Erie County Industrial Development Agency
Meeting of the Board of Directors

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

November 18, 2026
at 12:00 p.m.

1.0 Call to Order

1.1 Call to Order Meeting of the Membership

2.0 Approval of Minutes:

2.1 Approval of Minutes October 28, 2026 Meeting of the Board of Directors (Action Item) (Pages 2-4)
2.2 Policy Committee Update (Informational) (Pages 5-8)

3.0 Amendatory Inducement Resolution(s):

3.1 Upstate Niagara Cooperative (Pages 9-48)

4.0 Inducement Resolution(s):

	ECIDA Incentives	**Private Investment**	**Municipality**
4.1 12319 Broadway, LLC/Buffalo Solar (Pages 49-118)	$749,368	$7,149,090	Alden

5.0 Reports / Action Items / Information Item(s):

5.1 Financial Report (Informational (Pages 119-122)
5.2 2026 Tax Incentives Induced/Closing Schedule (Informational) (Pages 123-124)

6.0 Compliance:

6.1 Compliance Report (Informational) (Pages 125-133)

7.0 Management Team Report(s):

7.1

8.0 Adjournment- Next Meeting – December 16, 2026

MINUTES OF THE MEETING OF THE MEMBERSHIP OF THE ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY (ECIDA or AGENCY)

DATE AND PLACE: October 28, 2026, at the Erie County Industrial Development Agency, 95 Perry Street, 4th Floor Conference Room, Buffalo, New York 14203

PRESENT: Hon. John J. Flynn, Lorry Goldhawk, Tyra Johnson, Hon. Shawn Lavin, Grant Loomis, Brenda McDuffie, Glenn Nellis, Hon. Brian Nowak, Hon. Mark Poloncarz, Hon. Sean Ryan, Hon. Taisha St. Jean Tard and Kenneth Schoetz

EXCUSED: Dr. LaVonne Ansari, Rev. Mark Blue, Grace Bogdanove, Hon. Joel Feroleto, Gregory Inglut and Stephen Zenger

OTHERS PRESENT: John Cappellino, President & CEO; Mollie Profic, Chief Financial Officer; Soma Hawramee, Director of Operations; Jerry Manhard, Chief Lending Officer; Carrie Hocieniec, Operations Assistant/ Assistant Secretary; Brian Krygier, Director of Information Technology; Grant Lesswing, Director of Business Development; Noah Cliff, Business Development Officer; Atiqa Abidi, Accounting Manager; Michelle Moore, Compliance Portfolio Manager; Alyssa Penny, Compliance Associate; Erin Ellis, Project Manager; Dezmond Robinson, Bookkeeper; and Robert Murray, Esq., as General Counsel/Harris Beach Murtha

GUESTS: Zaque Evans on behalf of Erie County; Daniel Castle on behalf of Erie County; Jonathan Epstein on behalf of the Buffalo News; Bukola Morgan on behalf of WIB; Matthew on behalf of Viridi Parente; Claire Kresse White on behalf of Viridi Parente; Sean Yates on behalf of Orrick, Herrington & Sutcliffe LLP; Christian Willmott on behalf of the City of Buffalo; and Graham Vandertarden on behalf of BuffSci

GUESTS VIA ZOOM: Cory Vastola on behalf of Equitable Schools Revolving Fund, LLC; Tim Williams on behalf of RBC Capital Markets, LLC; Sam Alnager on behalf of Equitable Schools Revolving Fund, LLC; Eugene Clark-Herrera on behalf of Orrick, Herrington & Sutcliffe LLP; Christopher Canada, Esq. Bond Counsel/Hodgson Russ; and Anand Kesavan on behalf of Equitable Schools Revolving Fund

There being a quorum present at 12:05 p.m., the meeting of the members of the Erie County Industrial Development Agency (the "ECIDA" or "Agency"), was called to order by the Chair, Ms. McDuffie.

MINUTES

The minutes of the September 23, 2026 meeting of the members were presented. Mr. Nellis moved, and Ms. St. Jean Tard seconded to approve of the minutes. Ms. McDuffie called for the vote, and the minutes were unanimously approved.

REPORTS / ACTION ITEMS / INFORMATION ITEMS:

Financial Report. Ms. Profic presented the September financial reports. The balance sheet shows that the IDA finished the month with total assets of $29.0M, a decrease of $847,000 from August. The main driver of that change was a cash decrease of $825,000, due to operational and grant expenses during the month without much incoming cash. Restricted cash increased and due from affiliates decreased due to the repayment of $1.2M from ILDC to the UDAG Fund, coupled with $431,000 lent. Total liabilities decreased $573,000, mostly due to the decrease in Deferred Revenue. Overall net assets were $20.6M at month end. The monthly income statement shows a net loss of $254,000 for September. Operating revenue of $77,000 was below the monthly budget, mainly due to no administrative fees collected during the month. Operating expenses of $332,000, exceeded the monthly budget by $43,000, with the largest variances in salaries and benefits, and building operating costs. Net non-operating revenue of $28,000 brings us to a net loss of $254,020 for the month. The year-to-date income statement shows operating revenues of $2.2M, including administrative fee revenue of $1.4M. The IDA is at 76% of its budgeted administrative fee revenue through September. Operating expenses of $2.5M are $138,000 below budget, with the largest negative variances in salaries and benefits. Other expenses categories combined are within $7,000 of the year-to-date budget. After net non-operating revenue of $297,000, there is currently a net loss of $76,088 for the year. Ms. McDuffie directed that the report be received and filed.

Finance and Audit Committee Update. Ms. Profic updated the Board on the most recent Finance and Audit Committee meeting whereat the proposed 2027 ECIDA, RDC and ILDC budgets were presented and reviewed. Ms. McDuffie directed that the report be received and filed.

Approval of 2027 Proposed Budget. Ms. Profic advised members that the budget was reviewed in detail at the last board meeting but for the benefit of board members who could not attend the previous meeting, she gave a high-level review of the budget. She discussed budget methodology and substantial changes from the prior year. She reviewed the operational portion of the budget. When compared to the 2026 budget, there is a proposed 1.1% ($40,000) decrease in operating revenues in 2027. Operating revenues are budgeted at $3.4M, including $2.0M of administrative fees. Staff is projecting $4.3M of administrative fee revenue for 2026. The main reasons for the decrease in the 2027 budget is a change to interest income. Total operating expenses are budgeted at $3.4M, a 1.6% increase form the 2026 budget. The increased expenses are being driven by budgeted increases in salaries and benefits (increased benefit costs), insurance (expected premium increase), and professional services (increased consulting costs for CEDS update). Before depreciation and special projects, there is budgeted net income of $15,000. Proposed and

potential uses of funds already on hand for special projects including all of these possibilities, the budgeted net income is $159,831. She reviewed the 3-year forecast as required by the ABO and outlines the proposed 5-year capital budget, including facilities at 143 Genesee Street and 95 Perry Street along with IT costs. The Finance & Audit Committee voted on October 15th to recommend approval of the proposed budget as presented.

Ms. St. Jean Tard moved and Mr. Poloncarz seconded to approve of the 2027 proposed budget. Ms. McDuffie then called for the vote and the motion was unanimously approved.

2026 Tax Incentives Induced/Closing Schedule. Mr. Cappellino presented this report. Ms. McDuffie directed that the report be received and filed.

MANAGEMENT TEAM REPORT

Mr. Cappellino thanked Ms. Profic and her team for their excellent work in preparing the 2027 budget.

There being no further business to discuss, Ms. McDuffie adjourned the meeting at 12:16 p.m.

Dated: October 28, 2026

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Mollie M. Profic, Secretary

MINUTES OF A MEETING OF THE POLICY COMMITTEE OF THE ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

DATE AND PLACE: November 5, 2026, at the Erie County Industrial Development Agency, 95 Perry Street, 4th Floor Conference Room, Buffalo, New York 14203

PRESENT: Denise Abbott, A.J. Baynes, Grace Bogdanove, Gregory R. Inglut, Dr. Susan McCartney, Brenda W. McDuffie, Glenn R. Nellis, Hon. Brian Nowak, Laura Smith and Lavon Stephens

EXCUSED: Rev. Mark E. Blue, Zaque Evans, Andrew Federick, Peter Petrella and David State

OTHERS PRESENT: John Cappellino, President & CEO; Mollie Profic, Chief Financial Officer; Soma Hawramee, Director of Operations; Carrie Hocieniec, Operations Assistant/Assistant Secretary; Brian Krygier, Director of Information Technology; Noah Cliff, Business Development Officer; Alyssa Penny, Compliance Associate, and Robert G. Murray, Esq., as General Counsel/Harris Beach Murtha

GUESTS: Mary Smith and Tyler Uebelhoer on behalf of Buffalo Solar; Chuck Wilson on behalf of Upstate Niagara Cooperative, Inc.; Christian Willmott on behalf of the City of Buffalo

There being a quorum present at 9:03 a.m., the Meeting of the Policy Committee was called to order by Chairwoman Abbott.

MINUTES

The minutes of the October 1, 2026 Policy Committee meeting were presented. Upon motion made by Ms. McDuffie to approve of the minutes, and seconded by Dr. McCartney, the Policy Committee meeting minutes were thereafter unanimously approved.

PROJECT MATRIX

Mr. Cappellino reviewed the Project Matrix with the Committee. Ms. Abbott directed that the report be received and filed.

PROJECT PRESENTATIONS

Upstate Niagara Cooperative, Inc. Ms. Hawramee reviewed this amendment to the current prior approved project wherein the company is seeking an amendment to the sales tax exemption and real property tax abatement benefits. The company has updated its expansion plans for the West Seneca facility with total project costs increasing by approximately $70M. The facility footprint has increased from approximately 165,000 SF to 231,410 SF to accommodate additional production lines and future production needs.

Ms. Hawramee confirmed that the Company is seeking approximately $12,687,500 in additional sales tax exemption benefits, and approximately $5,763,850 in real property tax abatement benefits based on new total project costs of $276,250,000, said costs representing an approximately $60,00,000 increase in total project costs over prior approved amounts. Total payroll is projected at $915,428,363.00 for the direct and indirect jobs created including 1,267 construction jobs.

The project's cost benefit ratio was presented to and reviewed by the members and the costs of incentives so applied for, the anticipated new tax revenues to be generated by the Project, as well as the Project's contemplated community benefits were discussed and considered.

Ms. Hawramee stated that in exchange for providing the sales and use tax, mortgage recording tax exemption and real property tax abatement benefits, the approval of this project will be conditioned upon adherence to certain material terms and conditions with respect to the potential modification, recapture and/or termination of financial assistance as follows:

Draft Recapture Material Terms

Condition	Term	Recapture Provision
Total Investment	At project completion	Investment amount equal to or greater than 85% of project amount. Total project amount = $325,000,000 85% = $276,250,000
Employment	Coincides with 10-year PILOT	Maintain Base = 240 FTE Create 85% of Projected Projected = 130 FTE 85% = 110 FTE Recapture Employment = 350 FTE
Local Labor	Construction period	Adherence to policy including quarterly reporting
Pay Equity	Coincides with 10-year PILOT	Adherence to policy
Unpaid Tax	Coincides with 10-year PILOT	Adherence to policy
Recapture Period	Coincides with 10-year PILOT	Recapture of state and local sales taxes, mortgage recording tax exemption and real

		property tax

Mr. Baynes moved and Mr. Inglut seconded, to recommend the project as proposed be forwarded to the members of the Agency Board for approval. Ms. Abbott called for the vote and the motion was unanimously approved.

12319 Broadway LLC/Buffalo Solar. Mr. Cappellino reviewed the status of the Policy Committee's review of the project and requests for additional information. Staff has followed up with the company and responses to the requests for additional information are contained within the committee materials.

Ms. Hawramee presented this proposed sales and use tax, mortgage recording tax and real property tax abatement benefits project involving the construction of a commercial building incorporating advanced clean-energy technologies, including solar photovoltaic generation, battery energy storage, ground-source geothermal heating and cooling, electric vehicle charging infrastructure, advanced building controls and energy management systems, and a high-performance building envelope.

Mr. Cappellino reviewed additional information provided by the Company in response to staff requests for additional information.

Ms. McDuffie thanked staff for obtaining the additional information as requested and Ms. McDuffie confirmed that Northland Workforce Training Center supports the proposed project.

Ms. Smith thanked the Company for their additional information submission and spoke in favor of the high paying green sector jobs being created.

Ms. Hawramee confirmed that the Company is seeking approximately $749,368.00 in assistance including sales tax exemption, mortgage recording tax exemption and real property tax abatement benefits. Total payroll is projected at $23,645,846.00 for the direct and indirect jobs created including 30 construction jobs.

The project's cost benefit ratio was presented to and reviewed by the members and the costs of incentives so applied for, the anticipated new tax revenues to be generated by the Project, as well as the Project's contemplated community benefits were discussed and considered.

Ms. Hawramee stated that in exchange for providing the sales and use tax, mortgage recording tax exemption and real property tax abatement benefits, the approval of this project will be conditioned upon adherence to certain material terms and conditions with respect to the potential modification, recapture and/or termination of financial assistance as follows:

Draft Recapture Material Terms

Condition	Term	Recapture Provision

Total Investment	At project completion	Investment amount equal to or greater than 85% of project amount. Total project amount = $7,149,090 85% = $6,076,726
Employment	Coincides with 7-year PILOT	Maintain Base = 15 FTE Create 85% of Projected Projected = 6 FTE 85% = 5 FTE Recapture Employment = 20 FTE
Local Labor	Construction period	Adherence to policy including quarterly reporting
Pay Equity	Coincides with 7-year PILOT	Adherence to policy
Unpaid Tax	Coincides with 7-year PILOT	Adherence to policy
Recapture Period	Coincides with 7-year PILOT	Recapture of state and local sales taxes, mortgage recording tax exemption and real property tax

Ms. McCartney moved and Ms. Smith seconded, to recommend the project as proposed be forwarded to the members of the Agency Board for approval. Ms. Abbott called for the vote and the project was then approved by a vote of 8-2 with Ms. Bogdanove and Mr. Inglut voting in the negative.

There being no further business to discuss, Ms. Abbott adjourned the meeting at 9:32 a.m.

Dated: November 5, 2026

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Mollie M. Profic, Secretary

Upstate Niagara Cooperative, Inc.
$ 325,000,000
AMENDATORY RESOLUTION

ELIGIBILITY

- NA0ICS Section – 311511

COMPANY INCENTIVES

- Approx $5,998,343 in real property tax savings
- ADJUSTED '25: Approx $3,997,610 in real property tax savings (per change in SF and tax rates)
- ADJUSTED '26: Approx **$5,763,850**, in real property tax savings (per change in SF and tax rates)
- Up to $ 3,937,500 in sales tax savings
- AMENDED '25: Up to $6,125,000 in sales tax savings
- AMENDED '26: Up to **$12,687,500** in sales tax savings
- Up to **$1,890,000** in mortgage recording tax savings

JOBS & ANNUAL PAYROLL

- Current Jobs: 240 FT
- Projected retained jobs: 240 FT
- Est. salary/yr. of jobs retained: $71,000
- Projected new jobs:130 FT
- Est. salary/yr. of jobs created: $70,000
- Annual Payroll: $ 26,500,000
- Construction Jobs: 1267

PROJECTED COMMUNITY BENEFITS*

- Term: 10 YEARS
- NET Community Benefits: $972,711,107
- Spillover Jobs: 1,949

Total Payroll: $915,428,363

INCENTIVE COST / COMMUNITY BENEFIT RATIO (discounted at 2%)*

Incentives: $19,786,307

Community Benefit: $891,121,339

Cost: Benefit Ratio: 1:45

* Cost Benefit Analysis Tool powered by MRB Group

Project Title: W Seneca Expansion

Project Address: North America Drive, West Seneca, NY14224
(West Seneca Central School District)

Agency Request

A sales and real property tax abatement associated with a 231,410 SF expansion to an existing plant in West Seneca. The additional space will primarily be used for manufacturing purposes with remaining SF allocated to warehouse and office space.

	Original	Amendment 1	Amendment 2
Building Addition	$ 60,000,000	$ 93,780,000	$ 105,130,000
Manufacturing Equipment	$ 90,000,000	$ 161,220,000	$ 184,870,000
Other Cost	$	$	$ 35,000,000
Total Project Cost	$ 150,000,000	$ 255,000,000	$ 325,000,000
85%	$ 127,500,000	$ 216,750,000	$ 276,250,000

Company Description

Upstate Niagara Cooperative (UNC) Inc is a dairy cooperative made up of approximately 260 dairy farms, primarily located in NYS. UNC - a food and beverage company has been producing a wide variety of award-winning, high-quality dairy products since 1971. These offerings include milk, cream, flavored milk, shelf stable ready to drink beverages, yogurt, dip, sour cream, cottage cheese, canned evaporated milk and ice cream mix products. These products are marketed under the names, Upstate Farms, Bison, Intense Milk, Milk for Life, Spring Farms, Gold Cow and Valley Farms brands in addition to numerous contract and retail customer labels.

Project Description

Upstate Niagara Cooperative has updated its expansion plans for its West Seneca facility, with total project costs increasing by approximately $70M. The facility footprint has increased from approximately 165,000 SF to 231,410 SF to accommodate additional production lines and anticipated future production needs. Although the company initially scaled back the project to meet immediate operational needs, new customer opportunities and growing demand have supported expanding the facility to include additional production capacity and accommodate future growth.

The increase in overall project costs is due to several factors. Building costs have increased by more than $11M, while manufacturing equipment costs have increased by approximately $24M due to rising material costs, refined project estimates, and the addition of production lines. Additional costs include a new sewer line and other infrastructure improvements. Utility constraints also resulted in significant expenses, including more than $35M for on-site linear generators after NYSEG determined that the existing electrical service could not support the expansion, and approximately $2 million for a new natural gas pipeline required by National Fuel to support the generation equipment. Together, these increased building, equipment, and infrastructure costs reflect the expanded facility footprint, additional production capacity, and utility requirements.

Economic Impact: Inform Analytics Cost-Benefit Analysis

The Erie County Industrial Development Agency uses the Cost Benefit Analysis Tool powered by MRB Group to assess the economic impact of a project applying for incentives. A Cost-Benefit Analysis is required by Section 859-a (5)(b) of General Municipal Law. For the complete Cost Benefit Analysis – please see the attached MRB Cost Benefit Calculator.

Cost: *Incentives*

	Tax Exemption	Amount
COSTS	Property	$ 5,763,850
	Sales	$12,687,500
	Mortgage Recording	$ 1,890,000
	Total	$20,341,350
	Discounted at 2%	$19,786,307

Benefit: *Projected Community Benefit**

	Region	Recipient	Revenue Type	$ Amount **
BENEFITS	Erie County	Individuals	Payroll Construction	$198,531,366
			Payroll Permanent	$716,896,998
		Public	Property Taxes	$ 1,440,970
			Sales Taxes	$ 7,609,498
			Other Muni Revenue (NFTA)	$ 630,000
	New York State	Public	Income Taxes	$ 41,194,276
			Sales Taxes	$ 6,407,999
			Total Benefits to EC + NYS***	$972,711,107
			Discounted at 2%	$891,121,339

* Cost Benefit Analysis Tool powered by MRB Group **includes direct & indirect $ over project period ***may not sum to total due to rounding

Discounted Cost	$19,786,307
Discounted Benefit	$891,121,339
Ratio	1:45

Conclusion: The Cost Benefit for this project is: 45:1. For every $1 in costs (incentives), this project provides $45 in benefits (payroll & tax revenue). **Note: For Erie County, every $1 in costs (incentives) provides $67 in benefits to the community.**

New Tax Revenue Estimated

PILOT Type	Current Yearly Taxes	Estimated New Assessed Value	Additional County Revenue over abatement period	Additional Town Revenue Over abatement period	Additional School Revenue over abatement period	New Yearly Taxes Upon Expiration of Abatement Period
10 Year Standard PILOT	$ 188,679	$ 8,400,000	$ 539,044 $ 294,529* $ 833,574	$ 859,435 $ 469,588* $1,329,023	$ 1,929,458 $ 1,054,240* $ $2,983,698	$ 909,179
10 Year EIP PILOT (Tier 2): has 12 yr benefit period			$635,183	$1,012,716	$2,273,578	
Combined Tax Rate: $ 85.77						

*added 2 years at full property taxes – for comparison purposes

Draft Recapture Material Terms

Condition	Term	Recapture Provision
Total Investment	At project completion	Investment amount equal to or greater than 85% of project amount. Total project amount = $ 325,000,000 85% = $ 276,250,000
Employment	Coincides with 10-year PILOT	Maintain Base = 240 FTE Create 85% of Projected Projected = 130 FTE 85% = 110 FTE Recapture Employment = 350 FTE
Local Labor	Construction period	Adherence to policy including quarterly reporting
Pay Equity	Coincides with 10-year PILOT	Adherence to Policy
Unpaid Tax	Coincides with 10-year PILOT	Adherence to Policy
Recapture Period	Coincides with 10-year PILOT	Recapture of Real Property Tax, Mortgage recording tax, state and local sales taxes

Recapture applies to:
State and Local Sales Taxes
Real Property Tax
Mortgage Recording Tax

Recapture

Pursuant to New York State General Municipal Law, the agency shall modify, recover, recapture or terminate any financial assistance taken by the company that is in violation of the GML.

At completion of the project company must certify i) total investment amount is equal to or greater than 85% of the anticipated project amount; ii) company has maintained 240 FTE jobs and created 130 FTE jobs, iii) confirm adherence to local labor policy during construction and iv) its adherence to unpaid tax/pay equity policies for recapture term.

Project ECIDA History

- 10/27/26: Public hearing held.
- 11/18/26: Inducement Resolution presented to Board of Directors adopting a Neg Dec in accordance with SEQRA.
- 11/18/26: Lease/Leaseback Inducement Resolution presented to the Board of Directors.

Company ECIDA History

- 9/24/25: Amended $255M Private Investment included an additional 165K SF to existing plant in West Seneca. Amended Inducement Resolution presented adopting a Neg Dec per SEQRA. Amended Lease/Leaseback Inducement Resolution presented to the Board of Directors.
- 9/25/24: $150M Private Investment Additional 250K SF to existing plant in WS. Inducement Resolution presented adopting a Neg Dec per SEQRA. Lease/Leaseback Inducement Resolution presented to the Board of Directors.
- 10/21/2013: $2.9M Building Addition = 8,600 SF. Sales Tax Incentive – West Seneca (Inactive).
- 3/10/2004: $38M Construction of 165,000 SF manufacturing facility. Property & Sales Tax Incentives – West Seneca (Inactive).
- 6/12/2002: $1.03M Equipment Purchases. Sales Tax Incentive – Cheektowaga (Inactive).
- 8/16/2000: $ 1.16M Construction of 20,400 SF cold storage & dry room. Property & Sales Tax Incentives – Cheektowaga (Inactive).
- 8/16/2000: $ 8.14M Renovations 34,000 SF management & admin building, Property & Sales Tax Incentives – Cheektowaga (Inactive).

EVALUATIVE CRITERIA
MANUFACTURING/WAREHOUSE/DISTRIBUTION

Project: Upstate Niagara Cooperative

Wage Rate (above median wage for area)	Average wages for existing employees = $71,000 and for created jobs = $ 70,000
Regional Wealth Creation (% sales/customers outside area)	Sales within Erie County = 3% Sales outside the area (97%) include: Outside EC but in NYS = 33% Outside NYS but in US = 63% Outside US = 1%
In Region Purchases (% of overall purchases)	In region (Erie County) purchases = 3% Additional Note: Upstate's milk purchases from Erie County Farms result in the employment of 87 persons. Milk coming from surrounding farms in: Niagara, Chautauqua, Cattaraugus, Genesee and Wyoming support employment of 1,034. In region purchases – defined broadly as all Counties noted above, brings the % of "in region" purchases to 55%.
Research & Development Activities	N/A
Investment in Energy Efficiency	Yes. New equipment being purchased is more energy efficient than current equipment used by the plant.
Locational Land Use Factors, Brownfields or Locally Designated Development Areas	The Comprehensive Plan for West Seneca notes its successful North America Drive industrial park where the Town promotes available land for continued investment with areas already zoned for manufacturing uses, consistent with the overall vision and desired character of the Town.
LEED/Renewable Resources	N/A
Retention/Flight Risk	N/A
DEI Questionnaire	Construction contractors will strive to achieve MBE/ WBE goals in accordance with EIP criteria. See DEI questionnaire.
Workforce Access – Proximity to Public Transportation	N/A
Onsite child daycare facilities on the project site	There will not be any child daycare facilities on the site.

DATE OF AMENDATORY INDUCEMENT: November 18, 2026

Revised: 10/26/26

PILOT Worksheet: Estimate of Real Property Tax Abatement Benefits*** and Percentage of Project Costs financed from Public Sector sources

**** The PILOT Worksheet will be: (i) completed by IDA Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application.**

PILOT Estimate Table Worksheet-Upstate Niagara Cooperative

Dollar Value of New Construction and Renovation Costs	Estimated New Assessed Value of Property Subject to IDA*	County Tax Rate/1000	Local Tax Rate (Town/City/Village)/1000	School Tax Rate/1000
$105,130,000	$8,400,000	13.892897	22.150385	49.728297

*Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Town PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	0.05	$36,399	$58,034	$130,288	$224,722	$909,179	$684,457
2	0.1	$42,234	$67,337	$151,174	$260,746	$909,179	$648,433
3	0.15	$48,069	$76,640	$172,060	$296,770	$909,179	$612,409
4	0.15	$48,069	$76,640	$172,060	$296,770	$909,179	$612,409
5	0.2	$53,904	$85,943	$192,946	$332,794	$909,179	$576,385
6	0.2	$53,904	$85,943	$192,946	$332,794	$909,179	$576,385
7	0.25	$59,739	$95,247	$213,832	$368,818	$909,179	$540,361
8	0.25	$59,739	$95,247	$213,832	$368,818	$909,179	$540,361
9	0.3	$65,574	$104,550	$234,718	$404,842	$909,179	$504,337
10	0.35	$71,409	$113,853	$255,603	$440,866	$909,179	$468,313
TOTAL		$539,044	$859,435	$1,929,458	$3,327,937	$9,091,787	$5,763,850

***** Estimates provided are based on current property tax rates and assessment value (current as of date of application submission) and have been calculated by IDA staff**

Percentage of Project Costs financed from Public Sector Table Worksheet:

Total Project Cost	Estimated Value of PILOT	Estimated Value of Sales Tax Incentive	Estimated (up to) Value of Mortgage Recording Tax	Total of Other Public Incentives (Infrastructure & ESD Grants are PENDING)
$325,000,000	$ 5,763,850	$12,687,500	$1,890,000	$1,500,000

Note: special district taxes are not subject to PILOT abatement

Calc % = (Est. PILOT + Est. Sales Tax+ Est. Mortgage Tax+ Other)/Total Project Costs: 6.7%

PILOT Worksheet: Estimate of Real Property Tax Abatement Benefits*** and Percentage of Project Costs financed from Public Sector sources

**** The PILOT Worksheet will be: (i) completed by IDA Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application.**

PILOT Estimate Table Worksheet-Upstate Niagara Cooperative EIP 10 YR Enhanced – tier 2

Dollar Value of New Construction and Renovation Costs	Estimated New Assessed Value of Property Subject to IDA*	County Tax Rate/1000	Local Tax Rate /1000	School Tax Rate/1000
$105,130,000	$8,400,000	13.892897	22.150385	49.728297

*Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Town PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	0.05	$36,399	$58,034	$130,288	$224,722	$909,179	$684,457
2	0.05	$36,399	$58,034	$130,288	$224,722	$909,179	$684,457
3	0.1	$42,234	$67,337	$151,174	$260,746	$909,179	$648,433
4	0.1	$42,234	$67,337	$151,174	$260,746	$909,179	$648,433
5	0.15	$48,069	$76,640	$172,060	$296,770	$909,179	$612,409
6	0.15	$48,069	$76,640	$172,060	$296,770	$909,179	$612,409
7	0.2	$53,904	$85,943	$192,946	$332,794	$909,179	$576,385
8	0.2	$53,904	$85,943	$192,946	$332,794	$909,179	$576,385
9	0.25	$59,739	$95,247	$213,832	$368,818	$909,179	$540,361
10	0.25	$59,739	$95,247	$213,832	$368,818	$909,179	$540,361
11	0.3	$65,574	$104,550	$234,718	$404,842	$909,179	$504,337
12	0.5	$88,915	$141,762	$318,261	$548,938	$909,179	$360,241
TOTAL		$635,183	$1,012,716	$2,273,578	$3,921,477	$10,910,145	$6,988,668

***** Estimates provided are based on current property tax rates and assessment value (current as of date of application submission) and have been calculated by IDA staff**

Percentage of Project Costs financed from Public Sector Table Worksheet:

Total Project Cost	Estimated Value of PILOT	Estimated Value of Sales Tax Incentive	Estimated (up to) Value of Mortgage Recording Tax	Total of Other Public Incentives (Infrastructure & ESD Grants are pending)
$325,000,000	$ 6,988,668	$12,687,500	$1,890,000	$1,500,000

Note: special district taxes are not subject to PILOT abatement

Calc % = (Est. PILOT + Est. Sales Tax+ Est. Mortgage Tax+ Other)/Total Project Costs: 7.1%

Erie County Industrial Development Agency
MRB Cost Benefit Calculator

MRB Group
Cost-Benefit Analysis Tool powered by MRB Group

Date	October 26, 2026
Project Title	Upstate Niagara Cooperative, Inc. (Modification)
Project Location	North America Drive, West Seneca, NY 14224

Economic Impacts

Summary of Economic Impacts over the Life of the PILOT
Construction Project Costs
$325,000,000

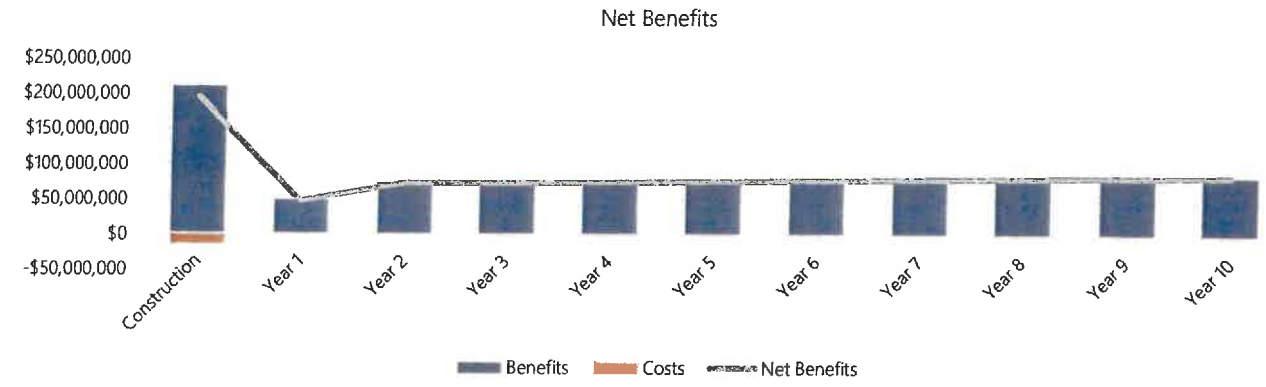
Temporary (Construction)

	Direct	Indirect	Total
Jobs	1267	1203	2470
Earnings	$124,377,500	$74,153,866	$198,531,366
Local Spend	$325,000,000	$231,010,000	$556,010,000

Ongoing (Operations)
Aggregate over life of the PILOT

	Direct	Indirect	Total
Jobs	370	746	1116
Earnings	$267,538,811	$449,358,187	$716,896,998

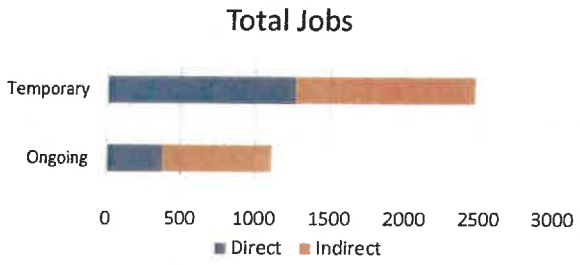
Figure 1



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

Figure 2

Figure 3





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Ongoing earnings are all earnings over the life of the PILOT.

Fiscal Impacts

MRB Group
Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	$5,763,850	$5,208,807
Sales Tax Exemption	$12,687,500	$12,687,500
Local Sales Tax Exemption	*$6,887,500*	*$6,887,500*
State Sales Tax Exemption	*$5,800,000*	*$5,800,000*
Mortgage Recording Tax Exemption	$1,890,000	$1,890,000
Local Mortgage Recording Tax Exemption	*$630,000*	*$630,000*
State Mortgage Recording Tax Exemption	*$1,260,000*	*$1,260,000*
Total Costs	**$20,341,350**	**$19,786,307**

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	**$925,108,832**	**$847,511,067**
To Private Individuals	$915,428,363	$838,659,083
Temporary Payroll	*$198,531,366*	*$198,531,366*
Ongoing Payroll	*$716,896,998*	*$640,127,717*
Other Payments to Private Individuals	*$0*	*$0*
To the Public	$9,680,468	$8,851,985
Increase in Property Tax Revenue	*$1,440,970*	*$1,262,984*
Temporary Jobs - Sales Tax Revenue	*$1,650,292*	*$1,650,292*
Ongoing Jobs - Sales Tax Revenue	*$5,959,206*	*$5,321,062*
Other Local Municipal Revenue	*$630,000*	*$617,647*
State Benefits	**$47,602,275**	**$43,610,272**
To the Public	$47,602,275	$43,610,272
Temporary Income Tax Revenue	*$8,933,911*	*$8,933,911*
Ongoing Income Tax Revenue	*$32,260,365*	*$28,805,747*
Temporary Jobs - Sales Tax Revenue	*$1,389,720*	*$1,389,720*
Ongoing Jobs - Sales Tax Revenue	*$5,018,279*	*$4,480,894*
Total Benefits to State & Region	**$972,711,107**	**$891,121,339**

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	$847,511,067	$12,726,307	67:1
State	$43,610,272	$7,060,000	6:1
Grand Total	**$891,121,339**	**$19,786,307**	45:1

*Discounted at the public sector discount rate of: 2%

Additional Comments from IDA

0

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

Does this project provide onsite childcare facilities? No

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Diversity, Equity and Inclusion Questionnaire

1. MWBE Contractors - Construction

The ECIDA encourages applicants to utilize MWBE contractors and suppliers for their projects and when feasible, to set a goal for MWBE participation during the construction period of the project. Below are links to the NYS and Erie County certified MWBE lists, including contractors, that can assist you with your utilization goals:

- New York State MWBE Certified List: https://ny.newnycontracts.com/
- Erie County MWBE Certified List: https://www3.erie.gov/eeo/mbe-wbe-resourcelist

Please provide detailed information regarding your company's plan to utilize MWBE contractors and suppliers for your project. Please include your project's MWBE utilization goals, what process and resources you plan to use or have utilized in the past to find and hire MWBEs, a list of the specific MWBE firms used on previous projects and/or firms you plan to use on the current project, and any history the company has of setting and meeting MWBE goals on past projects. The company may also include details with respect to the foregoing related to any MWBE policy and utilization goals that its general contractor has committed to implementing for the project.

Our contractor has had MWBE goals in the past and will attempt to make the best efforts to achieve the goals set by the agency for the economic inclusion program of 25% MBE, 5% WBE.

2. Minority & Women Employment - Current Workforce & Hiring Practices

The ECIDA encourages the hiring of a diverse workforce, especially for jobs created and retained as part of an ECIDA induced project. Below are some links to sites and organizations that will be helpful in achieving a diverse workforce:

- Northland Workforce Training Center: https://northlandwtc.org/employers/

- Workforce Buffalo: https://www.workforcebuffalo.org/business-services/employerservices
- New York State Job Bank: https://myjobsny.usnlx.com/
- Local Minority Newspapers: https://www3.erie.gov/eeo/minority-newspaper

Please provide detailed information regarding your company's current workforce and hiring practices as it relates to minority and women employees, including, if applicable, the company's Diversity, Equity and Inclusion plan and goals, any strategic partnerships the company has with educational and/or workforce development entities, and company strategies regarding outreach to minorities and women with the dissemination of job openings to the public:

Diversity and inclusion at our organization is a team effort and we expect and encourage employees to contribute to this goal.
Together with the support of our workforce development team, we support a workplace that offers every individual the opportunity to attain professional goals and contribute to accomplishing our mission.
For the past two years we have been an industry sponsor for Northland Workforce Training Center and have hired their students/graduates into our company. We work with the Department of Labor (NYS job bank) to post all of our employment opportunities and are developing our relationship with Workforce Buffalo.
We keep a community presence by attending local job fairs at technical schools, colleges, high schools and community centers.

3. Economic Inclusion Program

The ECIDA's Economic Inclusion Program (EIP) is a voluntary "opt in" program providing an enhanced real property tax abatement to applicants who commit to implementing and meeting MWBE utilization and minority and women employment goals. The mission of the EIP is to enhance the beneficial public impact of projects receiving ECIDA assistance and to further the ECIDA's goal of advancing opportunities for MWBE businesses and minorities and women, in general, in the Erie County workforce. Please note, for a company to be considered an MWBE under the EIP it must be certified as an MWBE by New York State or Erie County.

Under the EIP, the standard ECIDA PILOT Agreement real property tax abatement schedules are enhanced by extending both the term and abatement percentages of the PILOT Agreement.

Please note the EIP is a *voluntary opt-in program* providing enhanced incentives in exchange for meeting MWBE utilization and minority and women employment goals. The applicant shall not engage in any unlawful discrimination against any employee or applicant by reason of race, creed, religion, color, age, disability, national origin, sex, gender, or any other characteristic protected by law, including, but not limited to, Title VII of the Civil Rights Act, the Americans with Disabilities Act, the Age Discrimination in Employment Act, the Genetic Information Nondiscrimination Act, the New York State Human Rights Law, and any other similar laws, rules, or regulations. Applicants may bypass the EIP while still pursuing the ECIDA's standard PILOT Agreement.

☒ **Please check the box indicating that you have read the Economic Inclusion Program summary above and the attached FAQ document that can be found at the end of the questionnaire.**

☒ **Please check the box if you are interested in tentatively opting into the Economic Inclusion Program (nonbinding) and would like further, detailed information on the program and process from your ECIDA business development officer.**

TOWN OF WEST SENECA

CODE ENFORCEMENT OFFICE
"BUILDING SAFETY IS NO ACCIDENT"

TOWN SUPERVISOR
GARY A. DICKSON

TOWN COUNCIL
ROBERT J. BREIDENSTEIN
SUSAN K. KIMS
JEFFREY A. PIEKAREC
SCOTT D. ROBERTSON

September 12, 2025

RE: Upstate Dairy
3300North America Dr
West Seneca, NY 14224

To whom it may concern,

The Town of West Seneca Industrial Park Review Committee held a meeting on Tuesday, July 2nd, 2024, to review the application for the above noted address. The existing manufacturing facility has proposed an expansion of the facility. Upon review of the submitted plans, the applicant expressed their need for more space to produce their products. This expansion will require the business to hire approx. 100 additional employees. The overall business operations will not differ from what is currently taking place at this site. This site is not located adjacent to any residential properties.

Pursuant to Article IIA of the Town Code, which regulates all items in the Town Industrial Park, this addition is required to obtain an amended Restricted Use Permit. Specifically, section 120-28.5 outlines the process for obtaining this. The Town Board voted to approve the Amended Restricted Use Permit at its September 8th, 2025 Town Board meeting.

Previously, when the Industrial Park was constructed in 1991, there was a full environmental review conducted. The Town Board at that time issued a Negative Declaration pursuant to SEQRA law. The Town Board reaffirmed the previous determination at the September 8th, 2025 Town Board meeting.

The Industrial Park Review Committee has made a unanimous positive recommendation for this project previously. At the September 8th, 2025 Town Board meeting, this project was fully approved. This expansion will allow Upstate Dairy to continue to grow as a business in the Town of West Seneca. If there are any questions, please contact me to discuss them.

Regards,
Jeffrey Schieber

PUBLIC HEARING SCRIPT

Upstate Niagara Cooperative, Inc. project and/or Individual(s), Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf

Public Hearing to be held on October 27, 2026 at 3:00 p.m., at the Town of West Seneca Community Center & Library, located at 1300 Union Road, West Seneca, NY 14224

ATTENDANCE:

Chuck Wilson – Upstate Niagara Cooperative

☒ **1. WELCOME:** Call to Order and Identity of Hearing Officer.

Hearing Officer: Welcome. This public hearing is now open; it is 3:01 p.m. My name is Grant Lesswing. I am the Business Development Officer for the Erie County Industrial Development Agency, and I have been designated by the Agency to be the hearing officer to conduct this public hearing. This public hearing is being live-streamed and made accessible on the Agency's website at ecidany.com.

☒ **2. PURPOSE:** Purpose of the Hearing.

Hearing Officer: We are here to hold the public hearing on the {Company} project and/or Individual(s), Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf. The transcript of this hearing will be reviewed and considered by the Agency in determination of this project. Notice of this hearing appeared in The Buffalo News on Thursday, August 13, 2026.

☒ **3. PROJECT SUMMARY:** Description of Project and Contemplated Agency Benefits.

Hearing Officer: The proposed project (the "Project") consists of: (i) the acquisition by the Agency of a leasehold interest in certain property located on V/L North America Drive, Town of West Seneca, Erie County, New York and all other lands in the Town of West Seneca 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 250,000 sq. ft. addition to the existing 222,851 sq. ft. warehouse facility to be utilized for manufacturing as well as storage for finished goods, ingredients and packaging (the "Improvements"), and (iii) the acquisition by the Company in and around the Improvements of certain items of machinery,

equipment and other tangible personal property (the "Equipment"; and, together with the Land and the Improvements, the "Facility").

The proposed increase in financial assistance contemplated by the Agency includes New York State and local sales and use tax exemption benefits, (in compliance with Agency's uniform tax exemption policy).

☒ 4. **FORMAT OF HEARING:** Review the rules and manner in which the hearing will proceed.

Hearing Officer: All those in attendance are required to register by signing the sign-in sheet at the front of the room; you will not be permitted to speak unless you have registered. Everyone who has registered will be given an opportunity to make statements and/or comments on the Project.

If you have a written statement or comment to submit for the record, you may leave it at this public hearing, submit it on the Agency's website or deliver it to the Agency at 95 Perry Street, Suite 403, Buffalo, New York 14203. The comment period closes at 4:00 p.m. on November 17, 2026. There are no limitations on written statements or comments.

☒ 5. **PUBLIC COMMENT:** Hearing Officer gives the Public an opportunity to speak.

Hearing Officer: If anyone is interested in making a statement or comment, please raise your hand, state your name and address; if you are representing a company, please identify the company. I request that speakers keep statements and/or comments to 5 minutes or less.

Chuck Wilson – Deputy Director of Risk Management, Upstate Niagara Cooperative. We've found it necessary to increase our budget to about $325 million from the original $250 million due to several factors. One, we found it necessary to increase the square footage of the addition. It just made sense the way it was carved out. After we got into the project, we realized that a new sewer line needed to be run, which is an additional cost and then the big thing we found out after we started construction that NYSEG is unable to supply power to the addition. So that it is necessitated purchasing 25 linear generators to power the addition, which will be arriving later this year, and that cost is over $35 million. Also, because of the generators there's not enough natural gas to service the facilities with the generators, so National Fuel is going to be running a new line. I just found out that the cost of that is about $1.2 million. We also were able to identify some new business. So, there's a couple of production lines that are going to be part of the project as well.

☒ 6. **ADJOURNMENT:**

As there are no further statements and/or comments, I will close the public hearing at 3:05 p.m.

SIGN IN SHEET
THIRD PUBLIC HEARING

October 27, 2026 at 3:00 p.m., at the Town of West Seneca Community Center & Library, located at 1300 Union Road, West Seneca, NY 14224
regarding:

Upstate Niagara Cooperative, Inc. project and/or Individual(s), Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf

Project Location: **3300 North America Drive, West Seneca, New York 14224**

Name	Company and/or Address	X box to speak/ comment
Chuck Wilson	Upstate Niagara Cooperative, Inc. 368 Pleasant View Drive Lancaster, New York 14086	X

ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

SECOND AMENDATORY RESOLUTION

UPSTATE NIAGARA COOPERATIVE, INC., AND/OR INDIVIDUAL(S) OR AFFILIATE(S), SUBSIDIARY(IES), OR ENTITY(IES) FORMED OR TO BE FORMED ON ITS BEHALF

A regular meeting of the Erie County Industrial Development Agency was convened on Wednesday, November 18, 2026 at 12:00 p.m.

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

RESOLUTION OF THE ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING (i) ADDITIONAL FINANCIAL ASSISTANCE TO UPSTATE NIAGARA COOPERATIVE, INC. (THE "COMPANY") IN AMOUNTS EXCEEDING THE AMOUNTS PREVIOUSLY APPROVED BY THE AGENCY; AND (ii) THE EXECUTION OF RELATED DOCUMENTS

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 293 of the Laws of 1970 of the State of New York, as amended (collectively, the "Act"), the ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY (the "Agency") was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping civic, industrial, manufacturing, commercial and other facilities as authorized by the Act; and

WHEREAS, UPSTATE NIAGARA COOPERATIVE, INC. or on behalf of an affiliated entity formed or to be formed (the "Company") originally submitted an application to the Agency (the "Application") requesting the Agency's assistance with a certain project (the "Project") consisting of: (i) the acquisition by the Agency of a leasehold interest in certain property located on V/L North America Drive, Town of West Seneca, Erie County, New York and all other lands in the Town of West Seneca 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 250,000 sq. ft. addition to the existing 222,851 sq. ft. warehouse facility to be utilized for manufacturing as well as storage for finished goods, ingredients and packaging (the "Improvements"), and (iii) the acquisition by the Company in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the "Equipment"; and, together with the Land and the Improvements, the "Original Facility"); and

WHEREAS, by resolution adopted on September 25, 2024 (the "Original Resolution") the Agency authorized financial assistance to the Company with respect to the Application in the form of (a) an exemption benefit from all New York State and local sales and use taxes for purchases and rentals related to the Project with respect to the qualifying personal property included in or incorporated into the Facility or used in the acquisition, construction, reconstruction and/or renovation, rehabilitation or equipping of the Facility, and (b) a partial abatement from real property taxes benefit consistent with the Agency's Economic Inclusion PILOT Policy, dated as of April 26, 2023 (the "EIP Policy") through a 10 year Tier 2 payment in lieu of tax agreement (the "PILOT Agreement") with the Company for the benefit of each municipality and school district having taxing

jurisdiction over the Project, (collectively, the sales and use tax exemption benefit and the partial abatement from real property taxes benefit, are hereinafter collectively referred to as the "Financial Assistance"); and

WHEREAS, on May 29, 2025, the Company submitted an amended application (the "Amended Application") to the Agency amending its Project (hereinafter, the "Modified Project") confirming that (i) the Improvements contemplated for the Original Facility have decreased in size and will now consist of the construction on the Land of an approximately 165,000 square-foot addition to the existing 222,851 sq. ft. warehouse facility to be utilized for manufacturing as well as storage for finished goods, ingredients and packaging (the "Modified Improvements" and with the Equipment and the Land, the "Modified Facility"), (ii) Project costs have increased due to an increase in construction costs; and (iii) requesting an increase in Financial Assistance for the Modified Project in the form of an increase in the real property tax abatement benefit, an increase in the sales and use tax exemption benefit, and (iv) the addition of a mortgage recording tax exemption benefit (collectively, the "Modified Financial Assistance"); and

WHEREAS, by resolution adopted on September 24, 2025, (the "Amendatory Resolution"), the Agency authorized financial assistance to the Company consistent with the requests and modifications contained within the Amended Application; and

WHEREAS, on October 9, 2026, the Company submitted an amended application (the "Second Amended Application") to the Agency amending its Project (hereinafter, the "Second Modified Project") confirming that (i) Project costs have increased due to an increase in construction costs; (ii) requesting an increase in Financial Assistance for the Second Modified Project in the form of an increase in the sales and use tax exemption benefit; and (iii) construction on the Land of an approximately 231,000 square-foot addition to the existing 222,851 sq. ft. warehouse facility is an increase from 165,000 sq. ft. (collectively, the "Second Modified Financial Assistance"); and

WHEREAS, pursuant to General Municipal Law Section 859-a, on October 27, 2026 at 3:00 p.m. at the Town of West Seneca Community Center & Library, located at 1300 Union Road, West Seneca, NY 14224, the Agency held a public hearing with respect to the Second Modified Project and the proposed Second Modified Financial Assistance (as hereinafter defined) being contemplated by the Agency (the "Third Public Hearing") whereat interested parties were provided a reasonable opportunity, both orally and in writing, to present their views; and

WHEREAS, the Project is located within the Town of West Seneca (the "Town") Industrial Park (the "Industrial Park Project"); and

WHEREAS, the Industrial Park Project entailed and entails the acquisition and development of an industrial, warehousing, and distribution park of approximately 400-500 acres within the Town to ultimately be developed as various individual parcels within the Industrial Park by private developers; and

WHEREAS, the Town, in accordance with Article 8 of the New York Environmental Conservation Law and the regulations promulgated thereto in 6 N.Y.C.R.R. Part 617 (collectively referred to as the "State Environmental Quality Review Act" and/or "SEQR"), undertook coordinated review with respect to the Industrial Park Project, established itself as Lead Agency as defined in SEQR, and determined that the Industrial Park Project was a Type I Action; and

WHEREAS, the Agency, on or about October 11, 1989, affirmed and confirmed the status of the Town as "Lead Agency" within the meaning of and for all purposes of complying with SEQR with respect to the Industrial Park Project; and

WHEREAS, on August 12, 1991, the Town accepted the Final Environmental Impact Statement (the "FEIS") for the Industrial Park Project; and

WHEREAS, on September 23, 2024, the Town completed its review of the Original Project and related materials and the FEIS and specifically determined that there were no potentially significant adverse environmental impacts associated with the Project, that no further environmental impact statement is necessary; and that the environmental impacts resulting from the Original Project are consistent with the provisions of the FEIS as related to the Industrial Park Project; and

WHEREAS, on October 2, 2026, the Town completed its review of the Second Modified Project and reaffirmed the Town's September 23, 2024 determination as described above; and

WHEREAS, pursuant to Article 18-A of the Act, the Agency desires to further amend the Original Resolution and to adopt a resolution describing the Second Modified Project and the Modified Financial Assistance that the Agency is contemplating with respect to the Modified Project.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. All recitals, findings and determinations of the Agency contained in the Original Resolution, as amended by that certain Amendatory Resolution, are hereby reaffirmed, ratified, restated and incorporated herein by reference as if set forth herein in their entirety, except as modified by this Resolution.

Section 2. With respect to the foregoing, and based upon the representations and warranties made by the Company in its Second Amended Application, Agency Policy Committee review of and recommendations related to the Second Modified Project and its November 5, 2026 resolution to recommend Agency approval of same subject to the terms and conditions as described herein, the Policy Committee and Agency board member review of the Second Modified Project's cost benefit ratio, the costs of incentives so applied for, the anticipated new tax revenues to be generated by the Second Modified Project, as well as the Second Modified Project's contemplated community benefits, and Agency board member review, discussion, and consideration of same, the Agency hereby approves the Second Modified Project.

Section 3. Any and all references to Project as so referred to in the Original Resolution shall hereinafter be deemed to reference the Second Modified Project, as described within this Amendatory Resolution.

Section 4. Based upon the representations and warranties made by the Company in its Amended Application, subject to the terms and conditions as described herein, and Agency Board member review, discussion and consideration of same, the Agency hereby amends Section 3(A) and 3(B) of the Original Resolution in its entirety to read as follows:

A. Financial Assistance. With respect to the foregoing, and based upon the representations and warranties made by the Company in its Amended Application for Financial Assistance, the Agency hereby:

(i) authorizes and approves the Company, as its agent, to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use tax in an estimated amount up to $145,000,000, which may result in New York State and local sales and use tax exemption benefits ("sales and use tax exemption benefits") not to exceed $12,687,500. The Agency may consider any requests by the Company for increases to the amount of sales and use tax exemption benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services; and

(ii) authorizes and approves that the value of the mortgage recording tax exemption benefit ("mortgage recording tax exemption benefits") shall not exceed $1,890,000; and

(iii) authorizes and approves that the real property tax abatement benefits ("PILOT benefits") to be provided over the term of the PILOT Agreement are estimated to be approximately $5,763,850, resulting in estimated total PILOT payments of $3,327,937 over the term of the PILOT Agreement.

B. Terms and Conditions of Financial Assistance. Pursuant to Section 875(3) of the New York General Municipal Law, and per the policies of the Agency, the Agency may recover or recapture from the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, any New York State and local sales and use tax exemption benefits taken or purported to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, if it is determined that: (i) the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, is not entitled to the New York State and local sales and use tax exemption benefits; (ii) the New York State and local sales and use tax exemption benefits are in excess of the amounts authorized to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project; (iii) the New York State and local sales and use tax exemption benefits are for property or services not authorized by the Agency as part of the Project; (iv) the Company has made a material false statement on its application for Financial Assistance; (v) the New York State and local sales and use tax exemption benefits are taken in cases where the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, fails to comply with the Investment Commitment, the Employment Commitment, and/or the Local Labor Commitment, said commitments, as described below, being a material term or condition to use property or services in the manner approved by the Agency in connection with the Project; and/or (vi) the New York State and local sales and use tax exemption benefits are taken in cases where the Company fails to comply with the Equal Pay Commitment and/or the Unpaid Real Property Tax Policy Commitment, as described below, being a material term or condition to use property or services in the manner approved by the Agency in connection with the Project.

As a condition precedent of receiving Financial Assistance, the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, must cooperate with the Agency in its efforts to recover or recapture any Financial Assistance, and promptly pay over any such amounts to the Agency that the Agency demands.

Section 5. Based upon the representations and warranties made by the Company in its Amended Application, subject to the terms and conditions as described herein, and Agency Board member review, discussion and consideration of same, the Agency hereby finds, determines and hereby amends Section 3(C)(i) of the Original Resolution in its entirety to read as follows:

(i) Investment Commitment – the total investment actually made with respect to the Project at the time of Project completion equals or exceeds $276,250,000 (which represents the product of 85% multiplied by $325,000,000, being the total project cost as stated in the Company's Amended Application).

Section 6. Unless otherwise amended pursuant to the terms contained herein, the terms of the Original Resolution shall remain unchanged.

Section 7. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 8. All actions heretofore undertaken by the Agency and the Company as agent of the Agency are ratified and approved and the Agency and the Company, as agent of the Agency, are hereby authorized to continue to undertake the Modified Project.

Section 9. These Resolutions shall take effect immediately.

Dated: November 18, 2026

UNC-2024-01

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	W Seneca Expansion 2024- Revised
Project Summary	Expand West Seneca Plant to accommodate new business and create efficiencies in our operations
Applicant Name	Upstate Niagara Cooperative, Inc.
Applicant Address	368 Pleasant View Drive
Applicant Address 2	
Applicant City	Lancaster
Applicant State	New York
Applicant Zip	14086
Phone	(716) 892-3156
Fax	
E-mail	cwilson@uncdairy.com
Website	https://www.upstateniagara.com/
NAICS Code	311511

Business Organization

Type of Business

Corporation

Year Established

1965

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	Chuck Wilson
Title	Director of Risk Management
Address	368 Pleasant View Drive
Address 2	
City	Lancaster
State	New York
Zip	14086
Phone	(716) 892-3156
Fax	
E-Mail	cwilson@uncdairy.com

Company Contact- Authorized Signer for Applicant

Contact is same as individual completing application	No
Name	Michael J Fuchs
Title	Chief Financial Officer
Address	368 Pleasant View Drive
Address 2	
City	Lancaster
State	New York
Zip	14086
Phone	(716) 892-3156
Fax	
E-Mail	cwilson@uncdairy.com

Company Counsel

Name of Attorney	Joseph G Casion
Firm Name	Harter Secrest & Emery LLP
Address	1600 Bausch & Lomb Place
Address 2	
City	Rochester
State	New York
Zip	14604
Phone	(585) 231-1407
Fax	
E-Mail	jcasion@hselaw.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%.

Upstate is a dairy cooperative made up of approximately 260 dairy farms, primarily located in New York State. We are a food and beverage company that has been producing a wide variety of award winning, high-quality dairy products since 1971. These offerings include milk, cream, flavored milk, shelf stable ready-to-drink beverages, yogurt, dip, sour cream, cottage cheese, canned evaporated milk, and ice cream mix products marketed under the Upstate Farms, Bison, Intense Milk, Milk for Life, Spring Farms, Gold Cow and Valley Farms brands, in addition to numerous contract and retail customer labels.

Estimated % of sales within Erie County	3 %
Estimated % of sales outside Erie County but within New York State	33 %
Estimated % of sales outside New York State but within the U.S.	63 %
Estimated % of sales outside the U.S.	1 %

(*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?

3

Describe vendors within Erie County for major purchases

The majority of our Erie County purchases are with local dairy farms for milk used in processing

Section II: Eligibility Questionnaire - Project Description & Details

Project Location

Address of Proposed Project Facility

North America Drive

Town/City/Village of Project Site

West Seneca

School District of Project Site

West Seneca Central

Current Address (if different)

3300 North America Drive

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

West Seneca

SBL Number(s) for proposed Project

135.10-3-2 / 135.01-2-1.1

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

$1,223,281 including school tax, excluding sewer charges

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?

No

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

The site is already owned, Existing building / Vacant Land

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)

We plan on adding an approximately 231,410 square foot addition, with associated equipment, to our existing 222,851 square foot warehouse at 3300 North America Drive in West Seneca, NY utilizing adjacent vacant land currently owned by Upstate Niagara Cooperative. This will add significant manufacturing capacity as well as storage for finished goods, ingredients and packaging. The product manufactured will be distributed though out the United States, including New York and will utilize significant milk from local dairy farms. Initially the budget was prepared with rough estimates, as the project developed the actual anticipated cost of both building and equipment grew, as a result of increases in material cost as well as the fine tuning of original estimates; at the same time new cost arose, such as a new sewer line. As a result, we found it necessary to adjust the scope of the project. Initially we had planned on additional space for future growth, we originally reduced the footprint to just what is needed at this time, but over the past year, new opportunities allowed us to add back some of that space; through added efficiencies, were able to reduce the number of productions lines, while maintaining similar throughput, which required less space; over the past year new opportunities arose so that it made sense to plan for additional lines. After site preparation had begun, we were notified by NYSEG that they do not have enough electricity to power the expansion, and the wait time for them to add the capacity would be over 4 years at a high cost to Upstate, due to this it is necessary to add linear generators to the project to power the expansion, at a cost of over $35 million. When we began the planning process for the generators, we were told by National Fuel that the existing natural gas line is not sufficient to supply the linear generators. The cost to add a natural gas pipeline is around $2 million, with a timeline of around 12 months. We will need to design the linear generators so that some of it can run off alternate fuel while the new natural gas line is being installed. Over the past year the planned size of the structure has been slightly increased; this along with unforeseen increases in material cost has resulted in an increase in costs of around $11.3 million to the cost of the building since last year at this time. We also anticipate the cost of equipment to increase by around $24 million since last year at this time. This is due to increases in material costs and the decision to add a couple more manufacturing lines to take advantage of new customers and to an increase in demand for the products to be produced at the plant.

Municipality or Municipalities of current operations

West Seneca

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:

Although the project could be undertaken without the financial assistance of the agency, it will need to be cut back and reduce the financial impact to the region.

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)

The agencies financing is necessary to maximize the utilization of the expansion to assure the most utilization of local labor and milk form local dairy farms as possible.

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 we are unable to obtain financial assistance for the project, we will cut back on the project, not creating as many local jobs and not utilizing as much milk from local dairy farms.

Will project include leasing any equipment?

No

If yes, please describe equipment and lease terms.

Site Characteristics

Is your project located near public transportation?

No

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

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

No

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.

8/26/2024

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

Yes

Describe the present zoning/land use

M2 Industrial

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?

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

Equipment being purchased will be more efficient than the equipment currently in the plant, prior to the expansion. The use of linear generators over traditional generators, will help keep the additional carbon footprint from power generation to a minimum.

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.

Please explain the extent to which the project provides onsite child care services or otherwise facilitates new child care services.

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.

No Acquisition of Existing Facility	**No Assisted Living**	**Yes Back Office**
No Civic Facility (not for profit)	**No Commercial**	**Yes 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**	**Yes Manufacturing**
No Renewable Energy	**Yes Other**	
	Power Genereation	

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	200,502 square feet	$	70,440,000	67%
Warehouse	22,118 square feet	$	27,390,000	26%
Research & Development	square feet	$	0	0%
Commercial	square feet	$	0	0%
Retail	square feet	$	0	0%
Office	8,790 square feet	$	7,300,000	7%
Specify Other	square feet	$	0	0%

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

7/1/2025

End date : Estimated completion date of project

9/30/2027

Project occupancy : estimated starting date of occupancy

7/1/2027

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)

$ 105,130,000 231,410 square feet

4.) Reconstruction/Renovation

$ 0 square feet

5.) Manufacturing Equipment

$ 184,870,000

6.) Infrastructure Work

$ 0

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

$ 0

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

$ 0

9.) Other Cost

$ 35,000,000

Explain Other Costs	Linear Generators to power the expansion
Total Cost	$ 325,000,000

Construction Cost Breakdown:

Total Cost of Construction	$ 105,130,000 (sum of 2, 3, 4 and 6 in Project Information, above)

Cost of materials	$ 65,500,000
% sourced in Erie County	10%

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	$ 145,000,000
Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above):	$ 12,687,500

** 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:	There has been money spent on engineering studies to evaluate the feasibility of the project, some tree removal on the site, and building construction has begun

Sources of Funds for Project Costs:

Equity (excluding equity that is attributed to grants/tax credits):	$
Bank Financing:	$ 323,500,000
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):	$ 1,500,000
Identify each state and federal grant/credit: (ie Historic Tax Credit, New Market Tax Credit, Brownfield, Cleanup Program, ESD, other public sources)	ESD $1,500,000
Total Sources of Funds for Project Costs:	$325,000,000
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).	252,000,000
Lender Name, if Known	
Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above multiplied by 3/4 of 1%):	$1,890,000

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	240	240	130	130
Part time	0	0	0	0
Total	240	240	130	

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	60	$ 89,300	$ 22,000	0	$ 0	$ 0
Professional	0	$ 0	$ 0	0	$ 0	$ 0
Administrative	6	$ 51,520	$ 29,250	0	$ 0	$ 0
Production	304	$ 71,400	$ 22,200	0	$ 0	$ 0
Independent Contractor	0	$ 0	$ 0	0	$ 0	$ 0
Other	0	$ 0	$ 0	0	$ 0	$ 0
Total	370			0		

** 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	368 Pleasant View Dr. Lancaster, NY	1730 Dale Rd. Cheektowaga, NY	
Full time	178	182	0
Part time	0	0	0
Total	178	182	0

Payroll Information

Annual Payroll at Proposed Project Site upon completion

26,500,000

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

71,000

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

0

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

70,000

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

0

Estimated salary range of jobs to be created

From (Full Time) 35,000 **To (Full Time)** 120,000

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

3300 North America Drive, West Seneca, NY and adjacent property

Name and Address of Owner of Premises

Upstate Niagara Cooperative, Inc 368 Pleasant View Drive Lancaster, NY 14086

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

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 current construction was completed in 2005. The facility produces and distributes a variety of dairy products, including yogurt, cottage cheese, sour cream and dips

Describe all known former uses of the Premises

This was a new build in 2005 and has been occupied by Upstate Niagara Cooperative since then.

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

Discharge is into the sanitary sewer

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 is first released into a new retention pond and then proceeds to the existing wetland at the northwest portion of the site.

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

Various above ground tanks utilized to store chemicals for sanitation of the lines used in the production process.

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?

Single Use Facility

For Single Use Facility

Occupant Name	Upstate Niagara Cooperative, Inc
Address	368 Pleasant View Drive, Lancaster, NY
Contact Person	Chuck Wilson
Phone	(716) 892-3156
Fax	
E-Mail	cwilson@uncdairy.com
Federal ID #	16-0845625
SIC/NAICS Code	311511

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

What is the age of the structure (in years)? 0

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.)

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?

<BLANK>

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

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

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.

Section X: 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 XI: 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

12319 Broadway LLC
$ 7,149,090
PRIVATE INVESTMENT INDUCEMENT RESOLUTION

ELIGIBILITY

- NAICS Section – 238210

COMPANY INCENTIVES

- Approx $ 517,261 in real property tax savings
- Up to $ 191,682 in sales tax savings
- 3/4 of 1% of the final mortgage amount up to $ 40,425

JOBS & ANNUAL PAYROLL

- Current Jobs: 15 FT
- Est. salary/yr. of jobs retained: $85,000
- Projected new jobs: 6 FT
- Est. salary/yr. of jobs created: $80,000
- Total jobs after project completion: 21 FTE
- Annual Payroll: $1,800,000
- Construction Jobs: 30

PROJECTED COMMUNITY BENEFITS*

- Term: 7 YEARS
- NET Community Benefits: $25,214,779
- Spillover Jobs: 43
- Total Payroll: $23,645,846

INCENTIVE COST / COMMUNITY BENEFIT RATIO (discounted at 2%)*

Incentives: $712,715

Community Benefit: $23,587,265

Cost: Benefit Ratio: 1:33

* Cost Benefit Analysis Tool powered by MRB Group

Project Title: Buffalo Solar - Center for Energy Empowerment

Project Address 12319 Broadway Street, Alden, NY 14004

(Alden Central School District)

Agency Request

A property tax, sales tax, and mortgage recording tax abatement in connection with the construction of a 12,760 SF commercial, net-zero energy building in Alden.

Land / Building Acquisition	$ 150,000
Building Construction	$ 6,165,969
Soft Costs	$ 833,121
Total Project Cost	$ 7,149,090
85%	$ 6,076,726

Company Description

Buffalo Solar affiliate 12319 Broadway LLC is a New York limited liability company established to develop, own, and operate the 12,760 SF Center for Energy Empowerment at 12319 Broadway in Alden, New York. The LLC will generate revenue primarily through commercial lease payments from affiliates Buffalo Solar Solutions, Inc. and Intraform LLC. Buffalo Solar will serve as the principal tenant, primary operating business, and primary employer at the facility, utilizing the majority of the building as its HQ for commercial solar and energy storage operations. Intraform will occupy a smaller portion of the facility and focus on the development of energy-integrated, high-performance commercial real estate. All three entities share common ownership through Tyler Uebelhoer.

Project Description

12319 Broadway LLC is developing the Center for Energy Empowerment in Alden, a new 12,760 SF facility that will serve as Buffalo Solar's HQ and support the continued growth of its commercial solar and energy storage business. The project includes the construction of a high-performance, net-zero energy building incorporating solar photovoltaic generation, battery energy storage, geothermal heating and cooling, electric vehicle charging infrastructure, and advanced energy management systems. The facility is being designed to achieve Phius ZERO certification.

The facility is primarily being developed to support Buffalo Solar's core operations, with approximately 10,000 square feet, or nearly 80% of the building, dedicated to office, warehouse, and operational functions. This space will support project development, engineering and design, project management, procurement, sales, administration, and field operations associated with the company's commercial and industrial solar and energy storage projects. As Buffalo Solar's HQ, the facility will provide the infrastructure and capacity necessary to support the company's continued expansion throughout the region.

A smaller component of the project includes about 800 SF training and education room, representing about 6% of the facility. The space will be used for employee development, safety and technical training, contractor education, and workforce development initiatives that support the growth of the local clean-energy workforce and Buffalo Solar's long-term operational needs.

Economic Impact: Inform Analytics Cost-Benefit Analysis

The Erie County Industrial Development Agency uses the Cost Benefit Analysis Tool powered by MRB Group to assess the economic impact of a project applying for incentives. A Cost-Benefit Analysis is required by Section 859-a (5)(b) of General Municipal Law. For the complete Cost Benefit Analysis – please see the attached MRB Cost Benefit Calculator.

Cost: *Incentives*

	Tax Exemption	Amount
COSTS	Property	$ 517,261
	Sales	$ 191,682
	Mortgage Recording	$ 40,425
	Total	$ 749,368
	Discounted at 2%	$712,715

Benefit: *Projected Community Benefit**

	Region	Recipient	Revenue Type	$ Amount **
BENEFITS	Erie County	Individuals	Payroll Construction	$ 4,293,153
			Payroll Permanent	$19,352,693
		Public	Property Taxes	$ 129,318
			Sales Taxes	$ 196,556
			Other Muni Revenue (NFTA)	$ 13,475
	New York State	Public	Income Taxes	$ 1,064,063
			Sales Taxes	$ 165,521
			Total Benefits to EC + NYS***	$25,214,779
			Discounted at 2%	$23,587,265

* Cost Benefit Analysis Tool powered by MRB Group **Includes direct & indirect $ over project period ***May not sum to total due to rounding

Discounted Cost	$712,715
Discounted Benefit	$23,587,265
Ratio	1:33

Conclusion: The Cost Benefit for this project is: 33:1. For every $1 in costs (incentives), this project provides $33 in benefits (payroll & tax revenue). **Note: For Erie County, every $1 in costs (incentives) provides $38 in benefits to the community.**

New Tax Revenue Estimated

Current Yearly Taxes	Estimated New Assessed Value	Additional County Revenue over abatement period	Additional Town Revenue Over abatement period	Additional School Revenue over abatement period	New Yearly Taxes Upon Expiration of Abatement Period
$1,233	$ 3,445,400	$30,626	$8,800	$98,524	$93,601
Combined Tax Rate: $ 27.17					

Draft Recapture Material Terms

Condition	Term	Recapture Provision
Total Investment	At project completion	Investment amount equal to or greater than 85% of project amount. Total project amount = $ 7,149,090 85% = $ 6,076,726
Employment	Coincides with 7-year PILOT	Maintain Base = 15 FTE Create 85% of Projected Projected = 6 FTE 85% = 5 FTE Recapture Employment = 20 FTE
Local Labor	Construction period	Adherence to policy including quarterly reporting
Pay Equity	Coincides with 7-year PILOT	Adherence to Policy
Unpaid Tax	Coincides with 7-year PILOT	Adherence to Policy
Recapture Period	Coincides with 7-year PILOT	Recapture of Real Property Tax, Mortgage Recording Tax, State and Local Sales Taxes

Recapture applies to:

State and Local Sales Taxes
Real Property Tax
Mortgage Recording Tax

Recapture

Pursuant to New York State General Municipal Law, the agency shall modify, recover, recapture or terminate any financial assistance taken by the company that is in violation of the GML.

At completion of the project company must certify i) total investment amount is equal to or greater than 85% of the anticipated project amount; ii) company has maintained 15 FTE jobs and created 6 FTE jobs, iii) confirm adherence to local labor policy during construction and iv) its adherence to unpaid tax/pay equity policies for recapture term.

Project ECIDA History

- 9/28/26: Public hearing held.
- 11/18/26: Inducement Resolution presented to Board of Directors adopting a Neg Dec in accordance with SEQRA
- 11/18/26: Lease/Leaseback Inducement Resolution presented to the Board of Directors

Concern that they are paying sub-contractors less money as part of training. Better explanation of how that works and do workers get some type Of certification etc. when training is completed?

1. Clarification of the subcontractor training model

Buffalo Solar would like to clarify that the workforce-development model is **not a program in which individual workers are paid reduced wages in exchange for training.**

Commercial solar installation requires specialized experience, and subcontractors with crews that already possess that experience generally command a higher subcontract price because they can perform the work with less training and technical support from Buffalo Solar.

Our approach creates an opportunity to expand the local contractor base by working with established contractors in complementary trades. For example, an experienced local roofing contractor may have employees with the construction and rooftop skills necessary to perform the work safely, but the crew may not yet have experience installing commercial solar systems.

In that situation, Buffalo Solar may engage the contractor at a subcontract price that reflects the crew's current level of solar experience while Buffalo Solar provides the additional solar-specific training, technical direction and field support necessary to complete the work. **The subcontractor remains the employer of its workers and is responsible for their wages and employment conditions. Buffalo Solar is not reducing an individual worker's compensation as part of the training.**

There is not a Buffalo Solar certification awarded at the completion of this process. The value to the participating contractor and its employees is **hands-on commercial solar installation experience and development of skills that can be applied on future clean-energy projects.** As those contractors develop solar-specific capabilities and require less Buffalo Solar training and oversight, they become better positioned to independently compete for and perform additional solar work.

The objective is to **increase the number of local contractors and workers capable of participating in Western New York's growing clean-energy industry**, while allowing Buffalo Solar to develop a stronger local skilled-labor network as the company grows.

Confirmation that employment job creation are employees of Buffalo Solar and not from sub-contractors

2. Confirmation that employment/job creation represents Buffalo Solar employees and not subcontractors

Yes. The employment growth presented for this project represents **direct employees of Buffalo Solar and does not include subcontractor personnel.**

Buffalo Solar has specific hiring plans associated with its current growth and the expansion of operations at the new headquarters. The company is currently recruiting for a **Capital Programs/Grant Coordinator** and a **Design Specialist**. Additional direct positions anticipated as operations expand include:

- **Two Installation Supervisors**, anticipated beginning in spring;
- **Three Operations & Maintenance Specialists** — one focused on system monitoring and two focused on dispatch and field response;
- **One Project Manager**; and
- **One additional position supporting permitting and utility interconnection.**

Together, these represent **nine specifically identified new direct Buffalo Solar positions**, in addition to the company's existing workforce.

Buffalo Solar also anticipates the potential for additional direct employment as its commercial project volume continues to grow. In particular, increased project volume would require additional project-management and operational capacity. Because the timing and number of those positions will depend on the pace of future project growth, they are **not included in the nine positions identified above.**

Buffalo Solar will continue to utilize subcontractors where appropriate for project construction. Those subcontractor personnel provide additional regional economic activity and workforce opportunities; however, **they are separate from Buffalo Solar's direct workforce and are not included in the company's direct job-creation projections for this project.**

Better clarification of the structure of Buffalo Solar and related entities and how they operate

3. Clarification of the structure of Buffalo Solar and related entities and how they operate

The project involves three affiliated entities that share common ownership but have distinct business purposes.

Buffalo Solar Solutions, Inc. is the solar operating company. Buffalo Solar is a Western New York commercial solar and energy-storage EPC business and employs the personnel

responsible for developing, designing, managing, constructing, commissioning and servicing its customer projects. Buffalo Solar will be the **principal tenant, primary operating business and primary employer** at the new Alden facility.

12319 Broadway LLC is the real-estate entity that owns and is developing the Alden headquarters property. Separating ownership of the real estate from the operating company allows the long-term real-estate asset and the operating business to be managed independently. 12319 Broadway LLC will lease the majority of the facility to Buffalo Solar. It is the property-ownership entity and does not employ Buffalo Solar's operating workforce.

Intraform LLC is a separate affiliated operating company focused on the development of high-performance and net-zero commercial real estate. Intraform will lease and occupy a smaller portion of the facility and has a distinct business purpose from Buffalo Solar's commercial solar and energy-storage operations.

All three entities share common ownership through **Tyler Uebelhoer**, but each serves a different function:

Tyler Uebelhoer — Common Owner

→ **12319 Broadway LLC** — Property Owner / Facility Development
→ **Buffalo Solar Solutions, Inc.** — Principal Tenant / Primary Employer / Commercial Solar & Energy-Storage EPC
→ **Intraform LLC** — Additional Tenant / High-Performance & Net-Zero Real-Estate Development

The landlord/tenant relationship is between **12319 Broadway LLC and the operating businesses occupying the facility.** The entities are affiliated through common ownership but are not subsidiaries of one another.

The requested ECIDA assistance relates to development of the physical facility. While the property is owned through 12319 Broadway LLC, the primary economic-development purpose of the project is to establish a permanent headquarters with the capacity for **Buffalo Solar's existing Western New York business and workforce to expand.**

The affiliated structure does not change where the employment occurs or who employs the projected Buffalo Solar positions. The direct jobs identified as part of Buffalo Solar's growth are **positions employed by Buffalo Solar Solutions, Inc. and are not being attributed to 12319 Broadway LLC, Intraform LLC or subcontractors.**

Company should talk about what impacts not receiving the benefits would be. How it would impact potential job Creation or growth of company/project.

4. Impact if the requested ECIDA benefits are not received

The requested ECIDA benefits directly affect Buffalo Solar's ability to invest in additional staffing and operational capacity as the company grows.

If the benefits are not received, Buffalo Solar would continue to operate and move forward with its growth plans, but we would need to **do more with less.** We would rely more heavily on existing staff, operate with a leaner team and defer certain planned positions until business volume requires the additional capacity.

One specific example is Buffalo Solar's planned expansion of its **Operations & Maintenance (O&M) services.** Today, our existing staff primarily has the capacity to service projects that Buffalo Solar has installed. We plan to add **three O&M Specialists** to expand that capacity and make those services available to a broader base of solar system owners throughout the region.

This need is becoming increasingly important as solar contractors leave the market or go out of business. In those situations, businesses can be left with operating solar systems but no original installer available to provide ongoing maintenance, troubleshooting or service. Expanding Buffalo Solar's O&M team would provide an additional local resource for those system owners while creating skilled, permanent jobs in Western New York.

Without the requested benefits, the three planned O&M positions are among the investments we would likely defer. Buffalo Solar would continue servicing its existing projects with current staffing and add personnel as business volume ultimately requires it, but we would have limited capacity in the near term to expand those services to the broader market.

The same principle applies to other planned positions. Higher facility costs would require us to be more conservative about when additional employees are added and rely on our existing team for longer. **That has a direct effect on Buffalo Solar's ability to grow.** With fewer employees, project development takes longer and the company has less capacity to manage multiple projects simultaneously. That limits the number of new projects Buffalo Solar can take on and complete within a given period, which in turn slows business growth and delays the additional job creation that would otherwise accompany that growth.

Conversely, adding capacity earlier allows Buffalo Solar to move projects through development more efficiently, manage a larger portfolio of projects and create additional employment as the business grows.

This capacity is also important in the context of New York State's clean-energy objectives. The State's Climate Act calls for **70% renewable electricity by 2030 and a zero-emissions electricity system by 2040.** Meeting those objectives requires not only additional renewable-energy projects, but also local companies and skilled workers capable of developing,

constructing and maintaining those systems. Buffalo Solar's continued growth helps build that capacity in Western New York.

The requested ECIDA benefits therefore support more than construction of the physical facility. They allow Buffalo Solar to direct more of its available capital toward **creating jobs, expanding operational capacity, increasing the number of commercial solar and energy-storage projects the company can support, and developing services that address a growing need within Western New York's existing solar market.**

Without the benefits, Buffalo Solar would remain committed to Western New York and continue to grow, but **the pace of hiring would be slower, certain positions would be deferred, project-development capacity would be more constrained, and the expansion of services such as O&M to the broader community would likely be delayed.**

Put in perspective the main activities of the Business/ breakdown of revenue/sq. footage devoted to Buffalo Solar's main business versus training component for the project.

5. Main business activities, revenue and square footage devoted to core operations versus training

Buffalo Solar's primary business is the **development, design, construction, commissioning and ongoing service of commercial and industrial solar and energy-storage projects.** The new Alden facility is being developed primarily to serve as Buffalo Solar's headquarters and provide the office, warehouse and operational capacity necessary to support the continued growth of that business.

Buffalo Solar completed approximately **$4.2 million in commercial project volume in 2025 and anticipates approximately $10 million in sales in 2026.** Buffalo Solar's revenue is generated by its commercial solar and energy-storage operations. **Training is not a separate business line and generates no revenue for the company.**

The new facility will contain approximately **12,760 square feet**, with the current anticipated allocation as follows:

- Approximately **4,500 square feet of Buffalo Solar office space**, supporting project development, design, project management, procurement, sales, administration and management;
- Approximately **5,549 square feet of warehouse space**, supporting Buffalo Solar's project and field operations;
- Approximately **1,000 square feet of Intraform office space**;

- Approximately **800 square feet for a training and education room**; and
- Approximately **911 square feet of shared and building-support space.**

The dedicated training and education room therefore represents approximately **6% of the total building area**, while approximately **79% of the building is devoted directly to Buffalo Solar's office and warehouse operations.**

The training and education component is intended to **support Buffalo Solar's core business and develop the workforce necessary for that business to continue growing.** Commercial solar requires specialized skills, and Buffalo Solar relies on qualified subcontractors for portions of field construction. Developing a larger and more reliable network of local contractors with commercial solar experience is important to Buffalo Solar's ability to increase project volume without labor capacity becoming a constraint on growth.

The training space will be used for employee development and safety and technical instruction, as well as opportunities to educate subcontractors and other industry participants about commercial solar and energy-storage systems. It will provide a controlled environment where Buffalo Solar can share technical knowledge and help contractors become more familiar with the requirements of commercial clean-energy projects.

The space will also support broader workforce-development and educational activities. Buffalo Solar anticipates working with **schools and education partners to introduce students and educators to careers in the clean-energy industry**, as well as providing educational opportunities for **developers, municipalities, contractors and other community and industry stakeholders** seeking to better understand commercial solar, energy storage and related technologies.

These activities support the growth of the clean-energy workforce in Western New York while also addressing practical business needs for Buffalo Solar: **developing a reliable skilled workforce, expanding the local subcontractor base, building the future talent pipeline and increasing understanding of commercial solar and energy-storage technologies.**

The project should therefore be viewed primarily as **Buffalo Solar's operating headquarters and warehouse, with training and education serving as a supporting function of the company's core business.** Approximately **6% of the building is dedicated to the training and education room, while 100% of Buffalo Solar's revenue is generated by its commercial solar and energy-storage operations rather than training activities.**

EVALUATIVE CRITERIA
BACK OFFICE / DATA & CALL CENTERS

Project: 12319 Broadway LLC/Buffalo Solar

CRITERIA	COMMENTS
Wage Rate = above median wage for area. Per capita income = $42,777	Average wages for existing employees = $85,000 and for created jobs = $80,000
Regional Wealth Creation (% sales/customers outside area)	Sales within Erie County = 51% Sales outside the area (49%) include: Outside EC but in NYS = 43% Outside NYS but in US = 6%
In Region Purchases (% of overall purchases)	31% of Buffalo Solar's annual purchases of supplies, materials, and vendor services are estimated to be from firms located in EC. Local purchasing will include construction, electrical, engineering, facility, equipment, vehicle, and other support services.
Supports Local Business or Cluster	The Center will support workforce development and education in clean-energy technologies and advanced building systems.
Retention/Flight Risk	N/A
LEED/Renewable Resources	The project will incorporate high-performance, energy-efficient systems, including geothermal heat pumps, energy-recovery ventilation, heat-pump water heating, advanced building controls, solar PV, and battery storage. The all-electric building is designed to achieve Phius ZERO certification and reduce energy demand, improve efficiency, manage peak loads, and generate and store renewable energy onsite.
DEI Questionnaire	See attached. Buffalo Solar works with Northland Workforce Training Center through internships, hiring, and classroom engagement, including speaking with students about clean-energy careers and employment opportunities.
Workforce Access – Proximity to Public Transportation	N/A
Onsite child daycare facilities on the project site	There will not be any child daycare facilities on the site.

*U.S. Census Bureau

DATE OF INDUCEMENT: November 17, 2026

PILOT Worksheet: Estimate of Real Property Tax Abatement Benefits*** and Percentage of Project Costs financed from Public Sector sources

**** The PILOT Worksheet will be: (i) completed by IDA Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application.**

PILOT Estimate Table Worksheet-12319 Broadway LLC/Buffalo Solar - Center for Energy Empowerment

Dollar Value of New Construction and Renovation Costs	Estimated New Assessed Value of Property Subject to IDA*	County Tax Rate/1000	Town Tax Rate /1000	School Tax Rate/1000
$6,165,969	$3,400,000	6.031269	1.733009	19.402796

*Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Town PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	0.05	$1,299	$373	$4,179	$5,852	$93,601	$87,750
2	0.1	$2,324	$668	$7,478	$10,470	$93,601	$83,131
3	0.15	$3,350	$963	$10,776	$15,089	$93,601	$78,513
4	0.2	$4,375	$1,257	$14,075	$19,707	$93,601	$73,894
5	0.25	$5,400	$1,552	$17,373	$24,325	$93,601	$69,276
6	0.3	$6,426	$1,846	$20,672	$28,944	$93,601	$64,658
7	0.35	$7,451	$2,141	$23,970	$33,562	$93,601	$60,039
TOTAL		$30,626	$8,800	$98,524	$137,949	$655,210	$517,261

***** Estimates provided are based on current property tax rates and assessment value (current as of date of application submission) and have been calculated by IDA staff**

Percentage of Project Costs financed from Public Sector Table Worksheet:

Total Project Cost	Estimated Value of PILOT	Estimated Value of Sales Tax Incentive	Estimated Value of Mortgage Tax Incentive	Total of Other Public Incentives (Tax Credits, Grants, ESD Incentives, etc.)
$ 7,149,090	$ 517,261	$ 191,682	$ 40,425	$ 977,638

Note: special district taxes are not subject to PILOT abatement

Calculate % = (Est. PILOT + Est. Sales Tax+ Est. Mortgage Tax+ Other)/Total Project Costs: 24%

Erie County Industrial Development Agency
MRB Cost Benefit Calculator

MRB Group
Cost-Benefit Analysis Tool powered by MRB Group

Date	September 22, 2026
Project Title	Buffalo Solar
Project Location	12319 Broadway Street, , Alden NY 14004

Economic Impacts

Summary of Economic Impacts over the Life of the PILOT
Construction Project Costs
$7,149,090

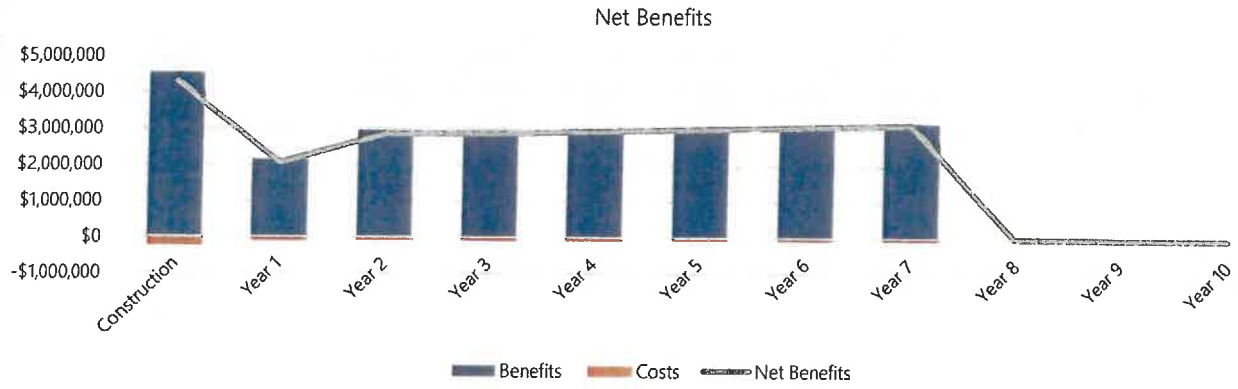
Temporary (Construction)

	Direct	Indirect	Total
Jobs	30	28	59
Earnings	$2,695,350	$1,597,803	$4,293,153
Local Spend	$6,999,090	$4,974,953	$11,974,043

Ongoing (Operations)
Aggregate over life of the PILOT

	Direct	Indirect	Total
Jobs	21	15	36
Earnings	$12,163,090	$7,189,603	$19,352,693

Figure 1



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

Figure 2

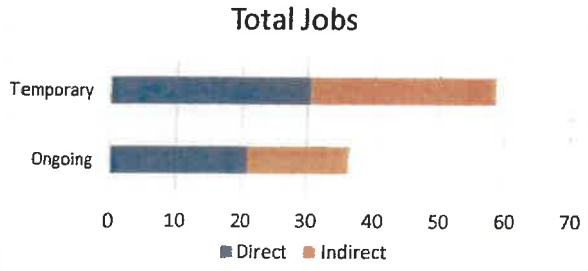
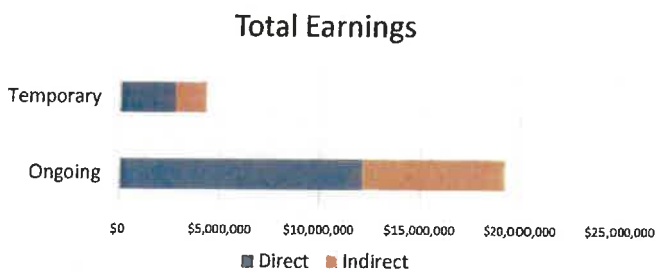


Figure 3



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Ongoing earnings are all earnings over the life of the PILOT.

Fiscal Impacts

MRB Group
Cost-Benefit Analysis Tool powered by MRB Group

Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	$517,258	$480,608
Sales Tax Exemption	$191,682	$191,682
Local Sales Tax Exemption	*$104,056*	*$104,056*
State Sales Tax Exemption	*$87,626*	*$87,626*
Mortgage Recording Tax Exemption	$40,425	$40,425
Local Mortgage Recording Tax Exemption	*$13,475*	*$13,475*
State Mortgage Recording Tax Exemption	*$26,950*	*$26,950*
Total Costs	$749,365	$712,715

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	$23,985,195	$22,436,891
To Private Individuals	$23,645,846	$22,122,589
Temporary Payroll	*$4,293,153*	*$4,293,153*
Ongoing Payroll	*$19,352,693*	*$17,829,437*
Other Payments to Private Individuals	*$0*	*$0*
To the Public	$339,349	$314,302
Increase in Property Tax Revenue	*$129,318*	*$117,197*
Temporary Jobs - Sales Tax Revenue	*$35,687*	*$35,687*
Ongoing Jobs - Sales Tax Revenue	*$160,869*	*$148,207*
Other Local Municipal Revenue	*$13,475*	*$13,211*
State Benefits	$1,229,584	$1,150,375
To the Public	$1,229,584	$1,150,375
Temporary Income Tax Revenue	*$193,192*	*$193,192*
Ongoing Income Tax Revenue	*$870,871*	*$802,325*
Temporary Jobs - Sales Tax Revenue	*$30,052*	*$30,052*
Ongoing Jobs - Sales Tax Revenue	*$135,469*	*$124,806*
Total Benefits to State & Region	$25,214,779	$23,587,265

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	$22,436,891	$598,139	38:1
State	$1,150,375	$114,576	10:1
Grand Total	$23,587,265	$712,715	33:1

*Discounted at the public sector discount rate of: 2%

Additional Comments from IDA

0

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

Does this project provide onsite childcare facilities? No

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Diversity, Equity and Inclusion Questionnaire

1. MWBE Contractors - Construction

The ECIDA encourages applicants to utilize MWBE contractors and suppliers for their projects and when feasible, to set a goal for MWBE participation during the construction period of the project. Below are links to the NYS and Erie County certified MWBE lists, including contractors, that can assist you with your utilization goals:

- New York State MWBE Certified List: https://ny.newnycontracts.com/
- Erie County MWBE Certified List: https://www3.erie.gov/eeo/mbe-wbe-resource-list

☑ By checking this box, I agree to utilize the above listings of certified MWBE contractors 1) as part of the outreach efforts to identify and invite MWBE contractors to participate in the bidding process and 2) to assist in meeting the MWBE utilization goals set by my organization for the project being considered for ECIDA tax incentives.

Please provide additional information regarding your history of setting / meeting MWBE goals on past projects or other relevant information you would like to share - below.

See Below

2. Minority & Women Employment - Current Workforce & Hiring Practices

The ECIDA encourages the hiring of a diverse workforce, especially for jobs created and retained as part of an ECIDA induced project. Below are some links to sites and organizations that will be helpful in achieving a diverse workforce:

- Northland Workforce Training Center: https://northlandwtc.org/employers/
- Workforce Buffalo: https://www.workforcebuffalo.org/business-services
- New York State Job Bank: https://myjobsny.usnlx.com/
- Local Minority Newspapers: https://www3.erie.gov/eeo/minority-newspaper

Diversity, Equity and Inclusion Questionnaire

Please provide detailed information regarding your company's current workforce and hiring practices as it relates to minority and women employees, including, if applicable, the company's Diversity, Equity and Inclusion plan and goals, any strategic partnerships the company has with educational and/or workforce development entities, and company strategies regarding outreach to minorities and women with the dissemination of job openings to the public:

See Below

3. Economic Inclusion Program

The ECIDA's Economic Inclusion Program (EIP) is a voluntary "opt in" program providing an enhanced real property tax abatement to applicants who commit to implementing and meeting MWBE utilization and minority and women employment goals. The mission of the EIP is to enhance the beneficial public impact of projects receiving ECIDA assistance and to further the ECIDA's goal of advancing opportunities for MWBE businesses and minorities and women, in general, in the Erie County workforce. Please note, for a company to be considered an MWBE under the EIP it must be certified as an MWBE by New York State or Erie County.

Under the EIP, the standard ECIDA PILOT Agreement real property tax abatement schedules are enhanced by extending both the term and abatement percentages of the PILOT Agreement.

Please note the EIP is a *voluntary opt-in program* providing enhanced incentives in exchange for meeting MWBE utilization and minority and women employment goals. The applicant shall not engage in any unlawful discrimination against any employee or applicant by reason of race, creed, religion, color, age, disability, national origin, sex, gender, or any other characteristic protected by law, including, but not limited to, Title VII of the Civil Rights Act, the Americans with Disabilities Act, the Age Discrimination in

Employment Act, the Genetic Information Nondiscrimination Act, the New York State Human Rights Law, and any other similar laws, rules, or regulations. Applicants may bypass the EIP while still pursuing the ECIDA's standard PILOT Agreement.

Please note the EIP is a *voluntary opt-in program* providing enhanced incentives in exchange for meeting MWBE utilization and minority and women employment goals. Applicants may bypass the EIP while still pursuing the ECIDA's standard PILOT Agreement.

Diversity, Equity and Inclusion Questionnaire

☒ **Please check the box indicating that you have read the attached Economic Inclusion Program summary and FAQ document that can be found at the end of the questionnaire.**

☐ **Please check the box if you are interested in tentatively opting into the Economic Inclusion Program (nonbinding) and would like further, detailed information on the program and process from your ECIDA business development officer.**

Date: 8/21/2026
Company: 12319 Broadway, LLC
Name (printed): Mary Smith
Signature:
Title: Director of Operations

Diversity, Equity and Inclusion Questionnaire

Question 1

Buffalo Solar has not historically been subject to formal MWBE participation goals on the majority of its commercial renewable-energy projects and therefore does not maintain a history of established MWBE percentage goals and attainment reporting. Where projects are subject to MWBE or other public contracting requirements, Buffalo Solar complies with applicable participation, documentation, and reporting requirements.

For this project, Buffalo Solar is committed to broadening its outreach to qualified MWBE contractors, subcontractors, suppliers, and professional-service providers. The company will utilize New York State and Erie County certified MWBE directories to identify qualified firms and provide opportunities to participate in bidding and procurement where their capabilities align with project requirements.

Commercial solar is a skilled and specialized trade, and Western New York currently has a limited pool of contractors with direct commercial solar experience. Buffalo Solar is working to expand the local contractor base by training local roofing contractors to perform the mechanical portion of commercial solar installations and by working with additional local electrical contractors interested in developing commercial solar capabilities. Buffalo Solar also currently works with a veteran-owned electrical contractor that the company helped train in commercial solar and continues to engage for electrical work.

These efforts reflect Buffalo Solar's broader approach of developing qualified local contractor capacity while actively seeking opportunities to expand MWBE participation in the clean-energy industry.

Question 2

Buffalo Solar currently employs 14 people, including nine men and five women. An additional woman has been hired and will begin in September 2026, bringing the company's workforce to 15 employees, including six women. Buffalo Solar does not currently maintain formal workforce demographic reporting by race or ethnicity.

Buffalo Solar is an equal-opportunity employer and seeks to provide employment and advancement opportunities to qualified candidates from diverse backgrounds, including women and minorities. The company does not currently maintain a formal DEI plan or numerical minority- or women-hiring goals; however, Buffalo Solar uses broad public recruiting and workforce-development partnerships to expand access to employment opportunities and reach candidates who may not have had traditional pathways into the solar industry. The incoming employee is a recent University at Buffalo graduate who will be able to apply the skills developed through her education while Buffalo Solar provides the industry-specific training and experience necessary for her to transition into the renewable-energy industry.

Diversity, Equity and Inclusion Questionnaire

Buffalo Solar works with Northland Workforce Training Center through internships, hiring, and classroom engagement, including speaking with students about clean-energy careers, industry expectations, and employment opportunities. The company utilizes the New York State Job Bank to publicly advertise employment opportunities and broaden its candidate pool.

Through the New York State Department of Labor, Buffalo Solar participates in Teacher Appreciation programming, hosting approximately 12 educators per session to provide firsthand exposure to the renewable-energy industry, career pathways, and the skills and qualifications employers are seeking. Buffalo Solar also continues to provide internship opportunities to students from local colleges and universities, providing direct industry experience and potential pathways into clean-energy careers.

Commercial solar is a skilled and specialized trade, and Western New York has a limited pool of candidates with direct commercial solar experience. Buffalo Solar therefore focuses on developing local talent rather than limiting recruitment to individuals who already have solar experience. The company has also recruited qualified employees from outside New York who have relocated to Western New York to live and work in the community, including through the H-1B visa program when necessary to recruit and retain specialized professional talent. Buffalo Solar plans to train local roofing contractors to perform the mechanical portion of commercial solar installations and is willing to train and work with additional local electrical contractors interested in developing commercial solar capabilities.

Through public job postings and educational partnerships, internships, contractor training, and industry outreach, Buffalo Solar intends to continue broadening access to clean-energy careers and expanding opportunities for women, minorities, recent graduates, and other individuals who have historically had less exposure to careers in the skilled trades and renewable-energy industry.

Question 3

Buffalo Solar supports the objectives of the Economic Inclusion Program; however, the company is not electing to opt into the enhanced program at this time. Commercial solar construction requires specialized field skills, and the current pool of qualified field labor available to Buffalo Solar in Western New York makes it difficult to responsibly commit to specific construction-workforce participation percentages. Buffalo Solar will nevertheless continue its outreach to MWBE contractors and its efforts to expand pathways for women and minorities into the clean-energy workforce.

PUBLIC HEARING SCRIPT

12319 Broadway LLC project and/or Individual(s), Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf

Public Hearing to be held on September 28, 2026 at 9:00 a.m.,
at the Town of Alden, Town Conference Room, 3311 Wende Road, Alden, New York 14004

ATTENDANCE:

Mary Smith – Buffalo Solar
Michelle Moore – ECIDA
Jennifer Strong – Town of Alden Attorney
Tyler Uebelhoer – Buffalo Solar
Alyssa Penny – ECIDA
Rich Coburn – Town of Alden CEO

☒ 1. **WELCOME:** Call to Order and Identity of Hearing Officer.

Hearing Officer: Welcome. This public hearing is now open; it is 9:01 a.m. My name is Noah Cliff. I am the Business Development Officer for the Erie County Industrial Development Agency, and I have been designated by the Agency to be the hearing officer to conduct this public hearing. This public hearing is being live-streamed and made accessible on the Agency's website at ecidany.com.

☒ 2. **PURPOSE:** Purpose of the Hearing.

Hearing Officer: We are here to hold the public hearing on the 12319 Broadway LLC project and/or Individual(s), Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf. The transcript of this hearing will be reviewed and considered by the Agency in determination of this project. Notice of this hearing appeared in The Buffalo News on Tuesday, September 15, 2026.

☒ 3. **PROJECT SUMMARY:** Description of Project and Contemplated Agency Benefits.

Hearing Officer: The proposed project (the "Project") consists of: (i) the acquisition by the Agency of a leasehold interest in 6.18+/- acres or real property located on 12319 Broadway Street, Town of Alden, Erie County, New York and all other lands in the County of Erie 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 12,760+/- square-foot commercial facility for the Center for Energy Empowerment to serve as a working demonstration of integrated commercial clean-energy and high-performance building technologies (the

"Improvements"), and (iii) the acquisition by the Company in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the "Equipment"; and, together with the Land, and the Improvements and the Existing Improvements, the "Facility").

The proposed financial assistance contemplated by the Agency includes New York State and local sales and use tax exemption benefits, mortgage recording tax exemption benefits, and real property tax abatement benefits (in compliance with Agency's uniform tax exemption policy).

☒ **4. FORMAT OF HEARING:** Review the rules and manner in which the hearing will proceed.

Hearing Officer: All those in attendance are required to register by signing the sign-in sheet at the front of the room; you will not be permitted to speak unless you have registered. Everyone who has registered will be given an opportunity to make statements and/or comments on the Project.

If you have a written statement or comment to submit for the record, you may leave it at this public hearing, submit it on the Agency's website or deliver it to the Agency at 95 Perry Street, Suite 403, Buffalo, New York 14203. The comment period closes at 4:00 p.m. on October 27, 2026. There are no limitations on written statements or comments.

☒ **5. PUBLIC COMMENT:** Hearing Officer gives the Public an opportunity to speak.

Hearing Officer: If anyone is interested in making a statement or comment, please raise your hand, state your name and address; if you are representing a company, please identify the company. I request that speakers keep statements and/or comments to 5 minutes, and if possible, 3 minutes.

Tyler Uebelhoer- Founder and CEO of Buffalo Solar. I've been operating the company out of Erie County for almost 12 years now. The idea behind the Center for Energy Empowerment is to bring more employees and workforce development to the area to keep them in Erie County. I personally want to thank Erie County for the opportunity to have these programs and offer these programs to businesses such as ours and I do appreciate all the help that they have been doing thus far to get us into this program and I look forward to next steps.

☒ **6. ADJOURNMENT:**

As there are no further statements and/or comments, I will close the public hearing at 9:04 a.m.

SIGN IN SHEET
PUBLIC HEARING

September 28, 2026, at 9:00 a.m.
at the Town of Alden, Town Conference Room, 3311 Wende Road, Alden, New York 14004
regarding:

12319 Broadway LLC project and/or Individual(s), Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf

Project Location: 12319 Broadway Street, Town of Alden, New York 14004

Name	Company and/or Address	X box to speak/ comment
Mary Smith	Buffalo Solar 3279 Walden Avenue Alden, New York 14043	
Michelle Moore	ECIDA 95 Perry Street, Suite 403 Buffalo, New York 14203	
Jennifer Strong	Town of Alden Attorney 3311 Wende Road Alden, New York 14004	
Tyler Uebelhoer	Buffalo Solar 3279 Walden Avenue Alden, New York 14043	X
Alyssa Penny	ECIDA 95 Perry Street, Suite 403 Buffalo, New York 14203	
Rick Coburn	Town of Alden CEO 3311 Wende Road Alden, New York 14004	

NORTHLAND
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Train for what's next.

683 NORTHLAND AVE.
BUFFALO, NY 14211
(716) 436-3229
INFO@NORTHLANDWTC.ORG

To Whom It May Concern:

On behalf of Northland Workforce Training Center, I am pleased to express our support for Buffalo Solar's application to the NYSERDA Building Cleaner Communities Competition for the proposed **Center for Energy Empowerment**.

Northland Workforce Training Center is committed to preparing individuals for successful careers in high-demand industries, and Buffalo Solar has been a valued industry partner in that mission. Through classroom presentations, career discussions, internships, and employment opportunities, Buffalo Solar has consistently demonstrated its commitment to supporting workforce development and connecting students with careers in New York's growing clean energy economy.

The proposed Center for Energy Empowerment represents an opportunity to strengthen those efforts by providing a regional demonstration and experiential learning facility that complements existing educational programs. Rather than replacing classroom instruction, the Center will provide students, educators, and industry partners with access to a fully operational, high-performance commercial building where they can observe commercially available clean energy technologies operating together in a real-world commercial environment.

The ability to experience commercial solar photovoltaic systems, battery energy storage, geothermal heating and cooling, electric vehicle charging infrastructure, advanced building controls, and building performance monitoring within an operating facility will reinforce classroom learning while helping students better understand how these technologies are designed, installed, commissioned, operated, and maintained.

We respectfully encourage NYSERDA to support Buffalo Solar's application. The Center for Energy Empowerment represents an investment in collaboration, experiential learning, and workforce readiness that will benefit students, employers, and communities throughout Western New York.

Sincerely,

Stephen D. Tucker

Stephen D. Tucker
President & CEO
Northland Workforce Training Center

OSEA
The Workplace Experts

3730A California Road • Orchard Park, New York • 800.867.6732 • www.osea.com

Letter of Support

To Whom It May Concern:

On behalf of OSEA, I am pleased to provide this letter in support of the Center for Energy Empowerment.

As a company dedicated to workplace safety and training, we understand that the success of any construction or technical industry depends on a well-trained workforce that prioritizes safety, quality, and continuous learning. As new building technologies and energy systems become more advanced, the need for practical, hands-on safety education continues to grow.

The Center for Energy Empowerment represents an important investment in Western New York by creating a commercial-scale facility where contractors, skilled trades, students, educators, and industry professionals can gain experience with modern building systems while reinforcing the safety practices required to install, operate, and maintain them safely.

By expanding workforce education and promoting industry best practices, the Center will help prepare individuals for careers in construction, renewable energy, building operations, and related technical fields while fostering a stronger culture of workplace safety. Investments in training not only improve worker readiness but also contribute to safer jobsites, higher-quality work, and a more competitive regional workforce.

OSEA is proud to support the Center for Energy Empowerment and its mission to advance workforce development, industry collaboration, and safe, high-quality construction practices throughout Western New York.

Sincerely,

John Coniglio
Managing Director

Gina Coniglio
Owner and President

Liz Bermingham
Accounting Manager

StaffBuffalo
HRBuffalo

To Whom It May Concern:

I am pleased to offer my support for the proposed **Center for Energy Empowerment** and its mission to expand workforce development opportunities throughout Western New York.

As Partner of StaffBuffalo and HRBuffalo, I have the opportunity to work with employers across a wide range of industries every day. One challenge continues to surface regardless of industry: finding qualified talent. While organizations are eager to grow, many struggle to find individuals with the technical skills, hands-on experience, and career readiness needed to meet today's workforce demands.

At the same time, we regularly meet talented job seekers who are looking for meaningful careers but need clearer pathways into high-demand industries. Closing that gap requires stronger collaboration between education, workforce development, and employers.

The Center for Energy Empowerment has the potential to become an important resource for our region by providing practical training, exposure to clean energy technologies, and opportunities to develop skills that align with current and future workforce needs. As demand continues to grow in renewable energy, energy efficiency, building electrification, and the skilled trades, initiatives like this will help prepare individuals for sustainable careers while strengthening the talent pipeline available to employers.

Western New York has tremendous potential for continued economic growth, but that growth depends on investing in people. Workforce development initiatives that connect education with real-world career opportunities not only benefit individuals entering the workforce but also help businesses remain competitive by expanding access to qualified talent.

From my perspective as a recruiting and workforce partner, I believe the Center for Energy Empowerment represents an investment in both our workforce and our regional economy.

Thank you!

Lauren Lewis
Partner
StaffBuffalo | HRBuffalo

THE SENATE
STATE OF NEW YORK
SENATOR PATRICK M. GALLIVAN
60TH DISTRICT

July 16, 2026

NYS Energy Research & Development Authority
17 Columbia Circle
Albany, NY 12203

To NYSERDA BCCC Review Team:

I am writing in support of Buffalo Solar, a Western New York based provider of solar arrays and battery energy storage systems, and its application to the Building Cleaner Communities Competition. The company is proposing a new Center for Energy Empowerment in the Town of Alden, located in the 60th Senate District.

The project will create clean energy jobs, support local development, offer community outreach and job training, and help our community achieve New York's clean-energy goals. In partnership with the NYS Department of Labor and local school districts, the initiative will allow students to learn about renewable energy careers in an interactive classroom setting. Professional development will also be offered to local teachers.

This project will bring meaningful economic and community benefits to our region, and I encourage NYSERDA to give Buffalo Solar's application full consideration.

Sincerely,

Patrick M. Gallivan
Senator-60th District

University
of Rochester
Center of Excellence in Data Science
& Artificial Intelligence

July 20, 2026

To Whom It May Concern:

On behalf of the University of Rochester Center of Excellence in Data Science and Artificial Intelligence, I am pleased to express our strong support for Buffalo Solar's application to the NYSERDA Building Cleaner Communities Competition for the proposed Center for Energy Empowerment.

The Center of Excellence is committed to advancing innovation through applied research, interdisciplinary collaboration, and the practical application of data science and artificial intelligence to solve real-world challenges. Buffalo Solar has been a valued industry partner through its continued participation in our internship program, its commitment to mentoring students, and its willingness to integrate data science into meaningful business and engineering applications. These efforts have provided students with valuable experiential learning opportunities while demonstrating how data and artificial intelligence can create measurable value across multiple business functions.

The proposed Center for Energy Empowerment represents an exciting opportunity to expand this collaboration. Beyond serving as a high-performance commercial building, the Center will function as a living laboratory where operational building data, renewable energy systems, battery energy storage, geothermal technologies, building automation, and intelligent analytics converge to support innovation, research, and workforce development.
As commercial buildings become increasingly connected and data-driven, there is a growing need for professionals who understand not only engineering and construction, but also data analytics, artificial intelligence, building performance, and operational optimization. The Center will create opportunities for students and researchers to explore how advanced analytics can improve energy performance, optimize building operations, support predictive maintenance, and better understand the relationship between integrated energy infrastructure and commercial real estate value.

We are particularly encouraged by Buffalo Solar's commitment to continuing collaborative initiatives, including student internships, applied research, and capstone projects that connect academic learning with industry challenges. These experiences prepare students to apply data science and artificial intelligence in practical settings while supporting innovation within New York's clean energy economy.

University
of Rochester
Center of Excellence in Data Science
& Artificial Intelligence

The University of Rochester Center of Excellence in Data Science and Artificial Intelligence looks forward to continuing its partnership with Buffalo Solar and exploring opportunities to utilize the Center for Energy Empowerment as a platform for research, experiential learning, innovation, and industry collaboration. We believe this project represents an important investment in the future of intelligent buildings, clean energy technologies, and data-driven decision making.

We respectfully encourage NYSERDA to support Buffalo Solar's application. The Center for Energy Empowerment demonstrates how collaboration among higher education, industry, and

technology can accelerate innovation while preparing the workforce needed to shape the next generation of high-performance commercial buildings.

Sincerely,

Nick Koziol Business Engagement and Communications Manager
University of Rochester
Center of Excellence in Data Science and Artificial Intelligence

ALFRED STATE COLLEGE
STATE UNIVERSITY OF NEW YORK

Office of the Dean
School of Applied Technology
Ph: (607) 587-3278
FAX: (607) 587 -3242
2530 River Road
Wellsville, NY 14895

August 12, 2026

To Whom It May Concern:

On behalf of the School of Applied Technology at Alfred State College, I am pleased to offer our strong support for Buffalo Solar's application to the NYSERDA Building Cleaner Communities Competition for the proposed Center for Energy Empowerment.

Alfred State has long believed that the most effective education combines academic instruction with meaningful, real-world experience. Our partnership with Buffalo Solar has reflected that philosophy through classroom presentations, industry engagement, advisory board participation, and opportunities that help students better understand the rapidly evolving clean energy and construction industries. Buffalo Solar has consistently demonstrated its commitment to preparing students for successful careers while strengthening New York's clean energy workforce.

The proposed Center for Energy Empowerment represents an exciting opportunity to further strengthen the connection between higher education and industry. Rather than serving as another training provider, the Center will function as a living laboratory where students, educators, employers, and industry professionals can observe commercially available technologies operating together within a high-performance commercial building. The facility will demonstrate integrated building systems including solar photovoltaic generation, battery energy storage, geothermal heating and cooling, electric vehicle charging infrastructure, advanced building automation, commissioning, and real-time building performance monitoring.

As commercial buildings become increasingly sophisticated, the next generation of engineers, construction managers, electricians, mechanical contractors, commissioning professionals, and facility managers must understand how these systems work together to create efficient, resilient, and intelligent buildings.

The Center will provide opportunities for students to experience the complete lifecycle of these systems—from design and construction through commissioning, operation, optimization, and long-term asset management—in a way that cannot be fully replicated in a traditional classroom. We also believe the Center will strengthen collaboration among higher education, industry, manufacturers, employers, and workforce development organizations. Opportunities for student tours, faculty engagement, industry demonstrations, applied learning, internships, and employer interaction will

complement existing academic programs while exposing students to emerging technologies and career pathways that are shaping New York's clean energy economy.

Alfred State looks forward to continuing its partnership with Buffalo Solar and exploring opportunities to utilize the Center for Energy Empowerment as an extension of the experiential learning opportunities we provide our students. We believe this facility will become a valuable regional asset that enhances applied education, supports workforce development, encourages innovation, and helps prepare the highly skilled professionals needed to design, construct, commission, and operate the next generation of high-performance commercial buildings.

We respectfully encourage NYSERDA to support Buffalo Solar's application. The Center for Energy Empowerment represents an investment in collaboration, innovation, and experiential learning that will benefit students, employers, and communities throughout New York State while serving as a model for clean energy education and commercial building excellence.

Kindest Regards,



Jeffrey Stevens, Dean
School of Applied Technology at Alfred State College

BuffaloSolar

Educator Statement of Support

Center for Energy Empowerment

NYSERDA Building Cleaner Communities Grant Application

Statement of Support

We, the undersigned educators, workforce development professionals, and educational leaders, support Buffalo Solar's application to the New York State Energy Research and Development Authority (NYSERDA) Building Cleaner Communities Grant Program for the development of the **Center for Energy Empowerment** in Alden, New York.

We recognize the growing importance of preparing students for careers in clean energy, commercial building electrification, engineering, construction, technology, project management, and other emerging industries that will shape New York's future economy.

The proposed Center for Energy Empowerment represents an opportunity to strengthen workforce development by providing educators and students with access to:

- Hands-on demonstrations of all-electric, carbon-neutral, and net-zero commercial building technologies.
- Career exploration opportunities highlighting the wide range of professions supporting New York's clean energy economy.
- Teacher professional development and industry engagement.
- Student tours, applied learning experiences, internships, and work-based learning opportunities.
- Industry-recognized certification preparation and technical education.
- Collaboration between education, industry, municipalities, and community organizations to better prepare students for future careers.

We believe the Center has the potential to become a valuable regional educational resource that will help increase awareness of clean energy career pathways while supporting workforce development and economic growth throughout Western New York.

We respectfully support Buffalo Solar's application and believe this project aligns with New York State's goals of expanding workforce development opportunities, strengthening partnerships between education and industry, and preparing the next generation of skilled professionals.

Educator Support

Name	Title	School	Signature	Date
Susan McCormack	Teacher	Cheektowaga Central	Susan McCormack	7/14/26
Colleen Albee	Counselor	Royalton Hartland	Colleen Albee	7/14/26
Lindsay Gress	Career Coord.	CSAT	L Gress	7/14/26
Jim MANDILA	TEACHER	KENMORE WEST		7/14/26

To Whom It May Concern:

On behalf of CAHill TECH, Inc., I am pleased to provide this letter in support of the Center for Energy Empowerment.

As a company dedicated to workplace safety and training, we understand that the success of any construction or technical industry depends on a well-trained workforce that prioritizes safety, quality, and continuous learning. As new building technologies and energy systems become more advanced, the need for practical, hands-on safety education continues to grow.

The Center for Energy Empowerment represents an important investment in Western New York by creating a commercial-scale facility where contractors, skilled trades, students, educators, and industry professionals can gain experience with modern building systems while reinforcing the safety practices required to install, operate, and maintain them safely.

By expanding workforce education and promoting industry best practices, the Center will help prepare individuals for careers in construction, renewable energy, building operations, and related technical fields while fostering a stronger culture of workplace safety. Investments in training not only improve worker readiness but also contribute to safer jobsites, higher-quality work, and a more competitive regional workforce.

CAHill is proud to support the Center for Energy Empowerment and its mission to advance workforce development, industry collaboration, and safe, high-quality construction practices throughout Western New York.

Sincerely,



Carley Hill
Founder & Owner

AUROS GROUP

July 31, 2026

New York State Energy Research and Development Authority
Building Cleaner Communities Competition Review Committee

Subject: Letter of Support for the Center for Energy Empowerment
12319 Broadway, Alden, New York 14004

Dear Members of the Review Committee,

On behalf of The Auros Group, I am pleased to provide this letter of support for Buffalo Solar Solutions and its application to NYSERDA's Building Cleaner Communities Competition for the Center for Energy Empowerment at 12319 Broadway in Alden, New York.

Our work in data management and technology has shown us that successful clean-energy projects depend not only on installing advanced systems, but also on effectively collecting, managing, and using the information those systems produce. The Center for Energy Empowerment presents an important opportunity to demonstrate how energy data, building controls, and performance monitoring can work together to improve efficiency, reduce operating costs, and support long-term sustainability.

The proposed all-electric, net-zero energy facility will integrate geothermal heating and cooling, solar photovoltaic generation, battery energy storage, electric-vehicle charging infrastructure, and advanced building controls. By bringing these technologies together within one commercial facility, the project will provide a valuable real-world example of how energy systems can be monitored, evaluated, and optimized as part of a coordinated building strategy.

The Center's value will extend beyond its own energy performance. Buffalo Solar Solutions intends to use the facility as a regional demonstration, education, and workforce-development center for building owners, municipalities, developers, contractors, engineers, students, utilities, and community organizations. Access to meaningful operational data will allow visitors and industry professionals to better understand how clean-energy technologies perform in practice and how informed decision-making can improve a building's efficiency and resilience.

The information generated by the Center can also help establish a replicable framework for future projects. Documented energy production, consumption, storage, equipment performance, and building operations can provide useful insight for organizations considering similar investments. This ability to convert actual project data into practical lessons will strengthen the Center's educational value and help reduce uncertainty surrounding the adoption of advanced energy technologies.

The project will also support the continued growth of Western New York's clean-energy and technology workforce. Modern buildings increasingly require professionals who understand both physical energy systems and the digital tools used to monitor and manage them. The Center will help expose students, workers, contractors, and business leaders to these interconnected fields while encouraging greater collaboration among the energy, construction, engineering, and technology sectors.

The Center for Energy Empowerment is a forward-looking project that supports New York State's goals for building decarbonization, renewable energy, energy resilience, workforce development, and sustainable economic growth. Its emphasis on measurable performance and knowledge-sharing will allow the project to serve as a meaningful regional resource and a model for future commercial development.

For these reasons, The Auros Group strongly supports Buffalo Solar Solutions' application and respectfully encourages NYSERDA to give the Center for Energy Empowerment its full and favorable consideration.

Best regards,

Craig Stevenson

Craig E. Stevenson
MBA, MS-MIS, CPHD/C, LFA, LEED AP, WELL Faculty, WELL AP, RESET AP, Fitwel Ambassador, EcoDistricts AP
AUROS Group
President
412-506-6777
craig.stevenson@aurosgroup.com

ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

INDUCEMENT RESOLUTION

12319 BROADWAY LLC, AND/OR INDIVIDUAL(S) OR AFFILIATE(S), SUBSIDIARY(IES), OR ENTITY(IES) FORMED OR TO BE FORMED ON ITS BEHALF

A regular meeting of the Erie County Industrial Development Agency was convened on Wednesday, November 18, 2026 at 12:00 p.m.

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

RESOLUTION OF THE ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY: (i) ACCEPTING THE APPLICATION OF 12319 BROADWAY LLC, BUFFALO SOLAR SOLUTIONS INC., AND/OR INDIVIDUAL(S) OR AFFILIATE(S), SUBSIDIARY(IES), OR ENTITY(IES) FORMED OR TO BE FORMED ON ITS BEHALF (INDIVIDUALLY, AND/OR COLLECTIVELY, THE "COMPANY") IN CONNECTION WITH A CERTAIN PROJECT DESCRIBED BELOW; (ii) RATIFYING THE SCHEDULING, NOTICING, AND CONDUCTING OF A PUBLIC HEARING IN CONNECTION WITH THE PROJECT; (iii) MAKING A DETERMINATION PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT; (iv) APPOINTING THE COMPANY, OR ITS DESIGNEE, AS ITS AGENT TO UNDERTAKE THE PROJECT; (v) AUTHORIZING THE UNDERTAKING OF THE PROJECT TO PROVIDE FINANCIAL ASSISTANCE TO THE COMPANY IN THE FORM OF (A) A SALES TAX EXEMPTION BENEFIT FOR PURCHASES AND RENTALS RELATED TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT, (B) A MORTGAGE RECORDING TAX EXEMPTION BENEFIT FOR FINANCING RELATED TO THE PROJECT, AND (C) A PARTIAL ABATEMENT FROM REAL PROPERTY TAXES BENEFIT THROUGH THE PILOT AGREEMENT; AND (vi) AUTHORIZING THE NEGOTIATION AND EXECUTION OF A LEASE AGREEMENT, LEASEBACK AGREEMENT, A PAYMENT-IN-LIEU-OF-TAX AGREEMENT, AN AGENT AND FINANCIAL ASSISTANCE PROJECT AGREEMENT, AND RELATED DOCUMENTS

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 293 of the Laws of 1970 of the State of New York, as amended (collectively, the "Act"), the ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY (the "Agency") was created with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping civic, industrial, manufacturing, commercial and other facilities as authorized by the Act; and

WHEREAS, 12319 BROADWAY LLC, BUFFALO SOLAR SOLUTIONS INC., or on behalf of an affiliated entity formed or to be formed (the "Company") has submitted an application to the Agency (the "Application") requesting the Agency's assistance with a certain

project (the "Project") consisting of: (i) the acquisition by the Agency of a leasehold interest in 6.18+/- acres or real property located on 12319 Broadway Street, Town of Alden, Erie County, New York and all other lands in the County of Erie 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 12,760+/- square-foot commercial facility for the Center for Energy Empowerment to serve as a working demonstration of integrated commercial clean-energy and high-performance building technologies (the "Improvements"), and (iii) the acquisition by the Company in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the "Equipment"; and, together with the Land, and the Improvements and the Existing Improvements, the "Facility"); and

WHEREAS, pursuant to General Municipal Law Section 859-a, on September 28, 2026, at 9:00 a.m., at the Town of Alden, Town Conference Room, 3311 Wende Road, Alden, New York 14004, the Agency held a public hearing with respect to the Project and the proposed Financial Assistance (as hereinafter defined) being contemplated by the Agency (the "Public Hearing") whereat interested parties were provided a reasonable opportunity, both orally and in writing, to present their views; and

WHEREAS, it is contemplated that the Agency will (i) designate the Company as its agent for the purpose of undertaking the Project pursuant to an Agent and Financial Assistance Project Agreement (the "Agent Agreement"), (ii) negotiate and enter into a lease agreement (the "Lease Agreement") and related leaseback agreement (the "Leaseback Agreement") with the Company, pursuant to which the Agency will retain a leasehold interest in the Land, the Existing Improvements, the Improvements, the Equipment and personal property constituting the Facility; and (iii) provide Financial Assistance to the Company in the form of (a) an exemption benefit from all New York State and local sales and use taxes for purchases and rentals related to the Project with respect to the qualifying personal property included in or incorporated into the Facility or used in the acquisition, construction, reconstruction and/or renovation, rehabilitation or equipping of the Facility, (b) a mortgage recording tax exemption benefit for the financing related to the Project, and (c) a partial abatement from real property taxes benefit through a seven (7) year "payment in lieu of tax agreement" (the "PILOT Agreement") with the Company for the benefit of each municipality and school district having taxing jurisdiction over the Project, (collectively, the sales and use tax exemption benefit, the mortgage recording tax exemption benefit, and the partial abatement from real property taxes benefit, are hereinafter collectively referred to as the "Financial Assistance"); and

WHEREAS, pursuant to and in accordance with applicable provisions of the State Environmental Quality Review Act ("SEQR"), the Company has submitted to the Agency a Short Environmental Assessment Form (the "EAF") with respect to the Project; and

WHEREAS, the Town of Alden Town Board (the "Town Board") in accordance with Article 8 of the New York Environmental Conservation Law and the regulations promulgated thereto in 6 N.Y.C.R.R. Part 617 (collectively referred to as the "State Environmental Quality Review Act" and/or "SEQR"), undertook uncoordinated review with respect to the Project, established itself as Lead Agency as defined in SEQR, determined that the Project was an

Unlisted Action, and issued a negative declaration ("Negative Declaration") under SEQR on October 5, 2026, with respect to the Project; and

WHEREAS, pursuant to Article 18-A of the Act, the Agency desires to adopt a resolution describing the Project and the Financial Assistance that the Agency is contemplating with respect to the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. The Company has presented an application in a form acceptable to the Agency. Based upon the representations made by the Company to the Agency in the Company's application and any other correspondence submitted by the Company to the Agency, public hearing comments, if any, Agency Policy Committee review of and recommendations related to the Project and its November 5, 2026 resolution to recommend Agency approval of the Project subject to the terms and conditions as described herein, the Policy Committee and Agency board member review of the Project's cost benefit ratio, the costs of incentives so applied for, the anticipated new tax revenues to be generated by the Project, as well as the Project's contemplated community benefits, and Agency board member review, discussion, and consideration of same, the Agency hereby finds and determines that:

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

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

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

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

(E) The Project will not result in the removal of a civic, commercial, industrial, or manufacturing plant of the Company or any other proposed occupant of the Project from one area of the State of New York (the "State") to another area of the State or result in the abandonment of one or more plants or facilities of the Company or any other proposed occupant of the Project located within the State; and the Agency hereby finds that, based on the Company's application, to the extent occupants are relocating from one plant or facility to another, the Project is reasonably necessary to discourage the Project occupants from removing such other plant or facility to a location outside the State and/or is reasonably necessary to preserve the competitive position of the Project occupants in their respective industries, and, to the extent occupants are relocating from one plant or facility to another in another area of the State, the Agency has complied with the Intermunicipal Movement procedures as required in the Countywide Industrial Development Agency Uniform Tax Exemption Policy; and

(F) The Agency has assessed all material information included in connection with the Application necessary to afford a reasonable basis for the decision by the Agency to provide Financial Assistance for the Project as described herein; and

(G) The Agency has prepared a written cost-benefit analysis satisfactorily identifying the extent to which the Project will create or retain permanent, private sector jobs, the estimated value of any tax exemption to be provided, the amount of private sector investment generated or likely to be generated by the Project, the likelihood of accomplishing the Project in a timely fashion, and the extent to which the Project will provide additional sources of revenue for municipalities and school districts, and any other public benefits that might occur as a result of the Project; and

(H) The Company has provided a written statement confirming that the Project as of the date of the Application is in substantial compliance with all provisions of the Act.

(I) Buffalo Solar Solutions Inc. (the "Tenant") will occupy the Facility. The Agency hereby approves the subleasing of space in the Project to the Sub-Tenant and authorizes the Company to proceed with the Project as herein authorized; and

(J) Based upon a thorough and complete review of the Application and its accompanying materials and information, the Environmental Assessment Form submitted by the Company, and the proceedings conducted by the Town Board to date, pursuant to SEQR, the Agency hereby:

(i) consents to and affirms the status of the Town Board as "Lead Agency" within the meaning of and for all purposes of complying with SEQR and determines that the proceedings undertaken by the Town Board under SEQR with respect to the undertaking of the Project by the Company (as agent of the Agency) satisfy the requirements of SEQR;

(ii) affirms that the Project involves an "Unlisted Action" as that term is defined under SEQR;

(iii) reviews, considers, ratifies, and adopts such proceedings by the Town Board, including the "Negative Declaration";

(iv) determines that the Project will result in no major impacts and, therefore, is one which will not cause significant damage to the environment, that the Project will not have a "significant effect on the environment" as such quoted terms are defined in SEQR, and that no "environmental impact statement" as such quoted term is defined in SEQR need be prepared for this action; and

(v) determines that all of the provisions of SEQR that are required to be complied with as a condition precedent to the approval of the Financial Assistance contemplated by the Agency with respect to the Project, and the participation by the Agency in undertaking the Project, have been satisfied. This determination constitutes a "negative declaration" (as such quoted terms are defined under SEQR) for purposes of SEQR.

(K) The Project qualifies for Agency Financial Assistance as it meets the Agency's evaluative criteria established by the Agency as required under General Municipal Law Section 859-a(5), as evidenced by the following:

(i) *Wage Rate (above median wage for area):* Average wage for existing employees = $85,000 and for created jobs = $80,000.

(ii) *Regional Wealth Creation (% sales/customers outside area):* Sales within Erie County = 51%. Sales outside the area (49%) include: Outside EC but in NYS = 43% and Outside NYS but in US = 6%.

(iii) *In Region Purchases (% of overall purchases):* 31% of Buffalo Solar's annual purchases of supplies, materials and vendor services are estimated to be from firms located in EC. Local purchasing will include construction, electrical, engineering, facility, equipment, vehicle and other support services.

(iv) *Supports Local Business or Cluster:* The Center will support workforce development and education in clean-energy technologies and advanced building systems.

(v) *Retention/Flight Risk:* N/A.

(vi) *LEED/Renewable Resources:* The project will incorporate high-performance, energy-efficient systems, including geothermal heat pumps, energy-recovery ventilation, heat-pump water heating, advanced building controls, solar PV, and battery storage. The all-electric building is designed to achieve Phius ZERO certification and reduce energy demand, improve efficiency, manage peak loads, and generate and store renewable energy onsite.

(vii) *DEI Questionnaire:* See response provided to the Agency. Buffalo Solar works with Northland Workforce Training Center through internships, hiring, and classroom engagement, including speaking with students about clean-energy careers and employment opportunities.

(viii) *Workforce Access-Proximity to Public Transportation:* N/A.

(ix) *Onsite child daycare facilities on the project site:* There will not be any child daycare facilities on the site.

Section 2. The Agency hereby authorizes the undertaking of the Project and the provision of the Financial Assistance to the Company as described herein.

Section 3. Subject to the Company executing an Agent Agreement and the delivery to the Agency of a binder, certificate or other evidence of insurance for the Project satisfactory to the Agency, the Agency hereby authorizes the Company to proceed with the acquisition, construction and equipping of the Project and hereby appoints the Company as the true and lawful agent of the Agency: (i) to acquire, construct and/or renovate and equip the Project; (ii) to make, execute, acknowledge and deliver any contracts, orders, receipts, writings and instructions, as the stated agent for the Agency, and with respect to any agents or subagents

appointed by the Company, to execute, certify, and file, in the name of and on behalf of the Agency, any tax forms evidencing such appointments, with the authority to delegate such agency, in whole or in part, to agents, subagents, contractors, and subcontractors of such agents and subagents and to such other parties as the Company chooses; and (iii) in general, to do all things which may be requisite or proper for completing the Project, all with the same powers and the same validity that the Agency could do if acting in its own behalf; provided, however, the appointment of the Company as agent of the Agency, if utilized, shall expire one year from the date of this resolution (unless extended for good cause by the Chair, the Vice Chair, the President/Chief Executive Officer, the Vice President, the Chief Financial Officer/Treasurer, and/or the Assistant Treasurer).

A. Financial Assistance. With respect to the foregoing, and based upon the representations and warranties made by the Company in its application for Financial Assistance, the Agency hereby:

(i) authorizes and approves the Company, as its agent, to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use tax in an amount estimated up to $2,190,660, and, therefore, the value of the sales and use tax exemption benefits ("sales and use tax exemption benefits") authorized and approved by the Agency cannot exceed $191,682, however, the Agency may consider any requests by the Company for increases to the amount of sales and use tax exemption benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services; and

(ii) authorizes and approves that the value of the mortgage recording tax exemption benefit ("mortgage recording tax exemption benefits") shall not exceed $40,425; and

(iii) authorizes and approves that the real property tax abatement benefits ("PILOT benefits") to be provided over the term of the PILOT Agreement are estimated to be approximately $517,261.00, resulting in estimated total PILOT payments of $137,949.00 over the term of the PILOT Agreement.

B. Terms and Conditions of Financial Assistance. Pursuant to Section 875(3) of the New York General Municipal Law, and per the policies of the Agency, the Agency may recover or recapture from the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, any New York State and local sales and use tax exemption benefits, and/or mortgage recording tax exemption benefits, and/or partial abatements from real property taxes benefits taken or purported to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, if it is determined that: (i) the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, is not entitled to the New York State and local sales and use tax exemption benefits; (ii) the New York State and local sales and use tax exemption benefits are in excess of the amounts authorized to be taken by the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project; (iii) the New York State and local

sales and use tax exemption benefits are for property or services not authorized by the Agency as part of the Project; (iv) the Company has made a material false statement on its application for Financial Assistance; (v) the New York State and local sales and use tax exemption benefits and/or mortgage recording tax exemption benefits, and/or the partial abatement from real property taxes benefits are taken in cases where the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, fails to comply with the Investment Commitment, the Employment Commitment, and/or the Local Labor Commitment, said commitments, as described below, being a material term or condition to use property or services in the manner approved by the Agency in connection with the Project; and/or (vi) the New York State and local sales and use tax exemption benefits, and/or mortgage recording tax exemption benefits, and/or the partial abatement from real property taxes benefits are taken in cases where the Company fails to comply with the Equal Pay Commitment and/or the Unpaid Real Property Tax Policy Commitment, as described below, being a material term or condition to use property or services in the manner approved by the Agency in connection with the Project.

As a condition precedent of receiving Financial Assistance, the Company, its agents, consultants, subcontractors, or any other party authorized to make purchases for the benefit of the Project, must cooperate with the Agency in its efforts to recover or recapture any Financial Assistance, and promptly pay over any such amounts to the Agency that the Agency demands.

C. Commitments. As an additional condition precedent of receiving Financial Assistance, and as a material term or condition as approved by the Agency in connection with the Project, the Company covenants and agrees and understands that it must, subject to potential modification, termination and/or recapture of Financial Assistance for failure to meet and maintain the commitments and thresholds as described below, submit, on an annual basis or as otherwise indicated below through the termination of the PILOT Agreement, a certification, as so required by the Agency, confirming:

(i) Investment Commitment- the total investment actually made with respect to the Project at the time of Project completion equals or exceeds $6,076,726.00 (which represents the product of 85% multiplied by $7,149,090.00, being the total project cost as stated in the Company's application for Financial Assistance).

(ii) Employment Commitment – that there are at least 15 existing full time equivalent ("FTE") employees located at, or to be located at, the Facility as stated in the Company's application for Financial Assistance (the "Baseline FTE"); and

- the number of current FTE employees in the then current year at the Facility; and

- that within two (2) years of Project completion, the Company has maintained and created FTE employment at the Facility equal to 20 FTE employees [representing the sum of (x) 15 Baseline FTE and (y) 5 FTE employees, being the product of 85% multiplied by 6 (being the 6 new FTE employee positions proposed to be created by the Company as stated in its Application)]. In an effort to confirm and verify the Company's employment numbers, the Agency

requires that, at a minimum, the Company provide employment data to the Agency on a quarterly basis, said information to be provided on the Agency's "Quarterly Employment Survey" form to be made available to the Company by the Agency.

(iii) Local Labor Commitment - that the Company adheres to and complies with the Agency's Local Labor Workforce Certification Policy on a quarterly basis during the construction period.

(iv) Equal Pay Commitment – that the Company adheres to and complies with the Agency's Pay Equity Policy.

(v) Unpaid Real Property Tax Policy Commitment – that the Company is compliant with the Agency's Unpaid Real Property Tax Policy.

Section 4. Subject to the terms of this Inducement Resolution, the Chair, the Vice Chair, the President/Chief Executive Officer, the Vice President, the Chief Financial Officer/Treasurer and/or the Assistant Treasurer, are hereby authorized, on behalf of the Agency, to negotiate, execute and deliver (A) an Agent Agreement, (B) the Lease Agreement whereby the Company leases the Project to the Agency, (C) the related Leaseback Agreement whereby the Agency leases the Project back to the Company, and (D) the PILOT Agreement and (E) related documents; provided, however, that (i) the rental payments under the Leaseback Agreement to the Company include payments of all costs incurred by the Agency arising out of or related to the Project and indemnification of the Agency by the Company for actions taken by the Company and/or claims arising out of or related to the Project; and (ii) the terms of the PILOT Agreement are consistent with the Agency's Uniform Tax Exemption Policy, or procedures for deviation have been complied with accordingly.

Section 5. Subject to the terms of this Inducement Resolution, the Chair, the Vice Chair, the President/Chief Executive Officer, the Vice President, the Chief Financial Officer/Treasurer and/or the Assistant Treasurer, are hereby authorized, on behalf of the Agency, to negotiate, execute and deliver any mortgage, assignment of leases and rents, security agreement, UCC-1 Financing Statements and all documents reasonably contemplated by these resolutions or required by any lender identified by the Company (the "Lender") up to a maximum principal amount necessary to undertake the Project, acquire the Facility and/or finance or refinance acquisition and Project costs or equipment and other personal property and related transactional costs (hereinafter, with the Lease Agreement, Leaseback Agreement, and related documents, collectively called the "Agency Documents"); and, where appropriate, the Secretary or the Assistant Secretary of the Agency is hereby authorized to affix the seal of the Agency to the Agency Documents and to attest the same, all with such changes, variations, omissions and insertions as the Chair, the Vice Chair, the President/Chief Executive Officer, the Vice President, the Chief Financial Officer/Treasurer and/or the Assistant Treasurer of the Agency shall approve, the execution thereof by the Chair, the Vice Chair, the President/Chief Executive Officer, the Vice President, the Chief Financial Officer/Treasurer and/or the Assistant Treasurer of the Agency to constitute conclusive evidence of such approval; provided in all events recourse against the Agency is limited to the Agency's interest in the Project.

Section 6. The officers, employees and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to negotiate, execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 7. The provision by the Agency of Financial Assistance with respect to the Project as described herein is subject to the execution and delivery of the Agency's Administrative Fee Agreement (the "Fee Agreement") and payment by the Company of an administrative fee calculated in accordance with the Fee Agreement, all within sixty (60) days of the date of this resolution. In the event the Agency has not received the executed Fee Agreement and the appropriate fee within such sixty (60) day period, this resolution shall become automatically null and void and of no further effect and the Agency shall have no liability to the Company hereunder or otherwise, unless extended in the discretion of the Chair, the Vice Chair, the President/Chief Executive Officer, the Vice President, the Chief Financial Officer/Treasurer, or the Assistant Treasurer for good cause shown.

Section 8. This resolution shall take effect immediately, and shall expire one (1) year from the date hereof unless extended for good cause by the Chair, the Vice Chair, the President/Chief Executive Officer, the Vice President, the Chief Financial Officer/Treasurer, or the Assistant Treasurer.

Dated: November 18, 2026

12319 Broadway

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	12319 Broadway LLC
Project Summary	12319 Broadway LLC is developing the approximately $7 million Center for Energy Empowerment in Alden, New York. The project will include construction of a new high-performance commercial facility incorporating solar PV, battery energy storage, geothermal heating and cooling, EV charging, and advanced building energy systems. The facility will be owned by 12319 Broadway LLC and leased to Buffalo Solar and Intraform for commercial operations, clean energy demonstration, workforce development, training, and continued business growth. The project will support significant private investment, local construction activity, retention and creation of jobs, and expansion of the clean energy economy in Erie County.
Applicant Name	Tyler Uebelhoer
Applicant Address	3279 Walden Ave
Applicant Address 2	
Applicant City	Depew
Applicant State	New York
Applicant Zip	14043
Phone	(716) 249-8267
Fax	
E-mail	Tyler@buffalosolar.com
Website	https://www.buffalosolar.com/
NAICS Code	238210

Business Organization

Type of Business

Limited Liability Company

Year Established

2024

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	Mary Smith
Title	Director of Operations
Address	3279 Walden Ave
Address 2	
City	Depew
State	New York
Zip	14043
Phone	(716) 432-9470
Fax	
E-Mail	mary@buffalosolar.com

Company Contact- Authorized Signer for Applicant

Contact is same as individual completing application	Yes
Name	Mary Smith
Title	Director of Operations
Address	3279 Walden Ave
Address 2	
City	Depew
State	New York
Zip	14043
Phone	(716) 432-9470
Fax	
E-Mail	mary@buffalosolar.com

Company Counsel

Name of Attorney	Martin Clifford
Firm Name	
Address	403 Main Street
Address 2	Suite 716
City	Buffalo
State	New York
Zip	14203

Phone	(716) 308-3260
Fax	
E-Mail	mclifford@cliff-law.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%.

Company Background, History, Products and Customers 12319 Broadway LLC is a New York limited liability company established to develop, own, and operate the approximately 12,760-square-foot Center for Energy Empowerment at 12319 Broadway in Alden, New York. The LLC is the project owner and will generate revenue primarily through commercial lease payments from Buffalo Solar and INTRAFORM LLC, whose operations will drive the majority of the economic activity occurring at the property. Buffalo Solar, the principal tenant, was founded in 2015 and is a Western New York-based commercial renewable-energy company that has completed more than 700 renewable-energy projects. Buffalo Solar provides commercial solar and energy solutions throughout New York, including project evaluation, design, engineering coordination, utility interconnection, permitting, procurement, construction coordination, commissioning, incentive administration, and ongoing project support. Its customers include commercial property owners, businesses, institutions, and other organizations investing in renewable-energy infrastructure. The Center for Energy Empowerment will become Buffalo Solar's permanent corporate headquarters and support the company's continued growth and expansion of its commercial renewable-energy operations. INTRAFORM LLC will also operate from the facility and will focus on the development of energy-integrated commercial real estate. Its business model integrates commercial real estate development with energy and building-performance strategies designed to improve long-term asset performance. INTRAFORM's development activity is also expected to create additional renewable-energy project opportunities for Buffalo Solar, supporting continued business growth, private investment, and job growth in Western New York. In addition to supporting these commercial operations, the Center will serve as a permanent demonstration, education, and workforce-development facility for advanced building and clean-energy technologies. The all-electric facility will integrate solar photovoltaic generation, battery energy storage, ground-source geothermal heating and cooling, electric vehicle charging, advanced building automation and energy-management systems, and a high-performance building envelope. The project is being designed to achieve Phius ZERO certification. Ownership Tyler Uebelhoer — 100% Member of 12319 Broadway LLC There are no other stockholders, members, or partners with an ownership interest greater than 20%.

Estimated % of sales within Erie County	51 %
Estimated % of sales outside Erie County but within New York State	43 %
Estimated % of sales outside New York State but within the U.S.	6 %
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?

31

Describe vendors within Erie County for major purchases

Approximately 31% of Buffalo Solar's annual purchases of supplies, materials, and vendor services are estimated to be from firms located in Erie County, based on 2026 year-to-date purchasing activity. Local purchasing includes electrical equipment and supplies, construction and electrical subcontracting, engineering and professional services, property and facility services, printing, equipment and vehicle services, and other project-support services. These purchases support firms located throughout Buffalo, Amherst, Cheektowaga, Depew, Lancaster, Orchard Park, West Seneca, Tonawanda, and other Erie County communities. Buffalo Solar prioritizes qualified local vendors and subcontractors when commercially and technically feasible. Specialized solar, battery-storage, and other equipment that is not readily available locally is sourced from regional and national suppliers as required. The proposed Center for Energy Empowerment will create additional opportunities for Erie County purchasing through ongoing facility operations, professional services, maintenance, construction support, and the continued growth of Buffalo Solar's commercial renewable-energy operations.

Section II: Eligibility Questionnaire - Project Description & Details

Project Location

Address of Proposed Project Facility

12319 Broadway St

Town/City/Village of Project Site

Alden

School District of Project Site

Alden Central School District

Current Address (if different)

3279 Walden Ave

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

Depew NY 14043

SBL Number(s) for proposed Project

118.00-3-18.12

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

470

If amount of current taxes is not available, provide assessed value for each.

Land

$ 45,400

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?

No

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

The Project site is currently vacant land. The property is being developed for construction of the Center for Energy Empowerment, a new commercial facility that will serve as Buffalo Solar's corporate headquarters and support additional commercial, workforce development, and clean energy demonstration uses.

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 proposed project consists of the new construction of the Center for Energy Empowerment, an approximately 12,760-square-foot high-performance commercial facility located at 12319 Broadway in Alden, New York. The project is being developed and will be owned by 12319 Broadway LLC. The site is currently vacant land; therefore, there is no existing building square footage to be renovated, and approximately 12,760 square feet of new construction is contemplated. The project includes construction of the commercial building and the purchase and installation of associated building systems, furnishings, fixtures, equipment, and advanced clean-energy technologies. The facility will incorporate solar photovoltaic generation, battery energy storage, ground-source geothermal heating and cooling, electric vehicle charging infrastructure, advanced building controls and energy-management systems, and a high-performance building envelope. The building is being designed to achieve Phius ZERO certification. Buffalo Solar will be the principal tenant and end user of the facility and will relocate its corporate headquarters and commercial operations to the property. Buffalo Solar will use the facility for revenue-generating commercial renewable-energy operations, including project development, engineering and design coordination, utility interconnection and permitting, project management, procurement and construction coordination, sales and business development, finance, administration, and employee and industry training. The facility will provide Buffalo Solar with a permanent operating base to support continued growth of its commercial renewable-energy business. INTRAFORM LLC will also be a commercial tenant and will lease office space within the facility for energy-integrated commercial real estate development and related business operations. No additional tenants have been identified at this time; however, available space may be leased to compatible commercial tenants as opportunities arise. In addition to the commercial office and business operations of the tenants, portions of the facility will be used for workforce training, industry and customer education, technology demonstrations, and collaboration. The building itself will serve as a working demonstration of integrated commercial clean-energy and high-performance building technologies. The purpose of the project is to create a permanent commercial headquarters and operating facility that supports revenue-generating business activity, continued business expansion, employment growth, and long-term private investment in Western New York. The facility will also support workforce development, industry education, and the demonstration of advanced building and clean-energy technologies in an operating commercial environment.

Municipality or Municipalities of current operations

Depew NY

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

No

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?

Yes

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?

Yes

(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?

Yes

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

The project has been awarded funding through the USDA Rural Energy for America Program (REAP), with 12319 Broadway LLC as the grant recipient. 12319 Broadway LLC is also applying to NYSERDA's Building Cleaner Communities Competition (BCCC). Buffalo Solar, as the renewable-energy contractor for the project, anticipates applying for applicable NY-Sun solar and battery energy storage incentives administered by NYSERDA.

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:

While the core Project could proceed without Agency financial assistance, ECIDA participation will significantly increase the scope and long-term economic and public benefit of the investment in Erie County. Agency assistance will allow the Applicant to preserve capital for continued business growth and job creation while supporting a greater level of workforce-development, training, education, and clean-energy demonstration activities at the Center for Energy Empowerment. ECIDA participation will help maximize the impact of the approximately $7.0 million private investment by enabling the facility to serve as a permanent Erie County resource that will create opportunities for local job growth, develop contractor capacity, provide internships and workforce training, engage educators and industry partners, and provide hands-on exposure to commercial-scale clean-energy and high-performance building technologies. The value of Agency participation is therefore not simply whether the facility is constructed, but the additional and lasting economic and public benefits that ECIDA assistance will enable. The assistance will help ensure that this substantial private investment serves not only the Applicant's business needs, but also strengthens Erie County's workforce, local business capacity, and growing clean-energy economy.

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)

The approximately $7.0 million Center for Energy Empowerment represents a significant private investment in Erie County. ECIDA financial assistance is an important component of the Project's financing and is necessary to complete the Project at the scope and level of investment proposed. The cost of developing the facility, including the additional investment required for its high-performance building systems, clean-energy infrastructure, training space, and living-laboratory capabilities, creates a substantial financial burden. Without the requested assistance, the Applicant would be required to commit additional capital to the Project that would otherwise be available to support Buffalo Solar's operations, workforce, and continued growth. This would constrain the company's ability to invest in job creation and business expansion and would reduce the resources available for the Project's planned workforce-development, training, education, and clean-energy demonstration activities. ECIDA assistance will reduce this financial burden and allow the Applicant to complete and operate the Center for Energy Empowerment as envisioned while preserving capital needed to support continued business and job growth. The assistance will maximize the economic impact of this private investment by making possible the broader workforce training, contractor development, internships, educator programming, and commercial-scale clean-energy education and demonstration that are central to the Project's public benefit in Erie County.

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 Financial Assistance is not obtained, the Applicant would be required to absorb a greater share of the approximately $7.0 million Project cost through its own financial resources. This would place additional demands on operating capital and reduce the financial flexibility available to support business growth, working-capital needs, job creation, and the broader workforce-development, education, contractor-training, and clean-energy demonstration activities planned for the Center for Energy Empowerment. The impact would extend beyond the Applicant's business operations. Without Agency assistance, the Applicant would not be able to make the same level of investment in the Center's workforce and public-benefit activities, and the scale and pace of programming would be more dependent on annual business conditions, available staff capacity, and other funding sources. This could limit the Applicant's ability to expand internships, educator and workforce programming, contractor training, technical workshops, and efforts to develop additional local contractors with commercial solar capabilities. For Erie County, the result would be a lower level of economic and public benefit from the Project than could be achieved with Agency participation. While the Project represents a substantial private investment in the County, ECIDA assistance will allow that investment to have a broader and more lasting impact by preserving capital for business and job growth and increasing the resources available for workforce development, local contractor capacity, education, and commercial-scale clean-energy demonstration.

Will project include leasing any equipment?

No

If yes, please describe equipment and lease terms.

Site Characteristics

Is your project located near public transportation?

No

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

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

No

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.

9/18/2026

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

Yes

Describe the present zoning/land use

The Premises consist of approximately 6.184 acres of currently vacant, unimproved land located at 12319 Broadway in the Town of Alden. The property is zoned C-2 Commercial. The site has historically been used as agricultural farmland and is currently undeveloped. The proposed office, warehouse, training, and associated clean-energy uses are being advanced through the Town of Alden's site-plan and municipal approval process.

Describe required zoning/land use, if different

No change in zoning is currently contemplated. The property is zoned C-2 Commercial, and the proposed development is being advanced through the Town of Alden's site-plan review and approval process in accordance with applicable zoning and land-use requirements.

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

No change in zoning is currently required or requested.

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?

Yes

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

Yes. The Project will incorporate new high-performance building and energy equipment designed to provide significant energy-efficiency and energy-performance benefits. This includes geothermal heat-pump systems, energy-recovery ventilation, heat-pump domestic water heating, advanced building controls and energy-management systems, solar photovoltaic generation, battery energy storage, and related electrical infrastructure. These systems are being integrated as part of an all-electric, high-performance facility designed to substantially reduce building energy demand, improve operating efficiency, manage peak electrical loads, and produce and store renewable energy onsite.

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?

Yes

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

Yes. The facility will serve as a real-world demonstration and development environment for evaluating the integration and performance of high-performance building systems, renewable-energy generation, battery energy storage, geothermal systems, EV charging, and advanced energy-management controls. These activities will support the development and refinement of new energy-management, building-performance, and commercial real estate service models. Because the company is currently in the development stage, the percentage of future operating expenses attributable specifically to R&D activities has not yet been established.

Please explain the extent to which the project provides onsite child care services or otherwise facilitates new child care services.

The Project does not include onsite child care services and is not anticipated to facilitate the creation of new child care services.

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** Yes

Please check any and all end uses as identified below.

No Acquisition of Existing Facility	**No Assisted Living**	**Yes Back Office**
No Civic Facility (not for profit)	**No 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**
Yes Renewable Energy	**Yes Other**	
	Training and Development	

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	6,411 square feet	$	2,800,000	40%
Research & Development	square feet	$	0	0%
Commercial	square feet	$	0	0%
Retail	square feet	$	0	0%
Office	5,549 square feet	$	3,780,000	54%
Specify Other	800 square feet	$	420,000	6%

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

11/1/2026

End date : Estimated completion date of project

8/1/2027

Project occupancy : estimated starting date of occupancy

9/1/2027

Capital Project Plan / Budget

Estimated costs in connection with Project

1.) Land and/or Building Acquisition

$ 150,000 square feet 6 acres

2.) New Building Construction

$ 6,165,969 square feet

3.) New Building addition(s)

$ 0 square feet

4.) Reconstruction/Renovation

$ 0 square feet

5.) Manufacturing Equipment

$ 0

6.) Infrastructure Work

$ 0

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

$ 0

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

$ 833,121

9.) Other Cost

$ 0

Explain Other Costs

Total Cost $ 7,149,090

Construction Cost Breakdown:

Total Cost of Construction	$ 6,165,969 (sum of 2, 3, 4 and 6 in Project Information, above)
Cost of materials	$ 3,822,586
% sourced in Erie County	39%

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	$ 2,190,660
Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above):	$ 191,682

** 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:	Attached billed to Date Costs on Engineering, Land purchase, Legal, Taxes...

Sources of Funds for Project Costs:

Equity (excluding equity that is attributed to grants/tax credits):	$ 1,610,000
Bank Financing:	$ 5,390,000
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):	$ 977,638
Identify each state and federal grant/credit: (ie Historic Tax Credit, New Market Tax Credit, Brownfield, Cleanup Program, ESD, other public sources)	USDA REAP Grant (Geothermal) $130,138 NYSERDA NY-SUN $187,500 NYSERDA Retail Storage Incentive $541,800.00 NYSEG Make Ready $100,000 NYSEG Geothermal $18,200 We also applied for a BCCC grant through NYSERDA, we do not know if we will be awarded.
Total Sources of Funds for Project Costs:	$7,977,638
Have you secured financing for the project?	Yes

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).	5,390,000
Lender Name, if Known	
Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above multiplied by 3/4 of 1%):	$40,425

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):	The Project is not expected to utilize any real property tax exemption benefit other than the Agency's PILOT benefit.

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?

No

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	15	15	6	6
Part time	0	0	0	0
Total	15	15	6	

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	5	$ 100,000	$ 6,708	0	$ 0	$ 0
Professional	2	$ 70,000	$ 6,708	0	$ 0	$ 0
Administrative	12	$ 70,000	$ 6,708	0	$ 0	$ 0
Production	2	$ 74,000	$ 6,708	0	$ 0	$ 0
Independent Contractor	0	$ 0	$ 0	0	$ 0	$ 0
Other	0	$ 0	$ 0	0	$ 0	$ 0
Total	21			0		

** 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			
Full time	0	0	0
Part time	0	0	0
Total	0	0	0

Payroll Information

Annual Payroll at Proposed Project Site upon completion

1,800,000

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

85,000

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

0

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

80,000

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

0

Estimated salary range of jobs to be created

From (Full Time)	65,000	**To (Full Time)**	95,000
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

12319 Broadway, Alden NY 14040

Name and Address of Owner of Premises

Tyler Uebelhoer 10165 Colby Rd Darien Center NY 14020

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

The Premises consist of approximately 6.184 acres of currently vacant former farmland located at 12319 Broadway (NYS Route 20) in the Town of Alden, Erie County. The site is generally flat to very gently sloping, with average slopes of less than 1%. A minor drainage swale crosses the southerly portion of the property and ultimately drains toward Cayuga Creek. A wetland delineation identified no wetlands, hydric soils, or wetland hydrology on the parcel. The property is not located within a mapped FEMA Special Flood Hazard Area and is predominantly within Zone X. There are no coastlines, lakes, or other significant surface-water features on the Premises.

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 Premises consist of approximately 6.184 acres of currently vacant, unimproved former farmland at 12319 Broadway, Alden, New York. There are no existing buildings or material improvements on the site. The project will construct a new commercial office and warehouse facility together with parking, access drives, renewable-energy systems, and related site improvements. The primary operations conducted at the Premises will be Buffalo Solar's commercial renewable-energy business operations. Activities will include commercial solar and battery-storage project evaluation and development; system design and engineering coordination; utility interconnection and permitting; procurement and materials management; project and construction management; commissioning and project closeout; incentive administration; customer support; and related sales, finance, and administrative functions. The warehouse will support the receipt, storage, staging, and distribution of solar, battery, electrical, and related project materials and equipment. The Premises will also support workforce development, technical training, and clean-energy education, including hands-on training and demonstrations involving commercial solar, battery storage, building electrification, energy management, and high-performance building systems. Intraform LLC will conduct commercial real estate development and energy-infrastructure development activities from the Premises, including project development, financial and energy-performance analysis, underwriting, coordination of building and energy systems, and management of high-performance, energy-producing commercial real estate. The property itself will incorporate solar photovoltaic generation, battery energy storage, EV charging, and advanced building and energy-management systems, allowing the facility to function as a working demonstration and training environment for integrated clean-energy technologies. The civil plans contemplate the office/warehouse facility together with solar generation, battery-storage areas, EV charging, and associated infrastructure.

Describe all known former uses of the Premises

The Premises were historically used as farmland for agricultural purposes. The property is currently vacant and unimproved and has reverted to an upland meadow/old-field condition. No other former uses of the Premises are known to the Applicant.

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

N/A

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

No industrial process discharges are currently present or contemplated at the Premises. The proposed operations will not involve manufacturing or industrial processes that generate process wastewater. Stormwater associated with construction and post-construction site runoff will be managed in accordance with the project's approved Stormwater Pollution Prevention Plan (SWPPP) and applicable NYSDEC SPDES requirements.

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

There are no industrial process-water or contact/noncontact cooling-water discharges contemplated at the Premises. Stormwater: Stormwater from the developed site will be managed through the project's stormwater management system. Roof runoff from the office and warehouse will be directed to rainwater-harvesting cisterns for reuse and runoff reduction. Runoff from parking, access, loading, and solar-field areas will be directed to three lined, underdrained bioretention areas. Controlled discharges from the bioretention system and larger storm events will ultimately flow through the existing drainage swale toward Cayuga Creek. Sanitary Wastewater: The Premises will utilize an on-site wastewater treatment system consisting of an enhanced treatment unit with a raised absorption bed (mound), subject to Erie County Department of Health review and approval. A conventional in-ground system is not proposed due to site soil and groundwater conditions. Construction Stormwater: Construction-related stormwater discharges will be managed pursuant to the project's SWPPP and NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity. Approximately 3.5 acres of the 6.184-acre parcel are anticipated to be disturbed. There are no existing septic tanks on the currently vacant and unimproved site. The proposed on-site wastewater treatment system described above will be constructed as part of the project.

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

NA

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

Market conditions supporting the development include the demonstrated growth and space requirements of the facility's identified tenants, together with continued expansion of New York's clean-energy, building-decarbonization, energy-storage, and distributed-generation markets. Buffalo Solar requires expanded office, warehouse, material-staging, training, and project-support capacity to accommodate its growing commercial renewable-energy operations. The company has outgrown its existing leased facility and requires a larger, purpose-designed location capable of supporting its current operations and anticipated growth. Intraform requires dedicated space to establish and expand its commercial real estate and energy-infrastructure development operations. The facility is not being developed primarily as speculative multi-tenant real estate. It is being purpose-built for identified, complementary operating businesses with established space requirements and planned tenancy. The multi-tenant structure allows the businesses to share high-performance building and clean-energy infrastructure while maintaining distinct operations, improving utilization of the facility and providing capacity for future growth. These tenant-specific needs are reinforced by broader market conditions. New York's clean-energy sector continues to expand, supporting investment and employment in building decarbonization, renewable power generation, distributed solar, energy storage, grid modernization, and high-performance buildings. These conditions support continued demand for Buffalo Solar's commercial renewable-energy services and the market opportunity for Intraform's high-performance real estate and energy-infrastructure development activities.

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, zip)	# 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.

*fill out table for each tenant and known future tenants

Section V: Tenant Information

PART 1 TO BE COMPLETED BY LESSEE (DEVELOPER)

Tenant Name

Buffalo Solar Solutions, Inc.

Property Address:

12319 Broadway Alden NY 14043

City/Town/Village

Alden 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)

10,450

What percentage of the building does this represent?

81

Are terms of lease:

GROSS

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

Gross, turnkey lease. Landlord, 12319 Broadway LLC, will be responsible for building operating expenses, including real property taxes, property insurance, utilities, building and mechanical-system maintenance, snow removal, landscaping, and common-area maintenance. Tenant will pay fixed base rent and will remain responsible for its own business operations, business insurance, equipment and any tenant-specific costs or damages.

Estimated date of occupancy

9/1/2026

PART 2 TO BE COMPLETED BY PROPOSED TENANT

Company Name:

Buffalo Solar Solutions, Inc.

Local Contact Person:

Mary Smith

Title:

Director of Operations

Current Address:

3279 Walden Ave

Phone:

(716) 432-9470

Fax:

E-Mail:

mary@buffalosolar.com

Website:

buffalosolar.com

Company President/General Manager:

Mary Smith

Number of employees moving to new project location:

Full-Time:

14

Part-Time:

0

Total:

14

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:

Nature of Business / NAICS / Products and Services / Sales Buffalo Solar is a commercial renewable-energy contractor specializing in small- to mid-sized commercial rooftop solar photovoltaic and battery energy-storage systems. The company provides project evaluation, system design and engineering coordination, utility interconnection, permitting, procurement, construction coordination, commissioning and closeout, incentive administration, and ongoing system support. Buffalo Solar serves commercial, industrial, institutional, and other non-residential customers primarily throughout New York State. NAICS Code: 238210- Electrical Contractors and Other Wiring Installation Contractors Percentage of Total Sales: Erie County: 51% United States: 100%

Attach additional information as necessary.

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

Buffalo Solar is a privately held renewable-energy company founded in Western New York in 2015. Since its founding, the company has completed more than 700 renewable-energy projects. The company initially served both residential and commercial markets and transitioned its focus exclusively to commercial renewable-energy projects in 2022. Today, Buffalo Solar specializes in small- to mid-sized commercial rooftop solar photovoltaic and battery energy-storage systems for businesses, industrial facilities, institutions, and other non-residential customers. Over more than a decade of operation, Buffalo Solar has expanded its capabilities to provide comprehensive project development and delivery services, including project evaluation, design and engineering coordination, utility interconnection, permitting, procurement, construction coordination, commissioning, incentive administration, and ongoing system support. Buffalo Solar is an established operating business headquartered in Western New York and is not a start-up, recent acquisition, or publicly traded company.

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

10,450

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

6,700

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

The increase in leased space is driven by Buffalo Solar's growth and its transition to a commercial-focused renewable-energy business. The company has outgrown its existing leased facility, which does not provide sufficient office, warehouse, material-staging, training, and project-support capacity for its current operations and continued growth. The proposed facility will provide purpose-designed space to consolidate Buffalo Solar's commercial operations, accommodate additional employees, improve material storage and staging, support project development and coordination, and provide dedicated training space. The increased space will allow Buffalo Solar to operate more efficiently and provide the capacity needed to support its growing volume of commercial solar and battery energy-storage projects.

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

Yes

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

N/A

If leased, when does lease expire?

9/1/2027

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?

N/A

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

What is the age of the structure (in years)? 0

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

3279 Walden Ave

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?

Yes

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:

Buffalo Solar will relocate from its existing leased office and warehouse facility in Depew, New York, to the proposed facility at 12319 Broadway, Alden, New York. The relocation will retain Buffalo Solar's operations and employment within Erie County and New York State while providing the additional office, warehouse, material-staging, training, and project-support capacity required for the company's continued growth. The Agency's Financial Assistance is reasonably necessary to support this significant private investment and preserve Buffalo Solar's competitive position in the commercial renewable-energy industry. The assistance will help offset the substantial upfront cost of developing a purpose-built facility capable of supporting the company's expanding commercial solar and battery energy-storage operations, workforce growth, operational efficiency, and long-term investment in Erie County.

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

Yes. Buffalo Solar will relocate its existing operations from a leased facility in the Village of Depew, Erie County, to the proposed facility at 12319 Broadway in the Town of Alden, Erie County. The relocation will retain the company's operations and employment within Erie County and New York State while providing additional capacity to support continued growth.

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.)

Key site requirements include sufficient acreage and building area to accommodate expanded office, warehouse, material-storage and staging, training, and project-support functions; adequate warehouse clear height and loading access for commercial solar and battery equipment; sufficient parking and vehicle circulation; and capacity for continued workforce and operational growth. The site must also provide sufficient electrical and utility capacity and adequate land to support the integration of solar photovoltaic generation, battery energy storage, EV charging, geothermal systems, and related energy-management infrastructure. A key requirement is the ability to develop a purpose-built facility that consolidates Buffalo Solar's office, warehouse, material-staging, training, and project-support functions at a single location while providing room for future growth.

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?

Buffalo Solar's primary consideration in remaining in Erie County is its existing workforce. The company specifically wanted to expand without requiring employees to make a significant change to their daily commute or creating unnecessary disruption for its team. Maintaining a convenient location for current employees and retaining the company's established workforce were important factors in the site-selection process. Buffalo Solar also has longstanding business relationships, customers, vendors, and community ties in Erie County and throughout Western New York. The company therefore focused its site search within Erie County, seeking a location that could provide the additional space and infrastructure needed for continued growth while keeping its operations, employment base, and investment within the County.

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

Buffalo Solar currently leases its facility in Depew and does not own the property. Upon relocation to the proposed facility in Alden, Buffalo Solar will vacate the existing leased premises in accordance with the terms of its lease. The property will be returned to the landlord and will be available for re-leasing or other use at the landlord's discretion.

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.

2313 Townline Rd Alden NY 14004 1281 Walden Ave Alden NY 14004 We turned down may properties because of price and interconnection.

Section IX: Housing

Project **DOES NOT** include residential rental housing units.

Section X: 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 XI: 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

Erie County Industrial Development Agency

Financial Statements

As of October 31, 2026

ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY ("ECIDA")
Balance Sheet
October 31, 2026

	October 2026	September 2026	December 2025
ASSETS:			
Cash and Equivalents *	$ 4,604,018	$ 5,085,714	$ 6,995,073
Restricted Cash & Investments *	12,263,834	13,042,397	18,142,821
Due from Affiliates	4,660,470	4,247,795	3,956,316
Due from Buffalo Urban Development Corp.	100,253	94,918	127,893
Other Receivables	203,997	207,235	209,591
Total Current Assets	21,832,572	22,678,060	29,431,694
Grants Receivable	4,577,527	4,577,527	4,839,110
Lease Receivable	185,049	205,186	382,699
Venture Capital Investments, net of reserves	406,247	406,247	406,247
Capital Assets	1,122,382	1,110,327	1,277,299
Total Long-Term Assets	6,291,205	6,299,287	6,905,356
TOTAL ASSETS	$ 28,123,777	$ 28,977,347	$ 36,337,050
LIABILITIES & NET ASSETS			
Accounts Payable & Accrued Exp.	$ 162,813	$ 234,566	$ 505,387
Lease Payable	117,029	129,764	242,026
Deferred Revenues	1,685,946	2,104,977	4,040,200
Funds Held on Behalf of Others	5,299,994	5,725,329	10,513,124
Total Liabilities	7,265,782	8,194,635	15,300,737
Deferred Inflows of Resources Related to Leases	185,049	205,186	382,699
Net Assets	20,672,947	20,577,526	20,653,614
TOTAL LIABILITIES & NET ASSETS	$ 28,123,777	$ 28,977,347	$ 36,337,050

* Cash and restricted cash is invested in interest bearing accounts at M&T Bank and obligations of the United States of America at Wilmington Trust. The maximum FDIC insured amount = $250,000 with the remainder of the cash balance collateralized with government obligations by the financial institution. Collateral is not required for U.S. government obligations.

ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY ("ECIDA")

Income Statement

Month of October 2026

	Actual vs. Budget		
	Actual	Budget	Variance
REVENUES:			
Administrative Fees	$ 208,179	$ 158,333	$ 49,846
Management Fees - Affiliates and Others	50,100	59,650	(9,550)
Rental Income	20,047	20,275	(227)
Other Income	-	417	(417)
Total Revenues	278,326	238,675	39,652
EXPENSES:			
Salaries & Benefits	$ 151,705	$ 209,688	$ (57,983)
General Office Expenses	21,166	24,366	(3,200)
Building Operating Costs	5,276	6,947	(1,670)
Professional Services	1,662	13,125	(11,463)
Public Hearings & Marketing	10,519	10,000	519
Travel, Mileage & Meeting Expenses	163	3,125	(2,962)
Depreciation and amortization	20,007	20,024	(17)
Other Expenses	1,600	1,250	350
Total Expenses	212,098	288,525	(76,426)
SPECIAL PROJECT GRANTS:			
Revenues	$ 419,031	$ 373,432	$ 45,599
Expenses	(419,190)	(348,265)	(70,925)
	(159)	25,167	(25,326)
NET OPERATING INCOME/(LOSS) :	66,069	(24,683)	90,752
NON-OPERATING REVENUE:			
Interest Income	$ 29,893	$ 38,644	$ (8,751)
Interest Expense	(541)	(7,234)	6,693
	29,352	31,410	(2,058)
NET INCOME/(LOSS):	**$ 95,421**	**$ 6,727**	**$ 88,694**

ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY ("ECIDA")

Income Statement

Year to Date: October 31, 2026

	Actual vs. Budget			Actual vs. Prior Year		
	Actual	Budget	Variance	Actual	Prior Year	Variance
REVENUES:						
Administrative Fees	$ 1,648,879	$ 1,583,333	$ 65,546	$ 1,648,879	$ 1,912,256	$ (263,377)
Affiliate Management Fees	502,875	598,542	(95,667)	502,875	478,875	24,000
Rental Income	305,152	284,840	20,313	305,152	277,196	27,956
Other Income	37,150	28,917	8,233	37,150	33,298	3,852
Total Revenues	2,494,056	2,495,631	(1,575)	2,494,056	2,701,625	(207,569)
EXPENSES:						
Salaries & Benefits	1,976,588	2,165,624	(189,036)	1,976,588	1,957,397	19,190
General Office Expenses	229,572	243,658	(14,086)	229,572	230,537	(966)
Building Operating Costs	74,090	69,467	4,623	74,090	62,085	12,005
Professional Services	88,864	81,217	7,647	88,864	69,875	18,989
Public Hearings & Marketing	87,942	100,000	(12,058)	87,942	65,718	22,225
Travel, Mileage & Meeting Expenses	28,231	31,250	(3,019)	28,231	25,925	2,306
Depreciation and amortization	200,075	200,241	(167)	200,075	196,075	4,000
Other Expenses	14,101	14,250	(149)	14,101	11,660	2,441
Total Expenses	2,699,462	2,905,706	(206,244)	2,699,462	2,619,273	80,190
SPECIAL PROJECT GRANTS:						
Revenues	2,361,180	3,734,321	(1,373,142)	2,361,180	402,370	1,958,810
Expenses	(2,387,398)	(3,482,655)	1,095,257	(2,387,398)	(367,243)	(2,020,155)
	(26,218)	251,667	(277,885)	(26,218)	35,127	(61,345)
NET INCOME/(LOSS) BEFORE OTHER STRATEGIC INVESTMENTS:	$ (231,624)	$ (158,408)	$ (73,215)	$ (231,624)	$ 117,480	$ (349,103)
OTHER STRATEGIC INVESTMENTS AND INITIATIVES:						
Renaissance Commerce Park Grant	$ -	$ -	$ -	$ -	$ (94,684)	$ 94,684
Angola Ag Park Grant	-	-	-	-	(5,483)	5,483
Buffalo Urban Development Corporation	-	-	-	-	(100,000)	100,000
Other Strategic Initiatives	(75,000)	-	(75,000)	(75,000)	(75,000)	-
	(75,000)	-	(75,000)	(75,000)	(275,167)	200,167
NET OPERATING INCOME/(LOSS):	(306,624)	(158,408)	(148,215)	(306,624)	(157,688)	(148,936)
NON-OPERATING REVENUE:						
Interest Income	333,715	386,438	(52,723)	333,715	$ 430,552	(96,837)
Interest Expense	(7,759)	(7,234)	(525)	(7,759)	(13,842)	6,084
	325,957	379,205	(53,248)	325,957	416,710	(90,753)
NET INCOME/(LOSS):	$ 19,333	$ 220,796	$ (201,463)	$ 19,333	$ 259,022	$ (239,689)

Tax Incentives Approved - 2026

Approval Date	Project Name	Project City/Town	Private Investment/ Project Amount	Minimum Investment Comittment (85% Threshold)	FT Jobs Retained	PT Jobs Retained	FT Jobs to be Created	PT Jobs to be Created	Job Creation (85% New)	Construction Jobs	Spillover Jobs	Length of Term	Incentive Amount	Cost Benefit Ratio
Feb-26	110 Pearl Street,/Swan & Pearl, LLC,[1]	Buffalo	$14,190,120	$12,061,602	3	10	0	3	1	48	53	project completion date + 2 yrs	$505,187	1:21
Feb-26	432 Franklin, LLC/Hamlin House[1]	Buffalo	$3,416,810	$2,904,288	0	0	0	1	0	12	14	project completion date + 2 yrs	$96,250	1:31
Feb-26	North Eastern Alliance Redevelopment Project	Alden	$33,068,293	$28,108,049	0	0	80	10	85	129	228	Period of PILOT 10 Years	$3,806,618	1:28
Apr-26	Hanes Supply, Inc.[2]	Buffalo	$7,790,000	$621,500	92	5	10	0	8	30	102	Period of PILOT 10 Years	$699,569	1:174
Jun-26	1273-1277 Niagara Street, LLC[1]	Buffalo	$4,132,888	$3,512,955	0	0	0	1	1	25	17	project completion date + 2 yrs	$198,468	1:17
Jun-26	Buffalo Hearing & Speech[1]	Cheektowaga	$9,262,225	$7,872,891	47	47	18	0	15	37	53	Period of PILOT 7 Years	$750,728	1:62
Sep-26	Niagara Power Transformer	Cheektowaga	$71,203,457	$60,522,938	146	1	73	0	62	256	368	Period of PILOT 10 Years	$2,194,264	1:140

Totals:	Totals:	Private Investment/ Project Amount	85% Minimum Investment Comittment	FT Jobs Retained	PT Jobs Retained	FT Jobs Created	PT Jobs Created	85% Job Creation	Construction Jobs	Spillover Jobs		Incentive Amount	
Adaptive Reuse Subtotal	4	$31,002,043	$26,351,736	50	57	18	5	17	122	137		$1,550,633	
Amendatory Inducement Subtotal	1	$7,790,000	$621,500	92	5	10	0	8	30	102		$699,569	
2026 Total	7	$143,063,793	$115,604,223	288	63	181	15	172	537	835		$8,251,084	

[1] Adaptive Reuse

[2] Amendatory Inducement

ECIDA Tax Incentives Closed - 2026

Closing Date	Project Name	Project City/Town	Project Amount at Closing	FT Jobs Retained	PT Jobs Retained	FT Jobs to be Created	PT Jobs to be Created	Inducement Date	Est. Project Completion Date
1/28/2026	Great Lakes Pressed Steel (The Nichols Group LLC)	Buffalo	$ 2,555,500	15	0	2	0	7/23/2025	6/30/2026
2/27/2026	Wavepoint (231 Ship Canal WP LLC)	Buffalo	$ 25,000,000	0	0	31	0	12/17/2025	12/31/2026
3/31/2026	Hanes Supply, Inc.	Buffalo	$ 6,000,000	85	5	10	0	10/23/2024	12/31/2026
3/31/2026	Swan and Pearl LLC	Buffalo	$ 14,190,120	3	10	0	3	2/25/2026	6/30/2027
5/29/2026	Northeastern Alliance Redevelopment (11580 Walden Ave LLC)	Alden	$ 33,068,293	0	0	80	10	2/25/2026	6/30/2027
8/27/2026	1273-1277 Niagara Street II LLC	Buffalo	$ 4,132,888	0	0	1	0	6/24/2026	12/1/2026

Totals:	Total # of Projects Closed		Project Amount at closing	FT Jobs Retained	PT Jobs Retained	FT Jobs Created	PT Jobs Created		
	6		$84,946,801	103	15	124	13		



2024-25 COMPLIANCE ASSESSMENT REPORT

ECIDA
THE ECONOMIC DEVELOPMENT CORPORATION FOR ERIE COUNTY

AGENDA



COMPLIANCE MATERIAL TERMS



COMPLIANCE SUMMARY



RECAPTURE SUMMARY



SALES TAX COMPLIANCE



LOCAL LABOR RESULTS

INVESTMENT

- Requires a private investment equal to at least 85% of the planned project cost.
- Clients submit an investment certification.

JOB RETENTION + CREATION

- Clients are required to maintain 90% or 95% of their jobs at application (150 FTEs or less retain 90%; 150+ FTEs retain 95%).
- Clients are required to create 85% of their job projections.
- Monitored by quarterly employment surveys and NYS-45 forms (or other supporting documentation).

LOCAL LABOR POLICY

- Requires that 90% of all construction workers reside within the eight counties of WNY (Erie, Niagara, Cattaraugus, Chautauqua, Allegany, Wyoming, Genesee, Orleans).
- Monitored by quarterly local labor reports.

PAY EQUITY POLICY

- Requires clients to pay male and female employees the same wages for similar work.
- Monitored by random pay equity audits; audits are performed by the Erie County Division of Equal Employment Opportunity.

UNPAID REAL PROPERTY TAX POLICY

- Requires individuals who hold at least a 25% ownership interest in the applicant (the legal entity receiving benefits) to be current on all taxes (both personal and corporate) on properties within Erie County.
- At application, ECIDA requests a list of all such properties. The list is forwarded to the Erie County Commissioner of Real Property Services for confirmation that all real property taxes, special district charges and/or PILOT payments are current. Compliance is further monitored by an annual certification by the client.

COMPLIANCE MATERIAL TERMS

P127

INVESTMENT

- 100% compliance

JOB RETENTION/CREATION

2024 Portfolio Compliance Rate: 90%

- Total Projects Subject to Compliance: 107
- 10% of the portfolio, 11 projects, were short of their employment goals.

2025 Portfolio Compliance Rate: 89%

- Total Projects Subject to Compliance: 101
- 11% of the portfolio, 11 projects, were short of their employment goals.

LOCAL LABOR POLICY

- 100% compliance

PAY EQUITY POLICY

- 100% compliance
- In total, 6 audits were completed in 2024 and 2025.

UNPAID REAL PROPERTY TAX POLICY

- 100% compliance

COMPLIANCE RESULTS SUMMARY

2024 Recapture Summary

Employment Retention/Creation: 107 projects were monitored quarterly and subject to compliance.
- 90.5% compliance with employment retention/creation requirements.

PILOT Recapture
- **9 projects** had payments recaptured due to employment shortfalls.
- **Total recaptured: $98,561.22.**

Sales Tax Recapture
- **1 project** had payment recaptured due to employment shortfall. Total: **$4,320.47.**
- **1 project,** Sumitomo, also agreed to create a Community Benefit Bund in lieu of a pro-rata sales tax benefit recapture. **Total: $442,968.75.**

Recapture Options Provided:
- Repay the pro-rata incentive amount, or
- Appear before the Policy Committee and ECIDA Board for alternative resolutions.
- Funds redistributed to appropriate taxing jurisdictions.

PILOT Terminations
- **2 projects**, Sumitomo and Braymiller Market, terminated in 2024 after ceasing operations.

County	Town	School	Village	Sales Tax	Total Recapture	Community Benefit Fund
$12,538.60	$25,304.08	$59,329.22	$1,389.31	$4,320.47	**$102,881.69**	**$442,968.75**

2025 Recapture Summary

Employment Retention/Creation: 101 projects were monitored quarterly and subject to compliance.

- 89% compliance with employment retention/creation requirements.

PILOT Recapture:

- **8 projects** had payments recaptured due to employment shortfalls.
- **Total recaptured: $50,867.38.**

Sales Tax Recapture

- **1 project** had payment recaptured due to employment shortfall.
- **Total recaptured: $21,990.70**

Recapture Options Provided:

- Repay the pro-rata incentive amount, or
- Appear before the Policy Committee and ECIDA Board for alternative resolutions.
- Funds redistributed to appropriate taxing jurisdictions.

County Recapture	Town Recapture	School Recapture	Village Recapture	Sales Tax Recapture	Total Recapture
$8,700.11	$13,761.04	$26,616.23	$1,790.00	$21,990.70	**$72,858.08**

Sales Tax Compliance

- **Board Approval:** The Board sets the maximum sales tax savings for each company.
- **Repayment Obligation**: Companies must repay any benefitted amount over the approved limit.
- **Monitoring**: Sales tax savings are tracked via ST-340 forms that clients submit to the NYS Tax Department; the Agency requests a copy.
- **Verification:** Staff compares Board-approved limits with figures reported on ST-340 forms.
- **Repayment Process:** In the event of an overage, companies send repayment to the Agency, which submits an ST-65 form and forwards the check to the NYS Tax Department.
- **Recent Repayments:** For 2024, one company repaid **$984.63.** For 2025, one company repaid **$39,429.92.**

2024-2025 Local Labor Results

- 100% compliance with the Agency's 90% Local Labor requirement.
- Local Labor Waivers: The Board granted two waivers in 2024. There were no requests in 2025.

Year	Construction Workers Residing in the 8 counties of WNY *	Construction Workers Residing outside the 8 counties of WNY *	TOTAL Construction Workers *	% inside 8 counties of WNY	% outside 8 counties of WNY	Total Construction Workers Residing in Erie County *	% in Erie County
2024	1,290	69	1,358	94.9%	5.1%	976	71.9%
2025	857	64	921	93.1%	6.9%	626	68.0%
TOTAL	2,147	132	2,279	94.2%	5.8%	1,602	70.3%

*Figures represents the average from the year's quarterly reports.

Thank you

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