

Buffalo & Erie County Greenway Fund

2010 Annual Report
Activity through January 31, 2011

Adopted March 1, 2011

The Erie County / City of Buffalo Relicensing Settlement Agreement (“Agreement”) was reached in support of the Application for a new License for the Niagara Power Project. One of the provisions of the Agreement is for the Power Authority (“NYPA”) to support the establishment of the Erie County Greenway Fund (“Fund”) with an annual \$2 million payment for the life of the License beginning in October 2007. The Fund is administered by a Committee comprised of one member each from the City of Buffalo, Erie County, the Buffalo Olmsted Parks Conservancy and NYPA.

One of the requirements of the Agreement is to provide an Annual Report from the Committee to NYPA which shall include:

- A summary of all active projects funded by the Committee;
- A project by project list of all expenditures;
- A detailed list of planned expenditures for the upcoming year;
- An updated balance sheet of the Fund, and
- Any significant correspondence.

The Committee began organizing in 2007 and in the spring of 2008 adopted Committee Protocols. One of the Agreement commitments was for the Committee to appoint a Trustee. The process consumed a great deal of time, the Committee entered into a Trustee agreement with the Bank of America in September 2009.

Additionally, in early 2009 the Committee reached agreement for grant management services with the Community Foundation of Greater Buffalo. The primary responsibilities of the Foundation will be to monitor project progress to ensure deliverables and provide for timely fund disbursements. The Foundation will monitor progress from a project plan submitted by the proponents and approved by the Committee. In 2010, the Committee extended the contract with the Foundation through 2012 with an option to renew for 2013 and 2014.

NYPA transferred \$2 million, representing the 2010 annual payment, at the end of October 2010 to the Fund.

Through 2009, the Committee had reviewed and approved for funding the following projects:

- Fisherman’s Landing -- Town of Grand Island \$400, 482

- Shoreline Trail Signage -- Erie County \$205,000
- Scajaquada Creekside Trail -- Buffalo Olmsted Parks Conservancy \$1,210,467
- LaSalle Park – City of Buffalo \$654,830
- Park Pavilion - City of Tonawanda \$866,970
- Minnow Pools at Riverside Park --Buffalo Olmsted Parks Conservancy \$305,000

In 2010, the Committee was very active, approving the following 6 new projects which commit \$2,444,681 to the establishment of the Niagara River Greenway. The Committee temporarily instituted a 10% holdback policy for projects funded pending further consideration of a permanent policy adopted by the Committee.

- Union Ship Canal -- Buffalo Urban Development Corporation \$385,000
- Riverside Park Concourse -- Buffalo Olmsted Parks Conservancy \$56,175
- Land Acquisition Study -- Buffalo Niagara Riverkeeper \$100,000
- LaSalle Park Phase 2/ Porter Avenue -- City of Buffalo \$993,506
- Riverfest Park -- Valley Community Association \$410,000
- Tifft Nature Preserve Sustainability Center Expansion --Buffalo Museum of Science \$225,000 in 2010 funds and \$275,000 in 2011 funds.

Project status reports for each project are attached.



Bank of America, N.A.
135 S. LaSalle Street, Suite 1840 Chicago, IL 60603

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TEMP-RETURN SERVICE REQUESTED



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Account Number 433311.1
Statement Period 02/01/2011 through 02/28/2011
Account Title BUFFALO & ERIE COUNTY GREENWAY FUND
STANDING COMMITTEE
BUFFALO & ERIE CTY GREENWAY FND STA CTTE

NEW YORK POWER AUTHORITY
ROBERT A. DALY
SENIOR LICENSING SPECIALIST
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PARTICIPATING PORTFOLIOS

PORTFOLIO NUMBER 433311.1
PORTFOLIO NAME BUFFALO & ERIE CTY GREENWAY FND STA CTTE

PARTICIPATING PORTFOLIOS

PORTFOLIO NUMBER
PORTFOLIO NAME





STATEMENT OF INVESTMENT POSITION

QUANTITY	DESCRIPTION	AVG UNIT COST	COST/PRICE	MARKET VALUE/PRICE	PROJECTED ANNUAL INCOME	YIELD
5,508,447.42	DREYFUS TREASURY PRIME CM PARTICIPANT CLASS ***CORPORATE TRUST***	5,508,447.42	5,508,447.42	5,508,447.42	2.01	2.01
TOTAL CASH AND EQUIVALENTS		5,508,447.42	5,508,447.42	5,508,447.42	2.01	2.01
TOTAL ASSETS		5,508,447.42	5,508,447.42	5,508,447.42	2.01	2.01

Collective Trust Fund Disclosure: If you are a participant in a Collective Trust Fund, a full copy of the most recent audited annual report is available upon request without charge. Please call your Administrative Officer for a copy.

Statement Content Disclosure: This statement was prepared to provide you with a detailed record of information for the period covered by this report. The gain/loss and income figures presented are preliminary and approximate and should not be used for tax preparation. Estimated annual income may differ from actual income received and should not be used for tax preparation. If you have any questions regarding this statement or your account, please call your Administrative Officer.

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For Securities traded on a major exchange, market values are priced as of the statement date as provided by various pricing services or exchanges. The method and frequency of pricing assets not traded on a major exchange varies depending upon the type of asset; therefore, the price shown on your statement may not be a current value as of the statement date. Although prices shown are believed to be accurate, Bank of America and its affiliates do not guarantee the accuracy of such prices.

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TRANSACTION SUMMARY

DESCRIPTION	INCOME CASH	PRINCIPAL CASH	COST
BEGINNING BALANCE	0.00	0.00	5,552,483.51
DIVIDENDS	0.00	0.00	0.00
INTEREST	0.00	0.31	0.00
OTHER INCOME	0.00	0.00	0.00
RECEIPTS & DEPOSITS	0.00	0.00	0.00
SALES & DISPOSITIONS	0.00	44,036.09	-44,036.09
INTRA ACCOUNT TRANSFERS	0.00	0.00	0.00
DISTRIBUTIONS & WITHDRAWALS	0.00	-44,036.40	0.00
PURCHASES & ACQUISITIONS	0.00	0.00	0.00
FEES & EXPENSES	0.00	0.00	0.00
MISCELLANEOUS	0.00	0.00	0.00
ENDING BALANCE	0.00	0.00	5,508,447.42

TRANSACTION DETAIL

DATE	DESCRIPTION	INCOME CASH	PRINCIPAL CASH	COST
	BEGINNING BALANCE	0.00	0.00	5,552,483.51
02/01/11	CHECK DISBURSEMENT TO ERIE COUNTY COMPTROLLER'S OFFICE CHECK# 380037 CAPITAL PROJECT TITLE: 09 SHORELINE TRAIL-RIVERWALK SECTION SIGNAGE, # 300396/18-19898		-3,036.40	
02/01/11	INTEREST PAYMENT PAYABLE 02/01/11 DREYFUS TREASURY PRIME CM PARTICIPANT CLASS ***CORPORATE TRUST***		0.31	
02/01/11	SWEEP REDEMPTION 3,036.09 SHARES TRADE 02/01/11 DREYFUS TREASURY PRIME CM PARTICIPANT CLASS ***CORPORATE TRUST***		3,036.09	-3,036.09
02/09/11	WIRE SENT TO VALLEY COMMUNITY ASSOCIATION INC. ABA# 022000046 ACCT REF# 8891628169 ERIE COUNTY GREENWAY FUND-2009-VCA-01		-41,000.00	





TRANSACTION DETAIL (continued)

DATE	DESCRIPTION	INCOME CASH	PRINCIPAL CASH	COST
02/09/11	SWEEP REDEMPTION 41,000 SHARES TRADE 02/09/11 DREYFUS TREASURY PRIME CM PARTICIPANT CLASS ***CORPORATE TRUST***		41,000.00	-41,000.00
	ENDING BALANCE	0.00	0.00	5,508,447.42

Buffalo & Erie County Greenway Fund
Standing Committee

Erie County City of Buffalo Buffalo Olmsted Parks Conservancy New York Power Authority

PROJECT STATUS REPORT

Year: 2007 Funds
Grantee: Grand Island
Project Name/#: Fisherman's Landing – GR ISLAND-01
Grant Amount: \$400,482
Proposed Timeline: Project Planning (7 months)
Construction (8-16 months)

		Anticipated	Actual
Disbursement 1:	\$ 66,205	tbd	
Disbursement 2:	\$ 98,700	tbd	
Disbursement 3:	\$235,577	August 2011	
Projected Completion:		April 2012	

10/20/09 begin Lynn Dingey (LD) – Department of State paperwork not in place. Cannot begin until DOS paperwork is in place as the Greenway funding is being used as a match for State funding.

2/22/10 LD – Currently trying to work out an agreement w/ Scheid Architectural and Department of State) that can agree on. Goal is to commence action at site summer 2010.

5/13/10 JMc requested status update.

3/1/2011

- 5/14/10 Hired design architect – working on surveys, existing condition test pits, asbestos testing, etc.
- 6/28/10 received email re: notice of public meeting to be held 7/7/10.
- 7/7/10 JMc attended public meeting. Intend to bid Spring 2011 w/ construction start July/August 2011. An eight month construction period indicates project completion Spring or Summer 2012.
- 12/6/10 LD inquired about specifics related to signage. I forwarded the email to Erie County contact (Marie Thornton) and asked if she could respond to Lynn. Marie responded to Lynn that she would email the consultant to see where they were with documenting signage standards and get back to her.
- 1/20/11 LD emailed Marie directly because she has not had any response yet. LD indicated they are waiting on the signage specs to finalize the construction drawings and intend to go out for bid at end of January but need to put something in regarding signage.

3/1/2011

Buffalo & Erie County Greenway Fund
Standing Committee

Erie County City of Buffalo Buffalo Olmsted Parks Conservancy New York Power Authority

PROJECT STATUS REPORT

Year: 2007 Funds
Grantee: Erie County Department of Environment & Planning
Project Name/#: Shoreline Trail Riverwalk Section – ERIE CO-01
Grant Amount: \$205,000
Proposed Timeline: Planning & Design (6 months)
Out to bid for Sign Fabrication (4 – 6 weeks)
Completion of Sign Installation (unknown)

		Anticipated	Actual
Disbursement 1:	\$68,333	6/30/10	\$ 8,694.91 – 7/15/10 \$13,316.00 – 9/20/10 \$ 8,294.62 – 1/11/11 \$ 3,036.40 – 1/28/11
Disbursement 2:	\$68,333	9/30/10	
Disbursement 3:	\$68,334	tbd	
Projected Completion:		12/30/10	

11/6/09 Marie Pieczynski – still working out details on contract w/ Wendel for design services, not ready for payment yet. But when ready prefer paper check made out to Erie County Office of Comptroller in memo section referencing ECDEP Niagara River Greenway Funds.
The County was awaiting notification re: availability of funds prior

3/1/2011

to initiating contract negotiation.
Funds deposited in B of A 11/3/09.

- 2/23/10 Marie (Pieczynski) Thornton – notified contract with Wendel executed 2/5/10. Kick off meeting scheduled for 3/3/10. Disbursement dates are triggered from 3/3.
- 3/5/10 email from MT - We met on Wednesday with our consultant Wendel Duchscherer for our first meeting. We are currently in the process of forming a working committee comprised of the various municipalities and involved agencies. This working committee will help guide the consultant in making decisions relative to signage design, context, and content. We anticipate having our first meeting with this larger group in early April, once we know who all the designees are.
- 5/17/10 Had 1st Committee meeting; 2nd scheduled for next week. The consultant has updated the timeframe/work scheduled with revised milestone dates. She will email an updated version to me.
- 5/25/10 Received updated project plan with revised milestone dates. JMc agreed w/ MT to process payments on quarterly basis. Reminded MT payments cannot be disbursed without expenditure documentation.
- 6/29/10 Received request for first payment of \$8,694.91. Need paper check.
- 7/15/10 Payment sent by B of A.
- 8/11/10 MT intends to request second payment end of September. 9/16 email from MT – info has been mailed amt = \$13K.
- 9/20/10 received request for release of 2nd payment. Request sent to B of A for \$13,316.20. Need paper check.
- 12/30/10 received request for release of 3rd payment. Request sent to B of A for \$8,294.62. Need paper check.
- 1/26/11 received request for release of 4th payment. Request sent to B of A for \$3,036.40. Need paper check.

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Buffalo & Erie County Greenway Fund
Standing Committee

Erie County City of Buffalo Buffalo Olmsted Parks Conservancy New York Power Authority

PROJECT STATUS REPORT

Year: 2007 Funds

Grantee: Buffalo Olmsted Parks Conservancy

Project Name/#: Scajaquada Creek Trail – BOPC-01

Grant Amount: \$1,209,875

Proposed Timeline: Facilitation & Design (6 months)
Construction (18 months) – spanning 2 seasons

		Anticipated	Actual
Disbursement 1:	\$ 259,525	11/16/09	11/16/09
Disbursement 2:	\$ 100,000	5/15/10	7/9/10 expect completion Spring 2011.
Disbursement 3:	\$ 330,175	8/15/10	11/30/10
Disbursement 4:	\$ 520,175	7/1/11	
Projected Completion:		2/15/12	

5/13/10 Requested update from Brian Dold/Joy Testa Cinquino.

3/1/2011

- 5/21/10 JMc met with BD and JTC. Line item associated with Japanese Garden (\$100K) will need to be accelerated b/c of National Garden Festival taking place 7/9/10.
- 6/22/10 JMc attended public meeting.
- 6/30/10 JMc met with BD, JTC and Greg Robinson. Received project budget associated with \$100K payment for Japanese Garden. Released funding 7/9/10. Project completion expected October 2010.
- 7/12/10 Site visit – JMc walked entire trail with BD.
- 8/30/10 response from BD - Submitted construction docs and front end specs to City of Buffalo Legal Dept for review on 8/3/10. Have yet to receive comments. They cannot predict a bid date without seeing degree of comments and did not anticipate the city review to take this long. He will keep me posted.
- 10/14/10 conference call w/ BD – received notice to proceed from City of Buffalo and put 2010 work (#3 Peter Street playground and #5 Elmwood Avenue intersection) out to bid; selected preferred contractor and meeting with them tomorrow. BD will forward timeline update post meeting. Expect construction start fall 2010 for the component recently approved by the City (#3 & #5).

General trail improvements have already begun – some asphalt upgrades and clearing overgrown brush.

Japanese Garden – irrigation contractor issues now working with different person. So, project is now delayed and the \$34,000 associated with the system itself and install will not be expended until spring 2011. He will send me all expense docs associated with the \$66,000 expended to date.

There will also be some additional costs associated with facilitation and design line item within payment #1 b/c more public meetings yet to be held associated with 2011 work (#1 Niagara St/West Ave; #2 Rain Garden area; and #4 Creek Bend Overlook). He will send me all expense docs associated with expenses to date w/ exception of small piece still to be expended in 2011 for additional facilitation/public meetings.

- 10/22/10 Thomas Herrera Mischler called looking for another payment. I updated him on my conversation with BD from 10/14. As soon as I get expense docs associated with \$259,525 released 11/6/09 & \$100K released 7/8/10 I can release additional funding of \$330,175.

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Buffalo & Erie County Greenway Fund
Standing Committee

Erie County City of Buffalo Buffalo Olmsted Parks Conservancy New York Power Authority

PROJECT STATUS REPORT

Year: 2008 Funds

Grantee: City of Buffalo

Project Name/#: LaSalle Park First Impression (entry improvements) – COB-01

Grant Amount: \$654,830

Proposed Timeline: Design, Bid & Construction (~11 months)

		Anticipated	Actual
Disbursement 1:	\$327,415	9/1/10	8/31/10
Disbursement 2:	\$327,415	10/1/10 (11/16 mtg – likely to be 2011)	
Projected Completion:		11/30/10	

12/10/09 (FG) JMc met with Karen Stanley-Fleming and Francisco Guzman to discuss Project Plan. Agreed on 1/31/10 as submission date. Rick Calpiri will provide instruction re: wire transfer. Rec'd info 7/16/10.

3/4/10 project plan submitted by FG. Requested call to identify dates for each milestone payment.

3/1/2011

3/26/10 Received project plan.

3/29/10 forwarded project plan to GSC for approval

4/5/10 Project plan approved by GSC

4/9/10 Set aside several meeting date options with FG. All passed w/o response.

5/13/10 email to FG – please call ASAP to discuss status

5/21/10 JMc met with FG, Peter Merlo (PM) & Sayed Ghasemi

6/18/10 JMc met with FG, PM

7/16/10 JMc met with FG, PM, Anne Forti-Sciarrino, Lisa Mancuso. Also, met separately with FG and Michael Draganac (MD), Army Corps of Engineers. Received wire instructions.

8/20/10 Monthly meeting has been rescheduled to 8/25 to allow MD from Army Corps of Engineers to participate. Francisco provided verbal update regarding Buffalo Fiscal Stability Authority – they have approved the \$654,830 award. – LaSalle First Impression P1. We are still waiting on approval for LaSalle Phase 2 component 1 - \$743,506. He'll reach out to BFSA contact and update me at our meeting on 8/25.

8/25/10 JMc met with FG/MD. BFSA approved the \$654,830 grant, but nothing yet on LaSalle 2 \$993,506. JMc will request release of payment 1 \$327,415 8/30/10.

8/31/10 email to FG – need cancelled checks or invoices before we can release 2nd payment. Also, please provide date options for site visit prior to 10/1.

9/17/10 JMc & Anne Harding Joyce met with FG and Michael Marcy (MM). MM will now serve as grants manager for city projects. FG reported project may be delayed ~30 days b/c work is behind schedule. FG will contact JMc as soon as invoice arrives then we'll schedule a site visit.

10/15/10 conf call w/ FG. Playground submittal has now been approved by City and engineer. Expect to receive 3D model of custom built Buffalo's (total = 3: 1 small; 2 large) in ~2 weeks. Shelter tree posts are also custom built and in stock. In order to release second payment need invoices associated with initial disbursement of \$327,415.

3/1/2011

11/16/10 model of custom build Buffalo has now been approved. FG is now awaiting delivery date. Some playground/amenities work may be able to start before EOY, but FG is not sure whether they will be able to expense all \$327,415 prior to 12/31.

Roadway work will not begin until 2011.

12/17/10 FG, SG, JMc conference call. FG forwarded three pictures of work in progress. The shelter will be located on the grass area between the pool and D.A.R. drive.

1/28/11 FG, JMc conference call. FG forwarded one picture of the shelter with the roof in place. SG has one additional invoice which he'll forward to me. FG is waiting on several invoices that he will also forward to me early next week. FG will send a meeting invite for February.

3/1/2011

Buffalo & Erie County Greenway Fund
Standing Committee

Erie County City of Buffalo Buffalo Olmsted Parks Conservancy New York Power Authority

PROJECT STATUS REPORT

Year: 2008 Funds

Grantee: City of Tonawanda

Project Name/#: Niawanda Park, Pavilion & Boardwalk – CTON-01

Grant Amount: \$866,970

Proposed Timeline: Design, Bid & Construction (~3 months)

		Anticipated	Actual
Disbursement 1:	\$148,300	11/15/10	12/7/10
Disbursement 2:	\$356,835	3/1/11	
Disbursement 3:	\$361,835	3/1/11	
Projected Completion:		12/31/10	

12/1/09
Plan JMc met with Mayor Pilozzi and Sam Iraci to discuss Project

submission. First order of business is to design the building.

2/28/10 update received - We are currently awaiting at least one more proposal from an Architectural/Engineering firm for the planning,

3/1/2011

environmental and design work required. We had some deep concerns about the location of this structure as it to our hope to place it along the river at the end of Niawanda Park closer to Two Mile Creek Road. This would utilize space that is less congested with some open spaces. Our concern was a flood plain that extends along the river. In addition, we did not want to build any structure on ground formerly used as the Erie Canal due to soil condition and historical preservation concerns. Recent review of these concerns with our engineer and building inspector has cleared up these issues and - to be sure - they will be additionally addressed by the Engineering/Architectural firm we contract with. I will forward more information to you as it becomes available.

- 5/4/10 Ron Tribuco, Attorney for City of Tonawanda called. ON 4/20 passed a resolution authorizing Mayor Pillozzi to retain Bergmann Associates for A/E.
- 5/13/10 JMc requested status update from Mayor Pillozzi.
- 5/15/10 received the following info from Mayor Pillozzi:
Jean, We have completed the following tasks:
- Prepared and distributed a request for proposals.
 - Reviewed all proposals and completed the consultant selection process
 - Entered into Agreement with Bergmann
 - Project kick-off meeting will be held today (5/14) at 1:30
- If you wish, we will forward copies of the minutes of our meetings with Bergman. This may serve to keep you advised of the progress of the project. Please advise if this would be a help to you.
- 5/17/10 JMc advised I would like copies of minutes and reminded him we still need to get the Project Plan submitted and approved.
- 9/16/10 received email (4:36p) w/ Project Plan embedded in email message. Forwarded to GSC members 9/17 7:45a also forwarded copy of 9/7 fax.
- 9/17/10 email reply to Mayor Polizzi, et al. Please provide project plan via separate doc to enable print/viewing. On conference call GSC requested Anne Harding Joyce meet with Mayor to discuss status of project. JMc will prep AHJ prior to mtg.
- 10/20/10 AHJ and JMc met with Mayor Polizzi and Sam Iraci (SI). Mayor confirmed that at Council meeting last night (10/19) agreement was reached on Pavilion location – it will remain in Niawanda
- 3/1/2011

Park as originally proposed. They are working with Bergman Associates now and expect planning phase to be complete to allow construction to commence spring 2011. Anticipate construction to take ~9-10 months. If possible, they would like to carve out some funding to make the site an educational experience in addition to the intended use for events.

JMc will forward proposed milestone payments associated with dates discussed.

SI will forward electronic version of Statement of Probably Construction Costs to JMc.

JMc will coordinate directly with city Treasurer, Joe Hogenkamp re: wire instructions for payments.

12/7/10

initial disbursement of \$148,300 released.

3/1/2011

Buffalo & Erie County Greenway Fund
Standing Committee

Erie County City of Buffalo Buffalo Olmsted Parks Conservancy New York Power Authority

PROJECT STATUS REPORT

Year: 2008 Funds

Grantee: Buffalo Olmsted Parks Conservancy

Project Name/#: Minnow Pools – Riverside Park – BOPC-02

Grant Amount: \$305,000

Proposed Timeline: Facilitation & Design (? months) (initially anticipated 6 months now
unsure 6/30/10)
Construction (8 months)

		Anticipated	Actual
Disbursement 1:	\$ 87,500	1/13/10	1/13/10
Disbursement 2:	\$217,500	2/28/11	
Projected Completion:		10/15/11	
5/13/10	Requested update from Brian Dold/Joy Testa Cinquino.		
6/30/10	Met w/ BD/JTC. Intend to bid end of February. Construction anticipated to start 1/1/11 and complete 10/15/11. Total project cost is ~\$700K with \$300K from NYSDA. Need to spend money first then get reimbursed.		
10/14/10	conference call w/ BD - RFP out a few weeks ago to identify a sub consultant to BOPC. The consultant will deal with engineering issues associated with this project. Fee associated with this consultant will be covered under disbursement 1 w/in the \$87,500.		

3/1/2011

Buffalo & Erie County Greenway Fund
Standing Committee

Erie County City of Buffalo Buffalo Olmsted Parks Conservancy New York Power Authority

PROJECT STATUS REPORT

Year: 2009 Funds

Grantee: Buffalo Urban Development Corporation

Project Name/#: Union Ship Canal (Boardwalk & Safety railings) BUDC-01

Grant Amount: \$385,000

Proposed Timeline: 8 – 9 months to complete

		Anticipated	Actual
Disbursement 1:	\$ 29,000	8/31/10	9/20/10
Disbursement 2:	\$160,200	tbd	
Disbursement 3:	\$160,200	tbd	
Projected Completion:		5/1/11	
Holdback 10%:	\$ 35,600	tbd	

6/30/10 Received Project Plan - timing for construction will be contingent upon the winning bidder.

7/31/10 spoke w/ DS he does not need money before 8/31. He will invoice me ~8/31 for \$29,000 to pay for design and bid documents.

3/1/2011

8/6/10 received wire instructions

9/9/10 vm for DS – requesting status update re: design and bid package invoice for \$29,000. Per conversation of 7/31, expected to disburse payment ~8/31/10.

9/9/10 DS – will send invoice today. Greenway funding is being paired with Department of State (DOS) money. Receipt of DOS money may delay bidding process.

9/20/10 received invoice 1 \$29,000 for preparation of design and bid packages for Ship Canal Commons Project. Requested wire transfer from B of A.

12/17/10 request for status update. 12/20 DS responded – We have completed the design and draft bid package for the Safety Rails and the Boardwalk. I believe I have already sent you copies of this work; if not, please let me know and I will submit.

We expect to issue the Bid Package sometime in late January or early February 2011, with an expected award of bid in late March, 2011.

Timing of the actual work will be dependent upon the winning bidder. If the contractor currently on-site – Man O'Trees – is the winning bidder, the work can commence immediately (April) and would likely be completed by the end of July 2011. If contractor other than Man O'Trees is the winning bidder, we will have to wait until the current work is substantially completed before another contractor can work on the site, which would result in an August 31, 2011 completion date.

3/1/2011

Buffalo & Erie County Greenway Fund
Standing Committee

Erie County City of Buffalo Buffalo Olmsted Parks Conservancy New York Power Authority

PROJECT STATUS REPORT

Year: 2009 Funds

Grantee: Buffalo Olmsted Parks Conservancy

Project Name/#: Riverside Park Central Concourse – BOPC-03

Grant Amount: \$ 56,175

Proposed Timeline: 7 months – October 2010 – May 2011

		Anticipated	Actual
Disbursement 1:	\$ 50,558	10/15/10	11/30/10
Disbursement 2:	\$		
Projected Completion:		5/18/11	
Holdback 10%:	\$ 5,617	5/31/11	
5/13/10	Requested update from Brian Dold (BD)/Joy Testa Cinquino.		
6/8/10	start 10/18/10; finish 5/18/2011.		
8/30/10	They are on track for October payment. Have had conversations with a couple Architects with regard to term agreements and should be coming to closure on that process by October.		
3/1/2011			

10/14/10

conference call w/ BD – BOPC has hired a certified licensed architect, start date is 10/18/10. This will be a permanent position as long as funds allow. BD will send job description – upon receipt, payment 1 (\$50,558) will be released.

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Buffalo & Erie County Greenway Fund
Standing Committee

Erie County City of Buffalo Buffalo Olmsted Parks Conservancy New York Power Authority

PROJECT STATUS REPORT

Year: 2009 Funds

Grantee: Buffalo Niagara Riverkeeper

Project Name/#: Buffalo Waterfront Access Feasibility Study – BNRK-01

Grant Amount: \$100,000

Proposed Timeline: ~2 months -- 8/19/10 – 10/15/10

		Anticipated	Actual
Disbursement 1:	\$ 50,000	9/10/10	11/3/10
Disbursement 2:	\$ 40,000	10/15/10	
Projected Completion:			
Note: reuse approved	12/7/10	3/31/11	
Holdback 10%:	\$ 10,000		

4/19/10 – spoke to Kate. Went well at GNP meeting. Now need approval from Councilmember Golombek, then Mayor Brown. Kate will call me when Julie gets back from Ireland.

5/19/10 – spoke to Julie at BUDC press event. She is still waiting on approval from Mayor Brown.

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6/21/10 – spoke to Julie. She heard from Sue Gonzalez on Thursday (6/17) that Councilmember Golombek gave verbal go ahead and an email stating that was supposed to have been sent out.

JMc sent an electronic version of the Project Plan to Julie on 6/21.

7/20/10 – spoke to Jessie. Told her to just take narrative from grant app and put it in the template for Project Plan. Jessie thought they were awarded \$150K. I told her the award was approved for \$100K to support environmental reviews and appraisals ONLY. I also told her she needed to identify timeline so I could assign disbursement dates. They hope to be done with the reviews and appraisals in October. She also said she needed to discuss the \$100K vs \$150K award amount with Julie.

8/3/10 – I called Jessie back and at that time she indicated they could not move forward with the project unless they had support for project coordination/oversight. BNRK does not have staff time available w/o ability to be reimbursed. Jessie asked about using any surplus from either appraisals or reviews to support staff time. I told her I had no idea how the BECGSC would react, but that I needed something in writing presenting the issues. She also asked about the possibility of a grant from CFGB – in the amount of \$5K to support if BECGSC does not allow the modification of line items? Again, I told her I needed something in writing presenting the issues.

8/5/10 – Jessie emailed the Project Plan w/no mention of the required \$5K to allow work to be coordinated. I emailed her asking for clarification and she responded, “I believe Julie has decided to use another avenue for that.”

8/19/10 – released RFP – copies provided to JMc.

9/9/10 – vm for Jessie Fisher. Project plan calls indicates 9/10 as hire consultant. Are we on track to request release of initial disbursement of \$50K tomorrow?

9/17/10 – email to JF. Please provide status update on consultant selection. Responded by indicating they received quite a few proposals. Hope to select someone today.

9/30/10 – email to JF. Please provide status update on consultant selection. Response – consultants selected; still working on contracts, which should be signed by end of next week. At that point, we can release funds.

10/12/10 – spoke to Julie at Dudley Library meeting – she asked about process for requesting reuse. She asked me to call Jessie to discuss.

10/13/10 – spoke to Jessie Fisher re: Reuse request. Based on RFP responses, total cost for environmental reviews and appraisals is anticipated to be ~\$52,700. Given \$100K approved, resulting balance will be \$47,300. They would like to request reuse to

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support additional three line items requested on original budget in order of priority: coordination & oversight; site planning & graphics; and legal fees. She will get something to me ASAP for BECGSC review.

10/14/10 – forwarded reuse request to BECGSC members.

10/28/10 – inquiry from BNRK re: Reuse request. To date, three approvals received from Rob Daly, Anne Harding Joyce and Kathy Konst.

11/2/10 – received signed contracts for Phase 1 Environmental Reviews and Appraisals. Requested release of initial payment - \$50,000. Initial payment released 11/3/10.

12/7/10 – received final approval from Susan Gonzalez re: reuse request. Verbal notification conveyed to Riverkeeper. JMc followed up with hard copy letter. Per JF, phase 1 is 90% done with final completion expected 12/31/10. Parcels: N=19 (Scajaquada group – 13; Niagara group 6). Phase 2 \$50K will cover legal fees, site planning & graphics and project coordination/contract.

1/19/11 – requested status update. JF responded: Scajaquada & Harry's Harbor properties (P1 env rev and appraisals are complete). Rich Marina still not completed. They are currently working on approving some very strict confidentiality agreements and she is hopeful that they'll have site access next week.

1/26/11 – email inquiry from JF re: deadline for completion. JMc spoke to JF and reviewed timelines discussed previously indicating initial end date was to be 12/31/10. I proposed a hard deadline of 3/31/11, which would be one year from BECGSC original approval.

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Buffalo & Erie County Greenway Fund
Standing Committee

Erie County City of Buffalo Buffalo Olmsted Parks Conservancy New York Power Authority

PROJECT STATUS REPORT

Year: 2009 Funds

Grantee: City of Buffalo

Project Name/#: LaSalle Park Phase 2/Porter Avenue - COB-02
Component 1

Grant Amount: \$743,506

Proposed Timeline: 8/1/10 – 2/1/11

		Anticipated	Actual
Disbursement 1:	\$350,000	9/15/10	10/13/10
Disbursement 2:	\$319,156	11/1/10 (11/16 mtg – likely to be 3/15/11)	
Projected Completion:		2/1/11 (11/16 mtg – likely to be July 2011)	
Holdback 10%:	\$ 74,350	2/1/11	

7/16/10 JMc met with FG, PM, Anne Forti-Sciarrino, Lisa Mancuso. Also, met separately with FG and Michael Draganac (MD), Army Corps of Engineers. Received wire instructions.

8/20/10 Monthly meeting has been rescheduled to 8/25 to allow MD from Army Corps of Engineers to participate. Francisco provided verbal update regarding Buffalo Fiscal Stability Authority – they have approved the \$654,830 award. – LaSalle First Impression P1. We

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are still waiting on approval for LaSalle Phase 2 component 1 - \$743,506. He'll reach out to BFSA contact and update me at our meeting on 8/25.

- 8/25/10 JMc met with FG/MD. BFSA approved the \$654,830 grant, but nothing yet on LaSalle 2 \$993,506 (two components \$743,506 & \$250,000). JMc will request release of payment 1 \$327,415 8/30/10.
- 9/17/10 JMc & Anne Harding Joyce met with FG and Michael Marcy (MM). MM will now serve as grant manager for city projects. FG reported the request to accept funds was resubmitted to BFSA again yesterday.
- 9/30/10 received email notification from FG, BFSA approval is now in place.
- 10/13/10 \$350,000 released.
- 10/15/10 conf call w/ FG. SG will be compiling invoices for the initial \$350,000 expenses. After invoices are received and site visit is conducted, we can release second payment.
- 11/16/10 met with FG and SG – to date have expended \$273,239.62 (\$204,163.34 construction on Porter Ave work & \$69,076.28 design). Design costs were for more than Porter Avenue, they also included work on Erie Street. In total \$1,069,000 was spent to study north to south end of Buffalo. \$1m federal eligible and \$69,076 assigned to Greenway funding. Niagara Street to bridge = federal \$'s; Bridge to water = Greenway \$'s.
- SG and JMc will schedule a site visit to see all work completed to date.
- 12/17/10 FG, SG, JMc met via conference call. Total expenses to date expended against initial payment of \$350,000 are as follows:
\$249,938.24 (Destro Brothers Concrete)
\$ 84,012.68 (consultants)
\$333,950.92
- Electric poles have been installed on the south side of Porter Avenue. In 2011 electric poles will be installed on the north side.
- SG will send invoices for November and December when they are available. Then we'll be done till March 2011. At that point Mark Zerza (MZ) will be working with FG on expenses associated with the second payment of \$319,156.

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Buffalo & Erie County Greenway Fund
Standing Committee

Erie County City of Buffalo Buffalo Olmsted Parks Conservancy New York Power Authority

PROJECT STATUS REPORT

Year: 2009 Funds

Grantee: City of Buffalo

Project Name/#: LaSalle Park Phase 2/Army Corps - COB-02
Component 2

Grant Amount: \$250,000

Proposed Timeline: 10/1/10 – 9/30/12

		Anticipated	Actual
Disbursement 1:	\$125,000	9/10/10	10/13/10
Disbursement 2:	\$100,000	10/1/11	
Projected Completion:		2/1/11	
Holdback 10%:	\$ 25,000	9/30/12	

8/20/10 Francisco provided verbal update regarding Buffalo Fiscal Stability Authority – they have approved the \$654,830 award. – LaSalle First Impression P1. We are still waiting on approval for LaSalle Phase 2 component 1 - \$743,506. He'll reach out to BFSA contact and update me at our meeting on 8/25.

9/2/10 email to FG – need Project Plan submitted and approved before I can release funds. When we met w/ MD we agreed on release of

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first payment 9/8 (day after the signing ceremony). W/o the plan in place and approved, release of funding will be delayed.

- 9/3/10 received project plan. Forwarded project plan and recommended payment schedule to Anne for routing to BECGSC for approval.
- 9/7/10 JMc attended signing ceremony – cost sharing agreement signed by Col. Bales and Mayor Brown.
- 9/17/10 GSC approved Project Plan.
JMc & Anne Harding Joyce met with FG and Michael Marcy (MM). MM will now serve as grant manager for city projects. FG reported the request to accept funds was resubmitted to BFSA again yesterday.
- 9/30/10 received email notification from FG, BFSA approval is now in place. The BFSA approval was the last item needed to complete request for new fund/account.
JMc email to FG – please notify me as soon as new fund/account is set up and I will proceed with request to release payments (\$475K).
- 10/8/10 email to FG – please advise on status of new fund/account set up.
- 10/14/10 \$125,000 released.
- 10/16/10 conf call w/ FG. Needed to get separate BFSA approval to accept USACE funds. Because funding was held up USACE had to cancel dive scheduled for 10/4.

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Buffalo & Erie County Greenway Fund
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Erie County City of Buffalo Buffalo Olmsted Parks Conservancy New York Power Authority

PROJECT STATUS REPORT

Year: 2009 Funds

Grantee: Valley Community Association

Project Name/#: Buffalo River Fest Park - VCA-01

Grant Amount: \$410,000 (Design \$160K; Construction \$250K)

Proposed Timeline: 6 months

		Anticipated	Actual
Disbursement 1:	\$227,090	9/1/10	8/31/10
Disbursement 2:	\$141,910	11/1/10	11/16/10
Projected Completion:		12/31/10	
Holdback 10%:	\$ 41,000	12/31/10	

4/19/10 met w/ PO to discuss Project Plan

5/27/10 PO inquired about re use request; sent to BECGSC 6/10/10.

6/11/10 JMc attended ground breaking event

8/18/10 requested status update

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8/20/10 received Project Plan

8/30/10 follow up call re: wire info. PO is on vacation. Sue Rosenthal will email wire instructions. Received 8/30.

9/10/10 responded to request for clarification on required expenditure documentation. Indicated need for site visit prior to release of 2nd payment and need to discuss timeline with Peg.

9/28/10 PO called for clarification on specific items to be supported through Greenway funding. She also indicated some unforeseen issues regarding the concrete wall, which we discuss in greater detail during the site visit scheduled for 10/12 at 1p.

10/12/10 **Site visit** – JMc and Kathy Konst with PO. Site demo and grading is complete, electrical is partially done, and band shell foundation work is underway. Unanticipated expenses (cost unknown at this time – could be ~\$200K) associated with rip rap, form instead of trench for Boardwalk footers and concrete wall repair. Approximately 40 – 50' of wall needs to be shored up. Plan is to stabilize by repouring inside the existing wall. Peg will move DASNY up to help complete this phase of work. Anticipate construction completion 12/31. Peg has been approached by owners of the Moondance – they are interested in docking at River Fest Park. This would generate revenue. Peg will send me updated drawings and invoices for initial \$227,090 hopefully early next week. Once received, we can release second payment.

10/28/10 PO is sending over invoices for initial expenditures. Upon receipt and reconciliation, JMc will release second payment of \$141,910.

12/29/10 requested status update. 12/31 PO responded the work has been done but just waiting on paperwork from contractor. I reminded Peg I would need to come out for a final site visit prior to release the \$41K holdback payment and that final payment would be based on architect's certification.

1/19/11 PO called to let me know final paperwork will be forthcoming within the next week. Upon review of expenditure document and site visit the holdback of \$41,000 will be released.

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Buffalo & Erie County Greenway Fund
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PROJECT STATUS REPORT

Year: 2009 Funds

Grantee: Buffalo Museum of Science

Project Name/#: Tifft - Sustainability Center Upgrade – SCI-01
Cabin Retrofit

Grant Amount: \$225,000 (total approved is \$500K - \$225K in 2010 & \$275K in 2011)

Proposed Timeline: April – December 2010 (8 months)

		Anticipated	Actual
Disbursement 1:	\$115,500	7/15/10	7/23/10
Disbursement 2:	\$ 87,000	Q2 '11	
Disbursement 3:			
Projected Completion:		Q4 '11	
Holdback 10%:	\$ 22,500	Q4 '11	

4/15/10 Lauren Makeyenko (LM), Experience Manager will be primary contact person.

6/17/10 requested status update re: Project Plan submission

7/9/10 received Project Plan

3/1/2011

7/9/10

received wire instructions

12/21/10

JMc met with LM – approximately ~\$25K of initial \$115K payment has been invoiced to date. Total committed as of 12/23/10 is \$54,844. Year 1 (work initially anticipated to be complete in April 2011) funding of \$225,000 is behind schedule and not expected to be fully expended until fall 2011.

Energy saving upgrades are underway (insulation work was actually taking place during my visit). Received invoice from Buffalo Energy for \$6,180 quote for all upgrades is \$18,540. Site Pre-Planning work is also underway to determine footprint of Tiff Sustainability Center to inform retrofit of existing Visitor Center for energy efficiency. An RFP was sent to local firms. Received 20 responses and selected Stieglitz Snyder Architecture. Approximately \$25,000 will be allocated to support the A/E services from the initial payment of \$115,000 - received an invoice from Stieglitz Snyder for \$12,500. Received two additional invoices: from Seneca Blueprint (\$254) for plan copies and from Millard, Mackay & Delles Land Surveyors (\$2,550) for topographic survey. They are currently exploring options to address fireplace issues.

JMc will check to see if it's possible to begin expending 2011 funding (\$275,000) before all 2010 upgrades have been completed and expensed.

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