



75 Empire & 130 Empire Expansion

[Instructions and Insurance Requirements Document](#)

Section I: Applicant Background Information

Please answer all questions. Use "None" or "Not Applicable" where necessary. Information in this application may be subject to public review under New York State Law.

Applicant Information- Company Receiving Benefit

Project Name	Pasta Plant Expansion & Renovation of 130 Empire Drive
Project Summary	Rosina is exploring: (1) expanding its Pasta Plant at 75 Empire Dr., West Seneca, NY, to accommodate a new ravioli production line, in order to remain competitive and to continue its growth; and (2) renovating a vacant building at 130 Empire Dr. (across the street from 75 Empire) for displacement of Pasta plant support personnel as a result of the Pasta Plant expansion project, consolidation of office space, and to allow for future growth of administrative staff.
Applicant Name	Rosina Food Products, Inc.
Applicant Address	170 French Rd.
Applicant Address 2	
Applicant City	Buffalo
Applicant State	New York
Applicant Zip	14227-2717
Phone	(716) 608-8503
Fax	
E-mail	rbernick@rosina.com
Website	www.rosina.com
NAICS Code	311412/311612

Business Organization

Type of Business

Corporation

Year Established

1992

State

New York

Indicate if your business is 51% or more (Check all boxes that apply)

[No] Minority Owned

[No] Woman Owned

Indicate Minority and/or Woman Owned Business Certification if applicable (Check all boxes that apply)

[No] NYS Certified

[No] Erie Country Certified

Individual Completing Application

Name Randy Bernick
Title VP- Finance &
Administration
Address 170 French Rd.
Address 2
City Buffalo
State New York
Zip 14227
Phone (716) 608-8503
Fax
E-Mail rbernick@rosina.com

Company Contact- Authorized Signer for Applicant

Contact is same as individual completing application No
Name Greg Setter
Title Chief Operating Officer
Address 170 French Rd.
Address 2
City Buffalo
State New York
Zip 14227
Phone (716) 608-8524
Fax
E-Mail gsetter@rosina.com

Company Counsel

Name of Attorney Mike Driscoll
Firm Name Rosina Food Products, Inc.
Address 170 French Rd.
Address 2
City Buffalo
State New York
Zip 14227-2717
Phone (716) 608-8627
Fax
E-Mail mdriscoll@rosina.com

Benefits Requested (select all that apply).

Exemption from Sales Tax	Yes
Exemption from Mortgage Tax	Yes
Exemption from Real Property Tax	Yes
Tax Exempt Financing*	No

* (typically for not-for-profits & small qualified manufacturers)

Applicant Business Description

Describe in detail company background, history, products and customers. Description is critical in determining eligibility. Also list all stockholders, members, or partners with % ownership greater than 20%.

Rosina manufactures frozen foods including pre-cooked meatballs, sausages, filled pasta, eggplant, entrees, and pizza toppings. Rosina was founded in 1963, originally manufacturing sausage products, which were sold to neighborhood meat markets, supermarkets, and restaurants, from a single Buffalo store-front location. By 1981, Rosina had launched its pre-cooked meatball line and was distributing products nationwide. Between 2000 and 2010 the Company continued its growth by expanding into the frozen pasta business, including Italian entrées, filled pasta and eggplant products. In 2000, Rosina Holding, Inc.(the "Parent") and its affiliates acquired the assets of Celentano Brothers (Verona, NJ). In 2002, Rosina purchased the former Lender's Bagel, Inc. (West Seneca, NY) plant, made significant improvements to the facility and relocated it's entire pasta production line from New Jersey to Western New York. In 2006, Rosina purchased the frozen pasta brand names Gina Italian Village and Floresta (collectively known as Italian Village) from High Liner Foods (NH). In 2011, Rosina created an International Division in Cheektowaga, NY and also purchased and relocated the assets of San Rallo Pasta Company Division from Mitsui Foods, Inc. (Norwood, NJ), again moving all production to WNY. Additionally, Rosina outsourced its sauced entrees and eggplant products to accommodate the addition of a new \$4 million pasta manufacturing line, increasing capacity by 10 million pounds annually. In 2021, Rosina purchased the Mama Lucia brand as an additional meatball product line, relocating production to WNY. In January 2022, Rosina opened a brand new state-of-the-art meatball manufacturing facility in West Seneca. Rosina enjoyed rapid growth and increased demand in recent years which is requiring additional Pasta manufacturing capacity. Thus the decision to explore expanding our Pasta manufacturing facility in West Seneca, in order to maintain and expand market share and remain competitive. Rosina markets its products to retail and food service industries and can be found in supermarkets, supercenters, cash & carry stores, military commissaries, and restaurants throughout North America and 26 other countries internationally. Rosina's largest supermarket customers include Wegman's Food Markets, Inc. (Rochester, NY), Tops Holding Corporation (Buffalo, NY), ALDI Inc. (Batavia, IL), Publix Supermarkets, Inc. (Lakeland, FL), national full service retailers, and major food distributors such as Performance Foodservice Group (Richmond, VA) and SYSCO (Houston, Tex). Some of its major competitors are Smithfield (Smithfield, VA), Rich Products (Buffalo, NY), Ajinomoto Foods Foods (Oakland, MS), Louisa Foods (St. Louis, MO), and Mama Rosie's (Charlestown, MA). Stockholders, members or partners: Russell A. Corigliano 50% Owner and Frank Corigliano 50% Owner

Estimated % of sales within Erie County	1 %
Estimated % of sales outside Erie County but within New York State	24 %
Estimated % of sales outside New York State but within the U.S.	70 %
Estimated % of sales outside the U.S.	5 %

(*Percentage to equal 100%)

For your operations, company and proposed project what percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Erie County?

30

Describe vendors within Erie County for major purchases

Packaging materials and supplies (Bison Bag, West Rock, Jamestown Container, Cascade), Utilities (National Fuel, NYSEG, Messer, NYPA, ECWA, ECSD); Temporary Employment Agencies (numerous), Health & Workers Compensation Insurance TPA's (Independent Health & NCAComp), Ricotta Cheese (Lactalis), Outside Legal Counsel (Barclay Damon), Outside CPA & Tax Services (CTBK), Contractor & Skilled Trade services (Mollenbeg Betz, Frey Electric, Lehigh Constructions, Grove Roofing, Tri R Refrigeration)

Section II: Eligibility Questionnaire - Project Description & Details

Project Location

Address of Proposed Project Facility

75 Empire Drive & 130 Empire Drive

Town/City/Village of Project Site

West Seneca

School District of Project Site

West Seneca

Current Address (if different)**Current Town/City/Village of Project Site (if different)****SBL Number(s) for proposed Project**

124.15-2-8 and 124.15-2-5.1

What are the current real estate taxes on the proposed Project Site**If amount of current taxes is not available, provide assessed value for each.**

Land

\$ 0

Building(s)

\$ 0

If available include a copy of current tax receipt.

Are Real Property Taxes current at project location?

Yes

If no please explain

*The ECIDA has an unpaid tax policy and you will be required to certify all taxes and PILOTS are current.

Does the Applicant or any related entity currently hold fee title or have an option/contract to purchase the Project site?

No

If No, indicate name of present owner of the Project Site

Two Brother Realty, LLC & 130 Empire LLC

Does Applicant or related entity have an option/contract to purchase the Project site?

Yes

Describe the present use of the proposed Project site (vacant land, existing building, etc.)

Pre-cooked frozen filled pasta manufacturing plant and an existing former Medical building that has been effectively vacant for a decade.

Provide narrative and purpose of the proposed project (new build, renovations) square footage of existing and new construction contemplated and/or equipment purchases. Identify specific uses occurring within the project. Describe any and all tenants and any/all end users: (This information is critical in determining project eligibility)

(1) To expand the Pasta manufacturing plant located at 75 Empire Drive by approximately 12,000 square feet of manufacturing space to accommodate a new ravioli production line, to renovate/reconfigure existing office space to create more welfare areas (i.e., Cafeteria and Locker Rooms) for manufacturing Associates. This expansion will house a second, new automated ravioli production line increasing annual capacity by 30 million pounds and requiring the hiring of a minimum of 15 additional permanent manufacturing Associates and retain 224 existing Associates (2) Additionally, to renovate a vacant building at 130 Empire Drive into an office building to accommodate approximately 5 - 10 Associates from 75 Empire and an additional 42- 47 Associates from 75 Industrial over the next 2 years. Pasta facility office Associates displaced as a result of the expansion and improvement of the Pasta manufacturing facility, consolidation of office space, and to allow for future growth of administrative staff. The the project cost for the renovation and new construction of the 12,000 square foot Pasta plant addition is \$8,000,000 plus \$6,000,000 for new ravioli processing equipment. The cost of the partial renovation at 130 Empire office building of approximately 15,000 square feet of the 38,000 total square feet is estimated at \$2,000,000. This former medical office has been vacant since February 2015.

Municipality or Municipalities of current operations

West Seneca & Erie County

Will the Proposed Project be located within a Municipality identified above?

Yes

Will the completion of the Project result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state OR in the abandonment of one or more plants or facilities of the project occupant located within the state?

No

If the Proposed Project is located in a different Municipality within New York State than that Municipality in which current operations are being undertaken, is it expected that any of the facilities in any other Municipality will be closed or be subject to reduced activity?

No

(If yes, you will need to complete the Intermunicipal Move Determination section of this application)

Is the project reasonably necessary to prevent the project occupant from moving out of New York State?

Yes

If yes, please explain and identify out-of-state locations investigated, type of assistance offered and provide supporting documentation available

Without this expansion, Rosina would be forced to either open a new facility, purchase an existing Pasta operation, or outsource the additional capacity, any one of which could be located outside of New York State. The proposed project is necessary to sustain expected growth, retain jobs, create new manufacturing jobs and to maintain required profitability to remain a viable business.

Have you contacted or been contacted by other Local, State and/or Federal Economic Development Agencies?

No

If yes, please indicate the Agency and nature of inquiry below

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

N/A

Describe the reasons why the Agency's financial assistance is necessary, and the effect the Project will have on the Applicant's business or operations. Focus on competitiveness issues, project shortfalls, etc... Your eligibility determination will be based in part on your answer (attach additional pages if necessary)

Rosina is a privately held corporation with limited financial resources, especially after recently completing constructing and opening of a \$73 million Protein frozen food manufacturing plant at 3100 Clinton St., West Seneca, a mere 15 months ago. Rosina is in need of ECIDA assistance to expand its Pasta frozen food manufacturing facility. This expansion will house a second, new automated ravioli production line increasing annual capacity by 30 million pounds and requiring the hiring of a minimum of 15 additional permanent manufacturing Associates. This expansion is needed to support further growth and to more efficiently produce ravioli items, freeing up capacity and eliminating the reliance on a out-of-NYS Tortellini co-packer while expanding Rosina's ability to produce and sell Tortellini manufactured in Buffalo. Rosina has limited capacity to take on more debt after the above mentioned building of a brand new state-of-the-art meatball manufacturing plant, especially, in a time of economic uncertainty and rapidly rising inflation and interest rates.

Please confirm by checking the box, below, if there is likelihood that the Project would not be undertaken but for the Financial Assistance provided by the Agency

Yes

If the Applicant is unable to obtain Financial Assistance for the Project, what will be the impact on the Applicant and Erie County?

The impact would be not hire 15 new production Associates, we would continue to outsource ravioli production with our co-packers who are located outside of New York State and we would not make the \$16,000,000 in this local project. Although we are committed to Western New York, we may have to consider expanding outside of New York State to remain competitive with ravioli competitors.

Will project include leasing any equipment?

No

If yes, please describe equipment and lease terms.

Site Characteristics

Is your project located near public transportation?

Yes

If yes describe if site is accessible by either metro or bus line (provide route number for bus lines)

Bus Line on Union Road near Gardenville Parkway

Has your local municipality and/or its planning board made a determination regarding the State Environmental Quality Review (SEQR) for your project?

Yes

If YES indicate in the box below the date the SEQR determination was made. Also, please provide us with a copy of the approval resolution and the related Environmental Assessment Form (EAF) if applicable.

If NO indicate in the box below the date you anticipate receiving a SEQR determination for your project. Also, please insure that the ECIDA has been listed as an "involved agency" on the related EAF submitted to the appropriate municipality and/or planning department.

Rosina received a determination from the Town of West Seneca (OCE) on April 13, 2023, advising that this project does not require a SEQR. The proposed addition to 75 Empire Dr. is a Type II action that does not significantly impact the environment

Will the Project meet zoning/land use requirements at the proposed location?

Yes

Describe the present zoning/land use

Light manufacturing and office use

Describe required zoning/land use, if different

N/A

If a change in zoning/land use is required, please provide details/status of any request for change of zoning/land use requirements

N/A

Is the proposed Project located on a site where the known or potential presence of contaminants is complicating the development/use of the property?

No

If yes, please explain

Has a Phase I Environmental Assessment been prepared, or will one be prepared with respect to the proposed Project Site?

Yes

If yes, please provide a copy.

Have any other studies, or assessments been undertaken with respect to the proposed Project Site that indicate the known or suspected presence of contamination that would complicate the site's development?

No

If yes, please provide copies of the study.

If you are purchasing new machinery and equipment, does it provide demonstrable energy efficiency benefits?

Yes

If yes, describe the efficiencies achieved

Energy efficient motors, lighting, and HVAC.

Start date : acquisition of equipment or construction of facilities

7/1/2023

End date : Estimated completion date of project

10/1/2024

Project occupancy : estimated starting date of occupancy

10/1/2024

Capital Project Plan / Budget

Estimated costs in connection with Project

1.) Land and/or Building Acquisition

\$ 0 square feet acres

2.) New Building Construction

\$ 0 square feet

3.) New Building addition(s)

\$ 7,000,000 12,000 square feet

4.) Reconstruction/Renovation

\$ 1,800,000 15,000 square feet

5.) Manufacturing Equipment

\$ 6,000,000

6.) Infrastructure Work

\$ 500,000

7.) Non-Manufacturing Equipment: (furniture, fixtures, etc.)

\$ 200,000

8.) Soft Costs: (Legal, architect, engineering, etc.)

\$ 500,000

9.) Other Cost

\$ 0

Explain Other Costs

Total Cost \$ 16,000,000

Construction Cost Breakdown:

Total Cost of Construction \$ 9,300,000 (sum of 2, 3, 4 and 6 in Project Information, above)
Cost of materials \$ 5,000,000
% sourced in Erie County 80%

Sales and Use Tax:

Gross amount of costs for goods and services that are subject to State and local sales and use tax- said amount to benefit from the Agency's sales and use tax exemption benefit \$ 5,200,000

Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above): \$ 455,000

** Note that the estimate provided above will be provided to the New York State Department of Taxation and Finance. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to undertake the total amount of investment as proposed within this Application, and that the estimate, above, represents the maximum amount of sales and use tax benefit that the Agency may authorize with respect to this Application. The Agency may utilize the estimate, above, as well as the proposed total Project Costs as contained within this Application, to determine the Financial Assistance that will be offered.

Project refinancing estimated amount, if applicable (for refinancing of existing debt only) \$ 0

Have any of the above costs been paid or incurred as of the date of this Application? No

If Yes, describe particulars:

Sources of Funds for Project Costs:

Equity (excluding equity that is attributed to grants/tax credits): \$ 1,600,000

Bank Financing: \$ 14,400,000

Tax Exempt Bond Issuance (if applicable): \$ 0

Taxable Bond Issuance (if applicable): \$ 0

Public Sources (Include sum total of all state and federal grants and tax credits): \$ 0

Identify each state and federal grant/credit: (ie Historic Tax Credit, New Market Tax Credit, Brownfield, Cleanup Program, ESD, other public sources)

Total Sources of Funds for Project Costs: \$16,000,000

Have you secured financing for the project? No

Mortgage Recording Tax Exemption Benefit:

Amount of mortgage, if any that would be subject to mortgage recording tax:

Mortgage Amount (include sum total of construction/permanent/bridge financing). 10,000,000

Lender Name, if Known

Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above multiplied by 3/4 of 1%): \$75,000

Real Property Tax Benefit:

Identify and describe if the Project will utilize a real property tax exemption benefit other than the Agency's PILOT benefit (485-a, 485-b, other):

IDA PILOT Benefit: Agency staff will indicate the estimated amount of PILOT Benefit based on estimated Project Costs as contained herein and anticipated tax rates and assessed valuation, including the annual PILOT Benefit abatement amount for each year of the PILOT benefit and the sum total of PILOT Benefit abatement amount for the term of the PILOT as depicted in the PILOT worksheet in the additional document section.

Percentage of Project Costs financed from Public Sector sources: Agency staff will calculate the percentage of Project Costs financed from Public Sector sources based upon the Sources of Funds for Project Costs as depicted above. The percentage of Project Costs financed from public sector sources will be depicted in the PILOT worksheet in the additional document section.

Is project necessary to expand project employment?

Yes

Is project necessary to retain existing employment?

Yes

Will project include leasing any equipment?

No

If yes, please describe equipment and lease terms.

Employment Plan (Specific to the proposed project location).

The Labor Market Area consists of the following six counties: Erie, Niagara, Chautauqua, Cattaraugus, Wyoming and Genessee.

By statute, Agency staff must project the number of FTE jobs that would be retained and created if the request for Financial Assistance is granted. Agency staff will project such jobs over the TWO Year time period following Project completion. Agency staff converts PT jobs into FTE jobs by dividing the number of PT jobs by two (2).

	Current # of jobs at proposed project location or to be relocated at project location	If financial assistance is granted – project the number of FT and PT jobs to be retained	If financial assistance is granted – project the number of FT and PT jobs to be created upon 24 months (2 years) after Project completion	Estimate number of residents of the Labor Market Area in which the project is located that will fill the FT and PT jobs to be created upon 24 months (2 years) after project completion **
Full time	274	274	15	15
Part time	2	2	0	0
Total	276	276	15	

Salary and Fringe Benefits for Jobs to be Retained and Created

Job Categories	# of Full Time Employees retained and created	Average Salary for Full Time	Average Fringe Benefits for Full Time	# of Part Time Employees retained and created	Average Salary for Part Time	Average Fringe Benefits for Part Time
Management	13	\$ 116,000	\$ 23,200	0	\$ 0	\$ 0
Professional	15	\$ 75,000	\$ 18,750	2	\$ 45,000	\$ 11,250
Administrative	22	\$ 43,000	\$ 12,900	0	\$ 0	\$ 0
Production	220	\$ 41,000	\$ 12,300	0	\$ 0	\$ 0
Independent Contractor	0	\$ 0	\$ 0	0	\$ 0	\$ 0
Other	19	\$ 75,000	\$ 18,750	0	\$ 0	\$ 0
Total	289			2		

** Note that the Agency may utilize the foregoing employment projections, among other items, to determine the financial assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to retain the number of jobs and create the number of jobs with respect to the Project as set forth in this Application.

Yes **By checking this box, I certify that the above information concerning the current number of jobs at the proposed project location or to be relocated to the proposed project location is true and correct.**

Employment at other locations in Erie County: (provide address and number of employees at each location):

Address	3100 Clinton Street West Seneca, NY 14224	75 Industrial Road Cheektowaga, NY 14227	109 Industrial Parkway Cheektowaga, NY 14227
Full time	155	152	38
Part time	0	1	0
Total	155	153	38

Payroll Information

Annual Payroll at Proposed Project Site upon completion

14,114,000

Estimated average annual salary of jobs to be retained (Full Time)

47,000

Estimated average annual salary of jobs to be retained (Part Time)

45,000

Estimated average annual salary of jobs to be created (Full Time)

41,000

Estimated average annual salary of jobs to be created (Part Time)

0

Estimated salary range of jobs to be created

From (Full Time)	36,000	To (Full Time)	48,000
From (Part Time)	0	To (Part Time)	0

Section III: Environmental Questionnaire

INSTRUCTIONS: Please complete the following questionnaire as completely as possible. If you need additional space to fully answer any question, please attach additional page(s).

General Background Information

Address of Premises

75 Empire Drive, West Seneca, NY 14224 130 Empire Drive, West Seneca, NY 14224

Name and Address of Owner of Premises

Two Brothers Realty, LLC- 75 Empire Drive, West Seneca, NY 14224 130 Empire, LLC- 130 Empire Drive, West Seneca, NY 14224

Describe the general features of the Premises (include terrain, location of wetlands, coastlines, rivers, streams, lakes, etc.)

75 Empire Dr. : A former Lender's Bakery facility, the Premises consists of approximately 3.7 acres of land located on the northern side of Empire Drive, west of Union Road. One approximately 80,000 square foot building is located on the property. The western portion of the property is undeveloped and wooded. The adjacent properties located to the north, northeast and south are primarily commercial in usage. The Premises is located in an office and light industrial park, with no wetlands, coastlines, rivers, streams or lakes located on the Premises. 130 Empire Dr.: a former medical office building that was occupied by Lifetime Health and Excellus. A portion of the building was built in the 1970s, with subsequent expansions, the most recent occurring in the 1990s.

Describe the Premises (including the age and date of construction of any improvements) and each of the operations or processes carried out on or intended to be carried on at the Premises

A single steel clad, steel frame building utilizing a concrete slab on grade floor is located on the Premises. The structure has a fully adhered Ethylene Propylene Diene Terpolymer (EPDM) roofing system. The majority of the building interior is utilized for food production and frozen storage. The remainder of the building is comprised of various functional areas including processing lines, flour silos, mechanical rooms, offices and conference rooms, associate welfare areas, maintenance areas, etc.

Describe all known former uses of the Premises

75 Empire: Lenders Bakery, a food manufacturing facility which opened in 1978 and closed in May 2002. 130 Empire: health care facility / medical office building.

Does any person, firm or corporation other than the owner occupy the Premises or any part of it?

No

If yes, please identify them and describe their use of the property

Have there been any spills, releases or unpermitted discharges of petroleum, hazardous substances, chemicals or hazardous wastes at or near the Premises?

No

If yes, describe and attach any incident reports and the results of any investigations

Has the Premises or any part of it ever been the subject of any enforcement action by any federal, state or local government entity, or does the preparer of this questionnaire have knowledge of: a) any current federal, state or local enforcement actions; b) any areas of non-compliance with any federal, state or local laws, ordinances, rules or regulations associated with operations over the past 12 months?

No

If yes, please state the results of the enforcement action (consent order, penalties, no action, etc.) and describe the circumstances

Has there been any filing of a notice of citizen suit, or a civil complaint or other administrative or criminal procedure involving the Premises?

No

If yes, describe in full detail

Solid And Hazardous Wastes And Hazardous Substances

Does any activity conducted or contemplated to be conducted at the premises generate, treat or dispose of any petroleum, petroleum-related products, solid and hazardous wastes or hazardous substances?

No

If yes, provide the Premises' applicable EPA (or State) identification number

Have any federal, state or local permits been issued to the Premises for the use, generation and/or storage of solid and hazardous wastes?

No

If yes, please provide copies of the permits.

Identify the transporter of any hazardous and/or solid wastes to or from the Premises

Rosina generates solid wastes including food scraps, recyclable materials and landfill waste, all of which are transported by Modern Disposal Service, Cascades Recovery and Natural Upcycling. A small amount of motor oil is used in manufacturing machinery and is changed as required, with all used motor oil safely removed, stored and transported by Safety Clean.

Identify the solid and hazardous waste disposal or treatment facilities which have received wastes from the Premises for the past two (2) years

N/A

Does or is it contemplated that there will occur at the Premises any accumulation or storage of any hazardous wastes on-site for disposal for longer than 90 days?

No

If yes, please identify the substance, the quantity and describe how it is stored

Discharge Into Waterbodies

Briefly describe any current or contemplated industrial process discharges (including the approximate volume, source, type and number of discharge points). Please provide copies of all permits for such discharges

75 Empire Drive, West Seneca, has an Authorization to Discharge Under the Erie County/Buffalo Pollutant Discharge Elimination System (Permit Number: 22-11-E1002; USEPA Category: 40 CFR 403) to discharge water into the sewer system, subject to the local limits set forth in the permit. Rosina is in full compliance for discharges at 73 Empire Drive.

Identify all sources of discharges of water, including discharges of waste water, process water, contact or noncontact cooling water, and stormwater. Attach all permits relating to the same. Also identify any septic tanks on site

Please see above and attached. All wastewater is discharged into the Erie County/Buffalo sewer system pursuant to an issued permit.

Is any waste discharged into or near surface water or groundwaters?

No

If yes, please describe in detail the discharge including not only the receiving water's classification, but a description of the type and quantity of the waste

Air Pollution

Are there or is it contemplated that there will be any air emission sources that emit contaminants from the Premises?

No

If yes, describe each such source, including whether it is a stationary combustion installation, process source, exhaust or ventilation system, incinerator or other source

Are any of the air emission sources permitted?

No

If yes, attach a copy of each permit.

Storage Tanks

List and describe all above and under ground storage tanks at the Premises used to store petroleum or gasoline products, or other chemicals or wastes, including the contents and capacity of each tank. Please also provide copies of any registrations/permits for the tanks

Two 15,000 gallon storage tanks are located at 75 Empire Dr. The tanks are owned by Messer Group and are used to store non-hazardous nitrogen, which is used by Rosina in the individual quick freeze process employed at the facility. The nitrogen is a non-hazardous chemical used in the food manufacturing process that does not require a permit or registration.

Have there been any leaks, spills, releases or other discharges (including loss of inventory) associated with any of these tanks?

No

If yes, please provide all details regarding the event, including the response taken, all analytical results or reports developed through investigation (whether internal or external), and the agencies which were involved

Polychlorinated Biphenyls ("PCB" or "PCBs") And Asbestos

Provide any records in your possession or known to you to exist concerning any on-site PCBs or PCB equipment, whether used or stored, and whether produced as a byproduct of the manufacturing process or otherwise.

Have there been any PCB spills, discharges or other accidents at the Premises?

No

If yes, relate all the circumstances

Do the Premises have any asbestos containing materials?

Yes

If yes, please identify the materials

Asbestos floor tiles and insulating material.

Section IV: Facility Type - Single or Multi Tenant

Is this a Single Use Facility or a Multi-Tenant Facility?

Single Use Facility

For Single Use Facility.

Occupant Name Rosina Food Products, Inc.
Address 170 French Rd.
Contact Person Rosina Food Products, Inc.
Phone (716) 608-8503
Fax
E-Mail rbernick@rosian.com
Federal ID # 16-0876738
SIC/NAICS Code 311412/311612

SS

Section VI: Retail Determination

To ensure compliance with Section 862 of the New York General Municipal Law, the Agency requires additional information if the proposed Project is one where customers personally visit the Project site to undertake either a retail sale transaction or to purchase services.

Please answer the following:

Will any portion of the project (including that portion of the costs to be financed from equity or other sources) consist of facilities or property that are or will be primarily used in making sales of goods or services to customers who personally visit the project site?

No

If yes, complete the Retail Questionnaire Supplement below. **If no, proceed to the next section.**

Section VII: Adaptive Reuse Projects

Adaptive Reuse is the process of adapting old structures or sites for new purposes.

Are you applying for tax incentives under the Adaptive Reuse Program?

No

Section VIII: Inter-Municipal Move Determination

The Agency is required by state law to make a determination that, if completion of a Project benefiting from Agency Financial Assistance results in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, Agency financial Assistance is required to prevent the project occupant from relocating out of the state, or is reasonably necessary to preserve the project occupant's competitive position in its respective industry.

Current Address

City/Town

State

Zip Code

Will the project result in the removal of an industrial or manufacturing plant of the Project occupant from one area of the state to another area of the state?

No

Will the project result in the abandonment of one or more plants or facilities of the Project occupant located within the state?

No

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

Does this project involve relocation or consolidation of a project occupant from another municipality?

Within New York State

No

Within Erie County

No

If Yes to either question, please, explain

Will the project result in a relocation of an existing business operation from the City of Buffalo?

No

If yes, please explain the factors which require the project occupant to relocate out of the City of Buffalo (For example, present site is not large enough, or owner will not renew leases etc.)

What are some of the key requirements the project occupant is looking for in a new site? (For example, minimum sq. ft., 12 foot ceilings, truck loading docs etc.)

N/A

If the project occupant is currently located in Erie County and will be moving to a different municipality within Erie County, has the project occupant attempted to find a suitable location within the municipality in which it is currently located?

No

What factors have lead the project occupant to consider remaining or locating in Erie County?

N/A

If the current facility is to be abandoned, what is going to happen to the current facility that project occupant is located in?

N/A

Please provide a list of properties considered, and the reason they were not adequate. (Some examples include: site not large enough, layout was not appropriate, did not have adequate utility service, etc.) Please include full address for locations.

N/A

Section IX: Senior Housing

IDA tax incentives may be granted to projects under the Agency's Senior Citizen Rental Housing policy when the project consists of a multi-family housing structure where at least 90% of the units are (or are intended to be) rented to and occupied by a person who is 60 years of age or older.

Are you applying for tax incentives under the Senior Rental Housing policy?

No

Section X: Tax Exempt Bonds

In order to receive the benefits of a tax-exempt interest rate bond, private borrowers and their projects must be eligible under one of the federally recognized private active bond categories (Fed Internal Rev Code IRC sections 142-144, and 1394).

Are you applying for tax exempt bonds / refinancing of bonds related to a residential rental facility project?

No