



Buffalo and Erie County Industrial Land Development Corporation  
Board of Directors Meeting  
May 27, 2020  
@ 12:30 p.m.

**Via Conference Call and Meeting is being Livestreamed**

**1.0 Call to Order**

**2.0 Approval of Minutes**

- 2.1 Approval of the April 22, 2020 minutes of the Joint Annual Board of Directors & Membership Meeting (Action Item) (Pages 2-5)

**3.0 Reports / Action Items / Information Items:**

- 3.1 Financial Report (Informational Item) (Pages 6-9)
- 3.2 Approval of Resolution to Submit Grant Application to U.S. EDA for the Bethlehem Steel Infrastructure Redevelopment Project (Action Item) (Pages 10-13)
- 3.3 Approval of Draft Generic Environmental Impact Statement (“DGEIS”) (Action Item) (Pages 14-16)

**4.0 Management Team Report:**

- 4.1 Spec Building RFP (Informational Item)

**5.0 Adjournment - Next Meeting June 24, 2020 at 1:00 p.m.**

**MINUTES OF THE  
JOINT ANNUAL MEETINGS OF THE MEMBERSHIP AND  
THE BOARD OF DIRECTORS  
OF THE  
BUFFALO AND ERIE COUNTY  
INDUSTRIAL LAND DEVELOPMENT CORPORATION  
(ILDC)**

**DATE AND PLACE:** April 22, 2020, at 1:00 p.m., held via telephone conference. Governor Cuomo's Executive Order 202.1, 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](http://www.ecidany.com).

**PRESENT:** Hon. Byron W. Brown, Hon. Howard Johnson, Richard Lipsitz, Jr., Hon. Mark C. Poloncarz and Maria Whyte

**EXCUSED:** Denise Abbott and Hon. April Baskin

**OTHERS PRESENT:** John Cappellino, Executive Vice President; Atiqa Abidi, Assistant Treasurer; Karen M. Fiala, Assistant Treasurer/Secretary and Robert G. Murray, Esq., General Counsel/Harris Beach PLLC

There being a quorum present at 1:00 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**

Upon motion made by Ms. Whyte and seconded by Mr. Lipsitz, and upon a vote thereof to so approve, the January 22, 2020 minutes of the Board of Directors of the Buffalo and Erie County Industrial Land Development Corporation ("ILDC") meeting were unanimously approved.

## REPORTS / ACTION ITEMS / INFORMATION ITEMS

Financial Report. Ms. Abidi presented the March 2020 financial report. Ms. Abidi noted that the balance sheet indicates the ILDC finished the month with total assets of \$8.3 million and net assets of \$6.2 million. There have been no significant fluctuations since February. The monthly income statement shows income of \$62 and expenses of \$11,000. Overall there was a net loss of \$11,000 in March. The year-to-date income statement shows total revenues of \$145 and total expenses of \$36,000, plus net special project income of \$500, totaling a net loss of \$35,000 so far in 2020. Mr. Poloncarz directed that the report be received and filed.

Finance and Audit Committee Update and Committee Self-Evaluation. Ms. Abidi presented this report. Mr. Poloncarz directed that the reports be received and filed.

Audited Financial Statements. Ms. Abidi noted that the auditing firm, Freed Maxick CPAs, issued an unmodified (clean) opinion on the financial statement indicating that the financial statements present fairly, in all material respects, the financial position of the Corporation as of December 31, 2019. Ms. Abidi then summarized the auditor's report and findings, noting that the drafts were reviewed in detail with the Finance & Audit Committee on March 9<sup>th</sup>, and that said committee recommended that the audited financial statement be approved by the Board.

Mr. Johnson moved and Mr. Lipsitz seconded to approve of the 2019 Audited Financial Statements. Mr. Poloncarz called for the vote and the 2019 Audited Financial Statements were unanimously approved.

2019 Investment Report. Ms. Abidi reviewed the 2019 Investment Report. This report was reviewed by the Finance & Audit Committee at their meeting on March 9 and recommended to the Board for approval. Mr. Lipsitz moved and Mr. Johnson seconded to approve of the 2019 Investment Report. Mr. Poloncarz called for the vote and the 2019 Investment Report was unanimously approved.

Governance Committee Update. Ms. Abidi presented this report. Mr. Poloncarz directed that the report be received and filed.

Governance Committee Self-Evaluation. Ms. Abidi reviewed the results of the required Governance Committee self-evaluation noting that all the core responsibilities of the Governance Committee as mandated under the New York Public Authorities Law and as set forth in the Governance Committee Charter, were met and satisfied. Mr. Poloncarz directed that the report be received and filed.

Annual Report of the Directors. As required under Section 519 of the New York State Not-For-Profit Corporation Law, Ms. Abidi presented the annual report to its member. Mr. Johnson moved, and Ms. Whyte seconded, to approve of the Annual Report. Mr. Poloncarz called for the vote, and the aforementioned motion was unanimously approved.

Banking Resolution Approval-Adding Signer. Ms. Abidi reviewed a memorandum regarding the addition of Atiqah Abidi, Assistant Treasurer, to maintain four active check signers

for the Agency after the recent departure of Mr. Weathers. All checks issued by the ILDC require two signers. M&T Bank requires a standard resolution for each account. The ILDC is requesting that Ms. Abidi be added as a check signer for all of the ILDC's bank accounts. Mr. Lipsitz moved, and Mr. Johnson seconded, to approve of adding Ms. Abidi as a check signer for all of the ILDC's bank accounts. Mr. Poloncarz called for the vote, and the aforementioned motion was unanimously approved.

Nominating Committee. Mr. Poloncarz advised per the recommendation of the Executive Committee, that the entire nominating slate should be approved with the addition of nominating John Cappellino to the President/CEO position, and removing Mr. Cappellino from the Executive Vice President position, subject to the Chair negotiating and executing an Employment Agreement with Mr. Cappellino. Mr. Johnson moved, and Ms. Whyte seconded to approve of the nominating slate as amended to include the nomination and appointment of Mr. Cappellino as President/CEO. Mr. Poloncarz called for the vote and the aforementioned motion was unanimously approved.

## **REVIEW AND ADOPTION OF POLICIES, REPORTS AND COMMITTEE CHARTERS.**

2019 Mission Statement, Performance Measures and Results. Mr. Poloncarz reviewed the 2019 Mission Statement and related results. Mr. Johnson moved and Mr. Lipsitz seconded to approve of the statement and results. Mr. Poloncarz called for the vote and the 2019 Mission Statement, Performance Measures and Results was unanimously approved.

2020 Mission Statement, Performance Measures and Results. Mr. Poloncarz reviewed the 2020 Mission Statement and related results. Mr. Johnson moved and Mr. Lipsitz seconded to approve of the statement and results. Mr. Poloncarz called for the vote and the 2020 Mission Statement, Performance Measures and Results was unanimously approved.

2019 Public Authorities Report. Mr. Poloncarz reviewed the Agency's 2019 Public Authorities Report. Mr. Johnson moved and Mr. Lipsitz seconded to approve of the report as proposed. Mr. Poloncarz called for the vote and the 2019 Public Authorities Report was then unanimously approved.

Code of Ethics & Conflict of Interest Policy. Mr. Poloncarz reviewed the Agency's Code of Ethics and Conflict of Interest Policy, including proposed amendments to be made thereto. Mr. Johnson moved and Mr. Lipsitz seconded to approve of the amended policy. Mr. Poloncarz called for the vote and the Code of Ethics and Conflict of Interest Policy, as amended, was then unanimously approved.

## **RE-ADOPT POLICIES AND CHARTERS**

Mr. Poloncarz noted that Items 5-18 on the agenda were reviewed by counsel, the Authority Budget Office recommended no changes, and as such, the staff recommends that the policies and charters items numbered 5-18 be approved without any changes. Mr. Johnson moved and Ms. Whyte seconded to approve of the various polices and charter as itemized below.

Mr. Poloncarz called for the vote and the following policies and charters were then unanimously approved:

- Investment & Deposit Policy
- Procurement Policy
- Whistleblower Policy and Procedures
- Defense & Indemnification Policy
- Finance & Audit Committee Charter
- Governance Committee Charter
- Property Disposition Guidelines
- Real Property Acquisition Policy
- Board Member Compensation, Reimbursement & Attendance Policy
- Employee Compensation Program
- Travel, Conferences, Meals & Entertainment Policy
- Statement of Duties & Responsibilities of the Board of Directors
- Statement of the Competencies & Personal Attributes Required by Board Members
- Corporate Credit Card Policy

#### **MANAGEMENT TEAM REPORTS**

Mr. Poloncarz and Mr. Cappellino updated members on the ILDC's purchase of real property in Angola, New York to ultimately establish an Erie County Agricultural Park. Mr. Cappellino commented that the ILDC can now begin master planning for the project.

There being no further business to discuss, Mr. Poloncarz adjourned the meeting at 1:12 p.m.

Dated: April 22, 2020

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Karen M. Fiala, Secretary

**Industrial Land Development Corp.**

**Financial Statements**

As of April 30, 2020

**INDUSTRIAL LAND DEVELOPMENT CORPORATION ("ILDC")**

**Balance Sheet**

April 30, 2020

	April 2020	March 2020	December 2019
<b>ASSETS:</b>			
Restricted Cash *	\$ 209,825	\$ 282,017	\$ 207,639
Grants Receivable	1,919,084	1,919,084	1,919,084
Other Receivable	-	-	125,000
Loans Receivable, net	44,558	44,558	36,562
Loan Interest Receivable	-	-	70
Deposit on Land Purchase	-	155,638	155,638
Total Loan Assets	<u>2,173,467</u>	<u>2,401,297</u>	<u>2,443,992</u>
Capital Assets	6,858,032	5,862,958	5,862,958
Total Assets	<u>\$ 9,031,499</u>	<u>\$ 8,264,254</u>	<u>\$ 8,306,950</u>
<b>LIABILITIES &amp; NET ASSETS:</b>			
Accounts Payable	\$ -	\$ -	\$ 8,844
Due to/(from) ECIDA	207,621	265,275	250,630
Other Liabilities	1,772,559	1,774,345	1,787,558
Total Liabilities	<u>1,980,180</u>	<u>2,039,620</u>	<u>2,047,032</u>
Restricted Fund Balance	<u>7,051,319</u>	<u>6,224,634</u>	<u>6,259,918</u>
Total Liabilities & Net Assets	<u>\$ 9,031,499</u>	<u>\$ 8,264,254</u>	<u>\$ 8,306,950</u>

<b>Loan Portfolio Summary:</b>	<b>April 2020</b>	March 2020	December 2019
# of Loans	<u>3</u>	<u>3</u>	<u>3</u>

\* Cash is invested in interest bearing accounts at M&T Bank.  
The maximum FDIC insured amount is \$250,000 with the remainder collateralized with government obligations by the financial institution.

**INDUSTRIAL LAND DEVELOPMENT CORPORATION ("ILDC")**

**Income Statement**

Month of April 2020

	<b>Actual vs. Budget</b>		
	<b>Actual</b>	<b>Budget</b>	<b>Variance</b>
<b>REVENUES:</b>			
Interest Income - Loans	\$ 56	\$ 19	\$ 36
Interest Income - Cash & Inv.	1	1	0
Proceeds from Land Sales	-	20,833	(20,833)
Total Revenues	<u>307</u>	<u>20,853</u>	<u>(20,546)</u>
<b>EXPENSES:</b>			
Management Fee - ECIDA	\$ 4,833	\$ 4,833	0
Professional Services	6,032	4,425	1,607
General Office Expenses	-	50	(50)
Other Expenses	-	73	(73)
Total Expenses	<u>10,865</u>	<u>9,381</u>	<u>1,484</u>
<b>SPECIAL PROJECT GRANTS:</b>			
Industrial Land Park - ESD	-	146,250	(146,250)
Industrial Land Park - ECIDA	-	16,667	(16,667)
Angola Ag Park - ECIDA Grant	837,243	8,333	828,910
Other grant revenue	1,790	2,083	(293)
Industrial Land Park grant reimbursement	-	(146,250)	146,250
Industrial Land Park costs	-	(16,667)	16,667
Angola Ag Park grant costs	-	(8,333)	8,333
Other grant expenses	(1,790)	(2,083)	293
	<u>837,243</u>	<u>(0)</u>	<u>837,243</u>
<b>NET INCOME/(LOSS):</b>	<u>\$ 826,684</u>	<u>\$ 11,472</u>	<u>\$ 815,213</u>

\* Represents an allocation of salary and benefit costs from the ECIDA based on time charged to ILDC. The amount booked is currently based on budget.



**INDUSTRIAL LAND DEVELOPMENT CORPORATION ("ILDC")**

**Income Statement**  
Year to Date: April 30, 2020

	Actual vs. Budget			Actual vs. Prior Year		
	Actual	Budget	Variance	Actual	Prior Year	Variance
<b>REVENUES:</b>						
Interest Income - Loans	\$ 193	\$ 77	\$ 116	\$ 193	\$ 123	\$ 70
Interest Income - Cash & Inv.	9	3	7	9	3	6
Grant Income	-	-	-	-	155,000	(155,000)
Proceeds from Land Sales	-	83,333	(83,333)	-	-	-
Other Income	250	-	250	250	23,750	(23,500)
<b>Total Revenues</b>	<b>452</b>	<b>83,413</b>	<b>(82,960)</b>	<b>452</b>	<b>178,876</b>	<b>(178,424)</b>
<b>EXPENSES:</b>						
Management Fee - ECIDA	\$ 19,333	\$ 19,333	0	\$ 19,333	\$ 9,600	\$ 9,733
Professional Services	25,102	17,700	7,402	25,102	-	25,102
General Office Expenses	-	200	(200)	-	11,327	(11,327)
Other Expenses	2,380	292	2,088	2,380	(35)	2,415
<b>Total Expenses</b>	<b>46,815</b>	<b>37,525</b>	<b>9,290</b>	<b>46,815</b>	<b>20,892</b>	<b>25,923</b>
<b>SPECIAL PROJECT GRANTS:</b>						
Industrial Land Park - ESD	-	585,000	(585,000)	-	-	-
Industrial Land Park - ECIDA	80,000	66,667	13,333	80,000	200,000	(120,000)
Angola Ag Park - ECIDA Grant	837,243	33,333	803,910	837,243	-	837,243
Other grant revenue	15,011	8,333	6,678	15,011	76,371	(61,360)
Industrial Land Park grant reimbursement	-	(585,000)	585,000	-	-	-
Industrial Land Park costs	(79,479)	(66,667)	(12,812)	(79,479)	(96,683)	17,205
Angola Ag Park grant costs	-	(33,333)	33,333	-	-	-
Other grant expenses	(15,011)	(8,333)	(6,678)	(15,011)	(76,371)	61,360
	<b>837,764</b>	<b>0</b>	<b>837,764</b>	<b>837,764</b>	<b>103,317</b>	<b>734,447</b>
<b>NET INCOME/(LOSS):</b>	<b>\$ 791,401</b>	<b>\$ 45,888</b>	<b>\$ 745,514</b>	<b>\$ 791,401</b>	<b>\$ 261,300</b>	<b>\$ 530,101</b>

\* Represents an allocation of salary and benefit costs from the ECIDA based on time charged to ILDC. The amount booked is currently based on budget.



**MEMO:**

**To: ILDC Board of Directors**  
**Date: May 27, 2020**

**RE: U.S. Department of Commerce Economic Development Administration (EDA) – Economic Adjustment Assistance Program through EDA’s Assistance to Coal Communities (ACC) program**

U.S. Department of Commerce Economic Development Administration (EDA) administers the Economic Adjustment Assistance Program, which provides financial assistance in the form of grants to governments and non-profit organizations for multiple economic development and workforce outcomes, such as promoting regional economic growth and diversification, new job creation, and re-employment opportunities for displaced coal workers. The Industrial Land Development Corporation is preparing to submitted a grant application to support the development of the Bethlehem Steel Infrastructure Redevelopment Project to construct water and sewer infrastructure necessary to further develop the 148-acre vacant Bethlehem Steel brownfield site for private investment and redevelopment. The Project will construct water and wastewater infrastructure as recommended in the recently completed Utility Master Plan. The proposed upgrades are necessary to meet future needs to service anticipated industrial users. The proposed infrastructure improvements are necessary to prepare the property for private development. Redevelopment of the larger Bethlehem Steel site will address the regional need for vacant industrial-zoned property to attract new and growing manufacturing companies, especially Canadian companies.

The ILDC (Applicant), Erie County (Co-Applicant), and Erie County Water Authority (Co-Applicant) are requesting \$2,643,790 in federal funding assistance from the USEDA which is pledged to be matched by \$660,950 in local funds. The ILDC, acting as Applicant: (i) will execute the application and agreement with USEDA, (ii) secure the local match of \$660,950 through potential funding sources including Empire State Development and/or the ILDC itself, (iii) bid, select and contract with a qualified firm or firms to design and/or rehab/replace/construct the Sewer and Water Infrastructure Improvements, and (iv) provide oversight and administration for the USEDA grant as it relates to the Sewer and Water Infrastructure Improvements. The scope of the project and estimated costs are as follows:

<p><b>Sanitary Sewer Extension</b> - Construction of approximately 4,000 lineal feet (LF) of sanitary sewer pipe that, upon completion, would be owned, operated and maintained by ECSD No. 6. The public sewer extension would consist of approximately 1,000 LF of new 18-inch diameter sewer to advance public service toward the “Times Square” area of the former Bethlehem Steel site and approximately 3,000 feet of new smaller diameter (15-inch and below)</p>	<p><b>\$2,007,900</b></p>
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<p>pipes to service the northern end of the site. Additionally, a section of an existing 18-inch diameter private sewer under Route 5 would be rehabilitated using cured-in-place pipe lining and be made a public asset, along with abandonment of the existing private sewers that would no longer be used in the area of the proposed advanced manufacturing park.</p>	
<p><b>Water Line Extension-</b> This project involves the construction of approximately 1,314 linear feet of municipal water main to provide service to future development at the former Bethlehem Steel property. The proposed water mains will be owned and maintained by the Erie County Water Authority after completion. The project consists of two separate sections of water main which are referred to as the Ridge Road Extension and the Odell Street Extension, named according to the existing opposing streets at the intersection with Route 5. The proposed Ridge Road Extension consists of approximately 570 linear feet of 12” diameter ductile iron pipe water main and the Odell Street Extension consists of approximately 744 linear feet of 16” diameter ductile iron pipe water main. Work includes all excavation, bedding stone, backfill, valves, thrust restrains, fire hydrants, interconnections and other required appurtenances to provide a complete installation.</p>	<p><b>\$1,296,837</b></p>
<p><b>TOTAL</b></p>	<p><b>\$3,304,737</b></p>

**Requested Action:**

Seeking approval to apply to the U.S. Department of Commerce/EDA for the Economic Adjustment Assistance program grant award to support the construction of infrastructure improvements at the former Bethlehem Steel site.

**BUFFALO AND ERIE COUNTY INDUSTRIAL LAND  
DEVELOPMENT CORPORATION**

**RESOLUTION**

A regular meeting of the Buffalo and Erie County Industrial Land Development Corporation was convened on Wednesday, May 27, 2020, at 1:00 p.m.

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

RESOLUTION OF THE BUFFALO AND ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORPORATION ("ILDC") AUTHORIZING THE ILDC TO SUBMIT A GRANT APPLICATION TO THE U.S. DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION'S ECONOMIC ADJUSTMENT ASSISTANCE PROGRAM TO SUPPORT THE DEVELOPMENT OF THE BETHLEHEM STEEL INFRASTRUCTURE REDEVELOPMENT PROJECT (AS MORE FULLY DESCRIBED BELOW).

WHEREAS, the Buffalo and Erie County Industrial Land Development Corporation (the "ILDC") 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, the U.S. Department of Commerce Economic Development Administration (the "EDA") administers the Economic Adjustment Assistance Program through the EDA's Assistance to Coal Communities Program (the "ACC Program") to provide financial assistance in the form of grants to governments and non-profit organizations for multiple economic development and workforce outcomes, such as promoting regional economic growth and diversification, new job creation, and re-employment opportunities for displaced coal workers; and

WHEREAS, the ILDC has proposed infrastructure improvements that are necessary to prepare the 148-acre vacant Bethlehem Steel brownfield site for future private investment and redevelopment, consisting of the construction of water and wastewater infrastructure (collectively, the "Bethlehem Steel Infrastructure Redevelopment Project"). The Bethlehem Steel Infrastructure Redevelopment Project will address the regional need for vacant industrial-zoned property to attract new and growing manufacturing companies; and

WHEREAS, the ILDC, as applicant, desires to make an application to the ACC Program for approximately \$2,643,790 in grant funding to support the Bethlehem Steel Infrastructure Redevelopment Project. The ILDC will pledge the local match of \$660,950 through funding sources, potentially including Empire State Development and/or the ILDC.

**NOW, THEREFORE, BE IT RESOLVED BY THE DIRECTORS OF THE BUFFALO AND ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORPORATION AS FOLLOWS:**

Section 1. The Chair, the Vice Chair, the President/Chief Executive Officer, the Executive Vice President, the Chief Financial Officer/Treasurer and/or the Assistant Treasurer of the ILDC are hereby authorized and directed, on behalf of the ILDC, to submit a grant application on behalf of the ILDC to the ACC Program through the EDA for an amount not to exceed \$2,643,790 in grant funding to support the Bethlehem Steel Infrastructure Redevelopment Project and to execute all financial and administrative processes, agreements and related documents, and take all necessary actions in connection therewith.

Section 2. The officers, employees and agents of the ILDC are hereby authorized and directed for and in the name and on behalf of the ILDC 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 ILDC with all of the terms, covenants and provisions of the documents executed for and on behalf of the ILDC.

Section 3. These Resolutions shall take effect immediately.

Dated: May 27, 2020



MEMORANDUM

May 27, 2020

To: Members of the Board of Directors of the Buffalo and Erie County Industrial Land Development Corporation

Re: Bethlehem Steel Site Masterplan - Acceptance of Draft Generic Environmental Impact Statement

Consistent with the requirements of the New York State Environmental Quality Review Act (“SEQRA”), the Buffalo and Erie County Industrial Land Development Corporation (“ILDC”), as Lead Agency, engaged the services of AECOM to develop a Masterplan and a Generic Environmental Impact Statement (“GEIS”) for the redevelopment of 240 acres of the former Bethlehem Steel Site (the “Project”). The Masterplan and GEIS focus on the road, utility and parcel layouts and provides a description of the Project, the environmental setting, and a statement and analysis of the potential significant adverse environmental impacts, cumulative impacts, alternatives, and mitigation methods of the proposed development of the Project at full buildout. Two public meeting were held by the ILDC to assist in the preparation of the Draft GEIS.

The ILDC Board of Directors acceptance of the Draft GEIS is one of the final steps in the adoption and completion of the Final GEIS. Per SEQRA, the ILDC must resolve to accept the Draft GEIS as complete. Once it is accepted as complete, a public hearing will be held on June 29, 2020, and a public comment period will be established, to expire on July 9, 2020, to receive comments on the Draft GEIS. Thereafter, a Final GEIS, consisting of, amongst other items, copies or a summary of the substantive comments received and responses to all substantive comments so received, will be prepared and must ultimately be accepted by the ILDC Board of Directors.

**Requested Actions ILDC:**

Seeking approval to accept the DGEIS as complete and to commence the required public comment period pursuant to SEQRA regulations and to hold a public hearing on June 29<sup>th</sup>, 2020 at 6:00 pm to receive public comment.

**To view a copy of the Draft GEIS and the attachments click on the link below.**

<https://www.dropbox.com/sh/cgdfcmmvqvri0k9/AAC8q7ekgNnVIORSMK8enEO0a?dl=0>

**BUFFALO AND ERIE COUNTY INDUSTRIAL LAND  
DEVELOPMENT CORPORATION**

**DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT ACCEPTANCE  
RESOLUTION**

*(BETHLEHEM STEEL SITE)*

A regular meeting of the Buffalo and Erie County Industrial Land Development Corporation was convened on Wednesday, May 27, 2020, at 1:00 p.m.

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

**RESOLUTION OF THE BUFFALO AND ERIE COUNTY INDUSTRIAL  
LAND DEVELOPMENT CORPORATION ACCEPTING AS COMPLETE A  
DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT FOR THE  
ADVANCED MANUFACTURING PARK INFRASTRUCTURE MASTER  
PLAN AND SCHEDULING OF A SEQRA PUBLIC HEARING**

WHEREAS, the Buffalo and Erie County Industrial Land Development Corporation (the “ILDC”) owns approximately 150 acres of real property located within the former Bethlehem Steel Site in Lackawanna, New York, and is currently in negotiations to purchase an additional 92 acre parcel of real property also located within the former Bethlehem Steel Site in Lackawanna, New York (collectively, the “Real Property”); and

WHEREAS, the ILDC, in its efforts to establish an infrastructure and master plan for the Real Property, must first comply with Article 8 of the New York Environmental Conservation Law and the regulations adopted thereto at 6 NYCRR Part 617 (collectively referred to as “SEQRA”); and

WHEREAS, on October 23, 2019, the ILDC declared itself Lead Agency in connection with the SEQRA review for the ILDC Advanced Manufacturing Park Infrastructure Master Plan; and

WHEREAS, on October 23, 2019, the ILDC issued a Positive Declaration, as that term is defined by the SEQRA regulations, for the ILDC Advanced Manufacturing Park Infrastructure Master Plan, and further directed that a Draft Generic Environmental Impact Statement (“DGEIS”) be prepared; and

WHEREAS, a DGEIS for the ILDC Advanced Manufacturing Park Infrastructure Master Plan has been prepared by the ILDC’s consultant and reviewed by the ILDC staff and submitted to the ILDC; and

WHEREAS, the ILDC has reviewed the DGEIS in order to determine the completeness of the DGEIS pursuant to 6 NYCRR § 617.9(a)(2) of the SEQRA regulations; and

WHEREAS, on March 13, 2020, the Governor of the State of New York issued Executive Order 202.1 suspending certain aspects of the Open Meetings Law related to in-person

attendance, and further directed that public meetings be held remotely provided the public has the ability to view or listen to such proceedings and that such meetings are recorded and later transcribed; and

WHEREAS, the Governor's Executive Order 202.1 has been extended through June 7, 2020 by subsequent Executive Orders 202.15 and 202.29.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE BOARD OF DIRECTORS OF THE BUFFALO AND ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORPORATION AS FOLLOWS:

Section 1. The ILDC hereby accepts the DGEIS as complete and sufficient in scope and content for the purposes of commencing the requisite public review and comment as required by SEQRA, and directs that a Notice of Completion of the DGEIS be published as required by 6 NYCRR § 617.12(c) of the SEQRA regulations.

Section 2. The IDLC hereby schedules a public comment period for the DGEIS pursuant to 6 NYCRR 617.9(a)(3), and written comments on the DEIS will be accepted by the ILDC until July 9, 2020.

Section 3. Pursuant to 6 NYCRR § 617.9(a)(4), a public hearing on the DGEIS shall be scheduled for June 29, 2020 at 6:00 p.m., and shall further be conducted consistent with the requirements of the Executive Orders issued by the Governor of the State of New York, including but not limited to, Executive Order 202.1.

Section 4. Given the various Executive Orders issued in response to the COVID-19 pandemic, the public hearing will be conducted remotely through a web-based meeting platform, and the details for public access to and participation in the public hearing will be published in the local newspaper and posted on the IDLC's website at least fourteen (14) calendar days before the public hearing's scheduled date.

Section 5. The DGEIS shall be distributed to any and all involved agencies, as well as filed and circulated, along with a copy of this Resolution, as required by 6 NYCRR § 617.12 and/or any other applicable ordinance, statute, or regulation.

Section 6. The DGEIS shall also be provided to the City of Lackawanna Public Library and the City of Lackawanna, and posted on the City of Lackawanna website and the ILDC's website to ensure maximum public access to the document.

Section 7. The ILDC hereby authorizes and directs that the ILDC's staff, agents, and consultants undertake any other and further action as may be necessary pursuant to SEQRA in order to meet the ILDC's obligations as Lead Agency.

Section 8. This Resolution shall take effect immediately upon adoption.