Form 5500-SF

Department of the Treasury Internal Revenue Service

Department of Labor Employee Benefits Security Administration

Pension Benefit Guaranty Corporation

Short Form Annual Return/Report of Small Employee **Benefit Plan**

This form is required to be filed under sections 104 and 4065 of the Employee Retirement Income Security Act of 1974 (ERISA), and sections 6057(b) and 6058(a) of the Internal Revenue Code (the Code).

▶ Complete all entries in accordance with the instructions to the Form 5500-SF.

2016

OMB Nos. 1210-0110

1210-0089

This Form is Open to **Public Inspection**

Part I Ar	nnual Report I	dentification Information							
For calendar pla	n year 2016 or fisc	cal plan year beginning 11/01/2	2016	and ending 1	0/31/2017				
A This return/re	eport is for:	a single-employer plan	list of participating	plan (not multiemployer) employer information in a					
		a one-participant plan	a foreign plan						
B This return/report is ☐ the first return/report ☐ the final return/report									
_		an amended return/report	a short plan year re	turn/report (less than 12 m	nonths)				
C Check box if	filing under:	Form 5558	automatic extensio	n	DFVC progra	m			
David II. Da	!- Di I(special extension (enter desc	1 /						
•		mation—enter all requested in	formation		1b Three die:	.			
1a Name of pla OMMERCIAL C		IEW YORK 401(K) PROFIT SHA	RING PLAN		1b Three-digi plan numb (PN) ▶				
					1c Effective of	late of plan 11/01/1988			
Mailing add	ress (include room	er, if for a single-employer plan) , apt., suite no. and street, or P.C			2b Employer (EIN)	dentification Number 16-0864226			
		, country, and ZIP or foreign pos PORATION OF NEW YORK	tal code (if foreign, see ir	nstructions)		telephone number 6-873-5211			
SEYMOUR ST	DEET				2d Business code (see instructions)				
DNAWANDA, N						523900			
3a Plan admini	istrator's name and	d address X Same as Plan Spo	nsor.		3b Administra	tor's EIN			
4 If the name	and/or EIN of the	plan sponsor has changed since	the last return/report file	d for this plan, enter the	4b EIN				
name, EIN	•	ber from the last return/report.		•	4c PN				
5a Total numb	er of participants a	at the beginning of the plan year.			5a	7(
		at the end of the plan year			5b	70			
C Number of complete the		ccount balances as of the end of	the plan year (only defin	ed contribution plans	5c	6			
d(1) Total nur	mber of active part	icipants at the beginning of the p	lan year		5d(1)	5.			
		icipants at the end of the plan ye			5d(2)	5			
than 100%	vested	erminated employment during the			5e	ı			
		r incomplete filing of this retur							
SB or Schedule		er penalties set forth in the instru d signed by an enrolled actuary, a lete.							
CICIA	d with authorized/v	alid electronic signature.	12/29/2017	PATRICIA STELTER					
	nature of plan ad		Date	Enter name of individ	lual signing as pla	an administrator			
0.0.4	d with authorized/v	alid electronic signature.	12/29/2017	ROBERT P INGOLD					
	nature of employ		Date			ployer or plan sponsor			
rreparer's name	e (including firm na	me, if applicable) and address (i	nciuae room or suite nun	ilber)	Preparer's telep	onone number			

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	 Were all of the plan's assets during the plan year invested in eligible assets? (See instructions.) Are you claiming a waiver of the annual examination and report of an independent qualified public accountant (IQPA) 								X Yes	
	under 29 CFR 2520.104-46? (See instructions on waiver eligibility and conditions.)								No	
С	If the plan is a defined benefit plan, is it covered under the PBGC ir	nsurance p	orogram (see ERISA se	ection 4	021)?		Yes	No	Not dete	ermined
Pa	rt III Financial Information	•								
7	Plan Assets and Liabilities		(a) Beginning	of Year			((b) End	of Year	
a	Total plan assets	7a	3	617300	ı				3813355	
b	Total plan liabilities	7b								
С	Net plan assets (subtract line 7b from line 7a)	7c	3	617300					3813355	
8	Income, Expenses, and Transfers for this Plan Year		(a) Amour	nt		(b) Total				
а	Contributions received or receivable from:			75000						
	(1) Employers	8a(1)								
	(2) Participants	8a(2)		193540	_					
	(3) Others (including rollovers)	8a(3)		4383						
<u>b</u>	Other income (loss)	8b		429211	_					
	Total income (add lines 8a(1), 8a(2), 8a(3), and 8b)	8c							702134	
d	Benefits paid (including direct rollovers and insurance premiums to provide benefits)	8d		504068						
е	Certain deemed and/or corrective distributions (see instructions).	8e								
f	Administrative service providers (salaries, fees, commissions)	8f		2011						
q	Other expenses									
	g Other expenses 8g h Total expenses (add lines 8d, 8e, 8f, and 8g) 8h								506079)
	Net income (loss) (subtract line 8h from line 8c)	8i			19605					;
÷	Transfers to (from) the plan (see instructions)									
	, , , , , , , , , , , , , , , , , , , ,	8j								
9a	 Part IV Plan Characteristics 9a If the plan provides pension benefits, enter the applicable pension feature codes from the List of Plan Characteristic Codes in the instructions: 									
Ju	2E 2F 2G 2J 2K 2T 3D	1001010 00	7400 110111 1110 2101 01 1 1	arr Oria	raotori.		, a o o i i i	110 1110	radiidiid.	
b	If the plan provides welfare benefits, enter the applicable welfare for	eature cod	les from the List of Pla	n Chara	acterist	tic Cod	des in t	he instru	uctions:	
Par	t V Compliance Questions									
10	During the plan year:				Yes	No	N/A		Amount	
а	Was there a failure to transmit to the plan any participant contribudescribed in 29 CFR 2510.3-102? (See instructions and DOL's V	oluntary F	Fiduciary Correction	10a		X				
b	Program) Were there any nonexempt transactions with any party-in-interest? (Do not include transactions reported on line 10a.)			10b		X				
	C Was the plan covered by a fidelity bond?			10c	X					400000
d	d Did the plan have a loss, whether or not reimbursed by the plan's fidelity bond, that was caused by fraud or dishonesty?			10d		X				
е	Were any fees or commissions paid to any brokers, agents, or other persons by an insurance carrier, insurance service, or other organization that provides some or all of the benefits under the plan? (See instructions.)			10e	Х					10346
f	f Has the plan failed to provide any benefit when due under the plan?			10f		X				
g	g Did the plan have any participant loans? (If "Yes," enter amount as of year-end.)			10g	X					113308
h	If this is an individual account plan, was there a blackout period? 2520.101-3.)			10h		X				
i	If 10h was answered "Yes," check the box if you either provided the exceptions to providing the notice applied under 29 CFR 2520.10	he require	d notice or one of the	10i						

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Part	VI	Pension Funding Compliance							
11		s a defined benefit plan subject to minimum funding requirements? (If "Yes," see instructions and con 5500) and line 11a below)						Yes X No	
		the unpaid minimum required contributions for all years from Schedule SB (Form 5500) line 40			11a				
12	12 Is this a defined contribution plan subject to the minimum funding requirements of section 412 of the Code or section ERISA?						│	Yes X No	
	(lf "\	es," complete line 12a or lines 12b, 12c, 12d, and 12e below, as applicable.)							
	grant	aiver of the minimum funding standard for a prior year is being amortized in this plan year, see ins ing the waiver	/lonth _	s, and	d enter t Day		of the lette Year _	er ruling	
If	you co	empleted line 12a, complete lines 3, 9, and 10 of Schedule MB (Form 5500), and skip to line	13.	1		T			
<u>b</u>	Enter	the minimum required contribution for this plan year			12b				
С	Enter	he amount contributed by the employer to the plan for this plan year			12c				
d		act the amount in line 12c from the amount in line 12b. Enter the result (enter a minus sign to the l ive amount)			12d				
		ne minimum funding amount reported on line 12d be met by the funding deadline?				Yes	No	N/A	
Part	VII	Plan Terminations and Transfers of Assets							
13a	Has a	resolution to terminate the plan been adopted in any plan year?				Yes	s X N	lo	
	If "Ye	s," enter the amount of any plan assets that reverted to the employer this year			13a				
b		all the plan assets distributed to participants or beneficiaries, transferred to another plan, or brougol of the PBGC?		er the		Yes 🛚 No			
С		ring this plan year, any assets or liabilities were transferred from this plan to another plan(s), identi n assets or liabilities were transferred. (See instructions.)	ify the p	olan(s)) to				
	13c(1)	Name of plan(s):	1	3c(2)	EIN(s)		13c(3	3) PN(s)	
Part	VIII	Trust Information							
14a	Name	of trust			14b ⁻	Trust's E	EIN		
14c Name of trustee or custodian					14d Trustee's or custodian's telephone number				
Par	t IX	IRS Compliance Questions							
15a	Is the	plan a 401(k) plan? If "No," skip b		Yes			No		
				ign-based "Prior year" ADF test					
				"Curre	ent year test	"	N/A		
16a What testing method was used to satisfy the coverage requirements under section 410(b) for the plan year? Check all that apply:			entage	tage Average N/A benefit test N/A					
16b Did the plan satisfy the coverage and nondiscrimination requirements of sections 410(b) and 401(a)(4) for the plan year by combining this plan with any other plan under the permissive aggregation rules?									
17a If the plan is a master and prototype plan (M&P) or volume submitter plan that received a favorable IRS opinion letter or advisory letter, enter the date of the letter/									
17b If the plan is an individually-designed plan that received a favorable determination letter from the IRS, enter the date of the most recent determination letter/									
18 Defined Benefit Plan or Money Purchase Pension Plan Only: Were any distributions made during the plan year to an employee who attained age 62 and had not separated from service?					Ye	Yes No			
19	Was a	any plan participant a 5% owner who had attained at least age 70 $^{1\!\!/}$ during the prior plan year?			Ye	s [No		