



### Minutes of the August 9, 2023 Meeting

Community Foundation for Greater Buffalo, 726 Exchange St., Suite 525, Buffalo, NY

1. The meeting was called to order by Chair Daniel Castle at 11:01 AM.

#### 2. Roll Call and Remarks

Members in Attendance: Chair Daniel Castle, (Erie County); Vice-Chair Kevin Kelly, (Buffalo Olmsted Parks Conservancy); Vice-Chair Brendan R. Mehaffy (City of Buffalo) and Secretary Carol Jasen Sampson (New York Power Authority).

#### 3. Meeting Minutes

Motion to adopt the meeting minutes of March 17, 2023. Moved by Vice-Chair Kelly, Second by Vice-Chair Mehaffy. Approved 4-0

#### 4. M&T Bank Trustee Agreement Update

John Zuchlewski, M&T Bank, outlined the 2016 Trustee Agreement and investment procedure of Greenway funds and the established custodial account (i.e., the Trust account serviced by Wilmington Trust).

- The Trust is not owned by one single entity, but by four voting members, it is impossible to open a government (or quasi government) checking account.
- The nature of the Buffalo and Erie County Greenway Fund Standing Committee is slightly different from other committees (such as Niagara Host Committee).
- Because this Committee also accepts grant proposals from other applicants, in addition to their own organizations/municipalities represented by the voting members, the funds need to be resided in a custodial account (i.e., the Trust account serviced by Wilmington Trust).
- No trade can be made directly from the Trust account, a brokerage account is also needed to be able to buy and sell Treasury Bills (as this Committee did in the past).
- Both the “custodial account” and “brokerage account” are needed to achieve the goals of the Committee.

Based on the cash flows developed by Jean McKeown and Ba Zan Lin, Community Foundation for Greater Buffalo, it was decided that Vice-Chair Kelly will assume the investment duties and will report to the Committee.

#### 5. Status Overview on existing delated Greenway Awarded Projects

Jean McKeown and Ba Zan Lin, Community Foundation for Greater Buffalo provided an

overview of cause(s) for delay and current project status for seven (7) awarded projects from CY 2018-2021.

2018:

1.) City of Buffalo: Empire State Trail Buffalo Section Gap Funding

Cause(s) of Delay:

- Inter-agency communications issues. Initially, the project was overseen by Division of Engineering.
- Path sustained additional damage/sink holes from storms earlier in 2020 which required more work.
- COVID caused further delays.
- Closure of section Hertel to Hamilton delayed until Niagara Street cycle track opened.

Current Project Status:

- Division of Parks overseeing the project.
- Invoices 01 through 07 have been processed.
- Construction at 94% completion.
- Total Distributed: \$630K
- Anticipate Greenway portion of project to close Q2 2023.
- City of Buffalo waiting on A/E Consultant to sign off on punch list and project completion.

2.) Naval Park Committee: African American Veterans Monument

Cause(s) of Delay:

- Diverse funding streams complicated project timeline.
- COVID19 significantly affected the project.
- Manufacturing of pavers and monument pieces.
- Some pillars and foundations were poured too closely together and needed to be redone.

Current Project Status:

- Dedication ceremony took place Saturday, 9/24/2022.
- Request for claw back exception approved November 18, 2022.
- Anti-graffiti coating still needs to be applied to pillars, permanent porcelain signs installed, landscaping, and next round of engraved commemorative bricks (100+) will wait until spring 2023.
- Awaiting cancelled checks to close out \$200K portion of project supported by Greenway funds.

2019:

3.) Buffalo Olmsted Parks Conservancy: Wayfinding & Signage Project - Design & Install

Cause(s) of Delay:

- Challenges and delays due to City coordination and approval.

Current Project Status:

- Significant percentage of budget is allocated to production of new signage layouts which have been held up by design standards process.
- Design standards and manual report pending for final City approval.
- Refurbish existing signs: ID and directional signs anticipated to be complete end of August.
- Triad signs anticipate to be complete by end of December.

2020:

4.) County of Erie: Isle View Enhancement Project: Design

Cause(s) of Delay:

- Completion of Phase 1

Current Project Status:

- Preliminary design work began September 2022.
- Design, permitting, geotechnical work is ongoing.
- Environmental review is expected to begin by end of August.
- Expected bid date is late September 2023.

2021:

5.) Buffalo Heritage Carousel, Inc Carousel: Horse Weathervane

Cause(s) of Delay:

- Initial and preferred vendor was unresponsive, project had to be rebid.
- Receiving materials for fabrication.
- Installation must wait until temperatures are ~50 degrees.
- Lack of commitment from contractors and contractors dropping the project.

Current Project Status:

- Weathervane is complete.
- Additional bracing has been added for installation to prevent any displacement over time.
- Drone footage confirmed placement. Electrician, roofers, installers and equipment is committed for installation.
- Installation of weathervane scheduled for August 10 – 11, 2023.

6.) Buffalo Olmsted Parks Conservancy: Point of Meadow Shelter

Cause(s) of Delay:

- Initial delay due to original estimates coming in higher than original grant. A new grant was applied for and received.
- Plans/specs were submitted to City planning for review and approval in mid-May. Currently waiting on fire prevention review and sign off. No indication of timeline for approval.

Current Project Status:

- Bid opening 7/27/23. Lowest bid came in slightly higher than what was planned for budget. Have identified additional match funding to cover the difference.
- Anticipate interior work to begin Q4 2023 and complete Q3 2024.

7.) Western New York Land Conservancy: Planting Trees in the Riverside Communities

Cause(s) of Delay:

- Difficulty finding contractors, especially for the tree watering component of the project.
- Significant need for community engagement and outreach to locate appropriate planting locations.

Current Project Status:

- BECGFSC approved reuse/extension request 7/5/2023 • Ongoing tree maintenance.

COVID-19 Construction Pause (NYS PAUSE Order):

- On March 31, 2020, Governor Andrew Cuomo issued PAUSE Order, suspending all non-essential construction projects statewide.
- In order to accommodate the PAUSE Order, the Buffalo & Erie County Greenway Fund Standing Committee allowed two quarters extension for all open projects at that time.

- PAUSE Order was lifted on 05/15/2020.

6. Public Comment (reserved for agenda items only)- NONE

7. Other Business

Vice-Chair Mehaffy announced that a partnership with the City of Buffalo and the Buffalo Urban Development Corporation will host this evening an “Update of Buffalo’s Downtown Waterfront Improvements Plan” at the Seneca One Tower.

Officials want to hear the public thoughts on some of the concepts they are proposing, for example strengthening connections between Downtown and other neighborhoods, creating a welcoming experience at Waterfront, filling the gap at Erie Street and linking multi-use paths to the region (Empire State/Shoreline/Canalway Trail).

8. Adjournment

A motion to adjourn was made by Vice-Chair Kelly, Second by Vice-Chair Mehaffy.

Meeting adjourned 12:08 PM.