

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

**95 Perry Street– 4th Floor Vista Room
Buffalo, New York 14203**

**June 25, 2024
12:00 p.m.**

Directors Present:

Catherine Amdur
Mayor Byron W. Brown (Chair)
Scott Bylewski
Daniel Castle
Janique S. Curry
Dennis W. Elsenbeck
Dottie Gallagher
Thomas Halligan
Elizabeth Holden
Thomas A. Kucharski
Brendan R. Mehaffy
Kimberley A. Minkel
David J. Nasca
Christopher P. Scanlon
Karen Utz

Directors Absent:

Trina Burruss
Darby Fishkin
Nathan Marton
Dennis M. Penman (Vice Chair)

Officers Present:

Brandye Merriweather, President
Mollie Profic, Treasurer
Kevin J. Zanner, Secretary
Atiqa Abidi, Assistant Treasurer

Guests Present: Jonathan Epstein, *The Buffalo News*; Zaque Evans, Senior Economic Development Specialist, Erie County Executive's Office; Alexis M. Florczak, Hurwitz Fine P.C; Soma Hawramee, ECIDA Compliance Manager; Brian Krygier, Director of IT, ECIDA; Kelly Maloney, Gilbane Building Company; and Angelo Rhodes II, Northland Project Manager.

- 1.0** Roll Call – The meeting was called to order at 12:18 p.m. by Mayor Brown. The Secretary called the roll of directors and a quorum of the Board was determined to be present. Ms. Curry joined the meeting during the presentation of item 3.2.
- 2.0** Approval of Minutes – Meeting of May 28, 2024 – The minutes of the May 28, 2024 meeting of the Board of Directors were presented. Mr. Halligan made a motion to approve the meeting minutes. The motion was seconded by Mr. Scanlon and unanimously carried (14-0-0).
- 3.0** Monthly Financial Reports – Ms. Profic presented for information purposes the financial

statements for 683 Northland Master Tenant, LLC for the period ending May 31, 2024. She then presented the consolidated financial statements for BUDC and its affiliates, 683 Northland LLC and 683 WTC, LLC for the period ending May 31, 2024. The Board discussed the financial statements. Ms. Gallagher made a motion to accept the consolidated financial statements. The motion was seconded by Mr. Nasca and unanimously carried (15-0-0).

4.0 New Business

4.1 2024-2025 Election of Officers – Mr. Kucharski and Ms. Merriweather presented the following proposed slate of officers of BUDC as set forth in the June 25, 2024 memorandum to the Board of Directors:

Chair:	Hon. Byron W. Brown
Vice Chair:	Dennis M. Penman
President:	Brandye Merriweather
Executive Vice President:	Rebecca Gandour
Treasurer:	Mollie M. Profic
Assistant Treasurer:	Atiqa Abidi
Secretary:	Kevin J. Zanner

Upon motion made by Mr. Kucharski, seconded by Ms. Curry and unanimously carried (15-0-0), the foregoing slate of officers was approved, with each officer to serve a term of one (1) year and until his or her successor has been elected or appointed.

4.2 Appointment of Citizen Board Members – Ms. Merriweather and Mayor Brown presented Mayor Brown’s June 25, 2024 memorandum to the Board regarding his re-appointment of Janique Curry and Thomas Halligan as citizen members and directors of BUDC, and the appointment of Crystal Morgan as a citizen member and director of BUDC. Ms. Merriweather noted that Trina Burruss decided to cycle off the Board due to United Way work commitments. Mayor Brown thanked Ms. Burruss for her contributions to the BUDC Board.

4.3 2024-2025 Board Committee Appointments – Ms. Merriweather presented the proposed slate of Committee appointments for 2024-2025. Mr. Kucharski made a motion to approve the proposed slate of Committee appointments. The motion was seconded by Mr. Nasca and unanimously carried (15-0-0). The Committee appointments approved by the Board are as follows:

Downtown Committee: Catherine Amdur; Daniel Castle; Darby Fishkin, Dottie Gallagher; Nathan Marton; Brendan R. Mehaffy (*Committee Chair*); Kimberley A. Minkel; Crystal Morgan; Christopher P. Scanlon; and Karen Utz.

Governance Committee: Hon. Byron W. Brown; Dennis W. Elsenbeck; Thomas Halligan; Thomas A. Kucharski (*Committee Chair*); Brendan R. Mehaffy; Dennis M. Penman; and Karen Utz.

Audit & Finance Committee: Catherine Amdur; Janique Curry; Crystal Morgan; David J. Nasca; and Dennis M. Penman (*Committee Chair*).

Real Estate Committee: Scott Bylewski; Janique S. Curry; Elizabeth Holden; Thomas A. Kucharski; Brendan R. Mehaffy; Kimberley A. Minkel (*Committee Chair*); and Dennis M. Penman.

Loan Committee: Dottie Gallagher; and Brendan R. Mehaffy (*Committee Chair*).

4.4 Ralph Wilson Park– RCWJF Grant Agreement #11 and 10th Amendment to BUDC-COB Wilson Foundation Subgrant Agreement – Ms. Merriweather presented her June 25, 2024

memorandum regarding the Ralph C. Wilson, Jr. Foundation Grant Agreement #11 and the 10th amendment to the BUDC-City of Buffalo Wilson Foundation subgrant agreement. Ms. Merriweather informed the Board that revisions were made to the 11th grant agreement with the Wilson Foundation to reflect that BUDC does not control the application or approval process related to the award of Buffalo and Erie County Greenway Funds and that Wilson Foundation funding is not contingent upon Greenway funds being allocated to the project. Mr. Castle expressed appreciation for these clarifications to the grant agreement. Ms. Gallagher made a motion to:(i) accept the \$6,000,000.00 award from the Wilson Foundation for Phases 1B/2 construction at Ralph Wilson Park; (ii) approve the tenth amendment to the BDC-City of Buffalo subgrant agreement allowing BUDC to transfer up to \$6,000,000.00 from Wilson Grant Agreement 11 to the City of Buffalo to support Phases 1B/2 construction at Ralph Wilson Park; and (iii) authorize the BUDC President or Executive Vice President to execute Wilson Grant Agreement 11 and the tenth amendment to the subgrant agreement, and take such other actions as are necessary or appropriate to implement this authorization. The motion was seconded by Mr. Castle and unanimously carried (15-0-0).

4.5 Ralph Wilson Park Project Update – Kelly Maloney presented an update regarding the Ralph Wilson Park project. Break wall and inlet work continue along the shoreline. Excavated soil in this area will be used for the sledding hill near the pedestrian bridge. Bridge abutment work continues. Ms. Maloney reported that the pedestrian bridge is currently in Albany and will be transported to Buffalo via the Erie Canal. It is anticipated that the bridge will arrive in Buffalo on July 16th. The construction team is preparing for bridge delivery and assembly. Final plans for bridge erection are anticipated to be approved soon. Ms. Maloney reported that utilization is currently tracking at 19.11% MBE and 26% WBE.

4.6 Buffalo Lakeside Commerce Park – Project Update – Ms. Merriweather presented an update regarding Buffalo Lakeside Commerce Park. She reported that Rob Savarino of RAS Development Company presented to the Real Estate Committee his plan to develop 193 Ship Canal Parkway for a frozen food logistics building. Ms. Merriweather also informed the Board that BUDC staff is considering whether to retain a broker to market the properties at 80-200 Ship Canal Parkway.

4.7 Buffalo's Race for Place Project Update – Ms. Merriweather presented an update regarding Buffalo's Race for Place. BUDC is working with the Office of Strategic Planning and Department of Public Works to develop an implementation strategy for infrastructure planning in the City of Buffalo. A request for proposals has been released to retain a project coordinator to oversee implementation and coordinate the infrastructure improvement projects, with responses due August 1st. The Buffalo Place Rangers, Buffalo Police Department and NFTA are coordinating efforts regarding safety and quality of life enhancements. Invest Buffalo Niagara, Buffalo Place and the Office of Strategic Planning are preparing updated metrics regarding the work patterns of individuals who commute downtown to work. These metrics will be used to help develop further strategies relating to downtown.

4.8 Northland Corridor Project Update – Mr. Rhodes presented an update regarding the Northland Corridor. Garwood Medical issued a 90-day notice to vacate the red shed space at 665 Northland Avenue. BUDC received four responses to the Northland BOA RFP. The selection committee met June 24th to determine which firms will advance to the interview stage of the process. At last week's Real Estate Committee meeting, BUDC staff led a discussion regarding EDA grant obligations and project obligations in the Northland Corridor. Additional discussions will take place with National Grid regarding BUDC's plans to expand substation capacity. With respect to Phase 3 redevelopment, BUDC is awaiting EDA approval of the construction bid documents. With respect to Phase 4 redevelopment, Wendel presented to the Real Estate Committee the proposed schematic design for 631 Northland Avenue. Mr. Mehaffy added that the Real Estate Committee is engaging in important discussions regarding these projects as they relate to BUDC sustainability and voiced support for a working session with the full BUDC Board.

5.0 Late Files – None.

6.0 Tabled Items

4.1 COB-ARP Funding Memorandum of Understanding – Mr. Mehaffy made a motion to remove this item from the table for the Board’s consideration. The motion was seconded by Mr. Kucharski and unanimously carried (15-0-0). Ms. Merriweather then presented her June 25, 2024 memorandum regarding the BUDC-City of Buffalo American Rescue Plan funding Memorandum of Understanding. Mayor Brown thanked Council President Scanlon for his leadership in the Common Council regarding the MOU, and Ms. Gallagher for her work with the business community via the Buffalo Niagara Partnership. Mr. Scanlon then made a motion to: (i) approve the Memorandum of Understanding; and (ii) authorize the BUDC President or Executive Vice President to execute the Memorandum of Understanding on behalf of BUDC and take such other actions as are necessary or appropriate to implement this authorization. The motion was seconded by Mr. Mehaffy and unanimously carried (15-0-0).

7.0 Executive Session – None.

8.0 Adjournment – There being no further business to come before the Board, the June 25, 2024 meeting of the Board of Directors was adjourned at 1:05 p.m.

Respectfully submitted,



Kevin J. Zanner, Secretary