



KATHY HOCHUL  
Governor

# Western NY Power Proceeds Allocation Board

ANTHONY J. COLUCCI III  
Chairman

## WESTERN NEW YORK POWER PROCEEDS ALLOCATION BOARD MINUTES

June 4, 2024 – 3:00 P.M.

VIDEO CONFERENCE

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Minutes of the Meeting of the Western New York Power Proceeds Allocation Board held at Niagara Power Project, 5777 Lewiston Road, Lewiston, NY 14092.

**Board Members Present:**

Anthony Colucci – Chairman  
Brenda McDuffie – Member  
Deanna Brennen – Member  
Paul Brown – Member  
Dennis Elsenbeck – Member

**NYPA Staff Present:**

Lori Alesio	Executive Vice President and General Counsel
Karen Delince	Vice President and Corporate Secretary
Richard Smith	Senior Director – Economic Development
Angela Rossi	Program Manager – Economic Development
Lorna Johnson	Senior Associate Corporate Secretary
Sheila Quatrocci	Senior Associate Corporate Secretary
Michele Stockwell	Senior Assistant Corporate Secretary

**Opening Remarks**

*Chair Anthony Colucci welcomed members of the Board, the staff of Empire State Development Corporation ("ESDC"), and the staff of the New York Power Authority ("NYPA"). He stated that this meeting of the Board had been duly noticed as required by the Open Meetings law. The meeting was called to order at 3:00 p.m.*

**1. Adoption of the June 4, 2024 Proposed Meeting Agenda**

Member Paul Brown made a motion to adopt the June 4, 2024 proposed meeting agenda. The motion was seconded by member Brenda McDuffie. The agenda was unanimously adopted.

**Conflicts of Interest**

*Chair Anthony Colucci stated that the members had been polled prior to the meeting regarding possible conflicts of interest with the entity previously provided for their review. The members declared no conflicts of interest.*

**2. Adoption of the April 11, 2024 Meeting Minutes**

*Chair Colucci asked if there were any amendments to the Minutes.*

Upon motion made by member Dennis Elsenbeck and seconded by member Deanna Brennan, the minutes of the April 11, 2024 meeting were adopted.

**3. Fund Update**

Mr. Richard Smith, Senior Director of Economic Development, submitted the April 2024 Western New York Economic Development Fund Update report, to date:

- Total deposits to the fund are \$86,476,000; Total interest earned on deposits is \$3,103,376 making total funds deposited \$89,579,376.
- No Administrative Expenses have been withdrawn.

- Disbursements to Grantees amount to \$36,486,660, making the current fund balance equal to \$53,092,716.
- Awards under Standard Projects amount to \$41,058,181 Energy-related projects awarded is \$8,757,815, making total fund benefits awarded \$49,815,996.
- Total fund benefits available to be awarded by the Allocation Board amounted to \$39,763,380.
- A minimum amount of 15% of the fund is dedicated to energy-related projects, \$12,971,400.  
Total Awards made for energy-related projects, to date, amounts to \$8,757,815.  
Fund benefits currently available to be awarded for energy-related projects only, is \$4,213,585.
- The recommendation before the Board for consideration today is for a standard project and Energy Related Project in the amount of \$1,903,800.

Chair Colucci stated that this is an informational item and does not require any action by the Board and thanked Mr. Smith for the report.

Western New York Economic Development Fund Update<sup>1</sup>

April-24

<b>The Fund</b>		
<i>this</i>	Total Deposits to the Fund to Date:	\$86,476,000
<i>plus</i>	Total Interest Earned on Deposits to Date:	\$3,103,376
=	<b>Total Funds Deposited:</b>	<b>\$89,579,376</b>
<b>Expenditures</b>		
<i>this</i>	<b>Total Funds Deposited:</b>	<b>\$89,579,376</b>
	Total Administrative Expenses Withdrawn:	\$0
	Disbursements to Grantees:	(\$36,486,660)
<i>plus</i>	<b>Total Expenditures:</b>	<b>(\$36,486,660)</b>
=	<b>Current Fund Balance:</b>	<b>\$53,092,716</b>
<b>Awards</b>		
<i>this</i>	<b>Total Funds Deposited:</b>	<b>\$89,579,376</b>
	Standard Projects:	\$41,058,181
	Energy Related Projects <sup>2</sup> :	\$8,757,815
<i>minus</i>	<b>Total Fund Benefits Awarded<sup>3</sup>:</b>	<b>\$49,815,996</b>
=	<b>Total Fund Benefits Available to be awarded by the WNYPPAB<sup>4</sup>:</b>	<b>\$39,763,380</b>
<b>Energy-Related Projects</b>		
<i>this</i>	Minimum Amount (15%) of the Fund Dedicated to Energy-Related Projects:	\$12,971,400
<i>minus</i>	Total Awards (10%) Made for Energy-Related Projects to Date (not including today):	\$8,757,815
=	<b>Fund Benefits Currently Available to be Awarded for Energy-Related Projects Only:</b>	<b>\$4,213,585</b>
<b>Today's Recommendations</b>		
<i>this</i>	Standard Projects:	\$223,800
<i>plus</i>	Energy-Related Projects or Project Components:	\$1,680,000
=	<b>3 Total Recommendations Before the WNYPPAB Today:</b>	<b>\$1,903,800</b>
<b>Expansion Power ("EP") and Replacement Power ("RP") Summary</b>		
<i>this</i>	Estimated Unallocated EP and RP to Date (MW):	108
<i>plus</i>	Estimated Allocated but Unused Hydropower to Date (MW) <sup>5</sup> :	197
=	<b>Total Estimated Unutilized EP and RP to Date (MW)<sup>6</sup>:</b>	<b>305</b>

<sup>1</sup> The "Fund", known as the "Western New York Economic Development Fund", is created and administered by the New York Power Authority ("NYPA"). It is funded with the aggregate excess of revenues ("Net Earnings") received by NYPA from the sale of Expansion Power ("EP") and Replacement Power ("RP") produced at NYPA's Niagara Power Project that is sold in the wholesale energy market over what revenues would have been received had such Power been sold on a firm basis to an eligible EP or RP customer.

<sup>2</sup> As defined by the Western New York Power Proceeds Allocation Act, a minimum of 15% of Fund Benefits shall be dedicated to "energy-related projects, programs and services". In accordance with EDL § 189-a(6), "energy-related projects, programs and services" means: (1) energy efficiency projects and services; (2) clean energy technology projects and services; (3) high performance and sustainable building programs and services; and (4) the construction, installation and/or operation of facilities or equipment done in connection with any such projects, programs or services.

<sup>3</sup> Funds awarded to applicants to the Fund who are recommended for an award by the WNYPPAB and approved by the NYPA Trustees are known as "Fund Benefits." Disbursement of Fund Benefits is subject to satisfaction of certain terms and conditions.

<sup>4</sup> Total Fund Benefits Available to Be Awarded is calculated as Total Funds Deposited minus the sum of Total Fund Benefits Awarded and Total Administrative Expenses Withdrawn.

<sup>5</sup> The NYPA Trustees may allocate EP or RP to eligible companies. Such customers may use the entire allocation, or such customers may "take down" only a portion of the allocation based on their needs at the time. EP and RP that is unallocated, or that is allocated but not taken down, is eligible to be used for WNYEDF "Net Earnings".

<sup>6</sup> Unutilized EP and RP consists of an estimate of both unallocated hydropower and allocated hydropower that has not been taken down by customers.

**WNYEDF Awards by County <sup>7</sup>**

WNYPPAB Recommendation (Multiple Items)

County	Company	WNYPPAB Approvals (\$)
Erie	425 Michigan Ave, LLC	\$500,000
	Coolture	\$210,000
	Eden Valley Growers	\$80,000
	Field & Fork Network	\$166,912
	Ford Motor Company	\$1,000,000
	Forest Lawn Heritage Foundation	\$150,000
	Innomotive Solutions Group LLC	\$150,000
	Launch NY	\$5,418,000
	Living Green Insulation Products and Services, LLC	\$40,946
	Michigan Street African American Heritage Corridor Commission,	\$250,000
	Nexus Natural Gas LLC	\$570,000
	OSC Manufacturing & Equipment Services, Inc.	\$562,500
	PLS III LLC dba We Care Transportation Services	\$1,000,000
	Visit Buffalo Niagara	\$250,000
	43North LLC	\$6,000,000
	Explore and More...A Childrens Museum	\$1,700,000
	Amos Zittel & Sons	\$380,000
	D'Youville College	\$400,000
	Martin House Restoration Corporation	\$700,000
	General Mills	\$500,000
	Buffalo Arts and Technology Center	\$418,768
	43 North LLC (II)	\$6,000,000
	43North LLC (II)	\$2,000,000
	CL New Co., Inc. dba Campus Labs	\$400,000
	Invest Buffalo Niagara	\$65,836
	PostProcess Technologies, LLC	\$90,000
	Triad Recycling and Energy Corp.	\$150,000
	Hauptman - Woodward Medical Research Institute	\$1,000,000
	River Road Research, Inc.	\$220,000
	Eastman Machine Company	\$170,000
	Hispanic Heritage Council of WNY, Inc.	\$300,000
	Launch New York, Inc.	\$250,000
	Buffalo Niagara Convention & Visitors Bureau, Inc.	\$120,000
	Top Seedz LLC	\$366,605
Whiting Door Mfg. Corporation	\$595,000	
The Economic Development Group, Inc. dba Northland Workforce	\$1,174,600	
Irish Welding Supply Corporation	\$87,000	
FeedMore Western New York, Inc.	\$5,000,000	
Graycliff Conservancy, Inc.	\$1,020,000	
<b>Erie Total</b>		<b>\$39,456,167</b>
Genesee	Yancy's Fancy, Inc.	\$500,000
	Plug Power	\$1,500,000
<b>Genesee Total</b>		<b>\$2,000,000</b>
Niagara	Aquarium of Niagara	\$1,750,000
	Diversified Manufacturing, Inc.	\$450,000
	Global Outreach Mission, Inc.	\$102,829
	Niagara University	\$285,000
	Washington Mills	\$140,000
	NFIA Stakeholders Group, Inc.	\$24,750
	The WNY Women's Foundation, Inc.	\$100,000
	Cambria Asphalt Products	\$72,750
	Borderworx Logistics, LLC	\$285,000
	Tulip Manufacturing	\$1,000,000
	Niagara University (II)	\$500,000
	NFIA Stakeholders Group, Inc. (II)	\$90,000
	Platters Chocolates	\$200,000
	Niagara Falls National Heritage Area	\$200,000
	Moog, Inc.	\$1,600,000
	Historic Palace, Inc.	\$142,000
	Carousel Society of the Niagara Frontier	\$30,000
	Ashdan Screw Machine Products, Inc.	\$12,500
The Center for Kashmir, Inc.	\$225,000	
Niagara Arts and Cultural Center, Inc.	\$1,000,000	
<b>Niagara Total</b>		<b>\$8,209,829</b>
Orleans	Quorum Group LLC dba Takeform Architectural Graphics	\$150,000
<b>Orleans Total</b>		<b>\$150,000</b>
<b>Grand Total</b>		<b>\$49,815,996</b>

<sup>7</sup> The companies in this list are the applicants to the Fund whose proposed projects were recommended for an award of Fund Benefits by the WNYPPAB.

\* The "Energy Projects (\$)" amount represents the estimated portion of each award that the WNYPPAB considers to be an "energy-related project" as defined by the Western New York Power Proceeds Allocation Act and in accordance with EDL § 189-a(6) (see footnote 2 above for more detail).

**4. Application for Fund Benefits from the Western New York Economic Development Fund – Round 35**

Ms. Angela Rossi, Manager of Business Power Allocations and Compliance, submitted the following report and resolution for consideration and adoption:

**Application for Fund Benefits from the Western New York Economic Development Fund**

**SUMMARY**

The Western New York Power Proceeds Allocation Board (“Allocation Board” or “Board”) is requested to recommend to the Board of Trustees of the Power Authority of the State of New York (“NYPA” or “Authority”) that an award of Fund Benefits be made to Richardson Architecture Center, Inc. (“Richardson”), Jewish Federation of Greater Buffalo, Inc. (“Jewish Federation”) and Tecmotiv Holdings, Inc. (“Tecmotiv”). The projects and award amounts being recommended are discussed in Exhibits “A”, “A-1”, “A-2” and “A-3”.

**BACKGROUND**

**1. Western New York Power Proceeds Allocation Act**

The Western New York Power Proceeds Allocation Act (the “Act”) was signed into law on March 30, 2012. The Act provides for the creation, by the Authority, of the Western New York Economic Development Fund (“Fund”). The Fund consists of the aggregate excess of revenues received by the Authority from the sale of Expansion Power (“EP”) and Replacement Power (“RP”) produced at NYPA’s Niagara Power Project that was sold in the wholesale energy market over what revenues would have been received had such energy been sold on a firm basis to an eligible EP or RP customer under the applicable tariff or contract.

Under the Act, an “eligible applicant” is a private business, including a not-for-profit corporation. “Eligible projects” is defined to mean “economic development projects by eligible applicants that are physically located within the state of New York within a thirty-mile radius of the Niagara power project located in Lewiston, New York that will support the growth of business in the state and thereby lead to the creation or maintenance of jobs and tax revenues for the state and local governments.” Eligible projects include, for example, capital investments in buildings, equipment, and associated infrastructure owned by an eligible applicant for fund benefits; transportation projects under state or federally approved plans; the acquisition of land needed for infrastructure; research and development where the results of such research and development will directly benefit New York state; support for tourism and marketing and advertising efforts for western New York state tourism and business; and energy-related projects.

Eligible projects do not include public interest advertising or advocacy; lobbying; the support or opposition of any candidate for public office; the support or opposition to any public issue; legal fees related to litigation of any kind; expenses related to administrative proceedings before state or local agencies; or retail businesses as defined by the board, including without limitation, sports venues, gaming and gambling or entertainment-related establishments, residential properties, or places of overnight accommodation.

Fund Benefits have been provided to successful eligible applicants in the form of grants. It is anticipated that Fund Benefits will be disbursed as reimbursement for expenses incurred by an eligible applicant for an Eligible Project, or for proposed eligible expenditures to be incurred by the eligible applicant for an eligible project when NYPA has authorized advance disbursements.

At least 15% percent of the Fund is dedicated to eligible projects which are “energy-related projects, programs and services,” which is defined as “energy efficiency projects and services, clean energy technology projects and services, and high performance and sustainable building programs and services, and the construction, installation and/or operation of facilities or equipment done in connection with any such projects, programs or services.”

Allocations of Fund Benefits may only be made based on moneys that have been deposited in the Fund. No award may encumber funds that have not been deposited in the Fund.

## 2. Western New York Power Proceeds Allocation Board

Under the Act, the Allocation Board is charged with soliciting applications for Fund Benefits, reviewing applications, making eligibility determinations, evaluating the merits of applications for Fund Benefits, and making recommendations to NYPA on Fund Benefit awards. The Allocation Board uses the criteria applicable to EP, RP and PP allocations, and for revitalization of industry, provided for in Public Authorities Law § 1005. Additionally, the Board is authorized to consider the extent to which an award of Fund Benefits is consistent with the strategies and priorities of the Regional Economic Development Council having responsibility for the region in which an eligible project is proposed.

At its meeting on March 4, 2013, the Board, in accordance with the Act, adopted by-laws, operating procedures, guidelines related to the application, and a form of application. A copy of the relevant criteria (collectively, “Program Criteria”), adapted from this Board’s “Procedures for the Review of Applications for Fund Benefits,” is attached as Exhibit “B” to this memorandum.

The Board also defined “retail business” to mean “a business that is primarily used in making retail sales of goods or services to customers who personally visit such facilities to obtain goods or services.”

## 3. Application Process

Initially, the Allocation Board established a series of application due dates coupled with a schedule of dates the Board expected to meet to consider applications. The program was initially promoted through a media release and with assistance from state and local entities, including the Western New York and Finger Lakes Regional Economic Development Councils, ESD and local and regional economic development organizations within the State. A webpage was created that is hosted on WWW.NYPA.GOV/WNYPPAB with application instructions, a link to the approved application form and other program details including a contact phone number and email address staffed by the Western New York Empire State Development regional office. As the program is now well-known, a rolling application process is used, and the Allocation Board meets regularly to consider applications for Fund Benefits.

## DISCUSSION AND RECOMMENDATIONS TO THE BOARD



In this 35th round, the Allocation Board has before it two applications that have been made available to the Board for review. Staff analyzed the applications and is now making recommendations to the Board.

As detailed in Exhibit “A-1”, Richardson seeks funds to support the second phase of its efforts to establish a permanent architectural gallery, events space, and visitor’s center by rehabilitating and expanding Building 12, (formerly the male kitchen of the Buffalo State Asylum). Project specifics include the construction of interior walls, finishes and permanent fixtures, plumbing, and electrical upgrades and construction of a building addition to house more exhibits and provide gathering spaces. The proposed project will incorporate energy efficient equipment, which would enable NYPA to access the component of the Fund reserved by statute for energy-related projects, programs, and services to help fund the project. Richardson would spend approximately \$21 million to complete its project.

As detailed in Exhibit “A-2”, the Jewish Federation seeks funds to renovate an existing Art Deco chapel located at 580 Pine Ridge Heritage Boulevard in Cheektowaga and transform it into a visitor and tourism center. The existing structure has been abandoned and is currently unsafe for public use. The project would fund foundation and interior repairs, improvements to the exterior façade where damage has occurred over the past 100 years, upgraded electric infrastructure and the addition of gender-neutral restrooms. The Jewish Federation is expected to spend approximately \$408K on its project.

As detailed in Exhibit “A-3”, Tecmotiv seeks funds to support the purchase of a leased building, which has been put up for sale by its owner, and make improvements to the facility, which include roof repairs, interior and exterior painting, mold remediation, HVAC and other renovations that will allow the company to remain in its current location and keep pace with growing business activity. Tecmotiv would spend approximately \$1.3 million on its project and retain approximately 45 full time positions in Niagara Falls, NY.

Based on a review of these applications and in consideration of relevant Program Criteria, Staff recommends that the Allocation Board recommend to the NYPA Trustees that the applicants each receive an award of Fund Benefits in the amount indicated on Exhibits “A”, “A-1”, “A-2” and “A-3”.

To the extent the applications propose a project that must receive approval and/or comply with other legal requirements, such as the State Environmental Quality Review Act, before the project may proceed, Staff recommends that any affirmative recommendation by the Board for such a project not be forwarded to the NYPA Board of Trustees for action until after the Board receives appropriate notification that all such approvals and requirements have been satisfied, and that such recommendations be made subject to further consideration by the Board in the event that such approvals and/or legal requirements are not satisfied.

## PROJECT STATUS

Under the Act, a recommendation for Fund Benefits by the Allocation Board is a prerequisite to an award of Fund Benefits by NYPA. Upon a showing of good cause, NYPA has discretion to adopt the Allocation Board’s recommendations or to award Fund Benefits in different amounts or on different terms than recommended by the Board. In addition, the Authority is authorized to include in any contract providing for the implementation of an award (“Award Contract”) any terms and conditions that NYPA deems appropriate.

Given the preliminary stage of the projects identified in the accompanying Exhibits, Staff is not able to recommend proposed definitive terms and conditions that should be included in any Board recommendation for an award. Accordingly, except as otherwise indicated, Exhibits “A-1”, “A-2” and “A-3” offer general considerations relating to disbursement of fund benefits for NYPA’s consideration. It is anticipated that staff would negotiate final terms and conditions if an award is made after the receipt of more detailed information concerning the project.

## RECOMMENDATION

Based on the foregoing discussion and information, Staff recommends that the Allocation Board recommend to the NYPA Board of Trustees that the applicants listed in Exhibits “A”, “A-1”, “A-2” and “A-3” receive an award of Fund Benefits in the amounts recommended in the Exhibits for the projects proposed.

### ***Recommendation for The Richardson Architecture Center, Inc. (“Richardson”)***

*Ms. Rossi stated that Staff is recommending that the Power Proceeds Allocation Board recommend a Fund Benefit award of \$1,680,000 to Richardson Architecture Center, Inc. to support the creation of an architectural Visitors Center on the Richardson Olmsted Campus.*

*The Richardson Architecture Center, Inc. is a 501 (c) 3, not-for-profit organization, dba Lipsey Architecture Center’s, mission is to showcase Buffalo’s architecture through exhibitions, tours, programs, and outreach.*

*The Organization is developing a permanent architectural gallery, events space, and visitor’s center by rehabilitating and expanding Building 12, on the campus with the total project cost of just over \$21 million.*

*Phase one of the project entailed early rehabilitation efforts to install historically accurate windows and doors. The Organization is now seeking funds to support phase two of its project, which includes construction of an architectural gallery, visitor’s center, and community space intended to foster collaborative discussion. Specifics include the construction of interior walls, finishes and fixtures, installation of electrical, plumbing, and HVAC equipment, and construction of a new building addition to house additional exhibits and gathering spaces.*

*The Center is scheduled to open in 2025 and will play a crucial role in fulfilling the community’s vision for the Campus as outlined in the Master Plan completed in 2009.*

*There are several aspects of this project that support a recommendation for an Award:*

- 1. A Fund Benefit Award, which represents 24% of the total project cost, will help close a funding gap.*
- 2. The project will provide the following benefits:*
  - a. Will yield ~\$15M in annual tourism spending by harnessing existing interest in heritage tourism in WNY.*

- b. Support the adaptive reuse of an historic building that is listed on the National and State Registers of Historic Places and designated a National Historic Landmark.
- c. Funnel economic investment back into the neighborhood that has advocated reuse of the Campus for decades.
- d. Contribute to the renaissance in Buffalo's Museum District.

*In closing, Ms. Rossi Stated that the project aligns with the 2023 WNY REDC strategies and priorities that call for a renewed focus on tourism due to its large share of the regional economy.*

***On motion made by Member Paul Brown and seconded by Member Brenda McDuffie, staff's recommendation to award \$1,680.00 million to Richardson Architecture Inc, was unanimously adopted.***

#### ***Recommendation for the Jewish Federation of Greater Buffalo, Inc.***

*Ms. Rossi stated that the Staff is recommending that the Power Proceeds Allocation Board recommend a Fund Benefit award of \$73,800 to Jewish Federation of Greater Buffalo, Inc. to support the creation of a visitor and tourism center.*

*The Jewish Federation is a 501 (c) 3 not-for-profit, organization that is the central coordinating, planning and fundraising body for Jewish needs locally, nationally, and internationally.*

*The organization is seeking funds to support the \$408,046 project to convert an existing Art Deco chapel in the Ahavas Achim Jewish Cemetery into a visitor center that will serve as a central hub for visitors to the Jewish cemeteries in WNY. The chapel has been abandoned since the 1960s and is currently unsafe for public use.*

*The project will include fixing the foundation, interior and exterior repairs, upgraded electric infrastructure, and the addition of gender-neutral restrooms with running water, sewage removal, and waste removal.*

*There are several aspects of this project that support a recommendation for an Award:*

1. A Fund Benefit Award, which represents 18% of the total project cost, will help close the funding gap.
2. The project will enhance the visitor experience and provide a more appealing welcoming area for guests and tour groups including the:
3. 3,000 visitors that visit the Jewish Cemeteries for cultural, spiritual, and religious tourism and Explore Buffalo Tours and,
4. 2,000 visitors that come to visit the Ohel of Rabbi Rabinowitz, which is close to the Project site.

*In closing, Ms. Rossi stated that the project aligns with the 2023 WNY REDC strategies and priorities that call for a renewed focus on tourism due to its large share of the regional economy and lingering negative impacts from the Pandemic.*

**On motion made by Member Brenda McDuffie and seconded by Member Paul Brown, staff's recommendation to award \$73,800 to Jewish Federation, was unanimously adopted.**

**Recommendation for the Tecmotiv Holdings, Inc.**

*Ms. Rossi stated that the Staff is recommending that the Power Proceeds Allocation Board recommend a Fund Benefit award of \$150,000 to Tecmotiv Holdings, Inc. to support purchase of the building where the company's production facility is located.*

*Tecmotiv Holding and its subsidiaries were formed in 1992. The company offers a range of services including fleet maintenance, remanufacturing, retrofit, and designing and manufacturing of spare parts for combat and combat support vehicles. Tecmotiv has been leasing its production facility at 1500 James Avenue in Niagara Falls, since 1996.*

*There are several aspects of this project that support a recommendation for an Award:*

- 1. A Fund Benefit Award, which represents 12% of the total project cost, will help close the funding gap*
- 2. The proposed capital improvements will address essential repairs, such as roof repair, HVAC, and mold remediation, enhancing the safety and functionality of the facility.*
- 3. 45 full-time positions located in Niagara Falls, which is an economically distressed area.*
- 4. The project ensures the stability of an established business in the area, preventing a potential disruption of business and job loss while maintaining tax revenues.*

*In closing, the Project aligns well with the 2023 WNY REDC priorities that focus on growing the region's tradable sectors. This Project also aligns with traditional economic development goals of facilitating job creation and business investment in WNY.*

**On motion made by Member Deanna Brennan and seconded by Member Dennis Elsenbeck, staff's recommendation to award \$150,000 to Tecmotiv Holdings, Inc., was unanimously adopted.**

For the reasons stated, Staff recommends the adoption of the above-requested action by adoption of the resolution below.

NOW THEREFORE BE IT RESOLVED, That the Western New York Power Proceeds Allocation Board (“Board”) hereby recommends that the Power Authority of the State of New York (“NYPA”) make awards of Fund Benefits to the applicants recommended in the foregoing report and the attachments thereto, for the reasons set forth in the foregoing report and any attachments thereto; provided that (i) if an application proposes a project that must receive approvals and/or comply with other legal requirements, such as the State Environmental Quality Review Act, before it may proceed, the recommendation for such application shall not be forwarded to NYPA until Staff, on behalf of the Board, receives appropriate notification that such legal approvals and/or requirements which are necessary for the project(s) to proceed have been satisfied, and (ii) such recommendations shall be subject to further Board review in the event that such approvals and/or legal requirements are not satisfied; and be it further

RESOLVED, That Staff is authorized on behalf of the Board to transmit the Board’s decision and recommendations to NYPA subject to the qualification stated above regarding legal approvals and/or requirements, and to do any and all things and take any and all actions to effectuate the Board’s decision and the foregoing resolution.

5. **Next meeting and Adjournment**

The next meeting of the Western New York Power Proceeds Allocation Board is scheduled to be held on Thursday, August 8, 2024.

Upon motion made by member Dennis Elsenbeck and seconded by member Brenda McDuffie, the meeting was adjourned at approximately 3:32 p.m.

*Karen Delince*

Karen Delince  
Corporate Secretary



## Western NY Power Proceeds Allocation Board

KATHY HOCHUL  
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ANTHONY J. COLUCCI III  
Chairman

### Western New York Economic Development Fund Recommendation Memo

Exhibit A-1

Applicant Name:	Richardson Architecture Center, Inc. ("Richardson")	REDC Region:	Western New York
Project Type:	Tourism	County:	Erie
Industry:	Not for Profit	Locality:	Buffalo
Amount Requested:	\$5,000,000	Start Date:	June 2024
		Finish Date:	December 2024
<b>RECOMMENDED OFFER</b>			
Recommended Total Award:	\$1,680,000		
Total Project Cost:	\$21,000,754		
% of Project Cost Recommended:	8%		
<b>PROJECT BUDGET (Proposed by Applicant)</b>			
<b>Use of funds</b>	<b>Amount</b>	<b>Source of Funds</b>	<b>Amount</b>
1. Building Const. & Renovation	\$8,385,797	WNY EDF	\$5,000,000
2. Energy Efficient Equipment	\$5,776,400	<b>Committed:</b>	
3. Exhibits & Building Fittings	\$5,165,685	Private Funds	\$11,400,754
4. Site Work	\$1,651,872	Reserves	
5. Demolition	\$21,000	RCC Loan	\$2,200,000
			\$900,000
		<b>Potential:</b>	
		Capital Campaign	\$1,500,000
<b>Total:</b>	<b>\$21,000,754</b>	<b>Total:</b>	<b>\$21,000,754</b>
<b>REGIONAL IMPACT MEASUREMENTS</b>			
Job Commitments:	The Funding Track under which the application was submitted does not require job-related commitments.		
Average Salary of Jobs:	N/A		
Indirect Jobs Created:	N/A		
Other Impact:			
<b>PROJECT DESCRIPTION (Adapted from Application)</b>			



**Western NY Power Proceeds Allocation Board**

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ANTHONY J. COLUCCI III  
Chairman

**Western New York Economic Development Fund Recommendation Memo**

**Exhibit A-1**

The Richardson Architecture Center, Inc. is a not-for-profit corporation and an IRC § 501(c)(3) organization located in the Richardson Olmsted Campus (“Campus”). Its mission is to showcase Buffalo’s architecture and City planning through exhibitions, tours, programs, and outreach.

The organization is developing a permanent architectural gallery, events space, and visitor's center by rehabilitating and expanding Building 12 (formerly a kitchen of the Buffalo State Asylum). Phase one of the project entailed early rehabilitation efforts to install historically accurate windows and doors. The Applicant is now seeking funds to support phase two of its project, which includes construction of an architectural gallery, visitor’s center, and community space intended to foster collaborative discussion. Specifics include the construction of interior walls, finishes and permanent fixtures, installation of electrical, plumbing, and HVAC equipment in Building 12, and construction of a new building addition to house additional exhibits and gathering spaces.

The Center is scheduled to open in 2025 and will play a crucial role in fulfilling the community's vision for the Campus as outlined in the Master Plan completed in 2009.

**OTHER ECONOMIC DEVELOPMENT BENEFITS RECEIVED**

n/a			\$
			\$

**PREVIOUS STATE ASSISTANCE OFFERED OR PROVIDED**

TYPE	AMOUNT	STATUS
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**BASIS FOR RECOMMENDATION**



KATHY HOCHUL  
Governor

## Western NY Power Proceeds Allocation Board

ANTHONY J. COLUCCI III  
Chairman

### Western New York Economic Development Fund Recommendation Memo

#### Exhibit A-1

3. A Fund Benefit Award will help close the funding gap for the Project.
4. The full build-out of the Center is vital to fulfilling the vision of the Campus as documented in the 2009 Master Plan.
5. The project will:
  - a. Contribute to the increase in regional visitor spending by harnessing existing interest in heritage tourism, as identified by Visit Buffalo Niagara in its 2022 Business Plan and Place Economics report, "Everyone's Heritage: The Impact of Historic Preservation in Buffalo". According to the report, 38% of visitors listed heritage tourism as the primary or secondary reason for visiting Buffalo and it is anticipated that the Center will yield ~\$15M in annual tourism spending.
  - b. Be located within the largest site restoration project in the nation. It is rich in local and national history, given the noteworthy architect and planners who were involved in developing the Buffalo State Asylum but also for the era in which it was developed.
  - c. Support the adaptive reuse of an historic building that is listed on the National and State Registers of Historic Places and designated a National Historic Landmark.
  - d. Funnel economic investment back into the neighborhood that has advocated reuse of the Campus for decades.
  - e. Be built during a renaissance in Buffalo's Museum District, including the reopening of the Campus hotel, the opening of the new AKG Gundlach Building, growth of the Burchfield Penney and several architectural projects at Buffalo State University.
6. The project aligns well with the 2023 WNY REDC strategies and priorities that call for a renewed focus on tourism due to its large share of the regional economy and lingering negative impacts from the Pandemic.

#### **ANTICIPATED DISBURSEMENT TERMS**

Fund Benefits would be used to reimburse the Applicant for a portion of the Energy Efficiency Equipment indicated in item #2 of the Project Budget shown above. It is anticipated that: (1) funds would be disbursed in arrears upon completion of the project; and (2) reimbursement would be made upon presentation to NYPA of invoices and such other documentation acceptable to NYPA such as verification that the Applicant has incurred eligible expenses of approximately \$21M; and (3) other terms and conditions that will be specified in the Fund Benefits Agreement.





# Western NY Power Proceeds Allocation Board

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## Western New York Economic Development Fund Recommendation Memo

### Exhibit A-2

Applicant Name:	Jewish Federation of Greater Buffalo, Inc.	REDC Region:	Western New York
Project Type:	Tourism	County:	Erie
Industry:	Not for Profit	Locality:	Cheektowaga
Amount Requested:	\$73,800	Start Date:	June 2024
		Finish Date:	September 2024
<b>RECOMMENDED OFFER</b>			
Recommended Total Award:	\$73,800		
Total Project Cost:	\$408,046		
% of Project Cost Recommended:	18%		
<b>PROJECT BUDGET (Proposed by Applicant)</b>			
<b>Use of funds</b>	<b>Amount</b>	<b>Source of Funds</b>	<b>Amount</b>
6. Hard Costs \$241,436		WNY EDF \$73,800	
7. Water Line \$126,000		<b>Committed:</b> Private Funds \$120,000	
8. Arch./Eng./Survey \$32,750		<b>Potential:</b> ESD \$147,000	
9. Demolition \$7,860		Private Funds \$67,246	
<b>Total:</b> <b>\$408,046</b>		<b>Total:</b> <b>\$408,046</b>	
<b>REGIONAL IMPACT MEASUREMENTS</b>			
Job Commitments:	The Funding Track under which the application was submitted does not require job-related commitments.		
Average Salary of Jobs:	N/A		
Indirect Jobs Created:	N/A		
Other Impact:			
<b>PROJECT DESCRIPTION (Adapted from Application)</b>			
<b>BASIS FOR RECOMMENDATION</b>			



**Western NY Power Proceeds Allocation Board**

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**Western New York Economic Development Fund Recommendation Memo**

**Exhibit A-2**

The Jewish Federation of Greater Buffalo, Inc. (the “Federation”), is domestic not-for-profit corporation and an IRC Section 501(c)(3) organization is seeking funds to support the renovation and conversion of an existing Art Deco chapel in the Ahavas Achim Jewish Cemetery into a visitor and tourism center (“Visitor Center”) that will serve as a central hub for the thousands of tourists and visitors who visit Jewish cemeteries and other sites each year in Western New York.

The existing structure, constructed in 1925, has been abandoned since the 1960s and is currently unsafe for public use. The project includes fixing the foundation, interior repairs, improvements to the exterior facade, upgraded electric infrastructure, and the addition of gender-neutral restrooms with running water, sewage removal, and waste removal.

OTHER ECONOMIC DEVELOPMENT BENEFITS RECEIVED			
PREVIOUS STATE ASSISTANCE OFFERED OR PROVIDED			
TYPE	AMOUNT	STATUS	
BASIS FOR RECOMMENDATION			



## Western NY Power Proceeds Allocation Board

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### Western New York Economic Development Fund Recommendation Memo

#### EXHIBIT A-2

The following factors support a recommendation favoring this request:

- The project has a funding gap that a Proceeds award would help to address.
- The project will enhance the visitor experience and provide a more appealing welcoming area for guests and tour groups including the:
  - 3,000 visitors that come to Jewish Cemeteries from the Northeast Corridor of the United States and Canada for cultural, spiritual, and religious tourism and Explore Buffalo Tours.
  - 2,000 visitors that come to the Jewish Cemeteries and other sites in the area.
- The project aligns with the 2023 WNY REDC strategies and priorities that call for a renewed focus on tourism due to its large share of the regional economy and lingering negative impacts from the Pandemic.

#### ANTICIPATED DISBURSEMENT TERMS

Fund Benefits would be used to reimburse the Applicant for a portion of the construction Hard Costs associated with the Project indicated in line #1 in the Project Budget. It is anticipated that: (1) funds would be disbursed in arrears upon completion of the project; and (2) reimbursement would be made upon presentation to NYPA of invoices and such other documentation acceptable to NYPA such as verification that the Applicant has incurred eligible expenses of approximately \$408,046; and (3) other terms and conditions that will be specified in the Fund Benefits Agreement.



**Western NY Power Proceeds Allocation Board**

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**Western New York Economic Development Fund Recommendation Memo**

**Exhibit A-3**

Applicant Name:	Tecmotiv Holdings, Inc.	REDC Region:	Western New York
Project Type:	Business Investment	County:	Niagara
Industry:	Manufacturing	Locality:	Niagara Falls
Amount Requested:	\$150,000	Start Date:	June 2024
		Finish Date:	October 2024
<b>RECOMMENDED OFFER</b>			
Recommended Total Award:		\$150,000	
Total Project Cost:		\$1,280,650	
% of Project Cost Recommended:		12%	
<b>PROJECT BUDGET (Proposed by Applicant)</b>			
<b>Use of funds</b>	<b>Amount</b>	<b>Source of Funds</b>	<b>Amount</b>
Property Purchase \$1,000,000 \$233,650 Closing Costs \$47,000	Capital Improvement	WNY EDF \$150,000 Bank Loan \$750,000 Equity \$130,650 NEDF Loan \$250,000	
<b>Total:</b> <b>\$1,280,650</b>		<b>Total:</b> <b>\$1,280,650</b>	
<b>REGIONAL IMPACT MEASUREMENTS</b>			
Job Commitments:	Applicant will retain 45 full time equivalents ("FTE") at the project location over seven years.		
Average Salary of Jobs:	\$53,700		
Indirect Jobs Created:	N/A		
Other Impact:	N/A		
<b>PROJECT DESCRIPTION (Adapted from Application)</b>			



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### Western New York Economic Development Fund Recommendation Memo

#### Exhibit A-3

The company manufactures, rebuilds, repairs, and modifies several types of combat and combat support vehicles from its facilities in the United States and Canada.

The company has leased its production facility at 1500 James Avenue in Niagara Falls, New York since 1996. The property was recently put up for sale, causing Tecmotiv to purchase the facility or cease operations at the site. The facility/building has been neglected and requires essential capital improvements that include roof repair, HVAC, painting, interior repairs and mold remediation. Tecmotiv seeks funding to support the purchase of the land and building and to make capital improvements, so that it may continue its operations without disruption.

Successful completion of the project will enable Tecmotiv to stay in Niagara Falls, NY and retain its existing workforce of 45 employees. Without the project, the company may be forced to discontinue operations in the region unless it can find an alternate location, which will require approvals from U.S. Department of Defense customers and cause business disruptions.

#### OTHER ECONOMIC DEVELOPMENT BENEFITS RECEIVED

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#### PREVIOUS STATE ASSISTANCE OFFERED OR PROVIDED

TYPE	AMOUNT	STATUS
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#### BASIS FOR RECOMMENDATION

- Project costs exceed the Applicant’s ability to borrow funds such that a funding gap exists.
- Retain 45 full-time positions located in Niagara Falls, an economically distressed area.
- The proposed capital improvements will address essential needs such as roof repair, HVAC, and mold remediation, enhancing the safety and functionality of the facility.
- The project ensures the stability of an established business while preventing potential disruption and job loss while maintaining tax revenues.
- The Project aligns well with the 2023 WNY REDC priorities that focus on growing the region’s tradable sectors. This Project also aligns with traditional economic development goals of facilitating job creation and business investment in WNY.

#### ANTICIPATED DISBURSEMENT TERMS

Fund Benefits would be used to reimburse the Applicant for a portion of the purchase of the property. It is anticipated that: (1) funds would be disbursed in arrears upon completion of the project; and (2) reimbursement would be made upon presentation to NYPA of invoices and such other documentation acceptable to NYPA such as verification that the Applicant has incurred eligible expenses of approximately \$1,280,650; and (3) other terms and conditions such as annual commitments that will be specified in the Fund Benefits Agreement.



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## Western NY Power Proceeds Allocation Board

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### **Exhibit B**

#### Criteria adapted from the Western NY Power Proceeds Allocation Board's "Procedures for the Review of Applications for Fund Benefits"

1. The extent to which an award of Fund Benefits would be consistent with the strategies and priorities of the Regional Economic Development Council ("REDC") having responsibility for the region in which an Eligible Project is located.<sup>1</sup> The Western New York Regional Economic Development Council which is responsible for Eligible Projects in Erie and Niagara Counties Strategies & Priorities are:
  - Promote "Smart Growth" by investing in areas that infrastructure already exists and achieves certain goals, such as: preserving historic buildings; reviving downtowns; reviving main streets; investing in existing neighborhoods; and investing in former industrial sites. A project consistent with Smart Growth will also focus on: enhancing walkability; enhancing multiple modes of transportation; connecting disadvantaged communities to employment clusters; spurring mixed-use private investment in existing communities and preserving/enhancing natural lands and or resources.
  - Promote workforce development by increasing diversity in the labor force, developing and cultivating that includes workers with advancement potential, underemployed, unemployed and special population; align education and skills training to job market for current and future industry needs.
  - Foster entrepreneurship and new business formation and growth. Designing a plan that brings new technologies and/or products to the marketplace, increases new startups in strategic industries and facilitates the commercialization of products that can lead to job growth in the Region.

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<sup>1</sup> As provided for in EDL § 189-c(4), criteria 2-15 are adapted from the criteria for eligibility for Expansion Power, Replacement Power and Preservation Power under Public Authorities Law § 1005. The specific criteria identified in PAL § 1005(13)(b)(4)-(5) are relevant to power allocations under these programs but do not have any logical application to allocations of Fund Benefits. Therefore, the Board does not expect to use these criteria to evaluate applications for Fund Benefits. Additionally, in accordance with PAL § 1005(13), criteria 13-15 listed herein will only be used in the case of Eligible Projects which are proposed by Applicants as, and determined by the Board to be, "revitalization" projects.

- Increase the industry profile of agriculture in WNY by: creating better access to markets; creating new products; creating new more efficient processes; creating strong regional brands; creating programs that promote careers in agriculture.
- Utilize Western New York’s proximity to Canadian and U.S. population centers to advance economic development in WNY. Bi-national projects will: utilize cross-border planning to create transportation and logistical infrastructure; improve operational relationships; promote the attractiveness of WNY as a hub for global trade.
- Position the WNY region as a global energy hub through new sources of clean energy, energy efficiency and energy efficient transportation.
- Support growth of advanced manufacturing by making research more available to manufacturers to help them innovate.
- Spur growth in the health and life sciences industry through improved commercialization, recruit high profile research talent and reducing the cost burden of healthcare while improving health outcomes.
- Expand the scope of higher education by increasing accessibility to Higher Education for communities that currently have limited access to educational opportunities; better aligning education with the industry needs and creating support structures for start-ups which will assist start-ups with commercialization, business planning, workforce preparation, facilities, etc.
- Grow visitors and visitor spending by raising the profile of WNY as a national and international destination; connect multiple tourist destinations in WNY; improve the profile of the WNY Gateway to the United States.

For more information on the Western New York Regional Economic Development Council please go to <http://regionalcouncils.ny.gov/content/western-new-york>.

2. The extent to which an award of Fund Benefits would be consistent with the strategies and priorities of the Regional Economic Development Council (“REDC”) having responsibility for the region in which an Eligible Project is located.<sup>2</sup> The Finger Lakes Regional Economic Development Council which is responsible for Eligible Projects in Orleans and Genesee Counties Strategies & Priorities can be found at: <http://regionalcouncils.ny.gov/content/finger-lakes>.
3. The number of jobs that would be created as a result of an award of Fund Benefits.
4. The applicant’s long term commitment to the region as evidenced the current and/or planned capital investment in applicant’s facilities in the region.

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<sup>2</sup> As provided for in EDL § 189-c(4), criteria 2-15 are adapted from the criteria for eligibility for Expansion Power, Replacement Power and Preservation Power under Public Authorities Law § 1005. The specific criteria identified in PAL § 1005(13)(b)(4)-(5) are relevant to power allocations under these programs but do not have any logical application to allocations of Fund Benefits. Therefore, the Board does not expect to use these criteria to evaluate applications for Fund Benefits. Additionally, in accordance with PAL § 1005(13), criteria 13-15 listed herein will only be used in the case of Eligible Projects which are proposed by Applicants as, and determined by the Board to be, “revitalization” projects.

5. The ratio of the number of jobs to be created to the amount of Fund Benefits requested.
  6. The types of jobs that would be created, as measured by wage and benefit levels, security and stability of employment.
  7. The amount of capital investment, including the type and cost of buildings, equipment and facilities, proposed to be constructed, enlarged or installed.
  8. The extent to which an award of Fund Benefits would affect the overall productivity or competitiveness of the applicant and its existing employment.
  9. The extent to which an award of Fund Benefits may result in a competitive disadvantage for other business in the State.
  10. The growth potential of the applicant's facilities and the contribution of economic strength to the area in which the applicant's facilities are or would be located.
  11. The extent of the applicant's willingness to satisfy affirmative action goals.
  12. The extent to which an award of Fund Benefits is consistent with state, regional and local economic development strategies and priorities and supported by local units of government in the area in which the business is located.
  13. The impact of an award of Fund Benefits on the operation of any other facilities of the applicant, and on other businesses within the region.
  14. That the business is likely to close, partially close or relocate resulting in the loss of a substantial number of jobs.
  15. That the applicant is an important employer in the community and efforts to revitalize the business are in long-term interests of both employers and the community.
  16. That a reasonable prospect exists that the proposed award of Fund Benefits will enable the applicant to remain competitive and become profitable and preserve jobs for a substantial period of time.
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