

NOTICE OF PUBLIC HEARING

Pursuant to Article 18-A of NYS General Municipal Law, the Erie County Industrial Development Agency (the "Agency") will hold a public hearing on October 10, 2019 at 10:00 a.m. at the Town of Elma Town Hall located at 1600 Bowen Road (Court Room), Elma, New York 14059 regarding:

Moog Inc., and/or Individual(s) or Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf (the "Company"), has submitted an amended application to the Agency (a copy of which is on file at the office of the Agency) requesting the Agency to undertake a certain project (the "Project") consisting of: (i) a leasehold interest in parcels of land located at 400 Jamison Road, Town of Elma, Erie County, New York (the "Land") to be improved thereon with additions to Plants 1 and 3 totaling 95,000+/- SF (the "Improvements") to be utilized for manufacturing/processing, research & development and office space, and (ii) the leasing, acquisition and installation by the Company of certain items of machinery, equipment and other tangible personal property (the "Equipment", and collectively with the Land and the Improvements, the "Facility").

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

A representative of the Agency will be present at the above-stated time and place to present a copy of the Application and hear and accept written and oral comments from all persons with views in favor of or opposed to the proposed financial assistance. Written comments may be submitted at this public hearing or delivered to the Agency at 95 Perry Street-Suite 403, Buffalo, New York 14203 until the comment period closes on October 22, 2019. The project application is available for public inspection at the Agency's offices Monday through Friday (excluding public holidays) from 9:00 a.m. until 4:00 p.m.

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

Erie County Industrial Development Agency

**Moog A&T Addition Plants 1 and 3****Section I: Applicant Background Information**Applicant Information - Company Receiving Benefit

Project Name	Moog A&T Addition - Plants 1 and 3 - AMENDED
Applicant Name	Moog Inc
Applicant Address	400 Jamison Rd
Applicant Address 2	
Applicant City	East Aurora
Applicant State	New York
Applicant Zip	14052
Phone	716-687-7487
Fax	716-652-0176
E-mail	hchudzik@moog.com
Website	www.moog.com
Federal ID#	16-0757636
NAICS Code	336410
Will a Real Estate Holding Company be utilized to own the Project property/facility	No
What is the name of the Real Estate Holding Company	
Federal ID#	
State and Year of Incorporation/Organization	
List of stockholders, members, or partners of Real Estate Holding Company	

Individual Completing Application

Name	Heather Chudzik
Title	Tax Director
Address	400 Jamison Rd
Address 2	
City	East Aurora
State	New York
Zip	14052

9/18/2019

The Erie County Industrial Development Agency (ECIDA)

Phone

716-687-7487

Fax

716-652-0176

E-Mail

hchudzik@moog.com

Company Contact (if different from individual completing application)

Name Mark Graczyk
Title Group Vice President, Aircraft
Address 160 Jamison Road
Address 2
City East Aurora
State New York
Zip 14052
Phone 716-687-4474
Fax
E-Mail mgraczyk@moog.com

Company Counsel

Name of Attorney Amy Fitch
Firm Name Hodgson Russ
Address 140 Pearl Street, Suite 100
Address 2
City Buffalo
State New York
Zip 14202
Phone 716-848-1244
Fax
E-Mail afitch@hodgsonruss.com

Identify the assistance being requested of the Agency.

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)

Business Organization

Type of Business Corporation
Type of Ownership
Year Established 1951
State of Organization New York

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

Please include name and % of ownership.

Publicly Owned ~ Not Applicable for A shares. B share 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

Applicant Business Description

Describe in detail company background, products, customers, goods and services. Description is critical in determining eligibility

Moog Inc. is a worldwide designer, manufacturer, and integrator of precision motion control products and systems. Moog's high-performance systems control military and commercial aircraft, satellites and space vehicles, launch vehicles, missiles, industrial machinery, wind energy, marine applications, and medical equipment.

Estimated % of sales within Erie County	0
Estimated % of sales outside Erie County but within New York State	1
Estimated % of sales outside New York State but within the U.S.	66
Estimated % of sales outside the U.S.	33

(*Percentage to equal 100%)

What percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Erie County? Include list of vendors, raw material suppliers and percentages for each. Provide supporting documentation of the estimated percentage of local purchases

13 percent

Section II: Eligibility Questionnaire - Project Description & Details

Project Location

Municipality or Municipalities of current operations

Town of Elma, Erie County

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

Yes

In which Municipality will the proposed project be located

Town of Elma, Erie County

Address

Jamison Road, East Aurora, New York

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 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 Retail Section of this application)

SBL Number for Property upon which proposed Project will be located

155.00-1-8.31

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

\$95,000

Assessed value of land

N/A - New Construction

Assessed value of building(s)

N/A - New Construction

Are Real Property Taxes current?

Yes

If no please explain

Town/City/Village of Project Site

Elma

School District of Project Site

Iroquois

Does the Applicant or any related entity currently hold fee title to 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

Owned land available for expansion

Please provide narrative of the proposed project and the purpose of the proposed project (new build, renovations, 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)

This amended application is due to a change in the total forecasted costs in connection with this project, therefore Moog is requesting revised sales tax exemptions amounting to \$2,100,000 versus \$1,575,000 as per the original application. While the project scope related to the addition of 95,000 sq ft of space to Moog's existing East Aurora campus has not changed, we are anticipating an increase of total project costs of approximately \$11,700,000. The cause of the increase in total estimated costs include both cost overruns as well as unforeseen circumstances surrounding remediation efforts at the site which led to additional spend. Also, please note the original application included soft costs of \$500,000. On March 19, 2018 we had informed ECIDA that the total project costs related to 400 Jamison Road of \$32,600,000 included architect, construction manager and interior design fees amounting to \$3,700,000. Therefore, revised soft costs totaled \$4,200,000. At the time of this amendment this estimate has not changed. Lastly, at the time of the original application Moog projected the creation of 42 additional jobs as a result of this project. As of June 30, 2019 Moog has created 69 additional jobs, exceeding the original estimate by 27 jobs. The Project would add approximately 95,000 Sq ft of space to Moog's existing East Aurora campus. Approximately 75% to 80% of the area would be for mechanical and electronic assembly and test facilities for military and commercial aircraft flight control products. The remaining space would be for mixed office space (engineering; manufacturing support and administrative). The space would address projected growth from existing known programs or expected future contract awards in addition to relieving congestion in current work areas. The project cost is estimated at between \$22 and \$24 million (construction; machinery and furniture costs) which would provide an estimated 957 man months (or 79.75 man years) of employment in construction related employment in the 2017/2018 time frame. The facility will be utilized to support R&D activities in pump and motor technology to be utilized in the Aerospace industry. As the facilities are brought on line and existing programs expand and forecasted new contracts are awarded it is expected that over a five year period 90 to 110 new jobs will be created (42 expected in the first two years). Financing is expected to occur through existing Moog credit facilities.

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:

Financial assistance is necessary as described below.

Describe the reasons why the Agency's Financial Assistance is necessary and how the Financial Assistance enables the company to undertake the Project to facilitate investment, job creation and/or job retention. 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 in cost associated with construction materials and property taxes via a PILOT program provide meaningful cost reductions which are critical to the decision to move forward with the new facility.

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?

The company would/has consider(ed) placing the expansion of the facility to its Aircraft facility in Salt Lake City, UT. This would result in lost jobs for Erie County/NYS.

Will project include leasing any equipment?

Yes

If yes, please describe equipment and lease terms.

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

Site Characteristics

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?

Yes

If yes, please explain

The proposed project is planned where contaminated groundwater is naturally collected in the stormwater sewer pipes through infiltration. The groundwater is treated using an air stripper to SPDES discharge standards. The groundwater contamination is solvent based. No specific source of the contamination has been determined. A Gore Module and Test Pit investigation was conducted in September 2011, but could not determine the source of the contamination. In addition to the Gore study, a limited groundwater investigation was conducted to delineate the extent of the groundwater. The groundwater present in the proposed developed area has been sampled from both the manholes of the storm sewer system and the monitoring wells installed for the limited groundwater investigation. All samples taken consistently show that groundwater varies between 0 and 800 ppb for the solvents, with the primary contaminants being 1,1-Dichloroethane and Freon.

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?

It is likely the machinery and equipment will demonstrate energy efficiency benefits.

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

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

Yes

If yes, please explain.

Pump and motor technology as well as advanced manufacturing

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

Approximately 35 percent

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

Will customers personally visit the Project site for either of the following economic activities? If yes with respect to either economic activity indicated below, complete the Retail Determination contained in Section IV of the Application.

Please check any and all end uses as identified below.

Retail Sales	No	Services	No
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For purposes of this question, the term "retail sales" means (i) sales by a registered vendor under Article 28 of the Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4) (i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

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

No

No

No

Project Information**Estimated costs in connection with project****Land and/or Building Acquisition**

\$ 0 square feet acres

New Building Construction

\$ 0 square feet

New Building addition(s)

\$ 29,250,000 95,000 + square feet

Infrastructure Work

\$ 0

Renovation

\$ 8,850,000 square feet

Manufacturing Equipment

\$ 500,000

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

\$ 1,500,000

Soft Costs: (professional services, etc.)

\$ 4,200,000

Other Cost

\$ 0

Explain Other Costs**Total Cost**

\$ 44,300,000

Project Refinancing; estimated amount (for refinancing of existing debt only)

\$ 0

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

Yes

If Yes, describe particulars:

Initial exploratory cost only.

Sources of Funds for Project Costs:**Equity (excluding equity that is attributed to grants/tax credits):**

\$ 44,300,000

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:**Total Sources of Funds for Project Costs:**

\$44,300,000

Has a financing preapproval letter or loan commitment letter been obtained?

No

Mortgage Recording Tax Exemption Benefit:**Estimated Mortgage Amount (Sum total of all financing – construction and bridge).*****Amount of mortgage, if any, that would be subject to mortgage recording tax.**

\$

Lender Name, if Known**Estimated Mortgage Recording Tax Exemption Benefit (% of estimated mortgage amount stated above):**

\$0

Construction Cost Breakdown:**Total Cost of Construction**

\$ 38,100,000

(sum of 2,3,4,5, and/or 7 in Question K, above)

Cost for materials

\$ 21,000,000

% sourced in Erie County

100%

% sourced in State

100% (including Erie County)

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

\$ 24,000,000

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

\$ 2,100,000

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:**

N/A

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

			Cost	% of Total Cost
Manufacturing/Processing	66,500	square feet	\$ 26,670,000	70
Warehouse		square feet	\$ 0	0
Research & Development	9,500	square feet	\$ 3,810,000	10
Commercial		square feet	\$ 0	0
Retail		square feet	\$ 0	0
Office	14,250	square feet	\$ 5,715,000	15
	4,750		\$ 1,905,000	5

Specify Other

square feet

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

No

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

<BLANK>

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

Will project result in significant utility infrastructure cost or uses

Yes

What is your project timetable (Provide dates)

Start date : acquisition of equipment or construction of facilities

6/1/2017

End date : Estimated completion date of project

12/31/2020

Project occupancy : estimated starting date of operations

12/31/2020

Have construction contracts been signed?

Yes

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

Yes

Has the Project received site plan approval from the appropriate planning department?

Yes

Is project necessary to expand project employment?

Yes

Is project necessary to retain existing employment?

Yes

Employment Plan (Specific to the proposed project location):

	Current # of jobs at proposed project location or to be relocated at project location	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PT jobs to be RETAINED	IF FINANCIAL ASSISTANCE IS GRANTED – project the number of FTE and PT jobs to be CREATED upon TWO years after Project completion	Estimate number of residents of the Labor Market Area in which the Project is located that will fill the FTE and PT jobs to be created upon TWO Years after Project Completion **
Full time	288	288	69	69
Part time	0	0	0	0
Total	288	288	69	

** The Labor Market Area includes the Counties of Erie, Niagara, Genesee, Cattaraugus, Wyoming and Chautauqua. For the purposes of this question, please estimate the number of FTE and PT jobs that will be filled, as indicated in the third column, by residents of the Labor Market Area, in the fourth column.

***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).

Salary and Fringe Benefits for Jobs to be Retained and Created:

Category of Jobs to be Retained and Created	# of Employees Retained and Created	Average Salary for Full Time	Average Fringe Benefits for Full Time	Average Salary for Part Time (if applicable)	Average Fringe Benefits for Part Time (if applicable)
Management	49	\$ 200,000	\$ 33,000	\$ 0	\$ 0
Professional	140	\$ 93,000	\$ 33,000	\$ 0	\$ 0
Administrative	14	\$ 60,000	\$ 33,000	\$ 0	\$ 0
Production	100	\$ 65,000	\$ 33,000	\$ 0	\$ 0
Independent Contractor	24	\$ 130,000	\$ 0	\$ 0	\$ 0
Other	54	\$ 65,000	\$ 33,000	\$ 0	\$ 0

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

Address	31 Ellicott Rd, West Falls, NY 14170		
Full time	13	0	0
Part time	0	0	0
Total	13	0	0

Will any of the facilities described above be closed or subject to reduced activity?

No

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

\$ 30,000,000

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

\$ 83,900

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

\$ 0

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

\$ 83,900

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

\$ 0

Estimated salary range of jobs to be created**From (Full Time)**

\$ 56,000

To (Full Time) \$ 108,000**From (Part Time)**

\$ 0

To (Part \$ 0**Time)****Is the project reasonably necessary to prevent the project occupant from moving out of New York State?**

Yes

If yes, please explain and identify out-of-state locations investigated

Due to existing operations in Salt Lake City, UT, we had discussions with the UT Governors Office of Economic Development regarding Economic Development Tax Increment Financing refundable tax credits as well as other tax and financing incentives available to companies seeking relocation and expansion of operations to the State of Utah.

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

Existing out-of-state operations coupled with cost control.

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

Yes

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

Empire State Development

Do you anticipate applying for any other assistance for this project?

Yes

If yes, what type of assistance (Historic Tax Credits, 485(a), Grants, Utility Loans, Energy Assistance, Workforce Training)

Energy Assistance Empire State Development

Section III: 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	160 Jamison Road, East Aurora, NY 14052
Contact Person	Mark Graczyk
Phone	716-687-4474
Fax	
E-Mail	mgraczyk@moog.com
Federal ID #	16-0757636
SIC/NAICS Code	336410

Multi-Tenant Facility.**Please explain what market conditions support the construction of this multi-tenant facility****Have any tenant leases been entered into for this project?**

<BLANK>

If yes, please fill out a tenant form in section VII, for each tenant.

Tenant Name	Current Address (city, state, zip)	# of sq ft and % of total to be occupied at new projet site	SIC or NAICS-also briefly describe type of business, products services, % of sales in Erie Co.
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Section IV: Tenant Information

Section V: Environmental Questionnaire

General Background Information

Address of Premises Seneca and Jamison Roads, East Aurora, NY 14052

Name and Address of Owner of Premises Moog Inc. - Seneca and Jamison Roads, East Aurora, NY 14052

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. A wetland map is in the provided files as Wetland Map 3-22-16.

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 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 3B, 26,520 Sq. ft., 2/18/63 • Addition- Plant 4, 21,900 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 The following are the plants, square footage and dates of construction with their respective addresses. • Addition- Plant 8, 9,600 Sq. ft., 7661 Seneca Street • 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 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 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 23, 17,500 Sq. ft., 2/15/88, 7060 Seneca Street Elma, NY 14059 • Addition- Plant 24, 68,000 Sq. ft., 8/15/89, 6860 Seneca Street Elma, NY 14059 • Addition- Plant 26, 69,050 Sq. ft., 12/17/12, 400 Jamison Road Elma, NY 14059 • Addition- Plant 27, 5,000 Sq. ft., 8/10/11, 611 Jamison Road Elma, NY 14059 • Addition- Plant 31, 10,500 Sq. ft., 3/15/11, 31 Ellicott Street West Falls, NY • Addition- 7,500 Sq. ft., 7000 Seneca Street Elma, NY 14059 • Addition- 7,700 Sq. ft., 555 Pound Road Elma, NY 1405 • Addition- 2,500 Sq. ft., 2007, 500 Buffalo Road East Aurora, NY 14052 • Addition- 5,130 Sq. ft., Seneca Street & Jamison Road Elma, NY 14059 • Addition- 1,250 Sq. ft., 6/29/79, Seneca Street & Jamison Road 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 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. Annual post closure groundwater monitoring must continue for a minimum of 5 years. See the provided file "C&D Final Closure Letter from DEC". 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.

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- Nexeo Solutions, Binghamton, NY • Waste Type- Select Profiled Non-hazardous wastes, Classification- Non-Hazardous, Transporter- Nexeo Solutions, Binghamton, 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- Tonawanda Tank - Tonawanda, NY • Waste Type- Plastic, single stream, scrap metal, Classification- Solid- recycled, Transporter- Great Lakes Recycling - N. Tonawanda, 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

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 Nexeo Solutions, Binghamton, NY • Waste Type-

Select Profiled Non-hazardous wastes, Classification- Non-Hazardous, Disposal Facility Nexeo Solutions, Binghamton, NY • Waste Type- Used Oil, Classification- Used Oil, Disposal Facility- Noco - Noco - Tonawanda, NY • Waste Type- Used Batteries, Classification- Universal Waste, Disposal Facility- Retrieval 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, scrap metal, Classification- Solid- recycled, Disposal Facility Great Lakes Recycling - N. Tonawanda, NY • Waste Type- Construction & Demolition Debris, Classification- Solid - C&D, Disposal Facilities- Swift River - Lancaster, NY , 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

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. The application is in the provided files as Seneca & Jamison_SPDES Permit Application_12-11-1989.pdf. Moog has continued to renew this permit until 2013 when Moog requested the State that a new full-blown permit was needed due to operational changes and temperature limits within the current permit that cannot be met. Some of the permit renewals are in the provided files as SPDES Permit 1993-98.pdf and SPDES Permit Renewal 2008-2013.pdf. Since only the State can initiate a new full-blown permit renewal, Moog was instructed to continue to operate under its expired permit until the State initiated a new permit application. Documentation for this is found in the provided files: Letter to DEC on Permit Discussion.pdf and Expired Permit - continuance from 2014.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 35000 gpd of sanitary wastewater, of which 6,000 gpd is pre-treated industrial wastewater. Non-contact 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 6 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 6 outfalls through which water discharges. Outfalls 001, 002, 003, and 006 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.

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 East Aurora, 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. • 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 a municipal sanitary sewer system. 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).

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, 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- 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

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 NYSDC - 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?

No

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, that is approach we take. 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 VI: 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.

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 or abandonment of an existing facility?

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.)

The primary requirements include adequate utility availability (primarily gas and electric) ; building infrastructure strength to hold heavy test equipment and 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?

NA

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

NA

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.

NA

Section VII: Adaptive Reuse Projects

Are you applying for tax incentives under the Adaptive Reuse Program?	No
What is the age of the structure (in years)?	0
Has the structure been vacant or underutilized for a minimum of 3 years? (Underutilized is defined as a minimum of 50% of the rentable square footage of the structure being utilized for a use for which the structure was not designed or intended)	<BLANK>
If vacant, number of years vacant.	0
If underutilized, number of years underutilized.	0
Describe the use of the building during the time it has been underutilized:	NA
Is the structure currently generating insignificant income? (Insignificant income is defined as income that is 50% or less than the market rate income average for that property class)	No
If yes, please provide dollar amount of income being generated, if any	\$
If apartments are planned in the facility, please indicate the following:	
	Number of Units Sq. Ft. Range Low to High Rent Range Low to High
1 Bedroom	0 \$
2 Bedroom	0 \$
3 Bedroom	0 \$
Other	0 \$
Does the site have historical significance?	No
Are you applying for either State/Federal Historical Tax Credit Programs?	No
If yes, provide estimated value of tax credits	\$
Briefly summarize the financial obstacles to development that this project faces without ECIDA or other public assistance. Please provide the ECIDA with documentation to support the financial obstacles to development (you will be asked to provide cash flow projections documenting costs, expenses and revenues with and without IDA and other tax credits included indicating below average return on investment rates compared to regional industry averages)	
Briefly summarize the demonstrated support that you intend to receive from local government entities. Please provide ECIDA with documentation of this support in the form of signed letters from these entities	
Please indicate other factors that you would like ECIDA to consider such as: structure or site presents significant public safety hazard and or environmental remediation costs, site or structure is located in a distressed census tract, structure presents significant costs associated with building code compliance, site has historical significance, site or structure is presently delinquent in property tax payments	

Section VIII: Senior Citizen Rental Housing Projects

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

No

Has the project received written support from the city, town or village government in which it is located?

<BLANK>

Describe the location of the project as it relates to the project's proximity to the town / village / city center or to a recognized hamlet.

Is the project consistent with the applicable municipal master plan?

<BLANK>

If yes, please provide a narrative identifying the master plan (by name) and describing how the project aligns with the plan details

Does the project advance efforts to create a walkable neighborhood and community in proximity to important local amenities and services?

<BLANK>

If yes, please provide a narrative describing the walkable nature of the project including access seniors would have to specific neighborhood amenities.

Has a market study shown that there is a significant unmet need in the local community or specific neighborhood where seniors are unable to find appropriate housing opportunities?

<BLANK>

Is the project located in an area (defined as a 1 – 5 mile radius of the project site) where there are significant local resident populations that are at or below the median income level?

<BLANK>

If yes, please describe how you made this determination based upon census tract and other relevant third party data.

Does the project provide amenities that are attractive to seniors and differentiates the project from standard market rate housing?

<BLANK>

If yes, please describe these amenities (examples may include: community rooms, social / recreational activity areas, senior-oriented fixtures and safety amenities, security systems, call systems, on site medical services)

Are there impediments that hinder the ability to conventionally finance this project and /or negatively impact the project's return on investment?

<BLANK>

If yes, please briefly summarize the financial obstacles to development that this project faces without IDA or other public assistance. Please provide the IDA with documentation to support the financial obstacles to development (you will be asked to provide cash flow projections documenting costs, expenses and revenues with and without IDA and other tax credits included indicating below average return on investment rates compared to regional industry averages)

Will the project target (and maintain during the incentive period) a minimum 50% occupancy rate of senior citizens whose income is at or below 60-80% of the median income for Erie County?

<BLANK>

If yes, please describe provide a narrative citing key facts that substantiate this finding.

Section IX: Retail Determination

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.

What percentage of the cost of the project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the project?

0 %

If the answer to this is **less than 33%** do not complete the remainder of the page and proceed to the next section (Section V: Inter-Municipal Move Determination).

If the answer to A is Yes AND the answer to Question B is greater than 33.33%, indicate which of the following questions below apply to the project:

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

<BLANK>

Is the project location or facility likely to attract a significant number of visitors from outside the economic development region (Erie, Niagara, Allegheny, Chautauqua and Cattaraugus counties) in which the project will be located?

<BLANK>

If yes, please provide a third party market analysis or other documentation supporting your response.

Is the predominant purpose of the project to make available goods or services which would not, but for the project, be reasonably accessible to the residents of the municipality? Are services provided at the proposed project site needed because of a lack of reasonably accessible retail trade facilities offering such goods or services?

<BLANK>

If yes, please provide a market analysis supporting your response.

Will the project preserve permanent, private sector jobs or increase the overall number of permanent private sector jobs in the State of New York?

<BLANK>

If yes, explain

Is the project located in a Highly Distressed Area?

<BLANK>