

Application Title

Tax Incentive Application

Section I: Applicant Background Information

Applicant Information - Company Receiving Benefit

Total Project Cost 12930753
Applicant Name Moog Inc.
Applicant Address Seneca St. at Jamison Rd., Corporate office, East Aurora, NY 14052
Phone (716) 687-4506
Fax (716) 687-4457
E-mail tbalkin@moog.com
Website www.moog.com
Fed ID#

Individual Completing Application

Name Timothy P. Balkin
Title Treasurer and Group Vice President
Address Seneca St. at Jamison Rd., Corporate Office, East Aurora, NY 14052
Phone (716) 687-4506
Fax (716) 687-4457
E-Mail tbalkin@moog.com

Company Contact (if different from individual completing application)

Name
Title
Address
Phone
Fax
E-Mail

Company Counsel

Name of Attorney John B. Drenning
Firm Name Hodgson Russ
Address 140 Pearl Street, Suite 100, Buffalo, NY 14202
Phone (716) 848-1550
Fax (716) 819-4627

E-Mail

jdrennin@hodgsonruss.com

Identify the assistance being requested of the Agency

Exemption from Sales Tax	Yes
Tax Exempt Financing	No
Exemption from Mortgage Tax	No
Exemption from Real Property Tax	Yes
Assignment/Assumption of existing PILOT benefits	No

Business Organization

Type of Business	Corporation
Year Established	1951
State of Organization	33

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

Please include name and % of ownership.

Publicly owned

Business Description

Describe in detail company background, products, customers, goods and services

Moog is a worldwide designer, manufacturer and integrator of high performance motion and fluid control systems for a broad range of applications in aerospace and defense, industrial and medical markets. We have five operating segments: Aircraft Controls, Space & Defense Controls; Industrial Systems; Components and Medical Devices

Estimated % of sales outside Erie County	100%
Estimated % of sales outside New York State	96.1%
Estimated % of sales outside the U.S.	43%

What percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Erie County? (You may be asked to provide supporting documentation of the estimated percentage of local purchases)

Approximately \$40.0 million in supplies, materials, services and other payments were made to organizations in Erie County.

Section II: Project Description & Details

Location of proposed project facility

Address	Jamison Rd.
City	East Aurora
State	33
Zip Code	14052
SBL Number	155.00-1-9.1 and 155.00-1-10.1
Town/City/Village	Elma
School District	Iroquois
Present Project Site Owner	Moog Inc.

Please provide a brief narrative of the project

An approximately ^{65,000}~~60,000~~ square foot office building related for Corporate Administration and Corporate Services. The new facility will house Senior Corporate Management, Corporate Finance and Accounting, Tax, Information Technology, Legal and Contracts, Supply Chain and various other functions. The co-location of these functions in one facility will free up space in existing facilities for Business Unit operational needs

Site Characteristics

Is the proposed Project located on a site where the known or potential presence of contaminants is complicating the development/use of the property?

No

If yes, please explain

Has a Phase I Environmental Assessment been prepared, or will one be prepared with respect to the proposed Project Site? (If yes, please provide copy)

Yes

If yes, please provide a copy.

Have any other studies, or assessments been undertaken with respect to the proposed Project Site that indicate the known or suspected presence of contamination that would complicate the site's development?

No

If yes, please provide copies of the study.

Will project include leasing any equipment?

No

If yes, please describe equipment and lease terms

If you are purchasing new machinery and equipment, does it provide demonstrable energy efficiency benefits?

No
If yes, please attach additional documentation describing the efficiencies achieved.

Does or will company perform substantial research and development activities on new products/services at the project location?

No
If yes, please explain

What percentage of annual operating expenses are attributed to the above referenced research and development activities?

Explain why IDA participation is necessary for this project to proceed. Focus on competitiveness issues, project shortfalls, etc.

Moog operates in a highly competitive markets across all our Business Segments. As such, cost control is essential to maintaining our competitive position. The reduction in cost associated with construction materials and property taxes via a PILOT program provide meaningful cost reductions which are critical to the decision to move forward with the new facility.

Project Information

Estimated costs in connection with project

Land and/or Building Acquisition \$ 0
0.00 acres 0.00 square feet

New Building Construction \$ 10575000
0.00 square feet

New Building addition(s) \$ 0
0.00 square feet

Renovation \$ 0
0.00 square feet

Manufacturing Equipment \$ 0

Non-Manufacturing Equipment: (furniture, fixtures, etc.) \$ 0

Soft Costs: (professional services, etc.) \$ 2137455

Other Cost \$ 218298

Explain Other Costs Surveys, Permits, Inspections, Insurance, ECIDA fees

Total Cost 12930753

Project Refinancing (est. amount) 0

Select Project Type (check all that apply)

Yes Industrial	No Multi-Tenant	No Mixed Use
No Acquisition of Existing Facility	No Commercial	No Facility for the Aging
No Housing	No Back Office	No Civic Facility (not for profit)
No Equipment Purchase	No Retail	No Other

SIC Code 3728
NAICS Code 336413

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

Manufacturing/Processing	0.00 square feet	
Warehouse	0.00 square feet	
Research & Development	0.00 square feet	
Commercial	0.00 square feet	
Retail	0.00 square feet	
Office	60000.00 square feet	65,000 sq ft.
Other	0.00 square feet	
Specify Other		

Utilities and services presently serving site. Provide name of utility provider

Gas		
Electric		Size
Water		Size
Sewer		Size
Other (Specify)	New building not currently being served; if constructed, Gas will come from independent suppliers; electric from independent suppliers and possibly NYPA; water from the Erie County Water Authority	

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>

What is your project timetable (Provide dates)

Start date : acquisition of equipment

2011-06-01

End date : Estimated completion of project

2012-05-31

Project occupancy : estimated starting date of operations

2012-08-01

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

Yes

Have any expenditures already been made by the company?

Yes

If yes, indicate particulars (benefits do not apply to expenses incurred prior to Board approval)

Only costs incurred to date relate to soft costs such as initial architectural fees

Is project necessary to expand project employment?

Yes

Is project necessary to retain existing employment?

No

Employment Plan (project location)

	Current Jobs	If project is to retain jobs, number of jobs to be retained	Total # of jobs 2 years after project completion
Full time	2476	0	2476
Part time	0	0	0
Current Full Time Jobs in other Erie county locations			0
Current Part Time Jobs in other Erie county locations			0

Payroll Information

Annual payroll

210000000

Estimated average annual salary of jobs to be retained

0

Average estimated annual salary of jobs to be created

0

Estimated salary range of jobs to be created

From 0 **To** 0

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

Were you offered financial assistance to locate outside of New York State?

No

If yes, from whom and what type of assistance was offered

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

Have you contacted or been contacted by other economic or governmental agencies regarding this project?

No

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

Section III: Adaptive Reuse Projects

Are you applying for a tax incentive under the Adaptive Reuse Program?

No

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

0.00

If yes, number of years vacant?

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)

No

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)

No

Does the site have historical significance?

No

Briefly summarize the financial obstacles to development that this project faces without or other public assistance. Please provide the with documentation to support the financial obstacles to development (cash flow projections documenting costs, expenses and revenues indicating below average return on investment rates compared to regional industrial averages)

The proposed building is designed to house various Corporate and related functions. The space in existing facilities will eventually be absorbed by manufacturing operations to satisfy their needs as their businesses expands. However, the absorption of the newly available space when the Corporate and related functions move to the proposed building will be over a number of years, and as such there will be some underutilized space that for which the the company will carry the associated costs for some time without any immediate economic benefit

Briefly summarize the demonstrated support that you intend to receive from local government entities. Please provide the with documentation of this support in the form of signed letters from these entities

The only benefits we expect to receive are those associated with the ECIDA in relation to sales taxes on construction materials and PILOT program for Real Estate taxes

Please indicate other factors that you would like the 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 or structure is presently delinquent in property tax payments

Section IV: Retail Determination

Will project involve the sales of goods or services to customers who personally visit the facility?

No
If yes, complete the Retail Questionnaire Supplement below.

Will any portion of the project consist of facilities or property that is primarily used in making sales of goods or services to customers who personally visit the project site?

No
If the answer is yes, please continue.

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?

0.00
%
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).

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

<BLANK>

Is the project likely to attract a significant number of visitors from outside the economic development region in which the project will be located?

<BLANK>
If yes, please provide a market analysis or other documentation supporting your response.

Would the project occupant, but for the contemplated financial assistance from the industrial development agency, locate the related jobs outside the State of New York?

<BLANK>
If yes, please provide documentation regarding investigation of sites outside New York State.

Is the predominant purpose of the project to make available goods or services which would not otherwise be reasonably accessible to the residents of the project municipality?

<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>

Is the project located in a Neighborhood Redevelopment Area?

<BLANK>

Section V: Inter-Municipal Move Determination

Does this project involve relocation or consolidation of a project occupant from another municipality or abandonment of an existing facility?

Within New York State No

Within Erie County No

If EITHER IS YES, please complete the following. If BOTH ARE NO, please 'save and continue' to the next section (Section VI: Facility Type - Single or Multi Tenant).

The Agency is required by state law to make a determination that Agency assistance is required to prevent the project occupant from relocating out of the state, or to preserve the project occupant's competitive position in its respective industry.

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 (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, has the project occupant attempted to find a suitable location within the municipality?

<BLANK>

Is the project reasonably necessary to preserve the project occupant's competitive position in its industry?

Yes

If yes, please explain and provide supporting documentation

The space made available by locating the various Corporate and related functions will make space available that can be used by manufacturing operations in pursuing existing and new growth opportunities

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

Wokforce education and availability; potential to realize cost savings through government incentives

What is going to happen to the current facility that project occupant is located in?

The Corporate and related functions that are expected to move to the proposed new building will come from various other buildings on Moog's East Aurora campus. The space vacated will eventually be absorbed by our various Business units for manufacturing operations

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 VI: 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 Moog Inc.
Address Jamison Rd., East Aurora, NY 14052
Contact Person Timothy P. Balkin
Phone (716) 687-4506
Fax (716) 687-4457
E-Mail tbalkin@moog.com
Federal ID #
SIC/NAICS Code 3728/336413

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 list below and provide square footage (and percent of total square footage) to be leased to tenant and NAICS Code for tenant and nature of business

Section VII: Environmental Questionnaire

General Background Information

Address of Premises

Land owned by Moog Inc. that does not have an existing facility on it. The proposed premises will be on Jamison Rd. located on land between the existing Industrial business facility and our Space & Defense facility located farther down Jamison Rd. near Route 400.

Name and Address of Owner of Premises

Moog Inc. Seneca St. at Jamison Rd. East Aurora, NY 14052

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

Undeveloped land

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

Proposed premises will be office space.

Describe all known former uses of the Premises

None. This is land Moog has owned for many years that has not been developed

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?

Yes

If yes, provide the Premises' applicable EPA (or State) identification number

The premises will generate universal wastes (light bulbs, batteries, e-wastes), and will be collected and managed with all the other universal wastes being generated by Moog facilities in East Aurora, NY. Other wastes will be solid wastes generated from standard office activities.

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

Hazardous wastes will not be transported from the premises, they will be moved with internal company vehicles to proper collection areas at other facilities within Moog operations. Solid wastes are transported by Waste Management.

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

No wastes have been generated by the Premises, as the premises is currently vacant land.

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

There are no current or contemplated industrial process discharges from the premises. Only discharges will be sanitary and in accordance with SPDES permit for the facility. A copy of this permit (NY0090191) has been attached.

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

Sanitary wastewaters, parking lot and roof storm water runoff will be discharged from the proposed premises. Sanitary wastewaters are discharges in accordance with company SPDES permit.

Is any waste discharged into or near surface water or groundwaters?

No

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

Air Pollution

Are there or is it contemplated that there will be any air emission sources that emit contaminants from the Premises?

No

If yes, describe each such source, including whether it is a stationary combustion installation, process source, exhaust or ventilation system, incinerator or other source

Are any of the air emission sources permitted?

No

If yes, attach a copy of each permit.

Storage Tanks

List and describe all above and under ground storage tanks at the Premises used to store petroleum or gasoline products, or other chemicals or wastes, including the contents and capacity of each tank. Please also provide copies of any registrations/permits for the tanks

There will be no above or underground tanks at the premises.

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

No

If yes, please provide all details regarding the event, including the response taken, all analytical results or reports developed through investigation (whether internal or external), and the agencies which were involved

Polychlorinated Biphenyls ("PCB" or "PCBs") And Asbestos

Provide any records in your possession or known to you to exist concerning any on-site PCBs or PCB equipment, whether used or stored, and whether produced as a byproduct of the manufacturing process or otherwise.

Have there been any PCB spills, discharges or other accidents at the Premises?

No

If yes, relate all the circumstances

Do the Premises have any asbestos containing materials?

No

If yes, please identify the materials

N/A. New construction. The proposed building will not contain any asbestos

817.20
Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR <u>MOOG INC.</u>	2. PROJECT NAME <u>CORPORATE OFFICE BUILDING</u>
3. PROJECT LOCATION: Municipality <u>ELMA</u> County <u>ERIE</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>JAMISON RD., ELMA, NY; BETWEEN ROUTE 400 AND SQUEL ST.</u>	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: 65 <u>60,000 SQ. FT. OFFICE BUILDING TO BE CONSTRUCTED ON LAND THE COMPANY OWNS ON JAMISON RD.</u>	
7. AMOUNT OF LAND-AFFECTED: Initially <u>13.2</u> acres Ultimately <u>13.2</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: <u>THE ZONING AND THE LAND USES IN THE AREA ARE INDUSTRIAL, RESIDENTIAL "C" AND LIGHT COMMERCIAL.</u>	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: <u>CERTAIN DELIMITED WETLANDS ON THE SITE HAVE RECEIVED A LETTER OF JURISDICTIONAL DETERMINATION FROM THE ARMY CORPS OF ENGINEERS, AND WILL REQUIRE REVIEW IF DISTURBED.</u> <u>TOWN OF ELMA SITE PLAN REVIEW</u>	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: <u>CERTAIN DELIMITED WETLANDS ON THE SITE HAVE RECEIVED A LETTER OF NON-JURISDICTIONAL DETERMINATION FROM THE ARMY CORPS OF ENGINEERS.</u>	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>DISTURBED WETLANDS WILL REQUIRE PERMIT REVIEW.</u>	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>MOOG INC</u> Date: <u>4/1/11</u> Signature: <u>[Signature]</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment