

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

**DATE AND PLACE:** July 10, 2025 at the Erie County Industrial Development Agency, 95 Perry Street, 4th Floor Conference Room, Buffalo, New York 14203

**PRESENT:** Denise Abbott, A.J. Baynes, Rev. Mark E. Blue, Zaque Evans, Gregory R. Inglut, Dr. Susan McCartney, Brenda W. McDuffie, Glenn R. Nellis, Hon. Brian Nowak, Peter Petrella, Laura Smith and David State

**EXCUSED:** Hon. Christopher Scanlon and Lavon Stephens

**OTHERS PRESENT:** John Cappellino, President & CEO; Mollie Profic, Chief Financial Officer; Beth O'Keefe, Vice President of Operations; Grant Lesswing, Director of Business Development; Andrew Federick, Director of Property Development; Brian Krygier, Director of Information Technology; Carrie Hocieniec, Operations Assistant/ Assistant Secretary; Soma Hawramee, Compliance Portfolio Manager and Robert G. Murray, Esq., as General Counsel/Harris Beach Murtha

**GUESTS:** Yessica Vasquez on behalf of the City of Buffalo; Chuck Wilson on behalf of Upstate Niagara Cooperative; Timothy Nichols on behalf of Great Lakes Pressed Steel; Jeff McGiveron and Don Heins on behalf of Lactalis American Group

There being a quorum present at 9:05 a.m., the Meeting of the Policy Committee was called to order by Chair Abbott.

**MINUTES**

The minutes of the June 5, 2025 Policy Committee meeting were presented. Upon motion made by Mr. Evans to approve of the minutes, and seconded by Dr. McCartney, the Policy Committee meeting minutes were unanimously approved.

**PROJECT MATRIX**

Mr. Cappellino presented the project matrix to the Committee. Ms. Abbott directed that the report be received and filed.

## PROJECT PRESENTATION

At this point in time Ms. McDuffie and Rev. Blue joined the meeting.

Lactalis American Group, Inc., 2375 South Park Avenue, Buffalo, New York 14220. Ms. O’Keefe presented this proposed amendment to the sales and use tax benefits project involving the company’s request for an increase in sales tax benefits due to a rise in material costs and additional/unanticipated costs.

Ms. O’Keefe confirmed that Lactalis American Group, Inc. is seeking up to \$2,158,618 in sales tax exemption assistance. Total payroll is projected at \$376,686,259 which includes the direct and indirect jobs for both the temporary and ongoing positions over the life of the PILOT. Created jobs include 242 construction jobs. The resulting cost benefit is 1:179 so for every \$1 of incentive the community benefit is \$179 in payroll & tax revenue. Within Erie County, for every \$1 of incentive the community benefit is \$313 in benefits to the community.

Ms. O’Keefe stated that in exchange for providing the sales and use tax benefit, 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 = \$62,014,038 85% = \$52,711,932
Employment	2 years after project completion	Maintain Base = 400 FTE Create 85% of Projected Projected = 27 FTE 85% = 22 FTE Recapture Employment = 422 FTE
Local Labor	Construction Period	Adherence to policy including quarterly reporting
Pay Equity	2 years after project completion	Adherence to policy
Unpaid Tax	2 years after project completion	Adherence to policy
Recapture Period	2 years after project completion	Recapture of state and local sales taxes

General discussion ensued.

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

Upstate Niagara Cooperative, Inc., North America Drive, West Seneca, New York 14224. Ms. O’Keefe presented this proposed amendment to the sales and use tax and real property tax abatement benefit involving the company’s request for an increase in sales tax benefits and real property tax abatement as well as adding mortgage recording tax benefit to the project due to a rise in material costs and additional/unanticipated costs.

Ms. O’Keefe confirmed that Upstate Niagara Cooperative, Inc. is seeking up to \$6,125,000 in sales tax exemption assistance, up to \$3,997,610 in real property tax abatement and up to \$1,890,000 in mortgage recording tax benefits. Total payroll is projected at \$872,667,762 which includes the direct and indirect jobs for both the temporary and ongoing positions over the life of the PILOT. Created jobs include 994 construction jobs. The resulting cost benefit is 73:1 so for every \$1 of incentive the community benefit is \$73 in payroll & tax revenue. Within Erie County, for every \$1 of incentive the community benefit is \$106 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 = \$255,000,000 85% = \$216,750,000
Employment	Coincides with 10-year PILOT	Maintain Base = 240 FTE Create 85% of Projected Projected = 130 FTE 85% = 110 FTE Recapture Employment = 350 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
Recapture Period	Coincides with 10-year PILOT	Recapture of state and local sales taxes, mortgage recording tax and real property tax

General discussion ensued.

Mr. Inglut moved and Mr. Petrella seconded to recommend the project as proposed be forwarded to the members of the ECIDA Board for approval. Ms. Abbott called for the vote and the motion was then unanimously approved.

Great Lakes Pressed Steel Corporation, 1382 Niagara Street, Buffalo, New York 14213. Ms. O'Keefe presented this proposed sales and use tax, mortgage recording tax and real property tax abatement benefits project involving the construction of a 13,000 SF building next to the current facility which will allow an increase in manufacturing capabilities, installing a new laser and shears press breaks and punch presses.

Ms. O'Keefe confirmed that Great Lakes Pressed Steel Corporation is seeking approximately \$224,938 in assistance including sales tax exemption, mortgage tax exemption and real property tax exemption. Total payroll is projected at \$17,730,825 which includes the direct and indirect jobs for both the temporary and ongoing positions over the life of the PILOT. Created jobs include 9 construction jobs. The resulting cost benefit is 79:1 so for every \$1 of incentives the community benefit is \$79 in payroll & tax revenue. Erie County, for every \$1 of incentives the community benefit is \$105 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 = \$2,555,500 85% = \$2,172,175
Employment	Coincides with 10-year PILOT	Maintain Base = 15 FTE Create 85% of Projected Projected = 2 FTE 85% = 1 FTE Recapture Employment = 16 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
Recapture Period	Coincides with 10-year PILOT	Recapture of state and local sales taxes, mortgage recording tax and real property tax

General discussion ensued.

Ms. Smith moved and Mr. Nellis seconded to recommend the project as proposed be forwarded to the members of the ECIDA Board for approval. Ms. Abbott called for the vote and the motion was then unanimously approved.

## MANAGEMENT TEAM REPORT

Mr. Cappellino updated members on general deal flow volume and with respect to some general issues including housing, office space and data center projects that the Policy Committee may want to consider.

There being no further business to discuss, Ms. Abbott adjourned the meeting at 9:45 a.m.

Dated: July 10, 2025

  
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Elizabeth A. O'Keefe, Secretary