

**MINUTES OF THE MEETING  
OF THE  
MEMBERSHIP OF THE  
ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY (ECIDA)**

**DATE AND PLACE:** January 22, 2020, at the Erie County Industrial Development Agency (the “ECIDA” or “Agency”), 95 Perry Street, 5<sup>th</sup> Floor ESD Conference Room, Buffalo, New York 14203

**LIVE STREAMED:** This Board meeting is being live-streamed and made accessible on the Agency’s website at [www.ecidany.com](http://www.ecidany.com).

**PRESENT:** Denise Abbott, Hon. Diane Benczkowski, Hon. Joseph H. Emminger, Dottie Gallagher, Hon. Howard Johnson, Tyra Johnson, Richard Lipsitz, Jr., Brenda W. McDuffie, Hon. Mark C. Poloncarz, Sister Denise Roche, Kenneth A. Schoetz and Art Wingerter

**EXCUSED:** Rev. Mark E. Blue, Hon. Bryon W. Brown, James F. Doherty, Hon. Brian J. Kulpa, Hon. Glenn R. Nellis, Hon. Darius G. Pridgen and Charles F. Specht

**OTHERS PRESENT:** Steve Weathers, Chief Executive Officer; John Cappellino, Executive Vice President; Mollie Profic, Chief Financial Officer; Atiqa Abidi, Assistant Treasurer; Gerald Manhard, Chief Lending Officer; Daryl Spulecki, Credit Analyst; Beth O’Keefe, Business Development Officer; Grant Lesswing, Business Development Officer; and Karen M. Fiala, Assistant Treasurer/Secretary

**GUESTS:** Pietra G. Zaffram, Esq., General Counsel/Harris Beach PLLC; Kevin Zanner, Hurwitz & Fine; Maria Whyte, Deputy County Executive; Andrew Federick, Erie County Senior Economic Development Specialist

There being a quorum present at 12:34 p.m., the meeting of the ECIDA Board of Directors was called to order by its Chair, Ms. McDuffie.

**MINUTES**

The minutes of the November 20, 2019 meeting of the members were presented. Mr. Poloncarz moved and Mr. Johnson seconded, to approve of the minutes. Ms. McDuffie called for the vote, and the minutes were then unanimously approved.

## REPORTS/ACTION ITEMS/INFORMATION ITEMS

Financial Report. Ms. Profic noted there is no formal report this month as she is working on closing out 2019. Audit fieldwork will begin in February. At the February meeting she will have January numbers and preliminary 2019 results, with final reports in March. Ms. McDuffie directed that the report be received and filed.

2019 Tax Incentive Induced/Closing Schedule/Backlog Report. Ms. Fiala presented this report. Ms. McDuffie directed that the report be received and filed.

Medical Conservation Devices, LLC – Conversion of Membership Units. Mr. Weathers reviewed this potential investment. There are two options to consider and the Executive Committee recommended Option 1.

Ms. Gallagher moved and Sister Denise seconded to approve of Option 1 which will convert current MCD membership units to 14,576.25 shares of FWT common stock, as requested. Ms. McDuffie called for the vote and the motion was unanimously approved.

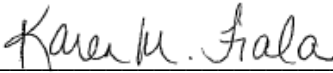
## MANAGEMENT TEAM REPORT

Mr. Weathers advised that 143 Genesee Street lighting was upgraded through NYSERDA grant, and a \$122,825 grant was secured for the Bethlehem Steel site.

Ms. McDuffie then asked Board members to enter into an attorney-client privilege discussion. Ms. Benczkowski moved and Mr. Johnson seconded to enter into an attorney-client privilege session. Ms. McDuffie called for the vote and the Agency entered into attorney-client privilege at 12:43 p.m. with only counsel present.

At 12:51 p.m., the attorney-client privilege session was adjourned and at 12:52 p.m. the meeting was adjourned.

Dated: January 22, 2020

  
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Karen M. Fiala, Secretary