



## Niagara County Brownfield Development Corporation

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### ANNUAL BOARD OF DIRECTORS MEETING MINUTES

Niagara County Brownfield Development Corporation

Wednesday, December 18, 2025

9:00 a.m.

**Members Present:** Chairman Robert Restaino, Vice Chairman Richard Updegrove, Secretary Andrea Klyczek

**Members Absent:** None

**Others Present:** R. Thomas Burgasser, Amy Schifferli, Scott Hapeman, Margit Denning, Nick Gatto, Andy Romanowski

- 1.0 The meeting was called to order at 9:33 a.m. by Chairman Restaino.
- 2.0 Roll was called. Board members present were Chairman Robert Restaino, Vice Chairman Richard Updegrove, and Secretary Andrea Klyczek.
- 3.0 The minutes of the September 23, 2025 meeting were motioned for approval by Ms. Klyczek and seconded by Mr. Restaino. Unanimous. Carried.

### ACTION ITEMS

- 4.0 Annual Report -  
A motion was made by Mr. Updegrove and seconded by Ms. Klyczek to approve and accept the annual report as written. Unanimous. Carried.
- 5.0 Budget Report -  
The report was submitted and adopted by the Board of Directors prior to the August 1<sup>st</sup> deadline. A motion was made by Mr. Updegrove and seconded by Ms. Klyczek to approve and accept the Budget Report. Unanimous. Carried.
- 6.0 Annual Investment Report and adoption of Comprehensive Investment Guidelines -  
Ms. Schifferli reviewed the Annual Investment Report and Comprehensive Investment Guidelines. The NCBDC does not have any investments. A motion to accept the Annual Investment Report as written and adopt the Comprehensive Investment Guidelines was made by Mr. Restaino and seconded by Mr. Updegrove. Unanimous. Carried.
- 7.0 Acceptance of 2025 NCBDC Audit Report -  
A motion was made by Mr. Updegrove and seconded by Mr. Restaino to accept the 2025 NCBDC Audit Report as written. Unanimous. Carried.
- 8.0 Adoption of Retention and Disposition of Records Policy Review -  
Ms. Schifferli explained that the board must adopt a Retention and Disposition of Records Policy per NYSABO requirements. A resolution was set forth to follow the NY State records Retention

and Disposition Schedule for New York Local Government Records (LGS-1). A motion to accept the resolution to adopt the Retention and Disposition of Records Policy was made by Mr. Updegrove and seconded by Ms. Klyczek. Unanimous. Carried.

### **NEW BUSINESS**

- 9.0 Project Updates – Ms. Schifferli reported the status of the three active projects and one approved project during the Annual Membership meeting as follows:

5627 Niagara Falls Blvd., City of Niagara Falls: Remediation at Jr's. Truck Stop started in 2023 and was nearing completion in September 2025. A total of \$572,446 in subgrant funds was committed to the project. Funds were used for asbestos abatement and remediation of petroleum-contaminated soils. The City of Niagara Falls is selling the property to the Buffalo & Niagara County Building Construction and Trades Council for use as a training center for the trades.

624 River Rd., City of North Tonawanda: Remediation was completed at the former Tonawanda Iron Works mill. A total of \$1.5 million in loan funds were used for remediation. Redevelopment is underway with a mix of waterfront residential apartments and commercial space. The loans are in repayment.

2020 River Road, Town of Wheatfield: The Town of Wheatfield was awarded a \$425,000 subgrant for site remediation. Past site dumping resulting in metal contamination in surface and subsurface soils. A wetlands delineation was conducted and is currently being reviewed by the NYS Department of Environmental Conservation. Once the wetlands are approved, remediation planning will be conducted.

235 River Road, City of North Tonawanda: The property was previously used for manufacturing and automotive and heavy equipment repair. In September 2025, 235 River Road LLC was approved for a \$2.8 million loan. Once remediated, the property will be redeveloped into a new mixed use residential/commercial community.

- 10.0 Continuation of Directors and Officers Liability Insurance – Ms. Schifferli stated the policy will renew January 2026, with no policy changes nor anticipated premium increase.
- 11.0 Annual Confidential Evaluation of Board Performance - Ms. Schifferli asked that board responses be returned to her for submission to NYS.

### **ATTORNEY BUSINESS** – S. Hapeman

- 12.0 Discussion on 235 River Road North Tonawanda loan terms. Andy Romanowski representing his organization, and his attorney, Nick Gatto, were present to discuss the project. A motion was made by Mr. Updegrove and seconded by Ms. Klyczek for the Board to enter into executive session to consult with Attorney Scott Hapeman regarding contract negotiations. Unanimous. Carried. The meeting resumed after the executive session ended. Mr. Restaino invited input from Mr. Romanowski and Mr. Gatto. Mr. Romanowski expressed his gratitude to the Board and the organization for allowing his company to participate in the program. He updated the Board on the status of the project. Mr. Gatto thanked Mr. Hapeman and Ms. Schifferli for their professionalism in addressing concerns with the loan agreement.
- 13.0 Next meeting date is to be determined; notification of said meeting will be made in advance.
- 14.0 A motion for adjournment at 9:58 a.m. was made by Mr. Restaino and seconded by Ms. Klyczek. Unanimous. Carried.

Respectfully submitted,



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Margit Denning  
Recording Secretary