



# Policy Committee

June 2, 2022  
9:30 a.m. (New Time)

Via Conferencing & Livestreaming

1. Call Meeting to Order
2. Approval of the April 7, 2022 Policy Committee Meeting Minutes (Pages 2-5)
3. Project Matrix (Page 6)
4. Project Presentation (Staff – Company Q&A)
  - a) Aebly and Associates Insurance Services (Pages 7-39)
  - b) Spaulding Business Park (Pages 40-66)
5. MWBE Update
6. Adjournment – Next Meeting **July 7, 2022 at 9:00 a.m.**

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

- DATE:** April 7, 2022
- LIVE STREAMED:** This meeting is being live-audio streamed and made accessible on the Agency's website at [www.ecidany.com](http://www.ecidany.com).
- PRESENT:** Denise Abbott; Hon. April Baskin; Rev. Mark E. Blue; Johanna Coleman; Colleen DiPirro; Richard Lipsitz, Jr.; Brenda W. McDuffie; Hon. Glenn R. Nellis; Laura Smith; Hon. John Tobia and Hon. Maria Whyte
- EXCUSED:** Hon. Bryon W. Brown; David J. State; Lavon Stephens and Paul Vukelic
- OTHERS PRESENT:** John Cappellino, President & CEO; Beth O'Keefe, Vice President of Operations; Mollie Profic, Chief Financial Officer; Atiqa Abidi, Assistant Treasurer; Grant Lesswing, Director of Business Development; Andrew Federick, Business Development Officer; Sean Fallon, Project Manager; Brian Krygier, Director of Information Technology; Carrie Hocieniec, Operations Assistant; Pat Smith, Senior Bookkeeper and Robert G. Murray, Esq., General Counsel/Harris Beach PLLC
- GUESTS:** Alex Carducci on behalf of the City of Buffalo; Steven Obadiah, Daniel Bobbett, William Hart on behalf of Workspport; Kevin Zanner on behalf of Hurwitz & Fine; Jeff Crabtree, Kristin Stroup on behalf of United Renewable Energy; Scott Shiokari on behalf of Renewable Properties and Zachary Evans on behalf of the County

There being a quorum present at 9:03 a.m., the Meeting of the Policy Committee was called to order by Mr. Lipsitz.

Mr. Lipsitz welcomed John Tobia, Supervisor of the Town of North Collins, as a new member to the Policy Committee.

**MINUTES**

The minutes of the March 3, 2022 Policy Committee meeting were presented. Upon motion made by Ms. Whyte to approve of the minutes, and seconded by Mr. Nellis, the aforementioned Policy Committee meeting minutes were unanimously approved.

## **PROJECT MATRIX**

Mr. Cappellino reviewed the Agency's 2022 Tax Incentives Project Matrix. Mr. Lipsitz directed that the report be received and filed.

At this point in time, Ms. Smith joined the meeting.

## **PROJECT PRESENTATIONS**

Workspport Ltd., 2500 N. America Drive, West Seneca, New York 14224. Ms. O'Keefe presented this proposed sales tax and mortgage recording tax benefits project involving the purchasing of an existing 222,000 sq. ft. facility for the manufacturing of both their conventional tonneau covers as well as to produce its newer products, including an advanced hard tonneau cover, a collapsible soft cover and the Terra Vis System.

Ms. O'Keefe confirmed that Workspport Ltd. is seeking \$103,562 in incentives including sales tax exemption and mortgage tax exemption benefits. Total payroll is projected at \$6,703,534 for the direct and indirect jobs created including 30 construction jobs. The resulting cost benefit is 1:67 so for every \$1 of incentives the community benefit is \$67 in payroll & tax revenue. For Erie County, every \$1 of incentives provides \$133 in community benefits.

Ms. Baskin stated her belief that the application is deficient with regard to its proposed use of MWBE labor contractors.

Mr. Bobbett, counsel to applicant, stated the company will be glad to work with Ms. Baskin and the Committee to help select MWBE contractors. Mr. Obadiah, spoke on behalf of the company, and confirmed it is soliciting proposals from MWBE contractors.

Ms. Whyte confirmed the Policy Committee MWBE working group is meeting again later this month continuing its efforts to develop an MWBE policy.

Ms. O'Keefe stated that in exchange for providing the sales and use tax and mortgage recording tax exemption 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 = \$15,006,887 85% = \$12,755,854
Employment	Coincides with recapture period	Create 85% of Projected Jobs Projected = 11 FTE 85% = 9 Recapture Employment = 9
Local Labor	Construction Period	Adherence to policy including quarterly reporting
Pay Equity	Coincides with recapture period	Adherence to policy
Unpaid Tax	Coincides with recapture period	Adherence to policy
Recapture Period	2 years after project completion	Recapture of state and local sales taxes and mortgage recording tax

Mr. Blue moved and Ms. Coleman 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.

**RPNY SOLAR 2, LLC/BULLIS ROAD SOLAR PROJECT-LOCAL LABOR REQUEST**

Mr. Cappellino reviewed a memorandum provided to Policy Committee members describing the project and its required use of, and actual use of, local labor, attempts to find local laborers, and the request by the Company for a waiver from the 90% local labor use requirement as it was only able to use 87.72% local labor. Mr. Cappellino reviewed the Local Labor Policy waiver circumstances permitting use of less than 90% local labor due to documented lack of workers meeting the local labor area requirements.

Mr. Shiokari spoke on behalf of the company. General discussion ensued.

Mr. Lipsitz concluded that the Company has demonstrated and exhibited significant and thorough efforts to find local laborers.

Mr. Tobia thanked the Company for its significant efforts to find and utilize local labor.

Ms. Smith moved and Mr. Blue seconded to recommend that the Agency board of directors grant the requested waiver.

Ms. Whyte spoke in favor of the Agency's thoughtful consideration of the evolving application of the use of local labor policy in support of renewable energy projects.

Mr. Lipsitz called for the vote and the waiver recommendation was unanimously approved.

**MWBE UPDATE**

Mr. Cappellino provided an update to Committee members.

There being no further business to discuss, Mr. Lipsitz adjourned the meeting at 9:42 a.m.

Dated: April 7, 2022

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Gerald Manhard, Assistant Secretary

### Tax Incentives Approved - 2022

Approval Date	Project Name	Project City/Town	Private Investment/ Project Amount	Minimum Investment/ Commitment	FT Jobs Retained	PT Jobs Retained	FT Jobs to be Created	PT Jobs to be Created	Job Creation	Const Jobs	Spillover Jobs	Length of Term	Incentive Amount
1	Jan-22 791 Washington Street, LLC <sup>1</sup>	Buffalo	\$107,950,000	85% threshold \$91,800,000	0	0	5	0	85% -New 4 jobs	571	433	Period of PILOT 10 Years	\$3,719,000
1	Jan-22 Arbor Multifamily Lending, LLC	Tonawanda	\$2,100,000	85% threshold \$1,785,000	168	0	25	0	85% -New 21 jobs	0	158	project completion date + 2 yrs	\$183,750
1	Jan-22 Broadway Development & Management <sup>1</sup>	Buffalo	\$12,500,000	85% threshold \$10,625,000	2	0	8	0	85% -New 7 jobs	56	55	project completion date + 2 yrs	\$693,750
1	Jan-22 Lactalis American Group, Inc.	Buffalo	\$1,436,697	85% threshold \$1,221,192	334	0	27	0	85% -New 22 jobs	5	1390	project completion date + 2 yrs	\$121,441
1	Mar-22 471 Elmwood, LLC <sup>1</sup>	Buffalo	\$3,590,000	85% threshold \$3,051,500	0	0	1	0	85% -New 1 job	20	10	project completion date + 2 yrs	\$122,500
1	Apr-22 Workspport, Ltd.	West Seneca	\$15,006,887	85% threshold \$12,755,854	0	0	6	10	85% -New 9 jobs	30	33	project completion date + 2 yrs	\$103,562
<b>Totals:</b>													
<b>Adaptive Reuse Subtotal</b>			<b>\$124,040,000</b>		<b>2</b>	<b>0</b>	<b>14</b>	<b>0</b>		<b>647</b>	<b>498</b>		<b>\$4,535,250</b>
<b>2022 Total</b>			<b>\$142,583,584</b>		<b>504</b>	<b>-</b>	<b>72</b>	<b>10</b>		<b>682</b>	<b>2079</b>		<b>\$4,944,003</b>

<sup>1</sup> Adaptive Reuse

**A&A Union Road LLC**

**\$ 3,110,729**

**PRIVATE INVESTMENT INDUCEMENT RESOLUTION**

<p><b>ELIGIBILITY</b></p>	<p>Project Title: Aebly and Associates Insurance Services</p>																
<ul style="list-style-type: none"> <li>• NAICS Section – 524210</li> </ul>	<p>Project Address: 1471 Union Road, West Seneca, NY 14224</p>																
<p><b>COMPANY INCENTIVES</b></p>	<p>West Seneca Central School District</p>																
<ul style="list-style-type: none"> <li>• Approximately \$ 166,250 in sales tax savings</li> <li>• Approximately \$ 334,915 in real property tax savings</li> <li>• Up to 3/4 of 1% of the final mortgage amount estimated at \$20,625</li> </ul>	<p align="center"><b>Agency Request</b></p> <p>A sales tax, mortgage recording tax and real property tax abatement in connection with the construction of a 6,160 sq ft 2 story professional office building.</p> <table border="0"> <tr> <td>Land / Building Acquisition</td> <td align="right">\$ 214,000</td> </tr> <tr> <td>New Building Construction</td> <td align="right">\$ 2,594,729</td> </tr> <tr> <td>Infrastructure</td> <td align="right">\$ 42,000</td> </tr> <tr> <td>Manufacturing Equipment</td> <td align="right">\$ 0</td> </tr> <tr> <td>Non- Manufacturing Equipment</td> <td align="right">\$ 150,000</td> </tr> <tr> <td>Soft Costs/Other</td> <td align="right">\$ 110,000</td> </tr> <tr> <td><b>Total Project Cost</b></td> <td align="right"><b>\$ 3,110,729</b></td> </tr> <tr> <td>85%</td> <td align="right">\$ 2,644,119</td> </tr> </table>	Land / Building Acquisition	\$ 214,000	New Building Construction	\$ 2,594,729	Infrastructure	\$ 42,000	Manufacturing Equipment	\$ 0	Non- Manufacturing Equipment	\$ 150,000	Soft Costs/Other	\$ 110,000	<b>Total Project Cost</b>	<b>\$ 3,110,729</b>	85%	\$ 2,644,119
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85%	\$ 2,644,119																
<p><b>JOBS &amp; ANNUAL PAYROLL</b></p>																	
<ul style="list-style-type: none"> <li>• Current Jobs: 12 FT, 1 PT</li> <li>• Annual Payroll: \$ 775,464</li> <li>• Projected new jobs: 2 FT</li> <li>• Est. salary/yr. of jobs created: \$40,000</li> <li>• Projected retained jobs: 12 FT, 1 PT</li> <li>• Est. salary/yr. of jobs retained: \$ 61,587</li> <li>• Total jobs after project completion: 14 FT, 1 PT</li> <li>• Construction Jobs: 13</li> </ul>	<p align="center"><b>Company Description</b></p> <p>Aebly and Associates Insurance Services, Inc is a diversified insurance firm that has been serving the insurance needs of their clients since 1913. They cover a wide area of insurance-related back-office operations and policy holder services. Aebly &amp; Assoc clients include policy holders of individual types of insurance such as auto, home and life: business client who have property, liability, worker compensation, employee benefits, payroll services and other employ-based insurances for employees. Aebly &amp; Assoc also provides third party administrative services through the processing of claims and management of healthcare account such as Flexible Spending Accounts (FSAs), Health Reimbursement Arrangements (HRAs) and Health Savings Accounts (HSAs). Aebly and Associates Insurance Services, Inc., and A&amp;A Union Road, LLC are 100% owned by Julius W. Aebly Jr.</p>																
<p><b>PROJECTED COMMUNITY BENEFITS*</b></p>																	
<ul style="list-style-type: none"> <li>• Term: 7 YEARS</li> <li>• NET Community Benefits: \$ 16,451,250</li> <li>• Spillover Jobs: 33</li> </ul> <p>Total Payroll: \$ 15,430,020</p>	<p align="center"><b>Project Description</b></p> <p>Aebly and Associates Insurance Services has outgrown their current facilities located at 3638 and 3640 Seneca Street and plans to construct a 6,000+ sq ft professional office building to improve operating efficiencies and offer an updated office environment. The new building will be state of the art, paperless and highly visible allowing the company to not only retain, but also to attract hard to find educated new employees looking to be part of a growing professional insurance business.</p>																
<p><b>INCENTIVE COST / COMMUNITY BENEFIT RATIO (discounted at 2%)*</b></p>																	
<p>Incentives: \$ 498,062</p> <p>Community Benefit: \$ 15,329,511</p> <p>Cost: Benefit Ratio</p> <ul style="list-style-type: none"> <li>• 1: 31</li> </ul>																	

\* Cost Benefit Analysis Tool powered by MRB Group

## Economic Impact: Inform Analytics Cost-Benefit Analysis

The Erie County Industrial Development Agency uses the Cost Benefit Analysis Tool powered by MRB Group to assess the economic impact of a project applying for incentives. A Cost-Benefit Analysis is required by Section 859-a (5)(b) of General Municipal Law. For the complete Cost Benefit Analysis – please see the attached MRB Cost Benefit Calculator.

### Cost: Incentives

COSTS	Tax Exemption	Amount
	Property	334,915
	Sales	166,250
	Mortgage Recording	20,625
	Total	521,790
	Discounted at 2%	498,062

### Benefit: Projected Community Benefit\*

BENEFITS	Region	Recipient	Revenue Type	\$ Amount **
	Erie County	Individuals	Payroll Construction	1,832,207
			Payroll Permanent	13,597,812
		Public	Property Taxes	83,732
			Sales Taxes	128,262
			Local Muni (NFTA)	6,875
	New York State	Public	Income Taxes	694,351
			Sales Taxes	108,010
			Total Benefits to EC + NYS***	16,451,250
			Discounted at 2%	15,329,511

\* Cost Benefit Analysis Tool powered by MRB Group \*\*includes direct & indirect \$ over project period \*\*\*may not sum to total due to rounding

Discounted Cost           \$ 498,062  
 Discounted Benefit       \$ 15,329,511  
 Ratio                        1:31

**Conclusion:** The Cost Benefit for this project is: 1:31. For every \$1 in costs (incentives), this project provides \$31 in benefits (payroll & tax revenue). **Note: For Erie County, every \$1 in costs (incentives) provides \$36 in benefits to the community.**

### New Tax Revenue Estimated

Current Yearly Taxes	Estimated New Assessed Value	Additional County Revenue over abatement period	Additional Local Revenue Over abatement period	New Yearly Taxes Upon Expiration of Abatement Period
\$5,941	\$ 2,174,118	\$ 13,802	\$ 69,927	\$ 65,648
Combined Tax Rate: \$ 80.91				



## 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 = \$ 3,110,729 85% = \$2,644,119
Employment	Coincides with 7-year PILOT	Maintain Base = 12FTE Create 85% of Projected Projected = 2 85% = 1 Recapture Employment = 13
Local Labor	Construction period	Adherence to policy including quarterly reporting
Pay Equity	Coincides with 7-year PILOT	Adherence to Policy
Unpaid Tax	Coincides with 7-year PILOT	Adherence to Policy
<u>Recapture Period</u>	Coincides with 7-year PILOT	Recapture of Mortgage recording tax, state and local sales taxes

### Recapture applies to:

State and Local Sales Taxes  
Real Property Tax  
Mortgage Recording Tax

### Recapture

Pursuant to New York State General Municipal Law, the agency shall modify, recover, recapture or terminate any financial assistance taken by the company that is in violation of the GML.

At completion of the project company must certify i) total investment amount is equal to or greater than 85% of the anticipated project amount; ii) company has maintained jobs and created jobs, iii) confirm adherence to local labor policy during construction and iv) its adherence to unpaid tax/pay equity policies for recapture term.

### Project ECIDA History

- 5/31/22 Public hearing held.
- 6/22/22 Inducement Resolution presented to Board of Directors adopting a Negative Declaration in accordance with SEQRA
- 6/22/22 Lease/Leaseback Inducement Resolution presented to the Board of Directors

**Aebly & Associates**

**EVALUATIVE CRITERIA  
BACK OFFICE/DATA/CALL CENTERS**

Evaluative Criteria	Notes
Wage Rate (above median wage for area)	Average salary for jobs (12 retained and 2 to be created) = 54,750 / 67,600 with benefits that are > median wage.
Regional Wealth Creation (% sales/customers outside area)	6% of sales are outside Erie County.
In Region Purchases (% of overall purchases)	90 % of annual purchases are purchases from Erie County based firms.
Supports Local Business or Cluster	Backoffice Operations.
Retention/Flight Risk	The insurance operations can be done remotely and/or by workers located in remote locations.
LEED/Renewable Resources	n/a
MBE/WBE Utilization	See attached MBE/WBE Utilization – Picone Construction Corp outline fo promotion, hiring and utilization of MWBE firms.
Workforce Access – Proximity to Public Transportation	Project site is accessible by #15 and #42 bus line – Southgate Plaza

Project Support Letter: Gary Dickson, Town Supervisor

DATE OF INDUCEMENT: June 22, 2022

**PILOT Worksheet: Estimate of Real Property Tax Abatement Benefits\*\*\* and Percentage of Project Costs financed from Public Sector sources**

**\*\* The PILOT Worksheet will be: (i) completed by IDA Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application.**

**PILOT Estimate Table Worksheet-A&A Union Rd, LLC**

Dollar Value of New Construction and Renovation Costs	Estimated New Assessed Value of Property Subject to IDA*	County Tax Rate/1000	Local Tax Rate (Town/City/Village)/1000	School Tax Rate/1000
2,786,729	2,174,118	13.34	21.89	45.68

\*Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Town PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	0.05	\$493	\$809	\$1,688	\$2,990	\$59,806	\$56,816
2	0.1	\$986	\$1,618	\$3,377	\$5,981	\$59,806	\$53,826
3	0.15	\$1,479	\$2,427	\$5,065	\$8,971	\$59,806	\$50,835
4	0.2	\$1,972	\$3,236	\$6,754	\$11,961	\$59,806	\$47,845
5	0.25	\$2,465	\$4,045	\$8,442	\$14,952	\$59,806	\$44,855
6	0.3	\$2,958	\$4,854	\$10,130	\$17,942	\$59,806	\$41,864
7	0.35	\$3,450	\$5,663	\$11,819	\$20,932	\$59,806	\$38,874
<b>TOTAL</b>		<b>\$13,802</b>	<b>\$22,652</b>	<b>\$47,275</b>	<b>\$83,729</b>	<b>\$418,643</b>	<b>\$334,915</b>

**\*\*\* Estimates provided are based on current property tax rates and assessment value (current as of date of application submission) and have been calculated by IDA staff**

**Percentage of Project Costs financed from Public Sector Table Worksheet:**

Total Project Cost	Estimated Value of PILOT	Estimated Value of Sales Tax Incentive	Estimated Value of Mortgage Tax Incentive	Total of Other Public Incentives (Tax Credits, Grants, ESD Incentives, etc.)
3,110,729	334,915	166,250	20,625	

**Calculate %**

**(Est. PILOT + Est. Sales Tax+ Est. Mortgage Tax+ Other)/Total Project Costs: 16.8 %**

# Erie County Industrial Development Agency

## MRB Cost Benefit Calculator



Date: May 16, 2022  
 Project Title: A&A Union Road LLC  
 Project Location: 1471 Union Road, West Seneca, NY 14224

### Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

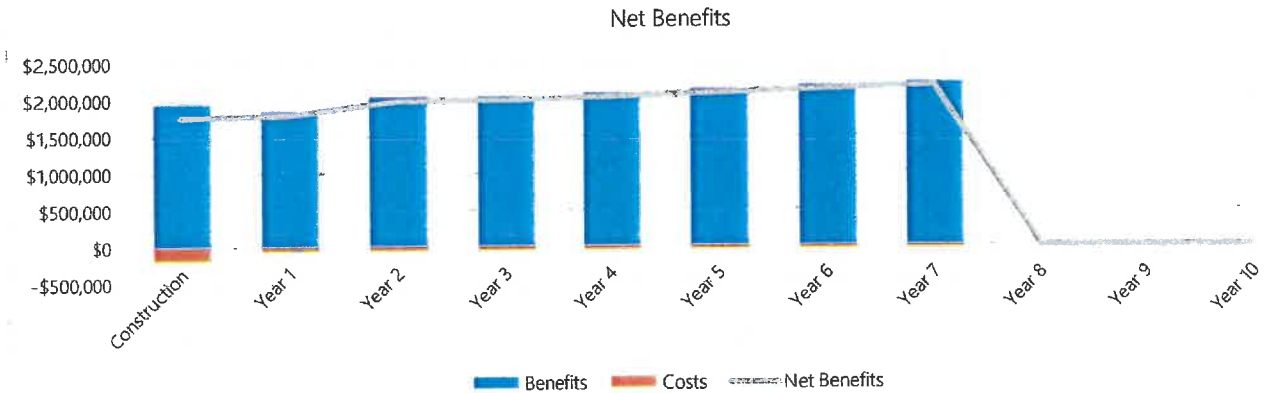
Project Total Investment  
 \$3,110,729

	Temporary (Construction)		
	Direct	Indirect	Total
Jobs	13	11	25
Earnings	\$1,185,010	\$647,197	\$1,832,207
Local Spend	\$2,830,763	\$2,004,283	\$4,835,047

	Ongoing (Operations)		
	Direct	Indirect	Total
Jobs	14	22	36
Earnings	\$5,820,426	\$7,777,387	\$13,597,812

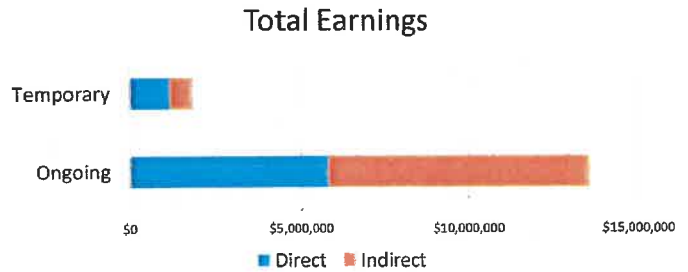
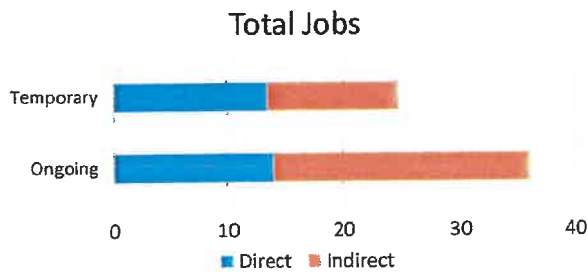
Figure 1



Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2

Figure 3



# Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

## Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$334,917	\$311,187
Sales Tax Exemption	\$166,250	\$166,250
Local Sales Tax Exemption	\$90,250	\$90,250
State Sales Tax Exemption	\$76,000	\$76,000
Mortgage Recording Tax Exemption	\$20,625	\$20,625
Local Mortgage Recording Tax Exemption	\$6,875	\$6,875
State Mortgage Recording Tax Exemption	\$13,750	\$13,750
<b>Total Costs</b>	<b>\$521,792</b>	<b>\$498,062</b>

## State and Local Benefits

	Nominal Value	Discounted Value*
<b>Local Benefits</b>	<b>\$15,648,889</b>	<b>\$14,581,771</b>
To Private Individuals	\$15,430,020	\$14,379,616
Temporary Payroll	\$1,832,207	\$1,832,207
Ongoing Payroll	\$13,597,812	\$12,547,409
Other Payments to Private Individuals	\$0	\$0
To the Public	\$218,869	\$202,154
Increase in Property Tax Revenue	\$83,732	\$75,884
Temporary Jobs - Sales Tax Revenue	\$15,230	\$15,230
Ongoing Jobs - Sales Tax Revenue	\$113,032	\$104,300
Other Local Municipal Revenue	\$6,875	\$6,740
<b>State Benefits</b>	<b>\$802,361</b>	<b>\$747,740</b>
To the Public	\$802,361	\$747,740
Temporary Income Tax Revenue	\$82,449	\$82,449
Ongoing Income Tax Revenue	\$671,902	\$564,633
Temporary Jobs - Sales Tax Revenue	\$12,825	\$12,825
Ongoing Jobs - Sales Tax Revenue	\$95,185	\$87,832
<b>Total Benefits to State &amp; Region</b>	<b>\$16,451,250</b>	<b>\$15,329,511</b>

## Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$14,581,771	\$408,312	36:1
State	\$747,740	\$89,750	8:1
<b>Grand Total</b>	<b>\$15,329,511</b>	<b>\$498,062</b>	<b>31:1</b>

\*Discounted at 2%

### Additional Comments from IDA

Does the IDA believe that the project can be accomplished in a timely fashion? Yes

# MBE/WBE Utilization



ECIDA encourages applicants to utilize MBE/WBE contractors for their projects. Describe your company's internal practices that promote MBE/WBE hiring and utilization:

4/19/22

- Picone Construction Corp. (PCC) is very familiar with the promotion, hiring and utilization of M/WBE Firms.
- PCC has completed many publicly-funded projects for the City of Buffalo, Erie County as well as other surrounding counties of Western New York.
- We are currently working on 2 publicly-funded Erie County projects with M/WBE requirements
- PCC is a long-standing member of the Construction Exchange of Buffalo and Western New York, which assists in the M/WBE certified firms.
- We are very aware of the Erie County Database of certified M/WBE firms
- Each company in this database, that provides construction-related services, is in our own Invitation to Bid (ITB) Software Database as well
- Our ITB database contains over 400 certified M/WBE companies – they are from the Certified Erie County M/WBE list as well as the NYS list and lists from surrounding counties.
- We are constantly maintaining our database with other public certified M/WBE databases so we are aware of which new companies became certified as well as which ones have dropped off the certified lists
- On most of our projects, whether there are M/WBE requirements or not, these certified M/WBE vendors are sent an ITB to propose on our project
- When projects have certain M/WBE requirements, we also call and follow-up on applicable / select certified M/WBE firms to make sure they will be proposing on the project to us within the bidding time frame.
- We assist them if they need any large-scale printing of the plans as well as describe certain aspects of the project they might have questions about, answer their questions, etc.
- Our ITB Software has Good Faith Effort Reports which will let us know which certified M/WBE firms were invited compared to which firms actually bid on the project
- We then review all the certified M/WBE bids to see which ones are the most responsible (competitive, scope inclusive, etc.) versus all the other bids we have received
- If any of the certified M/WBE bids are not responsible / need updating, then we reach out to these firms to help them identify how to make their bids more responsible.
- If a certified M/WBE firm is the most responsible bidder in their specific trade category, they are hired to complete the project for us – becoming either a Subcontractor or Supplier to us.



 Carmina • Wood • Morris <sup>DPG</sup>

**Aeby Insurance**  
3638 Seneca Street, West Seneca, NY  
8.19.2021

TOWN OF WEST SENECA



Gary A. Dickson  
Supervisor's Office

TOWN SUPERVISOR  
Gary A. Dickson  
TOWN COUNCIL  
Joseph J. Cantafio  
Jeffrey A. Piekarec  
Susan K. Kims  
Robert J. Breidenstein

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April 28, 2022

Mr. John Cappellino  
Chief Executive Officer  
Erie County Industrial Development Agency 95 Perry Street, Suite 403  
Buffalo NY 14203

Re: Aebly and Associates Insurance Services, Inc.

Dear Mr. Cappellino,

The Town of West Seneca strongly supports the application by Aebly and Associates Insurance Services, Inc. for their project located at Union Road and Center Road in West Seneca. This parcel will be used for an office building and will greatly improve one of the most prominent corners in West Seneca. The added employment and eventual increased property taxes will benefit the town. If you have any questions, please do not hesitate to contact me.

Gary A. Dickson  
Town Supervisor  
Town of West Seneca  
1250 Union Road  
West Seneca, NY 14224  
716-558-3203  
gdickson@twsny.org





### A&A Union Road LLC

[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** Aebly and Associates Insurance Services, Inc.  
**Project Summary** Construction of a new Insurance Office Building  
**Applicant Name** A&A Union Road, LLC  
**Applicant Address** 3638 Seneca Street  
**Applicant Address 2**  
**Applicant City** West Seneca  
**Applicant State** New York  
**Applicant Zip** 14224  
**Phone** (716) 479-4620  
**Fax** (716) 675-2104  
**E-mail** jaebly@aeblyandassociates.com  
**Website** www.aeblyandassociates.com  
**NAICS Code** 524210, 524298 & 524292

### Business Organization

**Type of Business** Limited Liability Company  
**Year Established** 1976  
**State in which Organization is established** New York

### Individual Completing Application

**Name** Julius W. Aebly, Jr.  
**Title** President  
**Address** 3638 Seneca St  
**Address 2**  
**City** West Seneca  
**State** New York  
**Zip** 14224  
**Phone** (716) 479-4620

**Fax** (716) 675-2104

**E-Mail** jaebly@aeblyandassociates.com

Company Contact (if different from individual completing application)

**Name**

**Title**

**Address**

**Address 2**

**City**

**State**

**Zip**

**Phone**

**Fax**

**E-Mail**

Company Counsel

**Name of Attorney** Brian Attea

**Firm Name** Attea & Attea, P.C.

**Address** 11 Main Street

**Address 2**

**City** Hamburg

**State** New York

**Zip** 14075

**Phone** (716) 648-7000

**Fax** (713) 648-7001

**E-Mail** battea@attealaw.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%.**

Julius W Aebly Jr is the 100% owner of Aebly and Associates Insurance Services, Inc. A&A Union Road, LLC. is also 100% owned by Julius W Aebly, Jr. and is the company that owns the real property and the soon to be constructed insurance office building that will be located at 1471 Union Rd. The insurance firm of Aebly and Associates Insurance Services, Inc. will be the sole tenant of A&A Union Road, LLC located at 1471 Union Rd. Our insurance firm is a diversified firm covering a wide area of insurance back-office operations and policy holder services. Our clients include policyholders of individual type insurance such as auto, home and life insurance; business clients who have business type insurance such as property, liability, worker compensation, employee benefits and other employer-based insurance for employees; and payroll services for employers. Some of our clients are fee-based clients that pay us for insurance advisory and consulting services. We also provide Third Party Administrative (TPA) services through the processing of claims and management of health care accounts such as Flexible Spending Accounts (FSA's) and Health Reimbursement Arrangements (HRA's) and Health Savings Accounts (HSA's). Less than 2% of our business includes client visits to our office, which would be for the rare occurrence when an individual client stops by the office to pay an auto insurance premium, for example, as opposed to paying their premiums like almost all clients do via US mail or bank/credit card payments online. All in-person business client interactions are conducted at our clients place of business which is away from our insurance office. The staff in our insurance office are conducting what we call back-office operations, which includes the processing of insurance claims, talking to clients and insurers over the phone about insurance matters, printing and mailing insurance policies, endorsements and ID cards, data entry, online processing of policyholder transactions with our different insurers and payroll processing to name a few.

<b>Estimated % of sales within Erie County</b>	95 %
<b>Estimated % of sales outside Erie County but within New York State</b>	4 %
<b>Estimated % of sales outside New York State but within the U.S.</b>	1 %
<b>Estimated % of sales outside the U.S.</b>	0 %

(\*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?**

90

**Describe vendors within Erie County for major purchases**

Carmina, Wood, Morris, P.C., Hopkins, Sorgi & McCarthy PLLC, Attea & Attea, P.C., Picone Construction, CTS Contracting, Kenny Carpets, Global Quest, Prem Com, Toshiba, CTS Contracting and more local providers. Subcontractors and their suppliers are all intended to be local businesses as well.

**Section II: Eligibility Questionnaire - Project Description & Details**

Project Location

**Address of Proposed Project Facility**

1471 Union Road

**Town/City/Village of Project Site**

West Seneca

**School District of Project Site**

West Seneca Central School District

**Current Address (if different)**

3638 Seneca Street

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

West Seneca

**SBL Number(s) for proposed Project**

134.59-4-28.1

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

4512.79 County & Town Tax; School tax = \$3,298.21

**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.)**

I currently own this land which has two very old and run-down structures situated on the site. These buildings will be demolished and then we will proceed with a commercial redevelopment project 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)**

Julius W Aebly Jr is the 100% owner of Aebly and Associates Insurance Services, Inc. A&A Union Road, LLC. is also 100% owned by Julius W Aebly, Jr. and is the company that owns the real property and the soon to be constructed insurance office building that will be located at 1471 Union Rd. The insurance firm of Aebly and Associates Insurance Services, Inc. will be the sole tenant of A&A Union Road, LLC located at 1471 Union Rd. Our insurance firm is a diversified firm covering a wide area of insurance back-office operations. Our clients include policyholders of individual type insurance such as auto, home and life insurance; business clients who have business type insurance such as property, liability, worker compensation, employee benefits and other employer-based insurance for employees; and payroll services for employers. Some of our clients are fee-based clients that pay us for insurance advisory and consulting services. We also provide Third Party Administrative (TPA) services through the processing of claims and management of health care accounts such as Flexible Spending Accounts (FSA's) and Health Reimbursement Arrangements (HRA's) and Health Savings Accounts (HSA's). The staff in our insurance office are conducting what we call back-office operations, which includes the processing of insurance claims, talking to clients and insurers over the phone about insurance matters, printing and mailing insurance policies, endorsements and ID cards, data entry, online processing of policyholder transactions with our different insurers and payroll processing to name a few. We are a growing firm who has no more space at our current two locations of 3638 Seneca Street and 3640 Seneca Street in West Seneca, NY. Our current office configuration in two separate buildings is not efficient and locating all employees in one location will not only allow us to operate more efficiently, but it will also provide us with the updated office environment needed to compete in hiring additional professional staff and grow our business. Both 3638 Seneca Street and 3640 Seneca Street buildings will be sold to another company or companies upon completion of this new office building project. The insurance business is highly competitive and, in WNY it is very difficult to find, train and retain an educated professional staff that is necessary to the successful operation of my business. A high skill level and years of insurance industry experience are critical for the professional performance of our operation. COVID has dramatically heightened this difficulty as employers and employees alike have been trained to accept, embrace, and demand remote work. This fundamental shift in the way people work has opened the door to competitors from across the US who are finding and hiring our local employees and who are being lured away with the offer to work from home rather than an office. Our new office building, with its open spaces, glass interior walls, brick facade and other appealing aesthetics will provide an environment that employees will embrace and look forward to spending their day. The cost of new construction, labor, materials and supplies, new desks, computers, office furniture etc. have risen dramatically since the onset of COVID and the supply chain issues. Inflation has now magnified the problem. The financial assistance provided by this program will give me the ability to proceed with this project, which would otherwise be unattainable. And this new professional office building will provide me with the opportunity to not only retain our existing staff of 13 employees, but to also hire 2 new full-time employees to help grow our business. The construction of our new state-of-the-art office building embodies the new building design and vision of West Seneca as a growing community within Erie County that will help to attract other businesses and employees from other parts of Erie County and underscores our long-term presence and financial commitment to West Seneca and Erie County. The redevelopment project consists of a 2-story Professional Office Building with a footprint of approximately 3,080 square feet (total sq ft of approximately 6,160) that will be occupied 100% by my insurance business, Aebly and Associates Insurance Services, Inc. and will be professional office space used for our insurance back-office operations. The redevelopment project includes all related site improvements as depicted in our site plan and prepared by our architects Carmina, Wood Morris, DPC. The project was reviewed by the Town of West Seneca Planning Board during its meeting on October 14, 2021, and it adopted a resolution by a unanimous vote recommending approval of the rezoning portion of the Project Site. In a letter dated February 8, 2022, from the Town of West Seneca Planning Board it was stipulated that their office reviewed the fully engineered plans and reports submitted by Carmina Wood Morris and determined that the project substantially conforms to the Town's engineering requirements. This new building, which will be a state of the art, paperless and highly visible office building will afford us the opportunity to not only retain but also attract new employees looking to be part of a growing professional insurance business.

**Municipality or Municipalities of current operations**

Town of West Seneca

**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**

No out-of-state sites have been investigated up to this point, but one thing COVID has taught us is that our business can operate with very little disruption while our staff work on a remote basis. Case in point, our offices were closed for approximately 7 months during the entire pandemic. All employees, including myself, worked on a remote basis. I worked from my Florida location for a number of those months and our business did not suffer because of this. Many employees have been asking for more remote work which I will consider going forward. And although it's unlikely that my entire West Seneca office staff would move out of state, there certainly could be enough employees who I transition to remote work, which would then make this project unnecessary.

**Have you contacted or been contacted by other Local, State and/or Federal Economic Development Agencies?**

No

**If yes, please indicate the Agency and nature of inquiry below**

**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:**

If Financial Assistance were unavailable then I fear it would be highly likely that I would remain in my current office space in West Seneca, which provides no room for growth, and I would most likely be forced to just maintain our operations as is with more remote staff. Our current office building is old, unattractive, cramped and an impediment to maintaining and growing staff. I cannot see a scenario where this Project can be undertaken without the Financial Assistance provide by this 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)**

The insurance business is highly competitive and, in WNY it is very difficult to find, train and retain an educated professional staff that is necessary to the successful operation of my business. A high skill level and years of insurance industry experience are critical for the professional performance of our operation. COVID has dramatically heightened this difficulty as employers and employees alike have been trained to accept, embrace, and demand remote work. This fundamental shift in the way people work has opened the door to competitors from across the US who are finding and hiring our local employees and who are being lured away with the offer to work from home rather than an office. Our new office building, with its open spaces, glass interior walls, brick facade and other appealing aesthetics will provide an environment that employees will embrace and look forward to spending their day. The cost of new construction, labor, materials and supplies, new desks, computers, office furniture etc. have risen dramatically since the onset of COVID and the supply chain issues. Inflation has now magnified the problem. The financial assistance provided by this program will give me the ability to proceed with this project, which would otherwise be unattainable. And this new professional office building will provide me with the opportunity to retain existing staff, hire new employees and grow our business.

**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?**

I would remain in my current location, and I would not be able to hire any new employees as we have no more space and no room for growth. I would also most likely lose some existing staff who have expressed concerns about our current office building environment. Consequently, Erie County would most likely realize less revenue from our operation as we lose staff and lose revenue and not add new staff and new revenue which comes with a growing business. Additionally, if I need to hire staff without the prospect of moving into our new office building I will have to look for remote workers anywhere within NY or outside of NY.

**Will project include leasing any equipment?**

Yes

If yes, please describe equipment and lease terms.

Multi-purpose copier/scan/print/fax machines

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)**

# 15 & # 42 Bus Line - Southgate Plaza

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

Yes

**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.

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

Yes

Describe the present zoning/land use

The west building on the lot is a 2-story home that was used for residential rental purposes. The rear 2 story structure has a 3 bay garage previously used for limousine storage with the second floor used as an office for the limousine business. The property class is currently 439

Describe required zoning/land use, if different

The newly constructed office building will have only 1 tenant: Aebly and Associates Insurance Services, Inc. The applicable property class is 464 for Office Building

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

At the January 26, 2022, Zoning Board of Appeals meeting, a variance was granted for Property located at 1471 Union Road to construct a 2-story office building with 1) 22' rear yard setback; 2) 8-parking spaces. There is an easement to the adjoining property for additional parking.

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?

Yes

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?

Yes

If yes, describe the efficiencies achieved

Toshiba brochure indicating energy efficiency compliance is attached  
You may also attach additional information about the machinery and equipment at the end of the application.

Does or will the company or project occupant perform research and development activities on new products/services at the project location?

No

If yes, include percentage of operating expenses attributed to R&D activities and provide details.

Select Project Type for all end users at project site (you may check more than one)

For purposes of the following, the term "retail sales" means (i) sales by a registered vendor under Article 28 of the Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

Will customers personally visit the Project site for either of the following economic activities? If yes with respect to either economic activity indicated below, you will need to complete the Retail section of this application.

<b>Retail Sales</b>	No	<b>Services</b>	No
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Please check any and all end uses as identified below.

- No Acquisition of Existing Facility**
- No Assisted Living**
- Yes Back Office**
- No Civic Facility (not for profit)**
- No Commercial**
- No Equipment Purchase**
- No Facility for the Aging**
- No Industrial**
- No Life Care Facility (CCRC)**
- No Market Rate Housing**
- No Mixed Use**
- No Multi-Tenant**
- No Retail**
- No Senior Housing**
- No Manufacturing**
- No Renewable Energy**
- No Other**

For proposed facility please include the square footage for each of the uses outlined below

If applicant is paying for FFE for tenants, include in cost breakdown.

		Cost	% of Total Cost
<b>Manufacturing/Processing</b>	square feet	\$ 0	0%
<b>Warehouse</b>	square feet	\$ 0	0%
<b>Research &amp; Development</b>	square feet	\$ 0	0%
<b>Commercial</b>	square feet	\$ 0	0%
<b>Retail</b>	square feet	\$ 0	0%
<b>Office</b>	6,160 square feet	\$ 2,594,729	100%
<b>Specify Other</b>	square feet	\$ 0	0%

**If you are undertaking new construction or renovations, are you seeking LEED certification from the US Green Building Council?**

No

**If you answered yes to question above, what level of LEED certification do you anticipate receiving? (Check applicable box)**

<BLANK>

**Provide estimate of additional construction cost as a result of LEED certification you are seeking** < BLANK >

**Will project result in significant utility infrastructure cost or uses** No

What is the estimated project timetable (provide dates).

**Start date : acquisition of equipment or construction of facilities**

5/1/2022

**End date : Estimated completion date of project**

1/1/2023

**Project occupancy : estimated starting date of occupancy**

1/1/2023

Capital Project Plan / Budget

**Estimated costs in connection with Project**

**1.) Land and/or Building Acquisition**

\$ 214,000 square feet acres

**2.) New Building Construction**

\$ 2,594,729 6,160 square feet



**3.) New Building addition(s)**

\$ 0 square feet

**4.) Reconstruction/Renovation**

\$ 0 square feet

**5.) Manufacturing Equipment**

\$ 0

**6.) Infrastructure Work**

\$ 42,000

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

\$ 150,000

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

\$ 110,000

**9.) Other Cost**

\$ 0

**Explain Other Costs**

**Total Cost** \$ 3,110,729

Construction Cost Breakdown:

<b>Total Cost of Construction</b>	\$ 2,636,729 (sum of 2, 3, 4 and 6 in Project Information, above)
<b>Cost of materials</b>	\$ 1,600,000
<b>% sourced in Erie County</b>	100%

Sales and Use Tax:

<b>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</b>	\$ 1,900,000
<b>Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above):</b>	\$ 166,250

\*\* 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?** Yes

**If Yes, describe particulars:** Land acquisition costs, infrastructure work and soft costs.

Sources of Funds for Project Costs:

<b>Equity (excluding equity that is attributed to grants/tax credits):</b>	\$ 516,000
<b>Bank Financing:</b>	\$ 2,750,000
<b>Tax Exempt Bond Issuance (if applicable):</b>	\$ 0
<b>Taxable Bond Issuance (if applicable):</b>	\$ 0
<b>Public Sources (include sum total of all state and federal grants)</b>	\$ 0

**and tax credits):**

**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:** \$3,266,000

**Have you secured financing for the project?** No

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).** 2,750,000

**Lender Name, if Known**

**Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above multiplied by 3/4 of 1%):** \$20,625

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.

**ECIDA encourages applicants to utilize MBE/WBE contractors for their projects. Describe your company's internal practices that promote MBE/WBE hiring and utilization**

MBE/WBE Utilization Questionnaire is attached

**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.

Multi-purpose copier/scan/print/fax machines

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**

**If financial assistance is granted – project the**

**If financial assistance is granted – project the number of FT and PT**

**Estimate number of residents of the Labor Market Area in which**

	relocated at project location	number of FT and PT jobs to be retained	jobs to be created upon 24 months (2 years) after Project completion	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	12	12	2	2
Part time	1	1	0	0
<b>Total</b>	<b>13</b>	<b>13</b>	<b>2</b>	

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	2	\$ 91,000	\$ 22,051	\$ 0	\$ 0
Professional	12	\$ 54,750	\$ 67,600	\$ 0	\$ 0
Administrative	1	\$ 0	\$ 0	\$ 36,420	\$ 1,377
Production	0	\$ 0	\$ 0	\$ 0	\$ 0
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	101 Lang Boulevard Grand Island, NY 14072	7202 Boston State Rd North Boston, NY 14110	
Full time	5	2	0
Part time	0	0	0
<b>Total</b>	<b>5</b>	<b>2</b>	<b>0</b>

Payroll Information

**Annual Payroll at Proposed Project Site upon completion**

775,464

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

61,587

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

36,421

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

40,000

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

0

**Estimated salary range of jobs to be created**

<b>From (Full Time)</b>	40,000	<b>To (Full Time)</b>	45,000
	25,000		30,000

5/11/22, 8:27 AM

The Erie County Industrial Development Agency (ECIDA)

**From (Part Time)**

**To (Part Time)**

**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**

1471 Union Road West Seneca, NY 14224

**Name and Address of Owner of Premises**

Julius W Aebly, Jr. 12125 Townsend Rd Springville, NY 14141

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

The office will be in what is considered the central part of the Town of West Seneca on a main throughfare that is a business section of town. The premise is located on a 4-way corner intersection and has no proximity to any wetlands, rivers, streams, lakes, or other bodies of water.

**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 office building will be newly constructed in 2022 and all furnishings will be newly purchased in 2022, so the age will be <1 year for everything going into the building and everything used in construction of the building. Our insurance firm is a diversified firm covering a wide area of insurance back-office operations and policy holder services. Our clients include policyholders of individual type insurance such as auto, home and life insurance; business clients who have business type insurance such as property, liability, worker compensation, employee benefits and other employer-based insurance for employees; and payroll services for employers. Some of our clients are fee-based clients that pay us for insurance advisory and consulting services. We also provide Third Party Administrative (TPA) services through the processing of claims and management of health care accounts such as Flexible Spending Accounts (FSA's) and Health Reimbursement Arrangements (HRA's) and Health Savings Accounts (HSA's). The staff in our insurance office are conducting what we call back-office operations, which includes the processing of insurance claims, talking to clients and insurers over the phone about insurance matters, printing and mailing insurance policies, endorsements and ID cards, data entry, online processing of policyholder transactions with our different insurers and payroll processing to name a few.

**Describe all known former uses of the Premises**

The previous owner had a 2-story residential home that he rented to individuals. The other 2-story building was a garage for the storage of his commercial limousines and an office for this business.

**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**

Not applicable

**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**

Not applicable

**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?**

No

**If yes, describe each such source, including whether it is a stationary combustion installation, process source, exhaust or ventilation system, incinerator or other source**

**Are any of the air emission sources permitted?**

No

**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**

Not applicable

**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** Aebly and Associates Insurance Services, Inc.  
**Address** 1471 Union Road (proposed new office building location)  
**Contact Person** Julius W Aebly, Jr.  
**Phone** (716) 479-4620  
**Fax** (716) 675-2104  
**E-Mail** jaebly@aeblyandassociates.com  
**Federal ID #** 16-1063621  
**SIC/NAICS Code** 524210, 524298 & 524292

SS



**Section V: Tenant Information**

**PART 1 TO BE COMPLETED BY LESSEE (DEVELOPER)**

**Tenant Name**

Aebly and Associates Insurance Services, Inc

**Property Address:**

1471 Union Road (proposed new office building location)

**City/Town/Village**

West Seneca

The following information is an outline relative to the potential client and their proposed contract to sublease space in the above reference facility

**Amount of space to be leased (square feet)**

6,160

**What percentage of the building does this represent?**

100

**Are terms of lease:**

NET

**If GROSS lease, please explain how Agency benefits are passed to the tenant**

**Estimated date of occupancy**

1/2/2023

**PART 2 TO BE COMPLETED BY PROPOSED TENANT**

**Company Name:**

Aebly and Associates Insurance Services, Inc

**Local Contact Person:**

Julius W Aebly, Jr.

**Title:**

President

**Current Address:**

3638 & 3640 Seneca Street, West Seneca, NY 14224

**Phone:**

(716) 479-4620

**Fax:**

(716) 675-2104

**E-Mail:**

jaebly@aeblyandassociates.com

**Website:**

www.aeblyandassociates.com

**Company President/General Manager:**

Julius W. Aebly, Jr.

**Number of employees moving to new project location:**

**Full-Time:**

12

**Part-Time:**

1

**Total:**

13

**Please describe briefly the nature of the business in which the proposed tenant is/will be engaged. This should include NAICS Code; type of business and products or services; percent of total sales in Erie County and the United States:**

Our insurance firm is a diversified firm covering a wide area of insurance back-office operations and policy holder services. Our clients include policyholders of individual type insurance such as auto, home and life insurance; business clients who have business type insurance such as property, liability, worker compensation, employee benefits and other employer-based insurance for employees; and payroll services for employers. Some of our clients are fee-based clients that pay us for insurance advisory and consulting services. We also provide Third Party Administrative (TPA) services through the processing of claims and management of health care accounts such as Flexible Spending Accounts (FSA's) and Health Reimbursement Arrangements (HRA's) and Health Savings Accounts (HSA's). The staff in our insurance office are conducting what we call back-office operations, which includes the processing of insurance claims, talking to clients and insurers over the phone about insurance matters, printing and mailing insurance policies, endorsements and ID cards, data entry, online processing of policyholder transactions with our different insurers and payroll processing to name a few. For this office location approximately 95% of sales will be in Erie County and the other 5% all within the United States.

Attach additional information as necessary.

**History of Company (i.e. start-up, recent acquisition, publicly traded)**

The company started as an unincorporated insurance agency in 1913. The earliest corporate records we have is a Certificate of Incorporation that was filed on 03/03/1976 under the name of Wishing-Walsh Agency, Inc. A Name Change was filed with the NYS Department of State changing the name to K.A. Jones Agency, Inc. on 05/05/1976, then a certificate changing the name to Walsh-Jones Agency Inc. was filed on 05/11/1978 and then finally a certificate changing the name to Aebly and Associates Insurance Services, Inc. was filed on 11/27/2017. Aebly and Associates Insurance Services, Inc. is a privately held company.

**Please list the square footage which the proposed tenant will lease at the Project location**

6,160

**Please list the square footage which the proposed tenant leases at its present location(s)**

3,500

**Describe the economic reason for either the increase or decrease in leased space.**

We are a growing firm who has no more space at our current two locations of 3638 Seneca Street and 3640 Seneca Street in West Seneca, NY. Our current office configuration in two separate buildings is not efficient and locating all employees in one location will not only allow us operate more efficiently, but it will also provide us with the updated office environment needed to compete in hiring additional professional staff and grow our business.

**Will the project result in a relocation and/or abandonment of other tenant/user(s) facilities in Erie County, or New York State?**

Yes

**If owned, what will happen to the existing facility once vacated?**

3638 Seneca Street and 3640 Seneca Street buildings will be sold

**If leased, when does lease expire?**

12/31/1969

**Are any of the proposed tenant's current operations located in facilities which have received an Industrial Development Agency benefit?**

No

**If yes, please provide details as to location, and amount of leased space, how long leased?**

**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?**

Yes

If yes, complete the Retail Questionnaire Supplement below. **If no, proceed to the next section.**

**What percentage of the cost of the project will be expended on such facilities or property primarily used in making sales of goods or services to customers who personally visit the project?**

2 %

If the answer to this is **less than 33%** do not complete the remainder of the page, proceed to the next section.

If the answer to A is Yes AND the answer to Question B is greater than 33.33%, indicate which of the following questions below apply to the project:

**Will the project be operated by a not-for-profit corporation?**

<BLANK>

**Is the project location or facility likely to attract a significant number of visitors from outside the economic development region (Erie, Niagara, Allegheny, Chautauqua and Cattaraugus counties) in which the project will be located?**

<BLANK>

If yes, please provide a third party market analysis or other documentation supporting your response.

**Is the predominant purpose of the project to make available goods or services which would not, but for the project, be reasonably accessible to the residents of the municipality? Are services provided at the proposed project site needed because of a lack of reasonably accessible retail trade facilities offering such goods or services?**

<BLANK>

If yes, please provide a market analysis supporting your response.

**Will the project preserve permanent, private sector jobs or increase the overall number of permanent private sector jobs in the State of New York?**

<BLANK>

**If yes, explain**

**Is the project located in a Highly Distressed Area?**

<BLANK>

## **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**

3638 Seneca Street and 3640 Seneca Street

**City/Town**

West Seneca

**State**

New York

**Zip Code**

14224

**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**

Yes

**If Yes to either question, please, explain**

We will move from our two existing smaller locations to this larger office building within Erie County.

**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.)**

Primary consideration is that the new building provide a new and professional office environment that is conducive to conducting business in a paperless, professional and streamlined work environment and which affords us the opportunity to compete for new employees in this new highly competitive employment market.

**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?**

We believe that the educated and hardworking employees located in Erie County give us the ability to compete in our business. With the financial assistance from this Agency, we will be able to afford this new project which will help retain existing employees and attract new employees and provide benefits to both the Town of West Seneca and 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?**

They will be sold, not abandoned.

**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.**

3638 Seneca Street - current location is too small, too old, and not conducive to a collaborative work environment. 3640 Seneca Street - current location is too small, too old, and not conducive to a collaborative work environment. 3625 Seneca Street - site was not large enough and the layout was not conducive to a collaborative work environment. 150 Empire Drive - layout was not good for a professional office operation 1293 Union Rd - mixed use building would not work for our operation 2060 Union Rd - too small for our operation and growth plans 1251 Union Rd - too small of a building and insufficient parking 4085 Seneca Street - office layout would not work 5266 Seneca Street - office layout would not work

**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

**Spaulding Business Park, LLC**

**\$ 2,055,000**

**PRIVATE INVESTMENT INDUCEMENT RESOLUTION**

<p><b>ELIGIBILITY</b></p>	<p>Project Title: Spaulding Business Park</p>														
<ul style="list-style-type: none"> <li>• NAICS Section – 236220</li> </ul>	<p>Project Address Gibson St (corner of Gibson &amp; Hackett Dr)</p>														
<p><b>COMPANY INCENTIVES</b></p>	<p>Tonawanda, NY 14150</p>														
<ul style="list-style-type: none"> <li>• Approximately \$ 94,062 in sales tax savings</li> <li>• Approximately \$ 293,429 in real property tax savings</li> <li>• Up to 3/4 of 1% of the final mortgage amt estimated at \$15,750</li> </ul>	<p>Tonawanda City District School System</p> <p align="center"><b>Agency Request</b></p> <p>A sales tax, mortgage recording tax and real property tax abatement in connection with the construction of a business park in the City of Tonawanda consisting of five approx. 9,000 sq ft buildings for light manufacturing and/or warehouse use.</p>														
<p><b>JOBS &amp; ANNUAL PAYROLL</b></p>	<table border="0"> <tr> <td>Land/Building Acquisition</td> <td>\$ 120,000</td> </tr> <tr> <td>New Building Construction</td> <td>\$ 1,800,000</td> </tr> <tr> <td>Infrastructure</td> <td>\$ 100,000</td> </tr> <tr> <td>Non- Manufacturing Equipment</td> <td>\$ 0</td> </tr> <tr> <td>Soft Costs/Other</td> <td>\$ 35,000</td> </tr> <tr> <td><b>Total Project Cost</b></td> <td><b>\$2,055,000</b></td> </tr> <tr> <td> 85%</td> <td> \$1,746,750</td> </tr> </table>	Land/Building Acquisition	\$ 120,000	New Building Construction	\$ 1,800,000	Infrastructure	\$ 100,000	Non- Manufacturing Equipment	\$ 0	Soft Costs/Other	\$ 35,000	<b>Total Project Cost</b>	<b>\$2,055,000</b>	 85%	 \$1,746,750
Land/Building Acquisition	\$ 120,000														
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Soft Costs/Other	\$ 35,000														
<b>Total Project Cost</b>	<b>\$2,055,000</b>														
 85%	 \$1,746,750														
<ul style="list-style-type: none"> <li>• Current Jobs: 0</li> <li>• Annual Payroll: \$ 0</li> <li>• Projected new jobs: 20</li> <li>• Est. salary/yr. of jobs created: \$ 48,750</li> <li>• Total jobs after project completion: 20</li> <li>• Construction Jobs: 8</li> </ul>	<p align="center"><b>Company Description</b></p> <p>Paolini Enterprises is a full-service General Contracting Company as well as an interior &amp; exterior maintenance company. Started in 1994 by business owner Joseph Paolini, the business has evolved into a real estate development and management company overseeing large commercial properties. Two business parks are owned by the company: Niagara Business Park in Wheatfield, NY and Bulldog Business Park in Sanborn, NY. Both of these parks were developed from vacant land and are currently 100% leased. Several addition real estate sites are managed by Paolini Enterprises including multiple Dunkin Donut locations in Erie and Niagara Counties, and Mid-City Plaza in North Tonawanda.</p>														
<p><b>PROJECTED COMMUNITY BENEFITS*</b></p>	<p align="center"><b>Project Description</b></p>														
<ul style="list-style-type: none"> <li>• Term: 7 YEARS</li> <li>• NET Community Benefits: \$ 11,239,653</li> <li>• Spillover Jobs: 24</li> </ul> <p>Total Payroll: \$ 10,526,239</p>	<p>The applicant has purchased 4 acres of land from the City of Tonawanda located within the Spaulding Commerce Park – a super fund site / former home of Spaulding Fibre. Paolini Enterprises is developing a Business Park that will rent light manufacturing and warehouse distribution space to businesses. Five buildings of approximately 9,000+ sq ft each are anticipated for the site for a total of 45,760 sq ft of available rental space. The project will be completed in phases – over a two to three year period.</p>														
<p><b>INCENTIVE COST / COMMUNITY BENEFIT RATIO (discounted at 2%)*</b></p>															
<p>Incentives: \$ 382,448</p> <p>Community Benefit: \$ 10,383,498</p> <p>Cost: Benefit Ratio</p> <ul style="list-style-type: none"> <li>• 1: 27</li> </ul>															

\* Cost Benefit Analysis Tool powered by MRB Group



## Economic Impact: Inform Analytics Cost-Benefit Analysis

The Erie County Industrial Development Agency uses the Cost Benefit Analysis Tool powered by MRB Group to assess the economic impact of a project applying for incentives. A Cost-Benefit Analysis is required by Section 859-a (5)(b) of General Municipal Law. For the complete Cost Benefit Analysis – please see the attached MRB Cost Benefit Calculator.

### Cost: Incentives

COSTS	Tax Exemption	Amount
	Property	293,429
	Sales	94,062
	Mortgage Recording	15,750
	Total	403,241
	Discounted at 2%	382,448

### Benefit: Projected Community Benefit\*

BENEFITS	Region	Recipient	Revenue Type	\$ Amount **
	Erie County	Individuals	Payroll Construction	1,173,651
			Payroll Permanent	9,352,588
		Public	Property Taxes	73,360
			Sales Taxes,	87,499
			Local Muni (NFTA)	5,190
	New York State	Public	Income Taxes	473,680
			Sales Taxes	73,684
			Total Benefits to EC + NYS***	11,239,653
			Discounted at 2%	10,383,498

\* Cost Benefit Analysis Tool powered by MRB Group \*\*includes direct & indirect \$ over project period \*\*\* may not sum to total due to rounding

Discounted Cost           \$ 382,448  
 Discounted Benefit       \$ 10,383,498  
 Ratio                        1:27

**Conclusion:** The Cost Benefit for this project is: 1:27. For every \$1 in costs (incentives), this project provides \$27 in benefits (payroll & tax revenue). **Note: For Erie County, every \$1 in costs (incentives) provides \$30 in benefits to the community.**

### New Tax Revenue Estimated

Current Yearly Taxes	Estimated New Assessed Value (improved value)	Additional County Revenue over abatement period	Additional Local Revenue Over abatement period	Additional School Revenue over abatement period	New Yearly Taxes Upon Expiration of Abatement Period
\$4,990	\$1,260,000	\$9,221	\$34,653	\$29,484	\$52,398
Combined Tax Rate: \$41.586					

## 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 = \$2,055,000 85% = \$1,746,750
Employment	Coincides with 10-year PILOT	Maintain Base = 0 Create 85% of Projected Jobs Projected = 20 85% = 17 Recapture Employment = 17
Local Labor	Construction period	Adherence to policy including quarterly reporting
Pay Equity	Coincides with 7-year PILOT	Adherence to Policy
Unpaid Tax	Coincides with 7-year PILOT	Adherence to Policy
<u>Recapture Period</u>	Coincides with 7-year PILOT	Recapture of Mortgage recording tax, state and local sales taxes

Recapture applies to:

State and Local Sales Taxes  
 Real Property Tax  
 Mortgage Recording Tax

### Recapture

Pursuant to New York State General Municipal Law, the agency shall modify, recover, recapture or terminate any financial assistance taken by the company that is in violation of the GML.

At completion of the project company must certify i) total investment amount is equal to or greater than 85% of the anticipated project amount; ii) company has maintained 0 jobs and created 17 jobs, iii) confirm adherence to local labor policy during construction and iv) its adherence to unpaid tax/pay equity policies for recapture term.

### Project ECIDA History

- May 31, 2022 Public hearing held.
- June 22, 2022 Inducement Resolution presented to Board of Directors adopting a Negative Declaration in accordance with SEQRA
- June 22, 2022 Lease/Leaseback Inducement Resolution presented to the Board of Directors

EVALUATIVE CRITERIA  
 MANUFACTURING/WAREHOUSE/DISTRIBUTION

Spaulding Business Park

Wage Rate (above median wage for area)	This local Developer project will create a business park for light manufacturing / warehouse distribution tenants (speculative). Projected wage rates are in line with median wages for the area.
Regional Wealth Creation (% sales/customers outside area)	Due to the speculative nature of this project, this is unknown.
In Region Purchases (% of overall purchases)	For the building construction, 85% in region purchases are anticipated.
Research & Development Activities	Due to the speculative nature of this project, this is unknown.
Investment in Energy Efficiency	N/A
Locational Land Use Factors, Brownfields or Locally Designated Development Areas	The location of this business park is at the Spaulding Commerce Park – a Super Fund site (requiring a long-term response to clean up hazardous material contaminations), located in a highly distressed census tract.
LEED/Renewable Resources	N/A
Retention/Flight Risk	N/A
MBE/WBE Utilization	Company has committed to MWBE Utilization and use of State & County/City certified MWBEs. See attached MBE/WBE Utilization Form.
Workforce Access – Proximity to Public Transportation	Business Park has close proximity to NFTA Route 25 (Delaware / Tussing)

Letter of support received from City of Tonawanda Mayor John L. White, dtd 5/13/22

DATE OF INDUCEMENT: June 22,2022

**PILOT Worksheet: Estimate of Real Property Tax Abatement Benefits\*\*\* and Percentage of Project Costs financed from Public Sector sources**

**\*\* The PILOT Worksheet will be: (i) completed by IDA Staff based upon information contained within the Application, and (ii) provided to the Applicant for ultimate inclusion as part of this completed Application.**

**PILOT Estimate Table Worksheet-Spaulling Business Park, LLC**

Dollar Value of New Construction and Renovation Costs	Estimated New Assessed Value of Property Subject to IDA*	County Tax Rate/1000	Local Tax Rate (Town/City/Village)/1000	School Tax Rate/1000
1,800,000	1,260,000	5.227	19.644	16.714

\*Apply equalization rate to value

PILOT Year	% Payment	County PILOT Amount	Town PILOT Amount	School PILOT Amount	Total PILOT	Full Tax Payment w/o PILOT	Net Exemption
1	0.05	\$329	\$1,238	\$1,053	\$2,620	\$52,398	\$49,778
2	0.1	\$659	\$2,475	\$2,106	\$5,240	\$52,398	\$47,158
3	0.15	\$988	\$3,713	\$3,159	\$7,860	\$52,398	\$44,538
4	0.2	\$1,317	\$4,950	\$4,212	\$10,480	\$52,398	\$41,918
5	0.25	\$1,647	\$6,188	\$5,265	\$13,100	\$52,398	\$39,299
6	0.3	\$1,976	\$7,426	\$6,318	\$15,719	\$52,398	\$36,679
7	0.35	\$2,305	\$8,663	\$7,371	\$18,339	\$52,398	\$34,059
<b>TOTAL</b>		<b>\$9,221</b>	<b>\$34,653</b>	<b>\$29,484</b>	<b>\$73,357</b>	<b>\$366,786</b>	<b>\$293,429</b>

**\*\*\* Estimates provided are based on current property tax rates and assessment value (current as of date of application submission) and have been calculated by IDA staff**

**Percentage of Project Costs financed from Public Sector Table Worksheet:**

Total Project Cost	Estimated Value of PILOT	Estimated Value of Sales Tax Incentive	Estimated Value of Mortgage Tax Incentive	Total of Other Public Incentives (Tax Credits, Grants, ESD Incentives, etc.)
2,055,000	293,429	94,062	15,750	0

**Calculate %**

**(Est. PILOT + Est. Sales Tax+ Est. Mortgage Tax+ Other)/Total Project Costs:   19.6   %**

# Erie County Industrial Development Agency MRB Cost Benefit Calculator



Date: May 16, 2022  
 Project Title: Spaulding Business Park, LLC  
 Project Location: Gibson St., Tonawanda, NY, 14150

## Economic Impacts

Summary of Economic Impacts over the Life of the PILOT

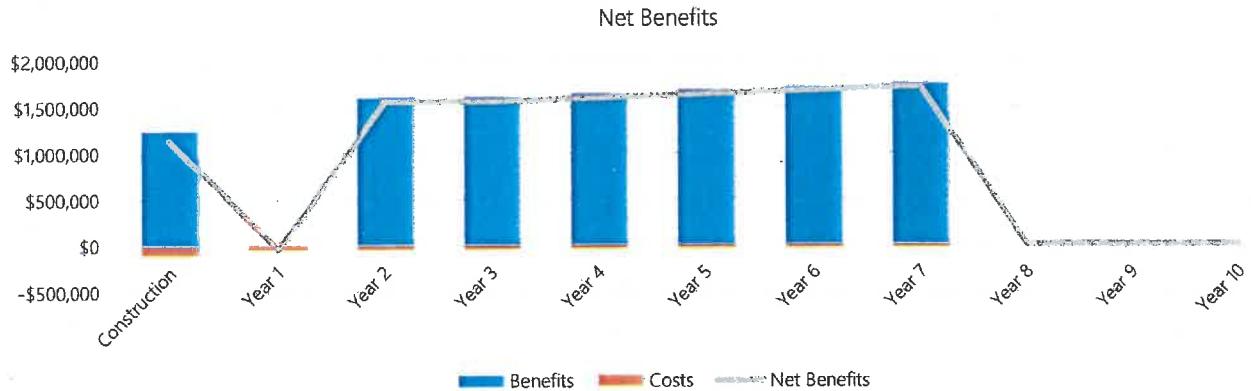
Project Total Investment  
\$2,055,000

	Temporary (Construction)		
	Direct	Indirect	Total
Jobs	8	7	15
Earnings	\$756,338	\$417,313	\$1,173,651
Local Spend	\$1,828,950	\$1,294,890	\$3,123,840

	Ongoing (Operations)		
	Direct	Indirect	Total
Jobs	20	17	37
Earnings	\$6,048,939	\$3,303,649	\$9,352,588

Figure 1



Net Benefits chart will always display construction through year 10, irrespective of the length of the PILOT.

Figure 2

### Total Jobs

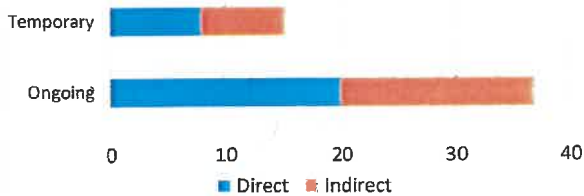
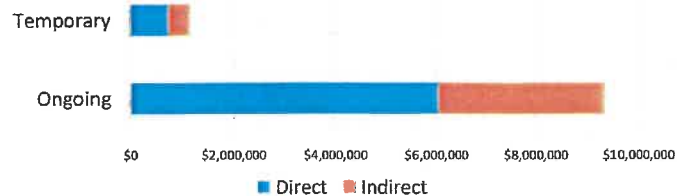


Figure 3

### Total Earnings



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Ongoing earnings are all earnings over the life of the PILOT.

# Fiscal Impacts



Cost-Benefit Analysis Tool powered by MRB Group

## Estimated Costs of Exemptions

	Nominal Value	Discounted Value*
Property Tax Exemption	\$293,426	\$272,636
Sales Tax Exemption	\$94,062	\$94,062
Local Sales Tax Exemption	\$51,062	\$51,062
State Sales Tax Exemption	\$43,000	\$43,000
Mortgage Recording Tax Exemption	\$15,750	\$15,750
Local Mortgage Recording Tax Exemption	\$5,250	\$5,250
State Mortgage Recording Tax Exemption	\$10,500	\$10,500
<b>Total Costs</b>	<b>\$403,238</b>	<b>\$382,448</b>

## State and Local Benefits

	Nominal Value	Discounted Value*
<b>Local Benefits</b>	<b>\$10,692,289</b>	<b>\$9,877,779</b>
To Private Individuals	<b>\$10,526,239</b>	<b>\$9,725,365</b>
Temporary Payroll	\$1,173,651	\$1,173,651
Ongoing Payroll	\$9,352,588	\$8,551,714
Other Payments to Private Individuals	\$0	\$0
To the Public	<b>\$166,049</b>	<b>\$152,414</b>
Increase in Property Tax Revenue	\$73,360	\$66,484
Temporary Jobs - Sales Tax Revenue	\$9,756	\$9,756
Ongoing Jobs - Sales Tax Revenue	\$77,743	\$71,086
Other Local Municipal Revenue	\$5,190	\$5,088
<b>State Benefits</b>	<b>\$547,364</b>	<b>\$505,719</b>
To the Public	<b>\$547,364</b>	<b>\$505,719</b>
Temporary Income Tax Revenue	\$52,814	\$52,814
Ongoing Income Tax Revenue	\$420,866	\$384,827
Temporary Jobs - Sales Tax Revenue	\$8,216	\$8,216
Ongoing Jobs - Sales Tax Revenue	\$65,468	\$59,862
<b>Total Benefits to State &amp; Region</b>	<b>\$11,239,653</b>	<b>\$10,383,498</b>

## Benefit to Cost Ratio

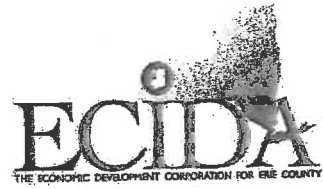
	Benefit*	Cost*	Ratio
Local	\$9,877,779	\$328,948	30:1
State	\$505,719	\$53,500	9:1
<b>Grand Total</b>	<b>\$10,383,498</b>	<b>\$382,448</b>	<b>27:1</b>

\*Discounted at 2%

## Additional Comments from IDA

Does the IDA believe that the project can be accomplished in a timely fashion? Yes

# MBE/WBE Utilization



ECIDA encourages applicants to utilize MBE/WBE contractors for their projects. Describe your company's internal practices that promote MBE/WBE hiring and utilization:

As a developer that works on small-scale projects, for example, warehouse-type structures, our internal practices are to have a high level of diversity in all aspects of business. My hiring policy is to prioritize contractors and to purchase materials that are from individuals or companies with a background of MBE/WBE. Our goal for this project is to continue our policy of hiring and doing business with MBE/WBE companies. We will use the state and county certified MBE/WBE lists to help hire MWBEs throughout the project for paving/site work, trucking, drywall, and lumber/materials to be considered for this project. We estimate to have about 30% of our contractors/materials provided by MBE/WBE entities. As the project continues we will monitor if an increase will be necessary to hire more MBE/WBE contractors.



**CITY OF TONAWANDA, NEW YORK  
OFFICE OF THE MAYOR**

200 Niagara Street Tonawanda, New York 14150-1099

Phone: (716) 695-8645 Fax: (716) 695-8314

E-mail: [mayor@tonawandacity.com](mailto:mayor@tonawandacity.com)

**JOHN L. WHITE**  
Mayor

**RONALD J. PILOZZI**  
Administrative Assistant

**SHARON R. STUART**  
Executive Secretary

May 13, 2022

Mr. Andrew Federick  
Erie County Industrial Development Agency  
95 Perry Street, Suite 403  
Buffalo, NY 14203

Dear Andy,

I am writing to you today to express my full support of Joseph Paolini, and his planned development in the Spaulding Commerce Park located here in the City of Tonawanda.

Over the past 10 years there has been an increase in the need for Small Business warehousing/manufacturing facilities, ranging between 1,000 to 5,000 feet. Spaulding Commerce Park is located between Buffalo and Niagara Falls, with easy access to the I-190, I-290 and markets in Canada. This provides the ideal setting for office and light industrial tenants. As I understand, Mr. Paolini plans to build a total of five buildings in two or three phases, with the total project to be completed in approximately 2-3 years.

I first met Joseph Paolini over 20 years ago when I was an educator for the DEC, certifying him in New York State for his landscaping business. I found him to be an energetic, honest young businessman looking to make some wise decisions while moving forward in his new ventures. I welcome Joseph to the City of Tonawanda. I look forward to working with him again and wish him all the best.

If I can be of further assistance, or if you have questions or concerns, please do not hesitate to contact me.

Respectfully,

A handwritten signature in cursive script that reads "John L. White".

John L. White  
Mayor





### Spaulding Business Park LLC

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

<b>Project Name</b>	Spaulding Business Park
<b>Project Summary</b>	I am going to be building a business park on the corner of Gibson St. and Hackett Dr in The City of Tonawanda, NY (4 acres of vacant land - no current address yet). I will be building a total of five buildings in two to three phases (approx 2 to 3 years for full project completion). Each phase will be approximately 10,000 to 20,000 sqft. Building units will rent out to light manufacturing companies and warehouse distribution. We are projecting an average of 20 to 35 tenants total (depending on the needs of future tenants). Project cost approx \$2.1 million.
<b>Applicant Name</b>	Spaulding Business Park LLC
<b>Applicant Address</b>	6500 Ward Road
<b>Applicant Address 2</b>	
<b>Applicant City</b>	Sanborn
<b>Applicant State</b>	New York
<b>Applicant Zip</b>	
<b>Phone</b>	(716) 628-1993
<b>Fax</b>	
<b>E-mail</b>	jvpaolini@gmail.com
<b>Website</b>	none
<b>NAICS Code</b>	236220 non-residential building construction

#### Business Organization

<b>Type of Business</b>	Limited Liability Company
<b>Year Established</b>	2021
<b>State in which Organization is established</b>	New York

#### Individual Completing Application

<b>Name</b>	Joseph Paolini
<b>Title</b>	President/Owner
<b>Address</b>	6500 Ward Rd
<b>Address 2</b>	
<b>City</b>	Sanborn

**State** New York  
**Zip** 14132  
**Phone** (716) 628-1993  
**Fax**  
**E-Mail** jvpaolini@gmail.com

Company Contact (if different from individual completing application).

**Name**  
**Title**  
**Address**  
**Address 2**  
**City**  
**State**  
**Zip**  
**Phone**  
**Fax**  
**E-Mail**

Company Counsel

**Name of Attorney** Nicholas Ingrassi  
**Firm Name** Gross Shuman P.C.  
**Address** 465 Main St. #600  
**Address 2**  
**City** Buffalo  
**State** New York  
**Zip** 14203  
**Phone** (716) 566-7269  
**Fax**  
**E-Mail** ningrassia@gross-shuman.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%.**

I became a business owner in 1994 when I started a landscape design and install business. Paolini Enterprises Inc evolved into a full General Contracting Company, as well as an interior and exterior maintenance company. For the past 20 years I've become a Real Estate Developer and Manager of large commercial properties. I currently own and manage two business parks, Niagara Business Park located in Wheatfiled NY and Bulldog Business Park located in Sanborn NY. Bulldog Business Park I developed from vacant land. There are three 4,000 sq ft buildings on the property. Niagara Business Park is a 10,200 sq ft complex. Both business parks are 100% leased. Another part of my business is facility management. Currently we manage multiple Dunkin Donuts located in Erie and Niagara Counties. We also currently manage and maintain Mid-City Plaza, which is located in North Tonawanda NY. (approx 210,000 sq ft).

<b>Estimated % of sales within Erie County</b>	75 %
<b>Estimated % of sales outside Erie County but within New York State</b>	25 %
<b>Estimated % of sales outside New York State but within the U.S.</b>	0 %
<b>Estimated % of sales outside the U.S.</b>	0 %

(\*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?**

85

**Describe vendors within Erie County for major purchases**

Building materials - 84 Lumber(2286 Military Rd. Ton. NY 14150) Concrete - United Materials - (528 Youngs St Ton NY 14150)  
Plumbing/supplies - Irr Plumbing Supplies (1674 Kenmore Ave Buffalo, NY 14216) Electrical Supplies - Shanor Electric Supplies (1267 Military Rd Kenmore NY 14217)

**Section II: Eligibility Questionnaire - Project Description & Details**

Project Location

**Address of Proposed Project Facility**

Gibson St (corner of Gibson & Hackett Dr)

**Town/City/Village of Project Site**

City of Tonawanda

**School District of Project Site**

City of Tonawanda

**Current Address (if different)**

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

**SBL Number(s) for proposed Project**

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

**If amount of current taxes is not available, provide assessed value for each.**

Land

\$ 120,000

Building(s)

\$ 1,700,000

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.)**

Vacant land

**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)**

The four acres were purchased from the City of Tonawanda at the corner of Gibson St. and Hackett Dr. The purpose of this project is to utilize the vacant land and turn it into a Business Park. The Business Park will offer rental space to light manufacturing companies and warehouse distribution. The demand for this type of warehouse space is in extremely high, as I own two other Business Parks in Niagara County that rent out with the same purpose and have full occupancy, with a tenant waiting list. For this project, I will build five warehouse buildings on the site. Each building will be 9,152 sq ft, with a total of 45,760 sq ft in total. I expect to lease out to about 20 to 35 tenants (depending on the needs of future tenants). The project will require two to three phases and take approximately two to three years for full job completion. At the end of each phase approximately 10-20,000 square feet of the project will be completed. Total Project Cost: \$2.1 million

**Municipality or Municipalities of current operations**

City of Tonawanda, 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?**

No

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

**Have you contacted or been contacted by other Local, State and/or Federal Economic Development Agencies?**

No

**If yes, please indicate the Agency and nature of inquiry below**

**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:**

Without the Agency's financial assistance this project would not be possible.

**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)**

This project has challenges due to the effect of the pandemic on rising material costs, rising labor costs, and without the benefit of pre-construction tenants. The agency's assistance will allow a specific timeline to complete the project as there is significant demand for these types of warehouse developments within the area. Tenants have been identified and are awaiting final construction details.

**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?**

It is critical to obtain financial assistance from the ECIDA for this project due to rising costs of building materials, labor costs, and the increased costs of building codes. The impact this project will have on Erie County is multilayer. First, new business owners will benefit from this project, such as light manufacturing/distribution businesses will have a space to increase their productivity to meet the demands of their consumers. Second, these types of warehouses will make businesses in Erie County successful and help grow with the increasing demand for warehouse space. Third, as data shows when small businesses are successful the surrounding small businesses will also have an increase in economic success. There is a strong demand for these types of projects within Erie County, the surrounding businesses and region will grow as well once this project is implemented.

**Will project include leasing any equipment?**

No

If yes, please describe equipment and lease terms.

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)**

Project is about 0.8 miles from a Metro bus stop #25 Delaware/Tussing Ln

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

Yes

**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.

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

Yes

Describe the present zoning/land use

City of Tonawanda, NY Zoning Code; M1 Light Industrial

Describe required zoning/land use, if different

Non applicable

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

Non applicable

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?

Yes

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.

Does or will the company or project occupant perform research and development activities on new products/services at the project location?

No

If yes, include percentage of operating expenses attributed to R&D activities and provide details.

Select Project Type for all end users at project site (you may check more than one)

For purposes of the following, the term "retail sales" means (i) sales by a registered vendor under Article 28 of the Tax Law of the State of New York (the "Tax Law") primarily engaged in the retail sale of tangible personal property (as defined in Section 1101(b)(4)(i) of the Tax Law), or (ii) sales of a service to customers who personally visit the Project.

Will customers personally visit the Project site for either of the following economic activities? If yes with respect to either economic activity indicated below, you will need to complete the Retail section of this application.

Retail Sales No Services No

Please check any and all end uses as identified below.

- No Acquisition of Existing Facility
- No Assisted Living
- No Back Office
- No Civic Facility (not for profit)
- No Commercial
- No Equipment Purchase
- No Facility for the Aging
- Yes Industrial
- No Life Care Facility (CCRC)

**No Market Rate Housing**      **No Mixed Use**      **Yes Multi-Tenant**  
**No Retail**      **No Senior Housing**      **Yes Manufacturing**  
**No Renewable Energy**      **No Other**

For proposed facility please include the square footage for each of the uses outlined below

If applicant is paying for FFE for tenants, include in cost breakdown.

			<b>Cost</b>	<b>% of Total Cost</b>
<b>Manufacturing/Processing</b>	22,880 square feet	\$	900,000	50%
<b>Warehouse</b>	22,880 square feet	\$	900,000	50%
<b>Research &amp; Development</b>	square feet	\$	0	0%
<b>Commercial</b>	square feet	\$	0	0%
<b>Retail</b>	square feet	\$	0	0%
<b>Office</b>	square feet	\$	0	0%
<b>Specify Other</b>	square feet	\$	0	0%

**If you are undertaking new construction or renovations, are you seeking LEED certification from the US Green Building Council?**

No

**If you answered yes to question above, what level of LEED certification do you anticipate receiving? (Check applicable box)**

<BLANK>

**Provide estimate of additional construction cost as a result of LEED certification you are seeking**      < BLANK >

**Will project result in significant utility infrastructure cost or uses**      No

What is the estimated project timetable (provide dates)

**Start date : acquisition of equipment or construction of facilities**

7/1/2022

**End date : Estimated completion date of project**

7/1/2025

**Project occupancy : estimated starting date of occupancy**

5/1/2023

Capital Project Plan / Budget

**Estimated costs in connection with Project**

**1.) Land and/or Building Acquisition**

\$ 120,000      square feet      4 acres

**2.) New Building Construction**

\$ 1,800,000      45,760 square feet

**3.) New Building addition(s)**

\$ 0      square feet

**4.) Reconstruction/Renovation**

\$ 0

square feet

**5.) Manufacturing Equipment**

\$ 0

**6.) Infrastructure Work**

\$ 100,000

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

\$ 0

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

\$ 35,000

**9.) Other Cost**

\$ 0

**Explain Other  
Costs**

**Total Cost** \$ 2,055,000

Construction Cost Breakdown:

<b>Total Cost of Construction</b>	\$ 1,900,000 (sum of 2, 3, 4 and 6 in Project Information, above)
<b>Cost of materials</b>	\$ 1,075,000
<b>% sourced in Erie County</b>	80%

Sales and Use Tax:

<b>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</b>	\$ 1,075,000
<b>Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above):</b>	\$ 94,062

\*\* 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:

<b>Equity (excluding equity that is attributed to grants/tax credits):</b>	\$
<b>Bank Financing:</b>	\$ 2,100,000
<b>Tax Exempt Bond Issuance (if applicable):</b>	\$ 0
<b>Taxable Bond Issuance (if applicable):</b>	\$ 0
<b>Public Sources (Include sum total of all state and federal grants and tax credits):</b>	\$ 0
<b>Identify each state and federal grant/credit: (ie Historic Tax Credit, New Market Tax Credit, Brownfield, Cleanup Program, ESD, other public sources)</b>	0



**Total Sources of Funds for Project Costs:** \$2,100,000  
**Have you secured financing for the project?** No

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).** 2,100,000  
**Lender Name, if Known**  
**Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above multiplied by 3/4 of 1%):** \$15,750

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):** N/A

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.

**ECIDA encourages applicants to utilize MBE/WBE contractors for their projects. Describe your company’s internal practices that promote MBE/WBE hiring and utilization**

As a developer that works on small-scale projects, my hiring policy is to prioritize contractors and to purchase materials that are from individuals or companies with a background of MBE/WBE. We will use the state and county certified MBE/WBE lists to help hire MWBEs throughout the project. We estimate to have about 30% of our contractors/materials provided by MBE/WBE entities. As this project continues we will continue to monitor when an increase of MBW/WBE hiring will be necessary.

**Is project necessary to expand project employment?**

Yes

**Is project necessary to retain existing employment?**

No

**Will project include leasing any equipment?**

No

If yes, please describe equipment and lease terms.

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	Estimate number of residents of the Labor Market Area in which the project is located that will fill the FT and
---	--	--	---

			24 months (2 years) after Project completion	PT jobs to be created upon 24 months (2 years) after project completion **
Full time	0	0	20	20
Part time	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>20</b>	

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	\$ 75,000	\$ 0	\$ 0	\$ 0
Professional	0	\$ 0	\$ 0	\$ 0	\$ 0
Administrative	0	\$ 0	\$ 0	\$ 0	\$ 0
Production	15	\$ 40,000	\$ 0	\$ 0	\$ 0
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.

No **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
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>

Payroll Information

**Annual Payroll at Proposed Project Site upon completion**

975,000

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

0

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

0

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

48,750

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

0

**Estimated salary range of jobs to be created**

From (Full Time) 40,000 To (Full Time) 75,000  
 From (Part Time) 0 To (Part Time) 0

**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**

Gibson Street Tonawanda, NY 14150

**Name and Address of Owner of Premises**

Joseph Paolini 6500 Ward Rd Sanborn, NY 14132

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

The property is generally flat-lying. 4 acres of vacant 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**

No improvements, vacant land at this present time. Five warehouse/light manufacturing buildings to be built on premises.

**Describe all known former uses of the Premises**

On the premises was a factory that was demolished at least 10 years ago and the property has been vacant since.

**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**

n/a

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

n/a

**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?**

No

**If yes, describe each such source, including whether it is a stationary combustion installation, process source, exhaust or ventilation system, incinerator or other source**

**Are any of the air emission sources permitted?**

No

**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**

n/a

**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?**

Multi-Tenant Facility

Multi-Tenant Facility (to be filled out by developer)

**Please explain what market conditions support the construction of this multi-tenant facility**

In the Erie County region, there is an increase in demand for warehouse and manufacturing space, and with no other developers building small facilities for manufacturing company's (small footprint of 1,000 to 5,000 sq ft of space needed). This project will build five facilities of 10,000 square feet with a total of 50,000 square feet overall, approximately.

**Have any tenant leases been entered into for this project?**

No

If yes, please list below and provide square footage (and percent of total square footage) to be leased to tenant and NAICS Code for tenant and nature of business

Tenant Name	Current Address (city, state, zip)	# of sq ft and % of total to be occupied at new project site	SIC or NAICS-also briefly describe type of business, products services, % of sales in Erie Co.
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\*fill out table for each tenant and known future tenants

## **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**

**City/Town**

**State**

**Zip Code**

**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?**

Need for warehouse spaces for light manufacturing and distribution companies 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?**

n/a

**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.**

n/a

## **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