

**ERIENET LOCAL DEVELOPMENT CORPORATION
RESOLUTION 23-08**

A regular meeting of the ErieNet Local Development Corporation was convened on May 16, 2023 at 1:00 p.m.

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

RESOLUTION OF THE ERIENET LOCAL DEVELOPMENT CORPORATION (“ENLDC”) AUTHORIZING THE EXECUTION OF A COLLABORATIVE USE LEASE AGREEMENT FOR TEMPORARY OFFICE SPACE AT THE BUFFALO AND ERIE COUNTY LIBRARY (“B&ECPL”)

WHEREAS, the ENLDC is an affiliate of the County of Erie (the “County”) and 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, ENLDC was specifically created and empowered by the County to study, design, and engineer an Open Access Network and to ultimately install internet services within and throughout the County to ensure growth, equity and prosperity for the County (the “Project”), and

WHEREAS, the Board of Trustees of the B&ECPL possess exclusive management authority of the Central Library at 1 Lafayette Square Buffalo, New York, including determinations of use of space in said facility, for library purposes; and

WHEREAS, the B&ECPL is seeking to develop and enhance collaborative relationships with community organizations that provide a public benefit in order to provide a broad range of mission related programs and services in a central location, which is essential to quality public service; and

WHEREAS, the B&ECPL is supportive of providing temporary office space to ErieNet as the organization establishes its operations.

NOW, THEREFORE, BE IT RESOLVED BY THE ERIENET LOCAL DEVELOPMENT CORPORATION AS FOLLOWS:

Section 1. Based upon the foregoing, and in compliance with the ENLDC Real Property Acquisition Policy, the ENLDC hereby agrees to enter into a Collaborative Use Lease Agreement with the B&ECPL for an initial six (6) month term, renewable for additional six (6) month periods by mutual agreement

at a space rental cost not to exceed \$15.00 per sq. ft. (\$425.00 per month for 340 sq. ft.), plus an additional \$50.00 monthly utility charge for use of VOIP telecommunications equipment/services, subject to adjustment for any renewal terms.

Section 2. The officers, employees and agents of the ENLDC are hereby authorized and directed for and in the name and on behalf of the ENLDC to do all acts and things required and to negotiate, execute and deliver all such 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 ENLDC with all of the terms, covenants and provisions of the documents executed for and on behalf of the ENLDC as related thereto and hereto.

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

Section 4. This resolution shall take effect immediately.

Dated: May 16, 2023

**ERIENET LOCAL DEVELOPMENT CORPORATION
RESOLUTION 23-09**

A regular meeting of the ErieNet Local Development Corporation was convened on May 16, 2023 at 1:00 p.m.

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

RESOLUTION OF THE ERIENET LOCAL DEVELOPMENT CORPORATION (“ENLDC”) AUTHORIZING THE NEGOTIATION AND EXECUTION OF AN AGREEMENT TO ENGAGE UBERTECHIT SERVICES, INC. TO PROVIDE INFORMATION TECHNOLOGY (“IT”) SERVICES

WHEREAS, ErieNet Local Development Corporation was established (the “ENLDC”) pursuant to and in accordance with Section 1411 of the Not-for-Profit Corporation Law (“N-PCL”) as a charitable not-for-profit corporation of the State of New York (the “State”) with purposes and powers included and as set forth within N-PCL Section 1411 (hereinafter, the “Act”); and

WHEREAS, ENLDC was specifically created and empowered by the County to study, design, and engineer an Open Access Network and to ultimately install internet services within and throughout the County to ensure growth, equity and prosperity for the County (the “Project”); and

WHEREAS, pursuant to the ENLDC’s Procurement Guidelines, a contract for services up to \$5,000 per instance will be at the discretion of the ENLDC Executive Director or authorized designee; and

WHEREAS, ENLDC requires the use of IT services to undertake its operations; and

WHEREAS, it is the recommendation of the ENLDC Executive Director to authorize ENLDC to enter into a service agreement for IT services; and

WHEREAS, the Board of Directors desires to authorize the ENLDC to negotiate and enter into a contract with UBERTECHIT Services, Inc., for IT services.

NOW, THEREFORE, BE IT RESOLVED BY THE ERIENET LOCAL DEVELOPMENT CORPORATION AS FOLLOWS:

Section 1. Based upon the foregoing, and in compliance with ENLDC’s Procurement Policy, the ENLDC hereby authorizes the Executive Director to negotiate and execute an agreement with UBERTECHIT Services, Inc. in consultation with the ENLDC’s general counsel, to provide IT services in an

amount not to exceed \$600.00 a year, for a maximum term not to exceed three years, including any renewals or extensions from the date of execution of said agreement. The agreement shall include such other terms and conditions as the Executive Director determines to be appropriate and in the best interest of ENLDC.

Section 2. The officers, employees and agents of the ENLDC are hereby authorized and directed for and in the name and on behalf of the ENLDC to do all acts and things required and to negotiate, execute and deliver all such 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 ENLDC with all of the terms, covenants and provisions of the documents executed for and on behalf of the ENLDC as related thereto and hereto.

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

Section 4. This resolution shall take effect immediately.

Dated: May 16, 2023