



Policy Committee

August 3, 2023

At 9:00 a.m.

ECIDA Offices

95 Perry Street, 4th Floor Conference Room
Buffalo, New York 14203

1. Call Meeting to Order
2. Approval of the July 13, 2023 Policy Committee Meeting Minutes (Pages 2-5)
3. Project Matrix (Page 6)
4. Project Presentation (Staff – Company Q&A)
 - a) IMA Life North America/IMA Life Colvin Woods (Pages 7-45)
5. Work from Home Policy Discussion
6. Adjournment - Next Meeting September 7, 2023 at 9:00 a.m.

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

DATE AND PLACE: July 13, 2023 at the Erie County Industrial Development Agency, 95 Perry Street, 4th Floor Conference Room, Buffalo, New York 14203

PRESENT: Denise Abbott; Hon. A.J. Baynes; Rev. Mark E. Blue; Zachary Evans; Richard Lipsitz, Jr.; Dr. Susan McCartney; Brenda W. McDuffie¹; Hon. Glenn R. Nellis; Laura Smith, David J. State; Lavon Stephens; Hon. John Tobia and Paul Vukelic

EXCUSED: April Baskin and Hon. Bryon W. Brown

OTHERS PRESENT: John Cappellino, President and Chief Executive Officer; Beth O’Keefe, Vice President of Operations; Grant Lesswing, Director of Business Development; Brian Krygier, Director of Information Technology; Carrie Hocieniec, Operations Assistant; and Robert G. Murray, General Counsel/Harris Beach PLLC

GUESTS: Enrico D’Abate, David Van Deran on behalf of McGuire Development; Matt Quinn, Bridget O’Brien-Wood, Ruth Connor, Mel Alston on behalf of Buffalo Public Schools; Marc Romanowski on behalf of Rupp Pfalzgraf, LLC; John Daly and Mark Daly on behalf of Trautman Associations; Alex Carducci on behalf of the City of Buffalo; and Josh Veronica on behalf of Buffalo Niagara Partnership

There being a quorum present at 9:02 a.m., the Meeting of the Policy Committee was called to order by Mr. Lipsitz.

MINUTES

The minutes of the June 1, 2023 Policy Committee meeting were presented. Upon motion made by Ms. McCartney to approve of the minutes, and seconded by Ms. Smith, the aforementioned Policy Committee meeting minutes were unanimously approved.

PROJECT MATRIX

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

¹ Ms. McDuffie participated via video conference, and counted for quorum purposes, pursuant to Section 103-A of the New York State Public Officer’s Law and the Agency’s Videoconferencing Participation Policy.

PROJECT PRESENTATION

1016 East Delavan, LLC (BPS Commissary Kitchen), 1016-1044 East Delavan Avenue, Buffalo, New York 14215. Ms. O’Keefe presented this proposed sales tax, mortgage recording tax and real property tax abatement benefits project involving the construction of a 67,000 sq. ft. single story commissary kitchen for the sole use of the Buffalo Public Schools (BPS) to prepare and distribute school meals to all schools in the district using locally grown products, creating fresh and high-quality meal options for students. The new building will include office space for administration, a test kitchen that will serve as a conference room/community space available for local community meetings and training for food service employees.

At this point in time, Mr. Evans joined the meeting.

Ms. O’Keefe confirmed that 1016 East Delavan, LLC is seeking approximately \$4,212,686 in assistance including sales tax exemption, mortgage tax exemption and real property tax exemption. Total payroll is projected at \$57,525,129 which includes the direct and indirect jobs for both the temporary and ongoing positions over the life of the PILOT. Created jobs include 151 construction jobs. The resulting cost benefit is 15:1 so for every \$1 of incentives the community benefit is \$15 in payroll & tax revenue. Erie County: for every \$1 of incentives the community benefit is \$17 in benefits to the community.

Ms. O’Keefe stated that in exchange for providing the sales and use tax, mortgage recording tax exemption and real property tax abatement benefits, the approval of this project will be conditioned upon adherence to certain material terms and conditions with respect to the potential modification, recapture and/or termination of financial assistance as follows:

Draft Recapture Material Terms

Condition	Term	Recapture Provision
Total Investment	At project completion	Investment amount equal to or greater than 85% of project amount. Total Project Amount = \$33,067,799 85% = \$28,107,629
Employment	Coincides with 10-year PILOT	Maintain Base = 16 FTE, 35 PTE Create 85% of Projected Projected = 15 PTE 85% = 12 PTE Recapture Employment = 16 FTE, 47 PTE
Local Labor	Construction Period	Adherence to policy including quarterly reporting
Pay Equity	Coincides with 10-year PILOT	Adherence to policy
Unpaid Tax	Coincides with 10-year PILOT	Adherence to policy

Recapture Period	Coincides with 10-year PILOT	Recapture of state and local sales taxes, mortgage recording tax and real property tax
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Mr. Evans expressed his strong support for the project and also noted that if BPS undertook the construction project directly, it would be tax exempt in any event.

General discussion ensued. Mr. Lipsitz asked for confirmation of wages for the PTE positions. Ms. O'Brien-Wood spoke on behalf of BPS and confirmed wages were \$30,000 with no benefits.

Mr. Evans moved and Mr. Vukelic 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.

130 Pearl LLC (Trautman Associates), 130-132 Pearl Street, Buffalo, New York 14202. Ms. O'Keefe presented this proposed sales tax and mortgage recording tax benefits project involving the redevelopment of the 21,000 sq. ft. 3-story Underwood Building to include 18 apartments with a mix of one- and two-bedroom units. Commercial/retail space will occupy the remaining 3,200 sq. ft.

Ms. O'Keefe confirmed that 130 Pearl LLC is seeking approximately \$153,750 in assistance including sales tax exemption and mortgage recording tax exemption. As depicted within the materials presented to the committee, the resulting cost benefit is 1:21 so for every \$1 of incentives the community benefit is \$21 in payroll & tax revenue and for Erie County, for every \$1 of incentives the community benefit is \$39 in benefits to the community.

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 = \$5,477,047 85% = \$4,655,489
Employment	Coincides with recapture period	Maintain Base = 0 Create 85% of Projected Projected = 2 PT (1 FTE) 85% = 0 Recapture Employment = N/A
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. Nellis queried as to differences between affordable and workforce housing.

Mr. Cappellino provided general background noting that certain state programs specifically define low or affordable housing thresholds based on certain income levels of the intended occupants and then fixing rent and the number of residents/units that must be provided or otherwise made available to those persons for the particular project.

Ms. McCarthy spoke in favor of the project.

General discussion ensued. Mr. Baynes then moved and Ms. McCartney 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.

Mr. Cappellino confirmed that soon, this committee will be discussing housing needs and work from home issues.

There being no further business to discuss, Mr. Lipsitz adjourned the meeting at 9:35 a.m.

Dated: July 13, 2023

Elizabeth A. O'Keefe, Secretary

Tax Incentives Approved - 2023

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	Cost Benefit Ratio
Feb-23	356 Hertel Ave, LLC ¹	Buffalo	\$32,067,800	85% threshold \$27,257,630	0	0	42	0	85% - New 35 Jobs	212	150	project completion date + 2 yrs	\$612,500	1:47
Feb-23	Commitment 2000	Buffalo	\$8,623,800	85% threshold \$7,330,230	74	2	10	2	85% - New 35 Jobs	38	38	Period of PILOT 7 Years	\$420,215	1:89
Mar-23	Moog, Inc.	Elma	\$76,750,800	85% threshold \$65,237,500	180	0	0	0	0	335	320	Period of PILOT 10 Years	\$2,900,920	1:97
Apr-23	Wood and Brooks Properties, LLC ¹	Town of Tonawanda	\$23,127,638	85% threshold \$19,658,492	0	0	1	2	85% - New 1 Job	161	92	project completion date + 2 yrs	\$1,164,447	1:14
May-23	TM Montante/50 Gates Circle ¹	Buffalo	\$3,465,838	85% threshold \$2,945,962	4	0	0	0	0	14	14	project completion date + 2 yrs	\$108,500	1:29
Jun-23	Rosina Food Products, Inc.	West Seneca	\$16,000,000	85% threshold \$13,600,000	274	2	15	0	85% - New 15 Jobs	70	536	Period of PILOT 10 Years	\$919,525	1:446
Jun-23	Stark Real Estate Holdings	Tonawanda	\$16,250,000	85% threshold \$2,945,962	50	0	120	10	85% - New 106 Jobs	43	257	project completion date + 2 yrs	\$454,375	1:854
Jul-23	BPS Commissary Kitchen	Buffalo	\$33,067,799	85% threshold \$28,107,629	16	35	0	15	85% - New 12 Jobs	151	137	Period of PILOT 10 Years	\$3,212,686	1:15
Jul-23	Trautman Associates/130 Pearl, LLC ¹	Buffalo	\$5,477,047	85% threshold \$4,655,489	0	0	0	2	0	36	19	project completion date + 2 yrs	\$153,750	1:21

Totals: Private Investment/
Project Amount FT Jobs Retained PT Jobs Retained FT Jobs Created PT Jobs Created Const Jobs Spillover Jobs Incentive Amount

Adaptive Reuse Subtotal	4	\$64,138,323	4	0	43	4	4	4	423	275	\$2,039,197
2023 Total	9	\$214,830,722	598	39	188	31	1060	1563	\$9,946,918		

¹ Adaptive Reuse

IMA Life North America / IMA Life Colvin Woods
\$ 27,556,179

PRIVATE INVESTMENT INDUCEMENT RESOLUTION

ELIGIBILITY	Project Title: IMA Life														
<ul style="list-style-type: none"> • NAICS Section – 333993 	Project Address 700 Colvin Woods Parkway, Tonawanda, NY 14150														
COMPANY INCENTIVES	(Ken-Ton Union Free School District)														
<ul style="list-style-type: none"> • Approximately \$ 2,383,749 in real property tax savings • Up to \$ 824,819 in sales tax savings 	<p align="center">Agency Request</p> <p>A sales tax savings and a real property tax abatement in connection with the construction of an 80,000 sq ft new production and office facility on a vacant 15-acre parcel.</p>														
JOBS & ANNUAL PAYROLL															
<ul style="list-style-type: none"> • Current Jobs: 120 FT • Annual Payroll: \$ 12,405,821 • Projected new jobs: 30 FT • Est. salary/yr. of FT jobs created: \$72,293 • Projected retained jobs: 120 FT • Est. salary/yr. of FT jobs retained: \$82,705 • Total jobs after project completion: 150 FT 	<table border="0"> <tr> <td>Land Acquisition</td> <td>\$ 2,285,100</td> </tr> <tr> <td>New Building Construction</td> <td>\$ 16,853,019</td> </tr> <tr> <td>Manufacturing Equipment</td> <td>\$ 4,000,000</td> </tr> <tr> <td>Non- Manufacturing Equipment</td> <td>\$ 1,000,000</td> </tr> <tr> <td>Soft Costs/Other</td> <td>\$ 3,418,060</td> </tr> <tr> <td>Total Project Cost</td> <td>\$ 27,556,179</td> </tr> <tr> <td>85%</td> <td>\$ 23,422,752</td> </tr> </table> <p align="center">Company Description</p> <p>IMA Life North America is part of the IMA Group, headquartered in Bologna, Italy. IMA specializes in packaging and process equipment for pharmaceutical companies, as well as the food industry and the automation of industrial processes. The three divisions, Pharmaceutical, Food and Automation, employ roughly 6,900 employees worldwide - 544 are based in the USA. IMA Life NA division has 171 employees of which 154 are based in the existing Tonawanda facility. Today, IMA Life NA ranks among the most respected companies worldwide to produce freeze-drying equipment serving customers in both domestic and international pharmaceutical markets.</p>	Land Acquisition	\$ 2,285,100	New Building Construction	\$ 16,853,019	Manufacturing Equipment	\$ 4,000,000	Non- Manufacturing Equipment	\$ 1,000,000	Soft Costs/Other	\$ 3,418,060	Total Project Cost	\$ 27,556,179	85%	\$ 23,422,752
Land Acquisition	\$ 2,285,100														
New Building Construction	\$ 16,853,019														
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Non- Manufacturing Equipment	\$ 1,000,000														
Soft Costs/Other	\$ 3,418,060														
Total Project Cost	\$ 27,556,179														
85%	\$ 23,422,752														
PROJECTED COMMUNITY BENEFITS*															
<ul style="list-style-type: none"> • Term: 10 YEARS • NET Community Benefits: \$288,691,787 • Spillover Jobs: 356 • Construction Jobs: 110 • Total Payroll: \$271,708,435 	<p align="center">Project Description</p> <p>IMA Life NA has twice expanded its production and office space at their existing facility and has now utilized all the land available. With no further expansion possible at the existing location, IMA Life NA is planning to build a new 80,000 sq ft facility that will include 50,000 sq ft of production space and 30,000 sq ft of office space, as well as exterior parking, truck court, and dumpster areas. This new facility will include a development laboratory, three production bays and warehouse space for the development, sale, assembly, testing, and shipping of Freeze Dryers for the pharmaceutical sector. It will also include corporate office space and be positioned to serve as the North America headquarters for IMA Group. Upon completion of the Project, 120 existing FTE will move to the new building, leaving 34 FTE at the existing site. IMA plans to hire an additional 30 FTE, bringing the total FTE at the new facility to 150 within two years of its completion.</p>														
INCENTIVE COST / COMMUNITY BENEFIT RATIO (discounted at 2%)*															
<p>Incentives: \$2,979,020</p> <p>Community Benefit: \$259,979,049</p> <p>Cost: Benefit Ratio</p> <ul style="list-style-type: none"> • 1:87 															

* 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	\$2,383,749
	Sales	\$ 824,819
	Total	\$3,208,568
	Discounted at 2%	\$2,979,020

Benefit: Projected Community Benefit*

BENEFITS	Region	Recipient	Revenue Type	\$ Amount **
	Erie County	Individuals	Payroll Construction	\$ 16,091,543
			Payroll Permanent	\$255,616,892
		Public	Property Taxes	\$ 595,937
			Sales Taxes	\$ 2,258,576
	New York State	Public	Income Taxes	\$ 12,226,879
			Sales Taxes	\$ 1,901,959
			Total Benefits to EC + NYS***	\$288,691,797
			Discounted at 2%	\$259,979,049

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

Discounted Cost \$2,979,020
 Discounted Benefit \$259,979,049
 Ratio 87:1

Conclusion: The Cost Benefit for this project is: 87:1. For every \$1 in costs (incentives), this project provides \$87 in benefits (payroll & tax revenue). **Note: For Erie County, every \$1 in costs (incentives) provides \$95 in benefits to the community.**

New Tax Revenue Estimated

Current Yearly Taxes	Estimated New Assessed Value	Additional County Revenue over abatement period	Additional Town Revenue Over abatement period	Additional School Revenue Over abatement period	New Yearly Taxes Upon Expiration of Abatement Period
\$ 21,071	\$2,998,000	\$ 108,635	\$ 283,357	\$ 414,652	\$ 319,039
Combined Tax Rate: \$ 106.42					

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 = \$ 27,556,179 85% = \$ 23,422,752
Employment	Coincides with 10-year PILOT	Maintain Base = 120 FTE Create 85% of Projected Projected = 30 FTE 85% = 25 FTE Recapture Employment = 145 FTE
Local Labor	Construction period	Adherence to policy including quarterly reporting
Pay Equity	Coincides with 10-year PILOT	Adherence to Policy
Unpaid Tax	Coincides with 10-year PILOT	Adherence to Policy
<u>Recapture Period</u>	Coincides with 10-year PILOT	Recapture of Real Property Tax, 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 120 FTE jobs and created 25 FTE 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

- 7/27/23: Public hearing held.
- 8/23/23: Inducement Resolution presented to Board of Directors adopting a Negative Declaration in accordance with SEQRA (project may require no SEQR action if it complies with 2003 GEIS for site) TBD.
- 8/23/23: Lease/Leaseback Inducement Resolution presented to the Board of Directors TBD

**EVALUATIVE CRITERIA
MANUFACTURING/WAREHOUSE/DISTRIBUTION**

Project: IMA Life North America / IMA Life Colvin Woods

Wage Rate (above median wage for area)	Average salaries for existing full time workforce = \$82K with salaries for jobs to be created averaging \$72K.
Regional Wealth Creation (% sales/customers outside area)	Only 1% of Sales are in Erie County. The remainder breaks down as follows: 5% in NYS (outside EC), 65% in USA (outside NYS) and 29% outside the USA.
In Region Purchases (% of overall purchases)	In region purchases make up 16% of total purchases.
Research & Development Activities	IMA Life performs R&D activities at the site that account for 2.8% of total budget (2023)
Investment in Energy Efficiency	N/A
Locational Land Use Factors, Brownfields or Locally Designated Development Areas	N/A
LEED/Renewable Resources	N/A
Retention/Flight Risk	Yes. The IMA Group owns 6 other companies along with IMA Life NA in the U.S. All 6 of these companies are outside of NYS. IMA is in need of a flagship corporate office and IMA Life is competing with these other locations.
MBE/WBE Utilization	See MBE./WBE Utilization form noting plan to achieve 30% MWBE utilization. Also, see "Bid List" of MBE/WBE/DBE/ SDVOB vendors.
Workforce Access – Proximity to Public Transportation	Site is ½ mile away from NFTA bus Route 11.

DATE OF INDUCEMENT: August 23, 2023

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-IMA Life

Dollar Value of Costs: New Construction & Renovation	Estimated New Assessed Value of Property Subject to IDA*	County Tax Rate/1000	Local Tax Rate (Town/City/Village)/1000	School Tax Rate/1000
\$ 16,853,019	\$2,998,000	14.331801	37.382204	54.703368

*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	\$4,844	\$12,635	\$18,490	\$35,969	\$319,039	\$283,070
2	0.1	\$6,851	\$17,869	\$26,148	\$50,868	\$319,039	\$268,172
3	0.15	\$8,857	\$23,102	\$33,807	\$65,766	\$319,039	\$253,273
4	0.15	\$8,857	\$23,102	\$33,807	\$65,766	\$319,039	\$253,273
5	0.2	\$10,864	\$28,336	\$41,465	\$80,664	\$319,039	\$238,375
6	0.2	\$10,864	\$28,336	\$41,465	\$80,664	\$319,039	\$238,375
7	0.25	\$12,870	\$33,569	\$49,124	\$95,563	\$319,039	\$223,476
8	0.25	\$12,870	\$33,569	\$49,124	\$95,563	\$319,039	\$223,476
9	0.3	\$14,876	\$38,803	\$56,782	\$110,461	\$319,039	\$208,578
10	0.35	\$16,883	\$44,036	\$64,441	\$125,360	\$319,039	\$193,680
TOTAL		\$108,635	\$283,357	\$414,652	\$806,644	\$3,190,393	\$2,383,749

***** 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 (ESD Excelsior)
\$ 27,556,179	\$2,383,749	\$ 824,819	N/A	\$ 1,127,443

Note: special district taxes are not subject to PILOT abatement

Calculate % = Est. PILOT + Est. Sales Tax+ Est. Mortg Tax+ Other)/Total Project Costs: 15.7%

Erie County Industrial Development Agency

MRB Cost Benefit Calculator



Date: July 19, 2023
 Project Title: IMA Life
 Project Location: 700 Colvin Woods Parkway, Tonawanda, NY 14150

Economic Impacts

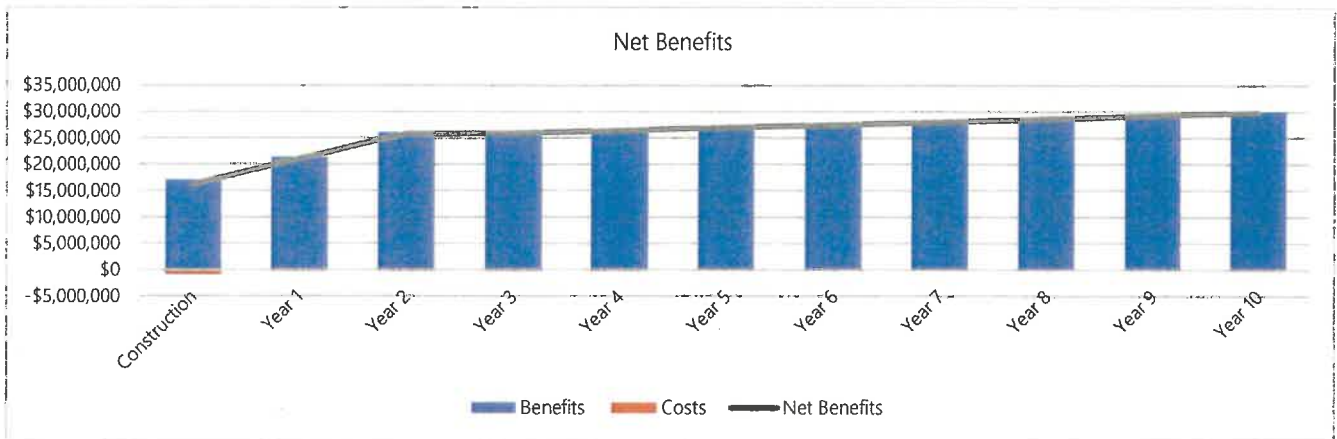
Summary of Economic Impacts over the Life of the PILOT

Project Total Investment
 \$27,556,179

Temporary (Construction)			
	Direct	Indirect	Total
Jobs	110	100	209
Earnings	\$10,369,899	\$5,721,644	\$16,091,543
Local Spend	\$25,076,123	\$17,753,802	\$42,829,925

Ongoing (Operations)			
Aggregate over life of the PILOT			
	Direct	Indirect	Total
Jobs	150	256	406
Earnings	\$125,815,182	\$129,801,710	\$255,616,892

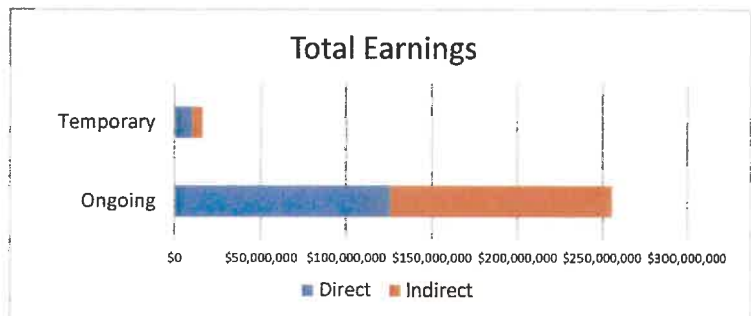
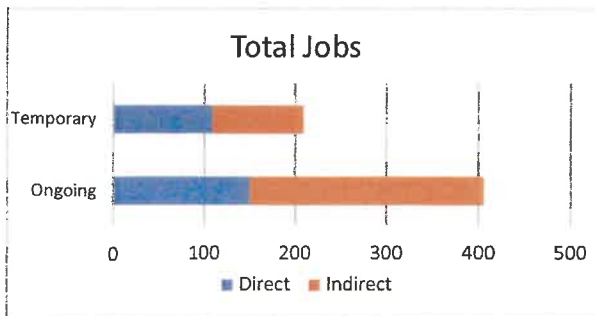
Figure 1



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

Figure 2

Figure 3



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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	\$2,383,749	\$2,154,201
Sales Tax Exemption	\$824,819	\$824,819
Local Sales Tax Exemption	\$447,759	\$447,759
State Sales Tax Exemption	\$377,060	\$377,060
Mortgage Recording Tax Exemption	\$0	\$0
Local Mortgage Recording Tax Exemption	\$0	\$0
State Mortgage Recording Tax Exemption	\$0	\$0
Total Costs	\$3,208,568	\$2,979,020

State and Local Benefits

	Nominal Value	Discounted Value*
Local Benefits	\$274,562,949	\$247,254,734
To Private Individuals	\$271,708,435	\$244,698,351
Temporary Payroll	\$16,091,543	\$16,091,543
Ongoing Payroll	\$255,616,892	\$228,606,808
Other Payments to Private Individuals	\$0	\$0
To the Public	\$2,854,514	\$2,556,383
Increase in Property Tax Revenue	\$595,937	\$522,328
Temporary Jobs - Sales Tax Revenue	\$133,761	\$133,761
Ongoing Jobs - Sales Tax Revenue	\$2,124,815	\$1,900,294
Other Local Municipal Revenue	\$0	\$0
State Benefits	\$14,128,839	\$12,724,314
To the Public	\$14,128,839	\$12,724,314
Temporary Income Tax Revenue	\$724,119	\$724,119
Ongoing Income Tax Revenue	\$11,502,760	\$10,287,306
Temporary Jobs - Sales Tax Revenue	\$112,641	\$112,641
Ongoing Jobs - Sales Tax Revenue	\$1,789,318	\$1,600,248
Total Benefits to State & Region	\$288,691,787	\$259,979,049

Benefit to Cost Ratio

	Benefit*	Cost*	Ratio
Local	\$247,254,734	\$2,601,959	95:1
State	\$12,724,314	\$377,060	34:1
Grand Total	\$259,979,049	\$2,979,020	87:1

*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. Here are links to the NYS and combined Erie County / City of Buffalo – certified MWBE contractors that can assist you with your utilization goals:

<https://ny.newnycontracts.com/>

<https://www3.erie.gov/eec/mbe-wbe-resource-list>

Describe your company's internal practices that promote MBE/WBE hiring and utilization:

IMA Life NA and its General Contractor, Montante Construction LLC, acknowledge the importance of promoting MBE/WBE hiring and utilization. As the Company completes the Project, it will endeavor to support local MBE/WBE businesses. The Company will work to grow capacity and provide opportunities through an MBE/WBE hiring and utilization program that consists of the following items.

- Early outreach and involvement – including the active dissemination of information about the availability of upcoming contracting and employment opportunities.
- Active targeting of MBE/WBE firms – including MBE/WBE bidders off a master list of vendors, which is regularly updated with the approved vendors lists issued by the City of Buffalo, State of New York, and Erie County.
- Sustained follow up with MBE/WBE firms – including direct follow up to MBE/WBE firms in order to explain the opportunities and scopes of work for each bid package and to encourage their participation.
- Inclusion of diversity language in all subcontractor materials – including bid packages, purchase orders, and contracts, which ensures that any subcontractor hired on the job also is promoting MBE/WBE hiring and utilization.
- Subcontractor utilization – direct follow up with subcontractors right after the bid submission to confirm and verify their plans for promoting diversity hiring and utilization.

IMA Life NA and its General Contractor, Montante Construction LLC, will implement the preceding diversity plan and maintain its focus throughout the life of the Project to achieve a goal of 30% MWBE utilization on the value of the ECIDA benefit.

MASTER BID LIST

	<u>Bidder's Name</u>
DIVISION 1 - GENERAL CONDITIONS	
	<u>Final Cleaning</u>
<u>WBE</u>	Anna's Cleaning & Dumpster Service
<u>MBE/DBE/Section3</u>	Rodriguez
<u>WBE</u>	Ace Cleaning Services
	<u>Testing/Inspection Firms</u>
<u>SDVOB</u>	Encorus
<u>WBE</u>	Empire Geo Services
<u>WBE</u>	CME Associates
	<u>Design Firms</u>
<u>MBE</u>	Watts Architecture & Engineering, DPC
<u>WBE</u>	Barbara A. Campagna / Architecture + Planning, PLLC
<u>WBE</u>	Joy Kuebler
<u>WBE</u>	KCB Architecture
DIVISION 2 - EXISTING CONDITIONS	
	<u>Selective Demolition</u>
<u>WBE</u>	SEG Construction
<u>MBE</u>	Rodriguez Construction Group
<u>MBE</u>	Iroquois Bar
<u>MBE</u>	Lee's Environmental
	<u>Abatement</u>
<u>SDVOB</u>	American DND
<u>WBE</u>	American Environmental
<u>WBE</u>	Caysea Construction
<u>SDVOB</u>	Helios Environmental
<u>Section 3</u>	Andujar Asbestos and Lead
DIVISION 3 - CONCRETE	
	<u>Concrete - Flat & Foundations</u>
<u>WBE</u>	Ideal Concrete
<u>WBE/UNION</u>	Northland Contracting
<u>SDVOB</u>	DV Enterprises of WNY
<u>SDVOB</u>	Northern Dreams Construction
	<u>Concrete Cutting/Breaking</u>
<u>MBE</u>	Pavilion Drainage Supply

	Reinforcing Steel
WBE	Upstate Steel (supply)
MBE	G&J Contracting (install)
MBE	Iroquois Bar (install)
	Post Tensioning
MBE	G&J Contracting
MBE	Iroquois Bar (install)
	Parking Garage Repair
WBE	FSR
DIVISION 4 - MASONRY	
	Masonry
WBE	FSR Contracting
DIVISION 5 - METALS	
	Metals - Structural
MBE	Seneca Steel
UNION/MBE	Great Lakes Iron
	Metal Panel Siding
WBE/DBE	Arrow Sheet Metal
DIVISION 6 - WOOD, PLASTIC, & COMPOSITES	
	Rough Lumber & Trim - Installation
WBE	Elitsac Lumber
	Rough Lumber & Trim - Supply
WBE	Gui's Lumber
WBE	Elitsac Lumber
DIVISION 7 - THERMAL AND MOISTURE PROTECTION	
	Foundation Waterproofing, Caulking, Membrane
UNION/WBE	FSR Contracting
	Spray Foam Contractors
WBE	United Thermal Systems
MBE/SDVOB	Kim Industries
	Firestopping Contractors
MBE/SDVOB	Kim Industries
	Sprayed Fireproofing Contractors
WBE	United Thermal Systems
Div 7	Roofing (membrane)
WBE	Jos A Sanders

Div 7	Roofing (shingle)
WBE	Besroi
MBE	Tuscarora Roofing and Siding
	Siding
WBE	Besroi
DIVISION 8 - OPENINGS	
	Doors, Frames & Hardware
WBE	Door to Door
	Aluminum Framed Entrances & Storefronts
WBE	Door 2 Door
Section3/MBE	Aurora Window Systems
MBE	Lazarus Industries
	Window Film
WBE	Healthy Glass
DIVISION 9 - FINISHES	
	Metal Furring, Drywall & ACT
Section3/MBE	D'Myles Inc.
MBE	34 Group
Section 3	Craig's Carpentry & Remodeling
Section 3/MWBE	Diversified Industries

	Painting
WBE/UNION	Colortech
MBE/WBE	Shades of Color
WBE	Ingersoll Painting
Section3	Cruz Painting and Design
Section3/MWBE	Diversified Industries
WBE	Huntress
UNION MBE	Brooks Brothers
	Ceramic/Porcelain/Quarry Tile
UNION/WBE	Heritage
SDVOB/UNION	Tiede- Zoeller
	Carpet Tile, Res Plank, VCT, Rubber, Stair Treads
UNION/WBE	Simmons/Heritage Contractor Flooring
WBE	GP Flooring
WBE	Elk Specialty Flooring
DIVISION 10 - SPECIALTIES	
	Metal Storage Lockers
UNION/WBE	Susquehanna Sheet Metal Services
WBE	KraftWerks
	Toilet, Bath, Laundry & Misc. Accessories & Mirrors
UNION/WBE	Susquehanna Sheet Metal Services
	Signage
WBE	Cooper Sign
WBE	ASI SIGNAGE
	Folding Panel Partitions
WBE	Kraftwerks
	Fire Extinguishers
WBE	Nickerson Corp
DIVISION 11 - EQUIPMENT	
	Wheelchair Lifts
MBE	Caring Environments J & H
	Gym Equipment
WBE	Nickerson Corp
WBE	KraftWerks
DIVISION 12 - FURNISHINGS	
	Office Furniture
WBE	Prentice Office Environments
WBE	KraftWerks

	Auditorium Seating
WBE	Prentice Office Environments
DIVISION 13 - SPECIAL CONSTRUCTION	
	Pre Engineered Metal Buildings
WBE/DBE	Arrow Sheet Metal
DIVISION 14 - CONVEYING EQUIPMENT	
	Conveying Equipment
WBE	DCB Elevator
DIVISION 21 - FIRE SUPPRESSION	
	Fire Suppression
MBE/DBE	RH Fire
DIVISION 22 - PLUMBING	
	Plumbing
SDVOB	Blue Cord Plumbing & HVAC
MBE	W.C. Roberson Plumbing
DIVISION 23 - HVAC	
Div 23	HVAC
MBE/WBE	United Mechanical
WBE	Heatwave Mechanical
SDVOB	Blue Cord Plumbing & HVAC
WBE	Crosby-Brownlie, Inc.
MBE	GM Mechanical HVAC LLC
WBE	Innovative Mechanical Systems

DIVISION 26 - ELECTRIC	
Div 26	Electrical
UNION/WBE	Weydman Electric, Inc.
MBE	In His Hands Electric & Lighting
SDVOB	Veteran Electrical Services
UNION/WBE	Electrical Service & Systems Installations, Inc.
WBE	Huber Electric
DIVISION 27 - COMMUNICATIONS	
	Data /Telecom
WBE	Synacom Networks
DIVISION 31 - EARTHWORK/SITWORK	
	Site
WBE	Serafini / Dig It of NY
UNION/WBE	Scott Lawn Yard
SDVOB	Laubacker
DIVISION 32 - EXTERIOR IMPROVEMENTS	
	Landscaping
Section3	Elbers
WBE	KTG Services LLC
MBE/WBE	Hausrath's Landscape
SDVOB	North Creek Landscapes, Inc.
WBE	Napier Nursery
	Fencing & Gates
WBE	Armor Fence

PUBLIC HEARING SCRIPT

**IMA Life North America, Inc. and/or
Individual(s) or Affiliate(s),
Subsidiary(ies), or Entity(ies) formed or
to be formed on its behalf Project**

Public Hearing to be held on July 27, 2023 at 10:00 a.m.,
at the Town of Tonawanda, Town Board Conference Room #20, located at
2919 Delaware Avenue, Kenmore, NY 14217

ATTENDANCE:

Byron DeLuke – Montante Construction
Marco Riccioni – IMA Life North America
Hon. Joseph Emminger – Town of Tonawanda

1. WELCOME: Call to Order and Identity of Hearing Officer.

Hearing Officer: Welcome. This public hearing is now open; it is 10:04 a.m. My name is Andrew Federick. I am the Property and Business Development Officer of the Erie County Industrial Development Agency, and I have been designated by the Agency to be the hearing officer to conduct this public hearing. This public hearing is being live-streamed and made accessible on the Agency’s website at www.ecidany.com.

2. PURPOSE: Purpose of the Hearing.

Hearing Officer: We are here to hold the public hearing on the IMA Life North America, Inc. and/or Individual(s) or Affiliate(s), Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf project. The transcript of this hearing will be reviewed and considered by the Agency in determination of this project. Notice of this hearing appeared in The Buffalo News on Friday, July 14, 2023.

3. PROJECT SUMMARY: Description of Project and Contemplated Agency Benefits.

Hearing Officer: The proposed project (the "Project") consists of: (i) the acquisition by the Agency of a leasehold interest in certain property located on 700 Colvin Woods Parkway, Town of Tonawanda, Erie County, New York and all other lands in the Town of Tonawanda where, by license or easement or other agreement, the Company or its designees are making improvements that benefit the Project (the “Land”), (ii) the construction on the Land of a new office and manufacturing facility which will include 50,000 square feet of a development laboratory, three production bays and warehouse space for the development, sale, assembly, testing and shipping of Freeze Dryers for the pharmaceutical section as well as 30,000 square-feet of

corporate office space for the North American headquarters for IMA Group as well as exterior parking, truck court and dumpster areas (the "Improvements"), and (iii) the acquisition by the Company in and around the Improvements of certain items of machinery, equipment and other tangible personal property (the "Equipment"; and, together with the Land and the Improvements, the "Facility"). The Facility will be initially operated and/or managed by the Company.

The proposed financial assistance contemplated by the Agency includes New York State and local sales and use tax exemption benefits and real property tax abatement benefits (in compliance with Agency's uniform tax exemption policy).

4. FORMAT OF HEARING: Review rules and manner in which the hearing will proceed.

Hearing Officer: All those in attendance are required to register by signing the sign-in sheet at the front of the room; you will not be permitted to speak unless you have registered. Everyone who has registered will be given an opportunity to make statements and/or comments on the Project.

If you have a written statement or comment to submit for the record, you may leave it at this public hearing, submit it on the Agency's website or deliver it to the Agency at 95 Perry Street, Suite 403, Buffalo, New York 14203. The comment period closes on August 22, 2023. There are no limitations on written statements or comments.

5. PUBLIC COMMENT: Hearing Officer gives the Public an opportunity to speak.

Hearing Officer: If anyone is interested in making a statement or comment, please raise your hand, state your name and address; if you are representing a company, please identify the company. I request that speakers keep statements and/or comments to 5 minutes, and if possible, 3 minutes.

Good morning. My name is Byron DeLuke. I am the Executive Director of Development for Montante Construction located at 2760 Kenmore Avenue, Tonawanda NY. I am here today representing the applicant, IMA Life North America, which is seeking tax incentives to help defray the cost of a new facility to expand its operations in Tonawanda, NY. IMA Life North America is part of the IMA Group, which is headquartered in Bologna, Italy. The Company specializes in packaging and process equipment for pharmaceutical companies, as well as the food industry and the automation of industrial processes. The three divisions, Pharmaceutical, Food, and Automation employ about 6,900 employees worldwide. Of IMA Group's global workforce, 544 individuals are based in the United States, of which 154 currently work for IMA Life out of their existing Tonawanda facility. The equipment produced in IMA Life's Tonawanda facility serves customers in both domestic and international pharmaceutical markets. The Company has twice expanded its facility. However, the existing site has no more room for growth. As a result, IMA is forced to consider relocation. After examining alternative locations in Western New York and elsewhere, IMA identified a 15-acre site within Colvin Woods Business Park right here in Tonawanda. It is IMA Life's strong desire to remain in

Tonawanda to maintain access to its talented workforce and to ensure continuity of the business. The new facility would be approximately 80,000 square feet and include laboratory space, production space and warehouse space as well as corporate office space so as to position it to serve as the new North America headquarters for IMA Group. Given the nature of these jobs and the fact that IMA Life is competing for resources with 6 other branches of IMA Group, which are all located outside of New York State, the genuine threat is IMA Group's ability to pursue this project out-of-state. Considering this variable, the Agency's financial assistance is absolutely critical piece of the project and is necessary to move the Project forward. When the project proceeds, it will result in significant benefits. These include an approximately \$27.5 million private sector investment here in Tonawanda, dozens of short-term construction jobs, 120 retained jobs at the new facility, and the creation of 30 new jobs within two years of completion at the new facility. IMA Life importantly also intends to maintain operations out of the existing facility in Tonawanda, with an estimated 34 production employees remaining at this location. The new facility would be owned by IMA Life and would solidify the Company's long-term future here in Tonawanda.

On behalf of the Applicant, I want to express our sincere gratitude to the Agency and the Town as they consider our request for assistance. We hope to be able to work collaboratively with the ECIDA to ensure that Tonawanda, NY continues to be the best place for IMA Life to invest in new facilities and jobs thank you.

Hon. Joseph Emminger – Supervisor, Town of Tonawanda. I am here today to offer the Towns wholehearted support for this project. I am personally very familiar with IMA Life and their existing facility over at Military Road. I've gone through the facility, toured the facility a number of years ago when they were doing one of their expansions and I was very impressed not only with the facility but also with the management team that they had in place there. When this project came before the Town a few months ago I was excited while at first I was a little bit concerned because I thought they were going to be closing there Military Road facility and just moving over into Colvin Woods but, when I found out that they were keeping their existing facility and expanding into the 15 acres with a new 80,000 square foot facility with good paying jobs, were talking about 150 or so jobs over the next couple of years. Good paying jobs that will support not only the Town of Tonawanda economy but also Erie County's economy. So, it is my pleasure to give wholeheartedly support for this project and let the developer and the company know that we are here for you, we will work with you. We worked with Montante Construction on a number of projects, and they know how to reach me, and I know how to reach them and that's the way we get projects done here in the Town. This is a great project for the Town of Tonawanda. It's a great project for Erie County and we look forward to it getting underway. Thank you.

6. ADJOURNMENT:

As there were no further statements and/or comments, the Hearing Officer closed the public hearing at 10:13 a.m.

**SIGN IN SHEET
PUBLIC HEARING**

July 27, 2023 at 10:00 a.m.
at the Town of Tonawanda, Town Board Conference Room #20, located at
2919 Delaware Avenue, Kenmore, NY 14217
regarding:

**IMA Life North America, Inc. and/or Individual(s) or Affiliate(s),
Subsidiary(ies), or Entity(ies) formed or to be formed on its behalf**

Project Location: 700 Colvin Woods Parkway, Tonawanda, New York 14150

Name	Company and/or Address	X box to speak/ comment
Byron DeLuke	Montante Construction 2760 Kenmore Avenue Tonawanda, New York 14150	X
Marco Riccioni	IMA Life North America 2175 Military Road Tonawanda, New York 14150	
Hon. Josph Emminger	Town of Tonawanda Supervisor 2919 Delaware Avenue Kenmore, NY 14217	X



IMA Life - Tax Incentive Application

[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	IMA Life- Colvin Woods
Project Summary	The IMA Life- Colvin Woods Project includes the development, construction and operation of an approximately 80,000 square foot new production and office facility, as well as associated parking, truck court, and dumpster areas for IMA Life North America on vacant land at Colvin Woods Business Park in the Town of Tonawanda.
Applicant Name	IMA Life North America
Applicant Address	2175 Military Rd
Applicant Address 2	
Applicant City	Tonawanda
Applicant State	New York
Applicant Zip	14150
Phone	(716) 695-6354
Fax	
E-mail	Marco.Riccioni@ima.it
Website	https://ima.it/pharma/brands/ima-life/
NAICS Code	333993

Business Organization

Type of Business

Corporation

Year Established

2005

State

Delaware

Indicate if your business is 51% or more (Check all boxes that apply)

[No] Minority Owned

[No] Woman Owned

Indicate Minority and/or Woman Owned Business Certification if applicable (Check all boxes that apply)

[No] NYS Certified

[No] Erie Country Certified

Individual Completing Application

Name Byron DeLuke
Title Ex Director
Address 2760 Kenmore Ave
Address 2
City Tonawanda
State New York
Zip 14150
Phone (716) 876-8899
Fax
E-Mail BDeLuke@Montante.com

Company Contact- Authorized Signer for Applicant

Contact is same as individual completing application No
Name Marco Riccioni
Title Assistant Treasurer and Assistant Secretary
Address 2175 Military Rd
Address 2
City Tonawanda
State New York
Zip 14150
Phone (716) 695-6354
Fax
E-Mail Marco.Riccioni@ima.it

Company Counsel

Name of Attorney Vince Hanley
Firm Name Bond Schoeneck & King
Address 200 Delaware Ave
Address 2
City Buffalo
State New York
Zip 14202
Phone (716) 416-7022
Fax (716) 416-7322
E-Mail Vhanley@bsk.com

Benefits Requested (select all that apply).

Exemption from Sales Tax Yes
Exemption from Mortgage Tax No

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%.

IMA Life North America is located in Tonawanda, NY. The Company is part of the IMA Group, which is headquartered in Bologna, Italy. There is an attachment submitted as part of this application, which includes a more detailed overview of the Company ownership structure. IMA specializes in packaging and process equipment for pharmaceutical companies, as well as the food industry and the automation of industrial processes. The three divisions, Pharmaceutical, Food and Automation, closed the year 2022 with consolidated revenue of \$2.1 billion dollars while employing about 6,900 employees worldwide. Of IMA Group's global workforce, 544 are based in the USA. IMA Life NA has a total of 171 employees of which 154 are based in the existing Tonawanda facility. IMA acquired the former Edwards- Freeze Drying Division in 2008. Edwards Freeze Drying Division was started in Grand Island, NY in 1984 to produce freeze dryer equipment primarily designed for the pharmaceutical industry and moved into the existing Tonawanda facility in 1986. The freeze-drying process is a method to preserve delicate pharmaceutical substances like biological product, vaccines, small molecules like antibiotics, and blood fractions. Today, thanks to the dedication and contribution of our employees, IMA Life NA ranks among the most respected companies worldwide for the production of freeze-drying equipment. The equipment produced in IMA Life NA's Tonawanda facility serves customers in both domestic and international pharmaceutical markets. IMA Life NA has twice expanded its production and office space at the existing facility and has now utilized all the land available. No further expansions are possible at the existing location; however, the growing business needs additional space. To maintain the availability of the unique skills of our employees and to ensure continuity of the business, it is IMA Life NA's desire to remain in the Tonawanda area. As a result, IMA Life NA is pursuing the new facility at 700 Colvin Woods Parkway, which is the subject of this application. The new facility will consist of office area and production space to serve the highest demand for supply of freeze dryers by the pharmaceutical industry. If the Project moves forward, IMA Life NA is planning to operate both facilities, the existing location and the new one at 700 Colvin Woods Parkway. The new building would be owned by IMA Life NA. IMA Life NA would expect to increase its workforce proportionally to the business growth enabled by the new facility. See the IMA Life NA timeline attached to this application for an overview of the Company's history.

Estimated % of sales within Erie County 1 %
Estimated % of sales outside Erie County but within New York State 5 %
Estimated % of sales outside New York State but within the U.S. 65 %
Estimated % of sales outside the U.S. 29 %

(*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?

16

Describe vendors within Erie County for major purchases

Total vendor in 2022 (excluding employees) \$79.9MM and in Erie County \$13.0MM. The percentage will increase considering the proposed project to around 28% from the current 16%. Major vendors within Erie County include: Amherst Stainless Fabrication LLC, Goergen-Mackwirth Co., Inc., Allied Circuits, Inc., Coverco, Inc., AP Professionals of WNY, A&F Wholesale, Sean & Design Div., John J. Bonafacio, and Robert James Sales Inc.

Section II: Eligibility Questionnaire - Project Description & Details

Project Location

Address of Proposed Project Facility

700 Colvin Woods Pkwy

Town/City/Village of Project Site

Tonawanda

School District of Project Site

Tonawanda Public Schools

Current Address (if different)

2175 Military Rd

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

SBL Number(s) for proposed Project

53.14-3-1.1

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

0

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

Land

\$ 6,255,600

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.)

The proposed 15-acre parcel located at 700 Colvin Woods Pkwy is currently vacant land, owned by Elmlawn Cemetery and Crematory Inc. However, it is in the process of being acquired by Ciminelli Properties LLC. Ciminelli, on behalf of the Cemetery, secured minor subdivision approval to create the parcel from the Tonawanda Town Board at the meeting held on March 14, 2023. The Cemetery has also received approval from the New York State Cemetery Board to sell the Site to Ciminelli. IMA Life NA has an executed Purchase and Sale Agreement for the parcel with Ciminelli. After Ciminelli acquires the parcel from the Cemetery, IMA Life NA will acquire the parcel from Ciminelli. Montante will manage construction for IMA Life NA.

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 Project includes the construction of a new office and manufacturing facility for IMA Life NA at Colvin Woods Business Park in Tonawanda NY. The Company is a leader in the field of aseptic and pharmaceutical equipment and a major supplier of equipment to the leading pharmaceutical companies like Pfizer, Merck, Eli Lilly, and Abbott. The equipment produced in IMA's Tonawanda facility is sold directly to businesses in both domestic and international pharmaceutical markets. IMA Life currently employs 154 FTE at an existing facility on Military Rd in Tonawanda, NY. It has expanded its capacity at this existing site through two new buildings; however, it has now utilized all the land space available and no further expansions are possible at this location. The Company leases the existing facility from Uniland Development Company and will continue to operate out of this existing facility after completion of the Project. IMA Life NA will utilize the new facility to expand its operations in Western New York. The new facility will include a development laboratory, three production bays and warehouse space for the development, sale, assembly, testing, and shipping of Freeze Dryers for the pharmaceutical sector. It will also include corporate office space and be positioned to serve as the North America headquarters for IMA Group. The Project will include 50,000 square feet of production space and 30,000 square feet of office space, as well as exterior parking, truck court, and dumpster areas. Upon completion of the Project, 120 existing FTE will move to the new building, leaving 34 FTE at the existing site. IMA will also hire an additional 30 new FTE, bringing the total FTE at the new facility to 150 within two years of its completion.

Municipality or Municipalities of current operations

Tonawanda

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

The IMA Group owns 6 other companies together with IMA Life NA in the United States. All 6 of these companies are outside of New York State. IMA Group is in need of a flagship corporate office and IMA Life NA is competing with these other locations. This project will enable IMA Life NA to remain and grow its business here in Tonawanda, NY.

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

Yes

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

IMA Life NA has been contacted by Empire State Development regarding an Incentive Proposal for the project.

If the Project could be undertaken without Financial Assistance provided by the Agency, then provide a statement in the space provided below indicating why the Project should be undertaken by the Agency:

Describe the reasons why the Agency's financial assistance is necessary, and the effect the Project will have on the Applicant's business or operations. Focus on competitiveness issues, project shortfalls, etc... Your eligibility determination will be based in part on your answer (attach additional pages if necessary)

IMA Life NA has reached an important milestone for growth and is forced to consider relocating from their existing facilities. After examining alternative campus locations in New York and other states, IMA Life NA identified a 15-acre site within Colvin Woods Business Park in Tonawanda, NY. The Project will result in the relocation of some manufacturing and all office needs to the new facility, while accommodating for future growth. The new facility will also include the creation of new corporate offices in Tonawanda, NY. This will improve operating efficiencies and provide greater support to those managers and executives affected by the current space shortage and shuffling of space and personnel. It will put the Tonawanda facility in position to grow into the North American headquarters for the IMA Group. Given the nature of these jobs and the fact that IMA Life NA is competing for resources with 6 other companies located outside of New York State, the genuine threat to New York State and WNY is IMA Group's ability to pursue this project out-of-state. In light of this variable, IMA Life NA hopes to be able to work collaboratively with the ECIDA to ensure that Tonawanda, NY continues to be the best place to invest in new facilities and jobs. The requested incentives are a critical piece of the capital stack for the project and are necessary to move forward. Should the Project not move forward, it will result in a loss of approximately \$27.5 million investment, dozens of short-term construction-related jobs, and threaten the long term viability of 154 existing FTE.

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?

IMA Life NA has a total of 154 FTE that would be at risk if the project does not receive assistance and moves on in another State where the Applicant's Owner has other facilities. The region will also lose an approximately \$27.5 million investment and the creation of 30 new FTE.

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)

Yes, the site 1/2 Mile away from NFTA Bus Route 11, which is readily accessible from Colvin Blvd.

Has your local municipality and/or its planning board made a determination regarding the State Environmental Quality Review (SEQR) for your project?

No

If YES indicate in the box below the date the SEQR determination was made. Also, please provide us with a copy of the approval resolution and the related Environmental Assessment Form (EAF) if applicable.

If NO indicate in the box below the date you anticipate receiving a SEQR determination for your project. Also, please insure that the ECIDA has been listed as an "involved agency" on the related EAF submitted to the appropriate municipality and/or planning department.

August 2023

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

Yes

Describe the present zoning/land use

Presently the site is zoned B- 2nd Residential District and operates under a Special Use District dated 2004. All proposed uses are allowed as of right under the terms of the existing Special Use District Permit.

Describe required zoning/land use, if different

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

The Project site is in the process of being rezoned. The Town of Tonawanda Planning Board has recommended that the site be zoned Performance Standards District. The Town of Tonawanda Town Board is currently considering this recommendation. All proposed uses are allowed as of right under the Performance Standards District once site plan, subdivision, and performance standards review are complete.

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.

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 Yes

What is the estimated project timetable (provide dates)

Start date : acquisition of equipment or construction of facilities

10/2/2023

End date : Estimated completion date of project

10/25/2024

Project occupancy : estimated starting date of occupancy

11/11/2024

Capital Project Plan / Budget

Estimated costs in connection with Project

1.) Land and/or Building Acquisition

\$ 2,285,100 square feet 15 acres

2.) New Building Construction

\$ 16,853,019 80,000 square feet

3.) New Building addition(s)

\$ 0 square feet

4.) Reconstruction/Renovation

\$ 0 square feet

5.) Manufacturing Equipment

\$ 4,000,000

6.) Infrastructure Work

\$ 0

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

\$ 1,000,000

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

\$ 3,418,060

9.) Other Cost

\$ 0

Explain Other Costs

Total Cost \$ 27,556,179

Construction Cost Breakdown:

Total Cost of Construction \$ 16,853,019 (sum of 2, 3, 4 and 6 in Project Information, above)
Cost of materials \$ 8,426,509

% sourced in Erie County 75%

Sales and Use Tax:

Gross amount of costs for goods and services that are subject to State and local sales and use tax- said amount to benefit from the Agency's sales and use tax exemption benefit \$ 9,426,509

Estimated State and local Sales and Use Tax Benefit (product of 8.75% multiplied by the figure, above): \$ 824,819

** 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: A percentage of soft costs related to due diligence, environmental studies, architecture, engineering, and project management has been incurred to advance the project through design and approvals.

Sources of Funds for Project Costs:

Equity (excluding equity that is attributed to grants/tax credits): \$ 26,428,736

Bank Financing: \$ 0

Tax Exempt Bond Issuance (if applicable): \$ 0

Taxable Bond Issuance (if applicable): \$ 0

Public Sources (Include sum total of all state and federal grants and tax credits): \$ 1,127,443

Identify each state and federal grant/credit: (ie Historic Tax Credit, New Market Tax Credit, Brownfield, Cleanup Program, ESD, other public sources) ESD, Excelsior Award

Total Sources of Funds for Project Costs: \$27,556,179

Have you secured financing for the project? Yes

Mortgage Recording Tax Exemption Benefit:

Amount of mortgage, if any that would be subject to mortgage recording tax:

Mortgage Amount (include sum total of construction/permanent/bridge financing). 0

Lender Name, if Known

Estimated Mortgage Recording Tax Exemption Benefit (product of mortgage amount as indicated above multiplied by 3/4 of 1%): \$0

Real Property Tax Benefit:

Identify and describe if the Project will utilize a real property tax exemption benefit other than the Agency's PILOT benefit (485-a, 485-b, other):

IDA PILOT Benefit: Agency staff will indicate the estimated amount of PILOT Benefit based on estimated Project Costs as contained herein and anticipated tax rates and assessed valuation, including the annual PILOT Benefit abatement amount for each year of the PILOT benefit and the sum total of PILOT Benefit abatement amount for the term of the PILOT as depicted in the PILOT worksheet in the additional document section.

Percentage of Project Costs financed from Public Sector sources: Agency staff will calculate the percentage of Project Costs financed from Public Sector sources based upon the Sources of Funds for Project Costs as depicted above. The percentage of Project Costs financed from public sector sources will be depicted in the PILOT worksheet in the additional document section.

Is project necessary to expand project employment?

Yes

Is project necessary to retain existing employment?

Yes

Will project include leasing any equipment?

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 24 months (2 years) after Project completion	Estimate number of residents of the Labor Market Area in which the project is located that will fill the FT and PT jobs to be created upon 24 months (2 years) after project completion **
Full time	120	120	30	30
Part time	0	0	0	0
Total	120	120	30	

Salary and Fringe Benefits for Jobs to be Retained and Created

Job Categories	# of Full Time Employees retained and created	Average Salary for Full Time	Average Fringe Benefits for Full Time	# of Part Time Employees retained and created	Average Salary for Part Time	Average Fringe Benefits for Part Time
Management	8	\$ 175,428	\$ 66,693	0	\$ 0	\$ 0
Professional	60	\$ 88,612	\$ 17,034	0	\$ 0	\$ 0
Administrative	45	\$ 89,047	\$ 19,452	0	\$ 0	\$ 0
Production	37	\$ 63,605	\$ 12,066	0	\$ 0	\$ 0
Independent Contractor	0	\$ 0	\$ 0	0	\$ 0	\$ 0
Other	0	\$ 0	\$ 0	0	\$ 0	\$ 0
Total	150			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	2175 Military Rd., Tonawanda NY 14150		
Full time	154	0	0
Part time	0	0	0
Total	154	0	0

Payroll Information

Annual Payroll at Proposed Project Site upon completion

12,405,821

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

82,705

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

0

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

72,293

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

0

Estimated salary range of jobs to be created

From (Full Time)	60,760	To (Full Time)	87,315
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

700 Colvin Woods Pkwy, Tonawanda, NY 14150

Name and Address of Owner of Premises

IMA Life North America, 2175 Military Rd, Tonawanda, NY 14150

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

The Project is being constructed on vacant land that has been cleared and is dominated by small woody shrub and grasses.

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 natural topography will require some site work and grading, but the land is generally flat. No environmentally sensitive features exist and the site plan is designed to adhere to requirements for landscaped areas.

Describe all known former uses of the Premises

The site is vacant land and no previous uses are known. Historical aerial photographs show that the site has been undeveloped vacant land since 1938.

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

The parcel is currently owned by Elmlawn Cemetery and Crematory Inc.,

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

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

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

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 IMA Life North America
Address 2175 Military Rd Tonawanda, NY 14150
Contact Person Marco Riccioni
Phone (716) 695-6354
Fax
E-Mail Marco.Riccioni@ima.it
Federal ID #
SIC/NAICS Code

SS

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

2175 Military Rd

City/Town

Tonawanda

State

New York

Zip Code

14150

Will the project result in the removal of an industrial or manufacturing plant of the Project occupant from one area of the state to another area of the state?

No

Will the project result in the abandonment of one or more plants or facilities of the Project occupant located within the state?

No

If Yes to either question, explain how, notwithstanding the aforementioned closing or activity reduction, the Agency's Financial Assistance is required to prevent the Project from relocating out of the State, or is reasonably necessary to preserve the Project occupant's competitive position in its respective industry:

Does this project involve relocation or consolidation of a project occupant from another municipality?

Within New York State

No

Within Erie County

No

If Yes to either question, please, explain

Will the project result in a relocation of an existing business operation from the City of Buffalo?

No

If yes, please explain the factors which require the project occupant to relocate out of the City of Buffalo (For example, present site is not large enough, or owner will not renew leases etc.)

What are some of the key requirements the project occupant is looking for in a new site? (For example, minimum sq. ft., 12 foot ceilings, truck loading docs etc.)

If the project occupant is currently located in Erie County and will be moving to a different municipality within Erie County, has the project occupant attempted to find a suitable location within the municipality in which it is currently located?

No

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

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

Please provide a list of properties considered, and the reason they were not adequate. (Some examples include: site not large enough, layout was not appropriate, did not have adequate utility service, etc.) Please include full address for locations.

Section IX: Senior Housing

IDA tax incentives may be granted to projects under the Agency's Senior Citizen Rental Housing policy when the project consists of a multi-family housing structure where at least 90% of the units are (or are intended to be) rented to and occupied by a person who is 60 years of age or older.

Are you applying for tax incentives under the Senior Rental Housing policy?

No

Section X: Tax Exempt Bonds

In order to receive the benefits of a tax-exempt interest rate bond, private borrowers and their projects must be eligible under one of the federally recognized private active bond categories (Fed Internal Rev Code IRC sections 142-144, and 1394).

Are you applying for tax exempt bonds / refinancing of bonds related to a residential rental facility project?

No

Employment Reporting Requirements and Remote Work



Background

As the region continues to recover from the effects of the pandemic, local businesses are adapting to new economic and social realities, including market disruptions, increased costs, and significant workforce challenges.

One response to the pandemic and proceeding shutdown was the need for employers to have employees work from home. Many businesses invested in infrastructure to allow for remote work and in some business sectors, employees and employers have adapted and maintained a remote work environment.

The success of remote work led to some initial estimates that as much as 40% of the workforce would transition to remote work. Current estimates are trending lower but still show a significant percentage of the overall workforce being fully remote or in a hybrid work model. This is particularly true in the back office and professional service sectors.

Remote Work Across States and Cities

Every state has seen a [10% or greater increase](#) in the share of remote workers, and work opportunities have spread to the interior of the country as a result. Look here to see where remote work is concentrated across states and cities.

gusto Remote Work - Geographic

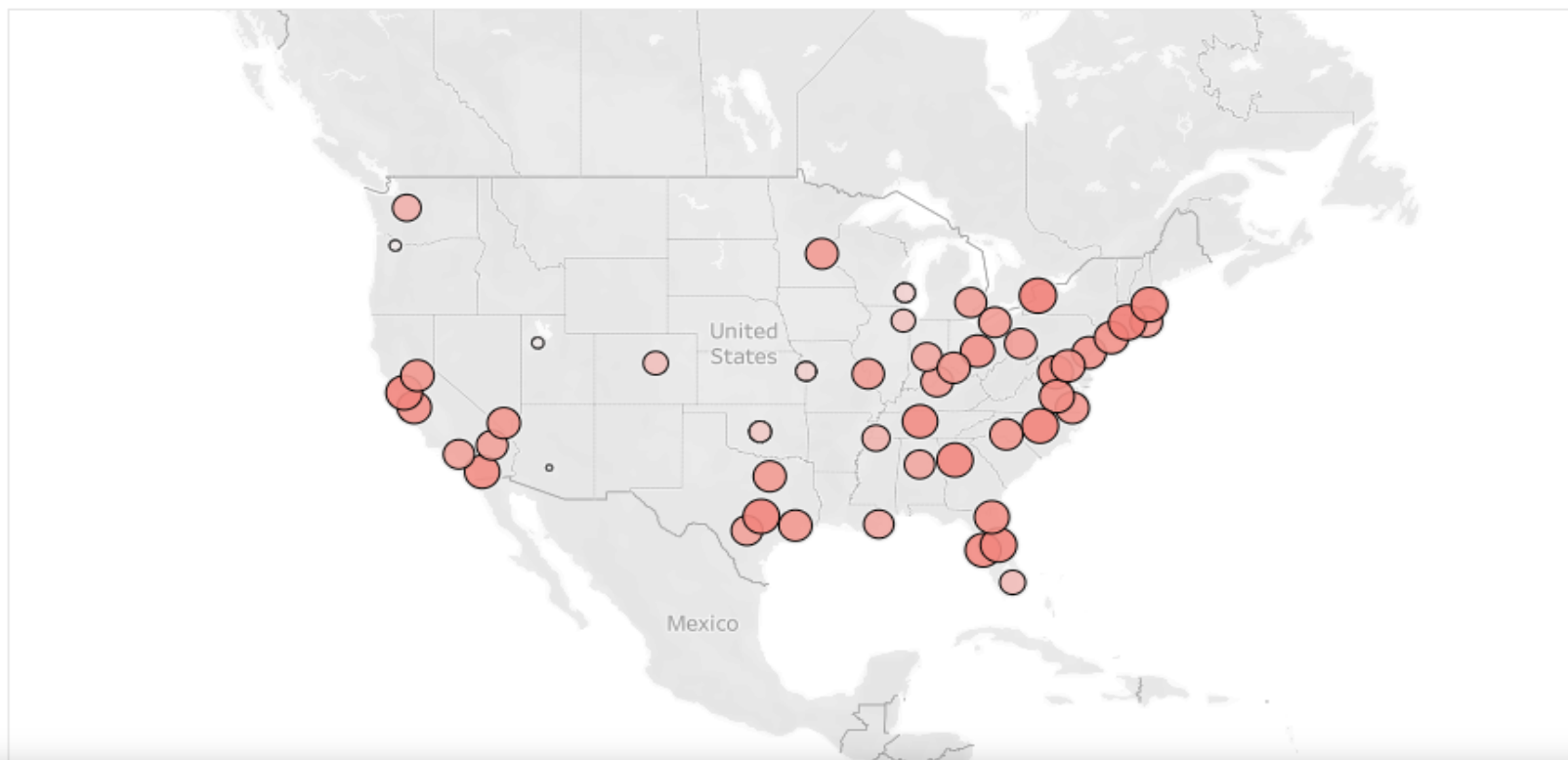
Map Dimension

Metro

Date

June 2023

Metro Level Map



Percent Remote

1.0  35.0

Hartford, CT	23.4
Buffalo, NY	23.1
Raleigh, NC	22.7
Boston, MA	22.5
Austin, TX	22.3
San Francisco, CA	22.3
Orlando, FL	22.1
Atlanta, GA	22.0
Tampa, FL	21.3
Nashville, TN	20.9
Washington, D.C.	20.8
San Diego, CA	20.7
Richmond, VA	20.4
Jacksonville, FL	20.4
New York City, NY	19.7
San Jose, CA	19.6
Columbus, OH	19.6
Philadelphia, PA	19.5
Baltimore, MD	19.4
Virginia Beach, VA	19.0

Employment Reporting Requirements and Remote Work



Issue Discussion

ECIDA's recapture policy defines material factors, which IDA applicants are required to meet per the agency's recapture policy. One of the material factors is employment.

Standard Employment Material Terms:

- Maintain base employment
- Meet 85% of job creation
- Required for the life of the incentive period
- ECIDA board sets and approves Material Terms for each project

Employment Reporting Requirements and Remote Work



Issue Discussion

- ECIDA incentives, sales, mortgage and PILOT benefits are tied to a specific capital investment and physical location.
- Job creation and retention material terms are presently defined as the number of jobs at the specific incentivized physical location. Assumes that job creation/retention of an incentivized company occurs at the physical project location, which has historically been the case.
- Annual PARIS reporting requires that IDA's report annual employment numbers for IDA assisted projects. ECIDA surveys employment data quarterly.

Employment Reporting Requirements and Remote Work



Issue Discussion

- ECIDA's Recapture Policy requires assisted businesses to meet certain material factors, employment among them. Failure to meet and/or maintain a material factor can result in a recapture action by the agency. Which may include:
 - Recapture of Agency Financial Assistance
 - Termination of Agency Financial Assistance
 - Modification of Agency Financial Assistance

Employment Reporting Requirements and Remote Work



Procedural/Policy Consideration

How should employment material terms be reported and evaluated for compliance in a remote work situation?

- Items for consideration/discussion
 - Reported place of employment for payroll purposes
 - Do employees come into the office, hybrid work model
 - Do they report to or are supervised from the physical incentivized location
 - Where is their remote work location

Employment Reporting Requirements and Remote Work



Procedural/Policy Recommendations

Hybrid Work

- No change in reporting or compliance requirements as workers are present in the incentivized facility for a portion of their work hours

Fully Remote Work

- Remote workers would be counted for compliance and reporting requirements if:
 - Reported as employees of the physical incentivized location for payroll purposes
 - Supervised and or affiliated with the physical incentivized location
 - Remote work location is in the Local Labor area, as defined in the UTEP