

**MINUTES OF A MEETING OF THE
JOINT EXECUTIVE COMMITTEE OF THE
ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY (ECIDA)
AND
BUFFALO & ERIE COUNTY REGIONAL DEVELOPMENT CORPORATION (RDC)**

- DATE AND PLACE:** June 18, 2019, at the Erie County Industrial Development Agency, 95 Perry Street, Suite 403, Buffalo, New York 14203
- MEMBERS PRESENT:** Richard Lipsitz, Jr., Brenda W. McDuffie, Hon. Glenn R. Nellis and Hon. Mark C. Poloncarz
- ABSENT:** Hon. Bryon W. Brown, Hon. Joseph H. Emminger and Hon. Darius G. Pridgen
- OTHERS PRESENT:** Steve Weathers, Chief Executive Officer; John C. Cappellino, Executive Vice President; Mollie Profic, Treasurer; and Karen M. Fiala, Secretary
- GUESTS:** Robert G. Murray, General Counsel; Andrew Federick, Erie County Senior Economic Development Specialist

At 12:25 p.m., there being a quorum present, Ms. McDuffie called the meeting of the Joint Executive Committee to order.

MINUTES

The minutes of the December 12, 2017 meeting of the Joint Executive Committee of the Erie County Industrial Development Agency and the Buffalo and Erie County Regional Development Corporation were presented. Upon motion made by Mr. Lipsitz and seconded by Mr. Poloncarz, Ms. McDuffie called for the vote and the approval of the December 12, 2017 minutes was unanimously carried.

MANAGEMENT REPORT

Mr. Weathers presented the Medical Conservation Devices, LLC Investment memorandum. General discussion ensued. Mr. Poloncarz asked for more historical information on the initial investment and Mr. Weathers confirmed that historical information will be added to the memorandum before this issue is presented to the Board.

BERC LOAN FUND

Ms. Profic provided committee members with an update on BERC's dissolution and eventual return of the BERC Loan Fund to the ECIDA for ultimate return of that same fund to the Federal Economic Development Administration due to an inability to use the funds as currently programmed.

MANAGEMENT REPORT

Mr. Weathers then asked members to enter into an attorney-client privilege discussion to seek legal advice. Mr. Murray confirmed that Mr. Weathers is not seeking to enter into an executive session; rather, as permitted as an exception to the Open Meetings Law, Mr. Weathers is seeking to enter into a confidential attorney client privilege session held between the attorney and client, and as permitted, a client can meet, privately, pursuant to that relationship, with its attorney. Mr. Lipsitz moved and Mr. Poloncarz seconded to enter into an attorney-client privilege session. Ms. McDuffie called for the vote and the committee entered into attorney-client privilege at 12:44 p.m. with only counsel present.

Mr. Poloncarz moved and Mr. Lipsitz seconded to end the attorney-client privilege session. Ms. McDuffie called for the vote and the committee ended the attorney-client privilege session at 1:50 p.m.

There being no further business, Ms. McDuffie adjourned the meeting at 1:50 p.m.

Dated: June 18, 2019



Karen M. Fiala, Secretary