



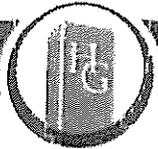
ERIE COUNTY LEGISLATURE

92 Franklin Street - 4th Floor
Buffalo, New York 14202

TO: Members of the Erie County Legislature
FROM: Karen M. McCarthy, Clerk
DATE: November 12, 2015

SUBJECT: Documents Received Regarding the ECIDA Pay Equity Policy

The attached letters were distributed at the Informational Meeting held November 12, 2015 on the ECIDA's recently adopted Pay Equity Policy.



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October 15, 2015

Ms. Brenda McDuffie
Chairwoman
ECIDA
95 Perry Street, Ste. 403
Buffalo, NY 14203

RE: ECIDA Policy Changes

Dear Chairwoman McDuffie:

I hope that this communication finds you and the entire Board of Directors of the ECIDA doing well. As you know I have long respected your leadership in this community. I believe that this community is fortunate to have you as the Chairwoman of the ECIDA.

I am privileged to have served previously on the ECIDA Board for two years when I was the Chairperson of the Buffalo Niagara Partnership.

Today I write to express my genuine concern over the recent actions and the planned agenda actions which, in my humble opinion, will materially change the purpose, capacity to succeed and the effectiveness of the ECIDA.

The Buffalo Niagara region is experiencing economic momentum that has many excited about the future of this region. As you know, Governor Cuomo's Buffalo Billion and other state initiatives are dramatically kick starting development in our community. At a time when our regional economic development organizations should be working overtime to capitalize on this historic investment of public dollars by promoting private sector development, the ECIDA is rolling back the welcome mat, which in turn is threatening the momentum.

Our community will not continue to experience the economic resurgence it deserves if the ECIDA continues down the path of advancing intrusive and punitive policies that will make our region an unattractive place to locate, expand, and invest. Alarmingly, the ECIDA's hastily adopted Pay Equity policy appears to be just the beginning. The work plan for the ECIDA Policy Committee includes such items as Good Standing Tax, Living Wage, Union Neutrality and Card Check. These policies represent not the mission of a critical organization charged with incentivizing sound private sector development in a highly taxed and overly regulated economy, but a political agenda.

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Comm. 21D-7

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For too long, economic development efforts in Erie County were complicated by parochial thinking with local IDAs competing against each other. Much progress has been made over the last many years to encourage a regional focus through the adoption of common practices. The current direction of the ECIDA threatens to undermine that progress. In turn the hardworking taxpayers in the City of Buffalo stand the most to lose in this struggle.

Currently, the majority of incentive packages approved by the ECIDA involve projects located in Buffalo. Developers and businesses will circumvent the ECIDA and go directly to town IDAs which thankfully show no desire to blindly follow the ECIDA down this dangerous road. As a result, projects once destined for Buffalo will instead go elsewhere, leaving the region's business and economic hub closed to needed investment.

Please permit me to be clear, I strongly support equal pay for all persons, period. That is good policy. There are existing state and federal laws which require employers to act in a manner equal to the recently adopted policy. There are enforcement provisions already in place including economic policies if a Company were to violate those laws.

The intrusive requirement of full payroll and financial audits by yet another governmental body is unnecessary and adds costs to both the public and private sectors unnecessarily.

Of even greater concern are the policies (see references above) which I understand are on the agenda for the Policy Committee of the ECIDA as well as the full Board to consider in the weeks and months ahead. When considered individually and especially as a group these policy changes, if adopted, will in my humble opinion serve as a major impediment to new development and severely threatens our momentum as a community.

The ECIDA's role was and should be intended to serve as a catalyst to development and job creation. The ECIDA should focus exclusively on that goal and listen to experts from the BNP and BNE.

I strongly urge you and the Board to consider your role and to focus on job creation!

As a community if we truly want to lift our citizens up the economic ladder there are two things that we must do in an exceptional manner. That is to first give our children (and Adults that may have not been properly served in the past) a great education and ergo an opportunity to be more successful than their parents. Second to create and maintain an environment for private enterprises to create jobs and to do so better than most other communities.

We are in a highly competitive environment when it comes to decisions of investment. Investors take their funds to projects and communities that they believe they can flourish in. States and communities within states are constantly competing for those opportunities. ECIDA should be a strong tool in the tool box to attract companies and projects that create good jobs.



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I urge you to discontinue any further "agenda" changes to policy as provided for in the draft list of changes that you are considering (see above). I also urge you to consider the compromise policy by the BNP to replace the already adopted policy on equal pay.

I urge you to return the ECIDA to its sole role as a job incentive creator.

Let's work together as a community to keep the momentum going!

Very truly yours,

HAMISTER GROUP, LLC

A handwritten signature in black ink, appearing to read 'Mark E. Hamister', written over the typed name.

Mark E. Hamister
Chairman and CEO

Cc: ECIDA Board of Directors



October 9, 2015

Ms. Brenda McDuffie
Chairwoman Erie County Industrial Development Agency
95 Perry Street
Suite 403
Buffalo, New York 14203

RE: The Erie County Industrial Development Agency – Policy Agenda

Dear Brenda:

As a member of the Buffalo/Niagara business community, I am writing to express my deep concern over the policy adopted by the organization relating to Pay Equity. I am also disturbed by the policy agenda now being considered by the Erie County Industrial Development Agency (ECIDA) Policy Committee. The Pay Equity requirement and the proposed work plan of the committee runs absolutely counter to the scope and mission of this vital organization. I am certain it will ultimately cripple the ability of the ECIDA to promote new development within the City of Buffalo and the surrounding areas that it serves.

The Buffalo/Niagara region is experiencing economic momentum that has the entire community excited about its future. Several of Uniland's major downtown projects as well as the Governor's "Buffalo Billion" and other state initiatives have dramatically accelerated development in our Western New York community. At a time when regional economic development organizations should be working in concert to capitalize on this historic investment of public and private dollars by promoting private sector development, the ECIDA is threatening that momentum and the jobs that result.

Our community will not continue the economic resurgence it deserves if the ECIDA continues down the path of advancing intrusive and punitive policies that will make the region an unattractive place to locate, expand and invest. Alarming, the ECIDA's hastily adopted Pay Equity policy appears to be just the beginning. As I understand, the work planned for the Policy Committee includes such items as Good Standing Tax, Living Wage and Union Neutrality/Card Check. These policies represent not the mission of a critical organization charged with incentivizing sound private-sector development in a highly taxed and over-regulated economy, but a political agenda.

Ms. Brenda McDuffie
Chairwoman Erie County Industrial Development Agency
October 9, 2015
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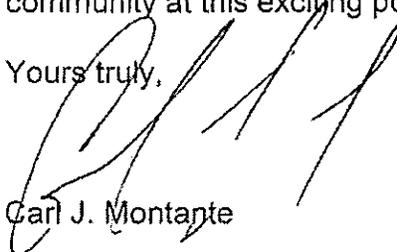
They are an affront to the various companies and organizations we are attempting to attract to Western New York.

For too long economic development efforts in Erie County were complicated by parochial thinking with local IDA's competing against each other. A great deal of progress has been made over the last several years to encourage a regional focus through the adoption of common practices. The current direction of the ECIDA threatens to undermine that progress.

Currently, the majority of the incentive packages approved by the ECIDA involve projects located in Buffalo. Developers and businesses will circumvent the ECIDA and go to town IDA's which, thankfully, show no desire to blindly follow the ECIDA down this dangerous road. As a result, projects once destined for Buffalo will instead go elsewhere, leaving the region's business and economic hub closed to needed investment. On a confidential basis, I am able to offer examples of companies that are no longer willing to pursue a location within the City due to new established policies. The taxpayers in the City of Buffalo stand to lose the most in this struggle.

The future of the Buffalo/Niagara region will be grim if its premier economic development organization becomes synonymous with anti-business regulations. I would urge that the ECIDA re-consider its recently adopted policy and re-focus its efforts in using the powerful tools at its disposal to incentivize investment in our community at this exciting point in our history.

Yours truly,



Carl J. Montante

CJM/njp

cc: ECIDA Board of Directors
ECIDA Policy Committee Members
Correspondence

