*** § 891-a. Erie county industrial development agency.** 1. For the benefit of the county of Erie and the inhabitants thereof, an industrial development agency, to be known as the ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY, is hereby established for the accomplishment of any or all of the purposes specified in title one of article eighteen-A of this chapter. It shall constitute a body corporate and politic, and be perpetual in duration. It shall have the powers and duties now or hereafter conferred by title one of article eighteen-A of this chapter upon industrial development agencies. It shall be organized in a manner prescribed by and be subject to the provisions of title one of article eighteen-A of this chapter, except that its members shall consist of the Erie county executive, the mayor of the city of Buffalo, the supervisor of the town of Tonawanda, the supervisor of the town of Cheektowaga, the supervisor of the town of Amherst, the chairman of the board of the Buffalo and Erie county private industry council incorporated, the chairman of the board of the greater Buffalo chamber of commerce, the management co-chairman of the Buffalo and Erie county labor management council, the president of the Buffalo AFL-CIO council, the president of the Buffalo Branch of the National Association for the Advancement of Colored People, the chairman of the economic development committee of the Erie county legislature, the president of the Buffalo common council, the chairman of the Niagara frontier transportation authority, the chairman of the board of the greater Buffalo development foundation incorporated, the president of the Erie county association of school boards, five members representing the business, labor and minority communities of Erie county appointed jointly by the county executive of Erie county and the chairman of the legislature of Erie county upon consultation with the hereinbefore mentioned members, and the members of the United States House of Representatives representing all or part of Erie county as ex officio, non-voting members. If the chairman of the board of the Buffalo and Erie county private industry council incorporated, greater Buffalo chamber of commerce or greater Buffalo development foundation incorporated, or the management co-chairman of the Buffalo and Erie county labor management council or the president of the Buffalo AFL-CIO council or the president of the Buffalo Branch of the National Association for the Advancement of Colored People or the chairman of the Niagara frontier transportation authority or the

president of the Erie county association of school boards shall be unable to serve as a member of the agency by reason of a prohibited conflict of interest, then another officer or director designated by such organization shall serve in his or her place. The non-voting members shall not be considered for the purpose of quorum requirements. The first chairman of the agency and each subsequent chairman shall be elected by a majority vote of its members and such chairman shall be a person other than the holder of an elective public office. The agency, its members, officers and employees, and its operations and activities shall in all respects, except as provided specifically herein, be governed by the provisions of title one of article eighteen-A of this chapter. Notwithstanding any provision of law to the contrary, any member of the agency who is a director, officer or employee of a corporation which is a party to a proposed contract with the agency shall disclose his or her relation to the corporation in writing to the agency and shall abstain from voting and discussion in respect to such contract; and such contract shall not be prohibited by reason of his position as director, officer or employee of the corporation if he or she shall have made such disclosure and abstained from such voting and discussion, and if his or her remuneration will not be directly affected as a result of such contract and his or her duties as director, officer or employee of such corporation do not directly involve the procurement, preparation or performance of any part of such contract.

2. In addition to the powers and duties now or hereafter conferred by title one of article eighteen-A of this chapter, the agency shall have the power (i) to acquire, construct, own, maintain, and lease or sell to a railroad or private business corporation any interest in railroads operated within Erie county, including easements or rights of way, necessary switching apparatus, track, and other equipment necessary or convenient to the operation of such railroad, which will be used in conjunction with industrial, manufacturing, commercial or warehousing operations, (ii) to finance such facilities through the issuance of its bonds and notes, when in the judgment of the agency, such facilities will serve to promote, develop, encourage and assist in the acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial, and

research facilities including industrial pollution control facilities and thereby advance the job opportunities, health, general prosperity and economic welfare of the people of this state and improve their prosperity and standard of living and (iii) to exercise all other corporate powers necessary or convenient to acquisition, construction, ownership, maintenance and lease or sale of any interest in railroads operated within Erie county which will serve to promote, develop, encourage and assist in acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing of industrial, manufacturing, warehousing, commercial and research facilities including industrial pollution control facilities.

* NB Agency expires per §§ 856 and 882