

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

- MEETING:** May 3, 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, Colleen DiPirro, Hon. William J. Krebs, Richard Lipsitz, Jr., John J. Mudie, Hon. Glenn R. Nellis, Laura Smith, David J. State, and Maria Whyte
- ABSENT:** Hon. April Baskin, Hon. Byron W. Brown, Mr. Richard Cummings, and Brenda W. McDuffie
- OTHERS PRESENT:** John Cappellino, Executive Vice President; Karen M. Fiala, Assistant Treasurer; and Robert G. Murray, Secretary
- GUESTS:** Andrew Federick, Erie County Senior Economic Development Specialist; Chris Whitmarsh, on behalf of Niagara Label/12715 Lewis Road LLC

There being a quorum present at 8:53 a.m., Mr. Lipsitz called the meeting of the Policy Committee to order.

Mr. Lipsitz then recognized the passing of long time Erie County Industrial Development Agency member and former Policy Committee member, Frank Mesiah. Mr. Lipsitz recognized and acknowledged Mr. Mesiah's excellent service to Erie County and the City of Buffalo.

At this point in time, Mr. Lipsitz welcomed Mr. William Krebs as a new member to the Policy Committee, noting that Mr. Krebs is the current Mayor of the Village of Springville. In addition, Mr. Lipsitz also acknowledged that two additional members will be joining the committee, Ms. April Baskin and Mr. Richard Cummings, both of whom should be joining us at our next meeting.

MINUTES

The minutes of the February 8, 2018 Policy Committee meeting were presented. Upon motion made by Mr. Mudie, and seconded by Ms. Whyte, the aforementioned Policy Committee meeting minutes were unanimously approved.

PROJECT MATRIX

Mr. Cappellino reviewed the Agency's project matrix. Mr. Lipsitz directed that the report be received and filed.

PROJECT PRESENTATIONS

Niagara Label/12715 Lewis Road, LLC, 12715 Lewis Road, Newstead, New York. Mr. Cappellino presented the proposed sales tax, mortgage recording tax and real property tax abatement benefits project involving the company's construction and equipping of a 16,000 sq. ft. warehouse and office expansion representing a doubling of the company's operations.

Mr. Cappellino then 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 = \$1,915,000 85% = \$1,627,750
Employment	Coincides with 10-year PILOT	Maintain Base = 49 Create 85% of projected Projected = 5 85% = 4 Recapture Employment = 53
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. DiPirro expressed support for the project. Mr. Mudie queried as to the average wage for workers. Mr. Whitmarsh responded that the company pays between \$35,000 to \$40,000 per year for laborers and office positions.

Mr. Blue queried if there are bus routes servicing the company. Mr. Whitmarsh responded that there is no public transportation available.

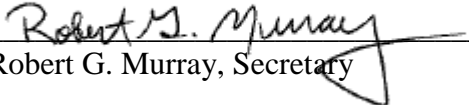
Mr. Mudie moved and Ms. Whyte seconded to approve of the project as proposed. Ms. Whyte then expressed support for the project. Mr. Lipsitz called for the vote and the project was then unanimously approved for recommendation to the members of the Agency.

UPDATES/DISCUSSION

Adaptive Reuse Working Groups. Mr. Cappellino provided members with an update on the most recently concluded meeting of the Adaptive Reuse Working Group.

There being no further business to discuss, Mr. Lipsitz adjourned the meeting at 9:15 a.m.

Dated: May 3, 2018


Robert G. Murray, Secretary