



IMA Life - Tax Incentive Application AMENDMENT

[Instructions and Insurance Requirements Document](#)

Section I: Applicant Background Information

Please answer all questions. Use "None" or "Not Applicable" where necessary. Information in this application may be subject to public review under New York State Law.

Applicant Information - Company Receiving Benefit

Project Name	IMA Life- Colvin Woods
Project Summary	This application amendment is to request an increase to the sales tax incentives due to increased costs for the IMA Life- Colvin Woods project originally approved by the ECIDA Board of Directors on September 27, 2023. The IMA Life- Colvin Woods Project includes the development, construction and operation of an approximately 80,000 square foot new production and office facility, as well as associated parking, truck court, and dumpster areas for IMA Life North America on vacant land at Colvin Woods Business Park in the Town of Tonawanda.
Applicant Name	IMA Life North America
Applicant Address	2175 Military Rd
Applicant Address 2	
Applicant City	Tonawanda
Applicant State	New York
Applicant Zip	14150
Phone	(716) 695-6354
Fax	
E-mail	Marco.Riccioni@ima.it
Website	https://ima.it/pharma/brands/ima-life/
NAICS Code	333993

Business Organization

Type of Business

Corporation

Year Established

2005

State

Delaware

Indicate if your business is 51% or more (Check all boxes that apply)

☐ [No] Minority Owned

☐ [No] Woman Owned

Indicate Minority and/or Woman Owned Business Certification if applicable (Check all boxes that apply)

[No] NYS Certified

[No] Erie Country Certified

Individual Completing Application

Name Byron DeLuke
Title Ex Director
Address 2760 Kenmore Ave
Address 2
City Tonawanda
State New York
Zip 14150
Phone (716) 876-8899
Fax
E-Mail BDeLuke@Montante.com

Company Contact- Authorized Signer for Applicant

Contact is same as individual completing application No
Name Marco Riccioni
Title Assistant Treasurer and Assistant Secretary
Address 2175 Military Rd
Address 2
City Tonawanda
State New York
Zip 14150
Phone (716) 695-6354
Fax
E-Mail Marco.Riccioni@ima.it

Company Counsel

Name of Attorney Vince Hanley
Firm Name Bond Schoeneck & King
Address 200 Delaware Ave
Address 2
City Buffalo
State New York
Zip 14202
Phone (716) 416-7022
Fax (716) 416-7322
E-Mail Vhanley@bsk.com

Benefits Requested (select all that apply).

Exemption from Sales Tax Yes

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

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

Applicant Business Description

Describe in detail company background, history, products and customers. Description is critical in determining eligibility. Also list all stockholders, members, or partners with % ownership greater than 20%.

IMA Life North America is located in Tonawanda, NY. The Company is part of the IMA Group, which is headquartered in Bologna, Italy. There is an attachment submitted as part of this application, which includes a more detailed overview of the Company ownership structure. IMA specializes in packaging and process equipment for pharmaceutical companies, as well as the food industry and the automation of industrial processes. The three divisions, Pharmaceutical, Food and Automation, closed the year 2022 with consolidated revenue of \$2.1 billion dollars while employing about 6,900 employees worldwide. Of IMA Group's global workforce, 544 are based in the USA. IMA Life NA has a total of 171 employees of which 154 are based in the existing Tonawanda facility. IMA acquired the former Edwards- Freeze Drying Division in 2008. Edwards Freeze Drying Division was started in Grand Island, NY in 1984 to produce freeze dryer equipment primarily designed for the pharmaceutical industry and moved into the existing Tonawanda facility in 1986. The freeze-drying process is a method to preserve delicate pharmaceutical substances like biological product, vaccines, small molecules like antibiotics, and blood fractions. Today, thanks to the dedication and contribution of our employees, IMA Life NA ranks among the most respected companies worldwide for the production of freeze-drying equipment. The equipment produced in IMA Life NA's Tonawanda facility serves customers in both domestic and international pharmaceutical markets. IMA Life NA has twice expanded its production and office space at the existing facility and has now utilized all the land available. No further expansions are possible at the existing location; however, the growing business needs additional space. To maintain the availability of the unique skills of our employees and to ensure continuity of the business, it is IMA Life NA's desire to remain in the Tonawanda area. As a result, IMA Life NA is pursuing the new facility at 700 Colvin Woods Parkway, which is the subject of this application. The new facility will consist of office area and production space to serve the highest demand for supply of freeze dryers by the pharmaceutical industry. If the Project moves forward, IMA Life NA is planning to operate both facilities, the existing location and the new one at 700 Colvin Woods Parkway. The new building would be owned by IMA Life NA. IMA Life NA would expect to increase its workforce proportionally to the business growth enabled by the new facility. See the IMA Life NA timeline attached to this application for an overview of the Company's history.

Estimated % of sales within Erie County	1 %
Estimated % of sales outside Erie County but within New York State	5 %
Estimated % of sales outside New York State but within the U.S.	65 %
Estimated % of sales outside the U.S.	29 %

(*Percentage to equal 100%)

For your operations, company and proposed project what percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Erie County?

16

Describe vendors within Erie County for major purchases

Total vendor in 2022 (excluding employees) \$79.9MM and in Erie County \$13.0MM. The percentage will increase considering the proposed project to around 28% from the current 16%. Major vendors within Erie County include: Amherst Stainless Fabrication LLC, Goergen-Mackwirth Co., Inc., Allied Circuits, Inc., Coverco, Inc., AP Professionals of WNY, A&F Wholesale, Sean & Design Div, John J. Bonafacio, and Robert James Sales Inc.

Section II: Eligibility Questionnaire - Project Description & Details

Project Location

Address of Proposed Project Facility

700 Colvin Woods Pkwy

Town/City/Village of Project Site

Tonawanda

School District of Project Site

Tonawanda Public Schools

Current Address (if different)

2175 Military Rd

Current Town/City/Village of Project Site (if different)**SBL Number(s) for proposed Project**

53.14-3-1.1

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

0

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

Land

\$ 6,255,600

Building(s)

\$ 0

If available include a copy of current tax receipt.

Are Real Property Taxes current at project location?

Yes

If no please explain

*The ECIDA has an unpaid tax policy and you will be required to certify all taxes and PILOTS are current.

Does the Applicant or any related entity currently hold fee title or have an option/contract to purchase the Project site?

Yes

If No, indicate name of present owner of the Project Site**Does Applicant or related entity have an option/contract to purchase the Project site?**

Yes

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

The proposed 15-acre parcel located at 700 Colvin Woods Pkwy is currently vacant land, owned by Elmlawn Cemetery and Crematory Inc. However, it is in the process of being acquired by Ciminelli Properties LLC. Ciminelli, on behalf of the Cemetery, secured minor subdivision approval to create the parcel from the Tonawanda Town Board at the meeting held on March 14, 2023. The Cemetery has also received approval from the New York State Cemetery Board to sell the Site to Ciminelli. IMA Life NA has an executed Purchase and Sale Agreement for the parcel with Ciminelli. After Ciminelli acquires the parcel from the Cemetery, IMA Life NA will acquire the parcel from Ciminelli. Montante will manage construction for IMA Life NA.

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

The Project includes the construction of a new office and manufacturing facility for IMA Life NA at Colvin Woods Business Park in Tonawanda NY. The Company is a leader in the field of aseptic and pharmaceutical equipment and a major supplier of equipment to the leading pharmaceutical companies like Pfizer, Merck, Eli Lilly, and Abbott. The equipment produced in IMA's Tonawanda facility is sold directly to businesses in both domestic and international pharmaceutical markets. IMA Life currently employs 154 FTE at an existing facility on Military Rd in Tonawanda, NY. It has expanded its capacity at this existing site through two new buildings; however, it has now utilized all the land space available and no further expansions are possible at this location. The Company leases the existing facility from Uniland Development Company and will continue to operate out of this existing facility after completion of the Project. IMA Life NA will utilize the new facility to expand its operations in Western New York. The new facility will include a development laboratory, three production bays and warehouse space for the development, sale, assembly, testing, and shipping of Freeze Dryers for the pharmaceutical sector. It will also include corporate office space and be positioned to serve as the North America headquarters for IMA Group. The Project will include 50,000 square feet of production space and 30,000 square feet of office space, as well as exterior parking, truck court, and dumpster areas. Upon completion of the Project, 120 existing FTE will move to the new building, leaving 34 FTE at the existing site. IMA will also hire an additional 30 new FTE, bringing the total FTE at the new facility to 150 within two years of its completion.

Municipality or Municipalities of current operations

Tonawanda

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

Yes

Will the completion of the Project result in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state OR in the abandonment of one or more plants or facilities of the project occupant located within the state?

No

If the Proposed Project is located in a different Municipality within New York State than that Municipality in which current operations are being undertaken, is it expected that any of the facilities in any other Municipality will be closed or be subject to reduced activity?

No

(If yes, you will need to complete the Intermunicipal Move Determination section of this application)

Is the project reasonably necessary to prevent the project occupant from moving out of New York State?

Yes

If yes, please explain and identify out-of-state locations investigated, type of assistance offered and provide supporting documentation available

The IMA Group owns 6 other companies together with IMA Life NA in the United States. All 6 of these companies are outside of New York State. IMA Group is in need of a flagship corporate office and IMA Life NA is competing with these other locations. This project will enable IMA Life NA to remain and grow its business here in Tonawanda, NY.

Have you contacted or been contacted by other Local, State and/or Federal Economic Development Agencies?

Yes

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

IMA Life NA has been contacted by Empire State Development regarding an Incentive Proposal for the project.

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 the effect the Project will have on the Applicant's business or operations. Focus on competitiveness issues, project shortfalls, etc.... Your eligibility determination will be based in part on your answer (attach additional pages if necessary)

IMA Life NA has reached an important milestone for growth and is forced to consider relocating from their existing facilities. After examining alternative campus locations in New York and other states, IMA Life NA identified a 15-acre site within Colvin Woods Business Park in Tonawanda, NY. The Project will result in the relocation of some manufacturing and all office needs to the new facility, while accommodating for future growth. The new facility will also include the creation of new corporate offices in Tonawanda, NY. This will improve operating efficiencies and provide greater support to those managers and executives affected by the current space shortage and shuffling of space and personnel. It will put the Tonawanda facility in position to grow into the North American headquarters for the IMA Group. Given the nature of these jobs and the fact that IMA Life NA is competing for resources with 6 other companies located outside of New York State, the genuine threat to New York State and WNY is IMA Group's ability to pursue this project out-of-state. In light of this variable, IMA Life NA hopes to be able to work collaboratively with the ECIDA to ensure that Tonawanda, NY continues to be the best place to invest in new facilities and jobs. The requested incentives are a critical piece of the capital stack for the project and are necessary to move forward. Should the Project not move forward, it will result in a loss of approximately \$33.7 million investment, dozens of short-term construction-related jobs, and threaten the long term viability of 154 existing FTE.

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?

IMA Life NA has a total of 154 FTE that would be at risk if the project does not receive assistance and moves on in another State where the Applicant's Owner has other facilities. The region will also lose an approximately \$27.5 million investment and the creation of 30 new FTE.

Will project include leasing any equipment?

No

If yes, please describe equipment and lease terms.

Site Characteristics

Is your project located near public transportation?

Yes

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

Yes, the site 1/2 Mile away from NFTA Bus Route 11, which is readily accessible from Colvin Blvd.

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

No

If YES indicate in the box below the date the SEQR determination was made. Also, please provide us with a copy of the approval resolution and the related Environmental Assessment Form (EAF) if applicable.

If NO indicate in the box below the date you anticipate receiving a SEQR determination for your project. Also, please insure that the ECIDA has been listed as an "involved agency" on the related EAF submitted to the appropriate municipality and/or planning department.

August 2023

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

Yes

Describe the present zoning/land use

Presently the site is zoned B- 2nd Residential District and operates under a Special Use District dated 2004. All proposed uses are allowed as of right under the terms of the existing Special Use District Permit.

Describe required zoning/land use, if different

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

The Project site is in the process of being rezoned. The Town of Tonawanda Planning Board has recommended that the site be zoned Performance Standards District. The Town of Tonawanda Town Board is currently considering this recommendation. All proposed uses are allowed as of right under the Performance Standards District once site plan, subdivision, and performance standards review are complete.

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

No

If yes, please explain

Has a Phase I Environmental Assessment been prepared, or will one be prepared with respect to the proposed Project Site?

Yes

If yes, please provide a copy.

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

No

If yes, please provide copies of the study.

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

No

If yes, describe the efficiencies achieved

You may also attach additional information about the machinery and equipment at the end of the application.

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

Yes

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

Yes. IMA Life NA has an annual budget of \$2-\$4MM for R&D at the Tonawanda location. In 2022, IMA Life NA had total operating expenses of \$126.5MM, of which \$2.1MM was R&D cost- equal to 1.7%. In the 2023 Budget, out of a total operating expenses of \$141.4MM, IMA Life NA has budgeted \$4.0MM R&D cost- equal to 2.8%.

Select Project Type for all end users at project site (you may check more than one).

For purposes of the following, the term "retail sales" means (i) sales by a registered vendor under Article 28 of the Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

Will customers personally visit the Project site for either of the following economic activities? If yes with respect to either economic activity indicated below, you will need to complete the Retail section of this application.

Retail Sales	No	Services	No
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Please check any and all end uses as identified below.

No Acquisition of Existing Facility	No Assisted Living	No Back Office
No Civic Facility (not for profit)	No Commercial	No Equipment Purchase
No Facility for the Aging	Yes Industrial	No Life Care Facility (CCRC)
No Market Rate Housing	No Mixed Use	No Multi-Tenant
No Retail	No Senior Housing	Yes Manufacturing
No Renewable Energy	No Other	

For proposed facility please include the square footage for each of the uses outlined below

If applicant is paying for FFE for tenants, include in cost breakdown.

			Cost	% of Total Cost
Manufacturing/Processing	37,500 square feet	\$	15,493,393	46%
Warehouse	5,500 square feet	\$	2,357,690	7%
Research & Development	7,000 square feet	\$	2,694,503	8%
Commercial	square feet	\$	0	0%
Retail	square feet	\$	0	0%
Office	30,000 square feet	\$	13,135,704	39%
Specify Other	square feet	\$	0	0%

If you are undertaking new construction or renovations, are you seeking LEED certification from the US Green Building Council?

No

If you answered yes to question above, what level of LEED certification do you anticipate receiving? (Check applicable box)

<BLANK>

Provide estimate of additional construction cost as a result of LEED certification you are seeking

< BLANK >

Will project result in significant utility infrastructure cost or uses

Yes

What is the estimated project timetable (provide dates).

Start date : acquisition of equipment or construction of facilities

1/1/2024

End date : Estimated completion date of project

5/30/2025

Project occupancy : estimated starting date of occupancy

6/1/2025

Capital Project Plan / Budget

Estimated costs in connection with Project

1.) Land and/or Building Acquisition

\$ 2,285,100

square feet

15 acres

2.) New Building Construction

\$ 19,446,318

80,000 square feet

3.) New Building addition(s)

\$ 0

square feet

4.) Reconstruction/Renovation

\$ 0

square feet

5.) Manufacturing Equipment

\$ 5,498,619

6.) Infrastructure Work

\$ 0

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

\$ 2,397,326

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

\$ 4,053,927

9.) Other Cost

\$ 0

**Explain Other
Costs**

Total Cost \$ 33,681,290

Construction Cost Breakdown:

Total Cost of Construction

\$ 19,446,318 (sum of 2, 3, 4 and 6 in Project Information, above)

Cost of materials

\$ 11,667,790

% sourced in Erie County 75%

Sales and Use Tax:

Gross amount of costs for goods and services that are subject to State and local sales and use tax- said amount to benefit from the Agency's sales and use tax exemption benefit \$ 14,065,116

Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above): \$ 1,230,697

**** Note that the estimate provided above will be provided to the New York State Department of Taxation and Finance. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to undertake the total amount of investment as proposed within this Application, and that the estimate, above, represents the maximum amount of sales and use tax benefit that the Agency may authorize with respect to this Application. The Agency may utilize the estimate, above, as well as the proposed total Project Costs as contained within this Application, to determine the Financial Assistance that will be offered.**

Project refinancing estimated amount, if applicable (for refinancing of existing debt only) \$ 0

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

If Yes, describe particulars: A percentage of soft costs related to due diligence, environmental studies, architecture, engineering, and project management has been incurred to advance the project through design and approvals.

Sources of Funds for Project Costs:

Equity (excluding equity that is attributed to grants/tax credits): \$ 32,553,847

Bank Financing: \$ 0

Tax Exempt Bond Issuance (if applicable): \$ 0

Taxable Bond Issuance (if applicable): \$ 0

Public Sources (Include sum total of all state and federal grants and tax credits): \$ 1,127,443

Identify each state and federal grant/credit: (ie Historic Tax Credit, New Market Tax Credit, Brownfield, Cleanup Program, ESD, other public sources) ESD, Excelsior Award

Total Sources of Funds for Project Costs: \$33,681,290

Have you secured financing for the project? Yes

Mortgage Recording Tax Exemption Benefit:

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

Mortgage Amount (include sum total of construction/permanent/bridge financing). 0

Lender Name, if Known

Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above multiplied by 3/4 of 1%): \$0

Real Property Tax Benefit:

Identify and describe if the Project will utilize a real property tax exemption benefit other than the Agency's PILOT benefit (485-a, 485-b, other):

IDA PILOT Benefit: Agency staff will indicate the estimated amount of PILOT Benefit based on estimated Project Costs as contained herein and anticipated tax rates and assessed valuation, including the annual PILOT Benefit abatement amount for each year of the PILOT benefit and the sum total of PILOT Benefit abatement amount for the term of the PILOT as depicted in the PILOT worksheet in the additional document section.

Percentage of Project Costs financed from Public Sector sources: Agency staff will calculate the percentage of Project Costs financed from Public Sector sources based upon the Sources of Funds for Project Costs as depicted above. The percentage of Project Costs financed from public sector sources will be depicted in the PILOT worksheet in the additional document section.

Is project necessary to expand project employment?

Yes

Is project necessary to retain existing employment?

Yes

Will project include leasing any equipment?

No

If yes, please describe equipment and lease terms.

Employment Plan (Specific to the proposed project location)

The Labor Market Area consists of the following six counties: Erie, Niagara, Chautauqua, Cattaraugus, Wyoming and Genesee.

By statute, Agency staff must project the number of FTE jobs that would be retained and created if the request for Financial Assistance is granted. Agency staff will project such jobs over the TWO Year time period following Project completion. Agency staff converts PT jobs into FTE jobs by dividing the number of PT jobs by two (2).

	Current # of jobs at proposed project location or to be relocated at project location	If financial assistance is granted – project the number of FT and PT jobs to be retained	If financial assistance is granted – project the number of FT and PT jobs to be created upon 24 months (2 years) after Project completion	Estimate number of residents of the Labor Market Area in which the project is located that will fill the FT and PT jobs to be created upon 24 months (2 years) after project completion **
Full time	120	120	30	30
Part time	0	0	0	0
Total	120	120	30	

Salary and Fringe Benefits for Jobs to be Retained and Created

Job Categories	# of Full Time Employees retained and created	Average Salary for Full Time	Average Fringe Benefits for Full Time	# of Part Time Employees retained and created	Average Salary for Part Time	Average Fringe Benefits for Part Time
Management	8	\$ 175,428	\$ 66,693	0	\$ 0	\$ 0
Professional	60	\$ 88,612	\$ 17,034	0	\$ 0	\$ 0
Administrative	45	\$ 89,047	\$ 19,452	0	\$ 0	\$ 0
Production	37	\$ 63,605	\$ 12,066	0	\$ 0	\$ 0
Independent Contractor	0	\$ 0	\$ 0	0	\$ 0	\$ 0
Other	0	\$ 0	\$ 0	0	\$ 0	\$ 0
Total	150			0		

** Note that the Agency may utilize the foregoing employment projections, among other items, to determine the financial assistance that will be offered by the Agency to the Applicant. The Applicant acknowledges that the transaction documents may include a covenant by the Applicant to retain the number of jobs and create the number of jobs with respect to the Project as set forth in this Application.

Yes **By checking this box, I certify that the above information concerning the current number of jobs at the proposed project location or to be relocated to the proposed project location is true and correct.**

Employment at other locations in Erie County: (provide address and number of employees at each location):

Address	2175 Military Rd., Tonawanda NY 14150		
Full time	154	0	0
Part time	0	0	0
Total	154	0	0

Payroll Information**Annual Payroll at Proposed Project Site upon completion**

12,405,821

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

82,705

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

0

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

72,293

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

0

Estimated salary range of jobs to be created

From (Full Time)	60,760	To (Full Time)	87,315
From (Part Time)	0	To (Part Time)	0

Section III: Environmental Questionnaire

INSTRUCTIONS: Please complete the following questionnaire as completely as possible. If you need additional space to fully answer any question, please attach additional page(s).

General Background Information

Address of Premises

700 Colvin Woods Pkwy, Tonawanda, NY 14150

Name and Address of Owner of Premises

IMA Life North America, 2175 Military Rd, Tonawanda, NY 14150

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

The Project is being constructed on vacant land that has been cleared and is dominated by small woody shrub and grasses.

Describe the Premises (including the age and date of construction of any improvements) and each of the operations or processes carried out on or intended to be carried on at the Premises

The natural topography will require some site work and grading, but the land is generally flat. No environmentally sensitive features exist and the site plan is designed to adhere to requirements for landscaped areas.

Describe all known former uses of the Premises

The site is vacant land and no previous uses are known. Historical aerial photographs show that the site has been undeveloped vacant land since 1938.

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

The parcel is currently owned by Elmlawn Cemetery and Crematory Inc.,

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

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?

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

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

No

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

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

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

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

No

If yes, relate all the circumstances

Do the Premises have any asbestos containing materials?

No

If yes, please identify the materials

Section IV: Facility Type - Single or Multi Tenant

Is this a Single Use Facility or a Multi-Tenant Facility?

Single Use Facility

For Single Use Facility.

Occupant Name IMA Life North America
Address 2175 Military Rd Tonawanda, NY 14150
Contact Person Marco Riccioni
Phone (716) 695-6354
Fax
E-Mail Marco.Riccioni@ima.it
Federal ID #
SIC/NAICS Code

SS

Section VI: Retail Determination

To ensure compliance with Section 862 of the New York General Municipal Law, the Agency requires additional information if the proposed Project is one where customers personally visit the Project site to undertake either a retail sale transaction or to purchase services.

Please answer the following:

Will any portion of the project (including that portion of the costs to be financed from equity or other sources) consist of facilities or property that are or will be primarily used in making sales of goods or services to customers who personally visit the project site?

No

If yes, complete the Retail Questionnaire Supplement below. **If no, proceed to the next section.**

Section VII: Adaptive Reuse Projects

Adaptive Reuse is the process of adapting old structures or sites for new purposes.

Are you applying for tax incentives under the Adaptive Reuse Program?

No

Section VIII: Inter-Municipal Move Determination

The Agency is required by state law to make a determination that, if completion of a Project benefiting from Agency Financial Assistance results in the removal of an industrial or manufacturing plant of the project occupant from one area of the state to another area of the state or in the abandonment of one or more plants or facilities of the project occupant located within the state, Agency financial Assistance is required to prevent the project occupant from relocating out of the state, or is reasonably necessary to preserve the project occupant's competitive position in its respective industry.

Current Address

2175 Military Rd

City/Town

Tonawanda

State

New York

Zip Code

14150

Will the project result in the removal of an industrial or manufacturing plant of the Project occupant from one area of the state to another area of the state?

No

Will the project result in the abandonment of one or more plants or facilities of the Project occupant located within the state?

No

If Yes to either question, explain how, notwithstanding the aforementioned closing or activity reduction, the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry:

Does this project involve relocation or consolidation of a project occupant from another municipality?

Within New York State

No

Within Erie County

No

If Yes to either question, please, explain

Will the project result in a relocation of an existing business operation from the City of Buffalo?

No

If yes, please explain the factors which require the project occupant to relocate out of the City of Buffalo (For example, present site is not large enough, or owner will not renew leases etc.)

What are some of the key requirements the project occupant is looking for in a new site? (For example, minimum sq. ft., 12 foot ceilings, truck loading docs etc.)

If the project occupant is currently located in Erie County and will be moving to a different municipality within Erie County, has the project occupant attempted to find a suitable location within the municipality in which it is currently located?

No

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 IX: Senior Housing

IDA tax incentives may be granted to projects under the Agency's Senior Citizen Rental Housing policy when the project consists of a multi-family housing structure where at least 90% of the units are (or are intended to be) rented to and occupied by a person who is 60 years of age or older.

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

No

Section X: Tax Exempt Bonds

In order to receive the benefits of a tax-exempt interest rate bond, private borrowers and their projects must be eligible under one of the federally recognized private active bond categories (Fed Internal Rev Code IRC sections 142-144, and 1394).

Are you applying for tax exempt bonds / refinancing of bonds related to a residential rental facility project?

No