



**ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY (ECIDA)
BUFFALO & ERIE COUNTY REGIONAL DEVELOPMENT CORP (RDC)
BUFFALO & ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORP (ILDC)**

Joint Finance & Audit Committee Meeting

April 19, 2017
at 12:00 PM

1. Approval of Minutes – March 13, 2017 (ECIDA, RDC, ILDC) (Action)
2. Charter School for Applied Technologies Bond Issuance (Action)
3. New Business (Informational)
4. Adjournment

**MINUTES OF A JOINT MEETING OF THE
FINANCE & AUDIT COMMITTEES OF THE
ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY (ECIDA or AGENCY)
THE BUFFALO & ERIE COUNTY REGIONAL DEVELOPMENT
CORPORATION (RDC) AND THE BUFFALO & ERIE COUNTY INDUSTRIAL
LAND DEVELOPMENT CORPORATION (ILDC)**

- MEETING:** March 13, 2017, at the Erie County Industrial Development Agency, 95 Perry Street, Suite 403, Buffalo, New York 14203
- PRESENT:** Penny Beckwith, Hon. Glenn R. Nellis, Sister Denise Roche, Michael Szukala and William Witzleben
- ABSENT:** James F. Doherty and Hon. Joseph H. Emminger,
- OTHERS PRESENT:** John Cappellino, Executive Vice President, Mollie Profic, Treasurer, Dawn Boudreau, Compliance Officer and Robert G. Murray, Secretary
- GUESTS:** Seth Hennard and Sara Dayton, on behalf of Lumsden & McCormick

A quorum was present at 12:14 p.m. In the absence of a Committee Chair, Mr. Szukala offered to preside over the meeting, no objection to his offer was made, and Mr. Szukala then called the meeting to order at 12:15 p.m.

MINUTES

The August 24, 2016 minutes of the joint meeting of the Committee were presented. Upon motion made by Mr. Nellis, and seconded by Mr. Witzleben, the August 24, 2016 minutes of the Committee were unanimously approved.

LUMSDEN & MCCORMICK – REPORT INCLUDING DRAFT 2016 AUDITED FINANCIAL STATEMENTS

Mr. Hennard and Ms. Dayton from Lumsden & McCormick presented a draft report of the 2016 Audited Financial Statements for the ECIDA and its affiliates. Ms. Dayton reviewed the audit scope and deliverables including: (i) the independent auditors’ opinion on financial statements (which was unmodified); (ii) independent auditors’ report on internal controls over financial reporting and on compliance and other matters based on an audit of financial statements performed in accordance with Government Auditing Standards (no matters to report); (iii) independent auditors report on compliance with Section 2925(3)(f) of the New York State Public Authorities Law; (iv) independent auditors’ opinion on the Buffalo Brownfields Redevelopment Fund Schedule of Revenues, Expenses, and Changes in Net Position; (v) communication with those charged with governance; and (vi) a no material weaknesses letter. Ms. Dayton reported an independent auditors’ report was produced with regard to compliance for federal programs

and internal controls within the RDC. Ms. Dayton also reported that the IRS Forms 990 for the RDC and the ILDC are in progress.

Ms. Dayton then reported on the RDC Loan Fund utilization rates noting that the RDC has received a waiver from the Federal Economic Development Agency with respect to the RDC's utilization rate relating to a 2016 amendment to the EDA award wherein the RDC returned approximately \$2,600,000 of original HUD matching funds to the County and approximately \$1,500,000 to the U.S. Treasury and then applied a payment from the ILDC in the amount of approximately \$287,000 in order to maintain the appropriate local match. As a result of this amendment to the EDA award, the RDC requested and was granted a waiver of the utilization requirement through March 2019.

With respect to the ECIDA, the RDC and the ILDC, Ms. Dayton stated that in Lumsden & McCormick's opinion, the financial statements of all three entities present fairly, in all material respects, the financial position of the ECIDA, the RDC and the ILDC as of December 31, 2016 and 2015 and the changes in the financial position and the cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

General discussion ensued and Ms. Beckwith moved and Mr. Nellis seconded to approve of the ECIDA, RDC and ILDC draft 2016 Audited Financial Statements and recommend approval to the Boards of the respective corporations. Mr. Szukala called for the vote and the draft ECIDA, RDC and ILDC 2016 Audited Financial Statements were then approved.

PUBLIC AUTHORITIES 2016 REPORT

Ms. Profic gave an overview of the Public Authorities Annual Report to be submitted for the 2016 fiscal year. Ms. Profic explained that the ECIDA, together with its affiliates, is required to comply with the New York State Public Authorities Law and submit a comprehensive annual report including information on numerous topics, including by way of example, annual operations and accomplishments and a summary of financial reports.

Mr. Nellis queried if the RDC Loan Fund has a veteran's lending program in addition to its general lending programs. Mr. Cappellino responded the RDC does not have a veteran's lending program per se, but the RDC does partner with the Small Business Administration's veteran's programing and also stated that the Loan Committee could consider establishing a veteran's lending program. Mr. Nellis then requested if the Loan Committee would be able to consider establishing a veteran's lending program.

Mr. Nellis moved and Ms. Beckwith seconded to approve of the Public Authorities 2016 Report. Mr. Szukala called for the vote and the Committee unanimously approved of the report.

INVESTMENT REPORT

Ms. Profic gave an overview of the Agency's 2016 Annual Investment Report noting the purpose of the report, in compliance with Section 2925(6) of the Public Authorities Law, is to

prepare a schedule detailing the Agency's investment income and related fees for the year ended December 31, 2016. Ms. Profic noted that accounts held by First Niagara were assumed by KeyBank upon KeyBank's acquisition of First Niagara.

Mr. Witzleben moved and Sister Denise seconded to approve of the Investment Report. Mr. Szukala called for the vote and the Investment Report was unanimously approved.

INVESTMENT AND DEPOSIT POLICY

Ms. Profic reviewed the Investment and Deposit Policy as required under Section 2925 of the Public Authorities Law and the New York General Municipal Law. Ms. Profic commented that no changes to the Investment and Deposit Policy are being made. Mr. Szukala called for a motion to readopt the Investment and Deposit Policy. Mr. Nellis moved and Ms. Beckwith seconded to readopt the Investment and Deposit Policy. Mr. Szukala called for the vote and the Investment and Deposit Policy was unanimously approved.

FINANCE & AUDIT COMMITTEE CHARTER and CORPORATE CREDIT CARD POLICY

Ms. Profic briefly reviewed the Finance & Audit Committee Charter noting that no changes have been recommended. Ms. Profic reviewed the Corporation Credit Card Policy noting that no changes have been recommended by staff.

Mr. Szukala then asked for a motion to approve of the Finance & Audit Committee Charter and Corporate Credit Card Policy. Mr. Nellis moved and Ms. Beckwith seconded to approve of the motion. Mr. Szukala called for the vote and the Finance & Audit Committee Charter and Corporate Credit Card Policy were unanimously approved.

FINANCE & AUDIT COMMITTEE SELF-EVALUATION

Ms. Boudreau explained that the New York State Authority Budget Office requires a self-evaluation to be completed by each member of the Committee. Ms. Boudreau noted that the self-evaluation tracks the expectations that are placed on the Committee as set forth in the Finance & Audit Committee Charter. Upon motion made by Ms. Beckwith and seconded by Mr. Witzleben, a motion to approve of the Finance & Audit Committee Self-Evaluation was made. Mr. Szukala called for the vote and the Finance & Audit Committee Self-Evaluation was approved.

CORPORATE CREDIT CARD USAGE REPORT

Ms. Profic reviewed a summary of charges made to the corporate credit card noting that the majority of expenditures were for travel expenses associated with conferences, seminars and luncheons. Mr. Szukala then directed that the Corporate Credit Card Usage Report be received and filed.

BUFFALO ECONOMIC RENAISSANCE CORPORATION REVOLVING LOAN FUND

Ms. Profic reviewed the issues related to a 1979 grant of funds from the ECIDA to the Buffalo Economic Renaissance Corporation (BERC) and explained that BERC is in the process of unwinding and dissolving and intends to return the aforementioned grant, known as a Land Reclamation Fund to the Agency. Ms. Profic explained that the use of the funds is restricted such that it is no longer possible to use the loan proceeds as permitted by the original grant. Mr. Cappellino confirmed that the Agency obtained an opinion from the EDA that the money could not be re-characterized for other uses and as such, upon receipt of the BERC Land Reclamation Fund proceeds, the Agency intends to return the funds to the EDA and close-out the account.

Ms. Profic then distributed an article entitled, “Benefits of Audit Committees and Audit Committee Charters for Government Entities” as prepared by The American Institute of CPAs (AICPA) and asked members to review the article for continuing education purposes.

There being no further business to discuss, Mr. Szukala adjourned the meeting at 1:17 p.m.

Dated: March 13, 2017

Robert G. Murray, Secretary

Charter School for Applied Technologies
Briefing Memo
ILDC Tax Exempt Bonding
2245 Kenmore Avenue
Audit & Finance: April 19, 2017
ILDC Board: April 26, 2017

In 2001, the Charter School for Applied Technologies (“CSAT”) began as a 700-student school serving grades K – 6. Today, CSAT has three distinct buildings (Elementary, Middle and High School), which educate approximately 2,090 students residing in 20 different school districts throughout Western New York. In 2014, the school requested and received approval from the New York State Education Department to expand its enrollment to 2,365 students by the academic year of 2019-2020. CSAT has evolved to become the largest charter school in New York State, and only one of 8 to offer a comprehensive K-12 education. CSAT’s mission is to provide an excellent academic education with skill sets relevant to careers in applied technologies and recognizes that these types of careers many times provide stable jobs with family-sustaining incomes which many of its students, especially those who choose not to go to college, need to rise out of poverty.

CSAT’s vision is to assist the commercial and industrial economy of WNY by providing young people with a world class education – one that will give them the knowledge and skills necessary to lead within the region.

CSAT has been recognized for its high graduation rate despite the high poverty demographics of its students (83% of enrolled students qualify for a free or reduced priced lunch). Since its first graduating class in 2008, CSAT has boasted a 98% graduation rate.

Project:

CSAT intends to use the proceeds of the 2017 bonds to refund the 2005 Series A bonds in the approximate amount of \$23,000,000. The current market environment affords CSAT with an opportunity to generate significant net present value savings on a refunding of these bonds with a maturity structure which would mirror the 2005 bonds – 19 years. It is anticipated that opportunities exist to decrease current debt service interest paid from 6.806% to approximately 4%. New money of \$4,000,000 will provide funds to be used for a 17,000 sq. ft. expansion to the high school which will house additional classrooms, administrative offices, student and staff bathrooms, an elevator to provide handicap accessibility and a fitness center with a locker room.

As part of the project, CSAT has agreed to the ILDC’s local labor and public works requirements.

Project Financing:

The total project refinancing is not to exceed \$30,000,000 of tax exempt bonds issued through the Buffalo and Erie County Industrial Land Development Corporation. Offered below is a breakdown of the planned project financing:

Debt Refinance:	\$22,883,227
New Money:	\$ 4,000,000
Cost of Issuance:	\$ 934,107
Total	\$27,817,334

Estimated Mortgage Tax Savings: \$ 40,000

The maturity of the new bonds will match the current final maturity of 10/1/2035.

Approximately \$3,102,623 in net present value savings is expected. The bonds would not be an obligation of the ILDC or the County. Bonds will be offered at market price at the time of the issuance.

**BUFFALO AND ERIE COUNTY INDUSTRIAL LAND
DEVELOPMENT CORPORATION (ILDC)**

FINANCE & AUDIT COMMITTEE

RESOLUTION

A Regular Meeting of the Buffalo and Erie County Industrial Land Development Corporation's Finance & Audit Committee was convened on April 19, 2017, at 12:00 p.m.

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

RESOLUTION OF THE MEMBERS OF THE BUFFALO AND ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORPORATION ("ILDC" OR "ISSUER") FINANCE & AUDIT COMMITTEE RECOMMENDING THAT THE ILDC FINANCE CERTAIN COSTS RELATING TO, AND APPROVING THE UNDERTAKING OF A CERTAIN PROJECT DESCRIBED BELOW, AT THE REQUEST OF THE CHARTER SCHOOL FOR APPLIED TECHNOLOGIES AND THE GRANTING OF CERTAIN FINANCIAL ASSISTANCE IN CONNECTION THEREWITH, INCLUDING THE ISSUANCE OF THE ISSUER'S TAX-EXEMPT AND/OR TAXABLE REVENUE BONDS IN A PRINCIPAL AMOUNT NOT TO EXCEED \$30,000,000 FOR THE PURPOSE OF UNDERTAKING THE PROJECT AND THE COSTS OF SUCH ISSUANCE

WHEREAS, the Finance & Audit Committee (the "Committee") has reviewed the application submitted by The Charter School for Applied Technologies (the "Institution"), a New York not-for-profit education corporation having an office at 2303 Kenmore Avenue, Buffalo, New York 14207, that has applied to the Issuer to issue its tax-exempt and/or taxable Revenue Bonds (The Charter School for Applied Technologies Project), in one or more series, in the maximum aggregate amount not to exceed \$30,000,000 (the "Bonds"), the proceeds of which will be used to make a loan to the Institution to pay a portion of the costs of (A) the acquisition, renovation, construction and equipping of a project to be undertaken at 2245 Kenmore Avenue (a/k/a 2235 Kenmore Avenue), Tonawanda,, New York (the "Land") (SBL 65.19-2-10.21), upon which the Institution owns and operates its high school (the "High School"), consisting of: (i) the acquisition, construction and equipping on the Land of an approximately 17,000 square-foot addition to the High School to house additional classrooms, administrative offices, student and staff bathrooms, an elevator to provide handicap accessibility and a fitness center with a locker room (the "Additional Improvements";

and, together with the High School, the "Improvements"); (ii) renovations to two Science classrooms, a problem solving classroom and the cafeteria serving line in the High School; and (iii) the acquisition and installation in and around the Improvements of certain items of furniture, fixtures and other tangible personal property (the "Equipment"; and, collectively with the Land and the Improvements, the "Facility"); (B) the refinancing of the entire outstanding amount of the Erie County Industrial Development Agency Civic Facility Revenue Bonds (The Charter School for Applied Technologies Project), Series 2005A issued in the original principal amount of \$20,510,000 (the "Series 2005A Bonds"); and (C) funding a debt service reserve fund, if any, and paying capitalized interest, if any and certain costs and expenses incidental to the issuance of Bonds (the costs associated with items (A) through (C) above being hereinafter referred to as the "Project Costs"). The facilities financed and refinanced with proceeds of the Bonds will be owned and/or operated by the Institution; and

WHEREAS, the Public Authorities Accountability Act of 2005 (the "PAAA"), which was signed into law on January 13, 2006 as Chapter 766 of the Laws of 2005, was enacted by the New York State (the "State") Legislature to insure greater accountability and openness of public authorities throughout the State; and

WHEREAS, pursuant to Section 2 of the Public Authorities Law ("PAL") of the State, the provisions of the PAAA apply to certain defined "local authorities," including the ILDC; and

WHEREAS, pursuant to Section 2824(8) of the PAL, it shall be the responsibility of the members of the Finance & Audit Committee to review proposals for the issuance of debt by the ILDC and make recommendations related thereto; and

WHEREAS, Under Article IV(E) of the Committee's Charter, the "Finance & Audit Committee shall review proposals for the issuance of debt and make recommendations regarding such proposed debt issuance"; and

WHEREAS, the Committee understands that the Bonds will be special limited obligations of the ILDC payable from only the sources derived from the Company pursuant to the documents executed and delivered in connection with the issuance of the Bonds and purchased by a qualified institutional buyer or an accredited investor (a "Purchaser"); and

WHEREAS, the Committee further understands that Purchaser has or will have investigated independently the circumstances surrounding the issuance of the Bonds and the security and sources of payment for the Bonds; and

WHEREAS, the Committee has reviewed information relating to the proposed issuance of the Bonds and recommends that the ILDC undertake the Project and proceed with the issuance thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE FINANCE & AUDIT COMMITTEE OF THE BUFFALO AND ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORPORATION AS FOLLOWS:

1. That it is in the best interest of economic development in Erie County for the ILDC to provide the financial assistance to the Company as described herein provided (a) that the Bonds shall never be a debt of the State of New York, the County of Erie, or any political subdivision thereof, and neither the State of New York, the County of Erie, nor any political subdivision thereof shall be liable thereon, and (b) that the Bonds shall be limited obligations of the ILDC payable from only the sources derived from the Company pursuant to the documents executed and delivered in connection with the issuance of the Bonds.

2. This resolution shall take effect immediately.

Dated: April 19, 2017



CSAT - 120216

Section I: Applicant Background Information

Applicant Information - Company Receiving Benefit

Project Name Charter School for Applied Technologies
Applicant Name Charter School for Applied Technologies
Applicant Address 2303 Kenmore Avenue
Applicant Address 2
Applicant City Buffalo
Applicant State New York
Applicant Zip 14207
Phone 716-876-7505
Fax 716-876-9758
E-mail tmoore@csat-k12.org
Website www.csat-k12.org
Federal ID# 16-1603918
NAICS Code 611110
Will a Real Estate Holding Company be utilized to own the Project property/facility No
What is the name of the Real Estate Holding Company
Federal ID#
State and Year of Incorporation/Organization
List of stockholders, members, or partners of Real Estate Holding Company

Individual Completing Application

Name Tanya Moore
Title Chief Financial Officer
Address 2303 Kenmore Avenue
Address 2
City Buffalo
State New York
Zip 14207
Phone 716-876-7505 x5104

Fax 716-876-9758
E-Mail tmoore@csat-k12.org

Company Contact (if different from individual completing application)

Name
Title
Address
Address 2
City
State
Zip
Phone
Fax
E-Mail

Company Counsel

Name of Attorney Jean S. Everett
Firm Name Barclay Damon
Address 1325 G Street NW
Address 2 Suite 500
City Washington
State District of Columbia
Zip 20005
Phone 202-582-0601
Fax 202-582-0602
E-Mail jeverett@barclaydamon.com

Identify the assistance being requested of the Agency

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

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

Business Organization

Type of Business Charter School
Type of Ownership
Year Established 2001
State of Organization New York

List all stockholders, members, or partners with % of ownership greater than 20%

Please include name and % of ownership.

None

Applicant Business Description

Describe in detail company background, products, customers, goods and services. Description is critical in determining eligibility

In 2001, Charter School for Applied Technologies (CSAT) began as a 700 student school serving grades Kindergarten to 6th. Today, CSAT is a busy campus consisting of three distinct buildings (Elementary, Middle and High Schools), that educates approximately 2,090 students residing in 20 different school districts throughout WNY. In 2014, the school requested and received approval from New York State Education Department to expand its enrollment to 2,365 students by the academic year of 2019-2020. CSAT has evolved to become the largest charter school in New York State, and only one of 8 to offer a comprehensive K-12 education. CSAT's mission is to provide an excellent academic education with skill sets relevant to careers in applied technologies. We will lay a foundation for: (i) Industry Partnership; (ii) Family Participation; and (iii) Pride and Success through Craftsmanship. Through this mission the school sets out to prepare all students for the world of work, with a direct focus on expanding and improving career-oriented programs and hands-on learning opportunities. CSAT recognizes that careers in applied technologies, many times, provide stable jobs with family-sustaining incomes which many of its students, especially those who choose not to go to college, need in order to rise out of poverty. CSAT's vision is to assist the commercial and industrial economy of WNY by providing young people with a world-class education -one that will give them the knowledge and skills necessary to lead within the region. The school is committed to its motto - "Every Day is Career Day". CSAT has been recognized for its high graduation rate despite the high poverty demographics of its students (83% of enrolled students qualify for a free or reduced priced lunch). Since its first graduating class in 2008, CSAT has boasted a 98% graduation rate. Instruction is conducted within a longer school day and year. Educational offerings include Spanish as a second language, extensive extra-curricular Music and Sports programs, and various computer and technology classes. CSAT is committed to providing students with the skills needed to be successful in the real world outside of school.

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

(*Percentage to equal 100%)

What percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Erie County? Include list of vendors, raw material suppliers and percentages for each. Provide supporting documentation of the estimated percentage of local purchases

Charter School for Applied Technologies uses a cost effective approach to its acquisitions and strives to purchase most of its supplies and services locally. New York State Contract purchase and pricing is utilized frequently.

Section II: Eligibility Questionnaire - Project Description & Details

Project Location

Municipality or Municipalities of current operations

Kenmore, New York

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

Yes

In which Municipality will the proposed project be located

Address

2245 Kenmore Avenue, Buffalo, NY 14207

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 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 Retail Section of this application)

SBL Number for Property upon which proposed Project will be located

65.19-2-10.21

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

tax exempted

Assessed value of land

Assessed value of building(s)

\$1.811m

Are Real Property Taxes current?

Yes

If no please explain

Town/City/Village of Project Site

Kenmore, New York

School District of Project Site

Kenmore - Tonawanda

Does the Applicant or any related entity currently hold fee title to 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

Charter School operations educating students in grades 9 to 12.

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

The Project Components / Source and Use of Funds - • Refunding of 2005 Series A Bonds \$22,883,227.00 The current market environment affords CSAT with an opportunity to generate significant net present value savings on a refunding of its 2005 bonds. A maturity structure would mirror 2005 bonds at 19 years - 10/1/2035. It is anticipated that opportunities exists to decrease current Debt Service interest paid from 6.806% to approximately 4.000%. These bonds were used to fund, in various capacities, the acquisition, renovation, and/or equipment purchases for the addresses listed above. Project Description - o What - Refunding of current callable, Investment grade, Series 2005 A bonds to achieve what we believe to be significant NPV savings. o When - Engagement of Financial Team completed fourth quarter of 2016, Kick-Off call to be scheduled during January 2017, anticipated close March 2017 o Why - Initial 2005 Series A bonds were not investment grade and required very high interest payments. Given the current status of these bonds and the successful activities of the school, the school anticipates significant savings o Employment - Retention of current staffing levels of 242 full time positions and 43 part time or per diem is anticipated • New Money - \$4,000,000.00 The project will include minor renovation of two Science classrooms and an existing PSR room within the current High School space and expansion of approximately 17,000 square feet of new space. The expanded space will consist of a two level classroom facility to include 10 new classrooms, 2 administrative offices, student and staff bathrooms, handicap accessibility via construction of an elevator, and a Fitness Center with Locker Room addition. A contingency of 15% is added to the above amounts for current unknown related and necessary costs. Project Description - o What - Expansion of approximately 17,000 sq. ft. of new space added to the existing High School building located at 2245 Kenmore Avenue, Buffalo, NY 14208 and minor renovation to two existing Science classrooms, a Problem Solving classroom and an expanded Cafeteria serving line. o When - Construction is slated to begin March 2017 with a completion date of August 2017. o Why - Approved expanded enrollment of 208 seats at the High School warrants additional space needs. This expansion responds to the growing interest by applicants for enrollment of their K-12 child in our school. o Employment - Expansion of the High School facilities is projected to create, at minimum, 17 full time jobs. Please also refer to the Project Summary enclosed herewith.

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:

Describe the reasons why the Agency's Financial Assistance is necessary and how the Financial Assistance enables the company to undertake the Project to facilitate investment, job creation and/or job retention. Focus on competitiveness issues, project shortfalls, etc... Your eligibility determination will be based in part on your answer (attach additional pages if necessary)

A governmental issuer is required for interest on the bonds (Refunding and New Money) to be tax-exempt. ECIDA is the only eligible local governmental issuer. Refinancing the school's current bond with New Money will allow for funding to undertake the project as proposed and to allow for space to accommodate the High School's increased enrollment. Please also refer to the attached upload.

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

Yes

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

The impact, if financial assistance is not secured, would hinder the school's ability to expand its High School to accommodate space for its increased student enrollment. Creation of additional jobs would not be warranted. Existing debt service costs would continue at a high cut-of-market rate..

Will project include leasing any equipment?

No

If yes, please describe equipment and lease terms.

Site Characteristics

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

Yes

Describe the present zoning/land use

Commercial / Industrial

Describe required zoning/land use, if different

Project Information

Estimated costs in connection with project

Land and/or Building Acquisition

\$ 0 square feet acres

New Building Construction

\$ 0 square feet

New Building addition(s)

\$ 3,414,050 17,000 square feet

Infrastructure Work

\$ 0

Renovation

\$ 132,250 1,800 square feet

Manufacturing Equipment

\$ 0

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

\$ 0

Soft Costs: (professional services, etc.)

\$ 20,000

Other Cost

\$ 433,700

Explain Other Costs

Furniture, Fixtures, and Equipment for the expanded space

Total Cost

\$ 4,000,000

Project Refinancing; estimated amount (for refinancing of existing debt only)

\$ 22,883,227

Have any of the above costs been paid or incurred as of the date of this Application?

No

If Yes, describe particulars:

Sources of Funds for Project Costs:

Equity (excluding equity that is attributed to grants/tax credits):

\$

Bank Financing:

\$ 0

Tax Exempt Bond Issuance (if applicable):

\$ 26,328,227

Taxable Bond Issuance (if applicable):

\$ 555,000

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

\$ 0

Identify each state and federal grant/credit:

Total Sources of Funds for Project Costs:

\$26,883,227

Has a financing preapproval letter or loan commitment letter been obtained?

No

Mortgage Recording Tax Exemption Benefit:

Estimated Mortgage Amount (Sum total of all financing – construction and bridge).

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

\$ 4,000,000

Lender Name, if Known

Estimated Mortgage Recording Tax Exemption Benefit (% of estimated mortgage amount stated above):

\$40,000

Construction Cost Breakdown:

Total Cost of Construction

\$ 3,546,300 (sum of 2,3,4,5, and/or 7 in Question K, above)

Cost for materials

\$

% sourced in Erie County

%

% sourced in State

100% (including Erie County)

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

\$

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

\$

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:

For proposed facility please include # of sq ft for each of the uses outlined below

		Cost	% of Total Cost
Manufacturing/Processing	square feet	\$ 0	0
Warehouse	square feet	\$ 0	0
Research & Development	square feet	\$ 0	0
Commercial	square feet	\$ 0	0
Retail	square feet	\$ 0	0
Office	400 square feet	\$ 70,000	2
Specify Other	16,600 square feet	\$ 3,930,000	98

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

Will project result in significant utility infrastructure cost or uses

No

What is your project timetable (Provide dates)

Start date : acquisition of equipment or construction of facilities

3/1/2017

End date : Estimated completion date of project

8/15/2017

Project occupancy : estimated starting date of operations

8/15/2017

Have construction contracts been signed?

No

Have site plans been submitted to the appropriate planning department for approval?

No

Has the Project received site plan approval from the appropriate planning department?

No

Is project necessary to expand project employment?

Yes

Is project necessary to retain existing employment?

No

Employment Plan (Specific to the proposed project location):

	Current # of jobs at proposed project location or to be relocated at project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PT jobs to be RETAINED	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PT jobs to be CREATED upon TWO years after Project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PT jobs to be created upon TWO Years after Project Completion
Full time	65	65	17	**
Part time	3	3	2	0
Total	68	68	19	0

** The Labor Market Area includes the Counties of Erie, Niagara, Genesee, Cattaraugus, Wyoming and Chautauqua. For the purposes of this question, please estimate the number of FTE and PT jobs that will be filled, as indicated in the third column, by residents of the Labor Market Area, in the fourth column.

***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).

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

Category of Jobs to be Retained and Created	Average Salary	Average Fringe Benefits
Management	\$ 82,758	\$ 33,103
Professional	\$ 48,962	\$ 19,585
Administrative	\$ 33,252	\$ 13,301
Production	\$ 0	\$ 0
Independent Contractor	\$ 0	\$ 0
Other	\$ 0	\$ 0

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

Will any of the facilities described above be closed or subject to reduced activity?

No

Payroll Information

Annual Payroll at Proposed Project Site

\$ 2,978,124

Estimated average annual salary of jobs to be retained

\$ 48,821

Estimated average annual salary of jobs to be created

\$ 45,000

Estimated salary range of jobs to be created

From

\$ 30,000

To \$ 55,000

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

What competitive factors led you to inquire about sites outside of New York State?

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

Do you anticipate applying for any other assistance for this project?

No

If yes, what type of assistance (Historic Tax Credits, 485(a), Grants, Utility Loans, Energy Assistance, Workforce Training)

Section III: 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 Charter School for Applied Technologies
Address 2303 Kenmore Avenue and 2245 Kenmore Avenue, Buffalo, NY 14207
Contact Person Tanya Moore
Phone 716-876-7505 x5104
Fax 716-876-9758
E-Mail tmoore@csat-k12.org
Federal ID # 16-1603918
SIC/NAICS Code 611110

Multi-Tenant Facility

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

Have any tenant leases been entered into for this project?

<BLANK>

If yes, please fill out a tenant form in section VII, for each tenant.

Tenant Name	Current Address (city, state, zip)	# of sq ft and % of total to be occupied at new project site	SIC or NAICS-also briefly describe type of business, products services, % of sales in Erie Co.
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Section IV: Tenant Information

Section V: Environmental Questionnaire

General Background Information

Address of Premises 2245 Kenmore Avenue Buffalo, NY 14207

Name and Address of Owner of Premises Charter School for Applied Technologies

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

The current building, where a small portion will be renovated and expanded, is made of steel and CMU (concrete masonry unit).

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

During 2005 and 2006, the school purchased, with bond funding, two buildings which were constructed into one continuous building housing our High School.

Describe all known former uses of the Premises

Former uses of the building prior to our acquisition was - one story brick office spaces

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

None anticipated

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

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?

<BLANK>

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

None anticipated

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

<BLANK>

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 VI: 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.

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 or abandonment of an existing facility?

Within New York State <BLANK>

Within Erie County <BLANK>

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 VII: Adaptive Reuse Projects

Are you applying for tax incentives under the Adaptive Reuse Program?	No
What is the age of the structure (in years)?	0
Has the structure been vacant or underutilized for a minimum of 3 years? (Underutilized is defined as a minimum of 50% of the rentable square footage of the structure being utilized for a use for which the structure was not designed or intended)	<BLANK>
If vacant, number of years vacant.	0
If underutilized, number of years underutilized.	0
Describe the use of the building during the time it has been underutilized:	
Is the structure currently generating insignificant income? (Insignificant income is defined as income that is 50% or less than the market rate income average for that property class)	<BLANK>
If yes, please provide dollar amount of income being generated, if any	\$
Does the site have historical significance?	<BLANK>
Are you applying for either State/Federal Historical Tax Credit Programs?	No
If yes, provide estimated value of tax credits	\$
Briefly summarize the financial obstacles to development that this project faces without ECIDA or other public assistance. Please provide the ECIDA with documentation to support the financial obstacles to development (you will be asked to provide cash flow projections documenting costs, expenses and revenues with and without IDA and other tax credits included indicating below average return on investment rates compared to regional industry averages)	
Briefly summarize the demonstrated support that you intend to receive from local government entities. Please provide ECIDA with documentation of this support in the form of signed letters from these entities	
Please indicate other factors that you would like ECIDA to consider such as: structure or site presents significant public safety hazard and or environmental remediation costs, site or structure is located in a distressed census tract, structure presents significant costs associated with building code compliance, site has historical significance, site or structure is presently delinquent in property tax payments	

Section VIII: Senior Citizen Rental Housing Projects

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

No

Has the project received written support from the city, town or village government in which it is located?

<BLANK>

Describe the location of the project as it relates to the project's proximity to the town / village / city center or to a recognized hamlet.

Is the project consistent with the applicable municipal master plan?

<BLANK>

If yes, please provide a narrative identifying the master plan (by name) and describing how the project aligns with the plan details

Does the project advance efforts to create a walkable neighborhood and community in proximity to important local amenities and services?

<BLANK>

If yes, please provide a narrative describing the walkable nature of the project including access seniors would have to specific neighborhood amenities.

Has a market study shown that there is a significant unmet need in the local community or specific neighborhood where seniors are unable to find appropriate housing opportunities?

<BLANK>

Is the project located in an area (defined as a 1 – 5 mile radius of the project site) where there are significant local resident populations that are at or below the median income level?

<BLANK>

If yes, please describe how you made this determination based upon census tract and other relevant third party data.

Does the project provide amenities that are attractive to seniors and differentiates the project from standard market rate housing?

<BLANK>

If yes, please describe these amenities (examples may include: community rooms, social / recreational activity areas, senior-oriented fixtures and safety amenities, security systems, call systems, on site medical services)

Are there impediments that hinder the ability to conventionally finance this project and /or negatively impact the project's return on investment?

<BLANK>

If yes, please briefly summarize the financial obstacles to development that this project faces without IDA or other public assistance. Please provide the IDA with documentation to support the financial obstacles to development (you will be asked to provide cash flow projections documenting costs, expenses and revenues with and without IDA and other tax credits included indicating below average return on investment rates compared to regional industry averages)

Will the project target (and maintain during the incentive period) a minimum 50% occupancy rate of senior citizens whose income is at or below 60-80% of the median income for Erie County?

<BLANK>

If yes, please describe provide a narrative citing key facts that substantiate this finding.

Section IX: Retail Determination

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.

What percentage of the cost of the project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the project? 0 %

If the answer to this is less than 33% do not complete the remainder of the page and proceed to the next section (Section V: Inter-Municipal Move Determination).

If the answer to A is Yes AND the answer to Question B is greater than 33.33%, indicate which of the following questions below apply to the project:

Will the project be operated by a not-for-profit corporation? <BLANK>

Is the project location or facility likely to attract a significant number of visitors from outside the economic development region (Erie, Niagara, Allegheny, Chautauqua and Cattaraugus counties) in which the project will be located? <BLANK>

If yes, please provide a third party market analysis or other documentation supporting your response.

Is the predominant purpose of the project to make available goods or services which would not, but for the project, be reasonably accessible to the residents of the municipality? Are services provided at the proposed project site needed because of a lack of reasonably accessible retail trade facilities offering such goods or services? <BLANK>

If yes, please provide a market analysis supporting your response.

Will the project preserve permanent, private sector jobs or increase the overall number of permanent private sector jobs in the State of New York? <BLANK>

If yes, explain

Is the project located in a Highly Distressed Area? <BLANK>