



**Erie County Industrial Development Agency
Meeting of the Membership**

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

**May 27, 2026
at 12:00 p.m.**

1.0 Call to Order

1.1 Call to Order Meeting of the Membership

2.0 Approval of Minutes:

2.1 Approval of Minutes of April 22, 2026 Annual Meeting of the Membership (Action Item) (Pages 2-4)

3.0 Amendatory Inducement Resolution(s):

3.1 (None)

4.0 Inducement Resolution(s):

ECIDA Incentives	Private Investment	Municipality
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4.1 (None)

5.0 Reports / Action Items / Information Item(s):

- 5.1 Financial Report (Informational) (Pages 5-8)
- 5.2 2026 Tax Incentives Induced/Closing Schedule (Informational) (Pages 9-10)
- 5.3 Authorization to enter into contract with New York State Department of Transportation/BSOR (Action Item) (Pages 11-14)
- 5.4 Authorization to enter into contract with New York State Department of Transportation/Welded Tube (Action Item) (Pages 15-17)
- 5.5 DLWR 2021 PFRAP – authorization to contract with the companies that submitted the winning bid for Bridge work and Track work (Action Item) (Pages 18-20)
- 5.6 Resolution to enter into agreement with Erie County for BSR and DLWR rehabilitation and construction work (Action Item) (Pages 21-23)

6.0 Management Team Report(s):

6.1

7.0 Adjournment- Next Meeting – June 24, 2026

**MINUTES OF THE ANNUAL MEETING
OF THE
MEMBERSHIP OF THE
ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
(ECIDA or AGENCY)**

- DATE AND PLACE:** April 22, 2026, at the Erie County Industrial Development Agency, 95 Perry Street, 4th Floor Conference Room, Buffalo, New York 14203
- PRESENT:** Dr. LaVonne Ansari, Rev. Mark Blue, Hon. Joseph Emminger, Lorry Goldhawk, Gregory Inglut, Hon. Shawn Lavin, Hon. Brian Nowak, Hon. Mark Poloncarz, Kenneth Schoetz and Stephen Zenger
- EXCUSED:** Grace Bogdanove, Hon. Joel Feroletto, Dottie Gallagher, Tyra Johnson, Glenn Nellis, Hon. Sean Ryan, Hon. Taisha St. Jean Tard
- VIA ZOOM:** Brenda McDuffie¹
- OTHERS PRESENT:** Mollie Profic, Chief Financial Officer; Jerry Manhard, Chief Lending Officer; Grant Lesswing, Director of Business Development; Carrie Hocieniec, Operations Assistant/Assistant Secretary; Brian Krygier, Director of Information Technology; Noah Cliff, Business Development Officer; Atiqa Abidi, Accounting Manager; Soma Hawramee, Director of Operations; Michelle Moore, Compliance Portfolio Manager; Talia Johnson-Huff, Director of Projects and Property; Lori Szewczyk, Director of Grants and Special Projects and Robert Murray, Esq., General Counsel/Harris Beach Murtha
- GUESTS:** Zaque Evans and Daniel Castle on behalf of Erie County

At 12:10 pm, Mr. Poloncarz, who presided over the meeting in the absence of Chair McDuffie, called the meeting to order, noting that there was no quorum, and the members assembled would proceed with informational items on the agenda.

Mr. Poloncarz welcomed Mr. Stephen Zenger as a new Board member.

Mr. Poloncarz noted Mr. Emminger is stepping down as Town Supervisor and will also be stepping down from the Board of the ECIDA. Mr. Poloncarz thanked Mr. Emminger for his excellent service to the Town of Tonawanda and to the ECIDA. Ms. McDuffie, participating remotely, thanked Mr. Emminger for his excellent leadership as Chair of the RDC Loan Committee and thanked him for his service to the ECIDA and RDC.

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

Mr. Manhard thanked Mr. Emminger for his 10 years of service as RDC Loan Committee Chair. During his tenure, Mr. Manhard noted that Mr. Emminger played a key role in establishing a new \$5 million CARES Act Revolving Loan Fund to assist businesses impacted by COVID and was instrumental in facilitating the release of the federal interest in the RDC Legacy Loan Fund through his leadership, proper management, and oversight. Mr. Manhard expressed his sincere thanks to Mr. Emminger for the time, commitment, and service he has provided to the RDC and its lending team.

Mr. Emminger thanked Mr. Manhard and RDC Loan Committee members and staff for their excellent work, and similarly thanks ECIDA members and staff for their excellent work over the last 10 years.

Policy Committee Update. Ms. Hawramee presented an update on the most recent Policy Committee meeting and noted that the Committee approved of the Hanes Supply amendment to be presented to members at today's meeting.

REPORTS / ACTION ITEMS / INFORMATION ITEMS:

Financial Report. Ms. Profic presented the March financial reports. The balance sheet shows that the IDA finished the month with total assets of \$30.9M and net assets of \$20.5M. During March, the IDA had a \$524,000 increase in cash and a \$440,000 decrease in amounts due from affiliates, as those related entities paid their 2025 management fees. Accounts payable increased \$68,000 due to timing and some small increases in accrued liabilities. Aside from those variances, the other remaining line items were mostly consistent from February. The monthly income statement shows a net income of \$51,000 in March. Operating revenue of \$295,000 was above the monthly budget by \$49,000, due to administrative fees received exceeding our monthly budget. Operating expenses of \$278,000 were \$30,000 under budget, with most of that variance in salaries and benefits. Net non-operating revenue of \$35,000 brings us to a net income of \$51,387 for the month. The year-to-date Income Statement shows operating revenues of \$536,000, including administrative fee revenue of \$304,000. Operating expenses of \$788,000 are \$74,000 below budget, with all expense categories under budget. After net non-operating revenue of \$100,000, there is currently a net loss of \$150,883 for the year. Mr. Poloncarz directed that the report be received and filed.

2026 Tax Incentives Induced/Closing Schedule. Ms. Profic gave this report. Mr. Poloncarz directed that the report be received and filed.

At this point in time Mr. Inglut joined the meeting.

At 12:35 p.m. with a quorum was now present, Mr. Poloncarz officially called the meeting to order.

MINUTES

The minutes of the March 25, 2026, meeting of the members were presented. Mr. Lavin moved, and Mr. Schoetz seconded to approve of the minutes. Mr. Poloncarz called for the vote, and the minutes were unanimously approved.

AMENDATORY INDUCEMENT RESOLUTION

Hanes Supply Inc., 55 James E. Casey Drive, Buffalo, New York. Ms. Hawramee described this previously approved project, as amended, now including proposed increases in projected expenditures subject to sales tax resulting in an increase in the sales tax benefit request and also resulting in a greater number of jobs proposed to be created.

General discussion ensued.

The Project's cost benefit ratio in relation to the costs of incentives was presented to the members, along with considerations related to anticipated new tax revenues to be generated by the Project, as well as the Project's contemplated community benefits which were discussed and considered.

Mr. Zenger moved and Rev. Blue seconded to approve of the amendment. Mr. Poloncarz then called for the vote and the following resolution was unanimously approved:

RESOLUTION OF THE ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING (i) ADDITIONAL FINANCIAL ASSISTANCE TO HANES SUPPLY, INC. (THE "COMPANY") IN AMOUNTS EXCEEDING THE AMOUNTS PREVIOUSLY APPROVED BY THE AGENCY; AND (ii) THE EXECUTION OF RELATED DOCUMENTS

Nominating Committee Update. Mr. Poloncarz noted he is Nominating Committee Chair and noted the Nominating Committee reviewed and approved the proposed 2026 slate of officers and committee members. Rev. Blue moved and Mr. Emminger seconded to approve of the 2026 slate of officers and committee members. Mr. Poloncarz then called for the vote and the motion was unanimously approved.

MANAGEMENT TEAM REPORT:

Ms. Profic advised members that financial disclosure forms have been sent out by Erie County Board of Ethics, these are required for Board members who served anytime during 2025. She reminded members to complete this required disclosure by May 15. If members have any questions, please feel free to contact Soma or Barbara Piazza at Erie County.

There being no further business, upon motion made by Mr. Nowak and seconded by Mr. Inglut, Mr. Poloncarz called to adjourn the meeting, and the motion was unanimously approved at 12:43 p.m.

Dated: April 22, 2026

Mollie Profic, Secretary

Erie County Industrial Development Agency
Financial Statements
As of April 30, 2026

ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY ("ECIDA")

Balance Sheet

April 30, 2026

	April 2026	March 2026	December 2025
ASSETS:			
Cash and Equivalents *	\$ 7,743,113	\$ 7,133,783	\$ 6,995,073
Restricted Cash & Investments *	13,175,864	13,062,804	18,142,821
Due from Affiliates	3,810,759	3,769,134	3,956,316
Due from Buffalo Urban Development Corp.	41,378	34,830	127,893
Other Receivables	305,299	302,857	209,591
Total Current Assets	<u>25,076,413</u>	<u>24,303,408</u>	<u>29,431,694</u>
Grants Receivable	4,638,511	4,638,511	4,839,110
Lease Receivable	304,624	324,265	382,699
Venture Capital Investments, net of reserves	406,247	406,247	406,247
Capital Assets	1,206,892	1,223,769	1,277,299
Total Long-Term Assets	<u>6,556,274</u>	<u>6,592,792</u>	<u>6,905,356</u>
TOTAL ASSETS	<u>\$ 31,632,687</u>	<u>\$ 30,896,200</u>	<u>\$ 36,337,050</u>
LIABILITIES & NET ASSETS			
Accounts Payable & Accrued Exp.	\$ 263,352	\$ 290,029	\$ 505,387
Lease Payable	192,650	205,071	242,026
Deferred Revenues	3,882,034	4,020,284	4,040,200
Funds Held on Behalf of Others	5,565,723	5,553,821	10,513,124
Total Liabilities	<u>9,903,759</u>	<u>10,069,205</u>	<u>15,300,737</u>
Deferred Inflows of Resources Related to Leases	304,624	324,265	382,699
Net Assets	21,424,304	20,502,731	20,653,614
TOTAL LIABILITIES & NET ASSETS	<u>\$ 31,632,687</u>	<u>\$ 30,896,200</u>	<u>\$ 36,337,050</u>

* Cash and restricted cash is invested in interest bearing accounts at M&T Bank and obligations of the United States of America at Wilmington Trust. The maximum FDIC insured amount = \$250,000 with the remainder of the cash balance collateralized with government obligations by the financial institution. Collateral is not required for U.S. government obligations.

ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY ("ECIDA")

Income Statement

Month of April 2026

	Actual vs. Budget		
	Actual	Budget	Variance
REVENUES:			
Administrative Fees	\$ 1,079,850	\$ 158,333	\$ 921,517
Management Fees - Affiliates and Others	50,100	59,650	(9,550)
Rental Income	19,504	20,275	(770)
Other Income	200	417	(217)
Total Revenues	<u>1,149,654</u>	<u>238,675</u>	<u>910,980</u>
EXPENSES:			
Salaries & Benefits	\$ 205,250	\$ 278,432	\$ (73,182)
General Office Expenses	21,889	24,366	(2,477)
Building Operating Costs	1,620	6,947	(5,327)
Professional Services	4,553	13,125	(8,572)
Public Hearings & Marketing	3,211	10,000	(6,789)
Travel, Mileage & Meeting Expenses	4,665	3,125	1,540
Depreciation and amortization	20,007	20,024	(17)
Other Expenses	1,116	1,250	(134)
Total Expenses	<u>262,310</u>	<u>357,269</u>	<u>(94,959)</u>
SPECIAL PROJECT GRANTS:			
Revenues	\$ 138,250	\$ 373,432	\$ (235,182)
Expenses	(138,250)	(348,265)	210,015
	<u>-</u>	<u>25,167</u>	<u>(25,167)</u>
NET OPERATING INCOME/(LOSS) :	<u>887,345</u>	<u>(93,427)</u>	<u>980,772</u>
NON-OPERATING REVENUE:			
Interest Income	\$ 35,083	\$ 38,644	\$ (3,561)
Interest Expense	(854)	(2,894)	2,039
	<u>34,229</u>	<u>35,750</u>	<u>(1,522)</u>
NET INCOME/(LOSS):	<u>\$ 921,573</u>	<u>\$ (57,677)</u>	<u>\$ 979,250</u>

ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY ("ECIDA")

Income Statement

Year to Date: April 30, 2026

	Actual vs. Budget			Actual vs. Prior Year		
	Actual	Budget	Variance	Actual	Prior Year	Variance
REVENUES:						
Administrative Fees	\$ 1,383,702	\$ 633,333	\$ 750,369	\$ 1,383,702	\$ 242,467	\$ 1,141,235
Affiliate Management Fees	201,025	239,292	(38,267)	201,025	195,025	6,000
Rental Income	78,243	81,098	(2,855)	78,243	75,280	2,963
Other Income	22,417	13,917	8,501	22,417	13,450	8,967
Total Revenues	1,685,388	967,640	717,748	1,685,388	526,222	1,159,165
EXPENSES:						
Salaries & Benefits	779,568	907,496	(127,928)	779,568	803,927	(24,359)
General Office Expenses	94,109	97,463	(3,354)	94,109	90,013	4,096
Building Operating Costs	15,856	27,787	(11,930)	15,856	13,129	2,728
Professional Services	31,346	39,167	(7,821)	31,346	36,590	(5,245)
Public Hearings & Marketing	31,683	40,000	(8,317)	31,683	33,212	(1,529)
Travel, Mileage & Meeting Expenses	12,610	12,500	110	12,610	8,763	3,847
Depreciation and amortization	80,030	80,097	(67)	80,030	78,430	1,600
Other Expenses	4,910	6,750	(1,840)	4,910	5,089	(179)
Total Expenses	1,050,112	1,211,259	(161,146)	1,050,112	1,069,153	(19,041)
SPECIAL PROJECT GRANTS:						
Revenues	163,902	1,493,729	(1,329,827)	163,902	158,719	5,183
Expenses	(162,982)	(1,393,062)	1,230,080	(162,982)	(122,379)	(40,603)
	920	100,667	(99,747)	920	36,340	(35,420)
NET INCOME/(LOSS) BEFORE OTHER STRATEGIC INVESTMENTS:						
	\$ 636,195	\$ (142,953)	\$ 779,148	\$ 636,195	\$ (506,592)	\$ 1,142,787
OTHER STRATEGIC INVESTMENTS AND INITIATIVES:						
Renaissance Commerce Park Grant	\$ -	\$ -	\$ -	\$ -	\$ (94,684)	\$ 94,684
Angola Ag Park Grant	-	-	-	-	(5,483)	5,483
	-	-	-	-	(100,167)	100,167
NET OPERATING INCOME/(LOSS):						
	636,195	(142,953)	779,148	636,195	(606,759)	1,242,954
NON-OPERATING REVENUE:						
Interest Income	138,221	154,575	(16,354)	138,221	\$ 168,560	(30,339)
Interest Expense	(3,726)	(2,894)	(833)	(3,726)	(6,129)	2,403
	134,495	151,682	(17,187)	134,495	162,431	(27,936)
NET INCOME/(LOSS):						
	\$ 770,690	\$ 8,729	\$ 761,961	\$ 770,690	\$ (444,328)	\$ 1,215,018

ECIDA Tax Incentives Closed - 2026

Closing Date	Project Name	Project City/Town	Project Amount at Closing	FT Jobs Retained	PT Jobs Retained	FT Jobs to be Created	PT Jobs to be Created	Inducement Date	Est. Project Completion Date
1/28/2026	Great Lakes Pressed Steel	Buffalo	\$ 2,555,500	15	0	2	0	7/23/2025	6/30/2026
2/27/2026	Wavepoint	Buffalo	\$ 25,000,000	0	0	31	0	12/17/2025	12/31/2026
3/31/2026	Hanes Supply, Inc.	Buffalo	\$ 6,000,000	85	5	10	0	10/23/2024	12/31/2026
3/31/2026	Swan and Pearl	Buffalo	\$ 14,190,120	3	10	0	3	2/25/2026	6/30/2027

Totals: **Total # of Projects Closed** **Project Amount at closing** **FT Jobs Retained** **PT Jobs Retained** **FT Jobs Created** **PT Jobs Created**

	4		\$47,745,620	103	15	43	3
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MEMO:



Date: May 27, 2026
To: Board of Directors

RE: New York State Department of Transportation – Passenger and Freight Rail Assistance Program

On April 2, 2025, the Erie County Industrial Development Agency (ECIDA) submitted a grant request through the New York State Department of Transportation’s (NYSDOT) Passenger and Freight Rail Assistance Program, which is available for capital-based projects intended to maintain and modernize freight rail and port infrastructure across the state with a focus on synergies among investment in transportation infrastructure, job creation and economic growth.

On January 9, 2026, the ECIDA received notification of award in the amount of **\$1,745,815.00** to restore a State of Good Repair to 5-miles of rail corridor on the Buffalo Southern Railroad Main line. Upgrades include replacing missing stone ballast, replacing a concrete culvert and rehabilitating siding to return the track to a FRA Class Two status for improved safety, efficiency and reliability. To complete the project, the ECIDA will engage/subcontract with professional service firms for site work and infrastructure improvements. The project work schedule is as follows:

Description	Cost Estimate
Track work:	
Furnish and install approximately 6320 new ties on the mainline and sidings of the Buffalo Southern Railroad. Work shall include but is not limited to new ties, spikes, joint bars, bolts, anchors, tie plates, ballast, and equipment, labor, and contracted services necessary to accomplish this work.	\$ 1,128,466.00
Raise, Surface, and Align approximately 5.7 track miles, approximately 4 switches, and provide equipment, labor, material, and contracted services necessary to accomplish this work.	\$ 92,096.00
Furnish and install approximately 4,560 tons of new stone ballast to support surfacing, aligning, and tie replacement operations.	\$ 198,360.00
Replace approximately one culvert. Provide materials, contracted services, and equipment necessary to replace drainage structure near +/- MP 19.17	\$ 300,000.00
Engineering, administration, and railroad services	\$ 463,347.00
GRANTEE SHARE OF ABOVE PROJECT	\$ 436,454.00
TOTAL STATE SHARE OF ABOVE PROJECT	\$ 1,745,815.00
TOTAL PROJECT COST	\$ 2,182,269.00

The ECIDA has secured the local match totaling \$436,454 from the following sources:

Source	Amount
Erie County	\$256,454
ECIDA	\$ 60,000
Buffalo Southern Railroad (cash)	\$ 60,000
Buffalo Southern Railroad (in-kind)	\$ 60,000
TOTAL LOCAL MATCH COMMITMENT	\$436,454



Requested Action:

Seeking authorization to contract with **New York State Department of Transportation**, contingent on attorney approval, for the Buffalo Southern Railroad (BSOR) Track Improvement Project grant award and the approval to take all actions necessary to complete the project including:

- Accept the terms and conditions of the NYSDOT contract for \$1,745,815 by signing the Grant Agreement.
- Engage with professional service firms and contractors to complete the tasks identified in the NYSDOT Agreement work schedule.

**ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
RESOLUTION**

A regular meeting of the Erie County Industrial Development Agency was convened on Wednesday, May 27, 2026, at 12:00 p.m.

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

RESOLUTION OF THE ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY (THE “AGENCY”) AUTHORIZING THE AGENCY TO NEGOTIATE AND ENTER INTO A GRANT AGREEMENT BETWEEN THE AGENCY AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION (THE “DOT”) RELATIVE TO CERTAIN RAILROAD INFRASTRUCTURE IMPROVEMENTS, CONSTRUCTION AND MAINTENANCE ACTIVITIES TO BE UNDERTAKEN AT THE BUFFALO SOUTHERN RAILROAD IN AN AMOUNT OF \$1,745,815

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 293 of the Laws of 1970 of the State of New York, as amended (collectively, the “Act”), the Erie County Industrial Development Agency (the “Agency”) was created as a public benefit corporation of the State with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping civic, industrial, manufacturing, commercial and other facilities as authorized by the Act to prevent unemployment and economic deterioration; and

WHEREAS, the Agency currently holds a leasehold interest in certain railroad facilities owned by the County of Erie (“County”) commonly known as the Buffalo Southern Railroad (the “Railway Facilities”); and

WHEREAS, the Agency desires to undertake certain work to restore a five (5) mile portion of the Railway Facilities to a State of Good Repair, including, but not limited to replacing missing stone ballast, replacing a concrete culvert and rehabilitating siding to return the Railroad Facilities to a FRA Class Two status for improved safety, efficiency and reliability (the “Rehabilitation Work”); and

WHEREAS, the People of the State of New York, acting by and through the Department of Transportation, administers the Passenger and Freight Rail Assistance Program (“PFRAP”) which provides financial assistance for capital-based projects intended to maintain and modernize freight rail and port infrastructure across New York State with a focus on synergies among investment in transportation infrastructure, job creation and economic growth; and

WHEREAS, on or about April 2, 2025, the Agency applied for PFRAP funds to be utilized for the Rehabilitation Work, and on or about January 9, 2026, the Agency received notification of award from the DOT in the amount of \$1,745,815 to complete the Rehabilitation Work (the “PFRAP Grant”); and

WHEREAS, the DOT has requested that the Agency enter into the Project Funding Grant Agreement which shall establish the terms and conditions upon which the PFRAP Grant will be provided to the Agency (the “Grant Agreement”) and the Agency has determined it is in the best interest of the Agency to enter into the Project Funding Grant Agreement to facilitate the completion of the Rehabilitation Work; and

WHEREAS, in compliance with Article 8 of the New York Environmental Conservation Law and the regulations adopted thereto at 6 N.Y.C.R.R. Part 617 (collectively referred to as “SEQRA”), the Agency has reviewed the scope of the Rehabilitation Work and has determined that the Rehabilitation Work would be considered “maintenance or repair involving no substantial changes in an existing structure or facility” as defined in 6 N.Y.C.R.R. Part 617.5(c)(1).

NOW, THEREFORE, BE IT RESOLVED BY THE ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. The Agency hereby determines that no further SEQR compliance is required pursuant to 6 N.Y.C.R.R. Section 617.5(a), as the contemplated Rehabilitation Work is considered a Type II Action pursuant to 6 N.Y.C.R.R. Part 617.5(c)(1).

Section 2. In accordance with the Agency’s goals and purposes set forth above, the Agency is hereby authorized to enter into the Grant Agreement with the DOT in an amount not to exceed a total of \$1,745,815 for the purpose of completing the contemplated Rehabilitation Work.

Section 3. Subject to the terms of this Resolution, the Chair, the Vice Chair, the President/Chief Executive Officer, the Vice President, the Chief Financial Officer/Treasurer and/or the Assistant Treasurer are hereby authorized on behalf of the Agency to negotiate and execute the Grant Agreement, in consultation with the Agency’s general counsel, along with any appropriate change orders or scope additions as approved by the President/Chief Executive Officer, in consultation with the Board Chair.

Section 4. The officers, employees, and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency 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 so acting, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 5. Any and all actions heretofore taken or authorized by the Agency and/or its members, officers, employees and agents with respect to this Resolution are hereby ratified, approved and confirmed in all aspects.

Section 6. This Resolution shall take effect immediately.

Dated: May 27, 2026.

MEMO:

Date: May 27, 2026
To: Board of Directors



RE: New York State Department of Transportation – Passenger and Freight Rail Assistance Program

On April 4, 2025, the Erie County Industrial Development Agency (ECIDA) submitted a grant request through the New York State Department of Transportation’s (NYSDOT) Passenger and Freight Rail Assistance Program, which is available for capital-based projects intended to maintain and modernize freight rail and port infrastructure across the state with a focus on synergies among investment in transportation infrastructure, job creation and economic growth.

On January 9, 2026, the ECIDA received notification of award in the amount of **\$4,392,639.00** to construct a new rail spur, loading facilities, and purchase rolling stock to support the operation of Welded Tube USA. The rail spur will allow the company to efficiently transport products, reduce truck loads and emissions. To complete the project, the ECIDA will engage/subcontract with professional service firms for site work, infrastructure improvements, and equipment. The project work schedule is as follows:

Description	Cost Estimate
Construct +/- 2,000 ft of new track, +/- 3 switches, +/- 2 double switch point derails, and +/- 1 bumping post. Work shall include but is not limited to grading, drainage improvements, fencing, furnishing and installing new rail, ties, ballast, OTM, +/- 3 switches, derails, bumping posts, equipment and contracted services necessary for their installation.	\$ 1,078,400.00
Furnish and install approximately 1 building, +/-3 platforms, and +/- 4 each 40’ shipping containers, tooling, shelving, contracted services, equipment and necessary for their installation.	\$ 2,328,305.00
Provide approximately 50 new railroad cars, one railcar mover, and equipment necessary to support their operation at the Lackawanna facility.	\$ 1,904,850.00
Engineering, administration, and railroad services	\$ 179,244.00
GRANTEE SHARE OF ABOVE PROJECT	\$ 1,098,160.00
TOTAL STATE SHARE OF ABOVE PROJECT	\$ 4,392,639.00
TOTAL PROJECT COST	\$ 5,490,799.00

Welded Tube USA has committed to providing a local match totaling \$1,098,160 to support the Project and abide by the terms of the NYSDOT Grant Agreement.

Requested Action:

Seeking authorization to contract with **New York State Department of Transportation**, contingent on attorney approval, for the Welded Tube USA Rail Spur Project grant award and the approval to take all actions necessary to complete the project including:

- Accept the terms and conditions of the NYSDOT contract for \$4,392,639 by signing the Grant Agreement.
- Authorize ECIDA (Grantee) to enter into Agreement with Welded Tube USA (subrecipient) to specify project scope and budget, local share payment, compliance and reporting requirements.

**ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
RESOLUTION**

A regular meeting of the Erie County Industrial Development Agency was convened on Wednesday, May 27, 2026 at 12:00 p.m.

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

RESOLUTION OF THE ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING THE AGENCY TO NEGOTIATE AND ENTER INTO A GRANT AGREEMENT BETWEEN THE AGENCY AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION (THE "DOT") RELATIVE TO CERTAIN RAILROAD DESIGN, CONSTRUCTION, IMPROVEMENT AND REHABILITATION TO BE UNDERTAKEN AT RAIL FACILITIES OWNED AND OPERATED BY WELDED TUBE USA IN AN AMOUNT OF \$4,392,639

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 293 of the Laws of 1970 of the State of New York, as amended (collectively, the "Act"), the Erie County Industrial Development Agency (the "Agency") was created as a public benefit corporation of the State with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping civic, industrial, manufacturing, commercial and other facilities as authorized by the Act to prevent unemployment and economic deterioration; and

WHEREAS, the Agency is the recipient of a \$4,392,639 capital grant (the "Grant") from the New York State Department of Transportation (the "DOT") to support the operations of Welded Tube USA ("Welded Tube") by constructing a new rail spur, loading facilities, and purchase rolling stock to facilitate the efficient transportation of products, reduce truck loads and emissions (the "Project"), and Welded Tube has agreed to provide at least \$1,098,160 in additional funding for the Project; and

WHEREAS, the DOT has requested that the Agency enter into the Project Funding Grant Agreement which shall establish the terms and conditions upon which the Grant will be provided to the Agency (the "Grant Agreement") and the Agency has determined it is in the best interest of the Agency to enter into the Grant Agreement to facilitate the completion of the Project; and

WHEREAS, subsequent to the execution of the Grant Agreement, the Agency desires to enter into a Sub-Recipient Agreement with Welded Tube (the "Sub-Recipient Agreement") which shall establish the terms and conditions upon which the Grant will be sub-granted to Welded Tube.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. In accordance with the Agency's goals and purposes set forth above, the Agency is hereby authorized to enter into the Grant Agreement with the DOT in an amount not to exceed a total of \$4,392,639 for the purpose of completing the contemplated Rehabilitation Work.

Section 2. Subject to the terms of this Resolution, the Chair, the Vice Chair, the President/Chief Executive Officer, the Vice President, the Chief Financial Officer/Treasurer and/or the Assistant Treasurer are hereby authorized on behalf of the Agency to negotiate and execute the Grant Agreement, in consultation with the Agency's general counsel, along with any appropriate change orders or scope additions as approved by the President/Chief Executive Officer, in consultation with the Board Chair.

Section 3. Subject to the terms of this Resolution, the Chair, the Vice Chair, the President/Chief Executive Officer, the Vice President, the Chief Financial Officer/Treasurer and/or the Assistant Treasurer are hereby authorized on behalf of the Agency to negotiate the Sub-Recipient Agreement, in consultation with the Agency's general counsel, along with any appropriate change orders or scope additions as approved by the President/Chief Executive Officer, in consultation with the Board Chair.

Section 4. The officers, employees, and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency 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 so acting, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 5. Any and all actions heretofore taken or authorized by the Agency and/or its members, officers, employees and agents with respect to this Resolution are hereby ratified, approved and confirmed in all aspects.

Section 6. This Resolution shall take effect immediately.

Dated: May 27, 2026.



MEMO:

Date: May 27, 2026

To: Erie County Industrial Development Agency Board of Directors

From: ECIDA Staff

RE: Award of Construction Contracts for Depew Lancaster and West Lancaster Railroad

The Erie County Industrial Development Agency (ECIDA) is advancing the Lancaster I.T. Capacity & Safety Improvements Project located in the Villages of Depew and Lancaster, Erie County, New York.

On April 20, 2022, ECIDA submitted a grant request through the New York State Department of Transportation (NYSDOT) Passenger and Freight Rail Assistance Program. This program supports capital projects that maintain and modernize freight rail infrastructure, with a focus on improving transportation efficiency, supporting economic growth, and enhancing safety.

On February 9, 2023, ECIDA was awarded funding in the amount of \$1,616,470 to restore a State of Good Repair to the Lancaster Industrial Track (I.T.). The project scope includes removal and replacement of aging infrastructure and necessary track rehabilitation between mileposts 382.5 and 385.6. Following Board approval, ECIDA retained Erdman Anthony to provide design, engineering, and construction administration services. Upon completion of the design phase, ECIDA publicly advertised for construction bids.

The project was bid under two separate contracts:

- **Bridge Contract** – including structural steel removal and repainting on Bridge 384.75 over Transit Road, installation of containment systems, erosion control, earthwork, and replacement of Bridge 385.56 with a steel pipe culvert.
- **Track Contract** – including tie replacement, ballast, surfacing, and construction of a new 1,219-foot interchange track, along with related track work.

Bids were received in accordance with all applicable procurement requirements, including NYSDOT funding guidelines, prevailing wage rates, and apprenticeship requirements on Tuesday February 10, 2026. Upon review, the lowest responsible bidders were identified for each contract.

Requested Action:

ECIDA staff respectfully requests Board authorization to:

- **Award the Bridge Contract to CP Ward, Inc.** in the amount of **\$723,146.68**, and
- **Award the Track Contract to Rhinehart Railroad Services** in the amount of **\$1,290,967.00**, as the lowest responsible bidders for their respective scopes of work.

Additionally, ECIDA requests authorization to execute all agreements and take all actions necessary to implement and complete the construction phase of the Lancaster I.T. Capacity & Safety Improvements Project.

**ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY
RESOLUTION**

A regular meeting of the Erie County Industrial Development Agency was convened on Wednesday, May 27, 2026, at 12:00 p.m.

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

RESOLUTION OF THE ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY (“AGENCY”) AUTHORIZING (i) THE NEGOTIATION AND EXECUTION OF AN AGREEMENT BETWEEN THE AGENCY AND CP WARD, INC. (“CP WARD”) AN AMOUNT NOT TO EXCEED \$723,146.68 IN RELATION TO CERTAIN BRIDGE REPAIR AND MAINTENANCE WORK (THE “BRIDGE WORK”) ON THE LANCASTER INDUSTRIAL TRACK (“LANCASTER I.T.”) AND (ii) THE NEGOTIATION AND EXECUTION OF AN AGREEMENT BETWEEN THE AGENCY AND RHINEHART RAILROAD SERVICES (“RHINEHART”) AN AMOUNT NOT TO EXCEED \$1,290,967.00 IN RELATION TO THE CONSTRUCTION OF A NEW INTERCHANGE TRACK (THE “TRACK WORK”) ON THE LANCASTER I.T.

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 293 of the Laws of 1970 of the State of New York, as amended (collectively, the “Act”), the Erie County Industrial Development Agency (the “Agency”) was created as a public benefit corporation of the State with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping civic, industrial, manufacturing, commercial and other facilities as authorized by the Act to prevent unemployment and economic deterioration; and

WHEREAS, the Agency currently holds a leasehold interest in certain railroad properties owned by the County of Erie (“County”), more commonly known as USRA Line 1242, located within the County and between Milepost 382.540, Town of Lancaster and Milepost 385.561, which is part of the Depew Lancaster & Western Railway (the “Railway Facilities”), a portion of which is comprised of the Lancaster Industrial Track (the “Lancaster I.T.”); and

WHEREAS, the Agency desires to undertake certain improvements to the Lancaster I.T. (the “Lancaster I.T. Capacity & Safety Improvements Project”), including the removal and replacement of aging bridge infrastructure (the “Bridge Work”) and necessary track rehabilitation (the “Track Work”) between mileposts 382.5 and 385.6 on the Lancaster I.T.; and

WHEREAS, in compliance with Article 8 of the New York Environmental Conservation Law and the regulations adopted thereto at 6 N.Y.C.R.R. Part 617 (collectively referred to as “SEQRA”), the Agency has reviewed the scope of the Bridge Work and Track Work and has determined that the Bridge Work and Track Work would be considered “maintenance or repair involving no substantial changes in an existing structure or facility” as defined in 6 N.Y.C.R.R. Part 617.5(c)(1); and

WHEREAS, in compliance with the Agency’s Procurement Policy, on or about January 21, 2026, the Agency issued a Request for Proposals with respect to the Bridge Work (the “Bridge RFP”); and

WHEREAS, the Agency received one (1) bid in response to the Bridge RFP (the “Bridge RFP Response”), and upon review of the Bridge RFP Response, desires to retain and enter into an agreement with CP Ward, Inc. (“CP Ward”) to undertake the Bridge Work in an amount not to exceed \$723,146.68; and

WHEREAS, in compliance with the Agency’s Procurement Policy, on or about January 21, 2026, the Agency issued a Request for Proposals with respect to the Track Work (the “Track RFP”); and

WHEREAS, the Agency received four (4) bid(s) in response to the Track RFP (the “Track RFP Responses”), and upon review of the Track RFP Responses, desires to retain and enter into an agreement with Rhinehart Railroad Services (“Rhinehart”) to undertake the Track Work in an amount not to exceed \$1,290,967.00.

NOW, THEREFORE, BE IT RESOLVED BY THE ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. The Agency hereby determines that no further SEQR compliance is required pursuant to 6 N.Y.C.R.R. Section 617.5(a), as the contemplated Bridge Work and Track Work are considered Type II Actions pursuant to 6 N.Y.C.R.R. Part 617.5(c)(1).

Section 2. Subject to the terms of this Resolution, the Chair, the Vice Chair, the President/Chief Executive Officer, the Vice President, the Chief Financial Officer/Treasurer and/or the Assistant Treasurer, are hereby authorized, on behalf of the Agency, (i) to negotiate and execute an agreement with CP Ward to undertake the Bridge Work in an amount not to exceed \$723,146.68, and (ii) to negotiate and execute an agreement with Rhinehart to undertake the Track Work in an amount not to exceed \$1,290,967.00, in consultation with the Agency’s, general counsel, along with any appropriate change orders or scope additions as approved by the President/Chief Executive Officer, in consultation with the Board Chair.

Section 3. The officers, employees, and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency 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 so acting, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 4. Any and all actions heretofore taken or authorized by the Agency and/or its officers, employees and agents with respect to this resolution are hereby ratified, approved and confirmed in all aspects.

Section 5. This Resolution shall take effect immediately.

Dated: May 27, 2026.



MEMO:

Date: May 27, 2026

To: Erie County Industrial Development Agency Board of Directors

From: ECIDA Staff

RE: Erie County Railroad Capital Improvement Grant Agreements

The Erie County Industrial Development Agency (ECIDA) serves as Project Administrator for the Buffalo Southern Railroad and the Depew Lancaster & Western Railroad and continues to oversee railroad infrastructure and capital improvement activities associated with both rail corridors.

On November 6, 2025, the Erie County Legislature adopted resolutions authorizing funding through the County's 2025 Capital Budget for railroad rehabilitation and capital improvement projects.

The funding allocations include:

- Up to \$150,000 for rehabilitation and capital improvements associated with the Depew Lancaster & Western Railroad.

Proposed agreement has been prepared between Erie County and ECIDA for administration of these projects. The agreements authorize ECIDA to oversee and administer construction-related services, including project coordination, engineering oversight, construction administration, and implementation of capital improvements associated with the rail corridors.

Requested Action:

ECIDA staff respectfully requests Board authorization to:

- Enter into an agreement with the County of Erie in an amount not to exceed \$150,000 for rehabilitation and capital improvements associated with the Depew Lancaster & Western Railroad.

Additionally, ECIDA requests authorization to execute the agreement and take all actions necessary to implement and administer the associated railroad capital improvement project.

ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

RESOLUTION

A regular meeting of the Erie County Industrial Development Agency was convened on Wednesday, May 27, 2026 at 12:00 p.m.

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

RESOLUTION OF THE ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING THE NEGOTIATION AND EXECUTION OF A GRANT AGREEMENT BETWEEN THE COUNTY OF ERIE AND THE AGENCY RELATIVE TO CERTAIN RAILROAD REPAIR AND MAINTENANCE ACTIVITIES TO BE UNDERTAKEN AT THE DEPEW LANCASTER & WESTERN RAILROAD (THE "RAILWAY FACILITIES") IN AN AMOUNT NOT TO EXCEED \$150,000

WHEREAS, by Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended, and Chapter 293 of the Laws of 1970 of the State of New York, as amended (collectively, the "Act"), the Erie County Industrial Development Agency (the "Agency") was created as a public benefit corporation of the State with the authority and power to own, lease and sell property for the purpose of, among other things, acquiring, constructing and equipping civic, industrial, manufacturing, commercial and other facilities as authorized by the Act to prevent unemployment and economic deterioration; and

WHEREAS, the Agency currently holds a leasehold interest in certain railroad properties owned by the County of Erie ("County"), more commonly known as a portion of USRA Line 1242, located within the County between Milepost 382.540, Town of Lancaster, and Milepost 385.561, which is part of the Depew Lancaster & Western Railroad (the "Railway Facilities"); and

WHEREAS, pursuant to Erie County Legislature Resolution Comm. 19E-12 (2025) adopted on November 6, 2025, the County Legislature allocated \$150,000 from the County's 2025 Capital Budget (the "Railway Funds") for the purpose of undertaking certain repair and maintenance activities on and about the Railway Facilities, including, but not limited to repairs, reconstruction, and/or replacement of rail infrastructure components such as (i) road and rail crossings, (ii) bridges and culverts, (iii) track, ties, rail, and switches, and (iv) associated rail facilities necessary to ensure safe and continued operation of the Railway Facilities (the "Railway Work"); and

WHEREAS, due to the Agency's experience in contracting for construction projects on behalf of the County for the Railway Facilities, the County wishes to engage the Agency to assist the County in completing the Railway Work; and

WHEREAS, the County has requested that the Agency enter into an agreement to authorize the receipt and allocation of the Railway Funds (the "Railway Grant") to be utilized towards the Railway Work (the "Railway Grant Agreement"), and which shall establish the terms and conditions upon which the Railway Grant will be provided to the Agency, and the Agency has

determined it is in the best interest of the Agency to enter into the Railway Grant Agreement to facilitate the completion of the Railway Work; and

WHEREAS, in compliance with Article 8 of the New York Environmental Conservation Law and the regulations adopted thereto at 6 N.Y.C.R.R. Part 617 (collectively referred to as “SEQRA”), the Agency has reviewed the scope of the Railway Work and has confirmed that the Railway Work would be considered “maintenance or repair involving no substantial changes in an existing structure or facility” as described in 6 N.Y.C.R.R. Part 617.5(c)(1), and hereby confirms that no further SEQRA compliance is required pursuant to 6 N.Y.C.R.R. Part 617.5(a), as the contemplated Railway Work is considered a Type II Action which will not result in a significant impact on the environment.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY AS FOLLOWS:

Section 1. Subject to the terms of this Resolution, the Chair, the Vice Chair, the President/Chief Executive Officer, the Vice President, the Chief Financial Officer/Treasurer and/or the Assistant Treasurer, in consultation with Agency counsel, are hereby authorized, on behalf of the Agency, to negotiate and execute the Railway Grant Agreement, and to take all actions necessary to implement the Railway Work as described herein.

Section 2. The officers, employees, and agents of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency 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 so acting, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 3. Any and all actions heretofore taken or authorized by the Agency and/or its members, officers, employees and agents with respect to this Resolution are hereby ratified, approved and confirmed in all aspects.

Section 4. These resolutions shall take effect immediately.

Dated: May 27, 2026