



Niagara County Brownfield Development Corporation

MEETING MINUTES

Niagara County Brownfield Development Corporation

6311 Inducon Corporate Drive Ste. #1 Sanborn NY 14132

Tuesday, September 23, 2025, 2:30 pm

Virtual meeting via Webex:

<https://niagaracounty.webex.com/niagaracounty/j.php?MTID=mc3e846f46a2e842bb5249fc6ae30d4ab>

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

Members Absent: None

Others Present: Amy Schifferli, Margit Denning, Scott Hapeman, Jen Taylor, Mike Thomas

- 1.0 The meeting was called to order at 2:31pm by Chairman Restaino.
- 2.0 Roll was called. Board members present were Chairman Restaino and Secretary Andrea Klyczek; Vice Chairman Updegrove joined the meeting at 2:37pm.
- 3.0 The minutes of the July 7, 2025 Board of Directors Meeting were motioned for approval by Ms. Klyczek and seconded by Mr. Restaino.
- 4.0 Budget Update - Ms. Schifferli presented the budget update. There is a balance of \$412,000 from closed Revolving Loan Fund (RLF) grants. There is approximately \$3.5 million available from the open RLF grant.

ACTION ITEMS

- 5.0 Presentation and Resolution NCBDC-09202501 - Authorization for a \$2,800,000 Loan from the BCRLF to 235 River Road LLC for Remediation at 235 River Road in the City of North Tonawanda – A. Schifferli

Ms. Schifferli provided background information on the site and explained that the 3.1 acre property has been used for automotive and heavy equipment repair, storage, and a salvage yard. A developer purchased the property and enrolled in the New York State Brownfields Cleanup Program. The redevelopment proposed is 2 four-story residential buildings with 87 market rate apartments with retail space facing River Road.

Jen Taylor, Quality Environmental Professional for the RLF from BRS Inc., discussed the environmental conditions and reviewed the environmental documents provided by the developer. The anticipated plan for cleanup is to remove surface soil then replace it with a cap, conduct asbestos abatement and demolish the existing buildings to address contamination underneath.

Mike Thomas the underwriter and financial reviewer for the NCBDC presented the recommended loan terms and conditions and financial analysis. The request is for \$2.8 million, 100% financing which is allowed under the RLF guidelines. The typical ½% is the interest rate. Their request is for a 20 year amortization rate which seems reasonable given the size of the loan. Mr. Thomas stated he recommends approval of the loan based on the strong financial review. A motion for approval was made by Mr. Updegrave and seconded by Ms. Klyczek. Motion approved 3-0.

6.0 Project Updates – A. Schifferli

6.1. Ms. Schifferli explained a Phase I ESA was recently completed on four properties on West Avenue in Lockport. The draft report shows no contamination at two of the properties. One property is known to have significant contamination. The 4th property is suspected to have contamination because of migration from 641 West Avenue. The City is moving forward with foreclosure on all four of the properties and additional environmental testing will be required. Mr. Updegrave indicated that if the existing property owner redeems the properties, he wants the cost of the assessment added to the tax amount due. Mr. Updegrave asked for confirmation that the contamination is petroleum. Ms. Schifferli confirmed that it is and there are tanks still in the ground at 641 West Avenue. The City will need to work with the DEC for site cleanup. It is expected the city will request an RLF sub-grant to pay for cleanup.

6.2. Jr's. Truck Stop, Niagara Falls - Ms. Schifferli informed the Board that site work is done and DEC is reviewing final reports. A drawdown of about 95% percent of the money was recently completed.

6.3. 2020 River Road, Wheatfield - Ms. Schifferli explained the wetlands work is being finished. The DEC and Army Corps of Engineers are reviewing the report. Once the wetlands have been approved, the Town can move forward with clean up planning.

6.4. 5222 Lockport Junction Road, Cambria - Ms. Schifferli stated that the Board recommended approval of a \$2.4 million loan in March 2024 contingent on meeting additional financial requirements. Ms. Schifferli and Mr. Thomas have been regularly meeting with NF Lockport, LCC. The company is waiting to complete property foreclosure until redevelopment plans are deemed viable and financially feasible.

7.0 Attorney Business – Mr. Hapeman recommended that if the Board decides to rescind loan approval for NF Lockport, LCC, the developer is given an opportunity to comply with a timeline for meeting the Board's financial requirements.

8.0 The next meeting date is to be determined; an annual meeting is required in December.

9.0 A motion to adjourn the meeting at 3:00 was made by Ms. Klyczek and seconded by Mr. Updegrave.

Respectfully submitted,


Margit Denning, Recording Secretary