

**MINUTES OF A MEETING OF THE
JOINT GOVERNANCE COMMITTEE OF THE
ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY (ECIDA),
BUFFALO & ERIE COUNTY REGIONAL DEVELOPMENT CORP. (RDC)
AND**

BUFFALO & ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORP. (ILDC)

- DATE:** October 18, 2024 at the Erie County Industrial Development Agency, 95 Perry Street, 4th Floor Conference Room, Buffalo, New York 14203
- PRESENT:** Thomas Baines, Zachary Evans, Hon. Brian Kulpa, Brenda McDuffie, Tyra Johnson, Hon. Christopher P. Scanlon, Kenneth Schoetz and David State
- EXCUSED:** None.
- OTHERS PRESENT:** John Cappellino, President & CEO; Beth O’Keefe, Vice President of Operations; Mollie Profic, Chief Financial Officer; Atiqa Abidi, Accounting Manager; Brian Krygier, Director of Information Technology; Carrie Hocieniec, Operations Assistant/Assistant Secretary; Michelle Moore, Compliance Associate
- GUESTS:** None.

There being a quorum present at 12:03 p.m., the Meeting of the Members of the Joint Governance Committee of the Erie County Industrial Development Agency (ECIDA), Buffalo and Erie County Regional Development Corporation (RDC) and the Buffalo and Erie County Industrial Land Development Corporation (ILDC) was called to order by its Chair, Ms. McDuffie.

MINUTES

The March 20, 2024 minutes of the joint meeting of the Governance Committee of the ECIDA, RDC and ILDC were presented. Upon motion made by Mr. Kulpa and seconded by Mr. Schoetz, the approval of the March 20, 2024 meeting minutes was unanimously carried.

LEGAL RFP RECOMMENDATIONS

Mr. Cappellino gave an overview of our procurement practices of the Agency which require us to periodically review our professional services including Legal Services.

Ms. Profic discussed the specifics of the Legal RFP process including responses by 5 firms, internal committee reviewing responses and in-person interviews of the 3 top firms

Mr. Kulpa requested the score sheets for the legal services: General Counsel, Tax Exempt Bond Counsel and Loan Counsel. Score sheets were produced and handed out by staff for committee member review

Ms. Profic discussed the committee's recommendations for primary and conflict legal counsel for all three legal services and the reasoning for the choices made. Results were:

- General Counsel: Harris Beach (primary), Hurwitz Fine (conflict)
- Tax Exempt Bond Counsel: Hodgson Russ (primary), Harris Beach (conflict)
- Loan Counsel: Hurwitz Fine (primary), Harris Beach (conflict)

Mr. Baines thanked the Legal RFP review committee for their work. He complimented Harris Beach and Bob Murray lead attorney noting accessibility, experience and the rates being low and also noting experience creates efficiencies.

Mr. Schoetz also spoke in favor of Harris Beach and specifically Bob Murray. Also noting no hiccups and no reason to change and keep what's working.

Mr. Evans mentioned that there is a benefit to experience and appreciated getting the score sheets.

Ms. McDuffie thanked the Legal RFP review committee and complimented Harris Beach for the legal services provided to the Agency.

Mr. Baines moved and Mr. Schoetz seconded to recommend General Counsel: Harris Beach (primary), Hurwitz Fine (conflict); Tax Exempt Bond Counsel: Hodgson Russ (primary), Harris Beach (conflict) and Loan Counsel: Hurwitz Fine (primary), Harris Beach (conflict), as proposed, be forwarded to the members of the ECIDA Board for approval. Ms. McDuffie called for the vote and the motion was then unanimously approved.

MEETING SCHEDULE

Ms. McDuffie reviewed purpose of meetings in first quarter and asked committee members to mark their calendars. Ms. McDuffie asked staff to send out calendar invites.

There being no further business to discuss, Ms. McDuffie adjourned the meeting at 12:55 p.m.

Dated: October 18, 2024



Elizabeth A. O'Keefe, Secretary