

**Minutes of the Governance Committee Meeting  
of  
Buffalo Urban Development Corporation**

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

**October 13, 2020  
12:00 p.m.**

**Call to Order:**

Committee Members Present:

Dennis W. Elsenbeck  
Thomas Halligan  
Thomas A. Kucharski (Committee Chair)  
Amanda Mays  
Brendan R. Mehaffy  
Dennis M. Penman

Committee Members Absent:

Hon. Byron W. Brown

Officers Present:

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

Others Present: Jenna Bichler, Buffalo Urban Renewal Agency; and Arthur Hall, BUDC.

**Roll Call:** Mr. Kucharski called the meeting to order at 12:05 p.m. A quorum of the Committee was present.

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, 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.

- 1.0 Approval of Minutes of the June 22, 2020 Meeting** – The minutes of the June 22, 2020 meeting of the Governance Committee were presented. Mr. Elsenbeck made a motion to approve the minutes. The motion was seconded by Mr. Halligan and unanimously carried (6-0-0).
- 2.0 Draft Procurement Procedures Applicable to the Expenditure of Federal Funds** – Mr. Cammarata introduced this item, noting that the proposed federal procurement procedures had previously been presented to the Committee at the July 14, 2020 meeting, but that a quorum was not present to act on the item. He also noted that BUDC is pursuing federal EDA grant funding for the 631 Northland project and that BUDC is receiving federal grant funding through the recently approved grant agreement with the Great Lakes Commission for the Ralph C. Wilson, Jr. Centennial Park project. Mr. Zanner then reviewed the proposed procurement policy with the Committee. He indicated that the policy is modeled on federal regulations governing the procurement of goods and services to be paid with federal funds, which include the specific monetary thresholds and procurement methods set forth in the policy. He also noted that this policy does not supplant the current BUDC procurement policy, which will continue to be utilized

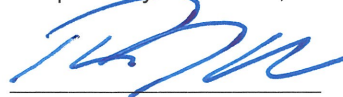
for all non-federally funded procurements of goods and services. Mr. Mehaffy made a motion to recommend that the Board of Directors approve the procurement procedures in the form presented to the Committee. The motion was seconded by Mr. Penman and unanimously carried. (6-0-0).

**3.0 Draft Vacation and Personal Days Carryover Policy** – Mr. Cammarata presented his September 29, 2020 memorandum regarding a proposed modification to the BUDC policy for the carryover of employee vacation and personal days. The COVID-19 pandemic and NYS travel bans have impacted employee use of paid time off for vacation and personal days. Governor Cuomo’s executive order, which requires all travelers coming from states with significant rates of transmission of COVID-19 to quarantine for a 14-day period from the time of their last contact, has made out-of-state travel undesirable. The effect of this is that many employees are likely to forfeit a significant amount of vacation and/or personal time under the current policy. To address this, a one-time change to the current carryover policy is proposed. The change will allow employees with less than ten years of service to carry over a total of 27 days into 2021 (up from 18 days) and employees with ten or more years of service to carry over 34.5 days into 2021 (up from 23 days). The Committee discussed the proposed modification to the carryover policy. In response to a question from Mr. Penman, Mr. Cammarata stated that if an employee does not use the additional days in 2021, they are not carried over into 2022. In addition, if an employee leaves BUDC for other employment in 2021, the additional days are not paid to the departing employee. Mr. Cammarata also noted that there is no financial impact to BUDC relative to the proposed change. At the conclusion of the discussion, Mr. Mehaffy made a motion to approve the proposed modification to the carryover policy as outlined in the September 29<sup>th</sup> memorandum. The motion was seconded by Ms. Mays and unanimously carried (6-0-0).

**4.0 New York State Paid Sick Leave Program – Memo to File** – Ms. Profic reviewed her September 25, 2020 memorandum regarding the New York Paid Sick Leave law, which takes effect on January 1, 2021. Ms. Profic reported that BUDC’s policy meets the minimum requirements set forth in the new law, and that no changes to BUDC’s policy are necessary.

**5.0 Adjournment** – There being no further business to come before the Governance Committee, upon motion made by Mr. Halligan, seconded by Mr. Elsenbeck and unanimously carried, the October 13, 2020 meeting of the Governance Committee was adjourned at 12:35 p.m.

Respectfully submitted,



Kevin J. Zanner, Secretary