



**Buffalo and Erie County Industrial Land Development Corporation
Board of Directors Meeting**

January 22, 2025

At 12:00 p.m.

**ECIDA Offices
95 Perry Street, 4th Floor Conference Room
Buffalo, New York 14203**

1.0 Call to Order

1.1 Welcome New Board Members

- Hon. Timothy Meyers – Chair, Erie County Legislature
- Hon. Taisha St. Jean Tard - Chair, Economic Development Committee of the Erie County Legislature

2.0 Approval of Minutes

- 2.1 Approval of November 20, 2024 Minutes of the Board of Directors (Action Item) (Pages)

3.0 Reports / Action Items / Information Items:

- 3.1 RCP Light Manufacturing RFP Award (Action Item) (Pages)
- 3.2 Conveyance of Dona Street Extension to the City of Lackawanna (Action Item) (Pages)
- 3.3 Renaissance Commerce Park NYS Brownfield Cleanup Program Generation 1 Tax Incentive Deadline Extension Legislation Presentation (Informational)
- 3.4 RCP NYS Shovel Ready Designation (Informational)
- 3.5 NYSERDA Site Asset Analysis by Global Location Strategies (Informational)
- 3.6 Sucro Sourcing RCP Land Closing (Informational)
- 3.7 Erie County Ag Park Logo (Informational)
- 3.8 Update on Erie County Agribusiness Park Access Road Project (Informational)
- 3.9 Loan Status Report (Informational) (Page)
- 3.10 Finance & Audit Committee Update (Informational)

4.0 Management Team Reports:

- 4.1

5.0 Adjournment- Next - Meeting February 26, 2025

**MINUTES OF THE MEETING
OF THE
BOARD OF DIRECTORS
OF THE
BUFFALO AND ERIE COUNTY INDUSTRIAL
LAND DEVELOPMENT CORPORATION
(ILDC)**

DATE AND PLACE: November 20, 2024, at the Erie County Industrial Development Agency, 95 Perry Street, 4th Floor Conference Room, Buffalo, New York 14203

PRESENT: Daniel Castle, Hon. John J. Gilmour, Richard Lipsitz, Jr. and Hon. Christopher P. Scanlon

EXCUSED: Denise Abbott, Hon. April Baskin and Hon. Mark C. Poloncarz

OTHERS PRESENT: John Cappellino, President & CEO; Mollie Profic, Chief Financial Officer; Jerry Manhard, Chief Lending Officer; Atiqa Abidi, Accounting Manager; Grant Lesswing, Director of Business Development; Carrie Hocieniec, Operations Assistant/Assistant Secretary; Soma Hawramee, Compliance Portfolio Manager, Brian Krygier, Director of Information Technology; Michelle Moore, Compliance Associate; Lori Szewczyk, Director of Grants; Andrew Federick, Property and Business Development Officer and Robert G. Murray, Esq., General Counsel/Harris Beach PLLC

GUESTS: Yessica Vasquez on behalf of City of Buffalo

There being a quorum present at 12:04 p.m., the Meeting of the Board of Directors of the Buffalo and Erie County Industrial Land Development Corporation was called to order by Vice Chair, Mr. Lipsitz, who presided over the meeting in the absence of Chair Poloncarz.

MINUTES

Mr. Castle moved, and Mr. Scanlon seconded to approve of the October 23, 2024 minutes. Mr. Lipsitz called for the vote and the minutes were unanimously approved.

REPORTS / ACTION ITEMS / INFORMATION ITEMS

Financial Report. Ms. Profic presented the October financial reports. The balance sheet shows ILDC ended the month with total assets of \$14.7M. Net assets remained steady around \$7.6M. The October income statement includes \$5,000 of operating revenue, \$3,000 of expenses and \$7,000 of net special project expenses. Factoring in non-operating income there was a net loss of \$5,021 in October. The year-to-date income statement shows operating revenues of \$386,000 and operating expenses of \$399,000. Net special project grant revenue of \$7,700 and \$1,400 of non-operating revenue leads to net loss of \$19,619 so far in 2024. Mr. Lipsitz directed that the report be received and filed.

Erie County Agribusiness Park-Approval To Accept Funds From Erie County For Infrastructure Projects. On November 7, 2024, the Erie County Legislature voted to authorize the County Executive to enter into contracts with the ILDC to provide \$2,500,000 in funds from the Erie County Capital budget for the purpose of engaging a qualified construction contractor to construct Phase 1 of a new access road, demolish four unused buildings (three of the our now and one later) and any additional infrastructure projects as part of the initial work to develop the Agribusiness Park.

Mr. Castle moved, and Mr. Gilmour seconded to approve of entering into an agreement to accept the funds from Erie County for infrastructure projects at the Agribusiness Park. Mr. Lipsitz called for the vote and the following resolution was unanimously approved:

RESOLUTION OF THE BUFFALO AND ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORPORATION (“ILDC”) AUTHORIZING THE ILDC TO ENTER INTO A FUNDING AGREEMENT WITH THE COUNTY OF ERIE (“COUNTY”) FOR THE DEMOLITION OF CERTAIN BUILDINGS AND CONSTRUCTION OF A CERTAIN ACCESS ROAD LOCATED UPON LANDS OWNED BY THE ILDC AT THE AGRI-BUSINESS PARK IN THE TOWN OF EVANS, NEW YORK

Erie County Agribusiness Park-Approval To Enter Into Contract With Firm For Demolition Services. The ILDC issued a Request for Proposals (“RFP”) on October 18, 2024, seeking a qualified contractor to provide services for the demolition of three one-story metal buildings at the Erie County Agribusiness Park, the former Angola Airport, totaling approximately 14,700 sf, which were used by the former airport for various purposes, including warehousing and offices. A fourth building is being kept for storage for construction happening at the site but will eventually be demolished as well. The work is tentatively scheduled for winter 2024.

The demolition of the buildings is a component of the larger access road project at the site to construct approximately 325 feet of new roadway extending north from Eden Evans Center Road to connect with a former north-south aircraft runway that will be converted to a new road with utility infrastructure capable of supporting the future buildout of development parcels

for Agribusiness Park tenants. The former runway is approximately 3,200 feet long, though this project will only involve conversion of approximately 1,200 feet (Phase 1). The road will serve as the site's main access route, providing truck and vehicle access to the site including any future service roads and development parcels. The construction of the road is tentatively set for Summer 2025.

Mr. Gilmour moved, and Mr. Castle seconded to approve entering into a contract with a firm for demolition services at the Agribusiness Park. Mr. Lipsitz called for the vote and the following resolution was unanimously approved:

RESOLUTION OF THE BUFFALO AND ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORPORATION ("ILDC") AUTHORIZING THE ILDC TO ENTER INTO A CONTRACT WITH LAUBACKER ENTERPRISES, INC. ("LAUBACKER") FOR THE PROVISION OF CERTAIN CONSTRUCTION AND DEMOLITION SERVICES FOR THE DEMOLITION OF CERTAIN BUILDINGS LOCATED UPON LANDS OWNED BY THE ILDC AT THE AGRI-BUSINESS PARK IN THE TOWN OF EVANS, NEW YORK

Loan Status Report. Mr. Manhard provided this report to Board members. Mr. Lipsitz directed that the report be received and filed.

There being no further business to discuss, Mr. Lipsitz adjourned the meeting at 12:17 p.m.

Dated: November 20, 2024

Elizabeth A. O'Keefe, Secretary



**RENAISSANCE
COMMERCE PARK**



MEMORANDUM

Date: January 22nd, 2025
To: ILDC Board of Directors
From: ILDC Staff
Re: Renaissance Commerce Park – Light Manufacturing Request for Proposals Award Recommendation

Property Summary

The former Bethlehem Steel site in Lackawanna is one of the largest brownfield sites in New York State, encompassing over 1,000 acres. It is the only site in Erie County and one of the only sites in the region with rail, port, and direct and immediate access to the Canadian border and interstate highway.

The Buffalo and Erie County Industrial Land Development Corporation (ILDC) manages redevelopment efforts on approximately 240 acres of property, partnering with Erie County, New York State, the City of Lackawanna and other regional stakeholders to redevelop the site into Renaissance Commerce Park (RCP), a 21st Century industrial commerce park.

The ILDC is committed to developing the Renaissance Commerce Park as a premier industrial park to attract investment, create employment, and leverage the site's unique infrastructure assets and proximity to international markets to boost exports for the economic benefit of the region.

The ILDC acquired approximately 150 acres at the site in 2017, and approximately 90 additional acres in 2021, making 240 acres available for near-term use that are in the NYSDEC Brownfield Cleanup Program (BCP).

As part of the overall site redevelopment, in collaboration with a large coalition of regional partners, including leadership, funding and resources from New York State, Erie County, the City of Lackawanna and the Federal government, the ILDC has managed the redevelopment of Renaissance Commerce Park, including the construction and installation of public streets and utility corridors, the removal and relocation of rail tracks, and the construction of a public multi-use trail, the Shoreline Trail extension. More infrastructure work is planned for the site soon, including the construction of Odell St. and Ridge Rd. extensions, the relocation of rail from the WYE Yard to the POCO Yard opening up an additional 40 acres of land, and bringing a 34.5 kV electrical voltage line on to the site in partnership with National Grid.



**RENAISSANCE
COMMERCE PARK**



The above-referenced investments have helped prepare the site for private development to address the regional need for available, shovel ready, industrial property to attract new and growing manufacturing, warehouse and logistics companies to Erie County. Currently, TMP Technologies, Welded Tube, Uniland Development, Sucro Sourcing, Total Quality Assurance International, Max Advanced Breaks and KPM Exceptional all operate at Renaissance Commerce Park as a tenant, developer, and/or owner/operator.

Since 2013, there has been over \$130,000,000 in private investment on the site and over 400 jobs created. Over the same time period, New York State, Erie County, ECIDA, the City of Lackawanna and the Federal government have partnered and invested nearly \$40,000,000 to create and manage public infrastructure on Renaissance Commerce Park with another nearly \$12,000,000 planned for future projects as described above.

The \$40 million is in addition to the tens of millions spent on the remediation of the 240 acres while another \$69 million is expected to be spent on remediation for the back 500 acres of the property over the next several years.

RFP Summary

Over the last several years, the ILDC, Erie County and Invest Buffalo Niagara have received strong interest from businesses and developers regarding the purchase and redevelopment of parcels at Renaissance Commerce Park, including parcels #2 and #3 immediately south of the Dona St. extension near the new infrastructure on the site.

To streamline the inquiry process and ensure the project chosen for this high-profile portion of the property meets the highest and best use of the site, the ILDC and County in consultation with the ILDC board of directors and the Renaissance Commerce Park working group decided to release a Request for Proposals (RFP) in 2022 for the development of a speculative manufacturing, warehouse and/or logistics space similar to the projects at 8 Dona St. and 2 Steelworkers Way. However, following the RFP process and award, and during the due diligence period, the economic conditions for industrial/commercial development shifted considerably and made another spec project on the site impractical.

The ILDC reevaluated the situation with parcels #2 and #3 via discussions with staff, board leadership and the Renaissance Commerce Park working group and came to a consensus that a new RFP would be needed with an updated scope that better suited the current and likely future economic conditions for development in the region.

In May 2024, the ILDC released an updated RFP seeking proposals for the purchase of parcels #2 and #3 (23.7 acres) for the development of a minimum of 200,000 square feet of light manufacturing space via a designated developer build-to-suit project as opposed to a speculative project with a broader focus.



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The ILDC sought proposals from qualified and experienced developers, including experience in developing brownfields, that were prepared to act as a designated developer to develop and construct at least 200,000 square feet of light manufacturing space on behalf of a light manufacturing company or companies produced by the developer themselves.

The RFP outlined the following requirements and recommendations as general business terms:

- Purchase price of \$50,000 an acre – Requirement
- Light manufacturing company or companies as end user – Requirement
- A minimum of 200,000 sq. ft. of light manufacturing space – Requirement
- A minimum of 150 jobs in the facility at opening and throughout the life of the facility – Requirement
- MWBE participation rate goal of 30% on construction of facility
- Development with a minimum building lot coverage of 20% or greater
- Strong preference for projects that partner with local workforce organizations to promote employment opportunities to residents of the City of Lackawanna and Erie County
- Higher quality architectural façade on public facing portions of the project, including exterior materials, landscaping, etc.
- The designated developer will have up to 12 months from the date of an executed contract with the ILDC to secure a light manufacturing company or companies for whom the facility or facilities will be constructed. Subsequently, the developer will have an additional 18 months from the date of closing to commence and complete construction of the project, obtaining the necessary approvals and a certificate of occupancy.

NOTE: J.G. Petrucci Company, Inc. (Buyer) has agreed to the REQUIRMENTS above, including the purchase price of \$50,000 an acre for the land. The general business terms recommendations outlined above, among other business terms to be established, are subject to change based on negotiations and the final version of the Purchase Sale Agreement.

Evaluation Process

The RFP submission period ran from May 2024 to September 2024 with the ILDC receiving three submissions from qualified, experienced developers, two local to the region and one out of State. At the conclusion of the submission period and upon receipt of the three submissions, the ILDC staff began the evaluation period, which was based on the requirements and recommendations in the RFP, the previously established highest and best uses of the property along with other metrics, including plans for job creation and economic impact, firm experience, development plan, approach and methodology to finding a tenant(s), financial capability, project timeline and purchase price bid among other factors.

The Renaissance Commerce Park working group, consisting of staff from the ILDC, Erie County and Invest Buffalo Niagara, began with individual internal analysis of the proposals followed by an internal



review session with the full group. The initial analysis and working group meetings were followed by in-person interviews with all three respondents. The interviews were



extensive, allowing members of the working group to receive an updated summary of the proposals from the developers (allowed all respondents opportunity to tweak proposal from original submission if they thought they had omitted or needed to update any information), which was followed by an extended question and answer period to allow for the probing of certain issues or questions that had arisen from the initial analysis of the plans. Upon completion of the interviews, there was a short period when respondents submitted any additional information requested by the working group. Finally, the working group held a final meeting where extensive discussion was had on all three plans and firms until a consensus was reached.

Recommendation

After careful consideration and extensive analysis of the three proposals and firms, the working group unanimously chose to recommend J.G. Petrucci Company, Inc. out of Asbury, NJ for site purchase and development of at least 200,000 square feet of build-to-suit light manufacturing space for a to be determined light manufacturing company or companies on parcels #2 and #3 at Renaissance Commerce Park to the ILDC Board of Directors for selection as the winning proposal for our RFP process.

It was a difficult decision as we received several strong proposals from multiple worthy developers but the group gravitated to the Petrucci proposal for many reasons, including the firm's long and extensive experience in developing on brownfields, including at the former Bethlehem Steel site in Lehigh Valley, PA, their experience with build-to-suit/designated developer projects, their national and global reach with perspective tenants and the commitment the firm showed in both their proposal and interview regarding working with the ILDC to get exactly what we are looking for in terms of type of industry, job creation and investment on the site. The working group was also excited and impressed with the firm's passion and eagerness for developing at Renaissance Commerce Park and in Western New York in general. We believe Petrucci will bring a fresh perspective to the ongoing redevelopment at Renaissance Commerce Park and to development in the region as a whole.

Brief Background on Firm

J.G. Petrucci Company, Inc. is a vertically integrated development and design/build company that operates throughout the Northeast region. Since 1987, J.G. Petrucci Company, Inc. has set itself apart from the competition through a combination of well-established relationships, development expertise, and in-house capabilities.

J.G. Petrucci has achieved its reputation for quality and reliability based on our unique Leadership Pledge. Each project the firm undertakes is guided by their unique Leadership Pledge as outlined below.



**RENAISSANCE
COMMERCE PARK**



We Pledge To:

- *Provide quality facilities that reflect the character of our clients and stand the test of time*
- *Relentlessly pursue total client satisfaction*
- *Create value and opportunity for clients, service providers, tradesmen, and employees*
- *Respond to the needs of the community*
- *Set a standard of conduct that reinforces traditional notions of service, accountability and integrity*

J.G. Petrucci has designed/built over 800 projects in over 100 municipalities owning and operating over 6 million square feet of commercial and industrial space, including over 2 million square feet at Lehigh Valley Industrial Park VII, the former Bethlehem Steel site in Pennsylvania. The firm redeveloped over 300 acres at Lehigh Valley Industrial Park VII resulting in a capital investment of \$500,000,000 and over 3,000 jobs created.

Requested Actions

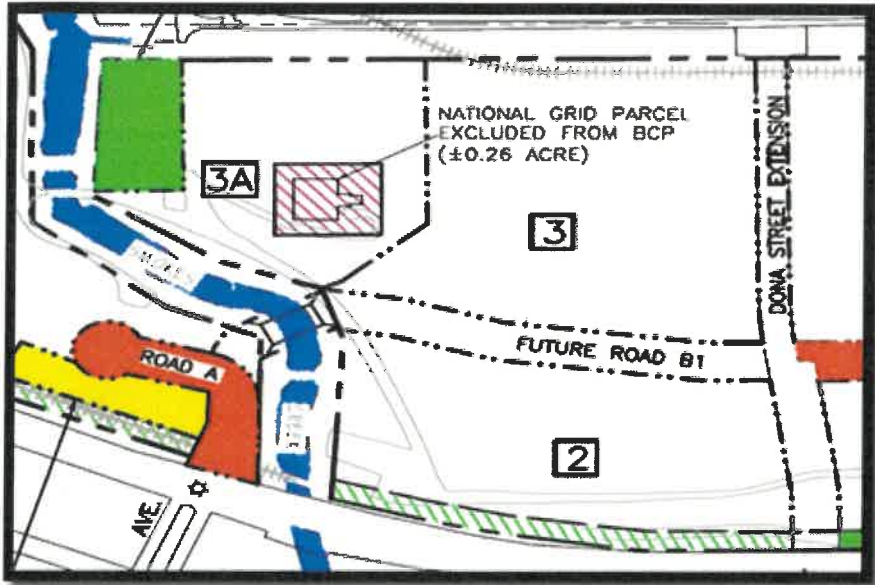
1. Seeking approval from the ILDC board of directors to enter into negotiations and execute a Purchase Sale Agreement with J.G. Petrucci Company, Inc. for the sale of parcel II-6 and II-7 as shown as development site #2 and #3 on the Master Plan, execute all agreements required for the sale of fee title of the property, including required agreements pursuant to the NYS BCP program and to take all actions necessary to implement the project as described.
2. Seeking a determination that no further SEQR compliance is required pursuant to 6 N.Y.C.R.R. Section 617.10(d)(1) because the contemplated purchase and sale will be carried out in conformance with the conditions and thresholds established in the ILDC Master Plan SEQRA findings.
3. Seeking confirmation that the proposed sale of property is within the purposes, mission, and statutory authority of the ILDC.
4. Seeking authority to permit the ILDC and its Chair, Vice Chair, CEO/President, and/or Vice-President to prepare and execute any required or appropriate Brownfield Cleanup Program Agreement amendment that may be required with respect to BCP Site II-6 and II-7 to permit the conveyance of the site to J.G. Petrucci Company, Inc.

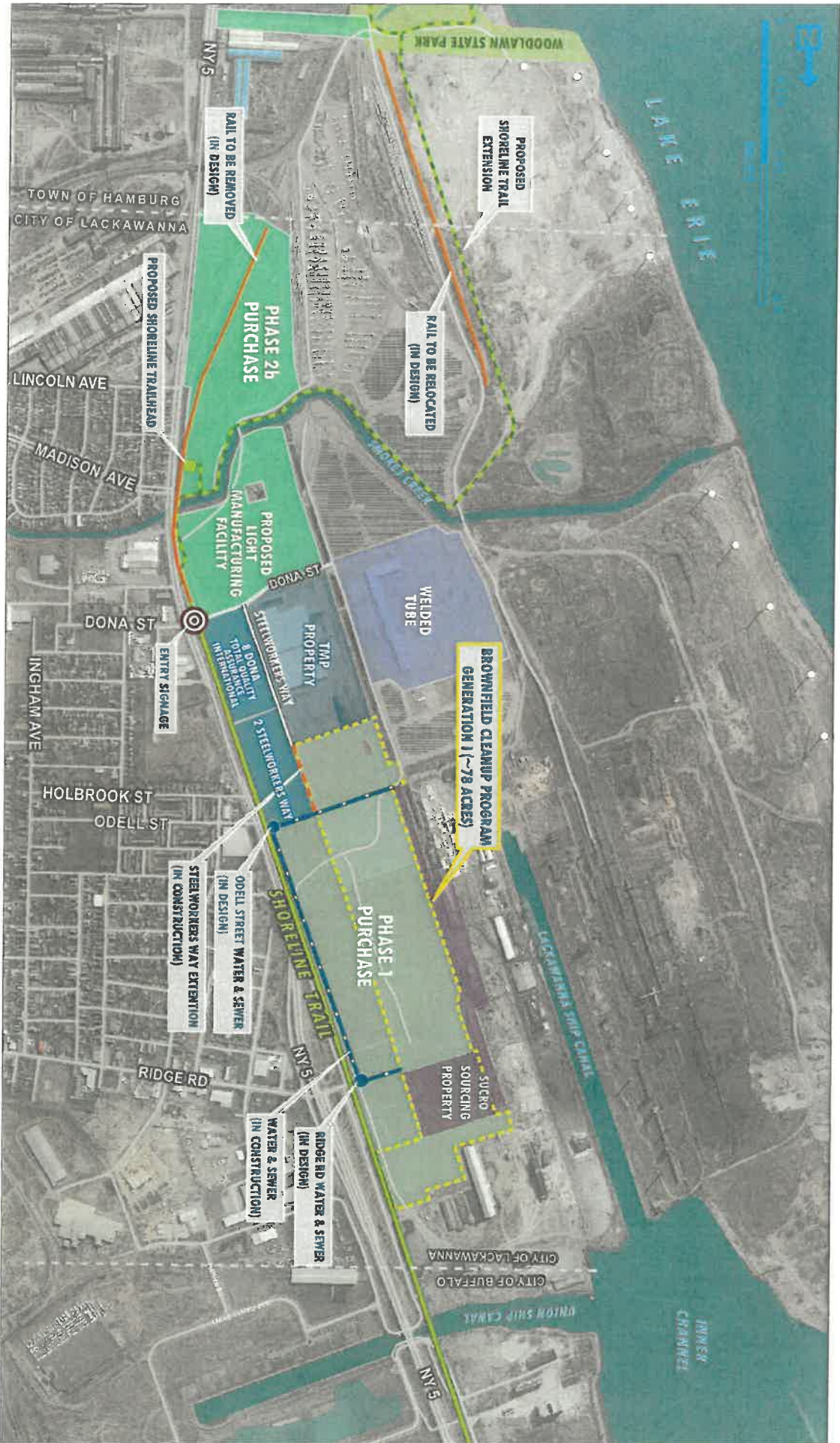


**RENAISSANCE
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Parcels #2 and #3 from the Renaissance Commerce Park Masterplan Map





**BUFFALO AND ERIE COUNTY INDUSTRIAL LAND
DEVELOPMENT CORPORATION
RESOLUTION**

A meeting of the Buffalo and Erie County Industrial Land Development Corporation was convened on Wednesday, January 22, 2025, at 12:00 p.m.

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

RESOLUTION OF THE BUFFALO AND ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORPORATION (THE "ILDC") AUTHORIZING THE ILDC TO (i) SELL RCP SITE #2 and #3 (AS MORE FULLY DEFINED HEREIN) TO J.G. PETRUCCI COMPANY, INC ("JGPC"); (ii) NEGOTIATE, EXECUTE, AND DELIVER AN AGREEMENT OF PURCHASE AND SALE TO SELL RCP SITE #2 and #3 TO BE ENTERED INTO WITH JGPC; (iii) EXECUTE AND DELIVER A BROWNFIELD SITE CLEANUP AGREEMENT AMENDMENT WITH RESPECT TO RCP SITE #2 and #3; AND (iv) MAKE A DETERMINATION PURSUANT TO THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT

WHEREAS, the Buffalo and Erie County Industrial Land Development Corporation (the "ILDC") is authorized and empowered by Section 1411 of the Not-for-Profit Corporation Law of the State of New York, as amended, to relieve and reduce unemployment, promote and provide for additional and maximum employment, better and maintain job opportunities in Erie County and to lessen the burdens of government and act in the public interest; and

WHEREAS, the ILDC owns approximately 240 acres of real property located at the Renaissance Commerce Park ("RCP") in Lackawanna, New York (the "RCP Site"); and

WHEREAS, the ILDC has established an infrastructure and master plan for the RCP Site (the "RCP Master Plan"); and

WHEREAS, in compliance with Article 8 of the New York Environmental Conservation Law and the regulations adopted thereto at 6 N.Y.C.R.R. Part 617 (collectively referred to as "SEQRA"), the ILDC acted as SEQRA Lead Agency and on May 27, 2020, the ILDC accepted a Draft Generic Environmental Impact Statement (the "DGEIS") for the RCP Master Plan, on September 23, 2020, the ILDC accepted and issued a Final Generic Environmental Impact Statement ("FGEIS") for the RCP Master Plan, and on October 28, 2020, the ILDC issued and adopted its Findings Statement for the RCP Master Plan, which, amongst other items, evaluated and authorized a conceptual master plan for the construction of warehousing and distribution facilities (the "Findings

Statement” and collectively, with the DGEIS, and the FGEIS, the “ILDC SEQRA Findings”); and

WHEREAS, in May, 2024, the ILDC issued a “Request for Proposals” seeking a designated developer for the purchase and sale of RCP Site #2 (alternatively known as New York State Brownfield Cleanup Program (“BCP”) Site II-6 and being approximately 11.5 acres in size) and RCP Site #3 (alternatively known as BCP Site II-7 and being approximately 12.23 acres in size and collectively with RCP Site #3 being a total of approximately 23.73 acres in size and hereinafter, collectively, the “Property”) to develop and construct upon the Property at least 200,000 square feet of light manufacturing space; and

WHEREAS, upon the closure of the RFP in September of 2024, the ILDC received three RFP response, and thereafter an ILDC RFP review committee consisting of staff from the ILDC, Erie County, and Invest Buffalo Niagara (the “Review Committee”), in reliance upon the previously established highest and best uses of the Property and along with other metrics, including plans for job creation and economic impact, firm experience, development plan, approach and methodology to finding a tenant(s), financial capability, project timeline and purchase price, undertook an initial review of the RFP responses; and

WHEREAS, the Review Committee personally interviewed all three RFP respondents whereat respondents were permitted to provide updated proposal summaries, followed by the ILDC’s receipt of additional submissions by the respondents as so requested by the Review Committee and thereafter, the Review Committee undertook extensive analysis of the RFP submittals; and

WHEREAS, in consideration of the foregoing, the Review Committee is recommending that the ILDC approve of the J.G. Petrucci Company, Inc. (“JGPC”) RFP response, said response being consistent with the RFP, for the purchase of the Property and ultimate construction thereon of at least 200,000 square feet of build-to-suit light manufacturing space for a to be determined light manufacturing company or companies (the “JGPC Project”); and

WHEREAS, the ILDC desires to authorize the disposition of the Property and approve of the JGPC Project, said disposition and JGPC Project being consistent with the terms and conditions of the RFP; and

WHEREAS, with respect to the disposition of Property, the ILDC desires to authorize ILDC staff and ILDC counsel to negotiate the terms and conditions of a contemplated purchase and sale agreement (the “PSA”) by which the ILDC will sell, and JGPC will purchase, the Property; and

WHEREAS, in accordance with applicable provisions of the Public Authorities Law (“PAL”), the contemplated disposition of Property via issuance of an RFP is a disposal made by publically advertising for bids pursuant to PAL Section 2897(6)(a); and

WHEREAS, on October 14, 2023, an independent appraisal from KLV Appraisal Group, Inc. (the "Appraisal") was obtained and determined the fair market value of the Property to be approximately \$50,000.00 per acre, establishing the fair market value of the Property to be approximately \$1,186,500; and

WHEREAS, pursuant to the foregoing, the dimensions of Property to be ultimately conveyed to JGPC will ultimately be determined by survey, and the purchase price will be adjusted based on actual dimensions at the proposed \$50,000 per acre purchase price; and

WHEREAS, the Property is included within the BCP as memorialized by those certain Brownfield Site Cleanup Agreements that are applicable to BCP Site II-6 and BCP Site II-7, as amended from time to time, by and between the ILDC and the New York State Department of Environmental Conservation (the "BSCA"); and

WHEREAS, immediately prior to or upon acquisition of fee title to the Property, JGPC intends to become a party to the BSCA for RCP Site #2 and RCP Site #3 thus obligating JGPC to remediate the Property and thereby ensuring that the ILDC can obtain the benefits and protections of the BCP.

NOW, THEREFORE, BE IT RESOLVED BY THE BUFFALO AND ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORPORATION AS FOLLOWS:

Section 1. The ILDC hereby determines that the sale of the Property to JGPC is not a below fair market value disposition of real property as defined in PAL Section 2897(7).

Section 2. Based upon a review of the JGPC RFP response, the proposed JGPC Project, and the representations made by JGPC to the ILDC, the ILDC hereby determines that no further SEQR compliance is required pursuant to 6 N.Y.C.R.R. Section 617.10(d)(1) because the contemplated purchase and sale of the Property and the JGPC Project will be carried out in conformance with the conditions and thresholds established in the ILDC SEQRA Findings.

Section 3. The ILDC hereby determines and confirms that the proposed conveyance of fee title of the Property to JGPC as herein described is within the purposes, mission and statutory authority of the ILDC.

Section 4. The ILDC hereby designates JGPC as the designated developer for the Property.

Section 5. The ILDC hereby approves of the sale of fee title to the Property for a purchase price of \$50,000 per acre with the actual purchase price to be adjusted based on the final surveyed dimensions of Property, and authorizes the Chair, the Vice Chair, the President/Chief Executive Officer, the Vice President, the Chief Financial

Officer/Treasurer and/or the Assistant Treasurer (collectively, the “Authorized Officers”), on behalf of the ILDC, to negotiate, execute, and deliver an appropriate PSA setting forth the terms and conditions relating thereto and any other related documents required to accomplish the purposes of this resolution, with such changes, variations, omissions and insertions as authorized by the Authorized Officers, in consultation with the ILDC general counsel, to constitute conclusive evidence of such approval.

Section 6. The ILDC hereby authorizes the Authorized Officers, on behalf of the ILDC, to amend, as herein described, the BSCA for BCP Site II-6 and BCP Site II-7 to allow JGPC (or its subsidiaries or affiliates) to become a party to the BSCA and to ensure that the ILDC can obtain the benefits and protections of the BCP.

Section 7. The Authorized Officers are hereby authorized and directed for and in the name and on behalf of the ILDC to do all acts and things required and to negotiate, 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 Authorized Officer so acting, desirable and proper to effect the purposes of this resolution and to cause compliance by the ILDC with all of the terms, covenants and provisions of the documents executed for and on behalf of the ILDC.

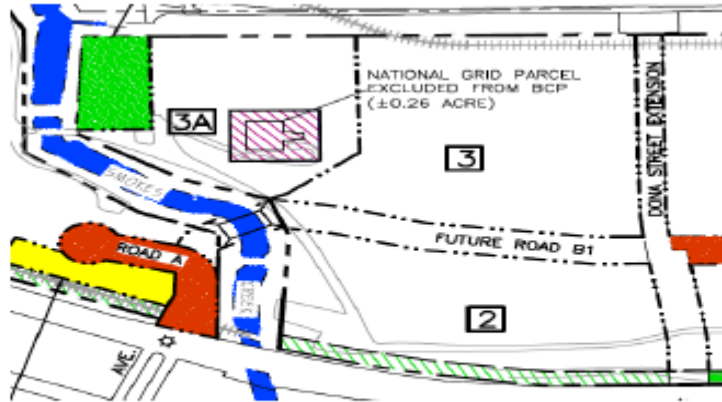
Section 8. Any and all actions heretofore taken or authorized by the ILDC and/or its officers, employees and agents with respect to this resolution are hereby ratified, approved and confirmed in all aspects.

Section 9. This resolution shall take effect immediately.

Dated: January 22, 2025

EXHIBIT A

The Property





MEMO:

To: Board of Directors

RE: Conveyance of Dona Street from the Buffalo and Erie County Industrial Land Development Corporation (“ILDC”) to the City of Lackawanna (the “City”)

The Buffalo and Erie County Industrial Development Corporation (“ILDC”) is the owner of that certain roadway running through and across Renaissance Commerce Park in the City of Lackawanna, Erie County, New York, more commonly known as Dona Street. In connection with the redevelopment of Renaissance Commerce Park site, and to ensure the continuing operation and maintenance of Dona Street as a public road for use by occupants of Renaissance Commerce Park and the general public, the City of Lackawanna (the “City”), by resolution has agreed to accept fee title to Dona Street, and the ILDC is desirous of conveying Dona Street to the City for nominal consideration.

Requested Action(s):

1. Authorize the conveyance of fee title to Dona Street, for nominal consideration, to the City and the authorize the execution of any documents in connection therewith.
2. Adopt a negative declaration in accordance with SEQRA.

**BUFFALO AND ERIE COUNTY INDUSTRIAL LAND
DEVELOPMENT CORPORATION**
RESOLUTION

A meeting of the Buffalo and Erie County Industrial Land Development Corporation (the "ILDC") was convened on January 22, 2025, at 12:00 p.m. The following resolution was duly offered and moved for adoption:

RESOLUTION OF THE BUFFALO AND ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORPORATION (i) AUTHORIZING THE EXECUTION AND DELIVERY OF A DEED CONVEYING THE "DONA STREET" ROADWAY TO THE CITY OF LACKAWANNA FOR USE AND MAINTENANCE AS A PUBLIC ROAD (AS MORE PARTICULARLY DESCRIBED HEREIN); (ii) ADOPTING FINDINGS WITH RESPECT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT ("SEQR"); (iii) CONFIRMING THAT THERE IS NO REASONABLE ALTERNATIVE TO A BELOW FAIR MARKET VALUE TRANSFER OF DONA STREET TO THE CITY OF LACKAWANNA; AND (iv) AUTHORIZING THE EXECUTION OF RELATED DOCUMENTS WITH RESPECT TO THE FOREGOING;

WHEREAS, the ILDC is authorized and empowered by Section 1411 of the Not-for-Profit Corporation Law of the State of New York, as amended (the "NFP Law"), to relieve and reduce unemployment, promote and provide for additional and maximum employment, better and maintain job opportunities in Erie County (the "County") and lessen the burdens of government and act in the public interest; and

WHEREAS, the ILDC is the owner of certain real property situated within the Renaissance Commerce Park within the City of Lackawanna (the "City"), County of Erie and State of New York, which real property is comprised of an approximately 2.20 +/- acres public roadway and other related appurtenances generally known as "Dona Street" as depicted in Exhibit A, attached hereto and made part hereof (the "Property" or alternatively, "Dona Street Premises"); and

WHEREAS, the ILDC is desirous of conveying, the Property to the City to be used as a public road in connection with the redevelopment of the Renaissance Commerce Park; and

WHEREAS, the City, by resolution dated August 19, 2022, has agreed to accept the conveyance of the Dona Street Premises; and

WHEREAS, in accordance with the ILDC's Property Disposition Guidelines ("Guidelines") and the provisions of the New York Public Authorities Law ("PAL"), and subject to such exceptions and/or requirements set forth in the Guidelines and the PAL, the ILDC must obtain an appraisal of the value of real property prior to its disposition and such appraisal shall be made by an independent appraiser; and

WHEREAS, in accordance with the Guidelines and PAL and subject to such exceptions and/or requirements set forth in the Guidelines and the PAL, the ILDC may dispose of an interest

in its property by sale, exchange, transfer, for cash, credit or other property, with or without warranty, and upon such terms and conditions as are determined by the ILDC to be appropriate and reasonable and consistent with the PAL and the Guidelines; and

WHEREAS, on October 14, 2023, the Erie County Industrial Development Agency, an affiliate of the ILDC, obtained an independent appraisal from K LW Appraisal Group, Inc, (the “Appraisal”) that determined the fair market value of the Property to be approximately \$50,000.00 per acre, establishing the fair market value of the land comprising the Dona Street Premises to be approximately \$110,000; and

WHEREAS, conveying the Dona Street Premises to the City for use as a public road is within the mission and purposes of the ILDC to act in the public interest; and

WHEREAS, pursuant to Section 2897(6)(c)(iv) of the PAL, the ILDC is permitted to dispose of real property or an interest in real property by negotiation (without bidding or advertising) to a political subdivision of New York State such as the City; and

WHEREAS, the ILDC intends to convey the Dona Street Premises to the City for receipt of \$10.00 and no more; and

WHEREAS, pursuant to PAL Section 2897(7)(c), prior to the ILDC conveying the Dona Street Premises to the City, said disposition being undertaken for consideration in an amount less than the fair market value of the Dona Street Premises, the ILDC must consider certain information as set forth in PAL §2897(7)(b) including the description and purpose of the transaction, the description of the asset to be transferred, the kind and amount of benefit to the public, the value received compared to the fair market value, and its mission and purposes and related thereto, the required information with respect to the foregoing and with regard to the proposed below fair market value disposition of property is attached hereto as Exhibit B; and

WHEREAS, the information provided to the ILDC as contained within Exhibit B has been simultaneously made available to the public; and

WHEREAS, in accordance with the requirements of the PAL, the ILDC must make a determination that there is no reasonable alternative to the proposed below-market value transfer as described herein that would achieve the same purpose of such transfer; and

WHEREAS, in furtherance of the mission and purposes of the ILDC, the ILDC hereby desires to convey the Dona Street Premises to the City and to authorize the execution and delivery of a deed conveying title to the Dona Street Premises.

NOW, THEREFORE, BE IT RESOLVED BY THE BUFFALO AND ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORPORATION AS FOLLOWS:

Section 1. The ILDC has determined that the proposed conveyance of the Dona Street Premises to the City is within the purposes, mission and statutory authority of the ILDC.

Section 2. The conveyance of the Dona Street Premises to the City involves an “Unlisted Action” as said term is defined pursuant to the State Environmental Quality Review Act (“SEQR”) and as codified under 6 N.Y.C.R.R. Section 617.2(ak) of the SEQR regulations.

The ILDC has conducted an uncoordinated review of the proposed conveyance of the Dona Street Premises to the City as described herein pursuant to 6 N.Y.C.R.R. Section 617.6(b)(4)(i) and hereby finds that the conveyance as described herein will not have a potential significant adverse environmental impact warranting the preparation of an environmental impact statement. The ILDC thus issues a “negative declaration” as that term is defined pursuant 6 N.Y.C.R.R. Section 617.2(y).

Section 3. In accordance with the findings set forth in Exhibit B, the ILDC has determined that there is no reasonable alternative to the proposed below-market value transfer as described herein that would achieve the same purpose of such transfer being to act in the public interest by providing an interest in the Dona Street Premises to the City for purposes of maintaining, repairing, and operating Dona Street as a public road.

Section 4. The ILDC hereby approves of and authorizes the conveyance of the Dona Street Premises for \$10.00 and no more to the City in accordance with the forgoing resolutions and authorizes the Chair, the Vice Chair, the President/Chief Executive Officer, the Vice President, the Chief Financial Officer/Treasurer and/or the Assistant Treasurer (collectively, the “Authorized Officers”), on behalf of the ILDC, to execute and deliver the deed and any other related documents, required to accomplish the purposes of this resolution, with such changes, variations, omissions and insertions as authorized by the Authorized Officers, in consultation with the ILDC’s general counsel, the execution thereof by the Authorized Officers to constitute conclusive evidence of such approval.

Section 5. The Authorized Officers, employees and agents of the ILDC are hereby authorized and directed for and in the name and on behalf of the ILDC 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 ILDC with all of the terms, covenants and provisions of the documents executed for and on behalf of the ILDC.

Section 6. These resolutions shall take effect immediately.

Dated: January 22, 2025

Exhibit B

Below Fair Market Value Conveyance Findings

Pursuant to and in accordance with Sections 2897(7)(b) and (c) of the Public Authorities Law (“PAL”), the Buffalo and Erie County Industrial Land Development Corporation (the “ILDC”) has prepared the following information for the ILDC board and the public:

TRANSACTION & PURPOSE

The ILDC proposes to convey 2.20 +/- acre parcel of real property located at or about 2303 Hamburg Turnpike, Lackawanna, New York, located along the western boundary of Route 5 (Hamburg Turnpike), as depicted within Schedule A as attached hereto and included within the related resolution (the “Dona Street Premises”) to the City of Lackawanna (the “City”) for use as a public road.

- (1) Description of Asset: Approximately 2.20 +/- acres of vacant land located at or about 2303 Hamburg Turnpike, Lackawanna, New York, County of Erie, New York, as depicted within Exhibit A.
- (2) Appraisal value of the Real Property (FMV): \$110,000
- (3) Kind and Amount of Benefit to the Public: The purpose of the transfer is to convey a public roadway known as “Dona Street” and other related appurtenances to be used in connection with the access to and redevelopment of Renaissance Commerce Park in Lackawanna, New York. The public would benefit from the proposed conveyance of the Dona Street Premises as it will allow the City to operate and maintain a public roadway used in connection with the redevelopment of Renaissance Commerce Park site in Lackawanna, New York.
- (4) Value Received Compared to FMV:

Monetary value received by Corporation: \$10.00 for conveyance of fee title

Appraised FMV: \$110,000

- (5) Names of Parties to the Transaction and Value Received:

Seller: Buffalo and Erie County Industrial Land Development Corporation

Value Received by Seller: (i) \$10.00 for conveyance of fee title, (ii) permits the public to access adjacent real property owned by the Seller and other property owners in the Renaissance Commerce Park, and (iii) community benefits.

Purchaser: City of Lackawanna

Value Received by Purchaser: approximately 2.20 +/- acre parcel of real property with an appraised FMV of approximately \$110,000

- (6) Names of Private Parties that have made an Offer, the Value of the Offer, and Purpose which the asset would have been used: None

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

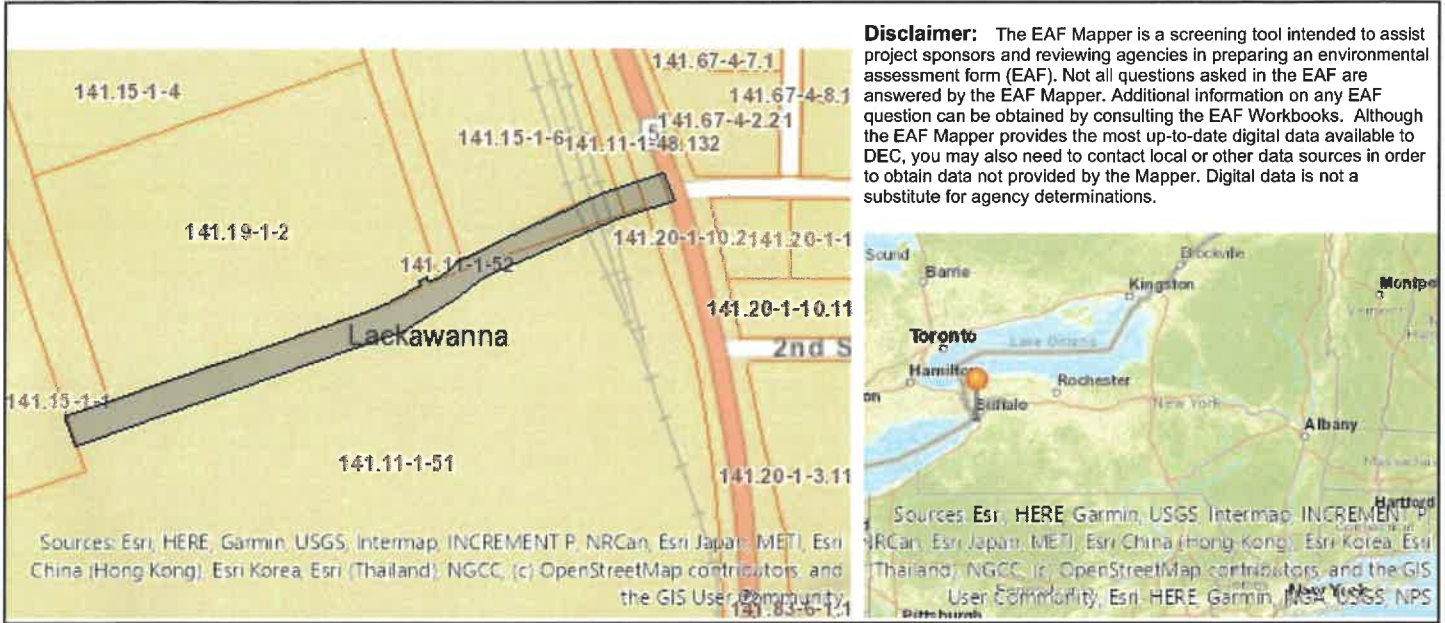
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available.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

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

Part 1 – Project and Sponsor Information			
Name of Action or Project: Dona Street Conveyance - Buffalo and Erie County Industrial Land Development Corporation to City of Lackawanna			
Project Location (describe, and attach a location map): Dona Street, Lackawanna, New York			
Brief Description of Proposed Action: The Buffalo and Erie County Industrial Land Development Corporation shall convey fee title in and to that certain roadway comprised of approximately 2.20 +/- acres, commonly known as "Dona Street," to the City of Lackawanna for use as a public roadway.			
Name of Applicant or Sponsor: Buffalo and Erie County Industrial Land Development Corporation		Telephone: 716-856-6525 E-Mail: jcappell@ecidany.com	
Address: 95 Perry Street, Suite 403			
City/PO: Buffalo		State: NY	Zip Code: 14203
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		2.20 acres	
b. Total acreage to be physically disturbed?		0.00 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		114.10 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic 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? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<small>Parcel is adjacent to the following New York State Brownfield Cleanup Program parcels: Site II-6 Tecumseh Phase II Business Park, Site ID. C915198F; Site II-7 Tecumseh Phase II Business Park, Site ID. C915198G; Site II-8 Tecumseh Phase II Business Park, Site ID. C915198H; Site II-9 Tecumseh Phase II Business Park, Site ID. C915198I; Site II-13 Tecumseh Phase II Business Park, Site ID. C915198M</small>		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Buffalo and Erie County Industrial Land Development Corporation</u> Date: _____		
Signature: _____ Title: <u>President/CEO</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

Project:

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

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

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project:

Date:

**Short Environmental Assessment Form
Part 3 Determination of Significance**

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Buffalo and Erie County Industrial Land Development Corporation

Name of Lead Agency

John Cappellino

Print or Type Name of Responsible Officer in Lead Agency

Signature of Responsible Officer in Lead Agency

Date

President/CEO

Title of Responsible Officer

Signature of Preparer (if different from Responsible Officer)

PRINT FORM

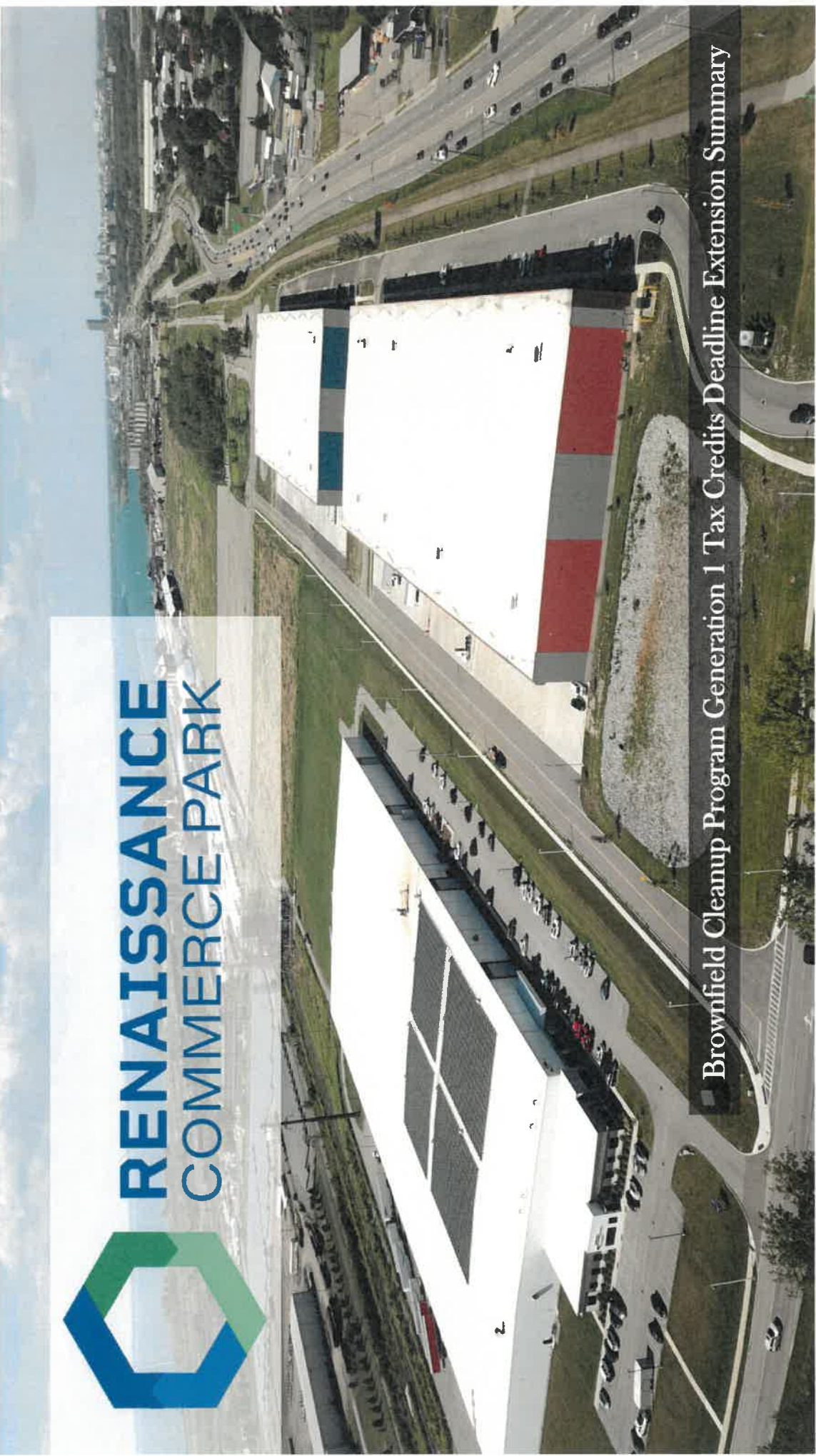


PREPARED BY ERIE COUNTY DEPARTMENT OF ENVIRONMENT & PLANNING, OFFICE OF GEOGRAPHIC INFORMATION SERVICES, 9/11/2024



RENAISSANCE COMMERCE PARK

Brownfield Cleanup Program Generation 1 Tax Credits Deadline Extension Summary



Why extend the BCP Gen. 1 tax credits?

It is essential to the economic health of Lackawanna, Erie County and New York State that the **RCP BCP Gen. 1 tax credits benefit term be extended for the BCP sites located at Renaissance Commerce Park (RCP)**. The brownfield tax credits have been essential in redeveloping RCP by offsetting tens of millions of dollars in additional brownfield costs for private businesses and developers who locate their businesses on the site. **The tax credits have made the property highly marketable despite the many issues it has as a legacy brownfield site.**

Allowing the BCP Gen. 1 credits to expire would deter private employers, developers and manufacturers from locating at Renaissance Commerce Park. Not only would this severely hinder any future investment on the Gen. 1 parcels (78 acres) but **losing this essential economic development tool would put the \$130,000,000 in private investment already on the site in jeopardy, stifling further growth at the park.**

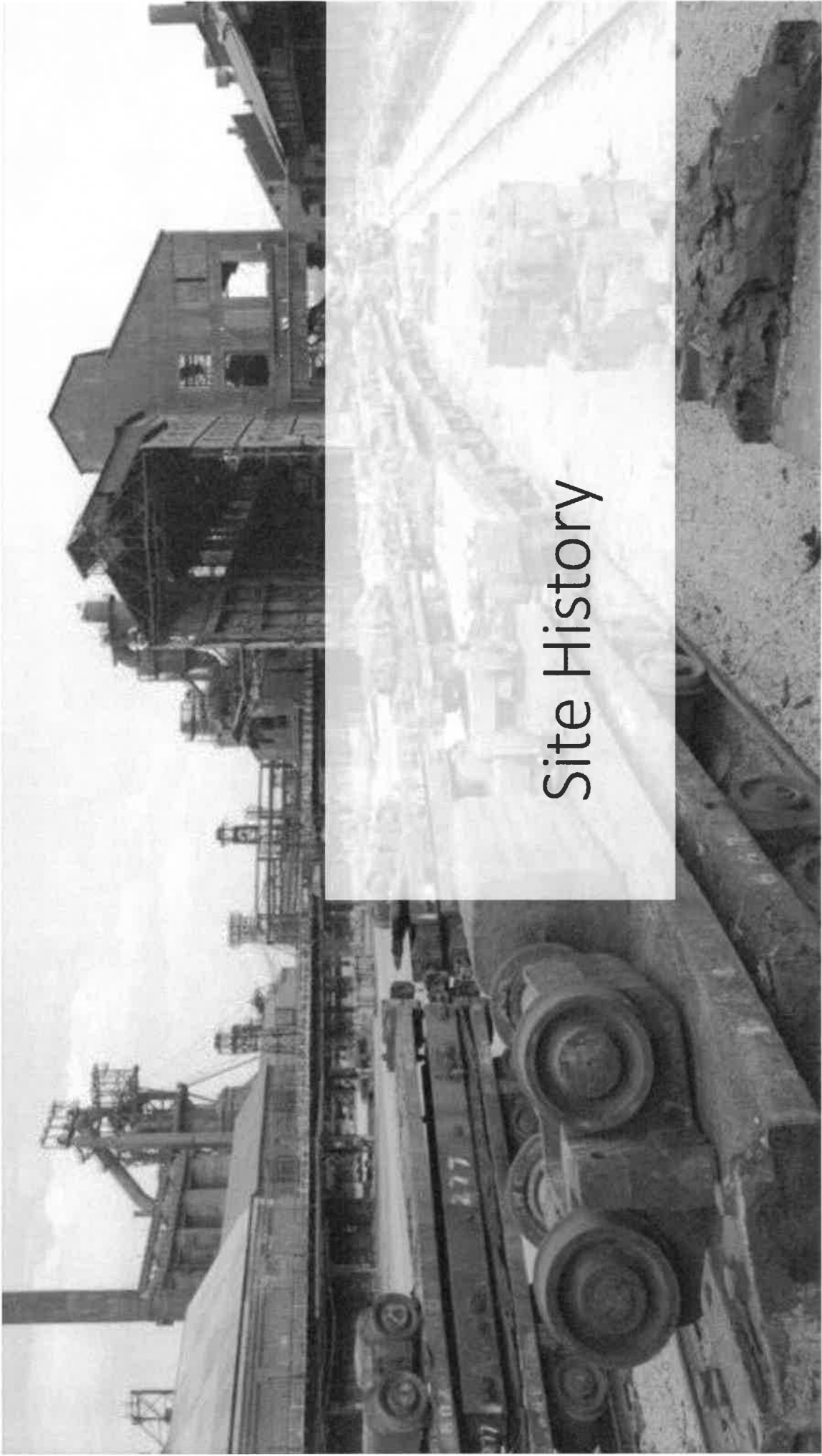
Failure to extend the tax credits deadline would cause a catastrophic halt to what is now a strong momentum of economic development at RCP.



Why the URGENCY to extend the BCP Gen. 1 tax credits?

- The deadline for the Real Property Tax Credit component of the BCP Generation 1 program is **December 31st, 2026**, and the entire program sunsets **December 31st, 2027**.
- However, when calculating the time it takes to negotiate and execute a Purchase Sale Agreement with a prospect, the due diligence and closing period, the local planning board and City Council approval process, permit process and the construction of the facility itself you are looking at over 24 months at least from start to finish for a project. **In essence, we have already reached and surpassed the DEADLINE for the BCP Gen. 1 credits!**
- **The ECIDA/ILDC can no longer tell prospects that there will be BCP tax credits available for them to apply for following the completion of their project on Gen. 1 parcels.** This reality has already negatively impacted one deal the ILDC was working on with a prospect in which the prospect walked away in part due to the uncertainty surrounding the tax credits existence beyond the 2027 deadline.
- **The BCP Gen. 1 Tax Credits Extension legislation (S.858/A.TBD) (formerly S.9449/A.8011) calls for the program to be extended to Dec. 31st, 2036**, which is the same date the BCP Generation 2 and 3 programs have already been extended to previously by the NYS Legislature.





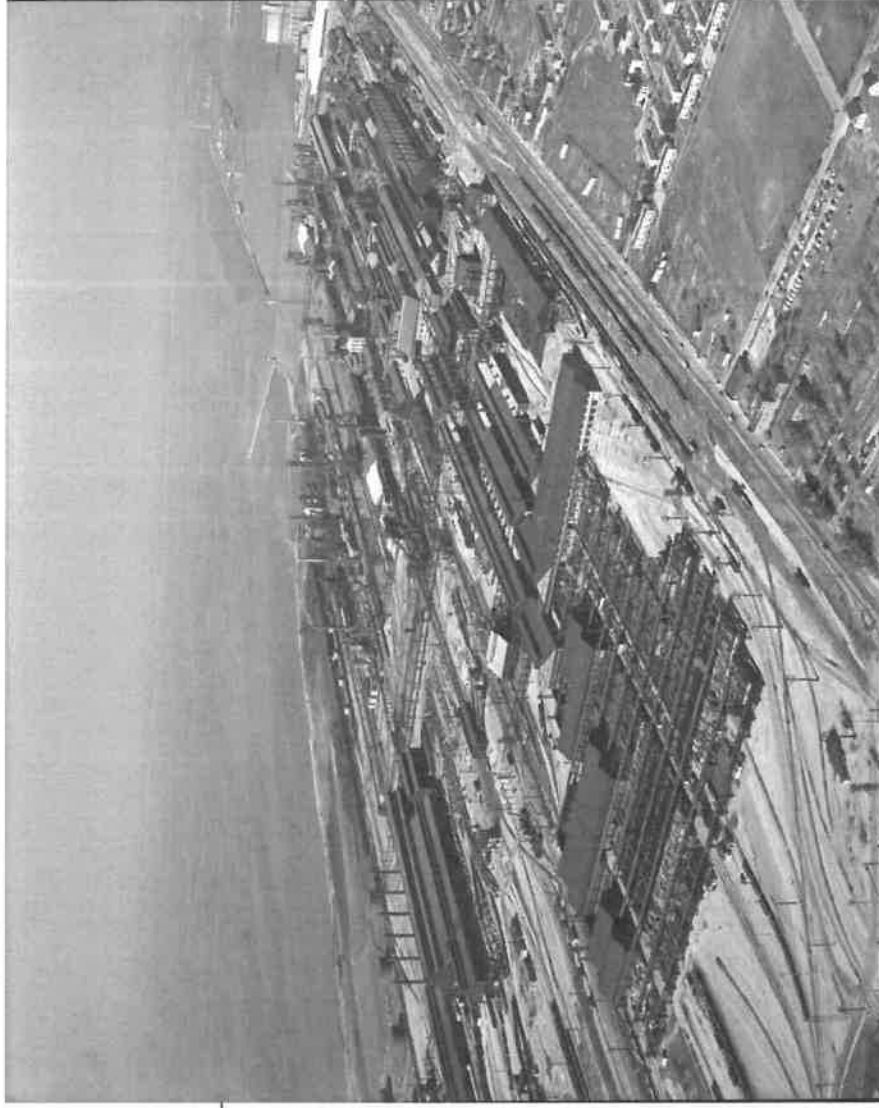
Site History

Site History

Bethlehem Steel Corporation, once the largest steel company in the world, operated in the City of Lackawanna from 1918 until 1983. Steel produced at the site along Route 5 played a critical role in supporting the United States forces during World War II and at its height employed 20,000 workers.

The closure of the steel plant in 1983 put 10,000 Western New Yorkers out of work and began what would be years of devastating decline for the City of Lackawanna and the surrounding area.

Redeveloping the site presented several challenges, including environmental contamination on the 1,000-acre site caused by decades of industrial steel





Brownfield Designation

The RCP BCP sites, in addition to contamination challenges, also present construction obstacles and a lack of public infrastructure, further increasing the cost of developing the land; many of the above ground steel plant structures were demolished, but all the underground foundations and structures were allowed to remain on the RCP BCP sites. This further adds millions of dollars to the cost of removing and/or engineering around such obstacles. **BCP Generation 1 tax credits are required to help offset these extraordinary costs on these legacy brownfield parcels.**



Brownfield Designation

Eight Brownfield Cleanup Program (BCP) Generation 1 sites were designated on the 240 acres owned by the ECIDA/ILDC, totaling approximately 78 acres in a designated Brownfield Opportunity Area. The area is a New York Climate Act Disadvantaged Community due to the site bearing the burden of negative public health effects, environmental pollution, negative impacts of climate change, and a prevalence of adverse socio-economic criteria, including high concentrations of low- and moderate-income households.

More than \$40,000,000 has been invested to acquire property and create and manage public infrastructure on Renaissance Commerce Park (RCP) by the ECIDA/ILDC, New York State, Erie County, City of Lackawanna and the Federal Government. The \$40 million is in addition to the tens of millions spent by the State of New York on the remediation of the 240 acres while another \$69 million is expected to be spent by the State on remediation for the back 500 acres of the property over the next several years.



8 Dona Street Ribbon Cutting, March 2023



Steelworkers Way, Renaissance Commerce Park

Redevelopment Successes

Addressing the regional need for vacant industrial-zoned property to attract new and growing manufacturing companies

\$130,000,000 private sector investment 🌐 \$40,000,000 infrastructure investment 🌐 Over 400 jobs created

Redevelopment: Renaissance Commerce Park

- The former Bethlehem Steel site in Lackawanna is one of the largest brownfield sites in New York State, encompassing over 1,000 acres; It is the only site in Erie County and one of the only sites in the region with rail, port, and direct and immediate access to the Canadian border and highway.
- The Erie County Industrial Development Agency's land development arm, the Industrial Land Development Corporation (ILDC), has partnered with Erie County, New York State, the City of Lackawanna and other regional stakeholders to redevelop the site into Renaissance Commerce Park (RCP), a 21st Century industrial commerce park.
- The ILDC acquired approximately 150 acres at the site in 2017, and approximately 90 additional acres in 2021, making 240 acres available for near-term use that are in the NYSDEC Brownfield Cleanup Program (BCP) and eligible for tax credits.
- In collaboration with a large coalition of regional partners, including funding and resources from New York State, Erie County and the City of Lackawanna, the ILDC has managed extensive infrastructure projects on the site preparation for private development including:
 - New water and sewer infrastructure
 - Roads
 - Removal and relocation of rail tracks
 - Construction of a public multi-use trail, the Shoreline Trail extension
- Largely because of the BCP Gen 1 tax credits, RCP gained its first tenant in 2019: Magic Eraser manufacturer TMP Technologies. TMP purchased 28 acres and constructed a 280,000 sq. ft. manufacturing facility. Without the BCP Gen. 1 tax credits, the remediation costs would have made the site too costly to build on. After TMP, interest in the site was high and remains so; Uniland Development has constructed two warehouse/distribution facilities, and sugar refiner Sucro Sourcing adaptively reused former steel mill structures for their refinery and distribution facility. Sucro was able to expand their operation at RCP by utilizing the BCP Gen. 1 program on their new 126,000 sq. ft. expansion, which will add 25 jobs when it is completed in 2025.
- In 2013, Canadian manufacturer Welded Tube utilized the BCP Gen. 1 program to build their facility on RCP on what was considered for decades unusable land due to the high cost of remediation.



RENAISSANCE
COMMERCE PARK

Redevelopment: \$130,000,000 in private investment

Since 2013, the site has attracted more than \$130,000,000 in private investment and created more than 400 jobs, aided in large part by the BCP Gen. 1 program.

Currently, TMP Technologies, Welded Tube, Uniland Development, Sucro Sourcing, Total Quality Assurance International, Max Advanced Breaks and KPM Exceptional all operate at RCP as a tenant, developer, or owner/operator.

2012-2017

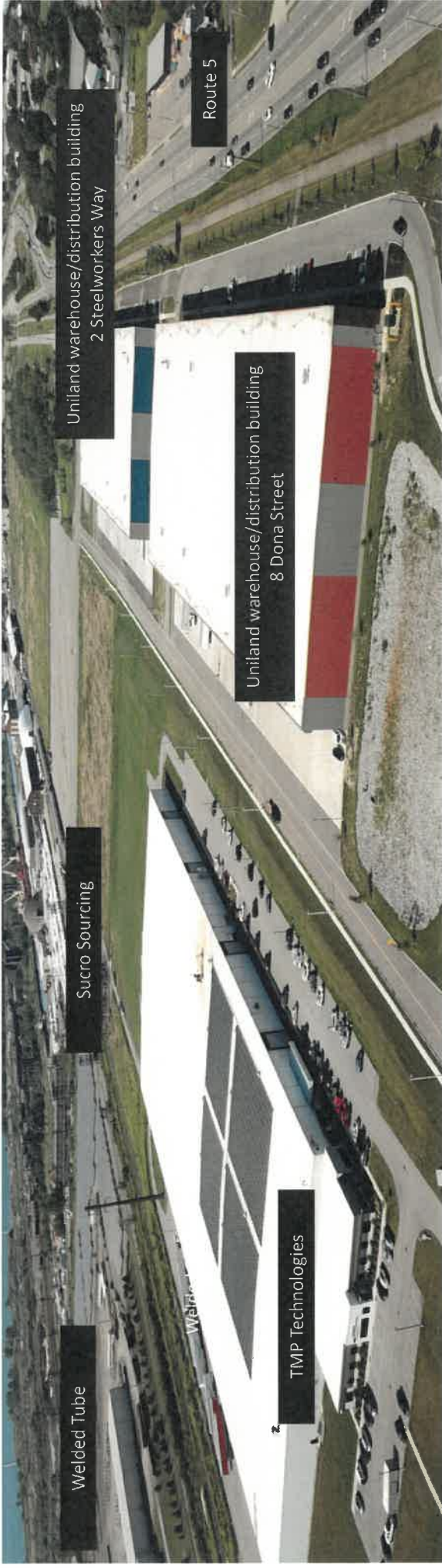
- Erie County raises funds
- Funds Transferred to ILDC
- ECIDA Board vote to approve acquisition funding
- 148-acres purchased
- NYSDEC 88 acres capped - brownfield COC issued

2018-2019

- Master Plan/DGEIS
- Phase I relocation of rail tracks (NYS DOT)
- Dona St. extension
- Shoreline Bike Path Phase I
- Site is certified a federal OZ
- Public meeting – Master Plan
- Additional acreage purchase
- Public meeting – scoping document

2020-2021

- Phase 2 shoreline trail environmental study
- Dona Street open to public
- Public meeting DGEIS
- 1st manufacturing tenant breaks ground on ILDC land
- Branding/ industrial park
- Phase 2 shoreline trail environmental study complete
- Phase 2 purchase – negotiations for additional 90-acres



2021

- Design & engineering water and sewer extension Odell and Dona Streets
- Complete Bethlehem Steel Shoreline study
- Construction of new mainline railroad track

2022

- TMP Technologies opens 290,000 sq. ft. manufacturing facility
- Uniland begins construction on 1st 150,000 sq. ft. spec warehouse along Dona St.
- Uniland announces purchase of adjacent parcel to first spec warehouse site for second building
- ECIDA/ILDC negotiate with Tecumseh and G&W Railroad to move railyard from Phase 2 Purchase area, paving the way for the shoreline trail extension and development of public access greenspace along the waterfront

2023-2025

- Construction of sewer & water infrastructure
- Begin project development activities (NEPA, design, easement, etc.) for final rail relocation on Phase 2b Purchase
- WYE Yard Rail Relocation Project Construction
- Uniland completes second spec building
- Shoreline Trail extension design
- Grant Awards (FAST NY)
- New road construction Odell Street and Ridge Road corridors

Public & Private Investment Sources*

Public Partners	Investment
NYS Department of Transportation Erie County NYS Buffalo Billion Erie County NYS Buffalo Billion, U.S. Economic Development Administration, Erie County NYS Buffalo Billion, Erie County, Federal Earmark NYS DOT Passenger Freight Rail Assistance Program (2016, 2018, 2021) U.S. Economic Development Administration National Grid Brownfield Redevelopment Grant NYS Buffalo Billion - ILDC/ECIDA Land Acquisition New York State FASTNY Grant & Erie County Erie County Erie County	Relocation of railroad infrastructure Phase I Dona Street Extension Construction Steelworkers Way Road Construction Construction of Entry Sign Odell and Ridge Rd. Water and Sewer Design, Engineering and Construction Odell and Ridge Rd. Design, Engineering and Construction Various Industrial and Short- line rail improvement projects Develop Utility Master Plan & GEIS for Bethlehem Steel Redevelopment Site Pre-development activities, survey, market study, branding/sign design, etc. Phase 1 & 2a Purchase Area WYE Yard Rail Relocation Project Design and Construction of Shoreline Trail Phase I New Public Waterline on South End
Private business/developer	Project
TMP*	Constructed 280,000 sq. ft. manufacturing building, creating at least 168 jobs.
Sucro Sourcing	Acquisition and development of former Bethlehem Steel site structures for manufacturing, creating at least 100 jobs.
Sucro Sourcing*	Coming in 2025: Constructing 126,000 sq. ft. warehouse on parcel #8 that will create at least 25 jobs.
Uniland Development	Constructed two (2) 150,000 sq. ft. spec manufacturing buildings. 8 Dona is complete and 100% occupied, creating at least 41 jobs; 2 Steelworkers Way is almost complete with one tenant signed already, creating at least a total of 41 jobs when fully operational.
Welded Tube*	Constructed 160,000 sq. ft. manufacturing facility, creating at least 93 jobs.

* Denotes Gen 1 BCP



December 30, 2024

John Cappellino
President/CEO
Buffalo and Erie County ILDC
95 Perry Street, Suite 403
Buffalo, NY 14203

Dear Mr. Cappellino:

I am pleased to inform you that after evaluating the documentation submitted, and sharing respective parts of the complete application with representatives of: the U.S. Army Corp. of Engineers; the New York State Departments of Environmental Conservation, Agriculture and Markets, and Transportation; and the State Office of Parks, Recreation and Historic Preservation; New York State's Empire State Development (ESD) has determined that the Renaissance Commerce Park (Bethlehem Steel Redevelopment) in the City of Lackawanna, Erie County, has met all the criteria of the program, and as such is designated a **FAST NY Shovel Ready Certified Site**.

Congratulations on achieving Shovel Ready status. ESD will be adding the Renaissance Commerce Park to the list of Shovel Ready certified sites promoted on its website and we look forward to hearing about future investment at the property.

Sincerely,

Kristi Schwebke
Director of Industry Development/FAST NY Program

Erie County Agribusiness Park Logo
by 19 Ideas



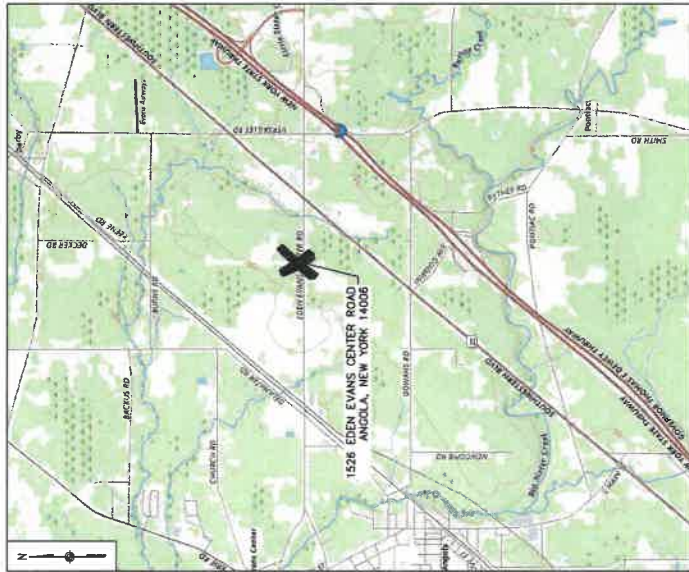
ERIE COUNTY
AGRIBUSINESS
PARK



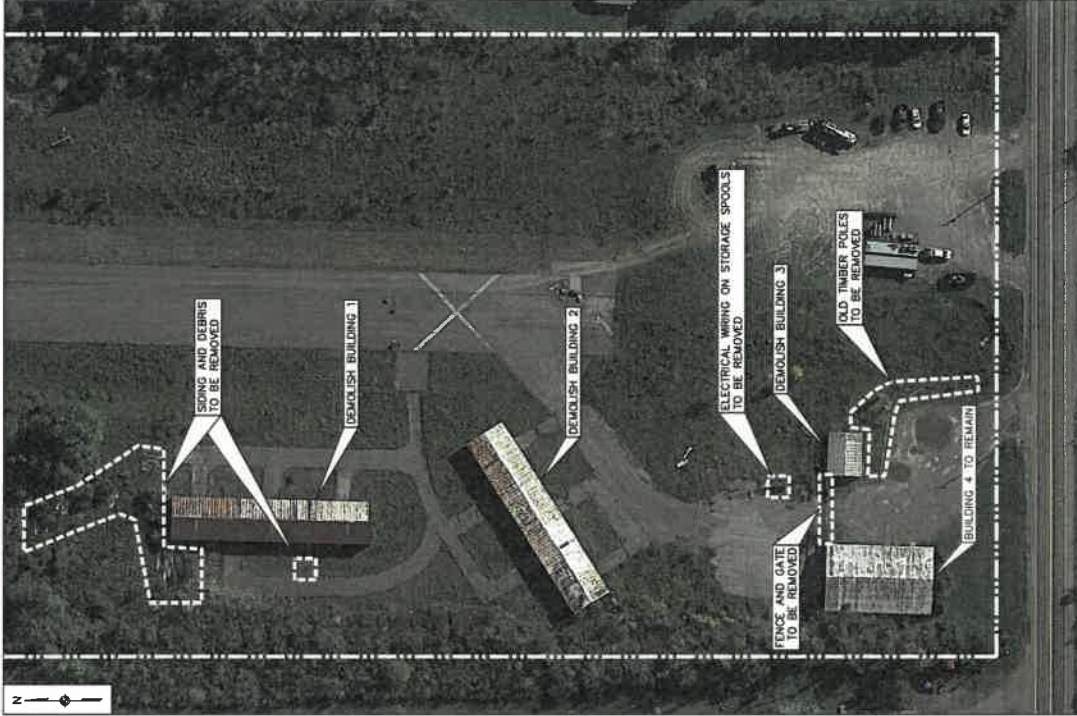
ERIE COUNTY
AGRIBUSINESS
PARK

GENERAL DEMOLITION NOTES:

1. THE PROJECT SCOPE OF WORK INCLUDES ALL LABOR, MATERIALS AND EQUIPMENT REQUIRED TO DEMOLISH DISCARDED BUILDINGS, STRUCTURES AND PAVEMENT AT THE SITE.
2. UNLESS OTHERWISE SHOWN ON THE DRAWINGS, DEMOLITION SHALL INCLUDE ALL BUILDINGS/STRUCTURES AND THEIR CONTENTS, INCLUDING FOUNDATIONS (TO 3 FEET BELOW GRADE), THE DRAWINGS DO NOT SHOW ALL STRUCTURES, MECHANICAL SYSTEMS, FURNISHINGS AND EQUIPMENT AT THE PROPERTY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO IDENTIFY AND QUANTIFY ALL STRUCTURES, EQUIPMENT AND ITEMS REQUIRING REMOVAL AND DISPOSAL PRIOR TO BIDDING.
3. SAFE AND CONTINUOUS THROUGH TRAFFIC AND EGRESS FOR ADJACENT DRIVEWAYS, SERVICE ROADS, AND PUBLIC STREETS SHALL BE MAINTAINED THROUGHOUT THE PERIOD OF CONSTRUCTION.
4. ROBBENT AND ANIMAL CONTROL: THE CONTRACTOR SHALL ENGAGE THE SERVICES OF A CERTIFIED COMMERCIAL APPLICATOR, CERTIFIED BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYSDEC), TO EXTERMINATE AND REMOVE RODENTS AND ANIMALS THAT MAY EXIST IN OR AROUND THE PROPERTY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DOCUMENTING THE AREAS AS ROBBENT AND ANIMAL FREE PRIOR TO DEMOLITION ACTIVITIES.
5. THE CONTRACTOR SHALL REMOVE AND DISPOSE OF ALL EQUIPMENT AND MISCELLANEOUS ITEMS LOCATED WITHIN AND IMMEDIATELY SURROUNDING THE STRUCTURES TO BE DEMOLISHED. THE LOCATIONS OF THESE ITEMS ARE NOT SHOWN ON THE DRAWINGS.
6. ACM CAULKING EXISTS IN ALL WINDOW FRAMES OF BUILDING 3. CONTRACTOR SHALL REMOVE THE ACM AND DISPOSE WITH ALL APPLICABLE CODES, RULES AND REGULATIONS PRIOR TO INITIATING THE DEMOLITION.



SITE LOCATION MAP



APPROXIMATE PROPERTY LIMITS



BUILDING 1 PHOTO



BUILDING 2 PHOTO



BUILDING 3 PHOTO

<p>PROJECT NO. 24-185-0135</p> <p>SHEET 3 OF 6</p> <p>FIGURE NO. D-100</p>		<p>DATE: SEPTEMBER 2024</p> <p>SCALE: NONE</p>	
<p>CLIENT: ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY 95 PERRY STREET, SUITE A03 BUFFALO, NEW YORK 14203</p>		<p>PROJECT TITLE: DEMOLITION OF AGRIBUSINESS PARK 1526 EDEN EVANS CENTER ROAD ANGOLA, NEW YORK 14006</p>	
<p>DESIGNED BY: J.R.P.</p> <p>CHECKED BY: S.A.N.</p> <p>DATE: J.J.C.</p> <p>SCALE: NONE</p>		<p>DATE: SEPTEMBER 2024</p> <p>SCALE: NONE</p>	
<p>PROJECT NO. 24-185-0135</p> <p>SHEET 3 OF 6</p> <p>FIGURE NO. D-100</p>		<p>PROJECT TITLE: DEMOLITION OF AGRIBUSINESS PARK 1526 EDEN EVANS CENTER ROAD ANGOLA, NEW YORK 14006</p>	
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NO.	DATE	DESCRIPTION

NO.	DATE	DESCRIPTION

WARNINGS: THIS DRAWING IS THE PROPERTY OF THE ENGINEER AND ARCHITECT. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. ANY REUSE OR MODIFICATION OF THIS DRAWING WITHOUT THE WRITTEN CONSENT OF THE ENGINEER AND ARCHITECT IS STRICTLY PROHIBITED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION PROVIDED BY THE CLIENT AND FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO COMMENCING WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO COMMENCING WORK.





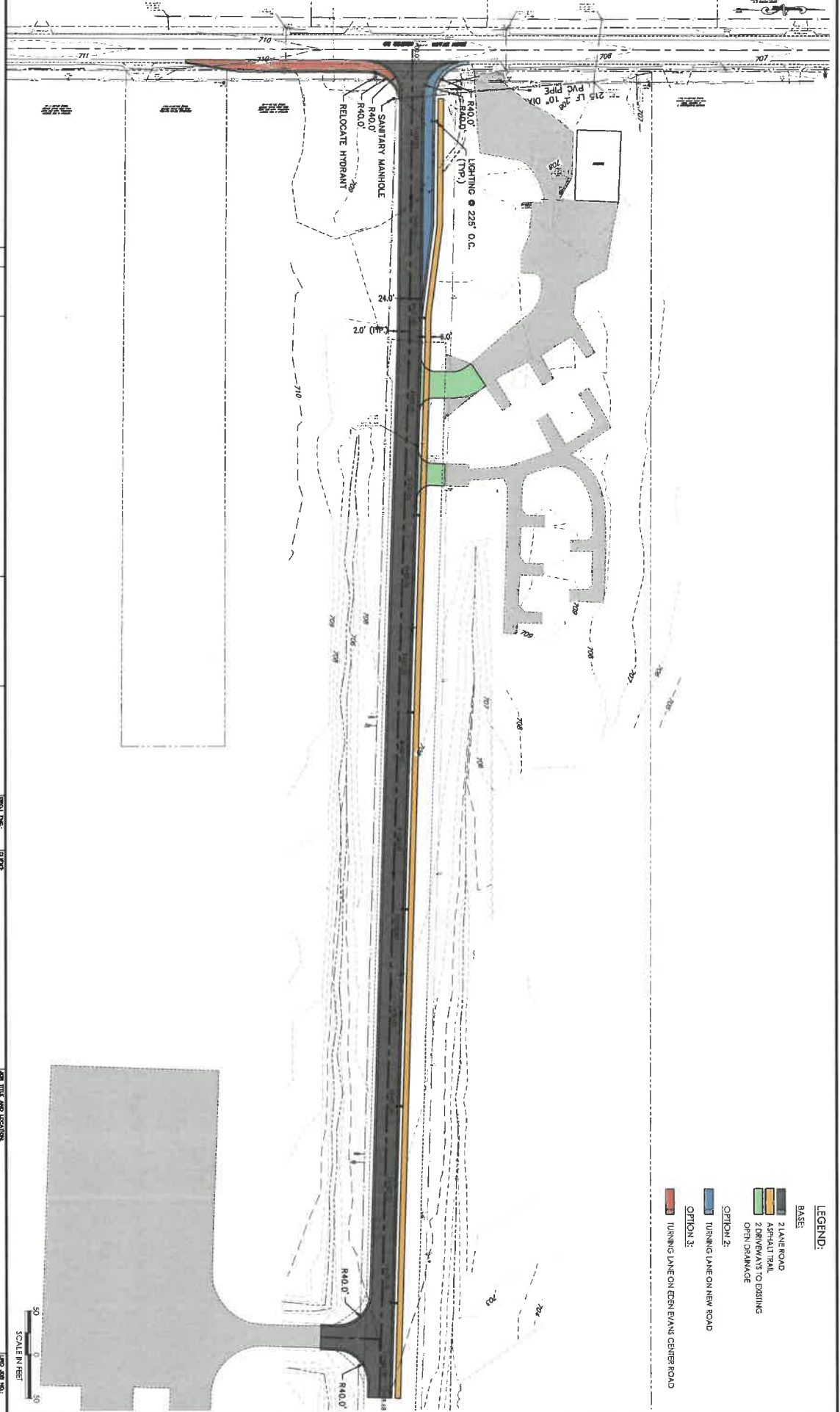
WARNING:
THIS PLAN AND SPECIFICATIONS ARE THE PROPERTY OF THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION AND SHALL REMAIN THE PROPERTY OF THE STATE OF NEW YORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND A RECORD DRAWING OF THE ALTERNATIVE.

NO.	DATE	DESCRIPTION


 Edin Engineering, Inc.
 1000 West 10th Street
 Buffalo, NY 14203

DATE	BY	SCALE

DATE	BY	SCALE



LEGEND:

BASE:

- 2 LANE ROAD
- ASPHALT TRAIL
- 2 DRIVEWAYS TO EXISTING OPEN DRAINAGE

OPTION 2:

- TURNING LANE ON NEW ROAD

OPTION 3:

- TURNING LANE ON EDEN EVANS CENTER ROAD

SCALE IN FEET
0 10 20 30

DATE	BY	SCALE
24-185-0135		



Loan Status Report January 2025

<u>ILDC Loans Approved Since Last Meeting</u>	<u>Municipality</u>	<u>Amount</u>
Full House Home Renovations	Grand Island	\$20,000
Wollen Wellness & Chiropractic	Orchard Park	\$35,000

<u>ILDC Loans Closed Since Last Meeting</u>	<u>Municipality</u>	<u>Amount</u>
Wollen Wellness & Chiropractic	Orchard Park	\$20,000

<u>Loans in Closing Process</u>	<u>Municipality</u>	<u>Amount</u>
Full House Home Renovations	Grand Island	\$20,000

<u>Loans in the Pipeline</u>	<u>Municipality</u>	<u>Amount</u>
None		

<u>2024 - Loans Closed</u>	<u>YTD Loan Total</u>	<u>Jobs to be Created</u>	<u>Retained Jobs</u>
1	\$35,000	1	1

<u>2025 – Loans Approved</u>	<u>YTD Loan Total</u>	<u>Jobs to be Created</u>	<u>Retained Jobs</u>
2	\$55,000	2	1

Loan Portfolio Performance

Past Due Loans:

<u>Loan</u>	<u>Outstanding Balance</u>	<u>Amount Past Due</u>	<u>Days Past Due</u>	<u>Comments</u>
Kevin Thie d/b/a Buffalo Firewood	\$34,723	\$2,349	270+	Borrower filed Chapter 7 bankruptcy. Attorney's monitoring bankruptcy
Wild Discs, LLC	\$32,201	\$2,014	240+	Filed Judgment, garnishing wages
L&B Transportation	\$27,041	\$1,007	90+	Borrower closed business. In process Of selling collateral. Loan workout

Portfolio Delinquency Rate (Past Due Outstanding Loan Balance *divided by* Portfolio Balance):

\$93,965 / \$1,077,337 = 8.7% Delinquency Rate (41 Loans)

ILDC Funds Available to Lend: \$86,203