

Application Title

Tax Incentive Application

Section I: Applicant Background Information

Applicant Information - Company Receiving Benefit

Total Project Cost **1125000**
Applicant Name **1955 Wehrle LLC**
Applicant Address **1955 Wehrle Drive Williamsville NY 14221**
Phone **716-861-5829**
Fax **716-861-5829**
E-mail **bkreuz@stereoadvantage.com**
Website **www.lifetimeservice.com**
Fed ID# **16-1496898**

Individual Completing Application

Name **Thomas Kreuz**
Title **CEO**
Address **1955 Wehrle Drive Williamsville NY 14221**
Phone **716-861-5829**
Fax **716-626-1525**
E-Mail **bkreuz@stereoadvantage.com**

Company Contact (if different from individual completing application)

Name
Title
Address
Phone
Fax
E-Mail

Company Counsel

Name of Attorney **Sunil Bakshi**
Firm Name **Sunil Bakshi ESQ**
Address **5662 Main Street Williamsville NY 14221**
Phone **716-631-0004**
Fax
E-Mail **sunilbakshiesq@hotmail.com**

Identify the assistance being requested of the Agency

| | |
|--|------------|
| Exemption from Sales Tax | Yes |
| Tax Exempt Financing | No |
| Exemption from Mortgage Tax | Yes |
| Exemption from Real Property Tax | Yes |
| Assignment/Assumption of existing PILOT benefits | No |

Business Organization

| | |
|-----------------------|----------------------------------|
| Type of Business | Limited Liability Company |
| Year Established | 1982 |
| State of Organization | New York |

List all stockholders, members, or partners with % of ownership greater than 20%
Please include name and % of ownership.

Walker Center LP 100%

Business Description

Describe in detail company background, products, customers, goods and services

Lifetime Service has been in business since 1987. We are a 70,000 square foot independent service center with 125 employees. We have 50 certified Electronics Technicians on staff and growing. We repair, refurbish electronics nation wide for a wide variety of commercial customers. We also handle wararanty work for all major electronic manufacturing companies. We have a small satelite facility in Ontario California.

| | |
|--|------------|
| Estimated % of sales within Erie County | 25% |
| Estimated % of sales outside Erie County but within New York State | 25% |
| Estimated % of sales outside New York State | 50% |
| Estimated % of sales outside the U.S. | 0 |

What percentage of your total annual supplies, raw materials and vendor services are purchased from firms in Erie County?
(You may be asked to provide supporting documentation of the estimated percentage of local purchases)

50%

Section II: Project Description & Details

Location of proposed project facility

Address **1955 Wehrle Drive**
City Williamsville
State **New York**
Zip Code 14221
SBL Number 81.02-3-29
Town/City/Village Williamsville
School District Williamsville
Present Project Site Owner **United States**

Please provide a brief narrative of the project

We are expanding our Lifetime Service operation. We will be adding 20,000 square feet off the back of the exiting building. The new addition will house new state of the art technician service benches and product storage. Will plan on adding employees and continuing to grow

Site Characteristics

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?
(If yes, please provide copy)

No

If yes, please provide a copy.

Have any other studies, or assessments been undertaken with respect to the proposed Project Site that indicate the known or suspected presence of contamination that would complicate the site's development?

No

If yes, please provide copies of the study.

Will project include leasing any equipment?

No

If yes, please describe equipment and lease terms

If you are purchasing new machinery and equipment, does it provide demonstrable energy efficiency benefits?

Yes

If yes, please attach additional documentation describing the efficiencies achieved.

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

Yes

If yes, please explain

We are doing constant research and development on servicing new consumer electronics repair categories and parts development.

What percentage of annual operating expenses are attributed to the above referenced research and development activities?

20%

Explain why IDA participation is necessary for this project to proceed. Focus on competitiveness issues, project shortfalls, etc.

We are in a very competitive world wide industry. We need tax savings and incentives to stay competitive. We are bidding on contracts on a monthly basis and need to keep costs down and remain effective for our customers. We expanded into California for nationwide coverage and are being urged to expand more.

Project Information

Estimated costs in connection with project

Land and/or Building Acquisition **\$ 0**
0.00 acres **0.00** square feet

New Building Construction **\$ 0**
0.00 square feet

New Building addition(s) **\$ 900000**
20.00 square feet

Renovation **\$ 0**
0.00 square feet

Manufacturing Equipment **\$ 120000**

Non-Manufacturing Equipment: (furniture, fixtures, etc.) **\$ 100000**

Soft Costs: (professional services, etc.) **\$ 30000**

Other Cost **\$ 0**

Explain Other Costs

Total Cost 1125000

Project Refinancing (est. amount) 0

Select Project Type (check all that apply)

Yes Industrial **No** Multi-Tenant **No** Mixed Use
No Acquisition of Existing Facility **Yes** Commercial **No** Facility for the Aging
No Housing **No** Back Office **No** Civic Facility (not for profit)
Yes Equipment Purchase **No** Retail **No** Other

SIC Code

NAICS Code

For proposed facility please include # of sq ft for each of the uses outlined below

| | | Cost | % of Total Cost |
|--------------------------|-----------------------|-------------|------------------------|
| Manufacturing/Processing | 17 square feet | 0 | 0 |
| Warehouse | 0 square feet | 0 | 0 |
| Research & Development | 0 square feet | 0 | 0 |
| Commercial | 0 square feet | 0 | 0 |
| Retail | 0 square feet | 0 | 0 |
| Office | 3 square feet | 0 | 0 |
| Specify Other | 0 square feet | 0 | 0 |

Utilities and services presently serving site. Provide name of utility provider

Gas

Electric Size

Water Size

Sewer Size

Other (Specify)

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

Yes

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

Platinum

What is your project timetable (Provide dates)

Start date : acquisition of equipment

2015-01-01

End date : Estimated completion of project

2015-09-01

Project occupancy : estimated starting date of operations

2015-10-01

Have site plans been submitted to the appropriate planning department for approval?

Yes

Have any expenditures already been made by the company?

Yes

If yes, indicate particulars (Amherst IDA benefits do not apply to expenses incurred prior to Board approval)

We have done all site plan and drawings. Going in front of the Amherst Town Planning Board on November 20th.

Is project necessary to expand project employment?

Yes

Is project necessary to retain existing employment?

Yes

Employment Plan (Specific to location):

| | Current # of jobs at project location or to be relocated at project location | If project is to retain jobs, number of jobs to be retained | Total # of jobs 2 years after project completion |
|-----------|--|---|--|
| Full time | 100 | 100 | 135 |
| Part time | 30 | 30 | 40 |
| Total | 130 | 130 | 175 |

If you estimated new job growth over the next 2 years, please provide a short description of how those estimates were calculated (i.e. jobs per square foot, new contracts/increased revenues, etc.)

Based on square footage and new contracts

Employment at other locations in Erie County: (provide address and number of employees at each location):

Address

| | | | |
|-----------|---|---|---|
| Full time | 0 | 0 | 0 |
| Part time | 0 | 0 | 0 |
| Total | 0 | 0 | 0 |

Payroll Information

Annual payroll

5500000

Estimated average annual salary of jobs to be retained

45000

Average estimated annual salary of jobs to be created

45000

Estimated salary range of jobs to be created

From **30000** To **80000**

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

We could be in any state. We have a remote location in California

Were you offered financial assistance to locate outside of New York State?

No

If yes, from whom and what type of assistance was offered

We have not looked into this. We want to stay in Williamsville

What competitive factors led you to inquire about sites outside of New York State?

tax abatements

Have you contacted or been contacted by other economic or governmental agencies regarding this project?

No

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

Section III: Adaptive Reuse Projects

Are you applying for a tax incentive under the Adaptive Reuse Program?

No

What is the age of the structure (in years)?

0.00

If yes, number of years vacant?

0

Has the structure been vacant or underutilized for a minimum of 3 years? (Underutilized is defined as a minimum of 50% of the rentable square footage of the structure being utilized for a use for which the structure was not designed or intended)

<BLANK>

Is the structure currently generating insignificant income? (Insignificant income is defined as income that is 50% or less than the market rate income average for that property class)

<BLANK>

Does the site have historical significance?

No

Briefly summarize the financial obstacles to development that this project faces without Amherst IDA or other public assistance. Please provide the Amherst IDA with documentation to support the financial obstacles to development (cash flow projections documenting costs, expenses and revenues indicating below average return on investment rates compared to regional industrial averages)

Briefly summarize the demonstrated support that you intend to receive from local government entities. Please provide the Amherst IDA with documentation of this support in the form of signed letters from these entities

Please indicate other factors that you would like the Amherst IDA to consider such as: structure or site presents significant public safety hazard and or environmental remediation costs, site or structure is located in a distressed census tract, structure presents significant costs associated with building code compliance, site or structure is presently delinquent in property tax payments

Section IV: Retail Determination

Will project involve the sales of goods or services to customers who personally visit the facility?

No

If yes, complete the Retail Questionnaire Supplement below.

Will any portion of the project consist of facilities or property that is primarily used in making sales of goods or services to customers who personally visit the project site?

<BLANK>

If the answer is yes, please continue.

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?

0.00 %

If the answer to this is **less than 33%** do not complete the remainder of the page and proceed to the next section (Section V: Inter-Municipal Move Determination).

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

<BLANK>

Is the project likely to attract a significant number of visitors from outside the economic development region in which the project will be located?

<BLANK>

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

Would the project occupant, but for the contemplated financial assistance from the industrial development agency, locate the related jobs outside the State of New York?

<BLANK>

If yes, please provide documentation regarding investigation of sites outside New York State.

Is the predominant purpose of the project to make available goods or services which would not otherwise be reasonably accessible to the residents of the project municipality?

<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>

Is the project located in a Neighborhood Redevelopment Area?

<BLANK>

Section V: Inter-Municipal Move Determination

Does this project involve relocation or consolidation of a project occupant from another municipality or abandonment of an existing facility?

Within New York State No

Within Erie County No

If EITHER IS YES, please complete the following. If BOTH ARE NO, please 'save and continue' to the next section (Section VI: Facility Type - Single or Multi Tenant).

The Agency is required by state law to make a determination that Agency assistance is required to prevent the project occupant from relocating out of the state, or to preserve the project occupant's competitive position in its respective industry.

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 (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...)

sate of the art facility

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

<BLANK>

Is the project reasonably necessary to preserve the project occupant's competitive position in its industry?

Yes

If yes, please explain and provide supporting documentation

We are in a competetive industry and need to grow and diversify

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

This is our home

What is going to happen to the current facility that project occupant is located in?

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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 VI: 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 **Lifetime Service**
Address **1955 Wehrle Drive Williamsville NY 14221**
Contact Person **Stereo Advantage**
Phone **716-861-5829**
Fax
E-Mail **bkreuz@stereoadvantage.com**
Federal ID # **16-135-6953**
SIC/NAICS Code **811211**

Multi-Tenant Facility

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

Have any tenant leases been entered into for this project?

<BLANK>

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

Attachment 1: Representations, Certification and Indemnification

CERTIFICATION

STATE OF NEW YORK)
SS:
COUNTY OF ERIE)

THOMAS KREUZ

(Name of Owner, Chief Executive Officer, or General Partner of the Company Submitting Application)

being duly-sworn deposes and says that he/she is the PRESIDENT
of 1955 WEIRLE LLC
(Title) (Company Name)

named in the attached application; that he/she has read the foregoing application and attachments and knows the contents thereof; that all statements contained therein are true to his/her knowledge and contain no information or data that is false or incorrect, and are truly descriptive of the project which is intended as the security for the requested financing.

(Complete the following paragraph for corporation only)

Deponent further says that the reason this verification is made by the deponent and not by

1955 WEIRLE LLC

(Company Name)

is because the said company is corporation.

The grounds of deponent's belief relative to all matters in the said application which are not stated upon his/her own personal knowledge, are investigations which deponent has caused to be made concerning the subject matter of this application as well as information acquired by deponent in the course of his/her duties as an officer of, and from the books and papers of, said corporation.

Deponent acknowledges and agrees that applicant shall be and is responsible for all expenses incurred by the Town of Amherst Industrial Development Agency (hereinafter the "Agency") in connection with this application whether or not resulting in the issuance of a bond(s), lease transaction, or installment sale. If for any reason whatsoever the applicant shall fail to conclude or consummate necessary negotiations or fails to act within a reasonable or specified period of time to take reasonable, proper, or requested action or withdraws, abandons, cancels or neglects the application, or if the Agency or applicant are unable to find buyers willing to purchase the total bond issue required, then upon presentation of invoice, applicant shall pay to the Agency, its agents, or assigns all actual expenses involved in this application, up to that date and time, including fees of bond counsel for the Agency and fees of general counsel for the Agency. The costs incurred by the Agency and paid by the applicant, including bond counsel and the Agency's general counsel's fees and the administrative fee (as hereinafter set forth), may be considered as a cost of

the project and included as part of the resultant bond issue or lease agreement.

Deponent further acknowledges that he/she understands the Payment-in-Lieu of Tax (PILOT) policy of the Amherst IDA (as stated in this application) and accepts the terms of the agreement as it applies to the classification of this project.

Should this project be subsequently found to be in violation of Article 18A of The New York State General Municipal Law, applicant acknowledges its absolute responsibility to repay all economic benefits received to date (with interest), as agent for the Town of Amherst Industrial Development Agency.

**TOWN OF AMHERST INDUSTRIAL DEVELOPMENT AGENCY
INDUCEMENT RESOLUTION POLICY**

It shall be the policy of the Town of Amherst Industrial Development Agency that any inducement resolution adopted by the Board of Directors shall remain in full force and effect for a period of one (1) year from the date of its adoption. Thereafter, the Board of Directors may, in its discretion and upon good cause shown, adopt a further resolution extending the period of inducement for one (1) additional year from the date of the expiration of the original inducement. An Agency Extension Fee in the amount of \$500.00 shall be charged to the applicant for each such extension granted. Such Extension Fee shall be in addition to any other Administrative Fee or other fees incurred with respect to the project. Any request for an extension of the period of inducement beyond the one (1) additional year extension contemplated herein shall be addressed by the Board of Directors on a case-by-case basis.

1955 WEHRLE LLC

(Company Name)

By:

[Handwritten Signature]
(Owner/Partner/CEO)

NOTARY

Sworn to before me this 14th

day of November, 20 14

[Handwritten Signature]

Notary Public
TRACIE L. KNAUER
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires 4/22/2015

ATTACHMENT TO IDA APPLICATION FOR FINANCIAL ASSISTANCE

Local Labor Workforce Certification

Project applicants (the “Company”), as a condition to receiving Financial Assistance (including a sales tax exemption, mortgage recording tax exemption, real property tax abatement, and/or bond proceeds) from the Erie County Industrial Development Agency (the “Agency”), will be required to utilize qualified Local Labor, as defined below, for all projects involving the construction, expansion, equipping, demolition and/or remediation of new, existing, expanded or renovated facilities (collectively, the “Project Site”).

Local Labor Defined

Local Labor is defined as individuals residing in Erie County, Niagara County, Chautauqua County, Cattaraugus County, Allegany County, Wyoming County, Genesee County, and Orleans County (collectively, the “Local Labor Area”).

Local Labor Requirement

At least 90% of all Project employees of the general contractor, subcontractor, or subcontractor to a subcontractor (collectively, the “Workers”) working on the Project Site must reside within the Local Labor Area. Companies do not have to be local companies as defined herein, but must employ local Workers residing within the Local Labor Area to qualify under the 90% local labor criteria.

It is understood that at certain times, Workers residing within the Local Labor Area may not be available with respect to a Project. Under this condition, the Company is required to contact the Agency to request a waiver of the Local Labor Requirement (the “Local Labor Waiver Request”) based on the following circumstances: (i) warranty issues related to installation of specialized equipment or materials whereby the manufacturer requires installation by only approved installers; (ii) specialized construction for which qualified Local Labor Area Workers are not available; or (iii) documented lack of Workers meeting the Local Labor Area requirement. The Agency shall evaluate the Local Labor Waiver Request and make its determination related thereto based upon the supporting documentation received with such waiver request.

Local Labor Reporting Requirement

Companies authorized to receive Financial Assistance from the Agency will be required to file or cause to be filed a Local Labor Utilization Report (the “Report”) on such form as made available by the Agency, and as directed by the Agency, which will identify, for each Worker, the city, town, or village and associated zip code that each such Worker is domiciled in. The Report shall be submitted to the Agency as follows: (i) immediately prior to commencement of construction activities; and (ii) on or by the next following quarterly dates of January 1, April 1, July 1, and October 1 and each quarterly date thereafter through the construction completion date.

In addition, the Agency, or its designated agents, shall have the right, during normal business hours, to examine and copy the applicable books and records of the Company and to perform spot checks of all Workers at the Project site to verify compliance with the Local Labor Requirement throughout the construction period.

Enforcement

If Agency staff determines that: (i) the Local Labor Requirement is not being met; or (ii) Agency staff, upon use of its reasonable discretion, discovers or becomes aware of a compliance issue related to the Local Labor Requirement, then written notice delivered by Certified Mail of said Local Labor Requirement violation (the “Notice of Violation”) shall be provided to the Company. The Company shall have 10 business days thereafter to either: (i) provide written confirmation to the Agency indicating that it has cured the violation and is now in compliance with the Local Labor Requirement; (ii) submit the Local Labor Waiver Request as described above; or (iii) confirm in writing its inability to meet the Local Labor Requirement. If the Company does not respond to the Agency’s Notice of Violation, or if the Company confirms its inability to meet the Local Labor Requirement then the Agency shall immediately terminate any and all Financial Assistance being provided to the Project in accordance with the terms of the underlying agreements between the Agency and the Company with respect to the Project. If a Local Labor Wavier Request is submitted and the Agency declines to issue the requested waiver, then the Company shall have 10 business days after receipt of the notice of the waiver request denial to provide written confirmation to the Agency indicating that it has cured the violation and is now in compliance with the Local Labor Requirement. If the Agency does not receive such confirmation, the Agency shall then immediately terminate any and all Financial Assistance being provided to the Project in accordance with the terms of the underlying agreements between the Agency and the Company with respect to the Project.

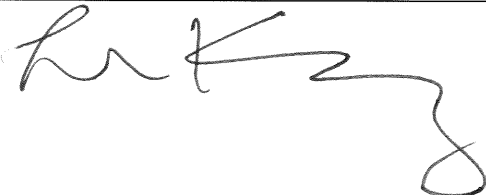
The foregoing terms have been read, reviewed and understood by the Company and all appropriate personnel. The undersigned agrees and understands that the information contained herein must be transmitted and conveyed in a timely fashion to all applicable subcontractors, suppliers and materialmen. Furthermore, the undersigned realizes and understands that failure to abide by the terms herein could result in the Agency revoking all or any portion of Financial Assistance, whether already received or to be received by the Company, as it deems reasonable in its sole discretion for any violation hereof.

NAME OF COMPANY

By: 1955 WEITBLE LLC

Name: THOMAS KRUEZ

Title: PRESIDENT



Sworn to before me this 14th day
of November 2013.
Tracie L. Knauer
Notary Public

TRACIE L. KNAUER
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ERIE COUNTY
My Commission Expires 4/22/2015