

**Minutes of the Meeting  
of the  
Board of Directors  
Buffalo Urban Development Corporation  
Highmark Building—Heritage Conference Room  
257 W. Genesee Street  
Buffalo, New York 14202  
January 31, 2023  
12:00 p.m.**

**1.0 Call to Order**

Directors Present:

Catherine Amdur  
Trina Burruss  
Scott Bylewski  
Daniel Castle  
Dennis W. Elsenbeck  
Dottie Gallagher  
Thomas Halligan  
Elizabeth Holden  
Brendan R. Mehaffy  
Kimberley A. Minkel  
David J. Nasca  
Dennis M. Penman (Vice Chair)  
Karen Utz

Directors Absent:

Hon. Byron W. Brown (Chair)  
Janique S. Curry  
Darby Fishkin  
Thomas A. Kucharski  
Nathan Marton  
Darius G. Pridgen

Officers Present:

Brandye Merriweather, President  
Rebecca Gandour, Executive Vice President  
Mollie M. Profic, Treasurer  
Kevin J. Zanner, Secretary  
Atiqa Abidi, Assistant Treasurer

Others Present: Cristina Cordero, Gardiner and Theobald (via Zoom); Jonathan Epstein, *The Buffalo News*; Zaque Evans, Senior Economic Development Specialist, Erie County Executive's Office; Alexis M. Florczak, Hurwitz Fine P.C.; Kevin Gulvin, Gardiner and Theobald (via Zoom) Soma Hawramee, ECIDA Compliance Officer; Brian Krygier, Director of IT, ECIDA; Kelly Maloney, Gilbane Building Company; and Antonio Parker, BUDC Project Manager.

**Roll Call** – The meeting was called to order at 12:05 p.m. by Vice Chair Penman. The Secretary called the roll and a quorum of the Board was determined to be present. Ms. Burruss joined the meeting during the presentation of item 4.6.

**2.0 Reading of the Minutes** – The minutes of the December 20, 2022 meeting of the Board of Directors were presented. Mr. Castle made a motion to approve the meeting minutes. The motion was seconded by Ms. Amdur and (with Mr. Bylewski abstaining) carried with eleven affirmative votes (11-0-1).

**3.0 Monthly Financial Reports** – Ms. Profic reported that the 2022 audit is currently underway and BUDC is working with its auditors Freed Maxick to respond to audit inquiries and requirements. Draft reports will be available for review at the March 9, 2023 Audit & Finance Committee meeting.

**4.0 New Business**

**4.1 Appointment of Scott Bylewski to BUDC Real Estate Committee** – Mr. Penman and Ms. Merriweather welcomed Mr. Bylewski to the BUDC Board of Directors. Ms. Minkel made a motion to appoint Mr. Bylewski to the BUDC Real Estate Committee. The motion was seconded by Mr. Nasca and unanimously carried (12-0-0).

**4.2 Northland Beltline Corridor – 714 Northland LLC Amendment to M&T Loan Documents for LIBOR-SOFR Transition** – Ms. Merriweather presented her January 31, 2023 memorandum regarding proposed amendments to the M&T loan agreement with 714 Northland LLC. The proposed amendment will effectuate the transition from the LIBOR interest-rate benchmark, which is being phased out, to a SOFR-based interest rate benchmark. Mr. Nasca made a motion to: (i) approve the amendment to the existing agreement for the 714 Northland Loan in order to transition the existing LIBOR-based interest rate to a SOFR-based interest rate; and (ii) authorize the President or Executive Vice President to execute and deliver such amendments and other documents and to take such actions on behalf of 714 Northland LLC as may be reasonably necessary or appropriate to implement this action. The motion was seconded by Ms. Gallagher and unanimously carried (12-0-0).

**4.3 Ralph C. Wilson, Jr. Centennial Park – Fourth Amendment to BUDC-City of Buffalo Wilson Foundation Subgrant Agreement** – Mr. Parker presented his January 31, 2023 memorandum regarding a proposed fourth amendment to the BUDC-City of Buffalo subgrant agreement. Ms. Holden made a motion to: (i) approve the Fourth Amendment to the BUDC-City of Buffalo subgrant agreement allowing BUDC to transfer up to \$13,484,507 in Wilson Foundation funds to the City for Phase 1 construction of Ralph Wilson Park; and (ii) authorize the BUDC President or Executive Vice President to execute the Fourth Amendment to the Subgrant Agreement and take such other actions as are necessary to implement this authorization. The motion was seconded by Mr. Halligan and unanimously carried (12-0-0).

**4.4 Ralph C. Wilson, Jr. Centennial Park – BUDC-City of Buffalo MLB-MLBPA Youth Development Foundation Subgrant Agreement** – Mr. Parker presented his January 31, 2023 memorandum regarding a BUDC-City of Buffalo subgrant agreement for the transfer of MLBPA Youth Development Foundation funds. Mr. Mehaffy made a motion to: (i) approve the MLBYDF Subgrant Agreement allowing BUDC to transfer grant funds in an amount up to \$960,000 to the City of Buffalo for the field renovation work at Ralph Wilson Park; and (ii) authorize the BUDC President or Executive Vice President to execute the MLBYDF Subgrant Agreement and take such other actions as are necessary to implement this authorization. The motion was seconded by Mr. Bylewski and unanimously carried (12-0-0).

**4.5 Waterfront/Ralph C. Wilson, Jr. Centennial Park Project Update** – Ms. Maloney presented an update regarding the Ralph C. Wilson, Jr. Centennial Park Project. The bridge steel fabrication bid package was previously released and bids are due this week. Remaining bid packages will be released next week, which include the sled hill, athletic fields, and landscaping work packages. In response to a question from Mr. Castle, Ms. Maloney indicated that contractors generally have 4-6 weeks to respond to bid requests. Contract negotiations with the City continue to move forward, with the parties moving closer to finalizing the project labor agreement and construction manager at risk agreements.

**4.6 BBRP/Buffalo’s Race for Place Project Update** – Ms. Merriweather presented an update regarding Buffalo’s Race for Place. The Inner Harbor and Waterfront Public Realm master plan is

moving forward. BUDC has entered into a contract with MIG for this work. An initial project kickoff meeting took place on January 5<sup>th</sup>. MIG and its partners are scheduled to visit February 27<sup>th</sup> and 28<sup>th</sup> and will conduct focus groups, stakeholder meetings and public engagement meetings. MIG has also started participating in the waterfront stakeholder meetings. Ms. Merriweather also reported that BUDC is working with the Office of Strategic Planning with respect to transportation demand management and curbside management studies. The library lighting underpass project continues to progress. The Board of the Buffalo and Erie County Public Library will meet later this week to consider approving funding for the lighting underpass project. The Queen City Pop-Up Downtown Dollars Sweepstakes has wrapped up, and Ms. Merriweather thanked the Mayor's Office, Buffalo Place, Buy Black Buffalo and Mr. Parker for their respective efforts in making this program a success.

**4.7 Northland Beltline Corridor - Project Update** – Ms. Gandour presented the Northland Beltline Corridor update. A request for proposals (RFP) for architectural and engineering services was due January 17<sup>th</sup>. BUDC received five (5) responses to the RFP. The selection committee, consisting of representatives from BUDC, ESD, the Office of Permits & Inspections and the Office of Strategic Planning will meet on February 1<sup>st</sup> to select two or three proposals to advance to the interview stage. Ms. Gandour also reported that BUDC was recently awarded Brownfield Opportunity Area (BOA) funding for Northland. The BOA funding is subject to review by the State Comptroller's office. It is anticipated that a grant disbursement agreement will be presented to the Board for approval sometime in the next few months.

**4.8 Buffalo Lakeside Commerce Park – Project Update** – Ms. Gandour presented an update regarding Buffalo Lakeside Commerce Park. Krog and Savarino are both current on payments under their respective exclusivity agreements with BUDC and are in discussions with prospective tenants. Potential land sale agreements will be discussed at the Real Estate Committee meeting on Friday, February 3<sup>rd</sup>.

**5.0 Late Files** – None.

**6.0 Tabled Items** – None.

**7.0 Executive Session** – None.

**8.0 Adjournment** – There being no further business to come before the Board of Directors, the January 31, 2023 meeting of the Board of Directors was adjourned at 12:27 p.m.

Respectfully submitted,



---

Kevin J. Zanner, Secretary