

**Minutes of the Meeting
of the
Board of Directors
of
Buffalo Urban Development Corporation**

Via Video Conference Call & Live Stream Audio

**November 30, 2021
12:00 p.m.**

Directors Present:

Trina Burruss
Daniel Castle
James Comerford
Janique S. Curry
Darby Fishkin
Dottie Gallagher
Thomas Halligan
Thomas A. Kucharski
Amanda Mays
Brendan R. Mehaffy
Kimberley A. Minkel
David J. Nasca
Dennis M. Penman (Vice Chair)
Darius G. Pridgen

Directors Absent:

Mayor Byron W. Brown (Chair)
Dennis W. Elsenbeck
Michael J. Finn
Maria R. Whyte

Officers Present:

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

Guests Present: Tuona Batchelor, Erie County Department of Environment and Planning; Alexis M. Florczak, Hurwitz & Fine, P.C.; Arthur Hall, BUDC Senior Project Manager; Jamee Lanthier, ECIDA Compliance Officer; and Antonio Parker, BUDC Project Manager.

- 1.0** **Roll Call** – The Vice Chair called the meeting to order at 12:06 p.m. 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 agenda item 3.1. Mr. Pridgen joined the meeting during the presentation of agenda item 4.2.

The meeting was held via Zoom in accordance with the provisions of Part E of Chapter 417 of the Laws of 2021, which amended Article 7 of the Public Officers Law to authorize public entities to conduct meetings and take such action authorized by law without permitting in public in-person access to meetings and to authorize such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed.

2.0 Approval of Minutes – Meeting of October 26, 2021 – The minutes of the October 26, 2021 meeting of the Board of Directors were presented. Ms. Mays made a motion to approve the meeting minutes. The motion was seconded by Mr. Kucharski and unanimously carried (12-0-0).

3.0 Monthly Financial Reports

3.1 683 Northland Master Tenant, LLC Financial Statements – Ms. Profic presented for information purposes the financial statements for 683 Northland Master Tenant, LLC for the period ending October 31, 2021.

3.2 BUDC Consolidated Financial Statements – Ms. Profic presented the consolidated financial statements for BUDC and its affiliates, 683 Northland LLC and 683 WTC, LLC for the period ending October 31, 2021. Ms. Burruss made a motion to accept the BUDC consolidated financial statements. The motion was seconded by Ms. Mays and unanimously carried (13-0-0).

4.0 New Business

4.1 Appointment of Daniel Castle to BUDC Committees – Mr. Kucharski made a motion to appoint Daniel Castle to the Downtown Committee. The motion was seconded by Mr. Mehaffy and unanimously carried (13-0-0).

4.2 Buffalo Lakeside Commerce Park – Sale to Zephyr Investors – Brownfield Cleanup Program – Ms. Gandour presented her November 30, 2021 memorandum regarding Zephyr Investors' request for consent to submit applications to the Brownfield Cleanup Program (BCP) for the parcels located at 15 Laborer's Way and 310 Ship Canal Parkway. Ms. Gandour reviewed the proposed conditions for granting consent and noted this item was reviewed by the Real Estate Committee at its November 23, 2021 meeting and recommended for Board approval. Following Ms. Gandour's presentation, Mr. Comerford made a motion to: (i) approve BUDC and BLCP-1 entering into a multi-party agreement with Zephyr Investors and its affiliates consistent with the terms set forth in Ms. Gandour's November 30, 2021 memorandum; (ii) consent to the submission by Zephyr's affiliates of Brownfield Cleanup Program applications for 15 Laborer's Way and 310 Ship Canal Parkway, following execution of the multi-party agreement; (iii) authorize the President or Executive Vice President to execute the multi-party agreement, the BCP consents and such other documents as may be necessary to implement these actions. The motion was seconded by Mr. Castle and unanimously carried (14-0-0).

4.3 Ralph C. Wilson, Jr. Centennial Park – Project Update – Mr. Parker presented a general update regarding the Centennial Park project. The construction documents phase of the project continues to move forward. A final meeting regarding construction documents for the pedestrian bridge phase 3 site investigation has been completed; the draft report for this site investigation is under review. The waterfront community meeting will be rescheduled to a December date. BUDC is working with the City on the request for qualifications process. Mr. Pridgen expressed continued concerns about flooding that is impacting the waterfront community and encouraged continued community engagement with respect to this issue.

4.4 Buffalo Lakeside Commerce Park – Project Update – Ms. Gandour presented the following update regarding BLCP matters:

255 Ship Canal Parkway: Uniland continues to move forward with its solar project. Construction is expected to commence soon.

193 Ship Canal Parkway: NYSDEC is nearing a decision regarding a proposed bifurcation of the site for BCP purposes.

BLCP Property Owners Association: The Real Estate Committee discussed the need to create a more formal governance structure for the POA, with a subset of the Committee serving as POA directors. The Governance Committee will review this proposed structure at its December meeting in order to make a recommendation to the Board.

4.5 Northland Beltline Corridor Update – Mr. Hall presented the Northland Beltline Corridor Project update as follows:

Northland Central – NWTC/ESD/BUDC Memorandum of Understanding: The company that completed the initial inventory of equipment completed its inventory update on November 1st, and a report is anticipated to be available for review in early December.

683 Northland: GURF #1 for the Microgrid Capital Grant in the amount of \$50,261.88 and GURF #20 in the amount of \$47,272.85 are under review by ESD. Dennis Conroy is following up on the status of GURF #1 and GURF #20. The Restore NY V #3 reimbursement request has also been approved in the amount of \$372,374.95. The Office of Strategic Planning is reviewing this reimbursement request.

Solar Microgrid (Substation): The revised site plan for the roof has been received and the structural study is complete. Communications with National Grid regarding the Interconnection Study have commenced and are being finalized. LaBella Associates has completed its energy study with plans to add renewables and storage.

Management/Maintenance: SparkCharge has completed its second year of occupancy and Garwood Medical has completed its first year of occupancy. Bank on Buffalo continues to move forward with the design for its 683 Northland location. The Mancuso Group is scheduling a tenant meeting for January 2022. Garwood Medical has installed the red shed ramp and railing gate. The Mancuso Group is currently reviewing two quotes to restore and repair the gate at 631 Northland.

Northland Video Series (“A Neighborhood of Opportunity Video”): Sandy Whyte and her marketing team have scheduled meetings with videographers to capture video footage and drone shots of the Northland Corridor. There will be four videos which are currently being edited. The videos are anticipated to be complete by mid-December.

4.6 Race for Place Project Update – Ms. Merriweather presented an update regarding BBRP and the Race for Place initiative. BUDC continues to work with the City on Race for Place efforts. The City has released a Request for Proposals for design of a flexible smart corridor, which follows Race for Place’s recommendations and its Future of Mobility report of increasing walkability and vibrancy of downtown streetscapes. Responses to the RFP are due this week. BUDC continues to advance the Ellicott Street Placemaking Strategy and is working with the City and Wendel in securing grant opportunities for pop-up placemaking elements near the William-Broadway-Ellicott intersection. In October, BUDC partnered with the City for the Buy Black Buffalo lunch crawl and happy hour which highlighted the five Black-owned restaurants in the Central Business District. The holiday edition of Queen-City Pop-Up is being launched this week at the Hyatt and will run for one week.

4.7 308 Crowley Project Update – Mr. Parker reported that BUDC continues to work through the SHPO process. Regional has been identified as the consultant for the project. Mr. Comerford noted

that there appears to be a minor issue with the re-design of the shared wall with Enterprise Folding Box Co.

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, the November 30, 2021 Board of Directors meeting was adjourned at 12:36 p.m.

Respectfully submitted,

Kevin J. Zanner, Secretary