



Tortilla Line Expansion

[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

Project Name	Building and Tortilla Line Expansion
Project Summary	We will be adding 16875 sq. foot to our existing building as well as purchasing a 3rd Tortilla Line for this facility.
Applicant Name	Commitment 2000, Inc.
Applicant Address	105 Monsignor Valente Drive
Applicant Address 2	
Applicant City	Buffalo
Applicant State	New York
Applicant Zip	14206
Phone	(716) 853-1071
Fax	(716) 853-1062
E-mail	adipasquale@fathersams.com
Website	
NAICS Code	311830

Business Organization

Type of Business	Corporation
Year Established	1977
State in which Organization is established	New York

Individual Completing Application

Name	Angela Dipasquale
Title	Executive Assistant
Address	105 Monsignor Valente Drive
Address 2	
City	Buffalo
State	New York
Zip	14206
Phone	(716) 853-1071

Fax (716) 853-1062
E-Mail adipasquale@fathersams.com

Company Contact- Authorized Signer for Applicant

Contact is same as individual completing application No
Name William A, Sam
Title President
Address 105 Monsignor Valente Drive
Address 2
City Buffalo
State New York
Zip 14206
Phone (716) 853-1071
Fax (716) 853-1062
E-Mail wsam@fathersams.com

Company Counsel

Name of Attorney Timothy O'Mara
Firm Name Law Office of Timothy M. O'Mara, Esq.
Address 5820 Main Street, Suite 605
Address 2
City Williamsville
State New York
Zip 14221
Phone (716) 633-5700
Fax
E-Mail tomara@tmolaw.com

Benefits Requested (select all that apply).

Exemption from Sales Tax Yes
Exemption from Mortgage Tax Yes
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%.

We are a third generation family owned bakery manufacturer. We currently have a manufacturing facility in Buffalo NY as well as one in Charlotte, NC. We employ 75 people at our Buffalo location and 45 currently in Charlotte. We have been making flat breads (pita bread and flour tortillas) for over 45 years. We primarily manufacture private label products for many regional and national customers. Some of our customers include Wegmans, Tops, Restaurant Depot, Mighty Taco, etc. We also service several national distributors. 7-11 is also a national customer of ours. To date the main ownership of the company is held by William A. Sam at 92%.

Estimated % of sales within Erie County	5 %
Estimated % of sales outside Erie County but within New York State	25 %
Estimated % of sales outside New York State but within the U.S.	68 %
Estimated % of sales outside the U.S.	2 %

(*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?

45

Describe vendors within Erie County for major purchases

ADM Milling, Bake Mark, Mollenberg-Betz, Ingersoll Rand. We use purchase flour and ingredients from ADM and Bake Mark, our facilities are maintained with contracts from Mollenberg and Ingersoll.

Section II: Eligibility Questionnaire - Project Description & Details

Project Location

Address of Proposed Project Facility

105 Monsignor Valente Drive

Town/City/Village of Project Site

Buffalo

School District of Project Site

Buffalo 140200

Current Address (if different)

Current Town/City/Village of Project Site (if different)

SBL Number(s) for proposed Project

112.14-1-8.31

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

31,500

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?

Yes

Describe the present use of the proposed Project site (vacant land, existing building, etc.)

We will be expanding the existing building on this site.

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)

This project will include a building expansion of 16,875 sq. ft. It will be primarily manufacturing space. The building addition will be an American Steel Building and the address of the expansion is 105 Monsignor Valente Drive, Buffalo. We will be installing one new fully automated flour tortilla line as part of this phase 1 expansion. The new equipment, purchased from Lawrence Equipment, is a Mega 60 fully automated pressed tortilla line and will increase our companies output from our Buffalo location by 40%. For phase 2 of this expansion will be purchasing, installing, and requiring significant training for a new ERP computer operating system. We have never changed our operating system and the new IT technology is imperative to properly function with our new equipment as well as the vast array of systems we now use as a successful wholesale bakery with two locations, our second manufacturing facility is located in Charlotte, NC. and communication between the two facilities requires state of the art communication software. Phase 2 will be running simultaneously with phase 1. We will be adding twelve positions in our office and operations the first year of this expansion. We are expecting to begin the buildout late spring of 2023 and have the project fully operational by the first quarter of 2024. This expansion is critical to remain a competitive manufacturing company in New York State and the rest of the East Coast where we sell our products

Municipality or Municipalities of current operations

Buffalo, NY

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?

Yes

If yes, please explain and identify out-of-state locations investigated, type of assistance offered and provide supporting documentation available

We currently have a plant in Charlotte, NC that has the same general foot print as our facility in Buffalo, NY. We opened this facility in 2016 and have increased the size and foot print of the location every year sense that time. Our Buffalo facility is very well positioned for our future growth and is our preference for this expansion. We feel strongly that the support of our Economic Agencies in NY State will assure our continued expansion here.

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

Recharge NY, Empire State Development, National Grid Energy Management. We will receive reduced electricity rates, have applied for \$250,000 in electrical grant money as well as \$50,000.00 in training money for the implementation of our new operating systems. We are anticipating possible term loans thru ECIDA as well as property tax abatement, sales tax relief pertaining to the expansion of our building.

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)

Our current relationship is very strong with M&T Bank. They are very supportive of this project and will fund accordingly. We are reaching out to improve our opportunity to receive the National Grid Grant money as well as cost savings from sales tax, property tax abatements, funding up to \$2,000,000.00 based on certain criteria of the project thru ECIDA. we will be adding 12 jobs at our Buffalo site. In the manufacturing business every penny saved helps to maintain a competitive edge with our competitors.

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?

If this project cannot happen in Buffalo, NY we will see diminished opportunities in Erie County, NY State and Canada as well as job loss. We would need to shift expansion to our Charlotte, NC plant which is currently not our preference. We have substantial growth opportunity for NY and Canada and would like the facility in Buffalo to support that growth.

Will project include leasing any equipment?

Yes

If yes, please describe equipment and lease terms.

We will be leasing to own a new 60 Mega tortilla processing line. The total cost of the equipment is \$5,659,400.00 and will be leased through a program with M&T Bank. This line produces Flour tortillas and is fully automated.

Site Characteristics

Is your project located near public transportation?

Yes

If yes describe if site is accessible by either metro or bus line (provide route number for bus lines)

Metro Bus / bus line # 1 William Street

Has a project related site plan approval application been submitted to the appropriate planning department?

No

If Yes, include the applicable municipality's and/or planning department's approval resolution, the related State Environmental Quality Review Act ("SEQR") "negative declaration" resolution, if applicable, and the related Environmental Assessment Form (EAF), if applicable.

If No, list the ECIDA as an "Involved Agency" on the related EAF that will be submitted to the appropriate municipality and/or planning department for site plan approval. Also, please indicate in the box below when you anticipate receiving site plan approval for your project.

12/31/2022

Will the Project meet zoning/land use requirements at the proposed location?

Yes

Describe the present zoning/land use

The current facility is in an Empire Zone and manufacturing use zone. We are already currently producing from this site and this is an add on expansion of our existing facility.

Describe required zoning/land use, if different

If a change in zoning/land use is required, please provide details/status of any request for change of zoning/land use requirements

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?

No

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?

No

If yes, describe the efficiencies achieved

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

End date : Estimated completion date of project

12/28/2023

Project occupancy : estimated starting date of occupancy

1/1/2024

Capital Project Plan / Budget

Estimated costs in connection with Project

1.) Land and/or Building Acquisition

\$ 0 square feet acres

2.) New Building Construction

\$ 0 square feet

3.) New Building addition(s)

\$ 1,650,000 16,875 square feet

4.) Reconstruction/Renovation

\$ 0 square feet

5.) Manufacturing Equipment

\$ 5,659,400

6.) Infrastructure Work

\$ 484,000

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

\$ 520,400

8.) Soft Costs: (Legal, architect, engineering, etc.)

\$ 85,000

9.) Other Cost

\$ 225,000

Explain Other Costs To include any additional earthwork, slab details, grading to subbase elevation, drainage details, underground utilities of which are yet to be designed at the time of the proposal. New enterprise resource planning (ERP) operating system.

Total Cost \$ 8,623,800

Construction Cost Breakdown:

Total Cost of Construction \$ 2,134,000 (sum of 2, 3, 4 and 6 in Project Information, above)
Cost of materials \$ 1,850,000
% sourced in Erie County 95%

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 \$ 2,370,400
Estimated State and local Sales and Use Tax Benefit (product of \$ 207,410

8.75% multiplied by the figure, above):

** 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:

Sources of Funds for Project Costs:

Equity (excluding equity that is attributed to grants/tax credits):	\$ 900,000
Bank Financing:	\$ 7,760,000
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):	\$ 300,000
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:	\$8,960,000
Have you secured financing for the project?	Yes

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).	2,500,000
Lender Name, if Known	
Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above multiplied by 3/4 of 1%):	\$18,750

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?

Yes

Is project necessary to retain existing employment?

Yes

Will project include leasing any equipment?

Yes

If yes, please describe equipment and lease terms.

We will be leasing to own a new 60 Mega tortilla processing line. The total cost of the equipment is \$5,659,400.00 and will be leased through a program with M&T Bank. This line produces Flour tortillas and is fully automated.

Employment Plan (Specific to the proposed project location).

The Labor Market Area consists of the following six counties: Erie, Niagara, Chautauqua, Cattaraugus, Wyoming and Genessee.

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).

	Current # of jobs at proposed project location or to be relocated at project location	If financial assistance is granted – project the number of FT and PT jobs to be retained	If financial assistance is granted – project the number of FT and PT jobs to be created upon 24 months (2 years) after Project completion	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 **
Full time	0	74	10	10
Part time	0	2	2	2
Total	0	76	12	

Salary and Fringe Benefits for Jobs to be Retained and Created

Category of Jobs to be Retained and/or Created	# of Employees Retained and/or 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	5	\$ 125,000	\$ 28,500	\$ 0	\$ 0
Professional	3	\$ 100,000	\$ 28,500	\$ 0	\$ 0
Administrative	9	\$ 58,000	\$ 15,000	\$ 0	\$ 0
Production	71	\$ 37,500	\$ 6,500	\$ 15,600	\$ 550
Independent Contractor	0	\$ 0	\$ 0	\$ 0	\$ 0
Other	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):

Address			
Full time	0	0	0
Part time	0	0	0
Total	0	0	0

Payroll Information

Annual Payroll at Proposed Project Site upon completion

4,012,817

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

47,342

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

15,600

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

42,625

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

15,600

Estimated salary range of jobs to be created

From (Full Time)	31,200	To (Full Time)	58,000
From (Part Time)	15,600	To (Part Time)	23,500

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

105 Monsignor Valente Drive Buffalo , NY 14206

Name and Address of Owner of Premises

William Sam 9962 Clarksburg Road, Eden NY 14057

Describe the general features of the Premises (include terrain, location of wetlands, coastlines, rivers, streams, lakes, etc.)

Industrial land

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

The land was purchased in 1995, we the built a 38500 sq. foot manufacturing building on site. We produce pita breads and tortillas at this site

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?

No

If yes, describe and attach any incident reports and the results of any investigations

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?

No

If yes, please state the results of the enforcement action (consent order, penalties, no action, etc.) and describe the circumstances

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?

No

If yes, provide the Premises' applicable EPA (or State) identification number

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

Identify the solid and hazardous waste disposal or treatment facilities which have received wastes from the Premises for the past two (2) years

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

N/A

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

N/A

Is any waste discharged into or near surface water or groundwaters?

No

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

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

We have multiple ovens that are exhausted

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

Have there been any leaks, spills, releases or other discharges (including loss of inventory) associated with any of these tanks?

No

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

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

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 Commitment 2000 Inc. DBA Father Sam's Bakery
Address 105 Monsignor Valente Drive
Contact Person William Sam
Phone (716) 853-1062
Fax (716) 853-1062
E-Mail wsam@fathersams.com
Federal ID # 161480681
SIC/NAICS Code 2051 / 311812

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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

105 Monsignor Valente Drive

City/Town

Buffalo

State

New York

Zip Code

14206

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.)

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?

No

What factors have lead the project occupant to consider remaining or locating in Erie County?

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

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.

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