

NOTICE OF PUBLIC HEARING

Pursuant to Article 18-A of NYS General Municipal Law, the Erie County Industrial Development Agency (the “Agency”) will hold a public hearing on December 12, 2023 at 9:00 a.m. at the Agency’s offices, at 95 Perry Street, Suite 403, Buffalo, NY 14203 regarding:

300-320 Scaj LLC, and/or Individual(s) or Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf (the “Company”), has submitted an application to the Agency (a copy of which is on file at the office of the Agency) requesting the Agency to undertake a certain project (the “Project”) consisting of: (i) the acquisition by the Agency of a leasehold interest in certain property located on 300-320 Scajaquada Street, City of Buffalo, Erie County, New York and all other lands in the City of Buffalo where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (the “Land”), (ii) the construction on the Land of an approximately 6,000+/- square-foot addition to the existing office building and 10,000+/- sq. ft. addition to the existing garage to be utilized for transportation services (the “Improvements”), and (iii) the renovation of an existing 3,500+/- square-foot office building to conduct management, administrative functions, vehicle dispatch and monitoring of transportation companies and 16,000+/- square-foot garage facility for vehicle maintenance, repair, DOT and NYS Inspection Stations and school bus base (the “Existing Improvements”); and (iii) the acquisition by the Company in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the “Equipment”; and, together with the Land, and the Improvements and the Existing Improvements, the “Facility”). The Facility will be initially owned and operated by the Company.

The Agency will acquire a leasehold interest in the Facility and lease the Facility back to the Company. The Company will operate the Facility during the term of the lease. At the end of the lease term, the leasehold interest will be terminated. The Agency contemplates that it will provide financial assistance to the Company for qualifying portions of the Project in the form of sales and use tax exemption benefits and real property tax abatement benefits consistent with the policies of the Agency.

A representative of the Agency will be present at the above-stated time and place to present a copy of the Application and hear and accept written and oral comments from all persons with views in favor of or opposed to the proposed financial assistance. This public hearing is being live-streamed and made accessible on the Agency’s website at www.ecidany.com. Written comments may be submitted at this public hearing, submitted on the Agency’s website, or delivered to the Agency at 95 Perry Street-Suite 403, Buffalo, NY 14203 until the comment period closes at 4:00 p.m. on December 19, 2023. The project application is available for public inspection at the Agency’s offices Monday through Friday (excluding public holidays) from 9:00 a.m. until 4:00 p.m.

This public hearing is being conducted in accordance with Subdivision 2 of Section 859-a of the New York General Municipal Law.

Erie County Industrial Development Agency



300-320 Scaj LLC

[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	300-320 Scaj LLC
Project Summary	Renovation and construction of a school bus facility
Applicant Name	300-320 Scaj LLC
Applicant Address	300 & 320 Scajaquada Street
Applicant Address 2	
Applicant City	Buffalo
Applicant State	New York
Applicant Zip	14211
Phone	(716) 444-2120
Fax	(716) 875-5652
E-mail	gary@buffalotrans.com
Website	WWW.WNYBUSCO.COM
NAICS Code	4151

Business Organization

Type of Business

Limited Liability Company

Year Established

2023

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 IGOR YUZBASHEV
Title MEMBER
Address 5102 DONNINGTON ROAD
Address 2
City CLARENCE
State New York
Zip 14031
Phone (716) 444-2120
Fax (716) 875-5652
E-Mail GARY@BUFFALOTRANS.COM

Company Contact- Authorized Signer for Applicant

Contact is same as individual completing application Yes

Name

Title

Address

Address 2

City

State

Zip

Phone

Fax

E-Mail

Company Counsel

Name of Attorney Steve Bengart
Firm Name Bengart & DeMarco LLP
Address 2655 Sheridan Drive
Address 2
City TONAWANDA
State New York
Zip 14150
Phone (716) 838-4600
Fax
E-Mail sbengart@bengartdemarcolaw.com

Benefits Requested (select all that apply).

Exemption from Sales Tax Yes
Exemption from Mortgage Tax No

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%.

300-320 SCAJ LLC is the property owner and will be leasing the project premises to Buffalo Transportation Inc & WNY BUS CO. Ownership: IGOR YUZHASHEV- 40% IGOR FINKESTEIN- 40% ARMEN AYRAPETOV- 20% The facility will be used to operate a school bus company and a non-emergency medical transportation company. The facility will conduct management, administrative functions vehicle dispatch and monitoring for both companies as well as vehicle maintenance, repair, DOT and NYS Inspection Stations. The school bus company tenant is WNY Bus Co., Inc., formed in 2016, currently operating out of 79 Sheldon Avenue, Depew, New York, (a leased facility) WNY Bus., Co. provides school bus transportation for numerous school districts, such as Cheektowaga Central, Depew, Lancaster, Lackawanna as well as many smaller districts. The non-emergency medical transportation company tenant is Buffalo Transportation, Inc., formed in 2002, currently operating out of 289 Ramsdell Avenue, Buffalo, New York (a leased facility). Buffalo Transportation provides non-emergency medical transportation for all the major hospitals in Erie and Niagara Counties. Clients include Buffalo General, ECMC, all the Kaleida Hospitals, Roswell Park Cancer Institute. In addition Buffalo Transportation provides services for dialysis, cancer treatment, methadone clinics and more. Buffalo Transportation is the only company in WNY that provides 24/7/365 transportation services that include wheelchair, stretcher and medical taxi transportation. WNY BUS CO- SCHOOL BUS COMPANY BUFFALO TRANSPORTATION- NON-EMERGENCY MEDICAL TRANSPORTATION _____

Estimated % of sales within Erie County 80 %

Estimated % of sales outside Erie County but within New York State 20 %

Estimated % of sales outside New York State but within the U.S. 0 %

Estimated % of sales outside the U.S. 0 %

(*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?

80

Describe vendors within Erie County for major purchases

HVAC ELECTRICAL PLUMBING CONCRETE

Section II: Eligibility Questionnaire - Project Description & Details

Project Location

Address of Proposed Project Facility

300 & 320 SCAJAQUADA STREET

Town/City/Village of Project Site

BUFFALO

School District of Project Site

BUFFALO

Current Address (if different)

Current Town/City/Village of Project Site (if different)

SBL Number(s) for proposed Project

140200.101240-1-3.100 & 140200.101.240-1-9.000

What are the current real estate taxes on the proposed Project Site

please see attached files

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?

Yes

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

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.)

There is currently a Parking lot and building on site. The building is comprised of part warehouse and part office space. The building and lot are now vacant and no business is currently being conducted on site. The existing building will be remodeled and new addition added.

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)

The project will be renovation of existing building with addition to current structure. Existing square footage is 3,500 square feet of office and 16,000 square feet of garage space. The contemplated addition is for 6,000 square feet of office space and 10,000 square feet of garage space. The total square footage of building space will be approximately 35,000 square feet. Contemplated equipment purchased include computer technology, office furniture, phone system, security system, furniture, cafeteria equipment, driver lounge furnishings, garage equipment (vehicle lifts, air compressors, tools, tire balance machines) Bus washing bay station. Exterior fencing and lighting. The facility will be used to operate a school bus company and a non-emergency medical transportation company. The facility will conduct management, administrative functions vehicle dispatch and monitoring for both companies as well as vehicle maintenance, repair, DOT and NYS Inspection Stations. The school bus company tenant is WNY Bus Co., Inc., formed in 2016, currently operating out of 79 Sheldon Avenue, Depew, New York, (a leased facility) WNY Bus., Co. provides school bus transportation for numerous school districts, such as Cheektowaga Central, Depew, Lancaster, Lackawanna as well as many smaller districts. The non-emergency medical transportation company tenant is Buffalo Transportation, Inc., formed in 2002, currently operating out of 289 Ramsdell Avenue, Buffalo, New York (a leased facility). Buffalo Transportation provides non-emergency medical transportation for all the major hospitals in Erie and Niagara Counties. Clients include Buffalo General, ECMC, all the Kaleida Hospitals, Roswell Park Cancer Institute. In addition Buffalo Transportation provides services for dialysis, cancer treatment, methadone clinics and more. Buffalo Transportation is the only company in WNY that provides 24/7/365 transportation services that include wheelchair, stretcher and medical taxi transportation. Renovation some, new build some. New construction approximately 16000 SF. Existing building approximately 19000SF. Site will be utilized as a school bus base. Parking & Building. Tenant will be WNY BUS CO and Buffalo Transportation Inc. Between the two companies 458 employees will be relocated to the new facility as well as 91 jobs will be created shortly there after. Both current locations, 79 Sheldon Avenue Depew, NY 14043 & 289 Ramsdell Avenue Buffalo, NY 14216 are leased facilities and will be surrendered back to their landlords and will be leased out to the next tenant. We have been searching for a new facility in Depew area for over two years without successes. We have done our own online research and as well as using the services of a real-estate agency. The new facility strategically located in the city of Buffalo and provides us an opportunity to service all the above mentioned school districts as well as hire from the local community. The facility centrally located for non-emergency medical transportation company, close proximity to all major hospitals in Erie County and the majority of our client base. This will expedite delivery of services and minimize drive times and fuel cost. The total project cost will be approximately 10.5 million dollar. The cost includes the purchase price of the existing property and the building, renovation, construction and all the equipment needed to operate the facility.

Municipality or Municipalities of current operations

We currently have 2 locations, one located in the city of Buffalo and one in Depew. Currently all locations are being leased.

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?

No

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

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)

Rent, costs and expenses at the two current facilities have continued to increase to a point where the ongoing ability to operate at a profit, or continue to operate at all, is threatened. The revenue paid by school districts and Medicaid has remained stagnant while our costs have significantly increased, including rent, fuel, wages, taxes, permitting, parts and maintenance and insurance. The assistance from ECIDA will allow us to combine our facilities into one location. This is critically important as we can eliminate duplication and redundancy of services and expenses that we currently bear. ECIDA assistance will also foster the consolidation of operations and thereby promote efficiency, elimination of waste and improvement of operational logistics. We will also intend to modernize and improve our equipment and other systems. This will allow our business to have the means to expand our workforce, grow our community presence and attract additional employees.

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?

If assistance is not approved, the applicant will be unable to proceed with the project. If we are unable to consolidate operations, the current financial burden on Buffalo Transportation and WNY Bus Co., will not be reduced. Such a situation will impair our ability to maintain operations, hire additional employees and improve the quality of services. The effect upon Erie County of the denial of assistance to applicant will predominantly be the potential loss of hundreds of employment positions, the interruption of school bus and non-emergency medical transportation and a significant increase in unemployment applications and public assistance. There will also be the loss of income tax revenue and collateral services that applicant will not be buying. In addition, if the project is not approved the 10.5 million dollar investment in the local economy will no occur nor will 91 additional jobs be created.

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: #8-Main, #66-Wmsvl Express, #81Eastside, #19-Bailey and #102-Bailey East

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.

September 28, 2023

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

Yes

Describe the present zoning/land use

D-IH, Industrial Heavy

Describe required zoning/land use, if different

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

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?

No

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

Improved efficiency, reduction in energy use footprint and waste.

You may also attach additional information about the machinery and equipment at the end of the application.

Does or will the company or project occupant perform research and development activities on new products/services at the project location?

No

If yes, include percentage of operating expenses attributed to R&D activities and provide details.

Select Project Type for all end users at project site (you may check more than one).

For purposes of the following, the term "retail sales" means (i) sales by a registered vendor under Article 28 of the Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

Will customers personally visit the Project site for either of the following economic activities? If yes with respect to either economic activity indicated below, you will need to complete the Retail section of this application.

Retail Sales No

Services No

Please check any and all end uses as identified below.

Yes Acquisition of Existing Facility	No Assisted Living	No Back Office
No Civic Facility (not for profit)	Yes Commercial	No Equipment Purchase
No Facility for the Aging	No Industrial	No Life Care Facility (CCRC)
No Market Rate Housing	No Mixed Use	No Multi-Tenant
No Retail	No Senior Housing	No Manufacturing
No Renewable Energy	No Other	

For proposed facility please include the square footage for each of the uses outlined below

If applicant is paying for FFE for tenants, include in cost breakdown.

			Cost	% of Total Cost
Manufacturing/Processing	square feet	\$	0	0%
Warehouse	square feet	\$	0	0%
Research & Development	square feet	\$	0	0%
Commercial	20,000 square feet	\$	4,150,000	56%
Retail	square feet	\$	0	0%
Office	9,000 square feet	\$	2,707,674	36%
Specify Other	6,000 square feet	\$	1,697,326	8%

If you are undertaking new construction or renovations, are you seeking LEED certification from the US Green Building Council?

No

If you answered yes to question above, what level of LEED certification do you anticipate receiving? (Check applicable box)

<BLANK>

Provide estimate of additional construction cost as a result of
LEED certification you are seeking

< BLANK >

Will project result in significant utility infrastructure cost or uses

Yes

What is the estimated project timetable (provide dates).

Start date : acquisition of equipment or construction of facilities

1/1/2024

End date : Estimated completion date of project

9/1/2024

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

\$ 2,035,682

19,000 square feet

11 acres

2.) New Building Construction

\$ 0

square feet

3.) New Building addition(s)

\$ 4,500,000

16,000 square feet

4.) Reconstruction/Renovation

\$ 2,000,000

19,000 square feet

5.) Manufacturing Equipment

\$ 0

6.) Infrastructure Work

\$ 825,000

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

\$ 830,000

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

\$ 400,000

9.) Other Cost

\$ 0

**Explain Other
Costs**

Total Cost \$ 10,590,682

Construction Cost Breakdown:

Total Cost of Construction	\$ 7,325,000 (sum of 2, 3, 4 and 6 in Project Information, above)
Cost of materials	\$ 4,395,000
% 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	\$ 5,225,000
Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above):	\$ 457,187

** 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?	Yes
If Yes, describe particulars:	Purchase of both properties by 300-320 Scaj LLC 1. 300 Scajaquada Street 2. 320 Scajaquada Street

Sources of Funds for Project Costs:

Equity (excluding equity that is attributed to grants/tax credits):	\$ 7,325,000
Bank Financing:	\$ 0
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:	\$7,325,000
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).	
Lender Name, if Known	
Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above multiplied by 3/4 of 1%):	\$0

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	354	354	70	70
Part time	104	104	21	21
Total	458	458	91	

Salary and Fringe Benefits for Jobs to be Retained and Created

Job Categories	# of <u>Full Time</u> Employees retained and created	Average Salary for Full Time	Average Fringe Benefits for Full Time	# of <u>Part Time</u> Employees retained and created	Average Salary for Part Time	Average Fringe Benefits for Part Time
Management	15	\$ 60,000	\$ 4,000	0	\$ 0	\$ 0
Professional	2	\$ 65,000	\$ 4,000	0	\$ 0	\$ 0
Administrative	35	\$ 42,000	\$ 4,000	4	\$ 20,000	\$ 0
Production	0	\$ 0	\$ 0	0	\$ 0	\$ 0
Independent Contractor	0	\$ 0	\$ 0	0	\$ 0	\$ 0
Other	372	\$ 35,000	\$ 2,500	121	\$ 17,000	\$ 500
Total	424			125		

** 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	289 Ramsdell Avenue Buffalo NY	79 Sheldon Avenue Depew NY	
	14216	14043	
Full time	81	273	0
Part time	39	65	0
Total	120	338	0

Payroll Information

Annual Payroll at Proposed Project Site upon completion

12,000,000

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

55,000

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

27,000

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

55,000

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

27,000

Estimated salary range of jobs to be created

From (Full Time)	30,000	To (Full Time)	85,000
From (Part Time)	15,000	To (Part Time)	40,000

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

300 & 320 Scajaquada Street Buffalo, NY 14211

Name and Address of Owner of Premises

300-320 Scj LLC 6585 Megan Rose Way Clarence, NY 14051

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

The premises consists of a one-story 19,000 square foot building in an urban industrial use location. The site all includes 10 acres of an unimproved parking lot.

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

The building was constructed in 1952. The applicant intends to conduct a school bus company and non-emergency medical transportation business on the premises.

Describe all known former uses of the Premises

The applicant is unaware of all the prior uses of the premises. The most recent prior use was a construction company with storage.

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

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

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

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

Storm-water and sanitary only. Permits to be obtained from Building Department/Buffalo Sewer Authority upon completion of project construction.

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

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?

No

If yes, please identify the materials

Section IV: Facility Type - Single or Multi Tenant

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

Multi-Tenant Facility

Multi-Tenant Facility (to be filled out by developer).

Please explain what market conditions support the construction of this multi-tenant facility

The increase in costs and expenses to the applicant, justify the consolidation and combination of uses at a single facility. As discussed above, this will streamline operations, increase efficiency and reduce costs of operation.

Have any tenant leases been entered into for this project?

Yes

If yes, please list below and provide square footage (and percent of total square footage) to be leased to tenant and NAICS Code for tenant and nature of business

Tenant Name	Current Address (city, state, # of sq ft and % of total to be occupied at new projet site)	SIC or NAICS-also briefly describe type of business, products services, % of sales in Erie Co.
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*fill out table for each tenant and known future tenants

Section V: Tenant Information

PART 1 TO BE COMPLETED BY LESSEE (DEVELOPER)

Tenant Name

WNY BUS CO

Property Address:

79 Sheldon Avenue

City/Town/Village

Depew, NY 14043

The following information is an outline relative to the potential client and their proposed contract to sublease space in the above reference facility

Amount of space to be leased (square feet)

24,500

What percentage of the building does this represent?

70

Are terms of lease:

NET

If GROSS lease, please explain how Agency benefits are passed to the tenant

Estimated date of occupancy

10/1/2024

PART 2 TO BE COMPLETED BY PROPOSED TENANT

Company Name:

WNY BUS CO

Local Contact Person:

Igor Yuzbashev

Title:

President

Current Address:

79 Sheldon Avenue Depew, NY 14043

Phone:

(716) 444-2120

Fax:

E-Mail:

gary@wnybusco.com

Website:

www.wnybusco.com

Company President/General Manager:

Igor Yuzbashev

Number of employees moving to new project location:

Full-Time:

273

Part-Time:

65

Total:

338

Please describe briefly the nature of the business in which the proposed tenant is/will be engaged. This should include NAICS Code; type of business and products or services; percent of total sales in Erie County and the United States:

WNY BUS CO is a school bus company. NAICS Code- 485400- 85% in Erie County and 15% outside of Erie County

Attach additional information as necessary.

History of Company (i.e. start-up, recent acquisition, publicly traded)

WNY BUS CO was formed in 2016 by Igor Yuzbashev, Igor Finkelstein and Armen Ayrapetov. Company grew from 65 school buses to current number of 225 school buses.

Please list the square footage which the proposed tenant will lease at the Project location

24,500

Please list the square footage which the proposed tenant leases at its present location(s)

14,000

Describe the economic reason for either the increase or decrease in leased space.

Company grew from 65 school buses to current number of 225 school buses in the past 7 years making our current facility over crowded and congested. This has caused logistics of the operation to be close to impossible.

Will the project result in a relocation and/or abandonment of other tenant/user(s) facilities in Erie County, or New York State?

No

If owned, what will happen to the existing facility once vacated?

If leased, when does lease expire?

12/31/1969

Are any of the proposed tenant's current operations located in facilities which have received an Industrial Development Agency benefit?

No

If yes, please provide details as to location, and amount of leased space, how long leased?

PART 1 TO BE COMPLETED BY LESSEE (DEVELOPER)

Tenant Name

BUFFALO TRANSPORTATION INC

Property Address:

289 RAMSDELL AVENUE

City/Town/Village

BUFFALO, NY 14216

The following information is an outline relative to the potential client and their proposed contract to sublease space in the above reference facility

Amount of space to be leased (square feet)

10,500

What percentage of the building does this represent?

30

Are terms of lease:

NET

If GROSS lease, please explain how Agency benefits are passed to the tenant

Estimated date of occupancy

10/1/2024

PART 2 TO BE COMPLETED BY PROPOSED TENANT

Company Name:

BUFFALO TRANSPORTATION INC

Local Contact Person:

IGOR YUZBASHEV

Title:

VICE PRESIDENT

Current Address:

289 RAMSDEL AVENUE BUFFALO NY
14216

Phone:

(716) 444-2120

Fax:

(716) 875-5652

E-Mail:

GARY@BUFFALOTRANS.COM

Website:

WWW.BUFFALOTRANSPORTATION.COM

Company President/General Manager:

IGOR YUZBASHEV

Number of employees moving to new project location:**Full-Time:**

81

Part-Time:

39

Total:

120

Please describe briefly the nature of the business in which the proposed tenant is/will be engaged. This should include NAICS Code; type of business and products or services; percent of total sales in Erie County and the United States:

Buffalo Transportation Inc was formed in 2002. Providing non-emergency medical transportation mainly in Erie County. NAICS Code-485991. percent of total sales in Erie County- 80% & 20% outside of the Erie County.

Attach additional information as necessary.

History of Company (i.e. start-up, recent acquisition, publicly traded)

Buffalo Transportation Inc was formed in 2002 by Igor Yuzbashev & Igor Finkelstein. Largest non-emergency transportation company in WNY. Providing approximately 1600 trips on a daily basis.

Please list the square footage which the proposed tenant will lease at the Project location

10,500

Please list the square footage which the proposed tenant leases at its present location(s)

8,000

Describe the economic reason for either the increase or decrease in leased space.

High demand in non-emergency medical transportation due to increased outpatient treatment post COVID. Secured number of large contracts with major health care facilities in Erie County.

Will the project result in a relocation and/or abandonment of other tenant/user(s) facilities in Erie County, or New York State?

No

If owned, what will happen to the existing facility once vacated?**If leased, when does lease expire?**

6/1/2024

Are any of the proposed tenant's current operations located in facilities which have received an Industrial Development Agency benefit?

No

If yes, please provide details as to location, and amount of leased space, how long leased?

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

79 Sheldon Avenue

City/Town

Depew

State

New York

Zip Code

14043

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

Yes

Within Erie County

Yes

If Yes to either question, please, explain

Currently we have WNY BUS CO locate at 79 Sheldon Avenue Depew NY 14043 & Buffalo Transportation Inc located at 289 Ramsdell Avenue Buffalo, NY 14202 consolidating at one location at the proposed premises. Both location are with Erie County. Between the two companies 458 employees will be relocated to the new facility as well as 91 jobs will be created shortly there after. Both current locations, 79 Sheldon Avenue Depew, NY 14043 & 289 Ramsdell Avenue Buffalo, NY 14216 are leased facilities and will be surrendered back to their landlords and will be leased out to the next tenant. We have been searching for a new facility in Depew area for over two years without successes. We have done our own online research and as well as using the services of a real-estate agency.

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.)

Parking Lot is the number one current issue as well as the auto motive repair facility. Vehicle access, employee's facilities and general offices. The new facility strategically located in the city of Buffalo and provides us an opportunity to service all the above mentioned school districts as well as hire from the local community. The facility centrally located for non-emergency medical transportation company, close proximity to all major hospitals in Erie County and the majority of our client base. This will expedite delivery of services and minimize drive times and fuel cost.

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?

Yes

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

WNY BUS CO & Buffalo Transportation providing 90% of transportation services within Erie County. All major clients require our presents to be in close proximity to pick up locations.

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

The current facility will vacated and the current ownership will lease the property to the next qualified tenant. Both current locations, 79 Sheldon Avenue Depew, NY 14043 & 289 Ramsdell Avenue Buffalo, NY 14216 are leased facilities and will be surrendered back to their landlords and will be leased out to the next tenant. We have been searching for a new facility in Depew area for over two years without successes. We have done our own online research and as well as using the services of a real-estate agency.

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.

Over the past few years we looked at numbers of properties and the proposed site was the best fit for the project. Listed below some of the properties we tried to purchase or rent without successes. 2544 Clinton Street West Seneca NY 14224- Use restriction due to native American burial site. 500 Sonwil Drive Buffalo New York 14225- Very expensive rent (not enough parking) 4039 Genesee Street Buffalo New York 14225- Not enough parking

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