

ERIENET LOCAL DEVELOPMENT CORPORATION

MEMORANDUM

January Board Meeting Information

February 21, 2023

To: The Members of the Board of Directors

From: Thomas E. Baines, Esq., Chair 

Attached is the agenda and accompanying materials that will be discussed during the February meeting of the Board of Directors, which will take place at the Offices of the ECIDA, 95 Perry Street, 4th floor Conference Room, Buffalo, New York 14203, Tuesday, February 21, 2023 at 1:00 p.m.

Should you have any questions regarding the attached information, please contact me at (716) 858- 8390.

Thank you,

TEB/ci

Cc: Benjamin Swanekamp

Attachments

ERIENET LOCAL DEVELOPMENT CORPORATION

Meeting of the Board of Directors

ECIDA, 4th Floor Conference Room

95 Perry Street

Buffalo, New York 14203

Tuesday, February 21, 2023, 1:00 p.m.

Agenda

1. Roll call and declaration of quorum
2. Approval of the Draft Minutes from the Monday, January 23, 2023 Board Meeting
3. Report of the Chair
 - i. Investments- M&T Bank (Josh Heim, John Zuchlewski)
 - ii. Executive Director Search Update
 - iii. Hiring / Benefits package
 - iv. Insurance Update
 - v. RFPs- Fiber Optic, Pole Mounted Fiber Optic Cabinets
4. Committee Reports- No Committees met
5. Unfinished Business - No unfinished business
6. Resolutions
 - 23-02** RESOLUTION OF THE ERIENET LOCAL DEVELOPMENT CORPORATION (“ENLDC”) AUTHORIZING (i) THE NEGOTIATION AND EXECUTION OF AN AGREEMENT TO ENGAGE BRISBANE CONSULTING GROUP, LLC TO PROVIDE FUND ACCOUNTING SOFTWARE SERVICES
 - 23-03** RESOLUTION OF THE ERIENET LOCAL DEVELOPMENT CORPORATION (“ENLDC”) AUTHORIZING THE NEGOTIATION AND EXECUTION OF AN AGREEMENT TO ENGAGE LABELLA ASSOCIATES TO PROVIDE ENGINEERING AND DESIGN SERVICES FOR ATTACHMENT OF BROADBAND ASSETS UPON AND WITHIN NEW YORK STATE ELECTRIC & GAS CORP INFRASTRUCTURE
7. Proposed Executive Session: subject to Board approval
(*Pursuant to Public Officers Law 105 (1)(f)*)
8. Adjournment – (Next board meeting: March 21, 2023)

ErieNet Local Development Corporation

Board Meeting

Monday, January 23, 2023

DRAFT Meeting Minutes

The Board of Directors meeting was held on January 23, 2023, in the Board Room on the fourth floor of the ECIDA office located at 95 Perry Street, Buffalo, New York and by videoconference, in accordance with the Corporation's Bylaws and Chapter 1 of the Laws of 2022. A quorum was present as indicated:

Members:

Michael Breeden, Erie County Chief Information Officer
Mark Cornell, Erie County Deputy Budget Director
Daniel Castle, Erie County Commissioner of Environment and Planning
John Spears, Director of the Buffalo and Erie County Public Library
Thomas E. Baines, Erie County Deputy Commissioner of Planning & Economic Development

Absent:

Timothy Meyers, Erie County Legislature Majority Leader
John Mills, Erie County Legislature Minority Leader
Jeremy Toth, Erie County Attorney

Other Attendees:

Benjamin Swanekamp, Erie County Chief of Staff
Courtney Italia, Erie County Dept. Environment & Planning
Matt Crider, ECC Technologies
Andy Lukasiewicz, ECC Technologies
Joan Kiesow, ECC Technologies
Patrick Aldrich, ECC Technologies
Bert Feasley, ECC Technologies
WGRZ, Nate Benson

1. Open Board Meeting, Roll Call, and Declaration of Quorum – The meeting was called to order by the Chair of the Board at 2:14 p.m., roll call was taken by Mr. Baines and a quorum was declared present.
2. Approval of the Draft Minutes from December 16, 2022 Board Meeting – Upon motion by Mr. Breeden and seconded by Mr. Castle, the Draft Board Minutes were unanimously approved.
3. Report of the Chair
 - i. ECC Technologies Update – Mr. Crider gave a brief update on the status of the ErieNet design. See Attachment
 - ii. Board Meeting Calendar – Mr. Baines reviewed the dates for the upcoming meetings for 2023. (See Attachment)

iii. Executive Director Search Update – Mr. Baines stated two interviews have taken place with two more scheduled for later in the week. Once the interviews are completed and a candidate is selected, Mr. Baines stated an Executive Session will take place to discuss the next steps in this process.

4. Committee Reports – No committees met

5. Unfinished Business – No unfinished business

6. Resolutions

23-01 RESOLUTION OF THE ERIENET LOCAL DEVELOPMENT CORPORATION (“ENLDC”) AUTHORIZING (i) THE NEGOTIATION AND EXECUTION OF AN AGREEMENT TO ENGAGE LEIDOS ENGINEERING OF NY, PC TO PROVIDE ENGINEERING AND DESIGN SERVICES FOR ATTACHMENT OF BROADBAND ASSETS UPON AND WITHIN NATIONAL GRID INFRASTRUCTURE AND (ii) THE NEGOTIATION AND EXECUTION OF AN AGREEMENT TO ENGAGE ECC TECHNOLOGIES, INC. TO PROVIDE SALES, MARKETING, AND OPERATIONS SUPPORT SERVICES

Discussion ensued, and upon motion by Mr. Cornell and seconded by Mr. Breeden, Resolution 23-01 was unanimously approved.

7. Adjournment - Upon motion made by Mr. Breeden and seconded by Mr. Castle the meeting adjourned at 2:49 p.m.

BY: _____

Erie County Industrial Development Agency

Summary of Benefits

2022

Subject to change at the discretion of ECIDA, the following benefits are offered to full-time and part-time regular employees in 2022:

Health Insurance: The ECIDA offers a choice of 3 Independent health plans immediately upon hire (two “traditional” co-pay plans, and one high-deductible plan). Employees contribute 5% to the cost of Family or Single coverage and receive a contribution to their HSA account if the high-deductible plan is selected. If an employee maintains comparable health insurance coverage and they “opt out” of ECIDA coverage, they are paid \$138.46 bi-weekly (if eligible for Family coverage) or \$34.62 bi-weekly (if eligible for Single coverage).

Dental Coverage: Dental coverage (single/family based on eligibility) is currently provided by Guardian and is fully paid by the ECIDA immediately upon hire.

Retirement: The ECIDA currently offers a SEP-IRA retirement plan with a 12% ECIDA contribution paid quarterly. The ECIDA also allows employees to contribute to a voluntary New York State Deferred Compensation (457) plan which enables employees to make elective contributions towards their retirement on a tax-deferred basis.

Long-term Disability: Long-term disability coverage is currently provided by MetLife and is available immediately upon hire. Coverage begins after 90 days of disability and provides for up to 60% of an employee’s gross salary, with a maximum benefit of \$4,000 per month. The cost of this insurance is fully paid by the ECIDA.

Life Insurance: Life Insurance is currently provided by MetLife and is available immediately upon hire. Coverage is for two (2) times an employee’s salary with a maximum benefit of \$200,000. The cost of this insurance is fully paid by the ECIDA.

Vacation, Sick and Personal Days: The ECIDA currently provides its full-time employees with 15 vacation days per year, three (3) personal days per year and nine (9) sick days per year. Unused sick days are not paid upon separation. An employee is eligible for accrued leave benefits after 90-days of employment. Employees with ten (10) or more years of service receive an additional five (5) days of vacation per year.

The ECIDA normally observes 13 scheduled holidays during a year and provides one additional floating holiday that may be taken at the employee’s discretion with approval by the employee’s supervisor.

Flexible Spending Account: The ECIDA offers a Flexible Spending Account that allows employees to make contributions toward out-of-pocket medical expenses or dependent care expenses on a “before tax”, rather than “after tax” basis.

Professional Associations: The ECIDA encourages and supports employee’s continued participation in professional or technical organizations and, upon approval by the CEO, will pay the costs of such participation when they are related to the employee’s job responsibilities.

**ERIENET LOCAL DEVELOPMENT CORPORATION
RESOLUTION 23-02**

A regular meeting of the ErieNet Local Development Corporation was convened on February 21, 2023 at 1:00 p.m.

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

RESOLUTION OF THE ERIENET LOCAL DEVELOPMENT CORPORATION (“ENLDC”) AUTHORIZING (i) THE NEGOTIATION AND EXECUTION OF AN AGREEMENT TO ENGAGE BRISBANE CONSULTING GROUP, LLC TO PROVIDE FUND ACCOUNTING SOFTWARE SERVICES

WHEREAS, the ENLDC is an affiliate of the County of Erie (the “County”) and is authorized and empowered by Section 1411 of the Not-for-Profit Corporation Law of the State of New York, as amended, to relieve and reduce unemployment, promote and provide for additional and maximum employment, better and maintain job opportunities in Erie County and to lessen the burdens of government and act in the public interest; and

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

WHEREAS, it is necessary for the accounting functions and internal controls of the Corporation to acquire software to record and report the financials of the Corporation; and

WHEREAS, the Chair and Lumsden & McCormick obtained three quotes via email, in a manner consistent with the ENLDC Procurement Policy; and

WHEREAS, the Chair and Lumsden & McCormick reviewed the three quotes and based on a cost differential of approximately \$2,211, recommend that ENLDC engage Brisbane Consulting Group, LLC (“Brisbane”) to provide fund accounting software services.

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

Section 1. Based upon the foregoing, and in compliance with ENLDC’s Procurement Policy, the ENLDC hereby selects Brisbane to provide fund accounting software services, and hereby authorizes the Chair to negotiate and execute a contract with Brisbane, in consultation with the ENLDC’s general

counsel, to provide fund accounting software services, in an amount not to exceed \$36,076 (\$16,196 for the initial year, and \$9,940 for each subsequent year) and any appropriate change orders or scope additions as approved by the Chair.

Section 2. The officers, employees and agents of the ENLDC are hereby authorized and directed for and in the name and on behalf of the ENLDC to do all acts and things required and to negotiate, execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the ENLDC with all of the terms, covenants and provisions of the documents executed for and on behalf of the ENLDC as related thereto and hereto.

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

Section 4. This resolution shall take effect immediately.

Dated: February 21, 2023

SALES QUOTE

PREPARED FOR:	QUOTE INFORMATION:
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ErieNet

Seth Hennard – Lumsden & McCormick

Quote Date: February 14, 2023

Prices shown below are valid for 30 day from Quote Date shown above. Standard term length is 12 months. All prices below are in US dollars and represent annual recurring fees unless otherwise noted.

Core Product	Product Description	Item Price	Qty	Annual Total
Sage Intacct Core Software for a Single Business Entity	Includes General Ledger, Accounts Payable, Accounts Receivable, Purchase Orders, Basic Budgeting, Cash Management, Bank Reconciliation, Check Writing, Digital Document Storage, Standard Reports and Dashboards, Dimensions, and Essential Level Customer Support.	\$9,780	1	\$9,780
Business User Licenses	Designed for business office use. Business Users have unlimited access rights to all functionality within Sage Intacct but can be restricted based on permissions assigned by an Administrator.	\$3,180 per user	3	\$9,540
Non-Profit Project & Grant Tracking	The Project and Grant Tracking module provides non-profits with the Project dimension as well as additional non-profit-specific reporting. The Project dimension can be used to tag financial transactions by grant, fund, project, program, and more. This module is required for all non-profit implementations of Sage Intacct.	Included	1	Included
Fixed Assets	Add and track assets, acquisition and disposal information, serial numbers, warranties, purchase documents, and depreciation schedules.	\$3,540	1	\$3,540
Intacct Collaborate	Collaborate enables team communication around transactions and other key elements of Sage Intacct by capturing dialogue and decisions, for later reference within the Sage Intacct system.	\$0	1	\$0

PROPRIETARY AND CONFIDENTIAL

Core Product	Product Description	Item Price	Qty	Annual Total
Application Hosting, Infrastructure, and Security Services	Includes hosting of Sage Intacct applications at our secure top-tier data center and disaster recovery services at a separate secure data center in a different geographic locale, described in detail in the Buy with Confidence program.	\$0	1	\$0
Essential Support	Essential Support is included as part of the Intacct subscription for all direct customers and is available 24x5. Essential Support also gives your organization access to the Intacct Customer Community for submitting cases, checking case status, and searching our comprehensive knowledgebase.	\$0	1	\$0
Intacct User Training				\$1,320
Annual Software Subtotal				24,180
<i>Less: NFP Competitive February Incentives</i>				<i>(\$9,144)</i>
Discounted Annual Software Subtotal				\$15,036

3 yrs. : \$45,108

PROPRIETARY AND CONFIDENTIAL

Expected Date of Signature: 2/24

* All Pricing & Discounts Pending Approval*

NetSuite Subscription					
Items	Quantity	Term (months)	Cost	Discount	Annual Total
Netsuite Suitesuccess Social Impact Starter	1	12	\$ 15,588.00	28.99%	\$ 11,069.04
- General Access Users (3 Free)	3	12	\$ 3,564.00	100.00%	\$ -
- Netsuite Customer Training License	1	12	\$ 600.00	100.00%	\$ -
- Netsuite Premium Support	1	12	\$ 1,915.20	28.99%	\$ 1,359.98
Annual Subscription Total			\$ 21,667.20	Subtotal	\$ 12,429.02

Professional Services / Year 1 Only					
Items	Quantity	Term (months)	Cost	Discount	Total
Netsuite Social Impact Starter Activation	1		\$ 5,000.00	80.00%	\$ 1,000.00
Year 1 Only Total			\$ 5,000.00	Subtotal	\$ 13,429.02

3 yrs : = \$ 38,287

PLEASE REMIT ALL CORRESPONDENCE TO
OUR MAIN OFFICE:

CYCLORAMA BUILDING
369 FRANKLIN STREET
BUFFALO, NEW YORK 14202

716-856-3428 / 800-795-6027
FAX 716-856-2524
WWW.BRISBANENONPROFIT.COM



February 10, 2023

Thomas Baines
Board Chairman
ErieNet
95 Franklin Street
Buffalo, NY 14202

Dear Thomas:

We are pleased to submit our proposal to serve as your not-for-profit accounting application professionals for the implementation of AccuFund. Brisbane Consulting Group has the requisite experience and is uniquely qualified to provide these services required by ErieNET.

Thank you for the time spent through our extensive discovery process; it is a critical step to ensure our high level of quality. This time assures you of our competence and how seriously we take our client needs with the ability to deliver what we promise. AccuFund is a very user friendly yet robust application that will help streamline accounting workflows. Many hours will be saved with the effectiveness of AccuFund and our comprehensive services.

Brisbane empowers our clients to select the accounting software we support. Our clients discovered that AccuFund has a tremendous advantage in this industry for streamlining operations and saving time. Some of the advantages they identified include: the sophistication of custom allocations, robust financial and standard report writing and grant performance metrics. Our clients found them to offer the most value compared to all the other software vendors.

I personally believe in the growth and development of communities especially in New York and hope we can now serve your accounting application needs. Thank you for the opportunity to demonstrate AccuFund Accounting, please don't hesitate to contact me with any questions.

Sincerely,

Brisbane Consulting Group, LLC

A handwritten signature in black ink, appearing to read "Jonathan M. Urban".

Jonathan M. Urban
Director of Software Solutions



PROPOSAL

Professional Edition – Cloud Online Solution

AccuFund Anywhere Professional Edition with Three Named Users (add'l \$85/mo. each)	\$	395
Accounts Payables (Core)		Incl.
Accounts Receivable		75
Bank Reconciliation (Core)		Incl.
Cash Receipts w/Credit Card Processing (Core)		Incl.
Data Import/Export (Core)		Incl.
Dashboards (Core)		Incl.
Document and Image Storage (Core)		Incl.
Enhanced Security (Core)		Incl.
EFT for AP (Core)		Incl.
Fixed Assets		75
Positive Pay (Core)		Incl.
Purchase Orders		75
Report Writer (Core)		Incl.
Scheduler (Core)		Incl.
Total Monthly Subscription	\$	620
Annual Rate	x	12
TOTAL ANNUAL SOFTWARE SUBSCRIPTION		7,440
1st Year Discount 10%		(744)
Year 1 SOFTWARE SUBSCRIPTION		6,696

Brisbane Consulting Professional Implementation/Training Services

PLATINUM SOLUTION		Total
Brisbane Professional Services CORE incl. A/R		7,000
Fixed Assets / Purchase Orders		2,500
Brisbane Unlimited Support Year 1	\$ 2,500 VALUE	FREE
Total Professional Services		\$ 9,500

Year	Annual cost of Software	Brisbane PLATINUM Solution (Optional Year 2 forward Unlimited Support Contract w/ Brisbane)	Total
Year 1	\$ 6,696	\$ 9,500	\$ 16,196
Year 2	7,440	2,500	\$ 9,940
Year 3	7,440	2,500	\$ 9,940
Year 4	7,440	2,500	\$ 9,940
Year 5	7,440	2,500	\$ 9,940

3475: \$30076



**ERIENET LOCAL DEVELOPMENT CORPORATION
RESOLUTION 23-03**

A regular meeting of the ErieNet Local Development Corporation was convened on February 21, 2023 at 1:00, p.m.

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

RESOLUTION OF THE ERIENET LOCAL DEVELOPMENT CORPORATION (“ENLDC”) AUTHORIZING THE NEGOTIATION AND EXECUTION OF AN AGREEMENT TO ENGAGE LABELLA ASSOCIATES TO PROVIDE ENGINEERING AND DESIGN SERVICES FOR ATTACHMENT OF BROADBAND ASSETS UPON AND WITHIN NEW YORK STATE ELECTRIC & GAS CORP INFRASTRUCTURE

WHEREAS, the ENLDC is an affiliate of the County of Erie (the “County”) and is authorized and empowered by Section 1411 of the Not-for-Profit Corporation Law of the State of New York, as amended, to relieve and reduce unemployment, promote and provide for additional and maximum employment, better and maintain job opportunities in Erie County and to lessen the burdens of government and act in the public interest; and

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

WHEREAS, it is contemplated that certain portions of the Project, including but not limited to certain fiber optic cable and supporting equipment (collectively, the “Broadband Assets”) will necessarily need to be installed upon and/or located within existing distribution poles, ducts and rights-of-ways owned and under the jurisdiction of New York State Electric & Gas Corp., (hereinafter, “NYSEG” and the related poles, ducts, and rights-of-ways to be referred to as the “NYSEG Infrastructure”); and

WHEREAS, prior to installing Broadband Assets upon/within the NYSEG Infrastructure, NYSEG requires that ENLDC undertakes certain required pre-construction survey and engineering design and make ready work analysis and studies of the NYSEG Infrastructure (the “Infrastructure Analysis”) for purposes of ensuring that Broadband Assets installation and operations can utilize and not otherwise adversely impact NYSEG Infrastructure; and

WHEREAS, NYSEG has only authorized, and thus only permits, one engineering firm, being LaBella Associates, to undertake the required Infrastructure Analysis; and

WHEREAS, in order to undertake the analysis of the NYSEG Infrastructure, ENLDC is required by NYSEG to, and thus desires to, engage LaBella Associates, as LaBella Associates is the sole source provider as so related to the NYSEG Infrastructure Analysis.

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

Section 1. In accordance with the New York State Environmental Quality Review Act ("SEQRA"), the Infrastructure Analysis is a Type II action exempt from review pursuant to Section 617.5(c)(27) of the SEQRA regulations.

Section 2. Based upon the foregoing, the ENLDC hereby authorizes LaBella Associates to be engaged for purposes of undertaking the NYSEG Infrastructure Analysis, and hereby authorizes the Chair to negotiate and execute a contract with LaBella Associates, in consultation with the ENLDC's general counsel, to undertake the Infrastructure Analysis, in an amount not to exceed \$107,350 and any appropriate change orders or scope additions as approved by the Chair.

Section 3. The officers, employees and agents of the ENLDC are hereby authorized and directed for and in the name and on behalf of the ENLDC to do all acts and things required and to negotiate, execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the ENLDC with all of the terms, covenants and provisions of the documents executed for and on behalf of the ENLDC as related thereto and hereto.

Section 4. Any and all actions heretofore taken or authorized by the ILDC and/or its officers, employees and agents with respect to this resolution are hereby ratified, approved and confirmed in all aspects.

Section 5. This resolution shall take effect immediately.

Dated: February 21, 2023