



## Niagara County Brownfield Development Corporation

DATE: September 13, 2024

RESOLUTION # NCBDC-092024-01

Approved by NCBDC Counsel \_\_\_\_\_

### BOARD ACTION

Approved: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

Rejected: Ayes \_\_\_\_\_ Abs. \_\_\_\_\_ Noes \_\_\_\_\_

### **AUTHORIZATION FOR A \$259,000 SUBGRANT INCREASE FROM THE BCRLF TO THE CITY OF NIAGARA FALLS FOR REMEDIATION AT 5627 NIAGARA FALLS BOULEVARD IN THE CITY OF NIAGARA FALLS**

WHEREAS, the City of Niagara Falls owns the site at 5627 Niagara Falls Boulevard in the City of Niagara Falls, and

WHEREAS, on October 24, 2022, the Niagara County Brownfield Development Corporation (NCBDC) passed resolution NCBDC-102022-01 authorizing a One Hundred Twenty Five Thousand Dollars (\$125,000) subgrant from the BCRLF for remediation at 5627 Niagara Falls Boulevard in the City of Niagara Falls, and

WHEREAS, on October 30, 2023, the NCBDC passed resolution NCBDC-102023-01 authorizing a One Hundred Ninety Thousand Dollars (\$190,000) subgrant increase from the BCRLF for site remediation, and

WHEREAS, in the summer of 2024, additional petroleum contaminated soil was discovered that requires remediation, and

WHEREAS, the New York State Department of Environmental Conservation requires the soil to be removed before the site can receive a closed spill status, and

WHEREAS, it is estimated that an additional Two Hundred Fifty Nine Thousand Dollars (\$259,000), is needed for site remediation to meet state and federal requirements, and

WHEREAS, the United States Environmental Protection Agency (USEPA), approved the requested subgrant increase, and

WHEREAS, H. Sicherman/the Harrison Studio, as the contracted Financial Manager for the BCRLF Program, issued a positive financial recommendation for the requested increase, and

WHEREAS, BRS Inc., as the Environmental Project Manager for the BCRLF Program, issued a positive environmental recommendation for the requested increase, and

WHEREAS, sufficient funds are remaining in the post-closeout BCRLF account to accommodate the subgrant increase, now therefore be it

RESOLVED, the NCBDC approves a subgrant increase not to exceed Two Hundred Fifty Nine Thousand Dollars (\$259,000), to the City of Niagara Falls for remediation at 5627 Niagara Falls Boulevard in the City of Niagara Falls, and be it further

RESOLVED, the NCBDC authorizes the NCBDC attorney to prepare the necessary revised subgrant documents, and be it further

RESOLVED, the President of the NCBDC is authorized to execute all revised subgrant documents.



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**ROBERT RESTAINO, CHAIRMAN**  
**NIAGARA COUNTY BROWNFIELD DEVELOPMENT CORPORATION**