

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

DATE AND PLACE: April 27, 2016, at the Erie County Industrial Development Agency, 95 Perry Street, 5th Floor ESD Conference Room, Buffalo, New York 14203

PRESENT: Hon. Diane Benczkowski, Hon. Byron W. Brown, James F. Doherty, Dennis Elsenbeck, Hon. Joseph H. Emminger, Richard Lipsitz, Jr., Brenda W. McDuffie, John J. Mudie, Hon. Glenn R. Nellis, Dr. Carol Nowak, Hon. Mark C. Poloncarz, Hon. Darius G. Pridgen Hon. Edward A. Rath, III, David J. State and Hon. Barry A. Weinstein

EXCUSED: Dottie Gallagher-Cohen, Chris Johnston, Frank B. Mesiah, and Paul V. Vukelic

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

GUESTS: Andrew Federick, Erie County Senior Economic Development Specialist

There being a quorum present at 11:05 a.m., the meeting of the members of the Erie County Industrial Development Agency was called to order by its Chair, Ms. McDuffie.

MINUTES

The minutes of the March 30, 2016 Meeting of the Members were presented. Upon motion made by Mr. Nellis, and seconded by Ms. Benczkowski, the minutes were unanimously approved.

REPORTS/ACTION ITEMS/INFORMATION ITEMS

Financial Report. Mr. Weathers presented the financial statements noting that the Agency as of March 31, 2016 has net assets of approximately \$29,000,000, and during the month of March, 2016, had approximately \$60,000 of revenues which are approximately \$147,000 below budget. Expenses totaled \$370,000 which is approximately \$33,000 over budget. The Agency also received approximately \$5,000,000 in gain from the sale of its investment in Gemcor. On a year to date basis, the Agency is approximately \$400,000 ahead of budget with respect to revenues, is approximately \$37,000 below budget with respect to expenses, and has net income of approximately \$5,000,000.

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

There being no further questions or comments, Ms. McDuffie directed that the report be received and filed.

Professional Services Procurement Policy. Mr. Weathers briefly reviewed the Professional Services RFP Process Policy and stated this item was only included within the agenda as an information item only per the request of Mr. Brown.

2016 Tax Incentive Induced/Closing Schedule. Ms. Fiala presented this report. Mr. Doherty asked if the street address of the projects could be included within the report. Ms. Fiala responded that as requested, street addresses would be added.

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

Mr. State then spoke and stated his belief that the Professional Services RFP Process Policy should require that MWBE professional associations be contacted as part of the RFP process. Mr. Weathers responded that he will ask the Executive Committee to review the policy with that consideration in mind subject to further Board review.

There being no comments, Mr. Lipsitz directed that the report be received and filed.

Nominating Committee Update. Mr. Weathers presented the 2016-2017 ECIDA/RDC/ILDC proposed board committees and officer positions as recommended by the Nominating Committee.

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

Mr. Poloncarz moved and Mr. Weinstein seconded, to approve of the committee and officer appointments. Ms. McDuffie called for the vote, and the 2016-2017 ECIDA/RDC/ILDC board committees and officer positions were unanimously approved as contained within the slate of committees and officers attached hereto and made a part of these minutes.

Policy Committee Update. Mr. Lipsitz updated board members on the most recently completed Policy Committee meeting whereat the Derrick Corporation employment compliance issue was reviewed and discussed, as reflected within the draft Policy Committee meeting minutes, and Mr. Lipsitz stated the Policy Committee would continue to consider this issue at its next Policy Committee meeting.

There being no further discussion, Mr. Lipsitz directed that the report be received and filed.

MANAGEMENT TEAM REPORTS

Mr. Weathers updated Board members on the net zero energy building project including a review of the specifications of the building and timeline for implementing the project.

Mr. Elsenbeck spoke in favor of the net zero building and suggested that the project be aligned with the New York State Public Service Commission goals and policies related thereto.

Ms. McDuffie commented that the Western New York Power proceeds board has certain funds that may be available for projects such as the net zero energy building project and asked staff to consider such proceeds as a funding source.

Mr. Poloncarz commented on local efforts being undertaken within Erie County by the business community and others to encourage and develop energy efficiency as a means to reduce energy costs and reliance and emphasized that the Agency has an opportunity to be the nation's leader in developing a net zero energy building.

Mr. Pridgen suggested that, to ensure opportunities for MWBE participation in such a facility, that consideration be given to establish an incubator space that could be made available to small MWBE businesses.

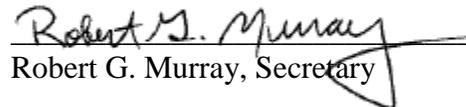
Mr. Weathers thanked board members for their input and in particular thanked Phil Riggs and Grant Lesswing for their their efforts in this endeavor.

2015 ECIDA ANNUAL REPORT

Mr. Weathers presented the Agency's 2015 year in review report and publication and thanked Ms. McDuffie, Mr. Lipsitz, Mr. Brown and Mr. Poloncarz for their contributions, efforts and leadership in making 2015 a success and thanked Agency staff for their excellent work.

There being no further business to discuss, Ms. McDuffie adjourned the meeting at 11:31 a.m.

Dated: April 27, 2016


Robert G. Murray, Secretary