

2021 ECIDA Progress Assessment Report

Agenda

- Compliance Monitoring - Material Terms
- Compliance Summary
- Local Labor Results
- Sales Tax Compliance

Compliance Monitoring - Material Terms

- Investment
 - Requires a private investment equal to at least 85% of the project cost
 - Clients submit an investment certification and a copy of their project budget after construction is complete
- Job Retention
 - Clients are required to maintain 90 or 95% of their jobs at application (150 or less retain 90%; 150+ retain 95%)
 - Monitored by quarterly employment surveys and NYS-45 form (or other supporting documentation)
- Job Creation
 - Clients are required to create 85% of their job projections
 - Monitored by quarterly employment surveys and NYS-45 form (or other supporting documentation)
- Local Labor Policy
 - Requires that 90% of all contractors/sub-contractors to reside within the 8 counties of WNY (Erie, Niagara, Cattaraugus, Chautaugus, Allegany, Wyoming, Genesee, Orleans)
 - Monitored by quarterly local labor reports
- Pay Equity Policy
 - Requires clients to pay male and female employees the same wages for similar work
 - Monitored by random pay equity audits; audits are performed by the Erie County Division of Equal Employment Opportunity
- Unpaid Real Property Tax Policy
 - Requires individuals who hold at least a 25% ownership interest in the applicant (entity receiving benefits) to pay all taxes on all properties located within Erie County
 - ECIDA staff monitors by requesting a list of all properties in which the applicant has a 25% or more ownership interest. The property list is forwarded to the Erie County Commissioner of Real Property Services for confirmation that all real property taxes, special district charges and/or PILOT payments are current.

Compliance Summary

- In 2021, 87 projects were obligated under the recapture policy (not including companies whose recapture obligation expired)
- These companies fulfilled their agreements with the ECIDA in 2021 and are no longer active:
 - 166 Chandler Holdings, LLC
 - 722 Group
 - 9271 Group, LLC/960 Busti
 - Delaware Lodge Apartments
 - Pearl Group, LLC
 - Shea's Seneca Street, LLC
 - Triad Recycling and Energy Corp.
- 100% compliance with the Local Labor Policy
- 100% compliance with the Pay Equity Policy
- 100% compliance with the Unpaid Tax Policy
- 100% compliance with job retention/job creation requirements
 - The ECIDA Board of Directors voted to modify its recapture policy and not impose recapture on clients that can demonstrate that its employment was reduced because of the pandemic.
 - 11.5% of the portfolio, 10 companies, were short of their employment goals due to COVID-19
 - 0 clients were subject to benefit adjustments in 2021.
- 100% compliance with investment requirement documentation requests

2021 Local Labor Results

➤ 1st Quarter

- 1,115 total construction workers
- 97.85% resided within the 8 counties of WNY
- 2.15% resided outside the 8 counties of WNY
- 73.81% resided in Erie County

➤ 2nd Quarter

- 966 total construction workers on-site
- 97.62% resided within the 8 counties of WNY
- 2.38% resided outside the 8 counties of WNY
- 75.78% resided in Erie County

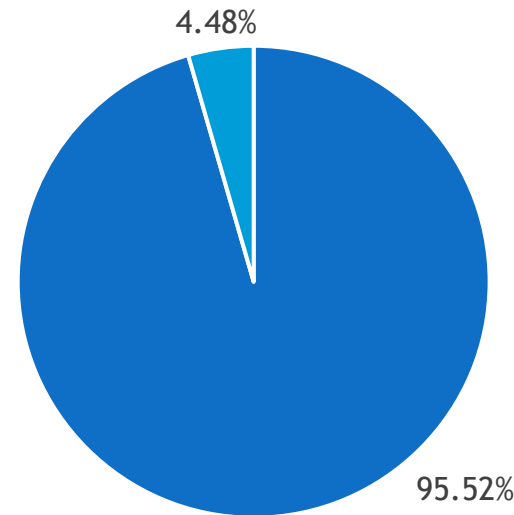
➤ 3rd Quarter

- 1,449 total construction workers on-site
- 91.99% resided within the 8 counties of WNY
- 8.01% resided outside the 8 counties of WNY
- 69.91% resided in Erie County

➤ 4th Quarter

- 1,944 total construction workers on-site
- 95.78% resided within the 8 counties of WNY
- 4.22% resided outside the 8 counties of WNY
- 72.12% resided within Erie County

2021 Local Labor Results



- Construction workers residing within the 8 counties of WNY
 - Construction workers residing outside of WNY
- 75.92% of construction workers reside within Erie County

2021 Local Labor Results

Year	Construction Workers Residing in the 8 counties of WNY	Construction Workers Residing outside the 8 counties of WNY	TOTAL Construction Workers	% in 8 counties of WNY	% outside 8 counties of WNY	Total Local Labor in Erie County	% in Erie County
2021 Q1	1,091	24	1,115	97.85%	2.15%	823	73.81%
2021 Q2	943	23	966	97.62%	2.38%	732	75.78%
2021 Q3	1,333	116	1,449	91.99%	8.01%	1,013	69.91%
2021 Q4	1,862	82	1,944	95.78%	4.22%	1,402	72.12%
TOTAL	5,229	245	5,474	95.52%	4.48%	3,970	75.92%

Sales Tax Compliance

- ▶ The Board approves the amount that a company can receive in sales tax savings
- ▶ If a company reports more than the approved amount, it must repay the overage
- ▶ Sales tax savings are monitored through the ST-340 forms that companies submit to the NYS Tax Dept.; ECIDA requests a copy of the form
- ▶ Staff compares the sales tax savings amount approved by the Board with the ST-340 forms that clients submit; if a client exceeds the approved amount, staff informs the client that they must pay the overage
- ▶ Client sends a check to the ECIDA; ECIDA staff completes the ST-65 form and forwards the check to the NYS Tax Dept.
 - ▶ In 2021, one company repaid the NYS Tax Dept. for sales tax overages.
 - ▶ Total amount repaid was \$338.00

ECIDA 2021 Progress Assessment Report

Inducement Date	Project Code	Project Name	Investment Required - 85%	Investment Confirmed	Compliant with Local Labor Policy	Compliant with Pay Equity Policy	Compliant with Unpaid Tax Policy	Jobs at Application Required	Jobs to be created	2021 Full-Time	2021 Part-Time	2021 Total Jobs	2021 COVID Impact	2021 Job Status (see notes for formulas)	Jobs Creation Due Date	Recapture End Date	Notes
4/22/2013	10203	555 Riverwalk Parkway, LLC	\$10,628,000	Y	N/A	N/A	N/A	732	70	854	4	856.0	N	54.0	8/31/16	12/31/2024	
5/20/2013	10208	Automated Machine Technologies, Inc.	\$786,250	Y	N/A	N/A	N/A	3	1	4	0	4.0	N	0.0	7/31/16	12/31/2024	
5/20/2013	10209	McGard, LLC	\$7,012,500	Y	N/A	N/A	N/A	434	19	776	0	776.0	N	323.0	6/30/17	12/31/2022	
6/17/2013	10211	Richardson Center Corporation/Richardson Olmsted Complex	\$46,880,714	Y	N/A	N/A	N/A	0	47	1	0	1.0	Y	-46.0	9/30/19	12/31/2028	
6/17/2013	10212	Pollock Research & Design d/b/a Simmers Crane Design & Services	\$1,453,500	Y	N/A	N/A	N/A	27	4	39	0	39.0	N	8.0	5/31/17	12/31/2026	
9/26/2013	10221	Tonawanda Pirson, LLC/Wythe Will Tzetzto	\$15,895,000	Y	N/A	N/A	N/A	0	18	27	0	27.0	N	9.0	8/31/18	12/31/2023	
12/16/2013	10225	DNC 250, Inc.	\$44,017,851	Y	N/A	N/A	N/A	332	55	709	63	740.5	N	353.5	3/31/19	12/31/2027	
1/29/2014	10230	337 Ellicott Street, LLC/Big Ditch Brewing Company	\$2,176,000	Y	N/A	N/A	N/A	0	11	50	48	74.0	N	63.0	12/31/18	12/31/2023	
1/29/2014	10234	North American Salt Company	\$6,205,000	Y	N/A	N/A	N/A	0	6	12		12.0	N	6.0	6/30/17	12/31/2022	
2/26/2014	10231	500 Seneca Street, LLC	\$26,976,980	Y	N/A	N/A	N/A	18	13	417	35	434.5	N	403.5	6/30/19	12/31/2025	
6/18/2014	10254	Flying Bison Brewing Co.	\$2,125,000	Y	N/A	N/A	N/A	5	3	10	0	10.0	N	2.0	7/7/17	12/31/2023	
7/16/2014	10256	Orchard Heights, Inc.	\$24,310,000	Y	N/A	N/A	N/A	68	11	58	22	69.0	Y	-10.0	6/30/19	12/31/2024	
8/19/2014	10260	Unifrax 1, LLC	\$28,050,000	Y	N/A	N/A	N/A	255	21	305	0	305.0	N	29.0	6/30/18	12/31/2026	
10/22/2014	10269	SelectOne RE Holdings	\$1,445,000	Y	N/A	N/A	N/A	13.5	5	41	3	42.5	N	24.0	5/31/19	12/31/2025	
4/22/2015	10285	93 NYRPT, LLC/Randall Benderson 1993-I Trust	\$5,508,000	Y	N/A	N/A	N/A	0	30	78	0	78.0	N	48.0	12/31/21	12/31/2024	
5/20/2015	10286	David Gordon/Gordon Companies, Inc./Colvin Oakdale, LLC	\$1,551,250	Y	N/A	N/A	N/A	74	5	154	0	154.0	N	75.0	7/31/19	12/31/2024	
8/18/2015	10295	The Uniland Partnership of Delaware, LP	\$17,899,380	Y	N/A	N/A	N/A	485	0	433	2	434.0	Y	-51.0	11/30/19	12/31/2027	
8/18/2015	10298	95 Pirson Parkway, LLC	\$2,808,825	Y	N/A	N/A	N/A	128	26	154	0	154.0	N	0.0	12/31/18	12/31/2027	
9/16/2015	10292	Shevlin Land & Cattle Company	\$1,445,000	Y	N/A	Y	N/A	63	8	56	0	56.0	Y	-15.0	6/30/18	12/31/2024	
11/18/2015	10317	Flexovit USA, Inc.	\$6,817,753	Y	N/A	Y	N/A	41	30	69	0	69.0	Y	-2.0	12/31/18	12/31/2027	
5/25/2016	10328	Trahwen-G, LLC	\$4,573,000	Y	N/A	Y	Y	0	30	28	0	28.0	Y	-2.0	12/31/21	12/31/2024	
6/22/2016	10330	Great Lakes Orthodontics, Ltd.	\$4,254,446	Y	N/A	Y	Y	210	8	216	4	218.0	Y	0.0	12/31/19	12/31/2028	
6/22/2016	10331	Kohler Awning, Inc.	\$722,500	Y	N/A	Y	Y	45	1	87	0	87.0	N	41.0	7/31/19	12/31/2024	
8/24/2016	10339	791 Washington Street/Trico	\$76,916,960	N/A	N/A	Y	Y	0	25	-	0	-	N	0.0	N/A	N/A	
8/24/2016	10340	Calspan Corporation/Genesee Holdings	\$6,009,500	Y	N/A	Y	Y	102	9	121	8	125.0	N	14.0	6/30/21	12/31/2028	
8/24/2016	10341	Shell Fab	\$2,324,750	Y	N/A	Y	Y	41	8	63	2	64.0	N	15.0	7/31/20	12/31/2025	
10/26/2016	10350	Iroquois Bar Corporation	\$782,000	Y	N/A	Y	Y	59	2	124	30	139.0	N	78.0	9/30/19	12/31/2025	
12/21/2016	10352	Flexo-Transparent, Inc.	\$5,227,500	Y	N/A	Y	Y	104	5	105	0	105.0	Y	-4.0	12/31/20	12/31/2025	
2/22/2017	10354	Pine Pharmaceuticals	\$4,760,000	Y	N/A	Y	Y	14	10	123	4	125.0	N	101.0	6/30/20	12/31/2028	
2/22/2017	10355	570 Associates VI, LLC	\$17,633,250	N/A	Y	Y	Y	0	105	45	3	46.5	N	46.5	6/30/25	12/31/2029	
3/22/2017	10356	Moog, Inc.	\$27,710,000	Y	Y	Y	Y	274	36	648	21	658.5	N	384.5	12/31/22	12/31/2030	
4/26/2017	10359	Aakron Rule Corporation	\$2,269,500	Y	N/A	Y	Y	131	11	82	6	85.0	Y	-57.0	9/11/21	12/31/2028	
4/26/2017	10360	Sumitomo Rubber USA, Inc.	\$8,252,650	Y	N/A	Y	Y	1179	0	1,441	0	1,441.0	N	262.0	6/30/21	12/31/2029	
4/26/2017	10362	Unifrax 1, LLC	\$20,400,000	Y	N/A	Y	Y	0	21	49	0	49.0	N	28.0	3/31/20	12/31/2025	
5/24/2017	10372	683 Northland Avenue/Workforce Training Center	\$49,357,729	Y	N/A	Y	Y	0	7	388	20	398.0	N	398.0	6/30/22	12/31/2027	
6/28/2017	10376	467 Richmond/REVPAC	\$9,159,290	N/A	Y	Y	Y	3	1	2	0	2.0	N	-1.0	2/28/24	2/28/2024	
8/23/2017	10379	WNY Foreign Trade Zone Operations/Punto Franco Ltd.	\$1,496,000	Y	N/A	Y	Y	5	2	8	0	8.0	N	1.0	3/31/21	12/31/2027	
12/20/2017	10384	St. Paul Group, LLC	\$3,217,250	N/A	Y	Y	Y	0	15	0	0	-	N	0.0	6/30/25	6/30/2025	Project completion date 6/30/23
12/20/2017	10385	Emerson Huron, LLC	\$32,231,525	Y	N/A	Y	Y	54	0	55	14	62.0	N	8.0	9/30/22	9/30/2022	
2/21/2018	10389	Group V Real Estate, Inc.	\$1,289,875	Y	N/A	Y	Y	50	21	161	0	161.0	N	90.0	12/31/21	12/31/2029	
5/23/2018	10390	Niagara Label/12715 Lewis Road, LLC	\$1,627,750	Y	N/A	Y	Y	44	4	62	0	62.0	N	14.0	12/31/24	12/31/2030	
6/27/2018	10393	ROAR Logistics, Inc.	\$2,218,500	Y	Y	Y	Y	44	12	65	0	65.0	N	21.0	11/1/22	12/31/2028	
7/25/2018	10394	Column Development	\$2,550,000	Y	N/A	Y	Y	27	6	21	0	21.0	Y	-12.0	9/30/21	12/31/2026	
7/25/2018	10395	Ebenezer Railcar Services, Inc.	\$5,100,000	Y	Y	Y	Y	76	11	79	1	79.5	N	3.5	12/31/22	12/31/2028	
8/22/2018	10366	Pierce Arrow Kanaka LLC	\$29,354,750	Y	Y	Y	Y	0	2	2	0	2.0	N	2.0	6/30/23	6/30/2023	
8/22/2018	10396	Michigan Broadway/Nash Lofts	\$5,622,107	N/A	Y	Y	Y	3	3	-	0	-	N	-3.0	12/31/23	12/31/2023	
10/24/2018	10397	1485 Niagara, LLC	\$4,760,000	N/A	Y	Y	Y	48	0	132	5	134.5	N	86.5	12/31/22	12/31/2022	
2/27/2019	10404	Marina Vista Preservation, LP	\$20,059,671	N/A	Y	Y	Y	5	0	4	0	4.0	N	-1.0	6/30/23	6/30/2023	
3/27/2019	10407	Unifrax Line 7/55 Pirson	\$30,600,000	N/A	Y	Y	Y	24	8	36	0	36.0	N	12.0	12/31/23	12/31/2029	
3/27/2019	10409	McKesson Corporation	\$15,470,000	Y	N/A	Y	Y	56	11	57	13	63.5	N	7.5	6/30/22	6/30/2022	
3/27/2019	10410	Steuben Foods, Inc.	\$14,326,055	Y	N/A	Y	Y	536	23	615	24	627.0	N	91.0	3/31/22	12/31/2030	
5/22/2019	10408	CPI Process Systems, Inc.	\$2,365,000	Y	Y	Y	Y	12	2	15	0	15.0	N	3.0	12/31/23	12/31/2031	
6/27/2019	10413	Buffalo Material Handling/125 Taylor Holdings LLC	\$1,117,750	Y	Y	Y	Y	27	2	59	0	59.0	N	32.0	12/31/22	12/31/2028	
7/24/2019	10415	Derby Warehousing LLC	\$1,132,200	Y	N/A	Y	Y	5	1	7	2	8.0	N	3.0	7/31/22	12/31/2028	

ECIDA 2021 Progress Assessment Report

Inducement Date	Project Code	Project Name	Investment Required - 85%	Investment Confirmed	Compliant with Local Labor Policy	Compliant with Pay Equity Policy	Compliant with Unpaid Tax Policy	Jobs at Application Required	Jobs to be created	2021 Full-Time	2021 Part-Time	2021 Total Jobs	2021 COVID Impact	2021 Job Status (see notes for formulas)	Jobs Creation Due Date	Recapture End Date	Notes
7/24/2019	10416	Buffalo High Technology Center/IAP 505 LLC	\$6,695,829	Y	N/A	Y	Y	0	3	2	0	2.0	N	2.0	12/31/23	12/31/2023	
7/24/2019	10417	Fisher-Price, Inc.	\$3,421,299	Y	Y	Y	Y	260	4	287	0	287.0	N	27.0	2/28/23	2/28/2023	
8/28/2019	10411	201 Ellicott, LLC/Braymiller Market	\$5,866,615	Y	Y	Y	Y	0	38	42	0	42.0	N	42.0	12/31/23	12/31/2029	
8/28/2019	10412	Michigan-Seneca Group	\$4,855,220	N/A	Y	Y	Y	1	30	66	0	66.0	N	65.0	12/31/23	12/31/2023	
8/28/2019	10418	Time Release Properties/TMP Technologies	\$19,295,000	N/A	Y	Y	Y	93	17	169	0	169.0	N	76.0	12/31/24	12/31/2032	
8/28/2019	10419	Hertel Pacific/Cypress North	\$794,886	Y	N/A	Y	Y	14	2	21	3	22.5	N	8.5	12/31/22	12/31/2029	
10/23/2019	10420	Rosina Food Products, Inc.	\$49,300,000	N/A	Y	Y	Y	90	34	323	0	323.0	N	233.0	12/31/23	12/31/2032	
11/20/2019	10421	Niagara Wind Power/Erie Wind/ Steel Winds I Replacement I & II	\$18,241,643	N/A	N/A	Y	Y	3	0	3		3.0	N	0.0	N/A	12/21/2036	
11/20/2019	10422	Niagara Wind Power/Erie Wind/ Steel Winds I Replacement I & II	\$18,241,643	N/A	N/A	Y	Y	3	0	3		3.0	N	0.0	N/A	12/21/2036	
2/26/2020	10429	Barcalo Buffalo LLC	\$29,518,332	N/A	Y	Y	Y	8	25	-	0	-	N	-8.0	9/30/25	9/30/2025	Project is still under construction.
3/25/2020	10430	Steuben Foods, Inc.	\$21,778,269	N/A	Y	Y	Y	583	17	615	24	627.0	N	44.0	5/1/25	End of PILOT	
3/25/2020	10431	1275 Delaware LLC/637 Linwood	\$10,591,844	N/A	Y	Y	Y	0	8.5	-	0	-	N	0.0	6/30/25	6/30/2025	
3/25/2020	10432	3310 Benzing Road, LLC/Marathon Roofing	\$616,250	Y	N/A	Y	Y	14	2	16	2	17.0	N	3.0	3/31/23	12/31/2028	
3/25/2020	10433	Jemal's Seneca, LLC	\$38,250,000	Y	Y	Y	Y	0	4.5	0	0	-	N	0.0	4/30/22	12/31/2046	
6/24/2020	10435	Kamax, LLC/Raine Logistics	\$1,881,900	Y	Y	Y	Y	11	1	14	0	14.0	N	3.0	8/1/24	12/31/2028	
9/23/2020	10504	Elmwood Square Housing, L.P.	\$13,452,857	N/A	Y	Y	Y	4	0	9	2	10.0	N	6.0	6/1/25	6/1/25	
11/18/2020	10524	75 Pirson Parkway, LLC	\$3,654,184	N/A	Y	Y	Y	32	2	38	0	38.0	N	6.0	6/30/25	12/31/2032	
12/16/2020	10564	Life Technologies Corporation, subsidiary of Thermo Fisher Scientific, Inc.-West	\$76,500,000	N/A	Y	Y	Y	777	51	1,207	0	1,207.0	N	430.0	3/31/25	12/31/2032	
1/27/2021	10582	Calspan Corporation	\$11,475,000	N/A	Y	Y	Y	130	17	156	0	156.0	N	26.0	12/31/25	End of PILOT	
1/27/2021	10583	72 East Niagara Street, LLC	\$2,836,736	Y	N/A	Y	Y	15	2	-	0	-	N	-15.0	12/31/23	12/31/2029	Project is still under construction.
1/27/2021	10585	Chestnut Point LLC	\$7,332,750	Y	Y	Y	Y	72	34	123	4	125.0	N	53.0	5/31/24	12/31/2032	
2/24/2021	10535	Eastman Machine Company	\$1,415,250	N/A	Y	Y	Y	113	2	135	0	135.0	N	22.0	12/31/25	12/31/2030	
3/24/2021	10620	Surmet Ceramics Corporation	\$9,775,000	N/A	Y	Y	Y	12	15	13	0	13.0	N	1.0	12/31/24	12/31/2024	
3/24/2021	10622	Bush Loftis, LLC	\$2,592,000	N/A	Y	Y	Y	0	0.5	-	0	-	N	0.0	6/30/25	12/31/2030	
4/28/2021	10663	BLD VII, LLC	\$12,385,168	N/A	Y	Y	Y	0	35	-	0	-	N	0.0	10/31/25	End of PILOT	
5/26/2021	10671	283 Ship Canal Parkway, LLC	\$44,441,607	N/A	Y	Y	Y	0	64	-	0	-	N	0.0	6/30/26	12/31/2038	
5/26/2021	10672	293 Grote Street, LLC	\$7,019,527	N/A	Y	Y	Y	0	0.5	-	0	-	N	0.0	2/28/25	12/31/2030	
7/28/2021	10676	Pinto Construction Services, LLC/132 Dingens Street, LLC	\$6,332,500	N/A	Y	Y	Y	0	20	46	25	58.5	N	58.5	4/30/26	12/31/2030	
7/28/2021	10689	Polymer Conversions, Inc.	\$12,112,500	N/A	Y	Y	Y	113	13	133	0	133.0	N	20.0	12/31/25	End of PILOT	
9/22/2021	10699	Coca Cola Beverages Northeast Expansion	\$22,611,507	N/A	Y	Y	Y	112	0	129	0	129.0	N	17.0	12/31/25	End of PILOT	
9/22/2021	10700	Skycatcher Holdings, LLC	\$2,447,150	N/A	Y	Y	Y	37	5	42	1	42.5	N	5.5	9/30/24	9/30/2024	
9/22/2021	10701	Bullis Road Solar	\$5,430,942	N/A	Y	Y	Y	0	0	-	0	-	N	0.0	12/31/24	12/31/2047	
10/27/2021	10706	Sumitomo Rubber	\$126,000,000	N/A	Y	Y	Y	1329	0	1,441	0	1,441.0	N	112.0	12/31/25	End of PILOT	

NOTE:

Investment Confirmed: "N/A" means the project was still in the construction phase in 2021 so the investment could not be confirmed in 2021; "N" means ECIDA staff is in the process of obtaining the investment confirmation.

Compliant With Local Labor: N/A means the project was not under construction during 2021, therefore, the company was not obligated under the Local Labor Policy.

Pay Equity: N/A means the project was approved by the Board prior to the Pay Equity Policy approval date. Accordingly, these companies are not subject to the Pay Equity Policy. All other companies are listed as compliant with the Pay Equity Policy because there were no Pay Equity audits performed in 2021.

Unpaid Tax Policy - N/A means the project was approved by the Board prior to the Unpaid Tax Policy approval date. Accordingly, these companies are not subject to the Unpaid Tax Policy. "Y" means the ECIDA is currently unaware of any violations relating to this Policy. ECIDA staff monitors this Policy by requesting a listing from the applicant of all properties in which he/she has a 25% or more ownership interest. The list of properties is forwarded to the Erie County Commissioner of Real Property Services for confirmation that all real property taxes, special district charges and/or PILOT payments are current.

Jobs At Application Required: This column takes into account the 90/95% jobs at application adjustment that the Board approved in 2018.

2021 Job Status: Formula for companies whose job creation is not due: 2022 total jobs - jobs at application required. Formula for companies whose job creation was due during or before 2022: 2022 total jobs - (jobs at application required + jobs to be created).