

Erie County Gaming Revenue Authority Minutes for February 23, 2009

The meeting was called to order by Vice Chairman Kathy DeSante at 2:07 p.m. in the Caucus Room of Erie County Council. Present were Board Members Jennifer Dobbs Woods, David Sample, Pat Bruno via telephone, Mike Paris, Arthur Smaltz, Board Solicitor Thomas Talarico, as well as Erie County Councilman Joseph Giles, Director of Economic Development Robert Spaulding, Gaming Revenue Manager Carolyn Gold, and Clerk Douglas Smith.

A motion was made to include the minutes of January 29, 2009 on the agenda for approval by the Board by Mr. Sample; seconded by Mrs. Freeman and approved unanimously. A motion to approve minutes of January 6 and January 29, 2009 was made by Mr. Sample; seconded by Mrs. Freeman and approved unanimously. There were no citizens to be heard.

The first order of business was to select a committee to review the by-laws of the Authority and incorporate some updates. Ms. DeSante volunteered as did Mr. Smaltz. Attorney Talarico noted that some areas such as a new procedure for electing a chair should be considered.

Item B on the agenda was the appointment of a Budget & Finance Committee; Mr. Sample and Mrs. Freeman volunteered to serve.

Item C on the agenda was the appointment of a Grant Process Committee; Mr. Paris and Ms. Dobbs-Woods volunteered to serve. Item D on the agenda was to establish dates for 2008 and 2009 municipal grant application process; some discussion followed as to the process going forward. Mr. Sample reminded Members that the Authority had told applicants that an uncommitted grant cycle would soon follow the 2007 restricted cycle. Members discussed various aspects of an uncommitted funding cycle and what it might require from the Authority in terms of an application. It then was suggested that the 2008 and 2009 restricted funds be combined into one cycle. Attorney Talarico felt that the Authority should discuss this proposal with the municipalities before it was enacted. Such an agreement by all parties on terms may prevent misunderstandings or legal actions. Attorney Pastore was asked for a comment on the concept and he expressed a concern that the municipalities would have to wait almost an entire year for funds under such a scenario. Discussion flipped back and forth between restricted and uncommitted funds and which should be dealt with first. Attorney Talarico then pointed out the uncommitted funds were not bound by any calendar and that they could sit until timing and other issues were appropriate for their availability. Mr. Sample then suggested that the 08 restricted funds be processed next and the uncommitted funds wait until a later time.

Attorney Talarico spoke about an application from the City Mission for uncommitted funds. Mr. Spaulding thought such a request should come from the Human Services funds that have been set aside for gaming issues. Mr. Bruno pointed out that the process for uncommitted money did not have to resemble the process used so far for restricted money. It was decided that a copy of the Economic Development Authority Act should

be distributed to all members so as to coalesce their thoughts regarding the purpose of an Economic Development Authority. Mr. Bruno suggested the formation of a committee to look into drafting uncommitted funds criteria and was immediately drafted by Ms. DeSante for such a role. It was arranged that Mr. Bruno and Mrs. Gold will work on the Committee for Uncommitted Funds to develop such a process. The discussion then shifted to setting dates for the 08 restricted grant processes. Ms. Dobbs-Woods and Mr. Paris were asked by Ms. DeSante to examine the current application and make any changes in time by the March 19, 2009 Authority meeting. Attorney Talarico suggested that two person teams be assigned to applications as they come in. Those teams could meet with applicants and process the applications by July 1st.

Dates were set as follows:

2008 unrestricted applications go out April 1, 2009 and must be returned May 1, 2009, closing June 1, 2009; August & September distribution.

2009 unrestricted applications go out September 1, 2009, due back October 1, 2009 and close November 1, 2009; then distribute money in January or February of 2010.

Motion to approve 2008-2009 unrestricted timetables made by Mr. Paris, seconded by Mr. Sample and approved unanimously.

Discussion of an uncommitted funds bank account for the Authority was item (e) on the agenda. It was established that an account exists, but there are no funds in it. Attorney Talarico pointed out that currently the County pays the Authority's costs and then seeks reimbursement. He suggested that perhaps the County could budget funds for the aforementioned checking account and give the Authority the ability to pay its own bills. Attorney Pastore asked the Board if the criteria for the applications would remain the same. He felt that some uncertainty about criteria had caused certain applicants to file multiple applications. The Board assured him that the criteria would change very little for the 08 cycle of restricted grants.

Meetings dates were scheduled for March 19, 2009 and May 7, 2009 at 11:30 a.m.

A motion was made to adjourn by Ms. Dobbs-Woods at 3:15 p.m., second by Mrs. Freeman and so done.