

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

- DATE AND PLACE:** January 27, 2021, held via telephone conference. Governor Cuomo’s Executive Order 202.1, as amended from time to time, issued in response to the Coronavirus (COVID-19) crisis, suspended Article 7 of the Public Officers Law to the extent necessary to permit any public body to take actions without permitting in public in-person access to such meetings and authorized such meetings to be held remotely by conference call or other similar service, provided the public has the ability to view or listen to such proceedings and that the meeting is recorded and transcribed.
- LIVE STREAMED:** This Board meeting is being live-streamed and made accessible on the Erie County Industrial Development Agency website at www.ecidany.com.
- PRESENT:** Hon. Howard Johnson, Richard Lipsitz, Jr., Hon. Mark C. Poloncarz and Maria Whyte
- EXCUSED:** Denise Abbott, Hon. April Baskin and Hon. Byron W. Brown
- OTHERS PRESENT:** John Cappellino, President & CEO; Mollie Profic, Chief Financial Officer; Karen M. Fiala, Vice President/Secretary; Jerry Manhard, CFO; Grant Lesswing, Business Development Officer; Brian Krygier, Systems Analyst; Carrie Hocieniec, Administrative Coordinator; Beth O’Keefe, Business Development Officer; Atiqa Abidi, Assistant Treasurer; Lori Szewczyk, Director of Grants; Robbie Ann McPherson, Director of Marketing and Communications; and Robert G. Murray, Esq., General Counsel/Harris Beach PLLC
- GUESTS:** Andrew Federick, Erie County Senior Economic Development Specialist; Lisa Hicks on behalf of the City of Buffalo; Alex Carducci on behalf of the City of Buffalo; Seth Piccirillo, on behalf of BNP; Michael Montante, on behalf of Uniland Development; Kellena Kane, on behalf of Uniland Development; and Richard Stanton on behalf of the City of Lackawanna

There being a quorum present at 12:53 p.m., the Meeting of the Board of Directors of the Buffalo and Erie County Industrial Land Development Corporation was called to order by its Chair, Mr. Poloncarz.

MINUTES

Mr. Lipsitz moved, and Mr. Johnson seconded to approve of the December 16, 2020 minutes. Mr. Poloncarz called for the vote and the minutes were unanimously approved.

REPORTS / ACTION ITEMS / INFORMATION ITEMS

Approval of Purchase Sale Agreement for Spec Building at Bethlehem Steel Site. Mr. Cappellino reviewed the proposed sale and terms.

Mr. Poloncarz thanked Uniland for their contemplated investment and the proposed project and queried as to timing of when Uniland believes it would be able to acquire a tenant.

Mr. Montante noted the building is designed to be divided into 4-5 units, giving Uniland a lot of flexibility to accommodate a future tenant or tenants requiring different space needs.

Mr. Poloncarz spoke in favor of the purchase and sale agreement.

Ms. Whyte spoke in favor of the sale and project as proposed by Uniland, and commented that this ILDC spec project is an example of the positive role government can play in development. Ms. Whyte thanked Mr. Cappellino and Uniland for their efforts.

Ms. Whyte moved and Mr. Lipsitz seconded to approve of the purchase sale agreement for the Spec Building project at the Bethlehem Steel site. 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 (THE "ILDC") AUTHORIZING THE ILDC TO (i) NEGOTIATE, EXECUTE, AND DELIVER AN AGREEMENT OF PURCHASE AND SALE TO BE ENTERED INTO WITH UNILAND DEVELOPMENT COMPANY TO SELL PARCEL II-8 (AS MORE FULLY DEFINED BELOW); (ii) TO NEGOTIATE, EXECUTE, AND DELIVER AN OPTION AGREEMENT TO SELL A PORTION OF OR ALL OF PARCEL II-11 TO UNILAND DEVELOPMENT COMPANY; (iii) EXECUTE AND DELIVER A BROWNFIELD SITE CLEANUP AGREEMENT AMENDMENT WITH RESPECT TO PARCEL II-8; AND (iv) MAKE A DETERMINATION PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

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

Dated: January 27, 2021



Karen M. Fiala, Secretary