

NOTICE OF PUBLIC HEARING

Pursuant to Article 18-A of NYS General Municipal Law, the Erie County Industrial Development Agency (the “Agency”) will hold a public hearing on February 7, 2023 at 10:00 a.m. at the Town of Elma, Courtroom, located at Town Hall, 1600 Bowen Road, Elma, NY 14059 regarding:

Moog Inc., and/or Individual(s) or Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf (the “Company”), has submitted an application to the Agency (a copy of which is on file at the office of the Agency) requesting the Agency to undertake a certain project (the “Project”) consisting of: (i) the acquisition by the Agency of a leasehold interest in certain property located on Seneca at Jamison Road, Town of Elma, Erie County, New York and all other lands in the Town of Elma where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (the “Land”), (ii) the construction on the Land of an approximately 150,000+/- square-foot standalone manufacturing facility to be utilized for machining (shop) capabilities in support of current Aircraft Group (AG) business, primarily military aerospace content, installation of new equipment and mixed office space to support the machining operation (the “Improvements”), and (iii) the acquisition by the Company in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the “Equipment”; and, together with the Land and the Improvements, the “Facility”). The Facility will be initially operated and/or managed by the Company.

The Agency will acquire a leasehold interest in the Facility and lease the Facility back to the Company. The Company will operate the Facility during the term of the lease. At the end of the lease term, the leasehold interest will be terminated. The Agency contemplates that it will provide financial assistance to the Company for qualifying portions of the Project in the form of sales and use tax exemption benefits and real property tax abatement benefits consistent with the policies of the Agency.

A representative of the Agency will be present at the above-stated time and place to present a copy of the Application and hear and accept written and oral comments from all persons with views in favor of or opposed to the proposed financial assistance. This public hearing is being live-streamed and made accessible on the Agency’s website at www.ecidany.com. Written comments may be submitted at this public hearing, submitted on the Agency’s website, or delivered to the Agency at 95 Perry Street-Suite 403, Buffalo, NY 14203 until the comment period closes at 4:00 p.m. on February 21, 2022. The project application is available for public inspection at the Agency’s offices Monday through Friday (excluding public holidays) from 9:00 a.m. until 4:00 p.m.

This public hearing is being conducted in accordance with Subdivision 2 of Section 859-a of the New York General Municipal Law.

Erie County Industrial Development Agency



Moog Inc.

[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	Advanced Integrated Manufacturing Center
Project Summary	Construction of new manufacturing building on Elma campus of approximately 150,000 square feet.
Applicant Name	Moog Inc.
Applicant Address	400 Jamison Road
Applicant Address 2	
Applicant City	Elma
Applicant State	New York
Applicant Zip	14059
Phone	(716) 687-4200
Fax	(716) 652-0176
E-mail	leden@moog.com
Website	www.moog.com
NAICS Code	336410

Business Organization

Type of Business

Public Corporation

Year Established

1951

State

New York

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 Laurie Eden
Title Corporate Tax Manager
Address 400 Jamison Road
Address 2
City Elma
State New York
Zip 14059
Phone (716) 687-4200
Fax (716) 652-0176
E-Mail leden@moog.com

Company Contact- Authorized Signer for Applicant

Contact is same as individual completing application No
Name Heather Chudzik
Title Tax Director
Address 400 Jamison Road
Address 2
City Elma
State New York
Zip 14059
Phone (716) 687-7487
Fax (716) 652-0176
E-Mail hchudzik@moog.com

Company Counsel

Name of Attorney Amy Fitch
Firm Name Hodgson Russ
Address 140 Pearl Street
Address 2 Suite 100
City Buffalo
State New York
Zip 14202
Phone (716) 856-4000
Fax
E-Mail afitch@hodgsonruss.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%.

Moog Inc. is a worldwide designer, manufacturer, and integrator of precision control components and systems. Moog's high-performance systems control military and commercial aircraft, satellites and space vehicles, launch vehicles, missiles, automated industrial machinery, marine and medical equipment. Moog Inc. is a publicly traded company. Ownership greater than 20% not applicable for Moog A shares. Moog B shares 20% or more ownership is as follows: Moog Inc. Retirement Savings Plan- 41.2 percent of B shares, Moog Inc. Employees' Retirement Plan- 23.5 percent of B shares.

Estimated % of sales within Erie County 0 %

Estimated % of sales outside Erie County but within New York State 2 %

Estimated % of sales outside New York State but within the U.S. 81 %

Estimated % of sales outside the U.S. 17 %

(*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?

11

Describe vendors within Erie County for major purchases

See attached list

Section II: Eligibility Questionnaire - Project Description & Details

Project Location

Address of Proposed Project Facility

Seneca at Jamison Rd.

Town/City/Village of Project Site

Elma

School District of Project Site

Iroquois Central School District

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

155.00-1-50

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

\$452,522- entire campus (owned property)

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

Land

\$ 0

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?**

No

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

Owned land available for expansion

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 AIM Center Phase 1 Project would provide a new 150,000 square foot standalone building to expand the Elma, NY campus manufacturing footprint. The Project would take place on land already owned by Moog and Moog is the only intended user/tenant. Approximately 80% of the floor space would be dedicated to machining (shop) capabilities in support of Moog's current Aircraft Group (AG) book of business, primarily military aerospace content. The remainder would be mixed office space (manufacturing engineering and administrative) to support the machining operation. The Project schedule projects building completion and occupancy by mid-2024. Moog's existing manufacturing floorspace is constrained and new, additional equipment is both planned and on order; all of which would be installed in the new building. This new equipment will help improve the Aircraft Group's operational performance by reducing lead times and improving product quality. In addition, much of the existing equipment is intended to transfer to the new building. Vacating the machine shop space in plant 2/2A/2B will allow Moog to refurbish the building and expand AG's Assembly and Test (A&T) areas, Development Lab, and Support areas to relieve congestion, co-locate similar products, and provide space for projected growth and new product lines. It is anticipated that the existing machine shop space would be vacated and refurbished in stages between mid-2024 and the end of 2025 (the refurbishment project is not a part of this application). Further, while the majority of the employees from these plants will move to the new building, it is expected that approximately 50 employees will remain. And, upon the completion of the refurbishment project, we are forecasting occupancy to amount to 300. The total project cost of the AIM Center Phase 1 Project is estimated at between \$70M and \$80M (building construction, furniture & fitout, manufacturing equipment), with the building and associated infrastructure improvements estimated at \$39M of the total. The facility will be used primarily for production, with limited manufacturing-related R&D activities. At the time of this application submission, it is not expected that this new building will result in increased Full-Time employment on the Moog campus as it would result in the re-location of existing Full-Time employees from other buildings on Moog's Elma, NY campus. It is expected that it would provide an estimated 1156 man-months (or 96.33 man-years) of employment in construction related employment in the 2023-2024 timeframe. However, this application is for the first of three potential phases of construction. Each subsequent project phase would be a separate project, each submitted under a separate IDA project/application. At this time, each additional phase is estimated at an additional 150,000 square feet of production space that would support additional Moog business. While the timing of the additional phases is still notional, it is estimated that each subsequent phase would result in roughly 100 additional production jobs on the Elma campus. The phase 1 construction activity, which includes significant campus infrastructure upgrades, is required in order to be able to construct phases 2 and 3.

Municipality or Municipalities of current operations

Town of Elma, County of Erie

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?

No

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

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

No

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

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)

Moog operates in highly competitive markets across all our Business Segments. As such, cost control is essential to maintaining our competitive position. The reduction on costs 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.

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?

Moog has performed site selection investigations and would/has considered placing this manufacturing facility in one of the following metro areas: * Atlanta, Georgia * Charlotte/Kinston, North Carolina * Greenville/Charleston, South Carolina Failure to obtain Financial Assistance for this Project could cause Moog to halt this project and pursue similar assistance from the locations listed above. A decision by Moog to locate this facility in a different state would result in lost jobs for Erie County and New York State.

Will project include leasing any equipment?

Yes

If yes, please describe equipment and lease terms.

This project may include leasing of manufacturing and computer equipment; lease term for major equipment will generally be six to seven years.

Site Characteristics

Is your project located near public transportation?

No

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

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

Yes

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.

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

Yes

Describe the present zoning/land use

Industrial

Describe required zoning/land use, if different

N/A

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

N/A

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?

What is the estimated project timetable (provide dates).

Start date : acquisition of equipment or construction of facilities

2/14/2023

End date : Estimated completion date of project

6/30/2024

Project occupancy : estimated starting date of occupancy

7/1/2024

Capital Project Plan / Budget

Estimated costs in connection with Project

1.) Land and/or Building Acquisition

\$ 0 square feet acres

2.) New Building Construction

\$ 34,300,000 150,000 square feet

3.) New Building addition(s)

\$ 0 square feet

4.) Reconstruction/Renovation

\$ 0 square feet

5.) Manufacturing Equipment

\$ 34,000,000

6.) Infrastructure Work

\$ 5,000,000

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

\$ 700,000

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

\$ 2,750,000

9.) Other Cost

\$ 0

**Explain Other
Costs**

Total Cost \$ 76,750,000

Construction Cost Breakdown:

Total Cost of Construction	\$ 39,300,000 (sum of 2, 3, 4 and 6 in Project Information, above)
Cost of materials	\$ 21,615,000
% sourced in Erie County	100%

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 \$ 22,315,000

Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above): \$ 2,000,000

** 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? No

If Yes, describe particulars: Initial exploratory cost only.

Sources of Funds for Project Costs:

Equity (excluding equity that is attributed to grants/tax credits): \$ 76,750,000

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): \$ 0

Identify each state and federal grant/credit: (ie Historic Tax Credit, New Market Tax Credit, Brownfield, Cleanup Program, ESD, other public sources) 0

Total Sources of Funds for Project Costs: \$76,750,000

Have you secured financing for the project? No

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).

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?

No

Is project necessary to retain existing employment?

Yes

Will project include leasing any equipment?

Yes

If yes, please describe equipment and lease terms.

This project may include leasing of manufacturing and computer equipment; lease term for major equipment will generally be six to seven years.

Employment Plan (Specific to the proposed project location)

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

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	180	180	0	0
Part time	0	0	0	0
Total	180	180	0	

Salary and Fringe Benefits for Jobs to be Retained and Created

Category of Jobs to be Retained and/or Created	# of Employees Retained and/or Created	Average Salary for Full Time	Average Fringe Benefits for Full Time	Average Salary for Part Time (if applicable)	Average Fringe Benefits for Part Time (if applicable)
Management	15	\$ 170,000	\$ 33,000	\$ 0	\$ 0
Professional	65	\$ 105,000	\$ 33,000	\$ 0	\$ 0
Administrative	0	\$ 0	\$ 0	\$ 0	\$ 0
Production	100	\$ 67,000	\$ 33,000	\$ 0	\$ 0
Independent Contractor	0	\$ 0	\$ 0	\$ 0	\$ 0
Other	0	\$ 0	\$ 0	\$ 0	\$ 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	Remaining Elma campus Seneca & Jamison Roads Elma, NY 14059	31 Ellicott Rd West Falls, NY 14170	
Full time	3,277	31	0
Part time	96	0	0

Total

3,373

31

0

Payroll Information

Annual Payroll at Proposed Project Site upon completion

16,075,000

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

114,000

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

0

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

0

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

0

Estimated salary range of jobs to be created

From (Full Time) 0 **To (Full Time)** 0

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

Seneca and Jamison Roads, Elma, NY 14059

Name and Address of Owner of Premises

Moog Inc.- Seneca and Jamison Roads, Elma, NY 14059

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

Moog is located on 331 acres of property between Seneca and Jamison Roads. Wetland map are provided files as 11-2020 All Wetland Maps 1-9.pdf.

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

Operations/processes carried out at the premises include manufacturing, assembly and test, research and development and back office activities. The following are the plants, square footage and dates of construction for properties at Seneca Street & Jamison Road Elma, NY 14059. •Addition- Plant 1, 29,480 Sq. ft., 7 /8/55 •Addition- Plant 1AL, 16,192 Sq. ft., 2019 •Addition- Plant 1AU, 15,474 Sq. ft., 2019 •Addition- Plant 2, 42,975 Sq. ft., 4/29/57 •Addition- Plant 2A,25,600 Sq. ft., 11/18/75 •Addition- Plant 2B, 35,500 Sq. ft., 1998 •Addition- Plant 2C, 7,840 Sq. ft., 2008 •Addition- Plant 3,30,200 Sq. ft., 2/18/63 •Addition- Plant 3AL, 29,086 Sq. ft., 2019 •Addition- Plant 3AU, 29,688 Sq. ft., 2019 •Addition- Plant 3B, 26,520 Sq. ft., 2/18/63 •Addition- Plant 4, 21900 Sq. ft., 1/20/80 •Addition- Plant 4A, 29,069 Sq. ft., 2001 •Addition- Plant 4B, 7,860 Sq. ft., 1/20/80 •Addition- Plant 5, 19,800 Sq. ft., 6/9/59 •Addition- Plant 5A,8,200 Sq. ft., 11/30/78 •Addition- Plant 6, 11,160 Sq. ft., 6/8/76 •Addition- Plant 6A, 16,390 Sq. ft.,5/24/07 •Addition- Plant 11, 20,247 Sq. ft., 5/23/66, 300 Jamison Road Elma, NY 14059 •Addition- Plant 11A, 31,020 Sq. ft., 4/26/76, 300 Jamison Road Elma, NY 14059 •Addition- Plant 11B, 13,072 Sq. ft., 1/10/80, 300 Jamison Road Elma, NY 14059 •Addition- Plant 11C, 65,643 Sq. ft.,4/16/81, 300 Jamison Road Elma, NY 14059 •Addition- Plant 11D, 39,690 Sq. ft., 3/26/09, 300 Jamison Road Elma, NY 14059 •Addition- Plant 17, 50,000 Sq. ft., 7 /12/69, 170 Jamison Road Elma, NY 14059 •Addition- Plant 20, 195,720 Sq. ft., 10/30/84, 500 Jamison Road Elma, NY 14059 •Addition- Plant 20A, 57,620 Sq. ft., 7 /15/09, 500 Jamison Road Elma, NY 14059 •Addition- Plant 26, 69,050 Sq. ft.,12/17 /12, 400 Jamison Road Elma, NY 14059 •Addition- Plant 32- 5,130 Sq. ft.,2018 Seneca Street & Jamison Road Elma, NY 14059 •Addition- WWTP Building 1,250 Sq. ft., 6/29/79, Seneca Street & Jamison Road Elma, NY 14059 The following are the plants, square footage and dates of construction with their respective addresses not on the contiguous 331 acres at Seneca Street & Jamison Road Elma, NY 14059. •Addition- Plant 8, 9,600 Sq. ft., 7661 Seneca Street •Addition- Plant 12, 7,850 Sq. ft., 7211 Seneca Street Elma, NY 14059 •Addition- Plant 12A, 9,000 Sq. ft.,12/15/09, 7211 Seneca Street Elma, NY 14059 •Addition- Plant 15A, 18,480 Sq. ft., 9/3/80, 741 Conley Road Elma, NY 14059 •Addition- Plant 15B, 11,100 Sq. ft., 9/3/80, 751 Conley Road Elma, NY 14059 •Addition- Plant 15C, 6375 Sq. ft., 9/3/80, 753 Conley Road Elma, NY 14059 •Addition- Plant 23, 17,500 Sq. ft.,2/15/88, 7060 Seneca Street Elma, NY 14059 •Addition- Plant 24, 68000 Sq. ft., 8/15/89, 6860 Seneca Street Elma, NY 14059 •Addition- Plant 27, 26,071 Sq. ft., 8/10/11, 611 Jamison Road Elma, NY 14059 •Addition- Plant 27, 55,386 Sq. ft., 2018, 611 Jamison Road Elma, NY 14059 •Addition- Plant 31, 10,500 Sq. ft., 3/15/11, 31Ellicott Street West Falls, NY •Addition- 7,500 Sq. ft., 7000 Seneca Street Elma, NY 14059 •Addition- 6,000 Sq. ft., 600 Conley Road Elma, NY 14059 •Addition- 8,000 Sq. ft., 600 Conley Road Elma, NY 14059 •Addition- 1,000 Sq. ft., 621 Conley Road, Elma, NY 14059 •Addition- 3,520 Sq. ft. 741 Conley Road, Elma, NY 14059

Describe all known former uses of the Premises

N/A

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?

Yes

If yes, describe and attach any incident reports and the results of any investigations

There are have been small spills that have occurred near the premises. A description of the spills including spill location, description of the spill and the status of the spill are found in the table below. Supporting documentation by spill number is found in the provided files. • Spill#- 1402646, Location- Oil Storage Building, Spill Date- 06-11-2014, Material Spilled- Diesel fuel; Oil, Description- A Diesel Fuel spill occurred from overfilling snow removal vehicles parked over a gravel surface. Other spots of oil contamination from crushed oil drums in a scrap metal dumpster were also remediated during the same spill clean-up. Spill has been closed by the DEC. • Spill#- 1404602, Location- Plant 3, Spill Date- 07-28-2014, Material Spilled- Mineral oil, Description- A new transformer catastrophically failed resulting in a spill of approximately 10 gallons of Envirotemp FR3 dielectric fluid (mineral oil). Spill has been closed by the DEC. • Spill #-1407084, Location- Plant 2, Spill Date- 10-07-2014, Material Spilled- Oily Mop Water, Description- A wastewater treatment process tank overflowed spilling 10 gallons of oily mop water into the sanitary sewer and to Moog's Sanitary WWTP. Spill has been closed by the DEC. • Spill#- 1506181, Location- Oil Storage Building, Spill Date- 09-16-2015, Material Spilled- Historical Petroleum Staining, Description- During excavation to pave an area that has been gravel covered, historical petroleum staining was discovered in an area where drums where historically (25+ years ago) stored. Since the area will be effectively capped by the asphalt paving, the DEC determined that the spill will have a status of inactive.

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?

Yes

If yes, please state the results of the enforcement action (consent order, penalties, no action, etc.) and describe the circumstances

As Moog constructed buildings and maintained the grounds over the years, a large pile of soil was created on the south side of Plant 11. The pile consisted of soil, tree branches, concrete and brick, leaves, and grass clippings. Since all of these items were mixed together, the site was classified as a Construction and Demolition Debris Landfill and subject to a consent order from the DEC to "close" the soil pile. A closure plan was prepared and approved by the DEC. As of October 19, 2016 the soil pile was closed in accordance with DEC regulations. See the provided file "Final Closure Letter from DEC" 2016. Annual post closure groundwater monitoring continued for the minimum of 5 years. No compounds were detected so groundwater monitoring has been discontinued. See the provided file "Moog Consent Order Closure Letter 3-25-21.pdf". Building 11 is listed on the Registry of Inactive Hazardous Waste Sites. In 1994, an Underground Storage Tank containing used oil leaked and was replaced with the existing double-walled tank. The site has an ID of #915164, however, a consent order was never signed for this remediation. There is a deed restriction in place for a section of the eastern portion of Plant 11 as Part of a Site Management Plan that was developed with oversight by the NYSDEC. Building 11 also has a subslab depressurization system to maintain indoor air quality in the area of the building impacted by the historic VOC contamination. The facility is currently employing natural attenuation in accordance with Quarterly Groundwater monitoring to bring VOC levels in groundwater to the NYSDEC clean-up standard. In lieu of a consent order, Moog entered the brownfield clean-up program when constructing the ACG addition of plants 1A/3A to address historic contamination near Plants 1 and 3. With construction of this building complete, Moog received a NYSDEC Certification of Brownfields Remediation in October 2021. See the provided file "NYSDEC Certification of Brownfields Remediation Oct. 2021.pdf".

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 detailSolid 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

EPA ID# NYD002103166

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

- Waste Type- All Hazardous Waste, Classification- Hazardous, Transporter- Clean Harbors, Buffalo, NY • Waste Type- Select Profiled Non-hazardous wastes, Classification- Non-Hazardous, Transporter- Clean Harbors, Buffalo, NY • Waste Type- Used Oil, Classification- Used Oil, Transporter- NOCO- Tonawanda, NY • Waste Type- Used Batteries, Classification- Universal Waste, Transporter- Fedex Ground in prepaid UN Box • Waste Type- Used Lamps, Classification- Universal Waste, Transporter- Veolia Environmental Solutions, Tonawanda, NY • Waste Type- Solid Waste, Classification- Solid, Transporter- Waste Management- Chaffee, NY • Waste Type- Grinding Sludge & Filters from 3-D printing powdered metals, Classification- Solid, Transporter- Covanta Niagara Falls, NY • Waste Type- Plastic, single stream, Classification- Solid- recycled, Transporter- Waste Management- Chaffee, NY • Waste Type- Construction & Demolition Debris, Classification- Solid- C&D, Transporters- Varecka Disposal- East Aurora, NY & Waste Management- Chaffee, NY • Waste Type- E-Waste, Classification- E-Waste, Transporter- EWASTE+- Victor, NY • Waste Type- Grease, Classification- Solid Waste, Transporter- Darling International Inc- Buffalo, NY • Waste Type- Scrap Metal, Classification- Solid Waste, Transporter- Niagara Metals- Niagara Falls, NY

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

- Waste Type- All Hazardous Waste, Classification- Hazardous, Disposal Facility- Various Clean Harbors facilities in US, depending on waste. See attached file "Jamison Road- Annual Haz Waste Rpt. 2021.pdf" for specific hazardous waste information for 2021. • Waste Type- Select Profiled Non-hazardous wastes, Classification- Non-Hazardous, Disposal Facility- Various Clean Harbors facilities in US, depending on waste • Waste Type- Used Oil, Classification- Used Oil, Disposal Facility- NOCO- NOCO- Tonawanda, NY • Waste Type- Used Batteries, Classification- Universal Waste, Disposal Facility- Retriev Technologies- Lancaster, OH • Waste Type- Used Lamps, Classification Universal Waste, Disposal Facility- Veolia Environmental Solutions, West Bridgewater, MA • Waste Type- Solid Waste, Classification- Solid, Disposal Facility- Waste Management- Waste Management- Chaffee, NY • Waste Type- Grinding Sludge & Filters from 3-D printing powdered metals, Classification- Solid, Disposal Facility- Covanta, Niagara Falls, NY • Waste Type- Plastic, single stream, cardboard Classification- Solid- recycled, Disposal Facility Cascades- Niagara Falls, NY • Waste Type Construction & Demolition Debris, Classification- Solid- C&D, Disposal Facilities- Swift River- Lancaster, NY, & Waste Management- Chaffee, NY • Waste Type- E- Waste, Classification- E-Waste, Disposal Facility- EWASTE+- Victor, NY • Waste Type- Grease, Classification- Solid Waste, Disposal Facility- Darling International Inc- Buffalo, NY • Waste Type- Scrap Metal, Classification- Solid Waste- Recycled, Disposal Facility- Niagara Metals- Niagara Falls, NY

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 storedDischarge 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**

Moog submitted an application for a SPDES permit in 1989. Moog had continued to renew this permit until 2013 when Moog requested the State that an entirely new permit was needed due to operational changes and temperature limits within the current permit that cannot be met. Since only the State can initiate an entirely new permit renewal, Moog was instructed to continue to operate under its expired permit until the State initiated a new permit application. On January 14, 2013 Moog formally requested a new permit and was granted permission to continue to operate under its current permit that expired in 2013. On December 29, 2017 a fully completed SPEDES permit application with supporting data was submitted to the NYSDEC. The NYSDEC reviewed the application and issued Moog a new SPDES permit that became effective 1-1-2019. The permit was modified on 09-01-2020 after Moog completed some required sampling and TDS removals (to remove those conditional requirements that had been satisfied) and expires on 12/31/2023. The current permit is attached as file "SPDES Permit effective 9-1-2020.PDF".

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

The facility has its own wastewater treatment plant (WWTP) for sanitary wastewater treatment. The facility does discharge some industrial wastewater to this plant but only after it has been pre-treated to meet Part 433 of the CWA- Metal Finishing. The facility discharges approximately 35,000 gpd of sanitary wastewater, of which 6,000 gpd is pre-treated industrial wastewater. Noncontact cooling water is generated on a seasonally adjusted basis of 0- 33,000 gpd with zero being winter time (no cooling water discharge needed) and 33,000 gpd being a very hot humid day with a high need for air conditioning. The facility does generate contact cooling water. The facility discharges Stormwater through 7 outfalls identified on the SPDES Permit (identified in question 1 above). There is a septic tank at Building 17 on the Premises. This tank is regularly pumped out but is redundant because the septic tank discharges to the sanitary wastewater treatment plant where it is also treated.

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

Yes

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

The facility has 7 outfalls through which water discharges. Outfalls 001, 002, 003, 006, & 007 discharge to a tributary of Cazenovia Creek, a Class C stream. Outfalls 004 and 005 discharge to a tributary of the Buffalo River, also a Class C waterbody. Outfall 001 is at the outlet of the Moog WWTP. This outfall averages 50,000 gpd of which 35,000 is sanitary the remainder from stormwater. Since Moog's WWTP is open to rainwater the discharge can exceed 100,000 gpd during significant rainfall/snowmelt events. The other outfalls discharge mainly stormwater with a small bit of comfort cooling non-contact cooling water mixed in. Outfall 002 is approximately 91,500 gpd which also includes Outfall 001's discharge. The additional 41,500 gpd is from stormwater, non-contact cooling water and groundwater infiltration. Outfall 003 is approximately 16,600 gpd of stormwater. Outfall 004 is approximately 16,900 gpd of stormwater. Outfall 005 is approximately 105,700 gpd of stormwater and surface water. There is a creek that leads to two ponds one of which whose outlet leads to Outfall 005. Outfall 006 averages 16,100 gpd and is a mixture of groundwater infiltration and stormwater. Outfall 007 is approximately 6,500 gpd of stormwater.

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

Yes

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

Moog Inc.'s Elma, NY facility is a designer and manufacturer of motion control systems. Parts made from various metals, including aluminum, stainless steel, and titanium, are machined and tested on site. Moog has a Title V air permit due to fugitive emissions from assembly benches/test equipment of IPA, solvents, chemicals and test fluids. Moog's Title V air permit contains the following 8 emission units. • Facility-wide stationary combustion sources include emergency generators, boilers, furnaces and engines. • Facility-wide sources of particulate emissions from exhaust or ventilation systems are dust collectors, mist eliminators, and cooling towers. Soldering process operations, which also contribute to particulate emissions, include hand held soldering stations, wave soldering, and selective solder machines. Some process sources of particulate emissions, such as electron beam welding machines, metal cutting and laser engravers, also emit small amounts of hazardous air pollutants (HAPs). • Facility-wide process operations that emit volatile organic compounds (VOCs) include many small sources, such as solvent metal parts cleaners. This emission unit also includes some process sources, such as non-destructive inspection or testing using liquid penetrants, drying/curing of paints, adhesives, coatings, and forming/curing of cables, that emit small amounts of hazardous air pollutants (HAPs). • Moog operates a non-electrolytic metal coating process operation consisting of a chromate conversion plating line that contains chromium, a hazardous air pollutant (HAP). However, under normal operations, only water vapor is emitted from this area. • Painting operations include three (3) paint booths that emit both volatile organic compounds (VOCs) and particulates, and one (1) dip tank that emits methylene chloride, a hazardous air pollutant (HAP). • A natural gas-fueled wastewater evaporator is used to evaporate wash waters, because the facility is not connected to, and has no ability to connect to, a municipal sanitary sewer system (ECSA). Spent aqueous parts washer solutions may contain detergents with small amounts of volatile organic compounds (VOCs) and are also processed in the wastewater evaporator. • Moog has a chemical cleaning process operation which consists of numerous tanks for metal parts that use various strong acids, including hydrochloric acid, to remove surface imperfections such as embedded iron, oxides, heat tint stains, inorganic contaminants, rust or scale. Any hydrochloric acid emissions are defined as a Hazardous Air Pollutant (HAP). For a copy of Moog's Title V permit, see attached file "Title V Permit (1-29-2018).pdf".

Are any of the air emission sources permitted?

Yes

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**

• Tank Type- Underground, Location-Plant 2, Chemical Stored- Used Oil, Tank Size- 2,000 gallons • Tank Type- Underground, Location- Plant 11, Chemical Stored- Used Oil, Tank Size- 1,000 gallons • Tank Type- Aboveground Emergency Generator, Location Plant 3, Chemical Stored- Diesel Fuel, Tank Size- 600 gallons • Tank Type- Aboveground Emergency Generator, Location- Plant 20, Chemical Stored- Diesel Fuel, Tank Size- 600 gallons • Tank Type- Aboveground Emergency Generator, Location- Plant 20, Chemical Stored- Diesel Fuel, Tank Size- 400 gallons • Tank Type- Aboveground Emergency Generator, Location- Plant 11D, Chemical Stored Diesel Fuel, Tank Size- 200 gallons • Tank Type- Aboveground Emergency Generator, Location- Plant 26, Chemical Stored- Diesel Fuel, Tank Size- 875 gallons • Tank Type- Aboveground Emergency Generator, Location- Microwave Tower, Chemical Stored- Diesel Fuel, Tank Size- 80 gallons • Tank Type- Aboveground Emergency Generator, Location- Wastewater Treatment Plant, Chemical Stored- Diesel Fuel, Tank Size- 1400 gallons • Tank Type- Aboveground Emergency Generator, Location- Plant 3A/1A, Chemical Stored- Diesel Fuel, Tank Size- 2020 gallons • Tank Type- Aboveground, Location- Plant 5, Chemical Stored- Liquid Nitrogen, Tank Size- 9,000 gallons • Tank Type- Aboveground, Location- Plant 11, Chemical Stored- Liquid Nitrogen, Tank Size- 1,500 gallons • Tank Type- Aboveground, Location- Plant 15B, Chemical Stored- Liquid Nitrogen, Tank Size- 9,000 gallons • Tank Type- Aboveground, Location- Plant 20, Chemical Stored- Liquid Nitrogen, Tank Size- 9,000 gallons • Tank Type- Aboveground, Location- Plant 11, Chemical Stored- Liquid Argon, Tank Size- 1,500 gallons • Tank Type- Trailer of Cylinders, Location- Plant 20, Chemical Stored Helium, Tank Size- 60,000 cubic feet • Tank Type- Thermo Oxidizer holding tank, Location Inside 2 Aqueous rinse waters, Chemical Stored- oily mop water, Tank Size- 2,000 gallons For a copy of Moog's PBS registration, see attached file "Moog Inc. PBS Certificate 10-20-21.pdf".

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

Yes

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

There was an overflow of the thermo oxidizer holding tank. Oily mop water containing cutting oils was discharged through a lavatory floor drain to Moog's on site waste water treatment plant. A sheen was noted in the pump station to the treatment plant but none at the plant itself. A spill boom was placed in the pump station as a precautionary measure. The spill was reported to the NYSDEC- Spill #1407084. It has been closed out. The spill report is referenced in Section IX {A}{7} of this application.

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?

Yes

If yes, please identify the materials

All known asbestos containing materials on this site have been remediated at the time of discovery. Due to the size and age of the facility, this is approach Moog employs. All renovation jobs are evaluated at that time and if any asbestos is found, it is remediated by an outside contractor and disposed of in accordance with Federal and State regulations.

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 Moog Inc.
Address 7021 Seneca Street, Elma NY 14059
Contact Person Connie Buynacek
Phone (716) 805-2786
Fax
E-Mail cbuynacek@moog.com
Federal ID # 16-0757636
SIC/NAICS Code 336410

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

Seneca & Jamison Rd

City/Town

Elma

State

New York

Zip Code

14059

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.)

In order to meet Moog's business needs and fit the required manufacturing equipment, the facility must be at least 150,000 sq-ft, with 24 foot ceilings. Truck loading docks will also be required for movement of materials between plants on campus. The critical facility requirements include adequate utility availability (primarily gas and electric), floor strength to hold heavy machinery, temperature and humidity control to maintain extremely tight tolerances.

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

<BLANK>

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

Moog is headquartered in Erie County and a high percentage of operations reside on the Elma campus. Moog has additional, undeveloped property on campus suitable for construction of a building that meets its business needs.

If the current facility is to be abandoned, what is going to happen to the current facility that project occupant is located in?

N/A

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.

N/A

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?