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John Ceretto
Assemblyman 138th District



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July 20, 2011

Ms. Leecia Eve
Empire State Development Corporation
633 Third Avenue
New York City, NY 10017

Dear Ms. Leecia Eve,

We are writing to you today seeking clarification as to whether or not the Directors of the USA Niagara Development Corporation have the jurisdiction in their bylaws to increase the size of its footprint within Niagara Falls, NY.

This past term, we introduced legislation in Albany, S.5594/A.8221, which would have expanded the footprint. While this legislation was not ultimately successful, we believe it started an important dialogue in the City of Niagara Falls.

Yesterday, July 19, we attended the meeting of the directors, in which the question of the footprint came up. Members of the Board of Directors expressed that they were unsure as to whether or not the bylaws allow them to expand their own boundaries of influence and indicated counsel would have to look into the matter.

We write you today seeking clarification. Does USA Niagara Development Corporation have the authority to expand their footprint without action from the New York State legislature?

Please be advised, as was indicated in yesterday's meeting, that we plan to introduce similar legislation next year in regards to the footprint.

We trust you will be in touch in regards to your findings pursuant to USA Niagara Development Corporation's bylaws.

Sincerely,

John D. Ceretto
Member of Assembly
District 138

Mark Grisanti
Member of Senate
District 60

cc: Governor Andrew Cuomo
Ken Adams, Empire State Development Corporation
Chris Schoepflin, USA Niagara Development Corporation
Joan Aul, USA Niagara Development Corporation
Gary Smith, USA Niagara Development Corporation
Michael Williamson, USA Niagara Development Corporation