

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

- DATE:** February 23, 2022
- LIVE STREAMED:** This meeting is being live-streamed and made accessible on the ECIDA’s website at www.ecidany.com.
- PRESENT:** Denise Abbott, Hon. Diane Benczkowski, Rev. Mark E. Blue, Hon. Joseph Emminger, Hon. Howard Johnson, Tyra Johnson, Richard Lipsitz, Brenda W. McDuffie, Hon. Glenn R. Nellis, Hon. Mark C. Poloncarz, Hon. Darius G. Pridgen, Sister Denise Roche, Kenneth A. Schoetz and Paul Vukelic
- EXCUSED:** Hon. Bryon W. Brown, James Doherty, Dottie Gallagher, Hon. Brian Kulpa and Renee Wilson
- OTHERS PRESENT:** John Cappellino, President & CEO; Mollie Profic, Chief Financial Officer/Assistant Secretary; Beth O’Keefe, Vice President of Operations; Atiqa Abidi, Assistant Treasurer; Gerald Manhard, Chief Lending Officer/Assistant Secretary; Grant Lesswing, Director of Business Development; Andrew Federick, Business Development Officer; Brian Krygier, Director of Information Technology; Carrie Hocieniec, Operations Assistant; Robbie Ann McPherson, Director of Marketing & Communications, Sean Fallon, Project Manager; Pat Smith, Senior Bookkeeper; and Robert G. Murray, Esq., General Counsel/Harris Beach PLLC
- GUESTS:** Maria Whyte, Deputy County Executive, Erie County

There being a quorum present at 12:02 p.m., the members of the Erie County Industrial Development Agency (the “ECIDA” or “Agency”), was called to order by Chair McDuffie.

MINUTES

The minutes of the January 26, 2022 meeting of the members were presented. Mr. Blue moved and Mr. Johnson seconded to approve of the minutes. Ms. McDuffie called for the vote and the minutes were unanimously approved.

APPROVAL OF UTEP POLICY

Mr. Cappellino provided a PowerPoint explanation and presented a memorandum describing the history of the existing Countywide IDA Uniform Tax Exemption Policy (UTEP) as currently adhered to by the Agency, the Hamburg IDA, the Clarence IDA, the Lancaster IDA, and the Amherst IDA, the rationale for necessary changes to be made, described the consideration of and process for soliciting input from all of the Erie County IDAs to amend same, reviewed the proposed amended and restated Countywide IDA UTEP, and confirmed that a county wide zoom meeting reviewing the amended and restated Countywide IDA UTEP was presented to and held with all taxing jurisdictions within Erie County.

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

Mr. Poloncarz thanked ECIDA staff for their efforts. Mr. Poloncarz moved and Mr. Lipsitz seconded to approve the Amended and Restated Countywide IDA UTEP. Ms. McDuffie then called for the vote and the following resolution was unanimously approved:

**RESOLUTION OF THE ERIE COUNTY INDUSTRIAL DEVELOPMENT
AGENCY APPROVING AND ADOPTING AN AMENDED AND RESTATED
COUNTYWIDE INDUSTRIAL DEVELOPMENT AGENCY UNIFORM TAX
EXEMPTION POLICY**

REPORTS/ACTION ITEMS/INFORMATION ITEMS

Financial Report. Ms. Profic provided a brief update regarding the 2021 year-end audit process. Our independent auditors, Freed Maxick, have been performing fully remote audits over the last few weeks. At this point we are awaiting the drafts of the financial statements. There haven't been any audit adjustments or other internal control issues brought to our attention during the audit. The financial statements and related reports will be reviewed in detail during the Finance & Audit Committee meeting on March 16, 2022. As a reminder, all board members are welcome to attend the Committee meeting. The final reports will be presented to the Board for approval at the March 23, 2022 meeting, for submission to the ABO prior to the March 31 deadline.

To give an update on how the IDA ended the 2021 financial year, the IDA recognized operating revenues of \$3.3M, including \$2.4M of Administrative Fees. This was 133% of our total Administrative Fee budget of \$1.8M. The year 2021 was the first year since 2017 that the IDA exceeded its Administrative Fee budget, and the highest Administrative Fee revenue since 2015 (\$3.75M including 4 bonds that year). ECIDA had net income from operations of approximately \$90,000 before "Strategic Investments and Initiatives". Included in that net income are expenditures of \$559,000 of PPE grant monies that were distributed in 2021 under the IDA's special program that sunset in June. \$5.3M of Federal CARES Act funding was passed through to the RDC for the CARES Act Revolving Loan Fund program. Strategic Investments of UDAG monies totaled \$183,000. Overall there was a net loss of approximately \$200,000 in 2021, which takes into account depreciation (\$116,000), PPE grants (\$559,000) and Strategic Initiatives (\$183,000). Additional information will be provided and reviewed when the 2021 audited financial statements are presented to the Board on March 23, 2022.

The IDA finished the month of January with total assets of \$30.4M, which includes \$7.3M of unrestricted cash (available for Agency operations), and \$19.5M of restricted cash (UDAG plus funds held on behalf of others). Liabilities totaled \$9.6M and net assets were \$20.8M at the end of January. The income statement shows an operating loss of \$64,000 for January. Operating revenue of \$171,000 was under budget by about \$54,000, due mainly to lower than budgeted administrative fee receipts during the month. Operating expenses of \$218,000 were about \$16,000 under budget. After Special Project grants and depreciation, there was a net loss of \$64,000 for the month. The year-to-date Income Statement is the same at this point, but also includes a comparison to January 2021. Ms. McDuffie directed that the report be received and filed.

Governance Committee. Ms. O’Keefe presented a review of the most recently completed governance committee meeting. Ms. McDuffie directed that the report be received and filed.

2022 Tax Incentive Induced/Closing Schedule/Estimated Real Property Tax Impact. Ms. O’Keefe presented this report to the members. Ms. McDuffie directed that the report be received and filed.

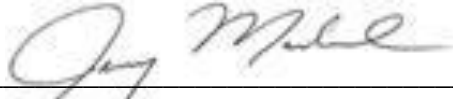
Policy Committee Update. Mr. Lipsitz presented the report of the most recently held Policy Committee meeting. Ms. McDuffie directed that the report be received and filed.

MANAGEMENT TEAM REPORT

CEDS Update. Mr. Cappellino provided an update to the members on the Management Team Report including an update on the CEDS plan, as so required by the Federal Economic Development Administration.

There being no further business to discuss, Ms. McDuffie adjourned the meeting of the Agency at 12:37 p.m.

Dated: February 23, 2022



Gerald Manhard, Assistant Secretary