



Buffalo and Erie County Industrial Land Development Corporation  
Board of Directors Meeting  
December 18, 2019  
@ 1:00 p.m.  
95 Perry Street  
4<sup>th</sup> Floor Vista Room  
Buffalo, New York 14203  
**\*\*\*REVISED\*\*\***

**1.0 Call to Order**

**2.0 Approval of Minutes**

- 2.1 Approval of the October 23, 2019 Meeting Minutes of the Board of Directors (Pages 2-4)

**3.0 Reports / Action Items / Information Items:**

- 3.1 Financial Report – (Informational) (Pages 5-8)
- 3.2 Approval of Resolution to sign/accept Customer Agreement with National Grid for early stage planning and engineering regarding the WNY Agribusiness Park (Action Item) (Pages 9-11)
- 3.3 Approval of Resolution to sign/accept contract with professional consultants/service provider to prepare a Master Plan for the Bethlehem Steel-Woodlawn Beach Shoreline Trail (Action Item) (Pages 12-16)

**4.0 Adjournment - Next Meeting January 22, 2020 at 1:00 p.m.**

**MINUTES OF THE MEETING OF THE  
BOARD OF DIRECTORS  
OF THE  
BUFFALO AND ERIE COUNTY  
INDUSTRIAL LAND DEVELOPMENT CORPORATION  
(ILDC)**

- DATE AND PLACE:** October 23, 2019, at the Erie County Industrial Development Agency, 95 Perry Street, 5<sup>th</sup> Floor Conference Room, Buffalo, New York 14203
- PRESENT:** Denise Abbott, Hon. April Baskin, Hon. Mark C. Poloncarz and Maria Whyte
- EXCUSED:** Hon. Byron W. Brown, Hon. Howard Johnson and Richard Lipsitz, Jr.
- OTHERS PRESENT:** Steve Weathers, Chief Executive Officer; John Cappellino, Executive Vice President; Mollie Profic, Chief Financial Officer; Atiqah Abidi, Assistant Treasurer, Gerald Manhard, Chief Lending Officer, and Karen M. Fiala, Assistant Treasurer/Secretary
- GUESTS:** Andrew Federick, Erie County Senior Economic Development Specialist; Christopher Pawenski, Coordinator, Industrial Assistance Program, of the Erie County Environment & Planning Department; and Robert G. Murray, Esq., General Counsel/Harris Beach PLLC

There being a quorum present at 12:54 p.m., the Meeting of the Board of Directors of the Buffalo and Erie County Industrial Land Development Corporation was called to order by Chair, Mr. Poloncarz.

**MINUTES**

Upon motion made by Ms. Whyte and seconded by Ms. Abbott, and upon a vote thereof to so approve, the September 25, 2019 minutes of the Board of Directors of the Buffalo and Erie County Industrial Land Development Corporation (“ILDC”) meeting were unanimously approved.

**REPORTS / ACTION ITEMS / INFORMATION ITEMS**

Financial Report. Ms. Profic presented the September 2019 financial report. Ms. Profic noted that the balance sheet indicates the ILDC finished the month with total assets of \$8.9 million and net assets of \$6.9 million. There were no significant changes to the balance sheet accounts during the month. The monthly income statement shows minimal income and expenses of \$8,600, plus net special project costs of \$15,000, for a net loss of \$24,000 in September. The year-to-date income statement shows total revenues of \$191,000, expenses of \$70,000, and net

special project grants of \$88,000, for net income of \$210,000 so far in 2019. Mr. Poloncarz directed that the report be received and filed.

Finance and Audit Committee Update. Ms. Profic advised that at this meeting the Committee was joined by the Freed Maxick Director in charge of our year end audits, and who gave a presentation of the audit plan for the upcoming year end. Mr. Poloncarz directed that the report be received and filed.

Approval of 2020 Budget. Ms. Profic summarized the status of the 2020 budget process and noted that after the Board's review of the draft budget last month, there were no changes made requiring additional approval by the Finance & Audit Committee. Ms. Profic gave a short overview of the budget for 2020 and noted that it does not include any bond issuance fees thus erring on the conservative side. Special project revenue and expenses budgeted for 2020 includes \$1.75 million of reimbursement from the second ESD grant for Bethlehem Steel land acquisition, which will be reimbursed to ECIDA's UDAG fund and \$200,000 granted from ECIDA as an estimate of carrying costs related to the land purchase. Another \$100,000 is anticipated from ECIDA's UDAG fund to support carrying costs related to the pending Angola land purchase. There is also \$25,000 of offsetting grant revenue and expense for Opportunity Zone marketing which leads to budgeted income of \$138,000 for 2020. Ms. Profic also reviewed the 3-year forecast.

Ms. Whyte moved and Ms. Abbott seconded to approve of the 2020 Budget. Mr. Poloncarz then called for the vote and the motion was unanimously approved.

Approval of Resolution to Consent to Dona Street Easement Assignment. Mr. Cappellino reviewed the status of Erie County's Dona Street project, noting that the ILDC is the owner of a certain strip of land and has granted an easement on, through, over, and upon that strip of land to Erie County for Dona Street construction purposes. The County of Erie desires to convey its easement to the City of Lackawanna, and seeks the consent of the ILDC to permit conveyance of the easement. Ms. Whyte moved and Ms. Baskin seconded to approve of the conveyance of the Dona Street easement from Erie County to the City of Lackawanna as proposed. Mr. Poloncarz then called for the vote and the following resolution was unanimously approved:

RESOLUTION OF THE BUFFALO AND ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORPORATION CONSENTING TO THE COUNTY OF ERIE'S PROPOSED CONVEYANCE OF ITS PERMANENT EASEMENT RELATING TO A CERTAIN PARCEL OF REAL PROPERTY (AS MORE PARTICULARLY DESCRIBED HEREIN) TO THE CITY OF LACKAWANNA

Lead Agency Determination Resolution Regarding Bethlehem Steel Master Plan. Mr. Cappellino updated ILDC board members on the ILDC Bethlehem Steel site master planning project, reminding members that the ILDC owns approximately 150 acres of real property located within the former Bethlehem Steel site in Lackawanna, New York and is currently in negotiations to purchase an additional 92 acres therein and adjacent thereto. In March 2019, the ILDC resolved to enter into a professional service contract with professional consultants to undertake an infrastructure utility master plan and Generic Environmental Impact Statement

Analysis and thereafter to immediately begin the process of planned redevelopment of the site for commercial and industrial purposes. Mr. Cappellino stated that the ILDC must comply with Article 8 of the New York Environmental Conservation Law and the regulations adopted thereto (“SEQRA”) and determine whether or not the ILDC Advanced Manufacturing Park Infrastructure Master Plan presents a potential significant adverse environmental impact requiring the preparation of an environmental impact statement pursuant to SEQRA. Mr. Cappellino discussed the contents of the Part 2 and Part 3 Environmental Assessment Forms and the related Part 3 narrative that evaluates the magnitude and importance of project impacts contained within the board package, and noted that the ILDC would be making a determination, known as a positive declaration, that the project may result in one or more significant adverse impacts on the environmental, such that an environmental impact statement must be prepared to further assess the impacts and possible mitigation and to explore alternatives to avoid or reduce those impacts.

Ms. Whyte moved and Ms. Abbott seconded to approve the proposed positive declaration resolution. Mr. Poloncarz then called for the vote and the following resolution was unanimously approved:

RESOLUTION OF THE BUFFALO AND ERIE COUNTY INDUSTRIAL  
LAND DEVELOPMENT CORPORATION ACCEPTING LEAD AGENCY  
STATUS WITH RESPECT TO THE ADVANCED MANUFACTURING PARK  
INFRASTRUCTURE MASTER PLAN AND ISSUING A POSITIVE  
DECLARATION PURSUANT TO THE NEW YORK STATE  
ENVIRONMENTAL QUALITY REVIEW ACT

Agri-Business Park Update. Mr. Cappellino updated the Board on the real property acquisitions of 240± acres of land that would make up the Agri-Business Park.

2020 Board Meeting Schedule. Mr. Poloncarz reviewed the 2020 meeting schedule.

There being no further business to discuss, Mr. Poloncarz adjourned the meeting at 1:05 p.m.

Dated: October 23, 2019

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Karen M. Fiala, Secretary

**Industrial Land Development Corp.**

**Financial Statements**

As of November 30, 2019

# INDUSTRIAL LAND DEVELOPMENT CORPORATION ("ILDC")

## Balance Sheet

November 30, 2019

	November 2019	October 2019	December 2018
<b>ASSETS:</b>			
Restricted Cash *	\$ 230,044	\$ 202,524	\$ 227,963
Grants Receivable	1,919,084	1,963,636	1,670,776
Loans Receivable	37,697	38,833	19,294
Loan Interest Receivable	30	30	30
Total Loan Assets	37,727	38,863	19,324
Capital Assets	6,689,234	6,689,234	6,530,672
Total Assets	\$ 8,876,088	\$ 8,894,257	\$ 8,448,735
<b>LIABILITIES &amp; NET ASSETS:</b>			
Accounts Payable	\$ -	\$ -	\$ 1,413,748
Due to/(from) ECIDA	236,575	234,175	208,747
Other Liabilities	1,791,446	1,791,442	161,529
Total Liabilities	2,028,021	2,025,617	1,784,024
Restricted Fund Balance	6,848,068	6,868,641	6,664,711
Total Liabilities & Net Assets	\$ 8,876,088	\$ 8,894,257	\$ 8,448,735

<b>* Loan Portfolio Summary:</b>	November 2019	October 2019	December 2018
# of Loans	2	1	1

\* Cash is invested in interest bearing accounts at M&T Bank.  
The maximum FDIC insured amount is \$250,000 with the remainder collateralized with government obligations by the financial institution.

**INDUSTRIAL LAND DEVELOPMENT CORPORATION ("ILDC")**

**Income Statement**

Month of November 2019

	<b>Actual vs. Budget</b>		
	<b>Actual</b>	<b>Budget</b>	<b>Variance</b>
<b>REVENUES:</b>			
Interest Income - Loans	\$ 80	\$ 29	\$ 51
Interest Income - Cash & Inv.	.1	1	1
<b>Total Revenues</b>	<b>82</b>	<b>30</b>	<b>52</b>
<b>EXPENSES:</b>			
Management Fee - ECIDA	\$ 2,400	\$ 2,333	67
Professional Services	15,153	1,917	13,236
Other Expenses	1,772	219	1,553
<b>Total Expenses</b>	<b>19,324</b>	<b>4,469</b>	<b>14,855</b>
<b>SPECIAL PROJECT GRANTS:</b>			
Industrial Land Park - ECIDA	-	16,667	(16,667)
Other grant revenue	-	42,470	(42,470)
Industrial Land Park costs	(1,330)	(16,667)	15,337
Other grant expenses	-	(42,470)	42,470
	<b>(1,330)</b>	<b>-</b>	<b>(1,330)</b>
<b>NET INCOME/(LOSS):</b>	<b>\$ (20,573)</b>	<b>\$ (4,439)</b>	<b>\$ (16,134)</b>

\* Represents an allocation of salary and benefit costs from the ECIDA based on time charged to ILDC. The amount booked is currently based on budget.

**INDUSTRIAL LAND DEVELOPMENT CORPORATION ("ILDC")**

**Income Statement**

Year to Date: November 30, 2019

	Actual vs. Budget			Actual vs. Prior Year		
	Actual	Budget	Variance	Actual	Prior Year	Variance
<b>REVENUES:</b>						
Interest Income - Loans	\$ 418	\$ 321	\$ 97	\$ 418	\$ 431	\$ (13)
Interest Income - Cash & Inv.	13	9	4	13	12	1
Grant Income	155,000	-	155,000	155,000	-	155,000
Other Income	36,250	-	36,250	36,250	48,750	(12,500)
<b>Total Revenues</b>	<b>191,682</b>	<b>330</b>	<b>191,352</b>	<b>191,682</b>	<b>49,193</b>	<b>142,489</b>
<b>EXPENSES:</b>						
Management Fee - ECIDA	\$ 26,400	\$ 25,667	733	\$ 26,400	\$ 50,587	\$ (24,187)
Professional Services	64,309	21,083	43,225	64,309	57,249	7,059
General Office Expenses	-	-	-	-	515	(515)
Other Expenses	2,582	2,406	176	2,582	31,535	(28,953)
<b>Total Expenses</b>	<b>93,291</b>	<b>49,156</b>	<b>44,135</b>	<b>93,291</b>	<b>139,886</b>	<b>(46,595)</b>
<b>SPECIAL PROJECT GRANTS:</b>						
Industrial Land Park - ESD	-	1,390,000	(1,390,000)	-	1,390,000.00	(1,390,000)
Industrial Land Park - ECIDA	220,000	116,669	103,331	220,000	80,000	140,000
Other grant revenue	151,082	297,290	(146,208)	151,082	214,290	(63,208)
Industrial Land Park grant reimbursement	-	(1,390,000)	1,390,000	-	(1,390,000.00)	1,390,000
Industrial Land Park grant costs	(132,889)	(116,669)	(16,220)	(132,889)	-	(132,889)
Other grant expenses	(151,082)	(297,290)	146,208	(151,082)	(214,290)	63,208
	<b>87,111</b>	<b>-</b>	<b>87,111</b>	<b>87,111</b>	<b>80,000</b>	<b>7,111</b>
<b>NET INCOME/(LOSS):</b>	<b>\$ 185,502</b>	<b>\$ (48,826)</b>	<b>\$ 234,328</b>	<b>\$ 185,502</b>	<b>\$ (10,693)</b>	<b>\$ 196,195</b>

\* Represents an allocation of salary and benefit costs from the ECIDA based on time charged to ILDC. The amount booked is currently based on budget.





**MEMO:**

**To: Board of Directors**

**RE: National Grid Economic Development Program**

On May 17, 2019, the Buffalo and Erie County Industrial Land Development Corporation (ILDC) submitted a grant request through **National Grid’s** Strategic Economic Development Program to support early stage planning to assist in the redevelopment of the former Angola Airport site in the Town of Evans for an agribusiness related industrial park. The *2016 Erie County Agribusiness Park Feasibility Study* identified the site as the preferred location of the WNY Agribusiness Park.

National Grid’s Strategic Economic Development Program provides expertise and incremental resources to leverage more and better macro-level business attraction research, marketing, and sales efforts. The goal is to generate out-of-state prospects for direct investment in National Grid’s Upstate New York service territory.

On July 1, 2019, the ILDC received notification of award in the amount of **\$354,000** for the WNY Agribusiness Park Planning Project to support the development of a Utility Master Plan, Generic Environmental Impact Statement, Marketing, and Signage. The proposed early stage planning will assist in the redevelopment of the site for an agribusiness related industrial park that will encourage private investment and job creation opportunities in the region. The project breakdown is as follows:

**Current Estimate of Project Costs**

Costs	Product/Service
\$250,000	GEIS – 240-acre parcel on Eden-Evans Center Road in the Town of Evans
\$437,800	Utility/Infrastructure/Road Design
\$20,200	Marketing – design/engineering for 2 BP entrance signs; logo design and development of brochures to market the site
<b>\$ 708,000.00</b>	

**Project Funding**

Amount	Source/Terms	Status
\$230,000	Erie County	Secured
\$124,000	ESD Strategic Planning & Feasibility Studies – 2019 CFA	Pending
\$354,000	National grid (50/50 matching grant)	Secured
<b>\$708,000 TOTAL</b>		

**Requested Action:**

Seeking authorization to enter into contract with **National Grid**, contingent on attorney approval, for the WNY Agribusiness Park Planning Project grant award and the approval to take all actions reasonably necessary to complete the project including contracting for engineering, design, and consulting services.

**BUFFALO AND ERIE COUNTY INDUSTRIAL LAND  
DEVELOPMENT CORPORATION  
RESOLUTION**

A meeting of the Buffalo and Erie County Industrial Land Development Corporation was convened on December 18, 2019, at 12:00 p.m.

The following resolution was duly offered and seconded, to wit:

RESOLUTION OF THE BUFFALO AND ERIE COUNTY  
INDUSTRIAL LAND DEVELOPMENT CORPORATION (“ILDC”)  
AUTHORIZING THE ILDC TO ENTER INTO A CERTAIN  
STRATEGIC ECONOMIC DEVELOPMENT PROGRAM GRANT  
AWARD AGREEMENT WITH NATIONAL GRID TO SUPPORT  
EARLY-STAGE PLANNING FOR THE REDEVELOPMENT OF THE  
FORMER ANGOLA AIRPORT SITE IN THE TOWN OF EVANS

**WHEREAS**, the Buffalo and Erie County Industrial Land Development Corporation (the “ILDC”) is authorized and empowered by Section 1411 of the Not-for-Profit Corporation Law of the State of New York, as amended, to relieve and reduce unemployment, promote and provide for additional and maximum employment, better and maintain job opportunities in Erie County and to lessen the burdens of government and act in the public interest; and

**WHEREAS**, a 2016 Erie County Agribusiness Park Feasibility Study identified the former Angola Airport site in the Town of Evans as the preferred location for the Western New York Agribusiness Park; and

**WHEREAS**, National Grid’s Strategic Economic Development Program (the “Economic Development Program”) provides expertise and incremental resources to leverage more and better macro-level business attraction research, marketing, and sales efforts, with the goal of generating out-of-state prospects for direct investment in National Grid’s Upstate New York service territory; and

**WHEREAS**, to benefit from the Economic Development Program, a state, regional or county economic development entity’s project must, among other things, (i) develop, prepare or promote a specific asset or group of assets that enhance the competitiveness of the Upstate New York region, (ii) be targeted to decision-makers who can influence the attraction of new jobs and investments to National Grid’s Upstate New York service territory, (iii) demonstrate the economic development potential of the asset that is being developed and/or promoted through the project, and (iv) demonstrate the ability to accomplish and sustain the effort of the project and leverage federal, state, and local matching fund; and

**WHEREAS**, on May 17, 2019, the ILDC submitted a grant request through the Economic Development Program to support early-stage planning to assist in the redevelopment of the former Angola Airport site in the Town of Evans for an agribusiness related industrial park to encourage private investment and job creation opportunities in the region (the “Project”).

**WHEREAS**, On July 1, 2019, the ILDC received notification of award in the amount of \$354,000 (the “National Grid Grant”) for the Project to support the development of a Utility Master Plan, Generic Environmental Impact Statement, marketing, and signage; and

**WHEREAS**, the ILDC desires to accept the National Grid Grant and to enter into a grant award contract with National Grid as so described herein.

**NOW, THEREFORE, BE IT RESOLVED BY THE BUFFALO AND ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORPORATION AS FOLLOWS:**

Section 1. The ILDC hereby approves and accepts the terms and conditions of the National Grid Grant.

Section 2. The Chair, the Vice Chair, the President/Chief Executive Officer, the Executive Vice President, the Chief Financial Officer/Treasurer and/or the Assistant Treasurer of the ILDC are hereby authorized, on behalf of the ILDC, to execute and deliver the appropriate National Grid Grant award agreement along with any other related agreements and documents (collectively, the “Documents”) as so required by the Economic Development Program, in such form as approved by counsel to the ILDC and as approved by the Chair, the Vice Chair, the President/Chief Executive Officer, the Executive Vice President, the Chief Financial Officer/Treasurer and/or the Assistant Treasurer of the ILDC.

Section 3. The officers, employees and agents of the ILDC are hereby authorized and directed for and in the name and on behalf of the ILDC to do all acts and things required and to execute and deliver all such checks, certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the ILDC with all of the terms, covenants and provisions of the Documents executed for and on behalf of the ILDC.

Section 4. These Resolutions shall take effect immediately.

Dated: December 18, 2019.



**MEMO:**

**To: ILDC Board of Directors**

**Date: November 18, 2019**

**RE: Contract with professional consultants/service provider to prepare a Master Plan for the Bethlehem Steel-Woodlawn Beach Shoreline Trail**

The ILDC will develop **Master Planning/ Conceptual Design Report (Plan)** for the **Bethlehem Steel-Woodlawn Beach Shoreline Trail** from the trail's current terminus at Dona St. on the west side of NYS Route 5 in Lackawanna, New York and continuing south to Woodlawn Beach State Park in Hamburg, NY. The intent of the project is to determine which would be the most efficient route to continue the existing Shoreline Trail (Trail) to Woodlawn Beach State Park. The final report will be utilized to apply for federal, state, local government and private funding grants.

Continuation of the Shoreline Trail system provides an opportunity for community enrichment, economic investment and environmental restoration in the City of Lackawanna, Town of Hamburg and the Western New York region. The Trail will continue south on property that is currently owned by Tecumseh Redevelopment Corporation. This section of property has already been entered into the New York State Brownfield Program. Re-use of this section will require adherence to the current Brownfield Cleanup Agreement. It is anticipated that land acquisition and/or obtaining of public Right-of-Way will be required to complete this segment of the Shoreline Trail.

Project stakeholders include: Erie County, Buffalo and Erie County Industrial Land Development Corporation, Erie County Industrial Development Agency, City of Lackawanna, Empire State Development, and Tecumseh Redevelopment, Inc. and the Town of Hamburg.

Funding for the project is being provided by New York State through Empire State Development's Buffalo Billion II Program. The project will include participation from Women and Minority Owned Business Enterprises (M/WBE). The plan will also carefully follow all the specifications of the government agencies which will take ownership of the improvements.

In October 2019 the ILDC issued a Request for Proposals (RFP) for qualified firms to provide planning and conceptual design services for a **Bethlehem Steel-Woodlawn Beach Shoreline Trail Master Plan/ Conceptual Design Report (Plan)** from the trail's current terminus at Dona St. on the west side of NYS Route 5 in Lackawanna, New York and continuing south to Woodlawn Beach State Park in Hamburg, NY.

In response to the RFP the ILDC received quality proposals from five (5) engineering and consulting firms. The proposals were reviewed and scored by a **Steering Committee**, made up of stakeholders



from ILDC, ECIDA, Erie County, and GBNRTC. LaBella Associates, a local Architecture, Engineering, Environmental and Planning firm, was selected for their experience and expertise

regarding conceptual planning. The contract with **LaBella** for services to be paid in lump sum for an amount not to exceed **\$138,400**.

The Plan will include an implementation strategy that shall establish a strategic approach and methodology to guide the development and construction of the Trail through numerous properties. The Plan will be aligned with other planning efforts and projects and dictated by consensually developed stakeholder criteria. The Plan shall also study, research and incorporate, but not be limited to, the following elements:

- Master Plan/Conceptual Design Report
- Stakeholder Outreach and Engagement
- Cost Estimates

**Requested Action:** Seeking approval to enter into contract with LaBella Associates for planning services regarding the Bethlehem Steel-Woodlawn Beach Shoreline Trail Project.

**BUFFALO AND ERIE COUNTY INDUSTRIAL LAND  
DEVELOPMENT CORPORATION**

**RESOLUTION**

A meeting of the Buffalo and Erie County Industrial Land Development Corporation was convened on December 18, 2019, at 1:00 p.m.

The following resolution was duly offered and seconded, to wit:

RESOLUTION OF THE BUFFALO AND ERIE COUNTY  
INDUSTRIAL LAND DEVELOPMENT CORPORATION (“ILDC”)  
AUTHORIZING THE ILDC TO ENTER INTO A CONTRACT WITH  
LABELLA ASSOCIATES FOR THE PROVISION OF PLANNING  
AND CONCEPTUAL DESIGN SERVICES FOR A CERTAIN  
BETHLEHEM STEEL-WOODLAWN BEACH SHORELINE TRAIL  
PROJECT

**WHEREAS**, ILDC is authorized and empowered by Section 1411 of the Not-for-Profit Corporation Law of the State of New York, as amended, to relieve and reduce unemployment, promote and provide for additional and maximum employment, better and maintain job opportunities in Erie County and to lessen the burdens of government and act in the public interest; and

**WHEREAS**, continuation of the Bethlehem Steel-Woodlawn Beach Shoreline Trail (the “Shoreline Trail”) system provides an opportunity for community enrichment, economic investment and environmental restoration in the City of Lackawanna, Town of Hamburg and the Western New York region; and

**WHEREAS**, consistent with its purposes of lessening the burdens of government and acting in the public interest, the ILDC is undertaking the development of a Master Plan/Conceptual Design Report (“Plan”) for the Shoreline Trail from its current terminus at Dona Street on the west side of NYS Route 5 in Lackawanna, New York and continuing south to Woodlawn Beach State Park in Hamburg, NY, for the purpose of determining the most efficient route to continue the existing Shoreline Trail to Woodlawn Beach State Park (the “Shoreline Trail Project”). The Plan will, among other things, (i) include an implementation strategy that will establish a strategic approach and methodology to guide the development and construction of the Shoreline Trail through numerous properties, (ii) be aligned with other planning efforts and projects and dictated by consensually developed stakeholder criteria, (iii) carefully follow the specifications of all municipalities and governmental agencies that will take ownership of the improvements, and (iv) be utilized to apply for federal, state, local government and private funding grants; and

**WHEREAS**, the Shoreline Trail will continue south on a portion of property currently owned by Tecumseh Redevelopment, Inc. (“Tecumseh”) which has been

entered into the New York State Brownfield Program. Re-use of said portion of Tecumseh's property will require adherence to the current Brownfield Cleanup Agreement, and it is anticipated that land acquisition and/or obtaining of public right-of-way will be required to complete this south segment of the Shoreline Trail; and

**WHEREAS**, the Shoreline Trail Project is being funded by New York State through Empire State Development's Buffalo Billion II Program and will include participation from Women and Minority Owned Business Enterprises (M/WBE); and

**WHEREAS**, in October 2019, the ILDC, in a manner consistent with its Procurement Policy, issued a Request for Proposal ("RFP") for qualified firms to provide planning and conceptual design services for the Shoreline Trail Project; and

**WHEREAS**, in response to the RFP, the ILDC received quality proposals from five (5) engineering and consulting firms. The proposals were reviewed and scored by a Steering Committee, made up of representatives from the ILDC, the Erie County Industrial Development Agency, Erie County, and GBNRTC; and

**WHEREAS**, after considering the submitted proposals, the Steering Committee selected LaBella Associates, a local architecture, engineering, environmental and planning firm, for their experience and expertise in providing conceptual planning services; and

**WHEREAS**, the ILDC desires to enter into a contract with LaBella Associates to provide planning and conceptual design services for the Shoreline Trail Project, which will be paid in a lump sum amount not to exceed \$138,400.00.

**NOW, THEREFORE, BE IT RESOLVED BY THE BUFFALO AND ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORPORATION AS FOLLOWS:**

Section 1. Subject to the terms of this Resolution, the Chair, the Vice Chair, the President/Chief Executive Officer, the Executive Vice President, the Chief Financial Officer/Treasurer and/or the Assistant Treasurer, are hereby authorized, on behalf of the ILDC, to negotiate and execute a contract with LaBella Associates for the provision of planning and conceptual design services for the Shoreline Trail Project consistent with the terms as described herein.

Section 2. The officers, employees and agents of the ILDC are hereby authorized and directed for and in the name and on behalf of the ILDC to do all acts and things required and to execute and deliver all such checks, certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the ILDC with all of the terms, covenants and provisions of the documents executed for and on behalf of the ILDC.

Section 3. Any and all prior actions taken by the ILDC with respect to the contents of this Resolution are hereby ratified and confirmed.

Section 4. These Resolutions shall take effect immediately.

Dated: December 18, 2019