



**USA Niagara
Development
Corporation**

A Subsidiary of Empire State Development

USA NIAGARA DEVELOPMENT CORPORATION

Meeting of the Directors

At the offices of the
USA Niagara Development Corporation
222 First Street, 7th Floor
Niagara Falls, N.Y. 14303

Monday

September 15, 2025 – 11:00 a.m.

AGENDA

I. CORPORATE ACTION

- A. Approval of Minutes of the July 29, 2025, Directors' Meeting

II. FOR CONSIDERATION

- A. Roof Replacement & Stabilization Services – 441 Third Street – Authorization to Enter into a Contract for Roof Replacement & Stabilization Services and to Take all Related Actions

Item I. A.

DRAFT – SUBJECT TO REVIEW AND REVISION

USA NIAGARA DEVELOPMENT CORPORATION

Meeting of the Directors
Held at the USA Niagara Offices
222 First Street – 7th Floor
Niagara Falls, New York 14303

With videoconferencing to:

ESD New York City Regional Office
655 Third Avenue – 6th Floor Conference E
New York, NY 10017

July 29, 2025

MINUTES

In Attendance Directors: Francine DelMonte – Chair
Scott M. Brydges – Voting Director
Dr. Chandra Foote – Voting Director

Present for USA Niagara: Anthony Vilaro – President
Yvonne Cooper – Acting Corporate Secretary (via video conferencing)
Douglas Janese – Senior Counsel, Legal
Samuel Morreale – Senior Project Manager
Paul Ray – Senior Project Manager
John Risio – Director of Admin. & Finance
Loul Rizek – Officer Manager

ESD Staff: Ann Descovich – Financial Project Manager, Subsidiary Finance
(Via videoconferencing) Controller
Eugene Kwiatkowski – Sr. Director of Budgeting
Florence Moses – Director of Subsidiaries

Present for WNY ESD: Laura Magee – Deputy Director, Public Affairs

Also Present: Ed Riley, Managing Member – Brine Wells Development, LLC
Thomas Zawadzki- -Project Consultant

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Following the roll call and confirmation that a quorum was present, the meeting of the Directors of the USA Niagara Development Corporation (“USAN” or the “Corporation”) was called to order at 11:00 a.m. by Chair DelMonte.

Chair DelMonte called the meeting to order and noted that the meeting will be webcast.

Chair DelMonte also noted that the public had been given an opportunity to comment on the Agenda items by submitting their written comments by 12:00 p.m. on Monday and noted that no comments were received from the public.

Chair DelMonte then noted that the Directors had received the relevant written materials in advance of today’s meeting and are free to ask questions.

The Chair then asked the Directors if anyone had any potential conflict of interest with regard to any of the items on the Agenda and no conflicts were noted at this time.

The Chair then called for the approval of the Minutes of the March 18, 2025 and Directors’ meeting. There being no corrections noted, upon motion duly made and seconded, the following Resolution was unanimously adopted:

**APPROVAL OF MINUTES AND RATIFICATION OF ACTIONS TAKEN AT THE MARCH 18, 2025
MEETING OF THE DIRECTORS OF THE USA NIAGARA DEVELOPMENT CORPORATION**

RESOLVED, that the Minutes of the meeting of the Corporation held on March 18,2025 and as

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presented to this meeting, are hereby approved and all actions taken by the Directors present at such meeting as set forth in such Minutes, are hereby in all respects ratified and approved as actions of the Corporation.

* * *

Chair DelMonte then called on Anthony Vilardo to present the next item on the Agenda related to the Procurement Guidelines for the Directors' consideration.

Mr. Vilardo explained that each year the USA Niagara Development Corporation adopts updates and revises its guidelines for the Use, Awarding, Monitoring and Reporting of procurement contracts, as mandated by §2879 of the Public Authorities Law.

Mr. Vilardo noted that there were no substantive changes to Executive Orders or discretion to authorities in the past year that would require modification of the proposed 2025 Guidelines. As with previous guidelines, the proposed 2025 guidelines are modeled after Empire State Development's Procurement Guidelines, which the ESD board adopted on March 27, 2025 Directors' Meeting.

The Chair then called for any further questions or comments. Hearing none and noting that no comments were received from the public, upon motion duly made and seconded, the following Resolution was unanimously adopted:

USA NIAGARA DEVELOPMENT CORPORATION – 2025 USAN Procurement Guidelines –
Adoption of Revised Guidelines for the Use, Awarding, Monitoring and Reporting of
Procurement Contracts

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BE IT RESOLVED, that on the basis of the materials presented to this meeting, a copy of which is hereby ordered to be filed with the records of the Corporation, the proposed 2025 Guidelines for the Use, Awarding, Monitoring and Reporting of Procurement Contracts, a copy of which is attached to the materials, be and hereby is approved and adopted as of April 1, 2025; and the President or his designee is authorized to promulgate the said Guidelines in electronic form and other media for the use of the staff of the Corporation, and to take such other and further action as may be deemed necessary or appropriate to effectuate the foregoing Resolution.

* * *

Chair DelMonte then called on Mr. Vilardo to present the next item on the Agenda related to the Property Disposition Guidelines for the Directors' consideration.

Mr. Vilardo explained that the Public Authorities Accountability Act Chapter 766 of the 2005 laws of New York was signed into law in 2006, amended in 2009 and established standards of governance and operation of public authorities such as the New York State Urban Development Corporation d/b/a Empire State Development and its subsidiaries including the USA Niagara Development Corporation.

Mr. Vilardo further explained that Title 5-A of the Act requires the annual adoption of the guidelines with respect to Property Disposition. On March 27, 2025, the Guidelines were adopted by the Directors of Empire State Development and the Directors of USA Niagara are being asked to adopt the guidelines on behalf of the agency.

Mr. Vilardo noted that the Directors were also being asked to re-appoint the Executive Vice President of Real Estate for ESD or his or her designee for the purpose of the Guidelines.

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Following the full presentation, Chair DelMonte called for questions or comments from the Directors. Hearing none and noting that no comments were received from the public, upon motion duly made and seconded, the following Resolution was unanimously adopted:

USA NIAGARA DEVELOPMENT CORPORATION (“USAN”) – Property Disposition Guidelines – Adoption of Property Disposition Guidelines; Re-Appointment of Contracting Officer; and Authorization to Take Related Actions

WHEREAS, USAN wishes to comply with Title 5-A of the Public Authorities Accountability Act, as amended by the Public Authorities Reform Act of 2009 (collectively, the “Act”), which mandates that public benefit corporations including USAN prepare annual Guidelines regarding Disposition of Property (the “Guidelines”) attached hereto; and

WHEREAS, Empire State Development (“ESD”) has prepared the Guidelines in accordance with the Act; and

WHEREAS, USAN has reviewed said Guidelines and found them to be satisfactory; and

WHEREAS, the Guidelines require the appointment of a Contracting Officer;

NOW, THEREFORE, IT IS HEREBY RESOLVED, that in accordance in the materials presented to this meeting, and ordered filed in the records of the Corporation, the Guidelines are amended and hereby adopted; and it is further

RESOLVED, that the Executive Vice President, Real Estate Development, ESD or his/her designee (or any successor Executive Vice President) is hereby re-appointed as the USAN Contracting Officer as required and set forth in the Guidelines; and it is further

RESOLVED, that the President and his designee(s) be, and each of them hereby is, authorized to take such action and execute such documents as may be necessary or appropriate to carry out the foregoing Resolutions and implement the Guidelines and to take all related actions.

* * *

Next, the Chair called on Mr. Vilardo to present the next item on the Agenda related to the Niagara Falls Heritage Gateways Design project for the Directors’ consideration.

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Mr. Vilaro explained that in 2018, USA Niagara began purchasing vacant parcels of land near the Niagara Falls State Park in order to return long dormant land back to productivity. Now that the land has been acquired, the focus has been on finding projects that will activate the sites and attract new development. In July of 2022 a Request for Proposal (“RFP”) was issued titled “Niagara Falls Heritage Gateways” to select a qualified Architecture and Engineering team to provide design services and construction administration for a product that will activate three of the sites.

Mr. Vilaro noted that pursuant to the resulting process, Practice for Architecture Urbanism (“PAU”) scored highest and was selected and approved by the USA Niagara Directors in November of 2022. To date, two of the four proposed gateways, the Gorge Gateway Park and the Hydraulic Power Plaza are under construction. The third project, the Riverway Tree Walk is in its final design stage.

Mr. Vilaro further noted that this amendment will allocate additional resources to expand the scope to the fourth gateway, the Cataract House Memorial.

Mr. Vilaro noted that while some of the funding for the fourth gateway was provided in the original contract amount, a series of workshops with local stakeholders and representatives from Niagara Falls State Park revealed the need for a more intense community engagement process and a more ambitious design. The gateway will create a memorial to the former Cataract House, which was once in the City of Niagara Falls and one of the most

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exclusive lodging elements hosting presidents and other visiting dignitaries, all while serving as a terminus for the Underground Railroad.

Mr. Vilardo further noted that the proposed amendment will add an additional \$500,000 for a new total contract amount not to exceed \$2,941,663 and extend the contract by an additional eight months through December 31, 2026.

Lastly, Mr. Vilardo noted that the funding source for this amendment is the New York State Budget Appropriation made available through the Regional Economic and Community Assistance Program (“RECAP”), which is a different funding source from the original contract.

The Chair then called for questions or comments from the Directors. Chair DeMonte asked, what will the memorial be named.

Mr. Vilardo says if you recall our development strategy called for a series of interim interventions, public place-making, and a series of gateways to help tell the story of Niagara Falls. Mr. Vilardo states it will be something special and are still working on the concept.

The Chair then called for any further questions or comments. Hearing none and noting that no comments were received from the public, upon motion duly made and seconded, the following Resolution was unanimously adopted:

USA NIAGARA DEVELOPMENT CORPORATION – Consulting Services Amendment –
Niagara Falls Heritage Gateways Design – Authorization to Enter into a Contract

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Amendment with Practice for Architecture Urbanism DPC to provide Consultant Services and to Take Related Actions

BE IT RESOLVED, that upon the basis of the materials presented to this meeting (the “Materials”), a copy of which is hereby ordered filed with the records of the Corporation, the Corporation hereby finds Practice for Architecture Urbanism DPC to be responsible; and be it further

RESOLVED, that the Corporation is hereby authorized to enter into a contract amendment with Practice for Architecture Urbanism DPC for an additional amount not to exceed FIVE HUNDRED THOUSAND (\$500,000), for an amended total contract amount not to exceed \$2,941,663 and to extend the term of the contract for an additional 8 months through December 31, 2026, for the purposes and services, and substantially on the terms and conditions, set forth in the Materials; and be it further

RESOLVED, that the President of the Corporation or his designee be, and each of them hereby is, authorized to take such action and execute such documents as may be necessary or appropriate to carry out the foregoing resolution.

* * *

The Chair called on Mr. Vilaro to present the next item on the Agenda related to Old Falls Street Play Pod for the Directors’ consideration.

Mr. Vilaro explained that the project, located at 102 Old Falls Street was acquired by USA Niagara through the Strategic Land Acquisition Program. The existing building has been demolished and a new building will soon be constructed on the North portion of the site. The southern portion of the site has yet to be developed. In the interim a semipermanent fence has been installed along the edge of the property to shield the land from public use.

Mr. Vilaro noted that a short-term installation on a small portion of the public space will be created at the corner of First and Old Falls Street will provide shade, seating, games and amenities aimed at activating the space until future development takes place.

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Mr. Vilaro further noted that the contract will include all services up to completion of the contract for a term of one year upon award of the contract. The contract, with Red Rose Landscaping is in an amount not to exceed \$403,650 inclusive of the contingency and will be based on an hourly plus reimbursable basis payable in releases as the work is completed.

Lastly, Mr. Vilaro noted that the funding source for this project is the New York State Budget Appropriations made available through the Buffalo Regional Innovation Cluster. No USA Niagara Corporate funds will be used to fund this contract.

Following the presentation, the Chair called for questions or comments from the Directors. Dr. Foote asked who will own the equipment.

Mr. Vilaro stated that USA Niagara will own the equipment and can use the Old Falls Street team to repurpose the equipment.

The Chair then called for further questions or comments from the Directors. Hearing none and noting that no comments were received from the public, upon motion duly made and seconded, the following Resolution was unanimously adopted:

USA NIAGARA DEVELOPMENT CORPORATION – Procurement of Equipment Installation Services – Old Falls Street Play Pod – Authorization to Enter into a Contract with for Equipment Installation Services and to Take All Related Actions

RESOLVED, that upon the basis of the materials presented to this meeting (the “Materials”), a

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copy of which is hereby ordered filed with the records of the Corporation, the Corporation hereby finds Red Rose Landscaping LLC to be responsible; and be it further

RESOLVED, that the Corporation is hereby authorized to enter into a contract with Red Rose Landscaping LLC in an amount not to exceed FOUR HUNDRED THREE THOUSAND SIX HUNDRED FIFTY DOLLARS (\$403,650), inclusive of contingency, for the purposes and services, and substantially on the terms and conditions, set forth in the Materials presented to this meeting with such changes as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, subject to the availability of the funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized and directed, in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all such actions as may be necessary or appropriate to effectuate the foregoing.

* * *

The Chair called on Mr. Vilaro to present the last item on the agenda, adoption of the Proposed Modified General Project Plan for 201 Rainbow Boulevard Hotel Restoration.

Mr. Vilaro explained that the project involves the sale and transfer of the historic Hotel Niagara property to a private company to facilitate a \$58.8 million restoration and reuse of the hotel.

He further explained that the proposed restoration would be conducted in accordance with federal and state historic preservation standards and result in a full -service 160 room upper upscale hotel with a full-service restaurant, lounges, and banquet facilities, all open to the public.

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By way of background, the hotel was constructed between 1923 and 1925, the 12 -story Hotel Niagara is the oldest standing hotel in City of Niagara Falls. By 2007 the property changed hands multiple times and its branding moved to cheaper and more economy-based hotel flags and the hotel was closed for the first of two efforts to fully restore it to its former glory. By 2016 the hotel remained completely closed with the primary interior demolition and asbestos abatement in partial states of completion.

Mr. Vilaro explained that USA Niagara acquired the property from the owner in July of 2016 for \$4.4 million. The USA Niagara Board adopted the General Project Plan on December 20, 2018, and authorized the committed of funds of \$3.5 million for the project.

Mr. Vilaro further explained that since the GPP was approved by the Board, the cost estimates and program of the Project have been refined by the developer requiring a modification of the Project.

Mr. Vilaro noted that due to market conditions, which have increase project costs and access to capital financing, additional financial assistance is required to ensure the project is successful.

Lastly, Mr Vilaro is requesting an additional \$4 million bringing the total to \$7.5 million proposed by the developer. This public investment would advance a total investment estimated

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at 58.8 million, up from \$42 million. The funding sources are the New York State Budget Appropriations made available through the Buffalo Regional Innovation Cluster, which is the original \$3.5 million and the Regional Economic & Community Assistance Program, the additional funding of \$4 million. He further noted no USA Niagara corporate funds would be used to fund the project.

Following the presentation, the Chair called for questions or comments from the Directors. Dr. Foote asked are being asked to approve all items because we own it.

Mr. Vilaro replied, correct.

Dr Foote then asked, and to authorize the commitment of funds in the total of \$7.5million even though its not our funds, it will come to us, and we are going to turn it around.

Mr. Vilaro replied, correct.

The Chair then called for further questions or comments from the Directors. Hearing none and noting that no comments were received from the public, upon motion duly made and seconded, the following Resolution was unanimously adopted:

USA Niagara Development Corporation -- 201 Rainbow Boulevard Hotel Restoration Land Use Improvement Project – Adoption of Modified General Project Plan; Authorization to Hold a Public Hearing; Authorization to Provide Financial Assistance for the Project; Authorization to Enter into Necessary Agreements; and to Take Related Actions

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BE IT RESOLVED, that on the basis of the materials presented to this meeting (the "Materials"), a copy of which is hereby ordered filed with the records of the USA Niagara Development Corporation (the "Corporation"), relating to the 201 Rainbow Boulevard Hotel Restoration Land Use Improvement Project (the "Project"), the Corporation hereby adopts the proposed Modified General Project Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the President or other proper officers of the Corporation may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that upon written finding of the President or other proper officers of the Corporation that no substantive negative testimony or comment has been received at the public hearing held on the Plan, such Plan shall be effective at the conclusion of such hearing, and that upon such written finding being made, the President or other proper officers of the Corporation be, and each of them hereby is, authorized to enter into an agreement, for the purposes, and substantially on the terms and conditions, set forth in the materials presented to this meeting, including the commitment of Corporation funding in the total amount of \$7,500,000 for the Project, with such changes as the President or other proper officers of the Corporation may deem appropriate, and be it further

RESOLVED, that, subject to the requirements of Section 16(2) of the New York State Urban Development Corporation Act of 1968, as amended (the "Act") and upon effectiveness of the Plan, the Corporation is hereby authorized to enter into a revised Land Disposal and Development Agreement ("LDDA") and/or all other agreements necessary to carry out the transaction, including a deed and other necessary conveyance documents to effectuate the real property transfer contemplated by the LDDA; and be it further

RESOLVED, that the provision of USAN financial assistance is expressly contingent upon: (1) the approval of the Public Authorities Control Board, if applicable, and (2) receipt of all other necessary approvals; and be it further

RESOLVED, that the President of the Corporation or other proper officers be, and each of them hereby is, authorized in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all related actions as he may in his sole discretion consider to be necessary or proper to effectuate the foregoing resolutions.

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There being no further business, the meeting was adjourned at 11:30 a.m.

Respectfully submitted,

Yvonne Cooper
Acting Corporate Secretary

Item II. A.

FOR CONSIDERATION

September 15, 2025

TO: The Directors

FROM: Anthony Vilardo, President

SUBJECT: Roof Replacement & Stabilization Services – 441 Third Street

REQUEST FOR: Authorization to Enter into a Contract for Roof Replacement & Stabilization Services and to Take all Related Actions

CONTRACT NEED AND JUSTIFICATION

I. Contract Summary

Contractor: Montante Construction LLC

Scope of Services: Roof Replacement & Stabilization Services

Contract Term: One year upon award of contract

Contract Amount: Not to exceed \$878,621 (\$798,746 + \$79,875 contingency)

Funding Source: NYS Budget Appropriations made available through the Buffalo Regional Innovation Cluster Fund

II. Background

USA Niagara Development Corporation (“USAN” or the “Corporation”), a subsidiary of Empire State Development (“ESD”), purchased 441 Third Street in March 2019, through a strategic land acquisition program, intended to assemble and revive long-dormant properties located near Niagara Falls State Park. The program is a continuation of USAN’s efforts to expand the density of uses in downtown Niagara Falls to re-establish a year-round, sustainable neighborhood. Disposition of key parcels has supported significant new mixed-use development in the Third Street Business District.

Working with an Architect/Engineer consultant, USAN determined that the 441 Third Street building’s roof and deck need to be replaced in order to prevent further water infiltration and deterioration. Replacement and stabilization work will secure the building in the short term and make the building more attractive for future investment.

III. Contractor Selection Process

In order to procure a qualified general contractor, USAN advertised in the *New York State Contract Reporter* on November 14, 2023. The Invitation to Bid (“ITB”) sought to retain a qualified bidder to perform roof replacement and stabilization work. No bids were received in response to the ITB. On January 16, 2025, USAN advertised the work again in the *New York State Contract Reporter*. No bids were received in response to this ITB as well.

With two competitive procurements (ITBs) previously conducted with no responses received, a third ITB was considered, but ultimately dismissed as not in USAN’s best interest. With the condition of the building’s roof growing increasingly worse, USAN requested proposals directly from local contractors starting in the spring of 2025 and received a Contract Reporter Exception approval for this contract.

In response to USAN’s efforts to solicit proposals directly, two proposals were received. The proposal from Montante Construction LLC, was reasonable, the least expensive, and was determined to represent the best value to the Corporation.

Montante Construction is based in Buffalo, New York, and was established in 2013 as an arm of the Montante Group, providing support to its sister companies TM Montante Development and Montante Solar. With clients in and out of Western New York, the company manages new construction, expansions, and complex historical renovations projects. The company’s leadership team are leading construction industry professionals who have managed an impressive portfolio of commercial, municipal, medical, academic, and civic construction projects throughout their careers.

Pursuant to State Finance Law Section 139-j and 139-k and the Corporation’s policy related thereto, staff has; a) considered proposed contractor’s ability to perform the services provided for in the proposed contract; and b) consulted the list of offerers determined to be non-responsible bidders and debarred offerers maintained by the New York State Office of General Services. Based on the foregoing, staff considers the proposed contractor to be responsible.

IV. Scope of Work

Roof replacement and stabilization services for a USAN-owned vacant building located at 441 Third Street, Niagara Falls, NY. Contractor tasks will include the following:

- Selective Demolition
- Asbestos Abatement
- Roof Replacement
- Rough Carpentry

V. Contract Term, Price, and Funding

This contract will include all services up to the completion of the contract. The proposed term is one year upon award of contract. The contract amount with Montante Construction LLC to complete the above scope of work shall not exceed \$878,621, inclusive of contingency. The basis or method of payment for this contract will be based on an “hourly plus reimbursable” basis, payable in releases as the work is completed.

On September 3, 2025, USAN issued a Notice to Proceed (“NTP”) to Montante Construction LLC. Total compensation under this NTP will not exceed \$144,904 with the term of the NTP not to extend past February 28, 2026.

Funding sources will be NYS Budget Appropriations made available through the Buffalo Regional Innovation Cluster. No USAN Corporate funds will be used to fund the contract.

VI. Non-Discrimination and Contractor & Supplier Diversity

ESD’s Non-Discrimination and Contractor & Supplier Diversity policies will apply to this Project. Pursuant to New York State Executive Law Articles 15-A and Article 3 of New York State Veterans’ Services Law, ESD recognizes its obligation under the law to promote opportunities for maximum feasible participation of certified minority and women-owned business enterprises (MWBES) and service-disabled veteran-owned businesses (SDVOBs) in the performance of ESD projects. The Contractor shall be required to include minorities and women in any job opportunities created, to solicit and utilize Minority and Women Business Enterprise (MWBES) and Service-Disabled Veteran-owned Businesses (SDVOBs) for any contractual opportunities generated in connection with the Project and shall be required to use Good Faith Efforts (pursuant to 5 NYCRR §142.8 and 9 NYCRR § 252.2(m)) to achieve an overall MWBE Participation Goal of 30% and an SDVOB Participation Goal of 6%.

VII. Environmental Review

ESD staff has determined that the project, which involves an in-kind rehabilitation of an existing, non-historic structure, constitutes a Type II action as defined by the New York State Environmental Quality Review Act (“SEQRA”) and the implementing regulations for the New York State Department of Environmental Conservation. No further environmental review is required in connection with the project.

VIII. Requested Action

The Directors are requested to (1) make a Determination of Responsibility with respect to the proposed contractor; (2) make a Determination of No Significant Effect on the Environment; (3) authorize USAN to enter into a contract with Montante Construction LLC for an amount not to exceed \$878,621, inclusive of contingency; and (4) to authorize the taking of all related actions.

IX. Recommendation

Based on the foregoing, I recommend approval of the requested actions.

X. Attachments

Resolutions

September 15, 2025

USA NIAGARA DEVELOPMENT CORPORATION – Authorization to Enter into a Contract with Montante Construction LLC to provide Roof Replacement & Stabilization Services and to Take All Related Actions

RESOLVED, that upon the basis of the materials presented to this meeting (the “Materials”), a copy of which is hereby ordered filed with the records of the Corporation, the Corporation hereby finds Montante Construction LLC to be responsible; and be it further

RESOLVED, that the Corporation is hereby authorized to enter into a contract with Montante Construction LLC, in an amount not to exceed EIGHT HUNDRED SEVENTY-EIGHT THOUSAND SIX HUNDRED TWENTY-ONE DOLLARS (\$878,621), inclusive of contingency, for the purposes and services, and substantially on the terms and conditions, set forth in the Materials presented to this meeting with such changes as the President and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, subject to the availability of the funds and the approval of the State Division of the Budget; and be it further

RESOLVED, that the President and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized and directed, in the name and on behalf of the Corporation to execute and deliver any and all documents and to take all such actions as may be necessary or appropriate to effectuate the foregoing.

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September 15, 2025

USA NIAGARA DEVELOPMENT CORPORATION – Authorization to Enter into a Contract with Montante Construction LLC – Determination of No Significant Effect on the Environment.

RESOLVED, that based on the material submitted to the Directors with respect to the Contract for Roof Replacement & Stabilization Services with Montante Construction LLC, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

* * *