

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

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

**October 28, 2025
12:00 p.m.**

Directors Present:

Catherine Amdur
Scott Bylewski
Daniel Castle
Janique S. Curry
Dennis W. Elsenbeck
Darby Fishkin
Thomas Halligan
Jenna Kavanaugh
Thomas A. Kucharski
Nadine Marrero
Kimberley A. Minkel
David J. Nasca
Denis M. Penman

Directors Absent:

Mayor Christopher P. Scanlon (Chair)
Bryan J. Bollman
Dottie Gallagher
Elizabeth Holden
Karen Utz

Officers Present:

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

Guests Present: James Bernard, BUDC Project Manager; Jonathan Epstein, *The Buffalo News*; Alexis M. Florczak, Hurwitz Fine P.C.; Brian Krygier, Director of IT, ECIDA; and Angelo Rhodes II, Northland Project Manager.

- 1.0 Roll Call** – The meeting was called to order at 12:10 p.m. by Vice Chair Penman. The Secretary called the roll of the Board of Directors. A quorum of the Board was present. Ms. Curry joined the meeting during the presentation of agenda item 4.1.
- 2.0 Approval of Minutes – Meeting of September 30, 2025** – The minutes of the September 30, 2025 meeting of the Board of Directors were presented. Ms. Minkel made a motion to approve the meeting minutes. The motion was seconded by Ms. Amdur and unanimously carried (12-0-0).
- 3.0 Monthly Financial Reports** – Ms. Profic presented for information purposes the financial statements for 683 Northland Master Tenant, LLC for the periods ending July 31, 2025, August 31,

2025 and September 30, 2025. She then presented the consolidated financial statements for BUDC and its affiliates, 683 Northland LLC and 683 WTC, LLC for the periods ending July 31, 2025, August 31, 2025 and September 30, 2025. Ms. Profic also presented the updated cash flow forecast for BUDC, a copy of which was included in the Board meeting packet. Mr. Nasca made a motion to accept the BUDC consolidated financial statements for July, August, and September 2025. The motion was seconded by Ms. Fishkin and unanimously carried (12-0-0).

4.0 New Business –

4.1 2026 Draft Budget & Three Year Forecast – Ms. Profic presented the proposed 2026 budget and 2027-2029 forecast. The Audit & Finance Committee met in September to review the proposed budget. Ms. Profic reviewed the budget narrative and budgeted sources of revenue. In addition to corporate operations, BUDC funds are expected to be used on the following four project areas: Buffalo Lakeside Commerce Park, Downtown/Race for Place, Ralph Wilson Park, and the Northland Corridor. Ms. Profic then reviewed the specific sources of funds and uses for each of the four project areas and corporate operations and the separate budget detail for the 683 Northland project. Following her presentation, the Board discussed the proposed budget and three-year forecast, and commented on the continued importance of cash flow as it relates to the long-term sustainability of the organization. Mr. Penman commended BUDC executive staff for the outstanding results achieved despite the organization's fiscal challenges. There being no further discussion, Mr. Kucharski made a motion to approve the 2026 budget and 2027-2029 forecast. The motion was seconded by Mr. Nasca and unanimously carried (13-0-0).

4.2 683 Northland – Unwinding of Tax Credits Transaction – Ms. Gandour presented her October 28, 2025 memorandum regarding the unwinding of the 683 Northland tax credits transaction. Mr. Zanner commented on the completion of the tax credits project and reviewed with the Board the transactions and actions required in order for the organization to exit the tax credit model. Mr. Elsenbeck made a motion to: (i) authorize the transactions and actions described in Ms. Gandour's October 28, 2025 memorandum; and (ii) authorize the President or Executive Vice President of BUDC to take such actions and execute such documents as are necessary or appropriate to implement the unwinding of the tax credits structure for the 683 Northland project. The motion was seconded by Mr. Halligan and unanimously carried (13-0-0).

4.3 Northland Corridor – LaBella Associates Contract Amendment – Mr. Rhodes presented his October 28, 2025 memorandum regarding a proposed amendment to the LaBella Associates contract. Following the presentation, Mr. Castle made a motion to: (i) amend the existing agreement with LaBella Associates for Northland Corridor Redevelopment Phase 3 to provide the services outlined in the October 28, 2025 memorandum, at a cost not to exceed \$40,550; and (ii) authorize the President or Executive Vice President to execute the amendment to the existing agreement with LaBella Associates, and take such other actions as may be necessary or appropriate to implement this authorization. The motion was seconded by Ms. Marrero and unanimously carried (13-0-0).

4.4 Ralph Wilson Park – Ralph C. Wilson, Jr. Foundation Grant Agreement #14 – Mr. Bernard presented his October 28, 2025 memoranda for agenda items 4.4 through 4.7 regarding the Ralph C. Wilson, Jr. Foundation grant agreement 14 and amendments to the following agreements: (i) BUDC-City of Buffalo subgrant agreement for Wilson Foundation grant funding; (ii) BUDC's agreement with Gardiner & Theobald; and (iii) BUDC's agreement with Michael Van Valkenburgh Associates. Following the presentation, Ms. Amdur made a motion to: (i) accept the \$3,155,200 grant award from the Wilson Foundation to support the capacity of the Ralph Wilson Park project team as outlined in Mr. Bernard's October 28, 2025 memorandum; (ii) approve the modification to the 13th amendment to the Subgrant Agreement between BUDC and the City of Buffalo to allow the transfer of up to \$234,000 from Wilson Grant 14 to support the City of Buffalo City Engineer position; (iii) approve the fifth amendment to BUDC's agreement with Gardiner & Theobald to extend G&T's project and cost management services an additional twenty-six

months for an amount not to exceed \$1,809,200; (iv) approve the 15th amendment to the MVVA Agreement for a not to exceed amount of \$847,440 for additional shoreline work and continued construction administration and quality assurance services during Phase 2 construction; and (v) authorize the BUDC President or Executive Vice President to execute the agreements and amendments and take such other actions as are necessary to implement this authorization. The motion was seconded by Mr. Bylewski and unanimously carried (13-0-0).

4.5 Ralph Wilson Park – 13th Amendment to BUDC-City of Buffalo Subgrant Agreement – See item 4.4.

4.6 Ralph Wilson Park – 5th Amendment to Gardiner & Theobald Agreement – See item 4.4.

4.7 Ralph Wilson Park – 15th Amendment to MVVA Agreement – See item 4.4.

4.8 Ralph Wilson Park Project Update – Mr. Bernard provided an update regarding the Ralph Wilson Park construction project and shared PowerPoint slides from Gilbane Building Company. Seeding activities for the season are wrapping up this week. Trees have been delivered to the Park and will be planted in November and into December. Light pole installation at the sled hill will be completed this month. Fencing at the small baseball field is complete, and fencing posts and foundation work is complete at the large baseball field. Mr. Bernard then shared an update from the Ralph Wilson Park Conservancy. Pictures from the Conservancy were shared from its October 18th opening of the community-built playground on the 4th Street side of the Park. The event was well attended and received national media attention.

4.9 Northland Corridor Project Update – Mr. Rhodes presented an update regarding the Northland Corridor. With respect to Phase 3, Mr. Rhodes shared photos of construction progress and reported that the steel structure of 541 E. Delavan Avenue has been power washed and primed due to exposure to the elements for the past two years. Grading behind the retaining wall at the “B” building of 612 Northland Avenue is progressing. Storm water infrastructure is being installed at 541 E. Delavan Avenue. With respect to Phase 4, Mr. Rhodes reported that bid documents were released and posted on BUDC’s website and the NYS Contract Reporter. Responses are due November 6th. Ms. Gandour added that BUDC has received the official Brownfield Opportunity Area designation from the NYS Department of State and thanked the City of Buffalo for its role in the nominating process. Ms. Marrero added that the BOA designation will provide access to CFA grant opportunities in 2026.

4.10 Race for Place Project Update – Ms. Merriweather presented an update regarding the Race for Place project. BUDC has reissued a request for proposals for short-term placemaking and wayfinding improvements to be completed in four identified areas downtown. Responses to the RFP are due November 17th and Spring 2026 installation is anticipated. With respect to downtown infrastructure work, a waterfront coordination session was held October 30th. Ms. Merriweather updated the Board regarding Queen City Pop Up holiday programming. At its October 15th meeting, the BUDC Downtown Committee authorized BUDC to enter into a contract with Ari Parson PR for marketing and public relations services in connection with Queen City Pop-Up holiday programming at a cost not to exceed \$25,000. Ms. Merriweather also reported that BUDC recently highlighted the Buffalo Niagara MWBE Training Day Conference on its weekly radio show on WUFO. The conference took place October 21st and was well attended. Ms. Merriweather thanked Talia Johnson-Huff for her efforts with respect to the event.

4.11 Buffalo Lakeside Commerce Park – Project Update – Ms. Gandour presented an update regarding Buffalo Lakeside Commerce Park. LaBella’s draft variance for 193 Ship Canal Parkway has been submitted to NYSDEC for review and feedback. Staff will meet with LaBella tomorrow to discuss future development of this site. With respect to the POA, Uniland recently

submitted an alternative regular assessment proposal for its solar facility at 255 Ship Canal Parkway, which is under review.

5.0 **Late File** – 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 October 28, 2025 meeting of the Board of Directors was adjourned at 1:11 p.m.

Respectfully submitted,



Kevin J. Zanner, Secretary