

ErieNet Local Development Corporation

Board Meeting

Tuesday, April 18, 2023

Meeting Minutes

The Board of Directors meeting was held on April 18, 2023, in the Board Room on the fourth floor of the ECIDA office located at 95 Perry Street, Buffalo, New York 14203 and by videoconference, in accordance with the Corporation's Bylaws and Chapter 1 of the Laws of 2022. A quorum was present as indicated:

Members:

Thomas E. Baines, Erie County Deputy Commissioner of Planning & Economic Development
Michael Breeden, Erie County Chief Information Officer
Daniel Castle, Erie County Commissioner of Environment and Planning
Mark Cornell, Erie County Deputy Budget Director
Jason Keding, Town of Boston
John Mills, Erie County Legislature Minority Leader
John Spears, Director of the Buffalo and Erie County Public Library
Jeremy Toth, Erie County Attorney

Absent:

Timothy Meyers, Erie County Legislature Majority Leader

Other Attendees:

Benjamin Swanekamp, Erie County Chief of Staff
Courtney Italia, Erie County Environment & Planning
Matt Crider, ECC Technologies
Mac Zukoff, ECC Technologies
Melissa Hartman
Robert Murry, Harris Beach

1. Open Board Meeting, Roll Call, and declaration of Quorum – The meeting was called to order by the Chair of the Board at 1:04 p.m., roll call was taken by Mr. Baines and a quorum was declared present.
2. Approval of the Draft Minutes from March 21, 2023 Board Meeting – Upon motion by Mr. Mills and seconded by Mr. Breeden the Draft Board Minutes were unanimously approved.
3. SEQR Update – Mr. Murry (Harris Beach) gave an overview of the steps that ErieNET takes to make sure the corporation stays within the regulations of SEQR.

4. Report of the Chair

i. Welcome – Melissa Hartman

Executive Session: Upon motion made by Mr. Castle and seconded by Mr. Mills the Board went into Executive Session (*Pursuant to Public Officers Law 105 (1)(f)*). No actions were taken during Executive Session. Motion made by Mr. Keding and seconded by Mr. Castle to exit Executive Session.

ii. ECC Technologies Update - Mr. Crider gave a brief update on the status of the ErieNet design and easements. See Attachment

5. Committee Reports-

i. Personnel Committee – It is the recommendation that an employment agreement is executed between ENLDC and Melissa Hartman appointing her as Executive Director upon presentation of Resolution 23-04 on the Board meeting agenda.

ii. Selection Committee – Construction Services RFP – ECC/RFP Selection Committee – Mr. Baines and Mr. Crider gave the board an overview of the sole company who sent in a proposal. Discussion ensued. ECC Technologies will gather additional information about the company and other risk mitigating factors.

6. Unfinished Business – No unfinished business

7. Resolutions

23-04 RESOLUTION OF THE ERIENET LOCAL DEVELOPMENT CORPORATION (“ENLDC”) APPPOINTING AN EXECUTIVE DIRECTOR AND AUTHORIZING THE ENLDC CHAIRPERSON IN CONSULTATION WITH THE PERSONNEL COMMITTEE AND LEGAL COUNSEL TO NEGOTIATE AND EXECUTE AN EMPLOYMENT AGREEMENT BETWEEN THE EXECUTIVE DIRECTOR AND ENLDC

Discussion ensued, and upon motion by Mr. Castle and seconded by Mr. Breeden, Resolution 23-04 was unanimously approved.

23-05 RESOLUTION OF THE ERIENET LOCAL DEVELOPMENT CORPORATION (“ENLDC”) AUTHORIZING THE NEGOTIATION AND EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY

Discussion ensued, and upon motion by Mr. Breeden and seconded by Mr. Keding, Resolution 23-05 was unanimously approved.

23-06 RESOLUTION OF THE ERIENET LOCAL DEVELOPMENT CORPORATION (“ENLDC”) AUTHORIZING THE NEGOTIATION AND EXECUTION OF AN AGREEMENT WITH GRAYBAR TO PROVIDE OUTSIDE PLANT FIBER OPTIC CABLE AND TELECOMMUNICATIONS CABINETS

Discussion ensued, and upon motion by Mr. Breeden and seconded by Mr. Castle, Resolution 23-06 was unanimously approved.

23-07 RESOLUTION OF THE ERIENET LOCAL DEVELOPMENT CORPORATION (“ENLDC”) AUTHORIZING (i) THE NEGOTIATION AND EXECUTION OF AN AGREEMENT TO ENGAGE THE DDS COMPANIES TO PROVIDE PROFESSIONAL ENGINEERING SERVICES TO ENLDC

Discussion ensued, and upon motion by Mr. Cornell and seconded by Mr. Keading, Resolution 23-07 was unanimously approved.

23-08 RESOLUTION OF THE ERIENET LOCAL DEVELOPMENT CORPORATION (“ENLDC”) AUTHORIZING THE NEGOTIATION AND EXECUTION OF AN AGREEMENT TO ENGAGE DRESCHER & MALECKI, LLP (D&M) FOR AUDITING SERVICES

Mark Cornell gave a brief update on the independent external Audit for 2022 financials that Erie County is handling. Due to the nature of ErieNET’s bylaws and board appointments, ErieNET is considered a blended component of the County which therefore requires audited financials for 2022,, and upon motion by Mr. Breeden and seconded by Mr. Mills, Resolution 23-08 was unanimously approved.

8. Adjournment - Upon motion made by Mr. Toth and seconded by Mr. Breeden the meeting adjourned at 2:39 p.m.



BY: _____

Thomas E. Baines, Esq.
CHAIR