

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

- MEETING:** February 8, 2018, at Erie County Industrial Development Agency, 95 Perry Street, 5th Floor Conference Room, Buffalo, New York
- PRESENT:** Rev. Mark E. Blue, Hon. Johanna Coleman, Richard Lipsitz, Jr., Brenda W. McDuffie, John J. Mudie, Laura Smith, David J. State, and Maria Whyte
- ABSENT:** Hon. Byron W. Brown, Colleen DiPirro, Brenda W. McDuffie, Hon. Glenn R. Nellis, and Paul V. Vukelic
- OTHERS PRESENT:** Steve Weathers, Chief Executive Officer; John Cappellino, Executive Vice President; Karen M. Fiala, Assistant Treasurer; and Robert G. Murray, Secretary
- GUESTS:** Andrew Federick, Erie County Senior Economic Development Specialist

There being a quorum present at 9:14 a.m., Mr. Lipsitz called the meeting of the Policy Committee to order.

MINUTES

The minutes of the December 7, 2017 Policy Committee meeting were presented. Upon motion made by Ms. McDuffie, and seconded by Mr. Mudie, the aforementioned Policy Committee meeting minutes were unanimously approved.

PROJECT MATRIX

Mr. Cappellino reviewed the Agency's project matrix.

PROJECT PRESENTATIONS

Acquest Development Company, LLC, 85 River Rock Drive, Buffalo, New York. Mr. Cappellino presented the proposed sales tax exemption benefit project involving the renovation of approximately 15,000 sq. ft. of space to be leased to Tomric Systems which is a manufacturer of plastic chocolate molds and food packaging and that distributes chocolate handling equipment for sale throughout the United States and Canada.

Mr. Cappellino then stated that in exchange for providing the sales and use 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 = \$1,575,000 85% = \$1,338,750
Employment	Same as recapture period	Maintain 100% of base = 25 FT Create 85% of projected Projected = 2 Recapture Employment = 2
Local Labor	Construction Period	Adherence to policy including quarterly reporting
Pay Equity	Same as recapture period	Adherence to policy
Unpaid Tax	Same as recapture period	Adherence to policy
Recapture Period	2 years after project completion	Recapture of state and local sales taxes

Ms. McDuffie moved and Ms. Whyte seconded to approve of the project as proposed. Mr. Lipsitz then called for the vote and the project was then unanimously approved for recommendation to the members of the Agency.

Group V Real Estate, Inc., 11342 Main Street, Newstead, New York. Mr. Cappellino presented this proposed sales tax exemption, mortgage recording tax exemption and real property tax abatement benefits project involving the proposed construction of a new 8,000 sq. ft. expansion to an existing facility which will be leased to Athenex Pharma Solutions.

Mr. Cappellino stated that in exchange for providing the sales and use tax, mortgage recording tax 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:

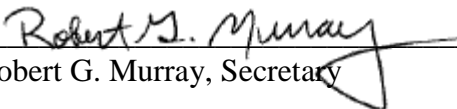
Draft Recapture Material Terms

Condition	Term	Recapture Provision
Total Investment	At project completion	Investment amount equal to or greater than 85% of project amount. Total Project Amount = \$1,517,500 85% = \$1,289,875
Former Employment	Coincides with 10-Year PILOT	Maintain Base = 55 Create 85% of projected: Projected = 25 85% = 21 Recapture Employment = 76
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 taxes

Ms. Smith moved and Ms. Whyte seconded to approve the project as proposed. Mr. Lipsitz called for the vote and the project was unanimously approved for recommendation to the members of the Agency.

There being no further business to discuss, Mr. Lipsitz adjourned the meeting at 9:28 a.m.

Dated: February 8, 2018


 Robert G. Murray, Secretary