

**Minutes of the Meeting
of the
Board of Directors
Buffalo Urban Development Corporation
Via Video Conference Call & Live Stream Audio**

**February 23, 2021
12:00 p.m.**

1.0 Call to Order

Directors Present:

Hon. Byron W. Brown (Chair)
Trina Burruss
James W. Comerford
Dennis W. Elsenbeck
Darby Fishkin
Thomas Halligan
Thomas R. Hersey, Jr.
Thomas A. Kucharski
Amanda Mays
Brendan R. Mehaffy
Kimberley A. Minkel
David J. Nasca
Dennis M. Penman (Vice Chair)
Darius G. Pridgen
Craig A. Slater

Directors Absent:

Janique S. Curry
Michael J. Finn
Dottie Gallagher
Maria R. Whyte

Officers Present:

Peter M. Cammarata, President
Brandye Merriweather, Vice President, Downtown Development
Rebecca Gandour, Vice President, Finance & Development
Mollie M. Profic, Treasurer
Kevin J. Zanner, Secretary
Atiqa Abidi, Assistant Treasurer

Others Present: Jenna Bichler, Buffalo Urban Renewal Agency; Evan Y. Bussiere, Hurwitz & Fine, P.C; Arthur Hall, BUDC; Lisa Hicks, Office of Strategic Planning; Seth Piccirillo, Buffalo Niagara Partnership; and David Stebbins, Bisonwing Planning and Development, LLC.

Roll Call – The Secretary called the roll of directors and a quorum was determined to be present. Ms. Mays joined the meeting during the presentation of item 3.1. Mayor Brown joined the meeting during the presentation of item 3.2.

The meeting was held via video/telephone conference in accordance with the provisions of Executive Order 202, issued by Governor Andrew Cuomo on March 12, 2020, as amended. The meeting was also live-streamed to the general public and recorded. A transcript of the meeting will be made available at a later date.

2.0 Presentation of the Minutes – The minutes of the December 22, 2020 meeting of the Board of Directors were presented. Mr. Mehaffy made a motion to approve the meeting minutes. The motion was seconded by Mr. Nasca and unanimously carried (13-0-0).

3.0 Monthly Financial Reports – Ms. Profic presented the financial statements for 683 Northland Master Tenant, LLC and the consolidated financial statements for BUDC and its affiliates, 683 Northland LLC and 683 WTC, LLC for the period ending January 31, 2021. Ms. Profic noted that draft audited financial statements will be presented to the Audit & Finance Committee at its March 22nd meeting and to the Board at the March 30th meeting. Mr. Pridgen made a motion to accept the financial report. The motion was seconded by Mr. Comerford and unanimously carried (15-0-0).

Following the presentation of the monthly financial report, Mr. Cammarata announced his retirement from BUDC, effective as of April 4th. He thanked Mayor Brown and the Board for the honor of assisting with the revitalization of the City of Buffalo, and indicated that he would continue with BUDC in a consulting capacity until the end of the calendar year. He also thanked BUDC staff. Mayor Brown, Council President Pridgen, Vice Chair Penman and many other Board members expressed great appreciation for Mr. Cammarata's leadership and his efforts on behalf of BUDC and the City of Buffalo. Mayor Brown indicated that discussions are underway to select a successor to serve as BUDC President.

Mr. Pridgen left the meeting prior to the presentation of item 4.1.

4.0 New Business

4.1 Northland Corridor – Solar & Microgrid Project – Empire State Development Grant Disbursement Agreement Approval – Ms. Gandour presented her February 23, 2021 memorandum regarding a \$200,000 grant from the Empire State Development (ESD). She noted that the Board had previously approved an initial Pre-Development Contract with the Frey Electric Construction Company for the implementation of the Northland Community Solar, Microgrid and Workforce Renewable Energy Infrastructure project. The ESD Board, as part of the Buffalo Billion 2 East Side Initiative, recently approved \$200,000 in funding to advance the project. BUDC staff and counsel reviewed the proposed Grant Disbursement Agreement which was presented and recommended for Board approval by the Real Estate Committee at its February 16, 2021 meeting.

Mr. Elsenbeck made a motion to authorize acceptance of a \$200,000 grant from ESD for costs associated with the Pre-Development Analysis of the Northland Community Solar, Microgrid and Workforce Renewable Energy Infrastructure project and to authorize the President or Vice President–Finance & Development to execute the Grant Disbursement Agreement and take such other actions as are necessary to implement this authorization. The motion was seconded by Mr. Mehaffy and carried by twelve affirmative votes (12-0-1). Ms. Mays abstained from the vote. Ms. Fishkin was not present for the vote on this item.

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

683 Northland: BUDC continues to negotiate with Bank on Buffalo regarding a potential branch location at Northland Central. Staff anticipates that a final version of the lease agreement will be presented to the Real Estate Committee in March. Garwood Medical continues its internal build-out of the "Red Shed" and now anticipates being fully operational by April 1, 2021. Tenant improvements for the Retech Systems manufacturing space have been completed. The company is fully-operational in both their office and manufacturing spaces. Base rent payments commenced on February 1st. Mr. Hall also noted that the Northland Workforce Training Center has resumed in-person classes.

612 Northland: BUDC staff is working with the Albright Knox, LISC and other local partners to develop public art and place-making strategies throughout the corridor. BUDC, Albright Knox and their local partners are discussing a series of spring movie nights and other community engagement events. A new exhibit opened at the beginning of the month and has experienced very good visitor attendance on the weekends.

537/541 E. Delavan: The subdivision of the 537 East Delavan property has been completed and the City will be issuing separate SBL numbers for the new parcels. Phase 1C contractors at 541 East Delavan continue to be on hold until NYS Restore NY V reimbursements are received. It is anticipated that construction will be able to resume this spring or summer.

Property Management: The new snow removal contractor continues to perform well through a challenging month of February. As new tenants have come on-line over the winter months, Mancuso Management has coordinated parking, building access, signage and general maintenance issues.

Property Exchanges: BUDC counsel has completed the City of Buffalo and BUDC land exchange that provides BUDC with land at the intersection of Fillmore and Northland for future commercial development. The first step to redeveloping this land is to proceed with an underground storage tank (UST) removal/cleanup at 1669 Fillmore, which BUDC committed to undertake as part of the transaction. LaBella Associates has agreed to perform the work for the same cost that it initially quoted in 2017. BUDC staff is nearing completion of the land exchange with Plesh.

Neighborhood Planning and Development: BUDC staff, with assistance from the Office of Strategic Planning, BURA and the Buffalo Sewer Authority, continues to update the BOA Nomination Document. BUDC staff is coordinating with OSP and COB staff this week to review the final draft and submit it to the Department of State.

UB Studio: This semester, an Urban Design class at the University of Buffalo is focusing their final design project on concepts and renderings for "Houdaille Place", a community place-making concept for the Northland Beltline Campus, located at a portion of 537 E. Delavan.

Community Outreach: BUDC staff continues to work with the LISC, which received a grant from AARP to advance place-making concepts, including several Northland Campus sites. The funding focuses on celebrating and reinvigorating Black and Brown culture, a sense of community, and local pride.

- 4.3 Buffalo Lakeside Commerce Park – 255 Ship Canal Parkway – Consent for Uniland to Participate in Brownfield Cleanup Program** – Mr. Cammarata presented his February 23, 2021 memorandum regarding a request from Uniland for BUDC consent to the submission of an application to the Brownfield Cleanup Program (BCP) for the 255 Ship Canal Parkway site. As part of its due diligence, Uniland has been exploring BCP opportunities for the site and has presented a request that BUDC, as landowner, consent to Uniland submitting a BCP application. Mr. Cammarata then reviewed a proposed resolution included in the meeting agenda packet that would authorize Uniland to submit the BCP application and allow testing at the site in furtherance of the application. He noted that no remedial activities would be permitted until Uniland closes on the purchase of the site. Uniland will also share all documents that it submits to the NYSDEC in connection with its participation in the BCP. Mr. Cammarata noted that the Real Estate Committee reviewed this item at its February 16, 2021 meeting and that the proposed resolution incorporates the comments of the Committee. Mr. Comerford made a motion to adopt the resolution in the form presented to the Board to authorize Uniland to proceed with a Brownfield Cleanup Program application for 255 Ship Canal Parkway. The motion was seconded by Mr. Mehaffy and unanimously carried (13-0-0).

- 4.4 Buffalo Lakeside Commerce Park – Project Update** - Mr. Cammarata noted that the two land sale agreements currently in effect for parcels at the park are in their respective due diligence periods. Uniland's due diligence period expires on February 28th. The due diligence period for the Zephyr land sale transaction expires on July 31, 2021. Mr. Cammarata noted that there are positive signs that the NYS legislature is on a path to legalize adult use cannabis, which is a requirement for Zephyr to proceed with its land acquisition.
- 4.5 RCWJ Centennial Park – Project Update** – Ms. Gandour updated the Board regarding the Ralph C. Wilson, Jr. Centennial Park project. The project has achieved 100% design development and the design documents are complete. Discussions continue with regulatory partners regarding the shoreline. Ms. Gandour also reported that BUDC has been awarded a capacity grant by the Ralph C. Wilson, Jr. Foundation. She noted that the Ralph J. Wilson Conservancy was recently established to maintain the park following completion of construction. Ms. Gandour also noted that BUDC continues to seek additional funding sources for the project.
- 4.6 BBRP/Race for Place Project Update** – Ms. Merriweather presented an update on BBRP and the Race for Place project. She updated the Board regarding the two requests for proposals issued by the City of Buffalo, one for the redevelopment of the Mohawk parking ramp and the second for proposals for a mobility coordinator to manage City of Buffalo parking ramps and consider and support innovative mobility strategies for multiple modes of transportation, including micro-mobility options and transportation technologies. Work continues on the Ellicott Node concept plan. She noted that BUDC is gearing up for additional collaboration sessions regarding the accelerator fund. BUDC continues to work with Buffalo Place regarding the expansion of the Buffalo Place business improvement district. Ms. Merriweather also reported that new concepts are under consideration for the Queen City Pop Up program. She concluded her presentation by noting that the Race for Place project will be featured at the March Urbanism Next conference.
- 4.7 308 Crowley Project Update** – Mr. Cammarata reported that BUDC continues to work on the sale of the cinder block building to Enterprise Folding Box Company. He also updated the Board regarding the advancement of a memorandum of agreement with SHPO in connection with the partial demolition work.
- 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, upon motion made by Mr. Comerford, seconded by Mr. Hersey and unanimously carried, the February 23, 2021 meeting of the Board of Directors was adjourned at 1:07 p.m.

Respectfully submitted,



Kevin J. Zanner, Secretary