



# Policy Committee

March 9, 2023

At 9:00 a.m.

ECIDA Offices

95 Perry Street, 4<sup>th</sup> Floor Conference Room

Buffalo, New York 14203

1. Call Meeting to Order
2. Approval of the January 5, 2023 Policy Committee Meeting Minutes (Pages 2-5)
3. Project Matrix (Page 6)
4. Project Presentation (Staff – Company Q&A)
  - a) Moog, Inc. (Pages 7-42)
5. MWBE Update
6. Adjournment - Next Meeting April 13, 2023 at 9:00 a.m.

**MINUTES OF A MEETING OF THE  
POLICY COMMITTEE OF THE  
ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

- DATE AND PLACE:** January 5, 2023 at the Erie County Industrial Development Agency, 95 Perry Street, 4<sup>th</sup> Floor Conference Room, Buffalo, New York 14203
- PRESENT:** Denise Abbott; Hon. April Baskin; Rev. Mark E. Blue; Zachary Evans; Richard Lipsitz, Jr.; Brenda W. McDuffie; Hon. Glenn R. Nellis; David J. State<sup>1</sup>, and Lavon Stephens
- EXCUSED:** Hon. Bryon W. Brown; Colleen DiPirro; Laura Smith, Hon. John Tobia and Paul Vukelic
- OTHERS PRESENT:** John Cappellino, Chief Executive Officer; Beth O’Keefe, Vice President of Operations; Andy Federick, Business Development Officer; Soma Hawramee, Compliance Portfolio Manager; Brian Krygier, Director of Information Technology; Carrie Hocieniec, Operations Assistant; and Pietra G. Zaffram, General Counsel/Harris Beach PLLC
- GUESTS:** Alex Carducci on behalf of the City of Buffalo; Ryan McCarthy and Fred LaFaso on behalf of 356 Hertel Ave, LLC and Bill Sam on behalf of Commitment 2000, Inc.

There being a quorum present at 9:07 a.m., the Meeting of the Policy Committee was called to order by Mr. Lipsitz.

**MINUTES**

The minutes of the December 8, 2022 Policy Committee meeting were presented. Upon motion made by Mr. Nellis to approve of the minutes, and seconded by Mr. Blue, the aforementioned Policy Committee meeting minutes were unanimously approved.

**PROJECT MATRIX**

Mr. Cappellino reviewed the Agency’s 2022 Tax Incentives Project Matrix. Mr. Lipsitz directed that the report be received and filed.

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<sup>1</sup> Mr. State participated via video conference, and counted for quorum purposes, pursuant Section 103-A of the New York State Public Officer's Law and the Agency’s Videoconferencing Participation Policy.

**PROJECT PRESENTATIONS**

356 Hertel Ave, LLC, 356 Hertel Avenue and 42 Foundry, Buffalo, New York 14207. Ms. O’Keefe presented this proposed sales tax benefit project involving the mixed-use redevelopment of an existing historic complex consisting of 82 apartments (72,000 sq. ft.), 30,000 sq. ft. self-storage facility and 14,000 sq. ft. of retail space.

General discussed ensued.

Ms. O’Keefe confirmed that 356 Hertel Ave, LLC is seeking approximately \$612,500 in assistance including sales tax exemption. Total payroll is projected at \$27,646,012 for the direct and indirect jobs created including 212 construction jobs. The resulting cost benefit is 1:47 so for every \$1 of incentives the community benefit is \$47 in payroll & tax revenue. Erie County: for every \$1 of incentives the community benefit is \$83 in benefits to the community.

Ms. O’Keefe stated that in exchange for providing the sales and use tax, the approval of this project will be conditioned upon adherence to certain material terms and conditions with respect to the potential modification, recapture and/or termination of financial assistance as follows:

**Draft Recapture Material Terms**

Condition	Term	Recapture Provision
Total Investment	At project completion	Investment amount equal to or greater than 85% of project amount. Total Project Amount = \$32,067,800 85% = \$27,257,630
Employment	Coincides with recapture period	Projected = 42 FTE Create 85% of Projected = 35 FTE Recapture Employment = 35 FTE
Local Labor	Construction Period	Adherence to policy including quarterly reporting
Pay Equity	Coincides with recapture period	Adherence to policy
Unpaid Tax	Coincides with recapture period	Adherence to policy
Recapture Period	2 years after project completion	Recapture of state and local sales taxes

Ms. McDuffie moved, and Ms. Abbott seconded to recommend the project as proposed be forwarded to the members of the ECIDA for approval. Mr. Lipsitz called for the vote and the project was then unanimously approved.

Commitment 2000, Inc./Father Sam’s Bakery, 105 Monsignor Valente Drive, Buffalo, New York 14206. Ms. O’Keefe presented this proposed sales tax, mortgage recording tax and

real property tax abatement benefits project involving the construction of an approximately 17,000+/- sq. ft. building addition to add a third production line for bakery manufacturer.

General discussed ensued.

Ms. O’Keefe confirmed that Commitment 2000, Inc. is seeking approximately \$420,215 in assistance including sales tax exemption, mortgage tax exemption and real property tax exemption. Total payroll is projected at \$36,458,323 for the direct and indirect jobs created including 38 construction jobs. The resulting cost benefit is 89:1 so for every \$1 of incentives the community benefit is \$89 in payroll & tax revenue. Erie County: for every \$1 of incentives the community benefit is \$115 in benefits to the community.

Ms. O’Keefe stated that in exchange for providing the sales and use tax, mortgage recording tax exemption and real property tax abatement benefits, the approval of this project will be conditioned upon adherence to certain material terms and conditions with respect to the potential modification, recapture and/or termination of financial assistance as follows:

**Draft Recapture Material Terms**

Condition	Term	Recapture Provision
Total Investment	At project completion	Investment amount equal to or greater than 85% of project amount. Total Project Amount = \$8,623,800 85% = \$7,330,230
Employment	Coincides with 7-year PILOT	Maintain Base = 75 FTE Create 85% of Projected Projected = 11 FTE 85% = 9 FTE Recapture Employment = 84 FTE
Local Labor	Construction Period	Adherence to policy including quarterly reporting
Pay Equity	Coincides with 7-Year PILOT	Adherence to policy
Unpaid Tax	Coincides with 7-Year PILOT	Adherence to policy
Recapture Period	Coincides with 7-Year PILOT	Recapture of state and local sales taxes, mortgage recording tax and real property taxes

Mr. Blue moved, and Ms. McDuffie seconded to recommend the project as proposed be forwarded to the members of the ECIDA for approval. Mr. Lipsitz called for the vote and the project was then unanimously approved.

**MWBE UPDATE**

Mr. Cappellino updated members on the UTEP policy which was updated and forwarded to Erie County for review. We are targeting March or April to present to the Board.

There being no further business to discuss, Mr. Lipsitz adjourned the meeting at 9:40 a.m.

Dated: January 5, 2023

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Elizabeth A. O'Keefe, Secretary

### Tax Incentives Approved - 2023

Approval Date	Project Name	Project City/Town	Private Investment/Project Amount	Minimum Investment Commitment	FT Jobs Retained	PT Jobs Retained	FT Jobs to be Created	PT Jobs to be Created	Job Creation	Const Jobs	Spillover Jobs	Length of Term	Incentive Amount	Cost Benefit Ratio
Feb-23	356 Hertel Ave, LLC <sup>1</sup>	Buffalo	\$32,067,800	85% threshold \$27,257,630	0	0	42	0	85% -New 35 Jobs	212	150	project completion date + 2 yrs	\$612,500	1:47
Feb-23	Commitment 2000	Buffalo	\$8,623,800	85% threshold \$7330,230	74	2	10	2	85% -New 35 Jobs	38	38	Period of PILOT 7 Years	\$420,215	1.89

Totals:	Totals:	Private Investment/Project Amount	FT Jobs Retained	PT Jobs Retained	FT Jobs Created	PT Jobs Created	Const Jobs	Spillover Jobs	Incentive Amount
Adaptive Reuse Subtotal	1	\$32,067,800	0	0	42	0	212	150	\$612,500
2022 Total	2	\$40,691,600	74	2	52	2	250	188	\$1,032,715

<sup>1</sup> Adaptive Reuse

**MOOG**  
**\$ 76,750,800**  
**PRIVATE INVESTMENT INDUCEMENT RESOLUTION**

**ELIGIBILITY**

- NAICS Section – 336410

**COMPANY INCENTIVES**

- Approximately \$ 900,920 in real property tax savings
- Approximately \$ 2,000,000 in sales tax savings

**JOBS & ANNUAL PAYROLL**

- Current Jobs: 180 FT
- Annual Payroll: \$ 164,075,000
- Est. salary/yr. of jobs retained: \$114,000
- Total jobs after project completion: 180 FT
- Construction Jobs: 335

**PROJECTED COMMUNITY BENEFITS\***

- Term: 10 YEARS
- NET Community Benefits: \$298,359,562
- Spillover Jobs: 320
- Total Payroll: \$ 279,096,922

**INCENTIVE COST / COMMUNITY BENEFIT RATIO (discounted at 2%)\***

Incentives: \$2,814,160  
 Community Benefit: \$272,711,112  
 Cost: Benefit Ratio  
 • 1:97

Project Title: Advanced Integrated Manufacturing (AIM) Center

Project Address: 400 Jamison Rd. Elma, NY 14059  
 (Iroquois Central #1 School District)

**Agency Request**

A sales tax and real property tax abatement in connection with the construction & equipping of a 150,000 sq ft manufacturing facility.

New Building Construction	\$ 34,300,000
Infrastructure	\$ 5,000,000
Manufacturing Equipment	\$ 34,000,000
Non- Manufacturing Equipment	\$ 700,000
Soft Costs/Other	\$ 2,750,000
 Total Project Cost	 \$76,750,000
 85%	 \$ 65,237,500

**Company Description**

Moog 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% is not applicable for Moog A shares. Moog B shares 20% ownership is as follows: Moog Inc. Retirement Savings Plan – 41.2 % of B shares, Moog Inc Employees Retirement Plan 23.5% of B shares.

**Project Description**

The Advanced Integrated Manufacturing (AIM) Center Phase 1 project would provide a new 150,000 sq ft standalone building to expand the Elma campus manufacturing footprint. The new facility will be dedicated to machining capabilities in support of Moog's current Aircraft Group – primarily military aerospace content. This project includes a significant investment in new manufacturing equipment that will help improve the Aircraft Group's operational performance by reducing lead times and improving product quality.

This application is the first of 3 potential phases of construction. Each additional phase is expected to add another 150,000 sq ft of production space to the campus. It is also anticipated that phases 2 & 3 would result in new jobs being created. Phase 1 has an estimated completion date of YE 2025 – no firm completion dates have been established for the 2<sup>nd</sup> and 3<sup>rd</sup> phases of this project.

\* Cost Benefit Analysis Tool powered by MRB Group

## Economic Impact: Inform Analytics Cost-Benefit Analysis

The Erie County Industrial Development Agency uses the Cost Benefit Analysis Tool powered by MRB Group to assess the economic impact of a project applying for incentives. A Cost-Benefit Analysis is required by Section 859-a (5)(b) of General Municipal Law. For the complete Cost Benefit Analysis – please see the attached MRB Cost Benefit Calculator.

### Cost: Incentives

COSTS	Tax Exemption	Amount
	Property	900,920
	Sales	2,000,000
	Mortgage Recording	0
	Total	2,900,920
	Discounted at 2%	\$2,814,160

### Benefit: Projected Community Benefit\*

BENEFITS	Region	Recipient	Revenue Type	\$ Amount **
	Erie County	Individuals	Payroll Construction	\$49,251,072
			Payroll Permanent	\$229,845,850
		Public	Property Taxes	\$2,429,608
			Sales Taxes	\$2,319,994
			Other Muni Revenue (NFTA)	\$0
	New York State	Public	Income Taxes	\$12,559,361
			Sales Taxes	\$1,953,679
			Total Benefits to EC + NYS***	\$298,359,562
			Discounted at 2%	\$272,711,112

\* Cost Benefit Analysis Tool powered by MRB Group \*\*includes direct & indirect \$ over project period \*\*\*may not sum to total due to rounding

Discounted Cost           \$ 2,814,160  
 Discounted Benefit       \$272,711,112  
 Ratio                        1:97

**Conclusion:** The Cost Benefit for this project is: 97:1. For every \$1 in costs (incentives), this project provides \$97 in benefits (payroll & tax revenue). **Note: For Erie County, every \$1 in costs (incentives) provides \$137 in benefits to the community.**

### New Tax Revenue Estimated

Current Yearly Taxes	Estimated Increase in Assessed Value	Additional County Revenue over abatement period	Additional Local Revenue Over abatement period	Additional School Revenue Over abatement period	New Yearly Taxes Upon Expiration of Abatement Period
\$309,685	\$216,000	\$ 52,846	\$ 2,544	\$ 169,840	\$ 422,300
Combined Tax Rate: \$ 521.37					



## Draft Recapture Material Terms

Condition	Term	Recapture Provision
Total Investment	At project completion	Investment amount equal to or greater than 85% of project amount. Total project amount = \$76,750,000 85% = \$ 65,237,500
Employment	Coincides with 10-year PILOT	Maintain Base = 180 FT Projected (new/created) = 0 FTE Recapture Employment = 180 FTE
Local Labor	Construction period	Adherence to policy including quarterly reporting
Pay Equity	Coincides with 10-year PILOT	Adherence to Policy
Unpaid Tax	Coincides with 10-year PILOT	Adherence to Policy
<u>Recapture Period</u>	Coincides with 10-year PILOT	Recapture of Real Property Tax, Mortgage recording tax, state and local sales taxes

Recapture applies to:

State and Local Sales Taxes  
Real Property Tax

### Recapture

Pursuant to New York State General Municipal Law, the agency shall modify, recover, recapture or terminate any financial assistance taken by the company that is in violation of the GML.

At completion of the project company must certify i) total investment amount is equal to or greater than 85% of the anticipated project amount; ii) company has maintained 180FTE jobs, iii) confirm adherence to local labor policy during construction and iv) its adherence to unpaid tax/pay equity policies for recapture term.

### Project ECIDA History

- 2/7/23: Public hearing held.
- 3/22/23: Inducement Resolution presented to Board of Directors adopting a Negative Declaration in accordance with SEQRA
- 3/22/23: Lease/Leaseback Inducement Resolution presented to the Board of Directors

### Company ECIDA History

ECIDA history with Moog dates back to 1973. The following are active ECIDA projects:

- 03/22/17: Tax incentives for \$ 44.3 M, 95,000 sq ft expansion of Aircraft Division operations
- 08/15/11: Tax incentives for \$17.1 M, 65,000 sq ft new construction - Corporate HQ
- 04/14/08: Tax incentives for \$ 12.5M, 44,500 sq ft expansion of Plant 11
- 8/13/07: Tax incentives for \$6.7 M, 25,400 sq ft expansion of Plant 20
- 2/13/06: Tax incentives for \$ 12.9 M, 17,000 sq ft expansion of Plant 6A and 2C

**EVALUATIVE CRITERIA  
MANUFACTURING/WAREHOUSE/DISTRIBUTION**

**Project: Moog**

Wage Rate (above median wage for area)	The average salary for the 180 retained jobs = \$114,000.
Regional Wealth Creation (% sales/customers outside area)	100% of company sales are outside Erie County. 98% are outside of NYS.
In Region Purchases (% of overall purchases)	11% of overall purchases are from Erie County based businesses.
Research & Development Activities	N/A
Investment in Energy Efficiency	N/A
Locational Land Use Factors, Brownfields or Locally Designated Development Areas	N/A
LEED/Renewable Resources	Company is pursuing standard LEED certification for this project.
Retention/Flight Risk	Moog continues to make investments locally. Moog has performed site selection investigations and would/has considered placing this manufacturing facility in other metro areas including: Atlanta, GA, Charlotte/Kinston, NC, Greenville / Charleston, SC. 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 NYS.
MBE/WBE Utilization	Moog has hired Buffalo Construction Consultants - see attached Policy regarding commitment to diversity.
Workforce Access – Proximity to Public Transportation	No nearby public transportation

**DATE OF INDUCEMENT: 3/22/23**

# Erie County Industrial Development Agency MRB Cost Benefit Calculator



Date: February 13, 2023  
 Project Title: Moog - Advanced Integrated Manufacturing (AIM) Center  
 Project Location: 400 Jamison Rd, Elma, NY 14059

## Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

Project Total Investment

\$76,750,000

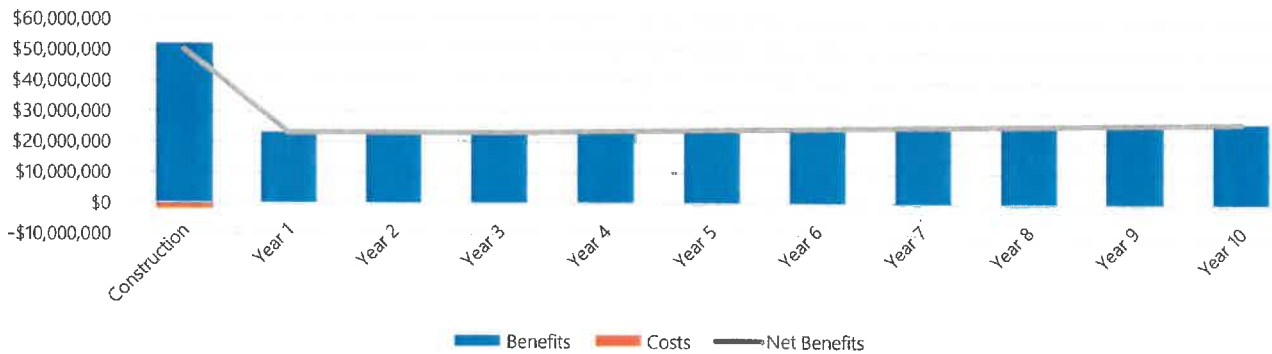
		Temporary (Construction)		
		Direct	Indirect	Total
Jobs		335	305	641
Earnings		\$31,738,947	\$17,512,125	\$49,251,072
Local Spend		\$76,750,000	\$54,338,715	\$131,088,715

		Ongoing (Operations)		
		Direct	Indirect	Total
Jobs		180	15	195
Earnings		\$217,162,525	\$12,683,325	\$229,845,850

Figure 1

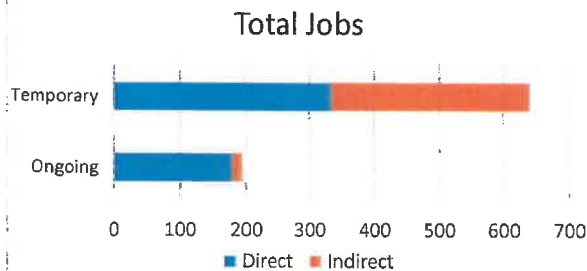
Net Benefits



Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2

Figure 3



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Ongoing earnings are all earnings over the life of the PILOT.

# Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

## Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$900,916	\$814,160
Sales Tax Exemption	\$2,000,000	\$2,000,000
Local Sales Tax Exemption	\$1,085,714	\$1,085,714
State Sales Tax Exemption	\$914,286	\$914,286
Mortgage Recording Tax Exemption	\$0	\$0
Local Mortgage Recording Tax Exemption	\$0	\$0
State Mortgage Recording Tax Exemption	\$0	\$0
<b>Total Costs</b>	<b>\$2,900,916</b>	<b>\$2,814,160</b>

## State and Local Benefits

	Nominal Value	Discounted Value*
<b>Local Benefits</b>	<b>\$283,846,523</b>	<b>\$259,443,564</b>
To Private Individuals	<u>\$279,096,922</u>	<u>\$255,145,158</u>
Temporary Payroll	\$49,251,072	\$49,251,072
Ongoing Payroll	\$229,845,850	\$205,894,086
Other Payments to Private Individuals	\$0	\$0
To the Public	<u>\$4,749,601</u>	<u>\$4,298,405</u>
Increase in Property Tax Revenue	\$2,429,608	\$2,177,511
Temporary Jobs - Sales Tax Revenue	\$409,400	\$409,400
Ongoing Jobs - Sales Tax Revenue	\$1,910,594	\$1,711,495
Other Local Municipal Revenue	\$0	\$0
<b>State Benefits</b>	<b>\$14,513,040</b>	<b>\$13,267,548</b>
To the Public	<u>\$14,513,040</u>	<u>\$13,267,548</u>
Temporary Income Tax Revenue	\$2,216,298	\$2,216,298
Ongoing Income Tax Revenue	\$10,343,063	\$9,265,234
Temporary Jobs - Sales Tax Revenue	\$344,758	\$344,758
Ongoing Jobs - Sales Tax Revenue	\$1,608,921	\$1,441,259
<b>Total Benefits to State &amp; Region</b>	<b>\$298,359,562</b>	<b>\$272,711,112</b>

## Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$259,443,564	\$1,899,875	137:1
State	\$13,267,548	\$914,286	15:1
<b>Grand Total</b>	<b>\$272,711,112</b>	<b>\$2,814,160</b>	<b>97:1</b>

\*Discounted at 2%

## Additional Comments from IDA

Does the IDA believe that the project can be accomplished in a timely fashion? Yes

# MBE/WBE Utilization



ECIDA encourages applicants to utilize MBE/WBE contractors for their projects. Here are links to the NYS and combined Erie County / City of Buffalo – certified MWBE contractors that can assist you with your utilization goals:

<https://ny.newnycontracts.com/>

<https://www3.erie.gov/eo/mbe-wbe-resource-list>

Describe your company's internal practices that promote MBE/WBE hiring and utilization:

Moog has hired Buffalo Construction Consultants (BCC) as the Design-Builder for this project. BCC's MBE/WBE practices can be found on the following page.

# Buffalo Construction Consultants, Inc.

## Firm Overview

Over the past 20 years, the executives at Buffalo Construction Consultants, Inc. (BCC) have collectively completed a multitude of complex projects valued at over \$4 billion across Western New York. Our mix of current clients is diverse, including public agencies, private corporations, and non-profit organizations. Current projects include work for the State University Construction Fund, Dormitory Authority of the State of New York, K-12 public schools, local higher education institutions, fortune 500 companies and 501c3 non-profit organizations.

## Commitment to Diversity

BCC supports the need to create healthy community involvement in the development and construction of our projects, which includes providing opportunities for minority and women owned businesses. We're proud of our record in achieving diversity on our projects and we are committed to continuing that success on behalf of each one of our clients.

## Recent Success

Our team has had tremendous success over the last several decades meeting and exceeding program and project diversity goals, including some of the most successful programs in NYS history, such as, the Buffalo Public School Reconstruction Program and the Erie County Medical Center Master Plan Implementation. An example of our recent success exceeding project diversity goals is the work BCC has done as part of the Rochester Schools Modernization Program, where in Phase 3, BCC met or exceeded MWBE goals on four large capital projects. In addition, BCC provided business mentoring to MWBE firms as part of the RSMP mentor protégé program. Our mentoring approach includes a comprehensive overview of business management, cost estimating, marketing and other areas of administrative and process improvement and implementation.

## Firm Policy

Our track record of promoting diversity on each of our projects speaks for itself, including on projects where there are limited opportunities or participation is not a requirement. We understand the importance and value to diverse project teams on our construction projects and we embrace the values that come with providing meaningful opportunities for M/WBE firms.

## MWBE Business Enterprise + Workforce Engagement

We apply a proven strategy for ensuring diversity on our projects. The strategy involves outreach and assistance efforts that take place during the design and preconstruction phases. Below are several specific steps taken to ensure we maximize the participation of MWBE firms:

- Include diversity plan and reporting requirements in front end contract documents so those bidding the work fully understand project diversity expectations
- Discuss diversity during pre-bid meetings
- Aid contractors in identifying qualified MBE and WBE subcontractors, through our extensive network
- Monitor contractors past success with meeting M/WBE workforce participation
- Monitor monthly progress towards workforce goals
- Provide written and verbal notification to contractors not achieving set goals



## Moog Inc.

# Diversity, Equity and Inclusion

Moog aspires to be diverse, equitable, and inclusive, where employees are empowered to bring their whole, authentic selves to work every day. We believe being diverse, equitable and inclusive is better for all of our employees, customers and shareholders. We are continuously striving to ensure the diversity of our organization more fully represents the diversity of the communities in which we operate.

We have taken deliberate steps to create a diverse, equitable and inclusive work environment for all. We have sought to achieve this through awareness, education, talent acquisition, retention and development practices. In fiscal 2021, the Company created a Diversity, Equity, and Inclusion ("DE&I") function as a commitment to progress our journey of creating a more respectful, diverse, equitable and inclusive environment. To help achieve our goals in DE&I, as well as in CSER, the Company created the role of Program Manager, Diversity Equity and Inclusion to create, implement and monitor key programs. Part of our DE&I initiative has included creating employee resource groups to support employees of color, women and gender equality. These Company-sponsored, employee-led groups are open to all employees and are designed to support professional development; develop programs that lead to broader understanding; represent the Company in our community; and help us attract and hire qualified, diverse talent

During 2022, we continued to make progress toward our DE&I strategy. In support of this strategy, we:

- Grew our DE&I curriculum to continue to help our employees understand the value of inclusivity, the very different experiences people have, and the role we all must play in creating an inclusive and welcoming environment at Moog.
- Honored employees from different backgrounds and helped increase understanding through a variety of monthly celebrations, including, but not limited, to Black History Month, International Women's Day, and Pride Month.
- Expanded our pilot of Employee Resource Groups ("ERGs") to include Veterans and LGBTQ+. We currently have five ERG chapters focused on Employees of Color, Women (2 chapters), Veterans and LGBTQ+.

## PUBLIC HEARING SCRIPT

**Moog Inc. and/or Individual(s) or  
Affiliate(s), Subsidiary(ies), or Entity(ies)  
formed or to be formed on its behalf  
Project**

Public Hearing to be held on February 7, 2023 at 10:00 a.m.,  
at the Town of Elma, located at Town Hall, Courtroom, 1600 Bowen Road, Elma, NY 14059

### **ATTENDANCE:**

Connie Buynacek – Moog, Inc.  
Matthew Bradley - Moog, Inc.  
Shelly Ferullo - East Aurora/Elma Advertiser  
Jomo Akono – Local 276 Carpenters  
Brian Schrems – SCC Cont. Co  
Marc Smith – UCC  
Nick Hamp – UCC  
John Harris CIA  
Carl H – Heritage Contract Flooring  
Katie Anderson – Business First  
Charles Young, Jr. – Local 276 Carpenters  
Raymond Murphy FFAE Architects, P.C.

### **☒ 1. WELCOME: Call to Order and Identity of Hearing Officer.**

*Hearing Officer:* Welcome. This public hearing is now open; it is 10: a.m. My name is Andy Federick. I am the Business Development of the Erie County Industrial Development Agency, and I have been designated by the Agency to be the hearing officer to conduct this public hearing. This public hearing is being live-streamed and made accessible on the Agency's website at [www.ecidany.com](http://www.ecidany.com).

### **☒ 2. PURPOSE: Purpose of the Hearing.**

*Hearing Officer:* We are here to hold the public hearing on the Moog expansion project and/or Individual(s) or Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf project. The transcript of this hearing will be reviewed and considered by the Agency in determination of this project. Notice of this hearing appeared in The Buffalo News on Thursday, January 26, 2023.



**☒ 3. PROJECT SUMMARY: Description of Project and Contemplated Agency Benefits.**

*Hearing Officer:* The proposed project (the "Project") consists 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 Facility will be initially operated and/or managed by the Company.

The proposed financial assistance contemplated by the Agency includes New York State and local sales and use tax exemption benefits and real property tax abatement benefits (in compliance with Agency's uniform tax exemption policy).

**☒ 4. FORMAT OF HEARING: Review rules and manner in which the hearing will proceed.**

*Hearing Officer:* All those in attendance are required to register by signing the sign-in sheet at the front of the room; you will not be permitted to speak unless you have registered. Everyone who has registered will be given an opportunity to make statements and/or comments on the Project.

If you have a written statement or comment to submit for the record, you may leave it at this public hearing, submit it on the Agency's website or deliver it to the Agency at 95 Perry Street, Suite 403, Buffalo, New York 14203. The comment period closes on February 21, 2023. There are no limitations on written statements or comments.

**☒ 5. PUBLIC COMMENT: Hearing Officer gives the Public an opportunity to speak.**

*Hearing Officer:* If anyone is interested in making a statement or comment, please raise your hand, state your name and address; if you are representing a company, please identify the company. I request that speakers keep statements and/or comments to 5 minutes, and if possible, 3 minutes.

**The Hearing Officer calls on those who raise their hand.**

Good morning. My name is Matt Bradley, I am the program manager for our Advanced Integrated Manufacturing, or AIM Initiative, representing Moog Aircraft Group. With me is Connie Buynacek, our VP of Advanced Manufacturing Engineering, and the executive sponsor

of this project. On behalf of Moog, we would like to thank the ECIDA and the town of Elma for hosting us today.

First, we would like to celebrate the fact that this application continues a collaboration between the ECIDA and Moog that spans 50 years and we are proud that we have been able to call Elma home for over 70 years. Moog would like to sincerely thank Erie County and the Town of Elma for their continued support. As stated earlier, the 150,000 square foot AIM Center building represents a significant expansion of Moog's footprint on our Elma campus and represents the first of three possible phases of Aircraft Group expansion. As noted in the application, the total cost of the AIM Center Phase 1 Project is estimated between \$70-\$80M with the building estimated at \$39M of the total. Aircraft Group is planning major investments in new machining technology in the AIM center building, provides the space required to install and integrate approximately 200 high-precision machines, many of which are replacing aging machines in our existing machine shop. The AIM center provides the required space to install and integrate these new machining systems while still maintaining production and minimizing impact to customer deliveries during the transition period. Upon completion of the building and over the course of a year and a half, we plan to transition our machine shop operations from the current plant 2 space into the AIM center. This would free up plant 2 to be refurbished and used for future growth of our Business. The plant 2 refurbishment project will likely occur in 2026 and is not part of this application.

While phase 1 of the project is not expected to create additional full-time jobs at our Elma campus, it is a necessary first step in a multi-year investment to allow Aircraft Group to continue to grow in Western New York. Currently, Moog estimates that phase 2 could commence in 2027 or 2028, and that phase 3 could be in the 2030 timeframe. Both additional phases are anticipated to be similar in size to phase 1 and is expected to support job growth on campus. The AIM initiative is designed to increase Moog Aircraft Group's competitiveness in the market by simplifying, shortening, and improving our manufacturing processes through the adoption of new and innovative manufacturing technologies. This is expected to reduce cost, improve quality, and reduce lead times of our products-and continue to differentiate Moog from its competitors. The IDA incentives further the AIM business case and will help contain project costs that have seen some significant escalations over the last year. Furthermore, the PILOT program and the associated recurring savings provide welcome relief and help make Erie County and the Town of Elma a friendly place to do business. Again, Moog would like to thank the ECIDA and Town of Elma for this opportunity and are excited to continue working together to grow in Western New York.

Jomo Akono – Erie County resident, also a member of local 276 carpenters. I have some representatives, local residents as well as local carpenters, local taxpayers and voters. First of all, good morning and thank you. We are actually excited to hear about the Moog project. We

definitely believe in regional and local development. One of the areas that we are speaking of concern is applying for tax credits and also with local labor. We want to make sure that we definitely support the project. We want to make sure that local labor just as you are utilizing your opportunities to increase and have good opportunities for the company and for the growth that's the same thing, we are looking for with our local labor force here. Many of our members are residents of the townships neighboring we have a large amount of our members. With the continued growth & development, we would also ask that you consider utilizing companies that have registered apprenticeships so we can actually train some of the cost savings in construction just making sure that we have qualified apprentices on projects which cut down the labor costs, but it also ensures that we have a quality workforce in the future. So hopefully if you get two more facilities built we would love to be participating in that. Those things are very important to us as we said local taxpayers, local residents we would want to support a project that is inclusive of that. So, I would hope that If that type of agreement/type of understanding we can talk with the local residents in particular. One keeping the area standards of our professional carpenters at stake and at mind and also reinvesting so that community workers also benefit. This first phase we know if not going to have a large increase of workers space but there will be workers hopefully local who will be working on building the project and we want to keep investing local especially with our local tax dollars. We would be in support of the project we just want to ensure that it has that local sensibility especially because it's our local tax money. Our members are working hard and love to see the development in the community. We probably have family members who are working on some of them. Those are the things that we would ask that are considered and will leave information for us to connect afterwards.

**6. ADJOURNMENT:**

As there were no further statements and/or comments, I am closing the public hearing at 10:11 a.m.

**SIGN IN SHEET  
PUBLIC HEARING**

February 7, 2023 at 10:00 a.m.,  
at the Town of Elma, located at Town Hall, Courtroom, 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**

Project Location: Seneca at Jamison Road, Town of Elma, Erie County, New York

Name	Company and/or Address	X box to speak/ comment
Connie Buynacek	Moog, Inc. 400 Jamison Road Elma, New York 124059	
Matthew Bradley	Moog, Inc. 400 Jamison Road Elma, New York 124059	X
Shelly Ferullo	East Aurora/Elma Advertiser 716 Main Street East Aurora, New York 14052	
Jomo Akono	Local 276 Carpenters	X
Brian Schrems	SCC Cont. Co	
Marc Smith	UCC	
Nick Hamp	UCC	
John Harris	CIA	
Carl H	Heritage Contract Flooring	
Katie Anderson	Buffalo Business First 465 Main Street Buffalo, New York 14203	
Charles Young, Jr.	Local 276 Carpenters	
Raymond Murphy	FFAE Architects, PC	



**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

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

<b>Estimated % of sales within Erie County</b>	0 %
<b>Estimated % of sales outside Erie County but within New York State</b>	2 %
<b>Estimated % of sales outside New York State but within the U.S.</b>	81 %
<b>Estimated % of sales outside the U.S.</b>	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:

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

	<b>Current # of jobs at proposed project location or to be relocated at project location</b>	<b>If financial assistance is granted – project the number of FT and PT jobs to be retained</b>	<b>If financial assistance is granted – project the number of FT and PT jobs to be created upon 24 months (2 years) after Project completion</b>	<b>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 **</b>
<b>Full time</b>	180	180	0	0
<b>Part time</b>	0	0	0	0
<b>Total</b>	180	180	0	

Salary and Fringe Benefits for Jobs to be Retained and Created

<b>Category of Jobs to be Retained and/or Created</b>	<b># of Employees Retained and/or Created</b>	<b>Average Salary for Full Time</b>	<b>Average Fringe Benefits for Full Time</b>	<b>Average Salary for Part Time (if applicable)</b>	<b>Average Fringe Benefits for Part Time (if applicable)</b>
<b>Management</b>	15	\$ 170,000	\$ 33,000	\$ 0	\$ 0
<b>Professional</b>	65	\$ 105,000	\$ 33,000	\$ 0	\$ 0
<b>Administrative</b>	0	\$ 0	\$ 0	\$ 0	\$ 0
<b>Production</b>	100	\$ 67,000	\$ 33,000	\$ 0	\$ 0
<b>Independent Contractor</b>	0	\$ 0	\$ 0	\$ 0	\$ 0
<b>Other</b>	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):

<b>Address</b>	<b>Remaining Elma campus Seneca &amp; Jamison Roads Elma, NY 14059</b>	<b>31 Ellicott Rd West Falls, NY 14170</b>	
<b>Full time</b>	3,277	31	0
<b>Part time</b>	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 were 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 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**

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 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**

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?**