Land Held for Development & Resale	(426,166)	(1,289,389)
Net Cash Used By Operating Activities	<u>(1,204,318)</u>	<u>(2,053,229)</u>
<b>CASH FLOWS USED BY NONCAPITAL FINANCING ACTIVITIES:</b>		
Principal Payments on Loan	-	(305,000)
Net Cash Used By Noncapital Financing Activities	<u>-</u>	<u>(305,000)</u>
<b>CASH FLOWS PROVIDED BY INVESTING ACTIVITIES:</b>		
Interest Income (Net of Remittance to ESD)	<u>24,468</u>	<u>184,143</u>
Net Change in Cash	(1,179,850)	(2,174,086)
Cash - Beginning of Period	15,186,824	16,181,060
Cash - End of Period	<u>\$ 14,006,974</u>	<u>\$ 14,006,974</u>
<b>RECONCILIATION OF NET OPERATING REVENUE (EXPENSE) TO NET CASH USED BY OPERATING ACTIVITIES:</b>		
Operating Revenue (Expense)	\$ (261,002)	\$ 429,569
Depreciation Expense	55	492
Increase in Operating Accounts/Grants Receivable	(104,885)	(65,715)
Decrease in Prepaid Expenses	7,144	837
Decrease in Loans Receivable	4,278	41,380
Increase in Land Held for Development & Resale	(426,166)	(1,206,452)
Decrease in Operating Accounts Payable	(4,299)	(208,363)
Increase in Accrued Expenses	7,671	15,358
Decrease in Unearned Revenue	(427,114)	(1,060,335)
Total Adjustments	<u>(943,316)</u>	<u>(2,482,798)</u>
Net Cash Used By Operating Activities	<u>\$ (1,204,318)</u>	<u>\$ (2,053,229)</u>

## **GCEDC**

Lezlie Farrell – Finance & Operations  
**Audit & Finance Committee Report**  
**October 24, 2023**

### **Cleaning Services**

**Discussion:** During 2022, staff reached out to four cleaning companies to obtain quotes for 2023 cleaning services. Commercial Cleaning Services of Western New York, Inc. was awarded the contract.

Commercial Cleaning Services of Western New York, Inc., the current company being used, has been offering a competitive price and we are satisfied with the services. New quotes were not obtained for 2024 services. We anticipate getting quotes for cleaning services every three years.

**Fund Commitment:** Up to \$7,500; included in the 2024 GCEDC Budget.

**Action Requested:** Staff is requesting a recommendation from the Committee to continue this contract for 2024 cleaning services at a cost not to exceed \$7,500 for the year, plus reimbursement for supplies.

**Cleaning Quotes for 2023 Services**

	Quote for Office Space (GCEDC)	Quote for Common Area (GGLDC)	Other Notes:
Pro-Kleen	\$1800.00 Per Month	\$3600.00 Per Month	Auto-Scrubber
**Commercial Cleaning Services of Western NY, Inc. (currently paying)	\$450.00 Per Month	\$1133.00 Per Month	Auto-Scrubber
Top Choice Cleaning Services	\$738.71 Per Month	\$1551.91 Per Month	Floor Machine
WNY Regional Cleaning Company		Not bidding on temporary accounts that take bids regularly.	

**Cleaning Quotes for 2024 Services**

**Commercial Cleaning Services of Western NY, Inc. (currently paying)	\$619.52 Per Month	\$1340.56 Per Month	Auto-Scrubber
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\*\* 10/10/2023

**GCEDC Approval:**

**\*\*Staff recommends Commercial Cleaning Services of Western NY, Inc. to continue services in 2024, not to exceed \$7,500.**

**GGLDC Approval:**

**\*\*Staff recommends Commercial Cleaning Services of Western NY, Inc. to continue services in 2024, not to exceed \$16,500 plus cleaning and bathroom supplies.**

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Oneonta, New York 13820  
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www.mmsecpas.com



**MOSTERT, MANZANERO & SCOTT, LLP**  
*Certified Public Accountants*

Deborah L. Mostert, CPA  
Anthony T. Manzanero, CPA  
Mary E. Manzanero, CPA  
David E. Brownell, CPA  
Jason L. Waite, CPA

October 12, 2023

Board of Directors and  
Lezlie Farrell  
Genesee County Industrial Development Agency  
dba Genesee County Economic Development Center  
99 MedTech Drive, Suite 106  
Batavia, NY 14020

We are pleased to confirm our understanding of the services we are to provide for the Genesee County Industrial Development Agency dba Genesee County Economic Development Center (GCEDC) for the year ended December 31, 2023.

#### **Audit Scope and Objectives**

We will audit the financial statements of the GCEDC, which comprise of the combined statement of net position as of December 31, 2023, and the related combined statement of revenues, expenses and changes in net position and combined statement of cash flows, including the disclosures to the financial statements, as of and for the year then ended. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the GCEDC's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the GCEDC's RSI in accordance with auditing standards generally accepted in the United States of America (GAAS). These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's response to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by GAAP and will be subjected to certain limited procedures, but will not be audited:

- Management's Discussion and Analysis
- Schedule of GCEDC's's Proportionate Share of the Net Position Asset (Liability) – Employees' Retirement System
- Schedule of the GCEDC's Pension Contributions – Employees' Retirement Systems

We have also been engaged to report on supplementary information other than RSI that accompanies GCEDC's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with GAAS, and will provide an opinion on it in relation to the financial statements as a whole:

- Combining Statement of Net Position;
- Combining Statement of Revenues, Expenses and Changes in Net Position;
- Schedule of Bonds and Leases Outstanding;
- Schedule of Leases Terminating During the Year;
- Schedule of Land Development Agreements Outstanding; and
- Schedule of Land Agreements Termination During the Year.

Furthermore, we have been engaged to report on GCEDC's Compliance with the New York State Comptroller's Investment Guidelines for Public Authorities and Section 2925 of the New York State Public Authorities Law. We will issue a separate auditors' report which will provide an opinion on GCEDC's Compliance with Investment Guidelines for Public Authorities.

The objectives of our audit are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatements, whether due to fraud or error; and issue an auditors' report that includes our opinion about whether your financial statements are presented, in all material respects, in conformity with GAAP, and report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment of a reasonable user made based on the financial statements.

The objectives also include reporting on internal control over financial reporting and compliance with provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.

### **Auditors' Responsibilities for the Audit of the Financial Statements**

We will conduct our audit in accordance with GAAS and the standards for financial audits contained in *Government auditing Standards*, issued by the Comptroller General of the United States, and will include test of your accounting records of the GCEDC and other procedures we consider necessary to enable us to express such opinions. As part of an audit in accordance with GAAS and *Government Auditing Standards*, we exercise professional judgment and maintain professional skepticism throughout the audit.



We will evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management. We will also evaluate the overall presentation of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not expect auditors to perform specific procedures to detect waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste or abuse.

Because of the inherent limitations of an audit, combined with the inherent limitation of internal control, and because we will not perform a detailed examination of all transactions, there is an unavoidable risk that some material misstatements may not be detected by us, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors, fraudulent financial reporting, or misappropriation of assets that comes to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors' is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

We will also conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the GCEDC's ability to continue as a going concern for a reasonable period of time.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected customers, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement.

#### **Audit Procedures – Internal Control**

We will obtain an understanding of the GCEDC and its environment, including internal control relevant to the audit, sufficient to identify and assess the risks of material misstatement of the financial statements, whether due to error or fraud, and to design and perform audit procedures responsive to those risks and obtain evidence that is sufficient and appropriate to provide a basis for our opinions. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentation, or the override of internal control. An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards and *Government Auditing Standards*.

### **Audit Procedures - Compliance**

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of GCEDC's compliance with the provisions of applicable laws, regulations, contracts, agreements, and grants. However, the objective of our audit will not be to provide an opinion on overall compliance, and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

### **Other Services**

We will assist in preparing the financial statements and related notes of the GCEDC in conformity with U.S. generally accepted accounting principles based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statement services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

### **Responsibilities of Management for the Financial Statements**

Our audit will be conducted on the basis that you acknowledge and understand your responsibility for designing, implementing, establishing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, and for evaluating and monitoring ongoing activities to help ensure that appropriate goals and objectives are met; following laws and regulations; and ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles, and for the preparation and fair presentation of the financial statements and all accompanying information in conformity with accounting principles generally accepted in the United States of America, and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

You are also responsible for making all financial records and related information available to us, and for the accuracy and completeness of that information (including information from outside of the general and subsidiary ledgers). You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters; (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by GAAS and *Government Auditing Standards*.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud or illegal acts affecting the GCEDC involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud or illegal acts could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the GCEDC received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws, regulations, contracts, agreements and grants for taking timely and appropriate steps to remedy any fraud, illegal acts, violations of contracts or grant agreements, or abuse that we report.

You are responsible for the preparation of the supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on supplementary information in any document that contains, and indicates that we have reported on the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for the presentation of the supplementary information in accordance with GAAP; (2) that you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP, (3) the methods of measurement or presentation have not changed from those used in the prior period (or if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

You agree to assume all management responsibilities relating to the financial statements and related notes, and any other non-audit services we provide. You will be required to acknowledge in the management representation letter our assistance with the preparation of the financial statements, and related notes and that you have evaluated the adequacy of our services and have reviewed and approved the results of the services, and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

### **Engagement Administration, Fees and Other**

We understand that your employees will prepare all cash or other confirmations we request and will locate any invoices selected by us for testing. We will provide copies of our reports, upon request; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Mostert, Manzanero & Scott, LLP and constitutes confidential information. However, pursuant to authority given by law or regulation, we may be requested to make certain audit documentation available to your funding sources or the U.S. Government Accountability Office for the purpose of quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. If requested, access to such audit documentation will be provided under the supervision of Mostert, Manzanero & Scott, LLP personnel. Furthermore, upon request we may provide photocopies of selected audit documentation to your funding source, the aforementioned parties. Those parties may intend, or decide, to distribute the photocopies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of six years after the report release is issued or for any additional period requested by the cognizant agency, oversight agency or pass-through entity. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party (ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Jason L. Waite, CPA is the engagement partner and is responsible for supervising the engagement and signing the report or authorizing another individual to sign the report.

Estimated fees for these services will be based on the actual time spent at our standard hourly rates. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. Based on our preliminary estimates, fee is estimated at \$10,700. If a single audit is required, the fee is estimated to be \$13,200 and we will require you to sign an addendum to this engagement letter that covers items specific to a single audit. This estimate is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will adjust the fees accordingly.

If you intend to publish or otherwise reproduce the financial statements and make reference to our Firm name, you agree to provide us with printer's proofs or masters for our review and approval before printing. You also agree to provide us with a copy of the final reproduced material for our approval before it is distributed. It is agreed by Genesee County Industrial Development Agency dba Genesee County Economic Development Center and Mostert, Manzanero & Scott, LLP or any successor in interest that no claim by or on behalf of either party arising out of services rendered pursuant to this agreement shall be initiated more than three years after the date of the review report or one year after the date of termination of Mostert, Manzanero & Scott, LLP's services.

### **Reporting**

We will issue a written report upon completion of our audit of Genesee County Industrial Development Agency financial statements. Our report will be addressed to the board of directors of GCEDC. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinion, add a separate section, or add an emphasis-of-matter or other-matter paragraph to our auditors' report, or if necessary, withdraw from this engagement. If our opinion is other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed an opinion, we may decline to express an opinion or withdraw from this engagement.

We will also provide a report (which does not include an opinion) on internal control related to the financial statements and compliance with the provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements, as required by *Government Auditing Standards*. The report on internal control and on compliance and other matters will state that 1) the purpose of the report is solely to describe the scope of testing of internal control and compliance, and the results of that testing and not to provide an opinion on the effectiveness of the GCEDC's internal control on compliance and 2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering GCEDC's internal control and compliance.

The report will also state that the report is not suitable for any other purpose. If during our audit we become aware that GCEDC is subject to an audit requirement that is not encompassed in the terms of this engagement, we will communicate to management and those charged with governance that an audit in accordance with U.S. generally accepted auditing standards and the standards for financial audits contained in *Government Auditing Standards* may not satisfy the relevant legal, regulatory, or contractual requirements.

Genesee County Industrial Development Agency  
dba Genesee County Economic Development Center  
October 12, 2023  
Page 8

We appreciate the opportunity to be of service to the Genesee County Industrial Development Agency dba Genesee County Economic Development Center and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Sincerely,

*Mostert, Manzanero & Scott, LLP*

Mostert, Manzanero & Scott, LLP

RESPONSE:

This letter correctly sets forth the understanding of the Genesee County Industrial Development Agency dba Genesee County Economic Development Center.

By: \_\_\_\_\_  
Board Member Title Date

By: \_\_\_\_\_  
Lezlie Farrell Title Date

# Government Relations Contract – Ostroff Associates

S. G. Hyde, President and CEO

October 26, 2023

During this season of active infrastructure construction at STAMP, necessary to enable \$1B in project commitments and some 700 high paying jobs (avg. \$80k/year), we are experiencing considerable external challenges. In light of this, we could use assistance with a strong government relations firm that can provide GCEDC strong counsel, access and advocacy to the Executive and Legislative branches of state government as well as state administrative/regulatory agencies. One of the very well-placed firms, used by NYSEDC, and many others is Ostroff Associates. They are a growing firm with strong relationships across the board. An excerpt below characterizes their depth and breadth of expertise and influence:



HOME ABOUT COMMITMENT OUR TEAM EXPERTISE OUR CLIENTS OUR SUCCESSES NEWS CONTACT

WITH UNPARALLELED ACCESS TO DECISION-MAKERS AT ALL LEVELS OF GOVERNMENT, OSTROFF ASSOCIATES PROVIDES EFFECTIVE AND AGGRESSIVE REPRESENTATION ON A WIDE VARIETY OF ISSUES ON BEHALF OF A DIVERSE MIX OF CLIENTS.

Ostroff Associates has been one of the leading government relations firms in New York State since 1995. Our team has the experience, insight and strategic thinking necessary to advance some of the most complicated issues before policy makers.

With access to key decision-makers, we are able to precisely and credibly tell our client's story and find innovative ways to solve problems. Our breadth of experience includes, but is not limited to, economic development, technology, finance, transportation, energy, healthcare, entertainment, education and higher education.



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Our lead Government Relations representative will be:



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EXECUTIVE VICE  
PRESIDENT

akennedy@ostroffassociates.com

### Andrew Kennedy

Andrew joined Ostroff Associates in 2020 bringing nearly two decades of experience in government operations, economic development and organization management.

Prior to joining OA, Andrew served as the President and CEO of the Center for Economic Growth (CEG), a regional economic development organization in New York's Capital Region since 2016. In this role, Andrew worked with business, government, education and the not-for-profit sectors to identify economic development opportunities, lead regional marketing efforts to attract new investments and create jobs, and oversaw programs that enhanced existing business operations and supported workforce development initiatives.

Prior to his role at CEG, Andrew spent 15 years in New York State government including serving five years in various capacities for Governor Andrew M. Cuomo. From 2014-2016, Andrew served as the Deputy Director of State Operations coordinated the day to day management of all New York state departments, agencies, and authorities; implemented policies and programs related to economic development, infrastructure, and health care; negotiated complex public private partnerships to promote job creation, spur private sector investment, and revitalize communities; and managed the state's emergency preparedness and response to events that impacted the health, safety and security of New Yorker. Prior to serving as Deputy Director, Andrew was the Assistant Secretary for Economic Development responsible for the New York's economic development and housing efforts, including the Regional Economic Development Councils and the Consolidated Funding Application.

Prior to his tenure in the Governor's office, Andrew worked over a decade at the New York State Division of Budget and for the New York State Assembly where he developed a detailed understanding of New York's fiscal policies and programs.

We have executed a short-term contract, half a month, through the end of October given pressing near term needs which is within budget and my signature authority totaling \$2,500. I present to you today for your consideration their engagement letter to establish a more formal on-going relationship. Pricing is \$5,000 monthly which is consistent with their normal charge rate for active non-profit organizations. This is a month-to-month engagement and can be cancelled if needed on 30 days' notice. Our 2023 and 2024 budget assumptions plan this expense at \$4,250/month. While we are significantly under budget for 2023, we will likely exceed our 2024 budget for this line item by \$9,000 if our engagement lasts the entire year. We will work to offset this cost exposure in other expense line items.

**CEO Recommendation:** Given the strength of Ostroff's team and ability to provide strong counsel and advocacy during this season of active infrastructure permitting and construction at STAMP as well as active project selling and implementation – I recommend approval of this Government Relations Contract.



# Ostroff

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ASSOCIATES

October 11, 2023

Steve Hyde  
President & CEO  
Genesee County Economic Development Center  
99 MedTech Drive, Suite 106  
Batavia, NY 14202

Dear Mr. Hyde:

This letter will serve as an agreement whereby Ostroff Associates, Inc. agrees to represent Genesee County Economic Development Center before the Executive and Legislative branches of government and the administrative agencies and offices of New York State and localities effective November 1, 2023. The fee for this service will be \$5,000 per month plus reasonable expenses and commission filing fees. Either party may cancel upon thirty days written notice.

If this agreement is acceptable, please sign this letter and return via email to me at [ro@ostroffassociates.com](mailto:ro@ostroffassociates.com). Thank you for your consideration. I am looking forward to working with you.

Sincerely,



Richard L. Ostroff  
President

Accepted by:

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Signature

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Printed Name and Title

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Date

# BATAVIA HOME FUND COMMITTEE RECOMMENDATION OF AWARD

The Batavia Home Fund (BHF) funds will be used for infrastructure improvements, future economic and brownfield development interests targeted within the City for new housing projects and the conversion of residential rental to single family homes. The program is administered by the GCEDC with grant funding decisions made by a grant selection committee (Committee) with a representative from the GCEDC, Town and City of Batavia.

## Eligible Activities (Maximum Award Up to:)

1. Extraordinary development costs related to hazardous material abatement, remediation, flood hazard areas, etc., (\$50,000)
2. Demolition/rehabilitation of residential structures that cause community and neighborhood blight. (\$50,000)
3. Infrastructure modernization and improvements including costs to plan, design and constructing of streets, multi-modal, water, sewer, gas, electric, telecommunication enhancements, storm water management facilities and related infrastructure including landscaping and streetscape improvements related to redevelopment projects and new housing construction. (\$50,000)
4. Matching funds to secure other grant resources to further capitalize on redevelopment projects in the Brownfield Opportunity Area (BOA) and flood zone areas. (\$20,000)
5. Land assemblage, property acquisition and due diligence for new market rate housing projects. (\$50,000)
6. Grants to support owner occupied single family exterior rehabilitation. (\$10,000)
7. Grants to support multi-family conversion into single-family owner occupied. (\$20,000)

**Project Applicant:** Stephen Montfort

**Project description:** The homeowner recently purchased this residence for their own use and is looking to make improvements to the exterior (new roof) which qualifies under Eligible Activities item #6 Grants to support owner occupied single family exterior rehabilitation (maximum award of \$10,000). They are seeking a grant of \$2,750 which is 40% of the total construction cost (maximum percentage allowed under the program) of \$6,875. Montclair Avenue, along with Holland and Allen, are areas that the City of Batavia is looking for neighborhood revitalization. The City has applied for a Community Development Block Grant that, if awarded, would be utilized to complete a targeted neighborhood improvement program in this residential area. This grant and homeowner improvement to the residence would fit in with that overall program and neighborhood revitalization initiative.

**Total Project Cost:** \$6,875.00

**Total Grant Amount requested:** \$2,750 (40% max allowed)

**Eligible Activity criteria from above:** 6

**Committee Meeting date:** October 19, 2023

**Committee scoring:**

- 1. City Priorities-** projects that advance the priorities of Batavia including the BOA Strategy, and are located in either opportunity zone (Ward 3 & 6), or in the flood zone are eligible for additional points in this category (up to 20 points). Monclair Avenue connects into Ward 3. 10 points
- 2. Visual Impact-** projects that are visually prominent, have historic value, are in danger of being lost, in-part or totally to disrepair and damage (up to 40 points). Roof replacement to significantly improve the visual aesthetic of the residence. 30 points
- 3. Neighborhood impact-** projects that are aesthetically pleasing to the surrounding neighborhood and are designed to eliminate blight. Preference will be given to a collaborative neighborhood improvement plan with multiple residences involved. (up to 40 points) This house is located in an area targeted by the City for revitalization. 30 points

**Total score:** 70 out of 100

**Batavia Home Fund Committee Recommendation:**

	<i>Yea</i>	<i>Nay</i>	<i>Abstain</i>
Greg Post (Town)	[X ]	[ ]	[ ]
Erik Fix (City)	[X ]	[ ]	[ ]
Mark Masse (GCEDC)	[X ]	[ ]	[ ]