

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

DATE AND PLACE: January 24, 2018, at the Erie County Industrial Development Agency, 95 Perry Street, 5th Floor ESD Conference Room, Buffalo, New York 14203

PRESENT: Hon. Diane Benczkowski, Rev. Mark E. Blue, Hon. Patrick B. Burke, James F. Doherty, Hon. Joseph H. Emminger, Dottie Gallagher-Cohen, Tyra Johnson, Hon. Brian J. Kulpa, Richard Lipsitz, Jr., David L. Lowrey, Brenda W. McDuffie, Hon. Glenn R. Nellis, Hon. Mark C. Poloncarz, Hon. Darius G. Pridgen, Sister Denise Roche and Paul V. Vukelic

EXCUSED: Hon. Byron W. Brown, John J. Mudie and Louis Panzica

OTHERS PRESENT: Steve Weathers, Chief Executive Officer; John Cappellino, Executive Vice President; Mollie Profic, Treasurer; Karen M. Fiala, Assistant Treasurer and Robert G. Murray, Secretary

GUESTS: Maria Whyte, Deputy County Executive; Andrew Federick, Erie County Senior Economic Development Specialist

At 9:09 a.m., there being a quorum present, Ms. McDuffie called the meeting to order.

At this point in time, Ms. McDuffie welcomed Mr. Patrick Burke and Mr. Brian Kulpa as new members of the Agency.

MINUTES

The minutes of the December 20, 2017 meeting of the members were presented. Mr. Lowrey moved, and Mr. Blue seconded, to approve of the meeting minutes. Ms. McDuffie called for the vote and the minutes were unanimously approved.

At this point in time, Mr. Nellis joined the meeting.

REPORTS/ACTION ITEMS/INFORMATION ITEMS

Assistant Treasurer Resolution. Upon motion made by Ms. Gallagher-Cohen and seconded by Mr. Lipsitz, a motion to appoint Ms. Atiqa Abidi as Assistant Treasurer was unanimously approved.

2017 Tax Incentive Induced/Closed Schedule/Estimated Real Property Tax Impact. Ms. Fiala presented this report. Ms. McDuffie directed that the report be received and filed.

At this point in time, Mr. Pridgen joined the meeting.

AMENDATORY INDUCEMENT RESOLUTIONS

2855 Clinton Street/Shell Fab, 3254 Clinton Street, West Seneca, New York. Ms. Fiala reviewed this proposed sales tax abatement benefits increase request from an original sales tax abatement benefit of \$82,469 to \$162,469 due to an increase in the construction budget. When complete, the total project investment will also increase from \$2,735,000 to \$3,018,000. Ms. Fiala noted the company is requesting this change prior to expensing any more money above and beyond its original sales tax abatement as provided by the Agency on August 24, 2016.

Ms. Gallagher-Cohen moved and Mr. Lowery seconded to approve of the increase in sales tax abatement amount. Ms. McDuffie called for the vote and the following resolution was unanimously approved:

AMENDATORY INDUCEMENT RESOLUTION OF THE ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY AUTHORIZING THE APPROVAL OF THE REVISION TO THE PROJECT DESCRIPTION AND THE EXECUTION AND DELIVERY OF A REVISED SALES TAX EXEMPTION PACKAGE AND RELATED DOCUMENTS WITH RESPECT TO THE 2855 CLINTON ST., LLC PROJECT

Assignment and Assumption of Conventus Partners, LLC project. Mr. Cappellino reviewed this proposed assignment of the existing Conventus project located at 1001 Main Street, Buffalo, New York, said Assignment to be made from the existing owners to Seavest Core Buffalo Conventus LLC. Mr. Cappellino noted no new financial assistance is being requested and that this is a simple sale of the facility to new owners with no impact whatsoever on the existing tenant base or existing PILOT Agreement. Mr. Cappellino confirmed that a PILOT infrastructure fund mechanism (“PIF”) is in place and the new owner has pledged to maintain the PIF mechanism.

Mr. Blue queried as to the number of employees on site. Mr. Cappellino responded that UBMD and other tenants occupy the facility and the total amount of employment is approximately 420 employees, the vast majority of which are doctors, nurses and technicians, all from the local area.

Mr. Pridgen moved to approve of the project. Mr. Poloncarz queried as to whether any new financial assistance is being requested. Mr. Cappellino confirmed that no new financial assistance is being requested. Mr. Poloncarz then seconded the motion. Ms. McDuffie called for the vote and the following resolution was unanimously approved:

RESOLUTION OF THE ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY APPROVING THE ASSIGNMENT OF AND ASSUMPTION BY CONVENTUS PARTNERS LLC TO SEAVEST CORE BUFFALO CONVENTUS LLC OF THE EXISTING LEASE, LEASEBACK, AND PILOT

AGREEMENT AND RELATED INFRASTRUCTURE FUND AGREEMENT
TOGETHER WITH ALL ASSOCIATED DOCUMENTS RELATING TO THE
FACILITY LOCATED AT 1001 MAIN STREET, BUFFALO, NEW YORK

MANAGEMENT TEAM REPORTS

Mr. Weathers asked members to complete the Committee Member survey to indicate which committee or committees he/she would like to serve on.

Mr. Weathers commented that the Agency is prepared to initiate its first pay equity audit cycle, noted that approximately 20 companies are falling under the pay equity policy and per that policy, 10% of these companies will be randomly selected for audit by the County EEO office. Mr. Cappellino stated it would take approximately 4 months to complete the audit.

Mr. Weathers noted that the Agency has prepared an expression of interest request to be submitted to the investor and development community seeking a partner to join the ECIDA with respect to co-developing the Net Zero facility.

Mr. Weathers then commented on the recently completed housing adaptive reuse forum hosted by the Agency at which results of two recently completed housing studies were presented. Ms. Whyte commented that the meeting was very informative and that data was usefully presented noting emphasis was placed on study results indicating that there is concentrated poverty in various areas within the City of Buffalo and commented that she looks forward to continuing to identify the Agency's role in providing assistance in housing efforts. Mr. Lipsitz noted that this will be a difficult issue for the Agency to address but commented that the County's resurgence should not leave anybody behind.

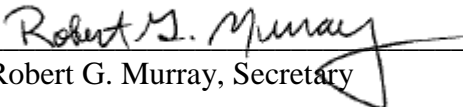
Ms. Gallagher-Cohen noted that the Buffalo Niagara Partnership has completed its City of Buffalo downtown housing study, and a final report is being prepared and will be shared with the Agency as soon as it is completed.

Mr. Poloncarz commented that the recent housing studies indicated that the City of Buffalo is one of the most segregated cities in the country and emphasized that the Agency has a role in not perpetuating segregation and that the Agency has also has a role in helping to desegregate the community and if the Agency continues supporting projects that perpetuate segregation, then it is not serving Erie County well.

Mr. Pridgen thanked Mr. Poloncarz for his efforts and concerns and expressed support for the Agency and its engagement of this issue and with this conversation.

There being no further business to discuss, Ms. McDuffie adjourned the meeting at 9:37 a.m.

Dated: January 24, 2018


Robert G. Murray, Secretary