

**MINUTES OF THE  
BOARD OF DIRECTORS  
OF THE  
BUFFALO AND ERIE COUNTY REGIONAL  
DEVELOPMENT CORPORATION  
(RDC)**

**DATE AND PLACE:** October 26, 2016, at the Erie County Industrial Development Agency, 95 Perry Street, 5<sup>th</sup> Floor ESD Conference Room, Buffalo, New York 14203

**PRESENT:** Hon. Diane Benczkowski, Hon. Joseph H. Emminger, Dottie Gallagher-Cohen, Richard Lipsitz, Jr., David L. Lowrey, Brenda W. McDuffie, Frank B. Messiah, Hon. Glenn R. Nellis, Hon. Mark C. Poloncarz, Hon. Edward A. Rath, III, Sister Denise Roche, Paul V. Vukelic and Hon. Barry A. Weinstein

**EXCUSED:** Hon. Byron W. Brown, James F. Doherty, John J. Mudie, Louis Panzica, and Hon. Darius G. Pridgen

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

**GUESTS:** Andrew Federick, Erie County Senior Economic Development Specialist

There being a quorum present at 11:00 a.m., the meeting of the Buffalo and Erie County Regional Development Corporation Board of Directors was called to order by its Chair, Ms. McDuffie.

**MINUTES**

Upon motion made by Mr. Nellis and seconded by Mr. Rath, the minutes of the September 28, 2016 Meeting of the Board of Directors of the RDC were unanimously approved.

**REPORTS/ACTION ITEMS/INFORMATION ITEMS:**

Financial Report. Ms. Profic presented the September 2016 financial report noting the balance sheet reflects total assets of approximately \$22.9 million and net assets of approximately \$20.8 million. The monthly income statement shows a loss of \$117,000. Operating revenue was below budget by about \$2,000. Operating expenses were over budget by about \$70,000 due to the quarterly adjustment to the provision for loan losses. The year-to-date income statement shows total operating revenue of \$334,000 and total operating expenses of \$376,000. Year-to-date operating expenses are below budget by approximately \$87,000 due to lower than anticipated professional services expenses and provision for loan losses. There is a year-to-date

net loss of approximately \$42,000. There being no further questions, Ms. McDuffie directed that the report be received and filed.

2016 Loan State Report/Closing Schedule. Mr. Manhard reviewed the 2016 closing schedule. Ms. McDuffie directed that the report be received and filed.

EDA Amendment for RDC Loan Funds. Mr. Weathers introduced this item noting that there has been an approximately 20-30 year problem with the RDC Revolving Loan Fund due to issues related to the local match that leveraged receipt of EDA grant funds, and specifically recognized the good work of the ECIDA staff, County DEP staff, and particularly the work of County Executive Poloncarz and Senator Chuck Schumer to resolve this issue and free up additional lending funds. Mr. Poloncarz then spoke, thanking ECIDA staff, and County DEP staff, as well as former ECIDA Chairman, Congressman LaFalce for his efforts as well. Mr. Poloncarz noted that the ILDC, in its meeting held prior to this meeting, approved certain actions allowing the RDC to obtain certain funds to make this change to the local match to the RLF possible. Mr. Poloncarz recalled that Senator Schumer provided great leadership in this effort particularly at a meeting that Mr. Weathers, Andrew Schoepich and Mr. Poloncarz attended in Washington, DC with Senator Schumer and the head of the Federal EDA and Housing and Urban Development all in an effort to resolve this issue. Mr. Poloncarz then walked members through the solution allowing the RDC to return approximately 2.7 million dollars to the County of Erie for county uses, return certain amounts to the Department of Treasury, and ultimately using certain funds as the new local match to therefore allow EDA funds to be used for lending purposes going forward.

Ms. McDuffie then thanked Congressman Higgins for his efforts in assisting to resolve this issue.

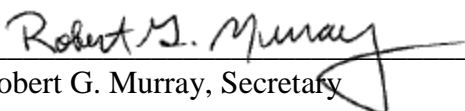
Mr. Poloncarz moved and Ms. Gallagher-Cohen seconded, to approve of the following resolution:

RESOLUTION OF THE BUFFALO AND ERIE COUNTY REGIONAL DEVELOPMENT CORPORATION (THE "RDC") TO UTILIZE FUNDS PROVIDED FROM THE BUFFALO AND ERIE COUNTY INDUSTRIAL LAND DEVELOPMENT CORPORATION (THE "ILDC") AS LOCAL SHARE FOR THE RDC REVOLVING LOAN FUND (THE "RLF") AND TO TAKE OTHER ACTIONS RELATED THERETO

Ms. McDuffie called for the vote and the aforementioned resolution was then unanimously approved.

There being no further business to discuss, Ms. McDuffie adjourned the meeting at 11:13 a.m.

Dated: October 26, 2016

  
Robert G. Murray, Secretary