

**DRAFT - SUBJECT TO REVIEW AND REVISION**

**NEW YORK STATE URBAN DEVELOPMENT CORPORATION**

d/b/a Empire State Development

Meeting of the Directors

633 Third Avenue - 37<sup>th</sup> Floor Conference Room

New York, New York 10017

December 21, 2023

**MINUTES**

**In Attendance**

**Directors:**

Kevin S. Law, Chair  
Hope Knight  
Benson V. Martin – Designee - Superintendent - NYS Department  
of Financial Services  
Hilda Escher Rosario  
Michael Rozen  
John Wang

**Present for ESD:**

Simone Bethune, Senior Project Manager and Coordinator of Projects -  
Loans and Grants  
Huey-Min Chuang, Assistant Vice President - Capital Access  
Yvonne Cooper, Paralegal  
Steve Gawlik, Vice President - Poly & Capital Projects and Senior Counsel  
- Strategic Initiatives  
Doug Janese, Senior Counsel  
Daniel Kolinski, Regional Director - Central New York Region  
Scott Lamkin,  
Cara Longworth, Regional Director - Long Island Region  
Elizabeth Lusskin, Executive Vice President - Small Business and  
Technology  
Allison Madmoune, Regional Director - Mohawk Valley Region  
Glendon McLeary, Vice President and Director - Loans and Grants  
Linda Malave, Regional Director - Mid-Hudson Region  
Kathleen Mize, Deputy Chief Financial Officer and Controller  
Raymond Orlando, Chief Financial Officer  
Laura Fox O'Sullivan, Regional Director - Finger Lakes Region  
Amber Rangel, Vice President and Director - Workforce Development  
Noah Rayman, Chief of Staff  
Debbie Royce, Corporate Secretary  
Rafael Salaberrios, Senior Vice President - Division of Small Business and  
Capital Access  
Arden Sokolow, Executive Vice President - Real Estate Development and  
Planning  
Joseph Tazewell, Regional Director - New York City Region  
Paul Tronolone, Vice President - Planning & Policy, WNY

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Ben Verschueren, Executive Director - NYSTAR  
Michael Yevoli, Regional Director - Capital Region  
Kevin Younis, Chief Operating Officer  
Goldie Weixel, Deputy General Counsel

The meeting of the Directors of the New York State Urban Development Corporation ("UDC") d/b/a Empire State Development ("ESD" or the "Corporation") was called to order at approximately 9:39 a.m. by Chair Law.

Chair Law noted that the meeting was being webcast and reminded everyone on the telephone to please mute their phones until they were speaking.

Chair Law then noted that the public was given an opportunity to comment on the Agenda items by submitting their written comments by noon yesterday and that no comments were received. He also noted members of the public were in attendance.

Chair Law advised that the Directors were given the written materials in advance of today's meeting and were free to ask questions at any time during the presentations.

Noting that he would recuse himself from Items II. N. and III. A., both of which related to Stony Brook University, Chair Law then asked the Directors whether anyone else had any conflicts of interest to note on any of the Agenda items. No additional conflicts were noted.

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The Chair then called for a motion to approve the Minutes of the November 16, 2023 Directors' Meeting. There being no changes or corrections, upon motion duly made and seconded, the following Resolution was unanimously adopted:

APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS TAKEN AT THE NOVEMBER 16, 2023 MEETING OF THE DIRECTORS OF THE NEW YORK STATE URBAN DEVELOPMENT CORPORATION

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RESOLVED, that the Minutes of the meeting of the Corporation held on November 16, 2023, as presented to this meeting, are hereby approved and all actions taken by the Directors presented at such meeting as set forth in such Minutes, are hereby in all respects ratified and approved as actions of the Corporation.

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The Chair then called on Hope Knight to provide the President's Report on the State's most recent activities.

After President Knight's report, Chair Law called on Ben Verschueren, Executive Director of NYSTAR, to present the next item on the Agenda related to the Innovation Matching Grant Program (the "Program") for the Directors' consideration.

Mr. Verschueren explained that the Directors were being asked to approve the adoption of the guidelines for the Program. He noted the \$6 million for the Program was funded under the Fiscal Year 2023-2024 New York State Budget to award matching grants to small businesses applying for Federal Small Business Innovation Research ("SBIR") or Small Business Technology Transfer ("SBTT") grants. He further noted the grants are used to grow small businesses and

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support the development of new technologies while simultaneously creating jobs and keeping New York State competitive.

Mr. Verschueren further explained that the funds will be allocated to ESD from the New York State Department of Economic Development as a grant and will be awarded directly to the small businesses with a small portion being used to support the administration of the Program.

Mr. Verschueren advised that the guidelines set forth the criteria for determining eligibility to apply for a grant, eligible uses of the funds and the process for application review and grant notification. He noted the funds will be used to establish the Program, manage the review process, conduct reviews, oversee administration of the awards and fund the awards.

Mr. Verschueren further noted that ESD will award up to \$100,000 for Phase I, which will focus on concept development and up to \$200,000 for Phase II, which will focus on prototype development. He stated each grant amount will not exceed 50% of the federally awarded amount and will be contingent on the federal award being granted.

Mr. Verschueren also noted that the funds will be used to expedite commercialization and a general range of expenses, including business planning, patents and marketing studies.

Following the full presentation, the Chair called for any questions or comments from the Directors. Director Escher asked how business were being informed about this Program.

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Mr. Verschueren stated that the grant information can be obtained through the New York State for Science, Technology and Research (“NYSTAR”) network, its website and outreach.

Chair Law then called for any further questions or comments from the Directors.

Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolution was unanimously adopted:

NEW YORK STATE URBAN DEVELOPMENT CORPORATION D/B/A EMPIRE STATE DEVELOPMENT – Statewide – Innovation Matching Grant Program (Section 52-a of the Urban Development Corporation Act (the “Act”) - Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt Guidelines; Authorization to Make Grants; and Authorization to Take Related Actions

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BE IT RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Empire State Development (“ESD”), relating to the Innovation Matching Grant Program (the “Program”), ESD hereby determines pursuant to Section 10(g) of the Act, as amended, that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation hereby adopts the guidelines for the Program, a copy of which has been presented to this meeting and is included in the Materials, and authorizes the President and Chief Executive Officer of the Corporation, or her designee(s), to amend, from time to time, such guidelines (such guidelines, as they may from time to time be amended, the “Guidelines”) as he or she deems necessary or appropriate to effectuate the purposes of the Program; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) is hereby authorized to accept grant applications pursuant to the Program in accordance with the Guidelines and these Materials; the Corporation is authorized to make grants for the Program; and is authorized to take such other actions as are necessary in order to effectuate the purposes of the Program; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making of the grants, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grants as he or she may deem necessary or appropriate in the administration of the grants; and be it further

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RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, (2) receipt of all other necessary approvals, and (3) the receipt of adequate funding for such assistance from the State of New York; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation, or her designee(s), be and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all action as he or she may in his or her sole discretion consider to be necessary or appropriate to effectuate the foregoing resolutions.

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Chair Law then called on Kevin Younis, ESD's Chief Operating Officer, to provide the Spotlight Presentation on the High NA Extreme Ultraviolet Lithography Center.

Following the presentation, Chair Law called on Steve Gawlik, Vice President of Poly & Capital Projects and Senior Counsel – Strategic Initiatives, to present the first project item on the Agenda for the Directors' consideration, which related to the High NA Extreme Ultraviolet Lithography Center discussed in the "Spotlight Presentation".

Mr. Gawlik explained that the Directors were being asked to approve a grant in the amount of \$478 million to the New York Center for Research, Economic Advancement, Technology, Engineering and Science ("NY CREATES") to build the fab in the clean room on the Albany Nanotech campus.

Mr. Gawlik noted that earlier this year, the Directors approved \$22 million in funding that allowed NY CREATES to start the design of the new fab and that this grant will move the

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remaining money to finish the design and build a facility that will ultimately hold High EUV tools.

Following the full presentation, the Chair asked if the funds were approved in the NYS Budget and Mr. Gawlik confirmed that they were. The Chair then called for any further questions or comments from the Directors. Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolution was unanimously adopted:

Albany (Capital Region – Albany County) – NY CREATES Albany Nanotech Campus Expansion Construction Capital (Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan for the Purpose of Making a Grant; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the NY CREATES Albany Nanotech Campus Expansion Construction Capital (Capital Grant) Project (the “Project”), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the “Act”), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the “Plan”) for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer of the Corporation or her designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to make to New York Center for Research, Economic Advancement, Technology, Engineering and Science Corp (d/b/a NY CREATES) a grant for a total amount not to exceed Four Hundred

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Seventy Eight Million Dollars (\$478,000,000), for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as she may in her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Chair Law then called on Michael Yevoli, Regional Director of ESD's Capital Region, to present the next item on the Agenda for the Directors' consideration.

Mr. Yevoli explained that the Directors were being asked to approve a Regional Council Capital Fund grant in the amount of \$2.5 million to Hudson Valley Community College to be used to fund a portion of the costs associated with the renovation and creation of new training facilities at Hudson Valley's North Campus.

Mr. Yevoli noted that the renovations will include construction of a 14,500 square foot facility in the Town of Malta in Saratoga County, adjacent to the existing Training and Education Center for Semiconductor Manufacturing and Alternate and Renewable Technologies ("TEC-



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SMART”) Building.

Mr. Yevoli further noted that the expanded facility will allow the college to expand enrollment capacity for education and skills training in healthcare, STEM and skills trades by up to 20 percent.

Following the presentation, the Chair called for any questions or comments. Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolutions were unanimously adopted:

Regional Council Award – Malta (Capital Region – Saratoga County) – Expanding STEM and Healthcare Workforce Development Capital – Regional Council Capital Fund (Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan for the Purpose of Making a Grant; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Expanding STEM and Healthcare Workforce Development Capital -- Regional Council Capital Fund (Capital Grant) Project (the “Project”), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the “Act”), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the “Plan”) for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer of the Corporation or her designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of

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such hearing, and that upon such written finding being made, President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to make to Hudson Valley Community College a grant for a total amount not to exceed Two Million Five Hundred Thousand Dollars (\$2,500,000) from the Regional Council Capital Fund, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as she may in her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Regional Council Award – Malta (Capital Region – Saratoga County) – Expanding STEM and Healthcare Workforce Development Capital – Regional Council Capital Fund (Capital Grant) – Determination of No Significant Effect on the Environment

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RESOLVED, that based on the material submitted to the Directors with respect to the Expanding STEM and Healthcare Workforce Development Capital Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

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The Chair then called on Paul Tronolone, VP - Planning and Policy for ESD's Western New York Region, to present the next two items on the Agenda for the Directors' consideration.

The first item Mr. Tronolone presented involved a Buffalo Regional Innovation Cluster

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Fund grant in the amount of \$3.3 million to Buffalo AKG Art Museum formerly known as the Albright-Knox Art Gallery.

Mr. Tronolone explained that the grant will be used to finance a portion of the cost of a \$168 million expansion of the museum campus, which will include a new 90,000 square-foot building on the campus, underground parking and rehabilitation of the museum's existing historic buildings.

The second item Mr. Tronolone presented involved a Regional Economic and Community Assistance Program grant in the amount of \$30 million to the Niagara Frontier Transportation Authority ("NFTA") to be used for design and construction improvements to stabilize the historic DL&W Rail Terminal Complex located on the Buffalo River Waterfront next to ESD's Canalside project.

Mr. Tronolone explained that the improvements will include stabilizing the building's concrete decks, a new roof, new windows, and masonry work, which are considered a critical next step to enable NFTA to work with the developer to adaptively re-use the space in the building for private, commercial, retail and entertainment purposes.

Following the full presentation of both projects, the Chair called for any questions or comments from the Directors regarding Item II. C. Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the

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following Resolutions were unanimously adopted:

Buffalo (Western New York – Erie County) – Buffalo AKG Art Museum Expansion Capital – Buffalo Regional Innovation Cluster (Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan for the Purpose of Making a Grant; and Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Buffalo AKG Art Museum Expansion Capital -- Buffalo Regional Innovation Cluster (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer of the Corporation or her designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to make to Buffalo Fine Arts Academy d/b/a Buffalo AKG Art Museum a grant for a total amount not to exceed Three Million Three Hundred Thousand Dollars (\$3,300,000) from the Buffalo Regional Innovation Cluster Fund, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer or her designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

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RESOLVED, that the President and Chief Executive Officer or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as she may in her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Buffalo (Western New York – Erie County) – Buffalo AKG Art Museum Expansion Capital – Buffalo Regional Innovation Cluster (Capital Grant) – Determination of No Significant Effect on the Environment

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RESOLVED, that based on the material submitted to the Directors with respect to the Buffalo AKG Art Museum Expansion -- Buffalo Regional Innovation Cluster Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

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The Chair then called for any questions or comments from the Directors regarding Item

II. D. Hearing none, and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolution was unanimously adopted:

Buffalo (Western New York Region – Erie County) – DL&W Terminal Core & Shell Capital – Regional Economic and Community Assistance Program (Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan for the Purpose of Making a Grant; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the DL&W Terminal Core & Shell Capital – Regional Economic and Community Assistance Program (Capital Grant) Project (the “Project”), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the “Act”), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the “Plan”) for the Project submitted to

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this meeting, together with such changes therein as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer of the Corporation or her designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to make to Niagara Frontier Transportation Authority a grant for a total amount not to exceed THIRTY MILLION DOLLARS (\$30,000,000) from the Regional Economic and Community Assistance Program, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer or her designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Chair Law then called on Laura Fox O'Sullivan, Regional Director of ESD's Finger Lakes Region, to present the next item on the Agenda for the Directors' consideration.

Ms. O'Sullivan explained that the Directors were being asked to approve a Regional Council Capital Fund grant in the amount of \$500,000 to the Rochester Joint Apprenticeship and Training Trust to support a portion of the cost to purchase and renovate a 21,500 square-

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foot building in Henrietta to expand classroom space for its electrical apprentice training program.

Ms. O'Sullivan noted that the Rochester Joint Apprenticeship and Training Committee is a Joint Trust between International Brotherhood of Electrical Workers, Local 86 and the National Electrical Contract Association, which has been operating for since 1980.

Ms. O'Sullivan further noted that from their lowest enrollment of 70 apprentices in 2015 to a projected enrollment of 200 in 2024, the Trust needed to expand its training facility to increase its capacity and class size.

Following the full presentation, the Chair called for any questions or comments from the Directors. Hearing none and noting that no comments were received from the public, upon motion duly made and seconded, the following Resolution was unanimously adopted:

Regional Council Award – Henrietta (Finger Lakes Region – Monroe County) – Rochester Joint Apprenticeship Training Capital – Regional Council Capital Fund (Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan for the Purpose of Making a Grant; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Rochester Joint Apprenticeship Training Capital -- Regional Council Capital Fund (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section

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16(2) of the Act, the proposed General Project Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer of the Corporation or her designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to make to Joint Apprenticeship and Training Trust a grant for a total amount not to exceed Five Hundred Thousand Dollars (\$500,000) from the Regional Council Capital Fund, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer or her designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as she may in her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Chair Law then called on Daniel Kolinski, Regional Director of ESD's Central New York Region, to present the next two items on the Agenda for the Directors' consideration.

The first item Mr. Kolinski presented involved a Regional Council Capital Fund grant in the amount of \$1 million to CXtec Capital to be used to fund a portion of the cost of



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renovations and equipment expenditures to relocate its headquarters to Syracuse, Onondaga County.

Mr. Kolinski explained that the company is committed to retaining all 165 of its current employees and to hiring an additional 25 full-time employees.

Mr. Kolinski noted that the total budget for the project is \$4.6 million and ESD's participation represents 21 percent of the total project costs.

Following the full presentation, the Chair called for any questions or comments from the Directors. Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolution was unanimously adopted:

Regional Council Award – Syracuse (Central NY Region – Onondaga County) – CXtec Capital – Regional Council Capital Fund (Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan for the Purpose of Making a Grant; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the CXtec Capital -- Regional Council Capital Fund (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer of

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the Corporation or her designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer of the Corporation or her designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to make to CXtec, Inc. a grant for a total amount not to exceed One Million Dollars (\$1,000,000) from the Regional Council Capital Fund, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as she may in her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

\* \* \*

The second item Mr. Kolinski presented involved a Regional Council Capital Fund grant in the amount of \$400,000 to Tracey Road Equipment to be used to fund a portion of the cost of construction and the purchase of equipment for an 18,000 square-foot addition to the company's existing facility located in Syracuse, Onondaga County.

Mr. Kolinski noted that the company is committed to retaining its current 260

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employees and hiring an additional 30 full-time employees.

Mr. Kolinski also noted that the total budget for this project is \$9.98 million and ESD's participation represents four percent of the total project costs.

Following the full presentation, the Chair called for any questions or comments from the Directors. Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolutions were unanimously adopted:

Regional Council Award – East Syracuse (Central New York Region – Onondaga County) – Tracey Road Equipment Expansion Capital – Regional Council Capital Fund (Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan for the Purpose of Making a Grant; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Tracey Road Equipment Expansion Capital -- Regional Council Capital Fund (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer of the Corporation or her designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to

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make to Tracey Road Equipment, Inc. a grant for a total amount not to exceed Four Hundred Thousand Dollars (\$400,000) from the Regional Council Capital Fund, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as she may in her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Regional Council Award – East Syracuse (Central New York Region – Onondaga County) – Tracey Road Equipment Expansion Capital – Regional Council Capital Fund (Capital Grant) – Determination of No Significant Effect on the Environment

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RESOLVED, that based on the material submitted to the Directors with respect to the Tracey Road Equipment Expansion Capital Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

\* \* \*

Chair Law then called on Allison Madmoune, Regional Director of ESD's Mohawk Valley Region, to present the next item on the Agenda for the Directors' consideration.

Ms. Madmoune explained that the Directors were being asked to approve a Regional Council Capital Fund grant in the amount of \$600,000 to Compassion Coalition Warehouse to

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be used to fund a portion of acquisition and renovation expenses for a previously vacant building to create warehouse space located in Frankfort, Herkimer County.

Ms. Madmoune further explained that Compassion Coalition purchased and renovated a 142,000 square-foot building into a warehouse to store excess goods, which will improve their storage capacity and distribution capability with an increase of 100,000 square-feet.

Following the full presentation, the Chair called for any questions or comments from the Directors. Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolution was unanimously adopted:

Regional Council Award – Frankfort (Mohawk Valley Region – Herkimer County) – Compassion Coalition Warehouse Capital – Regional Council Capital Fund (Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan for the Purpose of Making a Grant; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Compassion Coalition Warehouse Capital -- Regional Council Capital Fund (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer of the

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Corporation or her designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to make to Compassion Coalition, Inc. a grant for a total amount not to exceed Six Hundred Thousand Dollars (\$600,000) from the Regional Council Capital Fund, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as she may in her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

\* \* \*

Chair Law again called on Linda Malave, Regional Director of ESD's Mid-Hudson Region, to present the next three items on the Agenda for the Directors' consideration.

The first item Ms. Malave presented involved a Regional Council Capital Fund grant in the amount of \$460,000 to Credent Capacity to be used to fund a portion of the expansion of its current facility and the purchase of machine and equipment.

Ms. Malave noted that Creodent is a dental laboratory and precision medical device

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manufacturer that focuses on direct-to-client productions. She further noted this investment will allow Creodent to purchase and install specialized state-of-the-art equipment to keep competitive with larger manufacturers.

Following the presentation, the Chair called for any questions or comments from the Directors. Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolution was unanimously adopted:

Regional Council Award – Priority Project - Fishkill (Mid-Hudson Region – Dutchess County) – Creodent Capacity Expansion Capital – Regional Council Capital Fund (Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan for the Purpose of Making a Grant; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Creodent Capacity Expansion Capital -- Regional Council Capital Fund (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Sections 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer of the Corporation or her designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to make to Creodent Hudson Valley, Inc. a grant for a total amount not to exceed Four Hundred and Sixty Thousand (\$460,000) from the Regional Council Capital Fund, for the purposes, and

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substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as she may in her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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The next item Ms. Malave presented involved an Upstate Revitalization Initiative grant in the amount of \$1.5 million to Dutchess Community College ("DCC") Aviation Education Center located in Wappingers Fall, Dutchess County to be used to fund a portion of the purchase of machinery and equipment.

Ms. Malave noted that the project also involved the renovation of an unused 10,000 square-foot hangar at Hudson Valley Regional Airport and the transformation of an additional 15,000 square-feet into an educational space with classrooms, lecture halls and administration facilities.

Ms. Malave also noted that DCC was able to hire six additional full-time employees to



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administer the new department, including three instructors.

Following the presentation, the Chair called for any questions or comments from the Directors. Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolutions were unanimously adopted:

Wappingers (Mid-Hudson Region – Dutchess County) – Dutchess Community College Aviation Education Center Capital – Upstate Revitalization Initiative (Capital Grant) Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan for the Purpose of Making a Grant; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Dutchess Community College Aviation Education Center Capital -- Upstate Revitalization Initiative (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer of the Corporation or her designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to make to Dutchess Community College a grant for a total amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000) from the Upstate Revitalization Initiative, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

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RESOLVED, that the President and Chief Executive Officer or her designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as she may in her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Wappingers (Mid-Hudson Region – Dutchess County) – Dutchess Community College Aviation Education Center Capital – Upstate Revitalization Initiative (Capital Grant) – Determination of No Significant Effect on the Environment

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RESOLVED, that based on the material submitted to the Directors with respect to the Dutchess Community College Aviation Education Center Capital Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

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The final project Ms. Malave presented involved a Regional Council Capital Fund grant in the amount of \$264,000 to Graft Cider Expansion to be used to fund a portion of the cost of construction, renovation, and the purchase of machinery and equipment.

Ms. Malave noted that the company purchased industrial-scale fermenting tanks, centrifuges, canning machinery and various other higher-quality equipment to increase the quality and consistency of its products.

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Ms. Malave further noted that the additional space and new machinery will allow Graft Cider to greatly expand its production, increase its quality control by 95 percent, retain 8 full-time employees and hire additional full-time employees, of which two have already been hired.

Following the presentation, the Chair called for any questions or comments from the Directors. Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolution was unanimously adopted:

Regional Council Award – Newburgh (Mid-Hudson Region – Orange County) – Graft Cider Expansion Capital – Regional Council Capital Fund (Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan for the Purpose of Making a Grant; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Graft Cider Expansion Capital -- Regional Council Capital Fund (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer of the Corporation or her designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to make to Graft Cider, LLC a grant for a total amount not to exceed Two Hundred and Sixty Four Thousand Dollars (\$264,000) from the Regional Council Capital Fund, for the purposes, and

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substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as she may in her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Next, Chair Law called on Rafael Salaberrios, Senior Vice President – Division of Small Business and Capital Access, to present the next item on the Agenda for the Directors' consideration.

Mr. Salaberrios explained that the Directors were being asked to approve an Urban and Community Development Program loan in the amount of \$1,080,000 and a grant in the amount of \$300,000 to Chester Agricultural Center to be used for the construction of a new 17,000 square-foot wash-and-pack and cold storage facility.

Mr. Salaberrios further explained that the new facility will serve the company's two largest farm operators, freeing up the current wash-and-pack to be used more efficiently and

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equitably by the company's small-scale farm lessee.

Mr. Salaberrios noted that only about 60 percent of the site's 200 acres is leased, and the new structure will allow the company to lease the remaining 40 percent of the land to first-time or historically disadvantaged farmers.

Following the presentation, the Chair called for any questions or comments from the Directors. Director Knight noted that she attended an event at the site last Spring and stated the project creates great accessibility for folks who want to go into farming as the plots of land are really affordable. Mr. Salaberrios advised the land is rented on a sliding scale, which will allow for more BIPOC farmers to have access to farming techniques and farming support.

Hearing no further comments and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolution was unanimously adopted:

Chester (Mid-Hudson Region – Orange County) – Chester Agricultural Center Wash and Pack – Capital Project Loan Fund (Capital Loan) - Urban and Community Development Program (Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of New York State Urban Development Corporation Act (Chapter 174 of the Laws of 1968 as amended) (the "Act"); Authorization to Adopt the Proposed General Project Plan for the Purpose of Making a Grant and a Loan; Authorization to Make a Grant and a Loan and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the New York State Urban Development Corporation d/b/a Empire State Development (the "Corporation"), relating to – Chester Agricultural Center Wash and Pack – Capital Project Loan Fund (Capital Loan) - Urban and Community Development

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Program (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Section 10(g) of the Act , that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer of the Corporation or her designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to make to Chester Agricultural Center, LLC a loan for a total amount not to exceed ONE MILLION EIGHTY THOUSAND Dollars (\$1,080,000) and a grant for a total amount not to exceed THREE HUNDRED THOUSAND Dollars (\$300,000) from the Capital Project Loan Fund and the Urban and Community Development Program, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer or her designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget and the United States Department of the Treasury; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making of the loan and grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the loan or grant or collateral securing the loan as she may deem necessary or appropriate in the administration of the loan and grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as she may in her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Next, Chair Law called on Joseph Tazewell, Regional Director of ESD's New York City

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Region, to present the next item on the Agenda for the Directors' consideration.

Mr. Tazewell explained that the Directors were being asked to approve a Regional Council Capital Fund grant in the amount of \$3.5 million to the Universal Hip Hop Museum in connection with its \$48.65 million construction of a state-of-the-art museum dedicated to the preservation and celebration of hip-hop history and culture.

Mr. Tazewell noted that the museum will occupy the first two floors with the remaining space consisting of 540 units of permanently affordable housing, educational space and retail opportunities. He stated the project will create 50 new jobs, 10 of which have already been created, and is expected to be completed in May of 2025.

Following the full presentation, the Chair called for any questions or comments from the Directors. Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolution was unanimously adopted:

Regional Council Award – Bronx (New York Region – Bronx County) – Universal Hip Hop Museum Capital – Regional Council Capital Fund (Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan for the Purpose of Making a Grant; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Universal Hip Hop Museum Capital -- Regional Council Capital Fund (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban

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Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer of the Corporation or her designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to make to The Universal Hip Hop Museum a grant for a total amount not to exceed Three Million Five Hundred Thousand Dollars (\$3,500,000) from the Regional Council Capital Fund, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as she may in her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Next, Chair Law called on Cara Longworth, Regional Director of ESD's Long Island Region, to present the next two items on the Agenda for the Directors' consideration.



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The first item Ms. Longworth presented involved a Regional Council Capital Fund grant in the amount of \$469,074 to the Research Foundation for the State University of New York on behalf of Stony Brook University to be used to fund a position of the purchase and installation of equipment for its Cyclotron and Radio Chemistry Lab located in the Medical and Research Translation building (“MART building”).

Ms. Longworth noted that the grant will be used to purchase to install the cyclotron, hot cells, production boxes and all supporting lab equipment for the Cyclotron and Radiochemistry labs.

Following the presentation and reiterating that he was recused from the vote on this item, the Chair called for any questions or comments from the Directors. Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolution was unanimously adopted:

Regional Council Award – Stony Brook (Long Island Region – Suffolk County) – SBU Cyclotron and Radiochemistry Lab Capital – Regional Council Capital Fund (Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan for the Purpose of Making a Grant; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the SBU Cyclotron and Radiochemistry Lab Capital -- Regional Council Capital Fund (Capital Grant) Project (the “Project”), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the “Act”), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section

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16(2) of the Act, the proposed General Project Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer of the Corporation or her designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to make to The Research Foundation for The State University of New York a grant for a total amount not to exceed Four Hundred Sixty-Nine Thousand and Seventy-Four Dollars (\$469,074) from the Regional Council Capital Fund, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as she may in her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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The next item Ms. Longworth presented involved a Regional Council Capital Fund grant to the NYU Langone Hospital in the amount of \$1,000,000 to be used to fund a portion of construction, equipment and furnishing at the NYU Long Island School of Medicine.

Ms. Longworth noted that this project began in 2018 when Winthrop Hospital, which in

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2019 merged with NYU Langone Hospitals, applied for a grant to construct a medical school located within its Mineola Research Institute by converting 8,200 square-feet of unused space into a 95,000 square-foot research facility with the goal of creating a three-year medical school for primary care doctors.

Following the presentation, the Chair called for any questions or comments from the Directors. Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolution was unanimously adopted:

Regional Council Award – Mineola (Long Island Region – Nassau County) – NYU Long Island School of Medicine Capital – Regional Council Capital Fund (Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan for the Purpose of Making a Grant; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the NYU Long Island School of Medicine Capital -- Regional Council Capital Fund (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer of the Corporation or her designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to

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make to NYU Langone Hospitals a grant for a total amount not to exceed ONE MILLION Dollars (\$1,000,000) from the Regional Council Capital Fund, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as she may in her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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The Chair then called on Simone Bethune, Senior Project Manager and Coordinator of Projects - Loans and Grants, to present the Restore New York Communities Capital Fund grant on the Agenda for the Directors' consideration.

Ms. Bethune explained that the Directors were being asked to approve a grant in the amount of \$1 million to the Town of Irondequoit to be used to fund the construction and renovation of a 579,623 square-foot vacant shopping mall in Monroe County that will be named Skyview on the Ridge.

Ms. Bethune noted that the project will consist of 157-units of affordable senior housing and a 41,000 square-foot community center for the Town. She stated the remainder of the

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space is being considered for a lease by a not-for-profit advocacy group and residential storage.

Following the full presentation, the Chair called for any questions or comments from the Directors. Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolution was unanimously adopted:

Statewide – Restore NY Communities (Capital Grant) – Findings and Determinations Pursuant to Sections 10(g) and 16-n of the Act; Authorization to Adopt the Proposed General Project Plan for the Purpose of Making a Grant; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to the meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Restore New York Communities Initiative Project (the “Project”), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the “Act”), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the “Plan”) for the Project submitted to the meeting, together with such changes therein as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, a copy of which Plan, together with such changes, are hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written findings of the President and Chief Executive Officer of the Corporation or her designee(s) that no substantive negative testimony or comment has been received at the public hearings held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written findings being made, the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to make a to grant to the party and for the amount listed below from the Restore NY Communities program, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to their meeting, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s)

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be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as she may deem necessary or appropriate in the administration of the grants; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

Restore New York Communities Initiative Program – Project Summary Table

	<b>Grantee</b>	<b>Project Name</b>	<b>Project #</b>	<b>Grant</b>	<b>Village, Town, City</b>	<b>County</b>
A.	Town of Irondequoit	Town of Irondequoit - SkyView on the Ridge RESTORE NY V	131,756	\$1,000,000	Irondequoit	Monroe
	<b>Total RESTORE NY - 1 Project</b>	<b>TOTAL</b>		<b>\$1,000,000</b>		

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as she may in her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Chair Law again called on Ms. Bethune to present the “At the Direction Of” item on the Agenda for the Directors’ consideration.

Ms. Bethune explained that that At the Direction Of grants refer to those commitments listed in the New York State budget that enhance the State’s communities through cultural, educational, research and development and civic organizations.

Ms. Bethune noted that these projects originate from the Governor or the New York State Assembly or Senate and ESD is named to administer the funding, but ESD does not select

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the recipients of the funding.

The first item Ms. Bethune presented involved a grant in the amount of \$10 million from New York State's Fiscal Year 2022-2023 Budget made at the direction of Assembly Member Angelo Santa Barbara of the 11<sup>th</sup> District to West Yard Properties, LLC, a privately held real estate development company undertaking the revitalization project to build a new 100,000 square-foot event center in Schenectady, New York, which will serve as the new home of the Union College Division 1 men's and women's hockey programs.

Ms. Bethune noted that the center will also host concerts and regional sporting events while supplementing Schenectady's tourism initiatives and driving additional economic benefits to the existing Mohawk Harbor Entertainment venue such as Rivers Casino and three local restaurants.

Ms. Bethune further noted that once the facility is complete it will hold up to 2,300 seats for hockey games and 3,500 seats for concerts.

The second item Ms. Bethune presented involved a grant in the amount of \$1 million from New York State's Fiscal Year 2022-2023 Budget to the Research Foundation for SUNY Stony Brook University being made at the direction of State Assembly Member Steven C. Englebright of the 4<sup>th</sup> District.

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Ms. Bethune explained that the Stony Brook Research Foundation is an educational corporation that administers externally funded contracts and grants for and on behalf of the State University of New York. She further explained the funding under this grant will support activities related to maintaining the National Cancer Institute's designation for the Stony Brook Cancer Center.

Ms. Bethune noted that the funds will support key recruitment and leadership positions that will allow for the expansion of the Cancer Prevention and Control Program and further development of both clinical and basic research programs which have already been initiated.

Following the full presentation, the Chair called for any questions or comments from the Directors. Hearing none and noting that no comments were received from the public regarding this item, and stating Chair Law was recused from this item, upon motion duly made and seconded, the following Resolutions were unanimously adopted:

Special Capital Appropriation – (Capital Grant) - Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of these materials, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Special Capital Appropriation Program Project identified below (the "Project"), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area(s); and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to a make a grant to the party and for the amount listed below from the Special Capital Appropriation program, for the purposes, and



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substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, a copy of which Plan, together with such changes, are hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written findings of the President and Chief Executive Officer of the Corporation or her designee(s) that no substantive negative testimony or comment has been received at the public hearings held on the Plan, such Plan shall be effective at the conclusion of such hearings, and that upon such written findings being made, the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to make a grant to the parties and for the amount listed below from New York Works Economic Development Fund, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable; (2) receipt of all other necessary approvals; and (3) receipt of funds

Special Capital Appropriation FY 2022-2023– Assembly – Project Summary Table

	<b>Project Name</b>	<b>Project #</b>	<b>Grantee</b>	<b>Assistance Up To</b>
	<b>Special Capital Appropriation 22-23 (Assembly)</b>			
A.	Mohawk Harbor Events Center Capital	135,838	West Yard Properties, LLC	\$10,000,000
	<b>TOTAL SP APPROP PROJECT – 1</b>		<b>TOTAL</b>	<b>\$10,000,000</b>

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and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as she may in her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Local Assistance – (Working Capital Grant) - Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of these materials, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Local Assistance Program Project identified below (the "Project"), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area(s); and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to a make a grant to the party and for the amount listed below from the Local Assistance program, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable; (2) receipt of all other necessary approvals; and (3) receipt of funds

Local Assistance – Assembly – Project Summary Table

	<b>Project Name</b>	<b>Project #</b>	<b>Grantee</b>	<b>Assistance Up To</b>
	<b>Local Assistance (Assembly)</b>			

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B.	Stony Brook Medicine National Cancer Institute Working Capital	135,253	The Research Foundation for the SUNY Stony Brook University	\$1,000,000
	<b>TOTAL Local Assistance PROJECT – 1</b>		<b>TOTAL</b>	<b>\$1,000,000</b>

and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as she may in her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Chair Law then called on Amber Rangel, Vice President and Director of Workforce Development, to present the next three items on the Agenda for the Directors' consideration.

Ms. Rangel explained that the Office of Strategic Workforce Development launched this program in October 2022 as part of Governor Hochul's \$350 million investment in workforce development and was enacted in the Fiscal Year 2023 Budget.

Ms. Rangel further explained that this program has \$150 million in grant funding for two program tracks: a \$3.5 million Workforce Capital Grant Program and a \$115 million Pay-for-Performance Program that has an operating grant and the achievement-based capacity building awards that are data metric driven.

The first item Ms. Rangel presented involved approval for the release of funding from the Office of Strategic Workforce Development Pay-for-Performance Program in the amount of

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\$999,000 to the Rochester Institute of Technology (“RIT”).

Ms. Rangel explained that the grant will be used to create skills, frameworks and assessments in partnership with industries for non-degree certification programs, RIT’s developing for the construction industry, advanced manufacturing IT and cybersecurity.

Ms. Rangel further explained that RIT will also establish an employee training program to prepare employers to support workers from historically marginalized communities.

Following the full presentation, Chair Law called for any questions or comments from the Directors. Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolution was unanimously adopted:

Rochester (Finger Lakes Region – Monroe County) – Promoting Choice: Alternative Pathways into Work and Economic Mobility Working Capital (Rochester Institute of Technology) – Office of Strategic Workforce Development 2022-2023 Pay for Performance (Working Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Promoting Choice: Alternative Pathways into Work and Economic Mobility Working Capital -- Office of Strategic Workforce Development 2022-2023 Pay for Performance (Working Capital Grant) Project (the “Project”), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the “Act”), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to make to Rochester Insitute of Technology a grant

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for a total amount not to exceed Nine Hundred Ninety Nine Thousand Dollars (\$999,000) from the Office of Strategic Workforce Development 2022-2023 Pay for Performance Fund, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as she may in her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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The second item Ms. Rangel presented involved approval for the release of funding from the Office of Strategic Workforce Development Pay-for-Performance Operating Program in the amount of \$1,000,000 to the Center State Corporation for Economic Opportunity, also known as CenterState CEO.

Ms. Rangel explained that the High-Tech Careers Bridge Program will identify untapped talent among under-represented individuals to enter into existing workforce training programs in advanced manufacturing, coding, cybersecurity, electrical maintenance or defense manufacturing.

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Ms. Rangel noted that trainees will have access to a wide range of wraparound services to mitigate barriers which will improve access for and outcomes of training participants.

Following the full presentation, Chair Law called for any questions or comments from the Directors. Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolution was unanimously adopted:

Syracuse (Central New York Region – Onondaga County) – High-Tech Careers Bridge Program Working Capital (CenterState CEO) – Office of Strategic Workforce Development 2022-2023 Pay for Performance (Working Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the High-Tech Careers Bridge Program Working Capital -- Office of Strategic Workforce Development 2022-2023 Pay for Performance (Working Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to make to CenterState Corporation for Economic Opportunity a grant for a total amount not to exceed One Million Dollars (\$1,000,000) from the Office of Strategic Workforce Development 2022-2023 Pay for Performance Fund, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as she may deem necessary or appropriate in the administration of the grant; and be it further

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RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as she may in her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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The final item Ms. Rangel presented involved the approval for the release of funding from the Office of Strategic Workforce Development Pay-for-Performance Program in the amount of \$400,742 to Cornell University to be used to expand Cornell's Dairy Processing Bootcamp and Dairy Science Sanitation courses to eight program cohorts over a 24-month grant period.

Ms. Rangel noted that Cornell is working with regional partners such as High School BOCES programs, Community Boards and Workforce Development Boards to recruit a diverse cohort of trainees across five New York State regions.

Following the full presentation, Chair Law called for any questions or comments from the Directors. Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolution was unanimously adopted:

Ithaca (Southern Tier Region – Tompkins County) – Dairy Processing Bootcamp Working Capital (Cornell University) – Office of Strategic Workforce Development 2022-2023 Pay

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for Performance (Working Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Dairy Processing Bootcamp Working Capital -- Office of Strategic Workforce Development 2022-2023 Pay for Performance (Working Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to make to Cornell University a grant for a total amount not to exceed Four Hundred Thousand Seven Hundred Forty Two Dollars (\$400,742) from the Office of Strategic Workforce Development 2022-2023 Pay for Performance Fund, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as she may in her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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The Chair then called on Huey-Min Chuang, Assistant Vice President of Capital Access, to present the next item on the Agenda for the Directors' consideration.



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Ms. Chuang explained that the Directors were being asked to approve 20 Community Development Financial Institution Access grants in amounts of up to \$200,000 each, for a total amount of \$5 million, that will be used to provide banking and technical assistance to service unbanked and underbanked individuals and small businesses.

Ms. Chuang further explained that the purpose of this fund is to provide access to safe and affordable financial services that are critical to a household's financial stability. She stated the program will also serve the needs of micro-businesses that have never accessed banking or business loans due to pre-revenue status, short-term time in business, low credit, no credit or repayment challenges.

Ms. Chuang noted that in the first year of the program also with \$5 million in funding, 31 CDFI's served 38,000 unbanked and underbanked people as well as businesses that received technical assistance. She advised that in the second year of the program, the CDFI access to Financial Service Program II will support CDFIs with another \$5 million for technical assistance, institutional capacity, and administrative support.

Following the full presentation, Chair Law noted he would abstain on the vote and called for any questions or comments from the Directors. Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolution was unanimously adopted:

Statewide – Community Development Financial Institution Access to Financial Services 2

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Program – Findings and Determinations Pursuant to Section 10(g) of the New York State Urban Development Act (Chapter 174 of the Laws of 1968, as amended) (the “Act”); Authorization to Make Grants and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the New York State Urban Development Corporation d/b/a Empire State Development (the “Corporation”), relating to Community Development Financial Institution Access to Financial Services 2 Program, the Corporation hereby determines pursuant to Section 10(g) of the Act , that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the “Plan”) for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to make twenty-eight grants of up to TWO HUNDRED THOUSAND DOLLARS (\$200,000) each for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer or her designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making each grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of each grant as she may deem necessary or appropriate in the administration of the loan and grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as she may in her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Chair Law then called on Doug Janese, Senior Counsel, to provide the summary

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presentation of the eleven Administrative Action items on the Agenda for the Directors' consideration.

The first item Mr. Janese presented involved the authorization to make statutory payments pursuant to the Electric Generation Facility Cessation Mitigation Program in the amount of \$1,745,435.01 to Westchester County to offset the reduction in property tax revenue to the County due to the closure of the Indian Point Energy Center in April of 2021.

Mr. Janese noted that this payment will bring the total disbursement from this fund to approximately \$77 million of the \$140 million authorized for this program.

The second item Mr. Janese presented involved authorizing additional funds in the amount of \$1 million for pre-qualified temporary legal staffing to be used to expedite MWBE appeals. He stated this additional funding will bring the total expenditure for this initiative to \$2,750,000 and is expected to last through August 2024 when the initial list of pre-qualified firms to complete the work expires.

The third item Mr. Janese presented involved authorization to enter into a contract with VHM Engineering, Surveying, Landscape Architecture and Geology, P.C. in the amount of \$2.2 million to be used for environmental consulting services for the Creedmoor Community Master Plan.

## **DRAFT - SUBJECT TO REVIEW AND REVISION**

Mr. Janese noted that the project will include the redevelopment of approximately 58-acres of vacant and underutilized land at the Creedmoor Psychiatric Center's campus located in Eastern Queens and will include the preparation of environmental review documentation pursuant to the State Environmental Quality Review Act ("SEQRA") and existing conditions report.

Mr. Janese further noted that the contract will include a \$353,200 contingency for a two-year term with the option to extend for up to two additional one-year terms.

The fourth item Mr. Janese presented involved authorization to enter into a contract amendment with WXY Architecture and Urban Design PC for consultant services related to the Penn Station Public Realm Task Force project.

Mr. Janese noted that the firm would continue to serve as the design consultant through April 1, 2024, and consists of a task force with representatives from the various City, State and local agencies to create a concept plan that will contain a list of priority public problem improvements in the area.

The fifth item is related to the authorization of an addendum to the Sub-Supplemental Long-Term Supply Agreement with the Power Authority of the State of New York for the Moynihan State Civic and Land Use Improvement Project.

## **DRAFT - SUBJECT TO REVIEW AND REVISION**

Mr. Janese noted that the agreement is for the delivery of electrical power from Consolidated Edison Corporation of New York, Inc. via the New York Power Authority (“NYPA”) tariff so that NYPA only charges ESD for costs incurred by NYPA to provide power to ESD for the Moynihan Train Hall.

Mr. Janese further noted that the addendum will allow ESD to participate in the pricing arrangement that NYPA has with the City to reduce costs and that ESD is not the funding source, but rather an imprest account maintained by the James A. Farley Condominium has been set up for that purpose.

The sixth item Mr. Janese presented involved a contract amendment with Tilson Technologies Management related to ConnectALL Office for an additional \$45,000 and to add one additional item to the scope of work.

Mr. Janese noted that the amendment will permit the vendor to reinspect ESD-funded infrastructure projects where grantees were required to complete identified remediations and reimburse ESD for the cost of those re-inspections as specified in their grant agreements.

The seventh item Mr. Janese presented involved the authorization and ratification of a fee agreement with Calvert Impact Lead Services, LLC to provide administrative services for the New York Forward Loan Fund II Program in an amount not to exceed \$850,000.

## **DRAFT - SUBJECT TO REVIEW AND REVISION**

Mr. Janese noted that the services include development of a robust reporting infrastructure, program launch coordination, the execution of an effective marketing campaign, oversight of the closing and disbursement process for the warehouse loan and ensuring adherence to legal compliance standards.

The eighth item Mr. Janese presented involved entering into a contract in an amount not to exceed \$321,300 with ADP, Inc. for payroll, human resources, time and attendance and recruitment solution services for the Corporation.

Mr. Janese noted that the term of the contract is three-years with an option to renew for up to two additional one-year terms and includes a ten percent contingency.

The ninth item Mr. Janese presented involved entering into a contract with Danzinger & Markoff LLP, in the amount of \$35,145 inclusive of a 10 percent contingency for actuarial valuation services.

Mr. Janese noted that these services are required by Government Accounting Standards Board Statement No. 75 ("GASB 75") and because ESD provides continued medical insurance coverage for employees who retire under certain conditions, the Corporation is required to follow the accounting and disclosure requirements under GASB 75.

The tenth item Mr. Janese presented involved entering into a three-year contract in the

**DRAFT - SUBJECT TO REVIEW AND REVISION**

amount of \$418,766.91 with ConvergeOne for the purchase of networking equipment required at ESD's new NYC office, located at 655 Third Avenue, New York, NY. ConvergeOne will also provide Juniper Maintenance support by monitoring, troubleshooting and optimizing the network to keep it functioning during the term on the contract.

The final item Mr. Janese presented involved entering into a contract with Dell Marketing in the amount of \$291,149.74 to be used for the purchase of computer equipment and hardware for ESD's new NYC office located at 655 Third Avenue, New York, NY.

Following the summary presentation of the eleven items, the Chair called for any questions or comments from the Directors on any of these items. Hearing none and noting that no comments were received from the public in relation to any of the items, upon motion duly made and seconded, the following Resolutions were unanimously adopted:

Statewide – New York State Electric Generation Facility Cessation Mitigation Program - Authorization to Make Statutory Payments and to Take Related Actions

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BE IT RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation (the "Materials"), relating to the Electric Generation Facility Cessation Mitigation Program ("the Program") payments identified below, the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to make the payments as set forth below from the Electric Generation Facility Cessation Mitigation Program, for the purposes and substantially on the terms and conditions set forth in the Materials and the Program guidelines, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, subject to the availability of funds:

**DRAFT - SUBJECT TO REVIEW AND REVISION**

<b>Project #</b>	<b>Applicant</b>	<b>Facility</b>	<b>Closure Date</b>	<b>Revenue Loss</b>	<b>County</b>	<b>Proposed Payment Amount</b>
135,099	Westchester County	Indian Point Energy Center	April 30, 2021	58%	Westchester	\$1,745,435.01

and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making of payments, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the payments as she or he may deem necessary or appropriate in the administration of the payments; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as she or he may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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NEW YORK STATE URBAN DEVELOPMENT CORPORATION d/b/a EMPIRE STATE DEVELOPMENT – Pre-Qualified Temporary Legal Staffing - Approval of Additional Funds for Pre-Qualified Temporary Legal Staffing

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BE IT RESOLVED, that upon the basis of the materials presented to this meeting (the "Materials"), a copy of which is hereby ordered filed with the records of the Corporation, the Corporation is authorized to spend up to \$1,000,000 additional funds, for a total of up to \$2,750,000 funds to hire temporary attorneys, paralegal and/or administrative staff from firms on the aforementioned pre-qualified list to assist with the backlog of certification appeals filed by minority and women-owned enterprises.

\* \* \*

Procurement of Environmental Consulting Services - Creedmoor Community Master Plan - Authorization to Enter into a Contract for Environmental Consulting Services and to Take Related Actions

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**DRAFT - SUBJECT TO REVIEW AND REVISION**

RESOLVED, that based upon the materials presented at this meeting and ordered filed with the records of the Corporation (the "Materials"), the Corporation hereby finds VHB Engineering, Surveying, Landscape Architecture and Geology, P.C. to be responsible; and be it further

RESOLVED, that the Corporation is hereby authorized to enter into a contract with VHB Engineering, Surveying, Landscape Architecture and Geology, P.C. in an amount not to exceed \$2,200,000 (\$1,846,800 fee + reimbursables and \$353,200 contingency) for the purposes and services, and substantially on the terms and conditions, as set forth in the Materials; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation and her designee(s) be, and each of them hereby is, authorized and directed, in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all such actions as may be necessary or appropriate to effectuate the foregoing.

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NEW YORK STATE URBAN DEVELOPMENT CORPORATION D/B/A EMPIRE STATE DEVELOPMENT – Procurement of Consultant Services – Penn Station Area Public Realm Task Force - Authorization to Enter into a Contract Amendment with WXY Architecture + Urban Design P.C. for Design Services; and Authorization to Take Related Actions

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RESOLVED, that in accordance with the materials presented to this meeting, a copy of which is hereby ordered to be filed with the records of the Corporation (the "Materials"), the Corporation hereby finds WXY Architecture + Urban Design P.C. (the "Firm") to be responsible; and be it further

RESOLVED, that the Corporation is hereby authorized to amend the current Contract with the Firm for the purposes and services, and substantially on the terms and conditions set forth in the Materials presented to this meeting, with such changes and the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate; and be it further

RESOLVED, that the President and Chief Executive Officer or her designee(s), be, and each of them hereby is, authorized and directed in the name and on behalf of the Corporation, to execute and deliver any and all documents and to take all actions as may be necessary or appropriate to effectuate the foregoing.

\* \* \*

NEW YORK STATE URBAN DEVELOPMENT CORPORATION D/B/A EMPIRE STATE DEVELOPMENT – New York (New York County) – Moynihan Station Civic and Land Use Improvement Project – Authorization of Addendum to Supplemental Long Term Supply

**DRAFT - SUBJECT TO REVIEW AND REVISION**

Agreement with Power Authority of the State of New York; and Authorization to Take Related Actions

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BE IT RESOLVED, that based on the materials presented at this meeting (the "Materials"), a copy of which is hereby ordered filed with the records of the Corporation, the Corporation hereby finds Power Authority of the State of New York ("NYPA") to be responsible; and be it further

RESOLVED, that the Corporation is hereby authorized to enter into the Addendum to Supplemental Long Term Supply Agreement, substantially on the terms and conditions as set forth in the Materials; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation, or her designee(s) be, and each of them hereby is, authorized to take such action and execute such documents as may be necessary or appropriate to carry out the foregoing Resolutions. Any actions previously taken by the Corporation consistent with this authorization are hereby ratified and affirmed.

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NEW YORK STATE URBAN DEVELOPMENT CORPORATION d/b/a EMPIRE STATE DEVELOPMENT - ConnectALL Office – Procurement of Services - Authorization to Amend a Contract with Tilson Technology Management, Inc.; and Authorization to Take Related Actions

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RESOLVED, that on the basis of the materials (the "Materials") presented to this meeting, a copy of which is hereby ordered filed with the records of the New York State Urban Development Corporation, d/b/a Empire State Development (the "Corporation") the Corporation hereby finds Tilson Technology Management, Inc., Inc. to be responsible; and be it further

RESOLVED, that the Corporation is hereby authorized to amend its contract with Tilson Technology Management, Inc. to increase the contract value by FORTY-FIVE THOUSAND dollars (\$45,000) for a total amount not to exceed THREE HUNDRED THIRTEEN THOUSAND NINE HUNDRED FIFTY-NINE dollars (\$313,959), and substantially on the amended scope of work, terms and conditions set forth in the Materials; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents, and to take such action as may be necessary or appropriate to carry out the foregoing resolution.

**DRAFT - SUBJECT TO REVIEW AND REVISION**

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NEW YORK STATE URBAN DEVELOPMENT CORPORATION d/b/a EMPIRE STATE DEVELOPMENT Procurement of Administration Services for the New York Forward Loan Fund 2 Program - Authorization and Ratification of Fee Agreement with Calvert Impact Lead Servicer, LLC to Provide Administration Services and to Take Related Actions

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BE IT RESOLVED, that upon the basis of the materials presented to this meeting (the "Materials"), a copy of which is hereby ordered filed with the records of the Corporation, the Corporation hereby finds Calvert Impact Lead Servicer, LLC to be responsible; and be it further

RESOLVED, that the Board does hereby authorize and ratify the Fee Agreement with Calvert Impact Lead Servicer, LLC in an amount not to exceed EIGHT HUNDRED AND FIFTY THOUSAND DOLLARS (\$850,000.00) for the purposes and services, and substantially on the terms and conditions, set forth in the Materials; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to take such action and execute such documents as may be necessary or appropriate to carry out the foregoing resolution.

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NEW YORK STATE URBAN DEVELOPMENT CORPORATION d/b/a EMPIRE STATE DEVELOPMENT – Procurement of Payroll, Human Resources, Time and Attendance and Recruitment Solutions - Authorization to Enter into a Contract to Provide Payroll, Human Resources, Time and Attendance and Recruitment Solutions and to Take Related Actions

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BE IT RESOLVED, that upon the basis of the materials presented to this meeting (the "Materials"), a copy of which is hereby ordered filed with the records of the Corporation, the Corporation hereby finds ADP to be responsible; and be it further

RESOLVED, that the Corporation is hereby authorized to enter into a contract with ADP in an amount not to exceed \$321,300 for the purposes and services, and substantially on the terms and conditions, set forth in the Materials; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to take such action and execute such documents as may be necessary or appropriate to carry out the foregoing resolution.

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**DRAFT - SUBJECT TO REVIEW AND REVISION**

NEW YORK STATE URBAN DEVELOPMENT CORPORATION d/b/a EMPIRE STATE DEVELOPMENT – Procurement of Actuarial Valuation Services - Authorization to Enter into a Contract for Actuarial Valuation Services and to Take Related Actions

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BE IT RESOLVED, that upon the basis of the materials presented to this meeting (the “Materials”), a copy of which is hereby ordered filed with the records of the Corporation, the Corporation hereby finds Danziger and Markhoff LLP (“Danziger”) to be responsible; and be it further

RESOLVED, that the Corporation is hereby authorized to enter into a contract with Danziger in an amount not to exceed \$35,145 for the purposes and services, and substantially on the terms and conditions, set forth in the Materials; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to take such action and execute such documents as may be necessary or appropriate to carry out the foregoing resolution.

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NEW YORK STATE URBAN DEVELOPMENT d/b/a EMPIRE STATE DEVELOPMENT – IT Procurement - ConvergeOne - Authorization to Enter into a Contract for Networking Equipment and Juniper Support and Maintenance Services For 655 Third Avenue, New York, NY; and Authorization to Take Related Actions

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BE IT RESOLVED, that upon the basis of the materials presented to this meeting (the “Materials”), a copy of which is hereby ordered filed with the records of the Corporation, the Corporation hereby finds ConvergeOne to be responsible; and be it further

RESOLVED, that the Corporation is hereby authorized to enter into a contract in an amount not-to-exceed FOUR HUNDRED EIGHTEEN THOUSAND SEVEN HUNDRED SIXTY-SIX AND NINETY-ONE CENTS (\$418,766.91) with ConvergeOne for the purposes and services, and substantially on the terms and conditions, set forth in the Materials; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee be, and each of them hereby is, authorized to take such action and execute such documents as may be necessary or appropriate to carry out the foregoing resolution.

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NEW YORK STATE URBAN DEVELOPMENT CORPORATION d/b/a EMPIRE STATE DEVELOPMENT – Procurement of IT Equipment - Authorization to Enter into a Contract

**DRAFT - SUBJECT TO REVIEW AND REVISION**

for the Purchase of Computers & Hardware For 655 Third Avenue, New York, NY; and  
Authorization to Take Related Actions

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BE IT RESOLVED, that upon the basis of the materials presented to this meeting (the "Materials"), a copy of which is hereby ordered filed with the records of the Corporation, the Corporation hereby finds Dell Marketing to be responsible; and be it further,

RESOLVED, that the Corporation is hereby authorized the contract with Dell Marketing for a total contract amount not to exceed TWO HUNDRED NINETY-ONE THOUSAND AND ONE HUNDRED FORTY-NINE WITH SEVENTY-FOUR CENTS (\$291,149.74) for the purposes and services, and substantially on the terms and conditions, set forth in the Materials; and be it further.

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to take such action and execute such documents as may be necessary or appropriate to carry out the foregoing resolution.

\* \* \*

Following the presentation and noting there was no further business, the meeting was adjourned at 11:22 a.m.

Respectfully submitted,

Debbie Royce  
Corporate Secretary

**DRAFT - SUBJECT TO REVIEW AND REVISION**

**NEW YORK STATE URBAN DEVELOPMENT CORPORATION**

d/b/a Empire State Development

Meeting of the Directors

633 Third Avenue - 37<sup>th</sup> Floor Conference Room

New York, New York 10017

January 18, 2024

**MINUTES**

**In Attendance**

**Directors:**

Kevin S. Law, Chair  
Hope Knight  
Benson V. Martin – Designee - Superintendent - NYS Department  
of Financial Services  
Hilda Escher Rosario  
Michael Rozen  
Robert Simpson  
John Wang

**Present for ESD:**

Patricia Bayley, VP and Director - Entertainment and New Media  
Development  
Simone Bethune, Senior Project Manager and Coordinator of Projects -  
Loans and Grants  
Carlyne Turner-Beverly, Senior Counsel  
Matthew Bray, Treasurer  
John Breitbart, Senior Vice President - Connect ALL  
Silvia Codony, Assistant Vice President - NY Ventures  
Yvonne Cooper, Paralegal  
Carl Harrison, Vice President - Application Development and CISO  
Felisa Hochheiser, Director of Compliance  
Jonevan Hornsby, President - Empire State New Market Corporation  
Doug Janese, Senior Counsel  
Kathleen Mize, Deputy Chief Financial Officer and Controller  
Ryoko Nozawa, Senior Director, NY Ventures - SSBCI  
Raymond Orlando, Chief Financial Officer  
Amber Rangel, Vice President and Director - Workforce Development  
Noah Rayman, Chief of Staff  
Debbie Royce, Corporate Secretary  
Omar Sanders, Regional Director - Southern Tier Region  
Arden Sokolow, Executive Vice President - Real Estate Development and  
Planning  
Lisa Sutton, Senior Director - Administration Planning and Projects  
Paul Tronolone, Vice President – Planning & Policy, WNY  
Kevin Younis, Chief Operating Officer  
Goldie Weixel, Deputy General Counsel

**DRAFT - SUBJECT TO REVIEW AND REVISION**

The meeting of the Directors of the New York State Urban Development Corporation (“UDC”) d/b/a Empire State Development (“ESD” or the “Corporation”) was called to order at approximately 9:37 a.m. by Chair Law.

Chair Law noted that the meeting was being webcast and reminded everyone on the telephone to please mute their phones until they were speaking.

Chair Law then noted that the public was given an opportunity to comment on the Agenda items by submitting their written comments by noon yesterday and that no comments were received. He also noted members of the public were not in attendance.

Chair Law advised that the Directors were given the written materials in advance of today's meeting and were free to ask questions at any time during the presentations.

Chair Law then asked the Directors whether anyone had any conflicts of interest to note on any of the Agenda items. Director Simpson advised that he would recuse himself from the discussion and vote on Item VI. C. the New York Venture investment item relating to Ecolecto, Inc.

The Chair then called on Hope Knight to provide the President's Report on the State's most recent activities.

## **DRAFT - SUBJECT TO REVIEW AND REVISION**

After President Knight's report, Chair Law called on Josh Breitbart, Senior Vice President - Connect ALL to present the next item on the Agenda related to program guidelines for the Directors' consideration.

Mr. Breitbart explained that the Directors were being asked to approve the guidelines for the ConnectALL Deployment Program established by the Governor and authorized by the Legislature to achieve three main goals: (1) to end the digital divide; (2) support a more robust and competitive internet marketplace; and (3) ensure universal access to high speed, reliable and affordable broadband.

Mr. Breitbart noted that the Directors previously approved guidelines for three of the five programs, with one of them being in two parts, for a total of four of the five guidelines approved.

Mr. Breitbart further noted that the first ConnectALL Program approved in September is the Digital Equity Program, which supports New Yorkers' use of the internet to participate in society, democracy and economy. He stated the second program, also approved in September, is the Municipal Infrastructure and Assistance Program and the Regional and Local Assistance Program, which invested in public infrastructure and local government to plan and engage in broadband deployment. He further stated the third program, approved in April, is the Affordable Housing Connectivity Program, which is a partnership with New York Homes and Community Renewal to retrofit affordable and public housing with new broadband



**DRAFT - SUBJECT TO REVIEW AND REVISION**

infrastructure.

Mr. Breitbart advised that the ConnectALL Deployment Program is the fourth program being presented and will provide grants to internet service providers to serve the unserved or underserved locations, including homes, businesses and community institutions that support the use of broadband such as libraries and public computer centers across New York State.

Mr. Breitbart noted that the program was originally announced by the Governor as the Rural Broadband Grant Program and authorized by the Legislature under the New York State Wired Act. He stated the primary source of funding for this program is an allocation of \$664.6 million from the Bipartisan Infrastructure Law.

Following the full presentation, Chair Law asked how many service providers are in New York State and if someone from outside the State could apply for a grant.

Mr. Breitbart stated that there are approximately three dozen internet service providers currently participating and ESD is looking to bring in new service providers to the State.

The Chair then asked Mr. Breitbart when did he expect to bring the fifth program to the Board for approval and Mr. Breitbart replied that program would be submitted for approval later this year.

**DRAFT - SUBJECT TO REVIEW AND REVISION**

Chair Law then called for any further question or comments from the Directors. Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolution was unanimously adopted:

NEW YORK STATE URBAN DEVELOPMENT CORPORATION d/b/a EMPIRE STATE DEVELOPMENT – ConnectALL Office – ConnectALL Deployment Program Guidelines – Adoption of the ConnectALL Deployment Program Guidelines; and Authorization to Take Related Actions

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BE IT RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation (the “Materials”), relating to the ConnectALL Deployment Program Guidelines (the “Guidelines”), the Corporation hereby determines pursuant to Section 10(g) of the UDC Act that there are no families or individuals to be displaced by the project at issue; and be it further

RESOLVED, that the Guidelines are hereby approved and adopted; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to take such action and execute such agreements and instruments as he or she may consider necessary or desirable or appropriate in connection with the implementation of the Guidelines, and to take related actions; and be it further

RESOLVED, that the provision by the Corporation of financial assistance is expressly contingent upon: 1) the approval of the Public Authorities Control Board, if applicable; 2) receipt of all other necessary approvals; and 3) the availability of funds and the approval of the State Division of the Budget, if applicable; and be it further

RESOLVED, that the President and Chief Executive Officer or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as she or he may in her or his sole discretion consider to be necessary or proper to effectuate the foregoing resolutions, including without limitation, to make findings and hold public hearings that may be necessary pursuant to applicable law, and to act on behalf of the Corporation to affirm, modify or withdraw any contemplated funding or assistance as a result of testimony given at any such hearing, if necessary.

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Chair Law then called on Omar Sanders, Regional Director of ESD’s Southern Tier Region,

**DRAFT - SUBJECT TO REVIEW AND REVISION**

to provide the Spotlight Presentation on the Southern Tier Region.

Following the presentation, Chair Law called on Paul Tronolone, VP – Policy and Planning – WNY, to present the next item on the Agenda for the Directors' consideration.

Mr. Tronolone explained that the Directors were being asked to approve a Regional Economic and Community Assistance Program grant in the amount of \$24 million to the Michigan Street African American Heritage Corridor to be used for a series of subprojects over the next five years to start to implement the recommendations in the strategic plan.

Mr. Tronolone noted that the improvements consist of additional enhancements at the anchor institutions, a full fit-out of a visitor hub facility, a new outdoor event space, a fund for public art and interpretive features and a strategic property acquisition plan.

Following the full presentation, the Chair called for any questions or comments from the Directors. Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolutions were unanimously adopted:

Buffalo (Western New York Region – Erie County) – Michigan Street African American Heritage Corridor Development Capital – Regional Economic and Community Assistance Program (Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Adopt the Proposed General Project Plan for the Purpose of Making a Grant; Authorization to Make a Grant and to Take Related Actions

**DRAFT - SUBJECT TO REVIEW AND REVISION**

RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Michigan Street African American Heritage Corridor Development Capital - Regional Economic and Community Assistance Program (Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the Corporation does hereby adopt, subject to the requirements of Section 16(2) of the Act, the proposed General Project Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President and Chief Executive Officer of the Corporation or her designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to make to Michigan Street African American Heritage Corridor Commission, Inc. a grant for a total amount not to exceed Twenty-Four Million Dollars (\$24,000,000) from the Regional Economic and Community Assistance Program, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as he or she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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**DRAFT - SUBJECT TO REVIEW AND REVISION**

Buffalo (Western New York Region – Erie County) – Michigan Street African American Heritage Corridor Development Capital – Regional Economic and Community Assistance Program (Capital Grant) – Determination of No Significant Effect on the Environment

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RESOLVED, that based on the material submitted to the Directors with respect to the Michigan Street African American Heritage Corridor Development Capital – Regional Economic and Community Assistance Program (Capital Grant), the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

\* \* \*

Chair Law then called on Patricia Bayley, VP and Director of Entertainment and New Media Development, to present the next item on the Agenda for the Directors' consideration.

Ms. Bayley explained that the Directors were being asked to approve a New York Entertainment Workforce Diversity Grant in the amount of \$499,776 to WCNY Entertainment Academy to be used to fund a portion of the cost of job training for underserved and underemployed adults for careers in the film and television industry.

Ms. Bayley noted that the total budget for this project is \$831,376 to recruit and train 48 trainees and ESD's participation represents 60 percent of the project total.

Following the presentation, Chair Law asked for the total amount of the fund for this program and if ESD disperses the fund.

Ms. Bayley responded that the total fund amount changes, and this allocation is from the Film and Tax Credit which is 0.5 percent of the tax credits issued to tax credit recipients

**DRAFT - SUBJECT TO REVIEW AND REVISION**

such as studios or productions. She stated the balance is currently \$3.5 million which is less than what has been committed, which is close to \$1 million.

Chair Law then called for any further questions or comments from the Directors.

Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolution was unanimously adopted:

Syracuse (Central New York Region – Onondaga County) – WCNV Entertainment Academy Working Capital – Empire State Entertainment Diversity Job Training Development Fund Grant – (Working Capital) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Organization, relating to the WCNV Entertainment Academy Working Capital -- Empire State Entertainment Diversity Job Training Development Fund Grant – Working Capital Project (the "Project"), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as she may in her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Chair Law again called on Ms. Bethune to present the "At the Direction Of" item on the

## **DRAFT - SUBJECT TO REVIEW AND REVISION**

Agenda for the Directors' consideration.

Ms. Bethune explained that that At the Direction Of grants refer to those commitments listed in the New York State budget that enhance the State's communities through cultural, educational, research and development and civic organizations.

Ms. Bethune noted that these projects originate from the Governor or the New York State Assembly or Senate and ESD is named to administer the funding, but ESD does not select the recipients of the funding.

Ms. Bethune explained that the Directors were being asked to approve a Fiscal Year 2023-2024 Local Assistance Grant in the amount of \$750,000 to the United Way of Greater Rochester and the Finger Lakes ("United Way") made at the direction of Assembly Member Harry Bronson of the 138<sup>th</sup> District.

Ms. Bethune further explained that United Way serves as the fiscal agent for the Rochester-Monroe Anti-Poverty Initiative, which was formed in 2015 to identify and address the root causes of poverty in Rochester. She explained the initiative works to break the cycle of poverty through grant making opportunities, programs and initiatives within several counties.

Ms. Bethune noted that the funds will be used to support a three-pronged system to build collaborative capacity within the Rochester-Monroe area to address poverty.

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Following the full presentation, the Chair called for any questions or comments from the Directors. Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolution was unanimously adopted:

**Local Assistance – (Working Capital Grant) - Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Make a Grant and to Take Related Actions**

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RESOLVED, that on the basis of these materials, a copy of which is hereby ordered filed with the records of the Corporation, relating to the Local Assistance Program Project identified below (the "Project"), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area(s); and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to a make a grant to the party and for the amount listed below from the Local Assistance program, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable; (2) receipt of all other necessary approvals; and (3) receipt of funds

Local Assistance – Assembly – Project Summary Table

	<b>Project Name</b>	<b>Project #</b>	<b>Grantee</b>	<b>Assistance Up To</b>
	<b>Local Assistance (Assembly)</b>			



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A.	Rochester-Monroe-Anti-Poverty Initiative Working Capital	137,347	United Way of Greater Rochester and the Finger Lakes	\$750,000
	<b>TOTAL Local Assistance PROJECTS – 1</b>		<b>TOTAL</b>	<b>\$750,000</b>

and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as she may in her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Chair Law then called on Amber Rangel, Vice President and Director of Workforce Development, to present the next item on the Agenda for the Directors' consideration.

Ms. Rangel explained that the Directors were being asked to approve the release of funding for the Office of Strategic Workforce Development Pay-for-Performance Operating Grant to Rochester, Inc. in the amount of \$862,000.

Ms. Rangel further explained that Rochester Works applied for the Pay-for-Performance Operating grant through Round 2 of the Office's grant funding and will be used to recruit, train and place participants in jobs in the advanced manufacturing industry.

Ms. Rangel noted that Rochester Works is in a partnership with the Young Adult Manufacturing Training Employment Program ("YAMTEP") and will provide training and equipment operations, safety and necessary professional skills to participants from historically

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marginalized communities, while also providing them with wraparound services, including transportation and stipends.

Following the full presentation, Chair Law called for any questions or comments from the Directors. Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolution was unanimously adopted:

Rochester (Finger Lakes Region – Monroe County) – ROC SEEDS Working Capital – Office of Strategic Workforce Development 2022-2023 Pay for Performance (Working Capital Grant) – Findings and Determinations Pursuant to Section 10(g) of the Act; Authorization to Make a Grant and to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation, relating to the ROC SEEDS Working Capital -- Office of Strategic Workforce Development 2022-2023 Pay for Performance (Working Capital Grant) Project (the "Project"), the Corporation hereby determines pursuant to Section 10(g) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act"), that there are no families or individuals to be displaced from the project area; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to make to RochesterWorks, Inc. a grant for a total amount not to exceed Eight Hundred Sixty Two Thousand Dollars (\$862,000) from the Office of Strategic Workforce Development 2022-2023 Pay for Performance Fund, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, subject to the availability of funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making of the grant, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the grant as she may deem necessary or appropriate in the administration of the grant; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon: (1) the

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approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as she may in her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

\* \* \*

The Chair then called on Jonevan Hornsby, President of Empire State New Market Corporation, to present the next item on the Agenda for the Directors' consideration.

Mr. Hornsby explained that on December 18, 2023, the Empire State New Market Corporation Directors approved an allocation of up to \$15 million to make a qualified low-income community investment to finance the equipment purchases and related costs for Cimolai-HY, a new manufacturing facility in Old New York.

Mr. Hornsby further explained that Cimolai-HY is a new company that will produce fabricated steel for large infrastructure projects such as bridges, industrial facilities, sports stadiums, commercial buildings and green energy projects.

Mr. Hornsby noted that, in 2022, Cimolai-HY acquired the former Dresser-Rand Siemens Energy Industrial facility in Olean to rehabilitate and expand into a state-of-the-art manufacturing plant. He stated the facility, consisting of 13 buildings totaling 945,000 square feet, will be equipped for structural and steel fabrication.

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Mr. Hornsby further noted that the total project cost is approximately \$54.6 million and ESNMC's investment will finance the purchase of equipment and pay for working capital inventory and other non-real estate uses.

Following the full presentation, Chair Law asked if these Federal tax credits were sub-allocated by ESD and whether ESD was providing any additional assistance. Mr. Hornsby responded that ESD does sub-allocate these Federal tax credits and that ESD is expected to provide Excelsior Tax Credits as well.

The Chair then called for any further questions or comments from the Directors. Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolution was unanimously adopted:

NEW YORK STATE URBAN DEVELOPMENT CORPORATION D/B/A EMPIRE STATE DEVELOPMENT – Olean (Western New York Region – Cattaraugus County) – Cimolai-HY – New Markets Tax Credit Sub-Allocation – Findings and Determinations Pursuant to Sections 16(2), 16-o, 12, and 10(g) of the New York State Urban Development Corporation Act, as Amended (the "Act"); Authorization to Prioritize and Approve the Project, Adopt and Ratify Empire State New Market Corporation ("ESNMC") Board Findings and General Project Plan; and Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, copies of which are hereby ordered filed with the records of the New York State Urban Development Corporation d/b/a Empire State Development (the "Corporation"), relating to the Project, the Corporation hereby selects and approves the Project, in accordance with the requirements of Section 12 and 10(g) of the Act, based on the proposed ESNMC General Project Plan (the "GPP") for the Project submitted to this meeting, together with such changes therein as the ESNMC President or his designee(s) may deem appropriate, a copy of which GPP, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that, in accordance with Section 16(2) of the Act, upon written finding of the

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President and Chief Executive Officer of the Corporation or her designee(s) that no substantive negative testimony or comment has been received at the public hearing held on the GPP, such GPP shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to approve the Project, including the sub-allocation of up to \$15,000,000 of NMTCs, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate; and be it further

RESOLVED, that pursuant to Section 10(g) of the Act, that there are no families or individuals to be displaced from the Project area; and be it further

RESOLVED, that pursuant to Section 16-o(7) of the Act, the Allocation and other financial assistance provided to the Project will be used for one or more of the specified purposes, namely the development of commercial facilities that promote revitalization, community stability, and the creation or retention of jobs; and be it further

RESOLVED, that the President and Chief Executive Officer or her designee(s) be and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions; and be it further

RESOLVED, that any actions previously taken by the Corporation in furtherance of the actions authorized herein are hereby ratified and approved.

\* \* \*

Chair Law then called on Silvia Codony, Assistant Vice President of New York Ventures, to present the next three items on the Agenda for the Directors' consideration.

The first item Ms. Codony presented involved an investment in the amount of \$650,000 in Cayuga Biotech, Inc., a New York based company that is developing treatments for hemorrhage and bleeding disorders without increasing the risk of blood clots by providing treatments that will prevent deaths and provide alternative treatments to today's standards, which are transfusions and/or surgery.

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Ms. Codony noted that this investment will be used for working capital and for the company's first clinical trial on humans.

Following the full presentation, Chair Law asked if this was ESD's first investment in the Company and Ms. Codony responded that was correct. The Chair called for any further questions or comments from the Directors. Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolution was unanimously adopted:

NEW YORK STATE URBAN DEVELOPMENT CORPORATION d/b/a EMPIRE STATE DEVELOPMENT - New York State Innovation Venture Capital Fund - Authorization of an Investment of NYSIVCF Funds in Cayuga Biotech, Inc.; and Authorization to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation (the "Materials"), relating to the New York State Innovation Venture Capital Fund, the Corporation is authorized to make an investment, in an amount not to exceed \$650,000 in Cayuga Biotech, Inc. (the "Company") and to enter into agreements and related documentation with the Company and the investment entities named in the Materials in order to effect such investment; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making of the investment, and each of them hereby is, authorized to take such actions, including modifying the terms of the investment and entering into additional agreements with the Company and others, as he or she may deem necessary or appropriate in the administration of the Corporation's investments in the Company; and be it further

RESOLVED, that the provision by the Corporation of financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable; (2) receipt of all other necessary approvals; and (3) the availability of funds and the approval of the State Division of the Budget, if applicable; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her

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sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

\* \* \*

The second item Ms. Codony presented involved an additional investment in the amount of \$300,000 in Fesarius Therapeutics, Inc., bringing the total ESD investment in this company to \$1,050,000.

Ms. Codony explained that Fesarius Therapeutics is a medical device company developing a new dermal template called Dermisphere to be used for full skin thickness reconstruction. She stated full thickness skin loss can occur due to burns, trauma, cancer lesions, infections or other causes.

Ms. Codony noted that Dermisphere was invented at Weill Cornell at the laboratory of the co-founder Dr. Jason Spector and the proceeds from this financing will be used to submit Dermisphere for FDA approval and to start its commercialization.

Following the full presentation, Chair Law called for any questions or comments from the Directors. Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolution was unanimously adopted:

NEW YORK STATE URBAN DEVELOPMENT CORPORATION d/b/a EMPIRE STATE DEVELOPMENT - New York State Innovation Venture Capital Fund - Authorization of an Investment of NYSIVCF Funds in Fesarius Therapeutics, Inc.; and Authorization to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation (the "Materials"), relating to the New York State Innovation Venture Capital Fund, the Corporation is authorized to make an investment, in an amount not to exceed \$300,000 in Fesarius Therapeutics, Inc. (the "Company") and to enter into agreements and related documentation with the Company and the investment entities named in the Materials in order to effect such investment; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making of the investment, and each of them hereby is, authorized to take such actions, including modifying the terms of the investment and entering into additional agreements with the Company and others, as he or she may deem necessary or appropriate in the administration of the Corporation's investments in the Company; and be it further

RESOLVED, that the provision by the Corporation of financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable; (2) receipt of all other necessary approvals; and (3) the availability of funds and the approval of the State Division of the Budget, if applicable; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

\* \* \*

The third item Ms. Codony presented involved a second investment in the amount of \$500,000 in a \$10 million Series A Round to Ecoelectro, Inc., bringing the total ESD investment in this company to \$1 million to be used to develop polymers in the use of green hydrogen, a new energy source.

Ms. Codony noted that Ecoelectro was founded by two Cornell graduates and the technology is from Weill Cornell. She stated the proceeds will be used for the generation of the new electrolyzers and to complete the pilot manufacturing and building a sales and marketing team.



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Following the full presentation, Chair Law asked if the Company received any grants from New York State Energy, Research and Development Authority (“NYSERDA”) and Ms. Codony responded that it did receive \$1.2M in NYSEERDA funding.

The Chair then called for any further questions or comments from the Directors. Hearing none and noting that no comments were received from the public regarding this item, and reiterating that Director Simpson was recused from this item and had stepped out of the room, upon motion duly made and seconded, the following Resolution was unanimously adopted:

NEW YORK STATE URBAN DEVELOPMENT CORPORATION d/b/a EMPIRE STATE DEVELOPMENT - New York State Innovation Venture Capital Fund - Authorization of an Investment of NYSIVCF Funds in Ecoelectro, Inc.; and Authorization to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation (the “Materials”), relating to the New York State Innovation Venture Capital Fund, the Corporation is authorized to make an investment, in an amount not to exceed \$500,000 in Ecoelectro, Inc. (the “Company”) and to enter into agreements and related documentation with the Company and the investment entities named in the Materials in order to effect such investment; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making of the investment, and each of them hereby is, authorized to take such actions, including modifying the terms of the investment and entering into additional agreements with the Company and others, as he or she may deem necessary or appropriate in the administration of the Corporation’s investments in the Company; and be it further

RESOLVED, that the provision by the Corporation of financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable; (2) receipt of all other necessary approvals; and (3) the availability of funds and the approval of the State Division of the Budget, if applicable; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s)

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be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Chair Law then called on Ryoko Nozawa, Senior Director, NY Ventures – SSBCI, to present the next item on the Agenda for the Directors’ consideration.

Ms. Nozawa explained that the Directors were being asked to approve an investment commitment from the State Small Business Credit Initiative (“SSBCI”) Emerging and Regional Partner program fund in an amount of up to \$4 million in Human Ventures, Inc., a New York City based venture capital firm that invests in early-stage high-growth companies that address human needs such as health and wellness, and the future of workplace experience and connectivity.

Following the full presentation, Chair Law asked from how many different pots of money does the New York Ventures Program invest and Ms. Codony stated that there were three New York Venture programs: the New York State Innovation Venture Capital Fund, the Emerging and Regional Partner Program Fund Investment and the Community and Regional Partnership Program.

The Chair then called for any further questions or comments. Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolution was unanimously adopted:

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NEW YORK STATE URBAN DEVELOPMENT CORPORATION d/b/a EMPIRE STATE DEVELOPMENT - New York State Emerging and Regional Partner Program Fund Investment - Authorization of an Investment of the Emerging and Regional Partner Program Fund Investment in Human Ventures and Authorization to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation (the "Materials"), relating to the Emerging and Regional Partner Program Fund, the Corporation is authorized to make an investment, in an amount not to exceed \$4,000,000 in Human Ventures (the "Company"), and to enter into agreements and related documentation with the Company in order to effect such investment; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making of the investment, and each of them hereby is, authorized to take such actions, including modifying the terms of the investment and entering into additional agreements with the Company and others, as he or she may deem necessary or appropriate in the administration of the Corporation's investments in the Company; and be it further

RESOLVED, that the provision by the Corporation of financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable; (2) receipt of all other necessary approvals; and (3) the availability of funds and the approval of the State Division of the Budget, if applicable; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

\* \* \*

Chair Law then called on Carlyn Turner-Beverly, Senior Counsel, to present the next item on the Agenda for the Directors' consideration.

Ms. Turner-Beverly explained that the Directors were being asked to approve the designation and recognition of Cornell University ("Cornell") as a jurisdiction-sponsored non-profit entity, which is under the definitional standards set forth in the SSBCI capital program

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policy guidelines.

Ms. Turner-Beverly noted that at the April 2022 Board Meeting, the Directors approved an investment of up to \$5 million in accelerator and incubator programs managed by Cornell. She stated this investment will utilize Federal SSBCI funds dispersed through ESD's Community and Regional Partner Fund programs that provide managing funds to entities that make equity investments in companies receiving services from accelerators and/or incubators that provide structured programmatic support to New York State entrepreneurs with high growth potential.

Ms. Turner-Beverly noted that it was determined that in order to maximize the catalytic impact of Cornell's deployment of SSBCI funds and to promote maximum benefits for the New York State ecosystem, the partnership with Cornell would be positively furthered by ESD undertaking steps to officially designate Cornell as a justification sponsored non-profit entity partnering with New York State.

Ms. Turner-Beverly further noted that Cornell satisfied the legal definitional requirements because it is a legislatively created New York non-profit state and federally recognized charitable educational corporation and higher education institution.

Ms. Turner-Beverly explained that the functional effect of this designation as a jurisdiction-sponsored non-profit is that Cornell would be able to reap the benefits of certain special modified conflict of interest provisions in the SSBCI capital program policy guidelines

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that allow a jurisdiction-sponsored non-profit entity to use SSBCI funds for follow-on investment in companies, even if the entity has an existing ownership or voting interest resulting from a prior investment.

Ms. Turner-Beverly further explained that Cornell has, in certain instances, licensed technology or early-stage companies in exchange for the receipt of equity in those companies and Cornell would have the ability to consider making follow-on investments of SSBCI funds in such companies, subject to ESD review and approval.

Following the full presentation, Chair Law called for any questions or comments from the Directors. Hearing none and noting that no comments were received from the public regarding this item, upon motion duly made and seconded, the following Resolution was unanimously adopted:

NEW YORK STATE URBAN DEVELOPMENT CORPORATION d/b/a EMPIRE STATE DEVELOPMENT - Community and Regional Partnership Fund - Authorization to Designate Cornell University as a NYS Jurisdiction-Sponsored Non-Profit Entity in Accordance with U.S. Treasury SSBCI Capital Program Guidelines; and Authorization to Take Related Actions

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RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation (the "Materials"), relating to the Community and Regional Partnership Fund, the Corporation is authorized to designate Cornell University ("Cornell") as a NYS jurisdiction-sponsored non-profit entity in accordance with U.S. Treasury SSBCI Capital Program Guidelines, and to enter into agreements and related documentation with Cornell in order to effect such designation; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to take such actions, including entering into additional agreements with Cornell and others, as he or she may deem necessary or

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appropriate in connection with the recognition and implementation of Cornell's designation as an NYS jurisdiction-sponsored non-profit entity; and be it further

RESOLVED, that the provision by the Corporation of financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable; (2) receipt of all other necessary approvals; and (3) the receipt of adequate funding for such assistance from the State of New York and the United States Department of the Treasury; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as he or she may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Chair Law then called on Doug Janese, Senior Counsel, to provide the summary presentation of the four Administrative Action items on the Agenda for the Directors' consideration.

The first item Mr. Janese presented involved the authorization to make statutory payments pursuant to the Electric Generation Facility Cessation Mitigation Program in the amount of \$1,960,920.34 to the Barker Central School District to offset a reduction in property tax revenue to the school district due to the closure of the Somerset Electric Generating facility in March of 2020.

Mr. Janese noted that this payment will bring the total disbursement from the fund to approximately \$79 million of the \$140 million authorized for this program.

The second item Mr. Janese presented involved authorizing the approval of a Land Bank

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application from Monroe County. He explained a Land Bank is a not-for-profit Corporation created by local governments to assist with vacant, abandoned and tax-delinquent properties.

The third item Mr. Janese presented involved entering into a 10-year lease agreement with Michigan Street Development, LLC for ESD's office space in Buffalo, New York, and includes extending the current agreement with the New York State Office of General Services to house the Governor's Western New York office in a portion of the leased premises. He also explained it includes entering into an agreement with the Erie County Industrial Development Agency to share space in the building with ESD.

The final item Mr. Janese presented, involved entering into a contract in the amount of \$1,162,500 with the New York State Industries for the Disabled, Inc. (NYSID") for document scanning and indexing services.

Mr. Janese noted that as ESD plans for the move to its new New York City location, it has become apparent that the Corporation will lack sufficient storage to maintain its paper documents in physical form. He explained to resolve this issue, ESD will convert most of its archived paper documents to digital form making these records more accessible and secure while maintaining adequate space in the new office.

Mr. Janese further noted that NYSID is a state-approved facilitating agent for preferred source vendors and will partner with CASO Document Management to undertake the scanning

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and indexing of the document over a three-year term.

Following the summary presentation of the four items, the Chair asked if, in relation to Item VII. D., if ESD's costs of off-site storage will be reduced since documents will be stored in a Cloud and it was noted that this would relate to documents currently housed in-house in ESD's storage area. He asked if there were retention length requirements, and it was confirmed that ESD has a document retention schedule that would be utilized in this process.

Chair Law then called for any further questions or comments from the Directors on any of these items. Hearing none and noting that no comments were received from the public in relation to any of the items, upon motion duly made and seconded, the following Resolutions were unanimously adopted:

Statewide – New York State Electric Generation Facility Cessation Mitigation Program - Authorization to Make Statutory Payments and to Take Related Actions

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BE IT RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation (the "Materials"), relating to the Electric Generation Facility Cessation Mitigation Program ("the Program") payments identified below, the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to make the payments as set forth below from the Electric Generation Facility Cessation Mitigation Program, for the purposes and substantially on the terms and conditions set forth in the Materials and the Program guidelines, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate, subject to the availability of funds:

<b>Project #</b>	<b>Applicant</b>	<b>Facility</b>	<b>Closure Date</b>	<b>Revenue Loss</b>	<b>County</b>	<b>Proposed Payment Amount</b>
134,259	Barker Central School District	Somerset Electric Generating Facility	March 31, 2020	93%	Niagara	\$1,960,920.34



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and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, subsequent to the making of payments, and each of them hereby is, authorized to take such actions and make such modifications to the terms of the payments as she or he may deem necessary or appropriate in the administration of the payments; and be it further

RESOLVED, that the provision of ESD financial assistance is expressly contingent upon receipt of all other necessary approvals; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as she or he may in his or her sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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Land Bank Program – Approval of Land Bank Application and Authorization to Take All Related Actions

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RESOLVED, that on the basis of the materials (the “Materials”) presented at this meeting, a copy of which is hereby ordered filed with the records of the New York State Urban Development Corporation d/b/a Empire State Development (the “Corporation”), relating to the Land Bank Program (the “Program”), the Corporation hereby approves creation of a land bank by Monroe County for the purposes and substantially in the form set forth in the Materials, with such changes as the President and Chief Executive Officer of the Corporation or her designee(s) may deem appropriate; and be it further

RESOLVED, that President and Chief Executive Officer or her designee(s) be, and each of them hereby is, authorized in the name of and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as may be necessary or proper to effectuate the foregoing resolution.

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Buffalo (Erie County) – Lease of Office Space - Authorization to Enter into a Lease Agreement to Lease Office Space in Buffalo, New York and to Take Related Actions

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BE IT RESOLVED, that based on the materials presented at this meeting (the “Materials”), a copy of which is hereby ordered filed with the records of the Corporation, the Corporation hereby approves the essential terms of the lease for office space located at 95 Perry Street,

**DRAFT - SUBJECT TO REVIEW AND REVISION**

Buffalo, New York (the "Premises") and hereby determines Michigan Street, LLC to be responsible; and be it further

RESOLVED, the Corporation is hereby authorized to enter into a lease for office space with Michigan Street Development, LLC, at 95 Perry Street, Buffalo, New York, in accordance with the essential terms set forth in the Materials; and be it further

RESOLVED, the Corporation is hereby authorized to enter into agreements with the Erie County Industrial Development Agency and New York State Office of General Services for the use and sharing of space in accordance with the essential terms set forth in the Materials; and be it further

RESOLVED, the Corporation is hereby authorized to expend the sum of six hundred and fifty-seven thousand dollars (\$657,000) for the build-out of the Premises, in accordance with the essential terms set forth in the Materials; and be it further

RESOLVED, that the President and Chief Executive Officer, or other Officer of the Corporation, or his or her designee(s) be, and each of them hereby is, authorized to take such action and execute such documents as may be necessary or appropriate to carry out the foregoing Resolutions.

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NEW YORK STATE URBAN DEVELOPMENT d/b/a EMPIRE STATE DEVELOPMENT - Document Scanning Project for 633 Third Avenue Location - Authorization to Enter into an Agreement with the New York State Industries for the Disabled, Inc. for Document Scanning Services; and Authorization to Take Related Actions

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BE IT RESOLVED, that upon the basis of the materials presented to this meeting (the "Materials"), a copy of which is hereby ordered filed with the records of the Corporation, the Corporation hereby finds the New York State Industries for the Disabled, Inc. ("NYSID") to be responsible; and be it further

RESOLVED, that the Corporation is hereby authorized to enter into a contract in an amount not to exceed ONE MILLION, ONE HUNDRED SIXTY-TWO THOUSAND, FIVE HUNDRED DOLLARS(\$1,162,500) with NYSID for the purposes and services, and substantially on the terms and conditions, set forth in the Materials; and be it further

RESOLVED, that the President and Chief Executive Officer of the Corporation or her designee(s) be, and each of them hereby is, authorized to take such action and execute such documents as may be necessary or appropriate to carry out the foregoing resolution.

**DRAFT - SUBJECT TO REVIEW AND REVISION**

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Following the presentation and noting there was no further business, the meeting was adjourned at 11:07 a.m.

Respectfully submitted,

Debbie Royce  
Corporate Secretary