

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

- DATE AND PLACE:** March 9, 2023 at the Erie County Industrial Development Agency, 95 Perry Street, 4<sup>th</sup> Floor Conference Room, Buffalo, New York 14203
- PRESENT:** Denise Abbott; Rev. Mark E. Blue; Zachary Evans; Richard Lipsitz, Jr.; Brenda W. McDuffie; Hon. Glenn R. Nellis; and Lavon Stephens and Paul Vukelic
- EXCUSED:** Hon. April Baskin; Hon. Bryon W. Brown; Colleen DiPirro; Laura Smith, David J. State and Hon. John Tobia
- OTHERS PRESENT:** John Cappellino, Chief Executive Officer; Beth O’Keefe, Vice President of Operations; Andy Federick, Business Development Officer; Brian Krygier, Director of Information Technology; Carrie Hocieniec, Operations Assistant; and Robert G. Murray, General Counsel/Harris Beach PLLC
- GUESTS:** Alex Carducci on behalf of the City of Buffalo; Josh Veronica on behalf of Buffalo Niagara Partnership; Dale Shoemaker on behalf of Investigative Post; Connie Buynacek, Heather Chudzik, Laurie Eden and Matthew Bradley on behalf of Moog, Inc.

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

**MINUTES**

The minutes of the January 5, 2023 Policy Committee meeting were presented. Upon motion made by Ms. Abbott to approve of the minutes, and seconded by Mr. Vukelic, the aforementioned Policy Committee meeting minutes were unanimously approved.

**PROJECT MATRIX**

Mr. Cappellino reviewed the Agency’s 2023 Tax Incentives Project Matrix. Mr. Lipsitz directed that the report be received and filed.

**PROJECT PRESENTATIONS**

Moog, Inc., 400 Jamison Road, Elma, New York 14059. Ms. O’Keefe presented this proposed sales tax and real property tax abatement benefits project involving the construction of a new 150,000+/- sq. ft. standalone building to expand the Elma campus manufacturing

footprint. The new facility will be dedicated to machining capabilities in support of the Company’s current Aircraft Group – primarily military aerospace content.

Mr. Evans spoke in favor of the project. Ms. Buynacek spoke on behalf of Moog and described the project and also described potential future Phase 2 and Phase 3 projects that are potential investments and expansions, beyond this proposed project, hopefully beginning in 2027/2028.

Mr. Blue queried about the salary figures and Ms. Buynacek confirmed that the average figure includes full range of employment from general staff/technicians through executives.

Ms. Buynacek also spoke about Moog’s partnership with Northland Training Center to bring on technical staff/advanced technology employees and described the company’s partnership with Erie 1 BOCES regarding Moog’s apprenticeship programs.

General discussed ensued regarding Moog’s DEI policy and programs as well as other geographic areas of the county that are attempting to attract new/additional Moog investment.

Ms. O’Keefe confirmed that Moog, Inc. is seeking approximately \$2,900,920 in assistance including sales tax exemption and real property tax exemption. Total payroll is projected at \$279,096,922 for the direct and indirect jobs created including 335 construction jobs. The resulting cost benefit is 97:1 so for every \$1 of incentives the community benefit is \$97 in payroll & tax revenue. Erie County: for every \$1 of incentives the community benefit is \$137 in benefits to the community.

Ms. O’Keefe stated that in exchange for providing the sales and use 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.<br>Total Project Amount = \$76,750,000<br>85% = \$65,237,500 |
| Employment       | Coincides with 10-year PILOT | Maintain Base = 180 FTE<br>Projected (new/created) = 0 FTE<br>Recapture Employment = 180 FTE                                   |
| Local Labor      | Construction Period          | Adherence to policy including quarterly reporting  |
| Pay Equity       | Coincides with 10-Year PILOT | Adherence to policy  |
| Unpaid Tax       | Coincides with 10-Year PILOT | Adherence to policy  |

|                  |                              |  |
|------------------|------------------------------|--|
| Recapture Period | Coincides with 10-Year PILOT | Recapture of state and local sales taxes and real property taxes |
|------------------|------------------------------|--|

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

**MWBE UPDATE**

Mr. Cappellino updated members on the status of the Economic Inclusion PILOT, confirming on anticipated April 2023 presentation for acceptance by the Agency board members.

There being no further business to discuss, Mr. Lipsitz adjourned the meeting at 9:39 a.m.

Dated: March 9, 2023

  
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Elizabeth A. O'Keefe, Secretary