

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

**Via Video Conference Call & Live Stream Audio**

**May 26, 2020  
12:00 p.m.**

Directors Present:

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

Directors Absent:

Michael J. Finn  
Dottie Gallagher  
Brendan R. Mehaffy  
Maria R. Whyte

Officers Present:

Peter M. Cammarata, President  
David A. Stebbins, Executive Vice President  
Brandye Merriweather, Vice President  
Mollie M. Profic, Treasurer  
Kevin J. Zanner, Secretary  
Atiqa Abidi, Assistant Treasurer

**Others Present:** Evan Y. Bussiere, Hurwitz & Fine, P.C.; Rebecca Gandour, BUDC; and Arthur Hall, BUDC.

- 1.0** **Roll Call** – The meeting was called to order by Mayor Brown at 12:07 p.m. The Secretary called the roll of directors and a quorum of the Board was determined to be present. Following roll call, Mayor Brown presented opening remarks regarding the meeting agenda and indicated that he would need to leave the meeting for another commitment. Mr. Penman chaired the remainder of the meeting.

The meeting was held via video/telephone conference in accordance with the provisions of Executive Order 202.1, issued by Governor Andrew Cuomo on March 12, 2020. 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 Approval of Minutes – Meeting of April 28, 2020** – The minutes of the April 28, 2020 meeting of the Board of Directors were presented. Mr. Zanner noted that the amount of the PPP loan as reflected in the minutes should be changed from \$88,600 to \$88,620. Mr. Elsenbeck made a motion to approve the meeting minutes with the amendment as suggested. The motion was seconded by Mr. Pridgen and unanimously carried (14-0-0).

### **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 April 30, 2020.

**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 April 30, 2020. She noted that BUDC and 683 Northland have closed on the two lines of credit from KeyBank and an advance draw of \$56,000 was taken at closing to cover construction loan interest. Ms. Curry made a motion to accept the financial report. The motion was seconded by Mr. Kucharski and unanimously carried (14-0-0).

### **4.0 New Business**

**4.1 Ralph C. Wilson, Jr. Centennial Park – Wendel Due Diligence Amendment** – Ms. Merriweather presented her May 26, 2020 memorandum regarding a proposed amendment to the due diligence services agreement for the Centennial Park project. This work will involve an additional topographical survey, tree assessment, pavilion assessment and title work. With this amendment, the total cost of BUDC’s contract with Wendel will increase from \$249,600 to \$269,800. The cost of this additional work will be paid with grant funding from the Ralph C. Wilson, Jr. Foundation. The Downtown Committee reviewed the proposed amendment at its May 20<sup>th</sup> meeting and recommended Board approval of the item. Ms. Mays made a motion to approve an amendment to the due diligence services agreement with Wendel. The motion was seconded by Ms. Fishkin and unanimously carried (14-0-0).

**4.2 Ralph C. Wilson, Jr. Centennial Park – SJB Due Diligence** – Ms. Merriweather presented her May 26, 2020 memorandum to the Board regarding a proposal for BUDC to retain SJB Services, Inc. for the Centennial Park project. The proposed work includes inland soil borings work at a cost of \$64,250 and waterside subsurface investigation work at a cost of \$91,750. SJB Services is currently working on the project as a subcontractor to Wendel and Michael Van Valkenburgh Associates for the project. BUDC’s project manager, Gardiner & Theobald is recommending a direct contract between SJB Services and BUDC for this work, which will result in project cost savings. As outlined in the Board memorandum, BUDC proposes to retain SJB Services through the “single-source” provisions of the BUDC procurement policy due to SJB Services’ unique knowledge and expertise with respect to the Centennial Park project. The cost of this work will be paid with grant funding from the Ralph C. Wilson, Jr. Foundation. Ms. Merriweather noted that the Downtown Committee reviewed the proposal at its May 20<sup>th</sup> meeting and recommended Board approval. Ms. Minkel made a motion to approve an agreement with SJB Services for due diligence services related to inland soil borings in the amount of \$64,250 and waterside subsurface investigation in the amount of \$91,750 for the Centennial Park project, for a total contract amount of \$156,000. The motion was seconded by Ms. Burruss and unanimously carried (14-0-0).

**4.3 Waterfront/Ralph C. Wilson, Jr. Centennial Park Project Update** – Mr. Stebbins reported that with his pending retirement, Brandye Merriweather and Rebecca Gandour will assume responsibility for BUDC project management work for the Ralph C. Wilson Jr. Centennial Park project. He commented on the significant amount of due diligence activity underway and the bridge design work. He also noted that BUDC and the City of Buffalo are working with several funding sources to seek additional funding for the redevelopment of the park.

**4.4 Northland Beltline Corridor Project Update** – Mr. Hall presented an update on Northland Beltline matters. He reported that the landlord improvements to the Retech space are nearly complete and the red shed building is complete. BUDC counsel has started the process with the City to subdivide 537 E. Delavan into multiple parcels. Pre-development planning for 631 Northland is underway. Albright-Knox remains closed. Mr. Hall also reported on other COVID-19 impacts, including the potential scheduling of the Urban Manufacturing Alliance gathering in the fall as a virtual conference. The Northland business networking series may also move to a virtual format. He completed his report with an update on the upcoming scheduling of a public hearing for the Northland Brownfield Opportunity Area (BOA).

**4.5 Northland Beltline Corridor Tenant Update** – Mr. Cammarata updated the Board regarding various communications with Northland Corridor tenants regarding COVID-19 impacts, including BMW, the Northland Workforce Training Center, Retech, Albright-Knox and Well Worth Products. He noted that Manna has reopened on a limited basis for curbside pickup. He also reported that the NWTC wrapped up laboratory work for the welding students and is not planning to hold a summer session. SparkCharge has started to move equipment into its space at 683 Northland. He also reported that BUDC is negotiating a lease with the Rodriguez Construction Group, which should be finalized in the next few weeks.

**4.6 BBRP / Race for Place Project Update** – Ms. Merriweather presented an update on BBRP and the Race for Place initiative. BUDC and the Office of Strategic Planning are coordinating with their partners on strategies to assist small businesses located downtown that are preparing to re-open. The entertainment district project is moving forward and BUDC is working with the DPW to help minimize construction impact on businesses. Ms. Merriweather reported that Alexandre Apartments closed on its permanent financing and is paying off in full its BBRP loan from BUDC. She also commented on recent inquiries and increased interest in the BBRP loan program.

**4.7 Buffalo Lakeside Commerce Park Project Update** – Mr. Cammarata updated the Board regarding Buffalo Lakeside Commerce Park. He noted that the maintenance contract for the park has been executed. He also reported on a contract with Arcadis to perform soil cap verification and related reporting for Parcel 3 as required by NYSDEC.

**4.8 308 Crowley Project Update** - Mr. Cammarata presented an update regarding 308 Crowley. He noted that BUDC received a letter from SHPO seeking preservation of the portions of the main building at the site that are severely dilapidated. Discussions are underway with SHPO to work through the issue and proceed with the selective 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. Kucharski, seconded by Mr. Comerford and unanimously carried, the May 26, 2020 meeting of the Board of Directors was adjourned at 12:50 p.m.

Respectfully submitted,



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Kevin J. Zanner, Secretary