

NOTICE OF PUBLIC HEARING  
ON PROPOSED PROJECT  
AND FINANCIAL ASSISTANCE  
RELATING THERETO

Notice is hereby given that a public hearing (the “Public Hearing”) pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), will be held by Buffalo and Erie County Industrial Land Development Corporation (the “Issuer”) on the 30<sup>th</sup> day of April, 2025 at 9:00 o’clock a.m., local time, at the offices of the Issuer located at 95 Perry Street – Suite 403 in the City of Buffalo, Erie County, New York in connection with the following matters:

Canisius University, a New York not-for-profit education corporation (the “University”), submitted an application (the “Application”) to the Issuer, a copy of which Application is on file at the office of the Issuer, which Application requested that the Issuer consider undertaking a project (the “Initial Project”) for the benefit of the University, said Initial Project consisting of the following: (A) the refinancing in whole or in part of the Canisius College Revenue Bonds, Series 2012 issued by the Dormitory Authority of the State of New York (“DASNY”) in the original aggregate principal amount of \$15,220,000 (the “Series 2012 Bonds”), which Series 2012 Bonds were used to refinance DASNY’s Canisius College Insured Revenue Bonds, Series 2000 issued in the original aggregate principal amount of \$19,175,000 (the “Series 2000 Bonds”), which Series 2000 Bonds were used to finance (i) the acquisition and construction of a three-story building for use as a residential housing facility located at the odd addresses between and including 993-1025 West Delavan Avenue in the City of Buffalo, Erie County, New York and 139-165 Harvard Place in the City of Buffalo, Erie County, New York, (ii) the acquisition and improvement of certain properties located at 1018, 1022 and 1024 Lafayette Avenue in the City of Buffalo, Erie County, New York for use as a student parking lot, (iii) the renovation of Campion Hall located at 2136 Main Street in the City of Buffalo, Erie County, New York for use as a residential housing facility and (iv) the renovation of and installation of an HVAC system at the Old Main classroom building located on the University’s approximately 72 acre campus (the “Campus”) with an address of 2001 Main Street in the City of Buffalo, Erie County, New York (collectively, the “2000 Project Facility”); (B) the refinancing, in whole or in part, of the Issuer’s Tax-Exempt Revenue Refunding Bonds (The Canisius College of Buffalo, New York Project), Series 2015A issued in the original aggregate principal amount of \$30,760,000 (the “Series 2015A Bonds”) and the Issuer’s Tax-Exempt Revenue Refunding Bonds (The Canisius College of Buffalo, New York Project), Series 2015B issued in the original aggregate principal amount of \$16,195,000 (the “Series 2015B Bonds” and together with the Series 2015A Bonds, the “Series 2015 Bonds”), which Series 2015 Bonds were used to refinance (i) DASNY’s Canisius College Insured Revenue Bonds (Canisius 2004 Project), Series 2004 issued in the original aggregate principal amount of \$28,840,000 (the “Series 2004 Bonds”), which Series 2004 Bonds were used to (a) finance (1) the construction of a seven story residence hall located on the Campus (the “2004 Residence Hall”), (2) renovations of Bosch Hall located on the Campus, (3) reconfiguration and expansion of the existing parking facilities located on the Campus, (4) construction of underground tunnels to connect the 2004 Residence Hall with Bosch Hall and the Winter Student Center located on the Campus, (5) additional site work, such as paving, landscaping and site lighting and (6) improvements for renovation of infrastructure at various facilities located on the Campus (collectively, the “2004 Project Facility”), (b) refinance DASNY’s Canisius College Construction and Consolidation Bonds of 1967, Series B (the “1967 Bonds”), which 1967 Bonds were used to finance the construction and equipping of the Koessler Athletic Center on the Campus (the “1967 Project Facility”), (ii) DASNY’s Canisius College Insured Revenue Bonds (Canisius College Project), Series 2005 issued in the original aggregate principal amount of \$23,610,000 (the “Series 2005 Bonds”), which Series 2005 Bonds were used to (a) refinance DASNY’s Canisius College Insured Revenue, Series 1995 issued in the original aggregate principal amount of \$31,595,471.50 (the “Series 1995 Bonds”), which Series 1995 Bonds were used to (1) finance (A) the construction of a student residence townhouse project located at 2044-2062 Main Street in the City of Buffalo, Erie County, New York (the “1995 Project Facility”), (B) the renovation

of Frisch Hall and Bosch Hall located on the Campus, (C) the purchase and installation of telecommunication equipment on the Campus and (2) refinance DASNY's College and University Variable/Fixed Rate Insured Revenue Bonds (1985 Pooled Capital Program) (the "Series 1985 Bonds"), which Series 1995 Bonds were used to finance the renovation of and addition to the Bouwhuis Library located on the Campus (the "1985 Project Facility") and (iii) the Issuer's Tax-Exempt Revenue Bonds (The Canisius College of Buffalo, New York Project), Series 2010 issued in the original aggregate principal amount of \$16,000,000 (the "Series 2010 Bonds"), which Series 2010 Bonds were used to finance the demolition, construction and/or renovation, expansion, upgrading and equipping of the existing facilities located at 1901 Main Street and 48 E. Delavan Avenue in the City of Buffalo, Erie County, New York related to a parking ramp and an approximately 128,000 square foot Science Hall building including classrooms, labs, offices and support spaces for use as an interdisciplinary science center (collectively, the "2010 Project Facility"); (C) (i) the renovation and rehabilitation of (a) approximately 30,000 square feet of an existing building located on the Campus for use as a student success center, (b) approximately 26,000 square feet of the Science Hall located at 1901 Main Street in the City of Buffalo, Erie County, New York and (c) approximately 45,000 square feet of academic classrooms at Old Main Hall located on the Campus (collectively, the "Existing Facilities") and (ii) the acquisition and installation thereon and therein of machinery and equipment (the "Equipment") (the Existing Facilities and the Equipment being hereinafter collectively referred to as the "New Project Facility"); (D) refinancing of certain indebtedness incurred by the University to finance improvements to the Bura-Delavan student housing facilities located at 1025 W. Delavan Avenue in the City of Buffalo, Erie County, New York (collectively, the "Bura-Delavan Project Facility") (the 1967 Project Facility, the 1985 Project Facility, the 1995 Project Facility, the 2000 Project Facility, the 2004 Project Facility, the 2005 Project Facility, the 2010 Project Facility, the New Project Facility and the Bura-Delavan Project Facility being collectively referred to hereinafter as the "Initial Project Facility"); (E) the financing of all or a portion of the costs of the foregoing by the issuance of taxable and/or tax-exempt revenue bonds of the Issuer in one or more issues or series in an aggregate principal amount sufficient to pay the cost of undertaking the Initial Project, together with necessary incidental costs in connection therewith, in an aggregate principal amount not to exceed \$55,000,000 (the "Obligations"); and (F) the payment of a portion of the costs incidental to the issuance of the Obligations, including issuance costs of the Obligations, capitalized interest and any reserve funds as may be necessary to secure the Obligations.

The Issuer is considering whether (A) to undertake the Initial Project, (B) to finance the Initial Project by issuing, from time to time, the Obligations, (C) to use the proceeds of the Obligations to pay the cost of undertaking the Initial Project, together with necessary incidental costs in connection therewith, and (D) to provide certain exemptions from taxation with respect to the Initial Project, including exemption from mortgage recording taxes with respect to any documents, if any, recorded by the Issuer with respect to the Initial Project in the office of the County Clerk of Erie County, New York or elsewhere.

If the issuance of the Obligations is approved, with respect to any portion of the Obligations intended to be issued as federally tax-exempt obligations, the interest on such portion of the Obligations will not be excludable from gross income for federal income tax purposes unless (A) pursuant to Section 147(f) of the Code and the regulations of the United States Treasury Department thereunder, the issuance of the Obligations is approved by the County Executive of Erie County, New York (the "County Executive") after the Issuer has held a public hearing on the nature and location of the Initial Project Facility and the issuance of the Obligations; and (B) pursuant to Section 145(a) of the Code, all property which is to be provided by the net proceeds of the Obligations is to be owned by a Section 501(c)(3) organization or a governmental unit and at least ninety-five percent (95%) of the net proceeds of the Obligations are used with respect to (1) governmental units and/or (2) the activities of Section 501(c)(3) organizations which do not constitute "unrelated trades or businesses" (as defined in Section 513(a) of the Code) with respect to such Section 501(c)(3) organizations.

If the Issuer determines to proceed with the Initial Project and the issuance of the Obligations, (A) the proceeds of the Obligations will be loaned by the Issuer to the University pursuant to a loan agreement (the “Agreement”) requiring that the University or its designee make payments equal to debt service on the Obligations and make certain other payments to the Issuer and (B) the Obligations will be a special obligation of the Issuer payable solely out of certain of the proceeds of the Agreement and certain other assets of the Issuer pledged to the repayment of the Obligations. THE OBLIGATIONS SHALL NOT BE A DEBT OF THE STATE OF NEW YORK OR ERIE COUNTY, NEW YORK, AND NEITHER THE STATE OF NEW YORK NOR ERIE COUNTY, NEW YORK SHALL BE LIABLE THEREON.

The Issuer has not yet made a determination pursuant to Article 8 of the Environmental Conservation Law regarding the potential environmental impact of the Initial Project.

The Issuer will at said time and place hear all persons with views on the location and nature of the proposed Initial Project Facility, the financial assistance being contemplated by the Issuer in connection with the proposed Initial Project or the proposed plan of financing the proposed Initial Project by the issuance from time to time of the Obligations. A copy of the Application filed by the University with the Issuer with respect to the Initial Project, including an analysis of the costs and benefits of the Initial Project, is available for public inspection during business hours at the offices of the Issuer. A transcript or summary report of the hearing will be made available to the members of the board of directors of the Issuer and to the County Executive. If the Issuer determines to issue any portion of the Obligations as federally tax-exempt obligations, approval of the issuance of such portion of the Obligations by Erie County, New York, acting through its elected County Executive, is necessary in order for the interest on such portion of the Obligations to qualify for exemption from federal income taxation.

The Issuer encourages all interested parties to submit written comments to the Issuer, which will be included within the public hearing record. Any written comments may be submitted to the Issuer’s website at [www.ecidany.com](http://www.ecidany.com), or mailed to the Issuer at 95 Perry Street – Suite 403, Buffalo, New York 14203, until the comment period closes at 4:00 p.m. on May 27, 2025.

Dated: April 16, 2025

BUFFALO AND ERIE COUNTY INDUSTRIAL  
LAND DEVELOPMENT CORPORATION

**APPLICATION FOR  
FINANCIAL ASSISTANCE  
TAX-EXEMPT BONDS  
(NOT FOR PROFIT use only)**



Buffalo & Erie County Industrial Land Development Corporation  
95 Perry Street  
Suite 403  
Buffalo, New York 14203  
phone (716) 856-6525  
fax (716) 856-6754  
web [www.ILDCny.com](http://www.ILDCny.com)

## Eligibility Questionnaire - Applicant Background Information

Answer all questions. Use "None" or "Not Applicable" where necessary.

### Applicant Information-company receiving benefit:

Applicant Name: Canisius University

Applicant Address: 2001 Main Street

City/Town: Buffalo State: New York Zip: 14208

Phone: 716-888-2480

Website: www.canisius.edu E-mail: baumetr@canisius.edu

### Business Organization (check appropriate category):

Corporation ☐ Not for Profit 501c3 ☒ Public Corporation ☐  
Other (specify) \_\_\_\_\_  
Year Established: 1870 State in which Organization is established: New York

### Benefits Requested (select all that apply):

- |                                |  |
|--------------------------------|--|
| 1. Tax Exempt Financing        | <input checked="" type="checkbox"/> Yes or <input type="checkbox"/> No |
| 2. Exemption from Mortgage Tax | <input checked="" type="checkbox"/> Yes or <input type="checkbox"/> No |

### Applicant Business Description:

Describe in detail the applicant's background, history, and services provided: The University was founded in 1870 in Buffalo, NY, and is affiliated with the Society of Jesus (the Jesuits). Undergraduate and graduate enrollment totals approximately 2,492 students. There are three accredited specific academic units with over 100 majors, minors and degree programs. The student-faculty ratio is 11:1. The University has 20 intercollegiate athletic teams all competing in NCAA Division I. The University has over 60 student-run clubs and organizations. Worldwide, there are over 50,000 University alumni. The University wishes to refund and restructure its current debt portfolio to align better with its strategic growth and operating plans. The requested 2025 Bonds will provide refinancing for current bonds and additional funds for capital improvements and other operating cost offsets.

What percentage of your total annual supplies, raw materials, and vendor services are purchased from firms in Erie County 44.53 %

Describe vendors within Erie County for major purchases: Major purchases and services include facility repairs, upgrades, renovation and construction, athletics needs including turf fields, landscaping services, athletic team bus travel, custodial and cleaning services, sports equipment, furniture, accounting and legal services, electrical services, facilities rental, architectural services, etc. Total spending by Canisius University to businesses in Erie County, NY, was \$14.9 million in fiscal year 2024. The Commission on

Independent College and Universities (ICU) in New York reported that Canisius University's economic impact within our community was \$152,400,000 in the 2022-23 timeframe. Faculty, administrators, and support service professionals supported by Canisius University included 1,100 jobs with a combined payroll of \$46,100,000.

**Individual Completing Application:**

Name: Robert Baumer  
Title: Vice President for Finance and Administration  
Address: 2001 Main Street, Bagen Hall  
City/Town: Buffalo State: New York Zip: 14208  
Phone: 716-888-2480 E-Mail: baumer@canisius.edu

**Company Contact (if different from individual completing application):**

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Town: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

**Company Counsel:**

Name of Attorney: Mathew Wells  
Firm Name: Bond, Schoeneck & King LLC  
Title: Member  
Address: One Lincoln Center  
City/Town: Syracuse State: New York Zip: 13202-1355  
Phone: (315) 218-8174 E-Mail: wellsm@bsk.com

### Eligibility Questionnaire - Project Description & Details

Address of Proposed Project Facility: 2001 Main Street

City/Town: Buffalo School District: Buffalo Code number 073

Current Address (if different): \_\_\_\_\_

City/Town: Buffalo State: New York Zip: 14208

Does the Applicant or any related entity currently hold fee title or have an option/contract to purchase the Project site? ☒ Yes or ☐ No If No, indicate name of present owner of the Project site:

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

All projects will take place within existing buildings as renovations. These buildings currently house academic instruction programs, academic support services, departments, and faculty/staff.

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/all tenants and any/all end users: Canisius Plans to utilize about 15% of the bond issue toward three capital projects. The projects align with the University's Strategic Objectives that include: (1) Enhance the campus physical plant to attract students, faculty and staff, and enable an integrated living, learning, working experience and (2) Enhance student-centered campus spaces and technology infrastructure to create an innovative learning ecosystem.

The specific renovations include (1) the renovation of existing space in order for the Creation of the Student Success Center (30,000 sq ft), (2) A renovation of a portion of Science Hall (26,000 sq ft). The renovation will enhance the student experience and will aid in the enrollment process as well as provide updated technical capabilities to our students. (3) Academic classroom renovation is required in Old Main Hall (45,000 sq ft). Old Main is the original academic building at Canisius University. Required renovation is essential in order to obtain and retain students. The renovation of Old Main will create an innovative and engaging academic educational experience that better prepares students for the evolving demands of the workforce.

If tax exempt or taxable bonds are being requested indicate what bonds will be used for:

The University will use proceeds of the 2025 Bonds to (i) provide funds to fully refund and pay-off all outstanding principal and accrued interest due on the Series 2012, Series 2015A, and Series 2015B bonds of the Issuer, (ii) pay off all other outstanding indebtedness of the University related to the Bura-Delavan facilities, (iii) provide funding for certain capital improvements to University facilities, (iv) provide funding for capitalized interest, (v) fund a debt service reserve deposit, and (vi) pay the costs of issuing the 2025 Bonds.

Describe the reasons why the ILDC's financial assistance is necessary and the effect the Project will have on the Applicant's operations. If refinancing an existing bond or loan indicate potential savings: ILDC's assistance is necessary since the university's current bonds will mature in October 2025. Additional capital is also needed to fund renovation on campus. These renovations are expected to have an impact on enrollment, retention and support the University's long term growth plans, which will further enhance the economic benefit provided to the people of Buffalo, Erie County and WNY

**Site Characteristics:**

Is your project located near public transportation? ☒ Yes or ☐ No. If yes describe if site is accessible by either metro or bus line (provide route number for bus lines): Canisius University is located along significant public transportation routes that NFTA provides in both bus and rail. The routes are too numerous to list all.

Has a project related site plan approval application been submitted to the appropriate planning department? ☐ Yes or ☒ No

If Yes, include the applicable municipality's and/or planning department's approval resolution, the related State Environmental Quality Review Act ("SEQR") "negative declaration" resolution, if applicable, and the related Environmental Assessment Form (EAF), if applicable

If No, list the ILDC as an "Involved Agency" on the related EAF that will be submitted to the appropriate municipality and/or planning department for site plan approval.

Will the Project meet zoning/land use requirements at the proposed location? ☒ Yes or ☐ No

What is present zoning/land use: D-E Educational What is required zoning/land use, if different: \_\_\_\_\_

If a change in zoning/land use is required, provide details/status of any request for change of zoning/land use requirements: No zoning change is required.

Is the proposed project located on a site where the known or potential presence of contaminants is complicating the development/use of the property? ☐ Yes or ☒ No If yes, explain:

Has a Phase I Environmental Assessment been prepared or will one be prepared with respect to the proposed project site? ☐ Yes or ☒ No If yes, 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?

☐ Yes or ☒ No. If yes, provide copies of the study



Select Project Type for all end users at project site (check any and all end users as identified below)

(You may check more than one)

Acquisition of Existing Facility		Market Rate Housing	<input type="checkbox"/>
Assisted Living	<input type="checkbox"/>	Mixed Use	<input type="checkbox"/>
Back Office	<input type="checkbox"/>	Multi-Tenant	<input type="checkbox"/>
Civic Facility (not for profit)	<input type="checkbox"/>	Senior Housing	<input type="checkbox"/>
Equipment Purchase	<input type="checkbox"/>	Other (Education, Civil Facility) X	
Facility for Aging	<input type="checkbox"/>		

1. Start date: acquisition of equipment or construction of facilities: January 2, 2025

2. Estimated completion date of project: May 31, 2028

3. Project occupancy - estimated starting date of occupancy: Varies by project, but on or before June 30, 2028 (all projects)

**Estimated costs in connection with Project:**

1. Land and/or Building Acquisition		\$	
acres	square feet		
2. New Building Construction	square feet	\$	
3. New Building Addition(s)	square feet	\$	
4. Infrastructure Work		\$	
5. Reconstruction/Renovation		\$	<u>8,482,297</u>
6. Non-Manufacturing Equipment (furniture, fixtures, etc.)		\$	
7. Soft Costs: (Legal, architect, engineering, etc.)		\$	
8. Other, Specify: bond debt service reserve fund		\$	<u>7,180,250</u>
(\$3,580,250), bond capitalized interest fund (\$2,500,000) &			
cost of issuance (\$1,100,000)			

TOTAL Costs: \$ 15,257,100

Project refinancing estimated amount, if applicable (for refinancing of existing debt only): \$39,742,900

NOTE: the expected uses of the bonds (above), factor in a \$405,447 premium over the Par Amount

**Sources of Funds for Project:**

Bank Financing	\$	
Equity (excluding equity that is attributed to grants/tax credits)	\$	
Tax Exempt Bond Issuance (if applicable)	\$	<u>55,000,000</u>
Taxable Bond Issuance (if applicable)	\$	

Public Sources (Include sum total of all state and federal grants and tax credits)

\$ \_\_\_\_\_

Total Sources of Funds for Project Costs:

**\$ 55,000,000**

Have you secured financing for the project? ☐ Yes or **X** No

If Yes, specify, Bank, underwriter, etc.

**Mortgage Recording Tax Exemption Benefit:** Amount of mortgage(s), if any that would be subject to mortgage recording tax:

Mortgage Amount (include sum total of construction/permanent/bridge financing): \$ 55,000,000  
EST

Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above 1% \$ 550,000)

ILDC encourages applicants to utilize MBE/WBE contractors for their projects. Describe your company's internal practices that promote MBE/WBE hiring and utilization:

Preference is given to MBE/WBE contractors for the projects

Is the project necessary to expand project employment? ☐ Yes or **X** No

Is project necessary to retain existing employment? **X** Yes or ☐ No

**Employment Plan (Specific to the proposed project location):** You must include a copy of the most recent NYS-45 Quarterly Combined Withholding, Wage Reporting and Unemployment Insurance Return.

	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
Full time (FT)	Current -349	349	N/A
Part Time (PT)	Current - 251	251	N/A
Total	600	600	N/A

**Salary and Fringe Benefits for Jobs to be Retained and Created:**

Category of jobs to be retained and/or created	# of employees retained and/or created	Average salary for Full Time	Average fringe benefits for full time	Average salary for part time, if applicable	Average fringe benefits for part time, if applicable
Management (Executive)	20	137,122	Please see footnote #1	0	Please see footnote #1
Professional (Faculty)	257	80,459	Please see footnote #1	4,492	Please see footnote #1
Administrative (Secretarial)	323	57,997	Please see footnote #1	7,929	Please see footnote #1
Production (N/A)	N/A	N/A	N/A	N/A	N/A
Independent Contractor (From 1099)	N/A	N/A	N/A	N/A	N/A
Other	N/A	N/A	N/A	N/A	N/A

**Footnote #1:** Annual fringe benefit for all full-time employees is estimated at \$8,989,822 or \$25,759 on average per FT employee. Part-time employees are only entitled to Federal and State statutory benefits (S.S. and Medicare) and are estimated at \$115,178 total or \$459 average per PT employee.

Further data is available upon request if necessary. The project involves refinancing and modest capital improvements.

**Payroll Information:**

Annual Payroll at proposed project site upon project completion

**Project #1: Student Success Center; annual payroll \$1,033,363.00**

**Project #2: Old Main Academic Classroom Upgrades: \$0.00, this renovation includes academic classroom facilities.**

**Project #3: Science Hall Renovations needed to house the School of Business; annual payroll**

**\$3,414,890.00**

Estimated average annual salary of jobs to be retained (full time)

**\$ 70.0k**

Estimated average annual salary of jobs to be retained (part time)

**\$6.0k**

Estimated average annual salary of jobs to be created (full time)

**N/A**

Estimated average annual salary of jobs to be created (part-time)

**N/A**

Estimated salary range of jobs to be created

From (full time) **N/A**

To (full time): **N/A**

From (part time) **N/A**

To (part time): **N/A**

### Environmental Questionnaire

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

**A). GENERAL BACKGROUND INFORMATION:**

1. Address of Premises: **2001 Main Street, Buffalo, NY 14208**
2. Name and Address of Owner of Premises: **CanisiusUniversi**
3. Describe the general features of the Premises (including terrain, location of wetlands, coastlines, rivers, streams, lakes, etc.).  
  
**Urban**
4. Describe the Premises (including the age and date of construction of any improvements) and each of the operations or processes carried on or intended to be carried on at the Premises.  
  
**The premises contain 32 educational buildings with a total square footage of 1,525,000 square feet.**
5. Describe all known former uses of the Premises.  
  
**Science Hall - Former Sears Department Store, Health Science Building - Former Bell Telephone Building, Lyons Hall - Former Catholic High School, Montante Cultural Center - Former Catholic Church, George Martin House - Former Catholic Church Rectory, Wehle Technology Building - Former Catholic Elementary School.**
6. Does any person, firm or corporation other than the owner occupy the Premises or any part of it?  
**X Yes or No**

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

**U.S. Army ROTC occupies a portion of the 1st floor of the Health Science Building and uses the property as office and training space. The Buffalo Center for Health Equity occupies office space on the 2nd floor of the Health Science Building**

7. Have there been any spills, releases or unpermitted discharges of petroleum, hazardous substances, chemicals or hazardous wastes at or near the Premises? ☐ Yes or ☒ No

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

8. 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. ☐ Yes or ☒ No

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

9. Has there been any filing of a notice of citizen suit, or a civil complaint or other administrative or criminal procedure involving the Premises? ☐ Yes or ☒ No.

If yes, describe in full detail.

#### **B) SOLID AND HAZARDOUS WASTES AND HAZARDOUS SUBSTANCES:**

1. 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? ☒ Yes or ☐ No. If yes, provide the Premises' applicable EPA (or State) identification number.

**NYD982792046**

2. Have any federal, state or local permits been issued to the Premises for the use, generation and/or storage of solid and hazardous wastes? ☐ Yes or ☒ No. If yes, provide copies of the permits. Identify the transporter of any hazardous and/or solid wastes to or from the Premises.

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

**Disposal Connections Inc.**

4. 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? ☒ Yes or ☐ No. If yes, identify the substance, the quantity and describe how it is stored.

**Chemical waste is generated in chemistry classrooms. Waste is stored in a designated area and removed once a year.**

#### **C) DISCHARGE INTO WATERBODIES:**

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

**None**

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

**All waste and storm water are discharged into the Buffalo sewer system.**

3. Is any waste discharged into or near surface water or groundwaters? ☐ Yes or ☒ No.

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

#### **D) AIR POLLUTION:**

1. Are there or is it contemplated that there will be any air emission sources that emit contaminants from the Premises? ☒ Yes or ☐ 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.

**Exhaust from burning natural gas fuel for hot water boilers and other heating systems.**

2. Are any of the air emission sources permitted? ☐ Yes or ☒ No If yes, attach a copy of each permit.

#### **E) STORAGE TANKS:**

1. List and describe all above and underground 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. Also provide copies of any registrations/permits for the tanks.

**5 diesel fuel tanks on campus. 2 for fire pumps and 3 for emergency power generators.**

2. Have there been any leaks, spills, releases or other discharges (including loss of inventory) associated with any of these tanks? ☐ Yes or ☒ No. If yes, 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. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### **F) POLYCHLORINATED BIPHENYLS ("PCB" or "PCBs") AND ASBESTOS:**

1. 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.
2. Have there been any PCB spills, discharges or other accidents at the Premises? ☐ Yes or ☒ No If yes, relate all the circumstances. \_\_\_\_\_  
\_\_\_\_\_

- 
3. Do the Premises have any asbestos containing materials? ☒ Yes or ☐ No. If yes, identify the materials.

**Flooring materials, including mastic and tile. Spray on fireproofing. HVAC pipe insulation**