

**MINUTES OF A JOINT MEETING OF THE
FINANCE & AUDIT COMMITTEES OF THE
ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY (ECIDA or AGENCY)
THE BUFFALO & ERIE COUNTY REGIONAL DEVELOPMENT
CORPORATION (RDC) AND THE BUFFALO & ERIE COUNTY INDUSTRIAL
LAND DEVELOPMENT CORPORATION (ILDC)**

- MEETING:** August 17, 2017, at the Erie County Industrial Development Agency, 95 Perry Street, Suite 403, Buffalo, New York 14203
- PRESENT:** James F. Doherty, Hon. Joseph H. Emminger, Sister Denise Roche and Michael Szukala
- ABSENT:** Penny Beckwith, Hon. Glenn R. Nellis, and William Witzleben
- OTHERS PRESENT:** Mollie Profic, Treasurer, Karen M. Fiala, Assistant Treasurer; and Robert G. Murray, Secretary

In the absence of a quorum, Mr. Szukala called the meeting to order at 12:05 p.m. to discuss information items only.

ILDC-BETHLEHEM STEEL SITE

Ms. Profic provided members with an update of the ILDC's purchase of real property located at the Bethlehem Steel site in Lackawanna, New York. Ms. Profic also noted that through August 10, 2017, \$2,625,550 of the \$5,700,000 of money allocated to purchase the real property has been transferred from the ECIDA's UDAG fund to the ILDC and has been expended for land acquisition and legal costs associated with the acquisition. Mr. Szukala directed that the report be received and filed.

FINANCIAL REPORT

Ms. Profic provided members with a review of the ECIDA's budgeted administrative fee revenue, other revenue and operating expenses compared with the actual amounts through July 31, 2017. Mr. Szukala directed that the report be received and filed.

NEW BUSINESS

Ms. Profic updated members on the dissolution of the Buffalo Economic Renaissance Corporation (BERC) and related EDA funds that need to be returned from BERC through the ECIDA and to the EDA, as well as issues relating to an existing BERC loan. Ms. Profic also updated members on the upcoming 2018 budget review process.

At this point in time, Mr. Emminger joined the meeting. Mr. Szukala then officially called the meeting to order in recognition that a quorum was now present.

MINUTES

The May 15, 2017 minutes of the joint meeting of the Committee were presented. Upon motion made by Sister Denise, and seconded by Mr. Doherty, the May 15, 2017 minutes of the Committee were unanimously approved.

BANKING SERVICES RFP RECOMMENDATION

Ms. Profic reviewed the ECIDA Professional Service Request For Proposals process requiring proposals for banking services to be solicited at least every five years. Ms. Profic noted that in May 2017, the ECIDA and its affiliates initiated its joint RFP for banking services which involved providing the proposal to the ten largest banks in Erie County as ranked by Business First, placing ads in the Buffalo News and the Challenger Community News, and placing notice of the request for proposals on the Agency's website. Ms. Profic noted that five responses to the RFP were received from Community Bank N.A., Citizens Bank, Evans Bank N.A., KeyBank N.A., and M&T Bank. Ms. Profic commented that an internal ECIDA staff committee scored the proposals and short listed three banks for additional review and questioning. Out of these three, two banks were then invited to give a demonstration of their web-banking system and answer additional questions. As a result, the internal staff committee unanimously recommends M&T Bank due to the following:

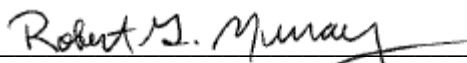
- M&T Bank offered competitive interest rates and the highest earnings credit rate.
- M&T Bank has a dedicated government banking team headquartered in Buffalo. The principal relationship manager for M&T Bank has over 11 years of government banking experience. Clients include IDAs, state agencies, counties, and public authorities.
- M&T Bank offered a no service charge proposal if they were selected as the prime deposit bank.
- M&T Bank has received an "outstanding" CRA rating since 1989.
- M&T Bank offers a dedicated project management team to assist with the IDA's banking transition.

Mr. Doherty then disclosed that his son-in-law works for M&T Bank and queried as to whether or not he has a conflict of interest. Mr. Murray confirmed that Mr. Doherty's son-in-law has no personal involvement in the transaction at hand; Mr. Doherty's son-in-law does not work in this area of M&T Bank operations, and Mr. Doherty's son-in-law has no pecuniary interest in the transaction. As such, Mr. Murray thanked Mr. Doherty for his disclosure but confirmed that there is no conflict of interest affecting Mr. Doherty's ability to participate in the discussion or selection of a bank for banking services.

General discussion ensued. Mr. Emminger then moved and Sister Denise seconded to recommend to the ECIDA, RDC and ILDC Boards to approve the selection of M&T Bank as the prime bank of each respective entity. Mr. Szukala called for the vote and the motion was then unanimously approved.

There being no further business to discuss, Mr. Szukala adjourned the meeting at 12:30 p.m.

Dated: August 17, 2017


Robert G. Murray, Secretary