

Buffalo Urban Development Corporation

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Buffalo Urban Development Corporation

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Buffalo Urban Development Corporation Real Estate Committee Meeting

Tuesday, October 19, 2021 at Noon
95 Perry Street – 5th Floor, Boardroom

Agenda

- 1) Approval of Minutes – Meeting of September 20, 2021 (*Approval*) (*Enclosure*)
- 2) Northland Beltline Corridor
 - a) Northland Central – Phase I Construction Additional HVAC Work Claim Update (*Information*)
 - b) Northland Corridor – Community Outreach Services Agreement (*Approval*) (*Handout*)
 - c) Northland Corridor – Build Back Better EDA Application (*Information*)
 - d) Northland Corridor – Bank on Buffalo Update (*Information*)
 - e) Northland Corridor – Other Tenant & Property Management Updates (*Information*)
 - f) Northland Corridor – Misc. Project Management Updates (NWTC/ESD/BUDC MOU, Community Solar/Microgrid, BOA, 631 Northland, 541 E. Delavan, LISC, Albright Knox Northland) (*Information*)
- 3) Buffalo Lakeside Commerce Park (*All Are Information Items*)
 - a) Buffalo Lakeside Commerce Park Property Owners Association (*Enclosure*)
 - b) Various Parcels – Zephyr Investors Update
 - c) 255 Ship Canal Parkway – Uniland Update
 - d) 193 Ship Canal Parkway - Prospect Update
- 4) 308 Crowley Project Update (*Information*)
- 5) Adjournment (*Approval*)

**Minutes of the Meeting
of the
Real Estate Committee
of
Buffalo Urban Development Corporation**

**95 Perry Street
Buffalo, New York
September 20, 2021
12:00 p.m.**

Committee Members Present:

Janique S. Curry
Thomas A. Kucharski
Brendan R. Mehaffy
Kimberley A. Minkel, Chair

Committee Members Absent:

Maria R. Whyte
Dennis M. Penman

Officers Present:

Brandye Merriweather, President
Rebecca Gandour, Executive Vice President
Mollie Profic, Treasurer
Kevin J. Zanner, Secretary
Atiqa Abidi, Assistant Treasurer

Guests Present: Evan Y. Bussiere, Hurwitz & Fine, P.C.; Peter M. Cammarata, Cammarata Consulting, LLC; Ellen Grant, Deputy Mayor, City of Buffalo; Arthur Hall; BUDC Senior Project Manager; Jamee Lanthier, ECIDA Compliance Officer; Thomas Mancuso, Mancuso Business Development Group; Antonio Parker, BUDC Project Manager; and Paul Tronolone, Empire State Development.

Roll Call: The meeting was called to order at 12:07 p.m. A quorum of the Committee was not present. Information items 2(a), 2(d), 2(e) and 3(a)-(c) were presented. Mr. Mehaffy joined the meeting during the presentation of agenda item 2(e). Ms. Curry joined the meeting during the presentation of agenda item 3(c), at which time a quorum of the Committee was present.

1.0 Approval of Minutes – Meeting of August 24, 2021 – The minutes of the August 24, 2021 Real Estate Committee meeting were presented. Mr. Kucharski made a motion to approve the meeting minutes. The motion was seconded by Ms. Curry and unanimously carried (4-0-0).

2.0 Northland Beltline Corridor

(a) Northland Central – Phase I Construction Additional HVAC Work Claim Update – Mr. Zanner presented a brief update regarding the claim against Watts Architecture and Engineering and Popli Design Group.

- (b) **Northland Corridor – Well Worth Products, Inc. Second Lease Renewal** – Ms. Gandour presented her September 20, 2021 memorandum regarding the second lease renewal for Well Worth Products, Inc. She reviewed the proposed lease terms and noted that the Real Estate Committee has authority under the Northland Leasing Policy to approve lease extensions. In response to a question from Mr. Mehaffy, Ms. Gandour confirmed that the extension would be reported on at the September meeting of the Board of Directors. There being no further discussion, Mr. Kucharski made a motion to approve the Second Lease Renewal Agreement with Well Worth Products consistent with the terms outlined in the September 20, 2021 memorandum and to authorize the President or Executive Vice President to execute the Second Lease Renewal Agreement on behalf of 714 Northland LLC. The motion was seconded by Ms. Curry and unanimously carried (4-0-0).
- (c) **Northland Corridor – Property Management Agreement Renewal** – Mr. Hall presented his September 20, 2021 memorandum regarding the renewal of the property management and leasing services agreement with Mancuso Business Development Group (Mancuso). Mr. Mehaffy made a motion to recommend that the Board of Directors approve a one year renewal of the agreement with Mancuso Business Development Group for property management and leasing services for the Northland Beltline Campus consistent with the terms outlined in the memorandum and to authorize the President or Executive Vice President to execute such documents as may be necessary or appropriate to renew the agreement on behalf of BUDC and 683 Northland Master Tenant, LLC. The motion was seconded by Mr. Kucharski and unanimously carried (4-0-0).
- (d) **Northland Corridor – Other Tenant & Property Management Updates** – Mr. Mancuso provided an update on Northland Corridor tenant matters. Garwood continues to express interest in 612 Northland. NWTC is interested in leasing the mezzanine space, which is the last remaining unleased space at 683 Northland. He also reported that snow guards are being installed at the Red Shed. Mr. Mancuso also addressed a code violation matter issued to the 714 Northland property regarding adjacent trees. He concluded his report by noting the request for the Build Back Better grant request in connection with two properties in the corridor. Applications are due on October 19th.
- (e) **Northland Corridor – Misc. Project Management Updates** – Mr. Hall presented the following Northland Corridor updates to the Committee:

Northland Central MOU: The company that conducted the initial inventory of equipment is working to schedule an inventory update for use as an exhibit to the MOU.

683 Northland: GURF #1 for the Microgrid Capital Grant has been approved with a reimbursement request amount of \$50,261.88. The Restore NY V #3 reimbursement request has also been approved in the amount of \$372,374.95. BUDC staff is coordinating with the City to secure the reimbursement. BUDC staff also submitted GURF #20 for the Equipment Capital Grant to Empire State Development for \$47,272.85.

714 Northland: The three murals at 714 Northland were completed as of the week of September 6th.

Neighborhood Planning and Development: BUDC staff is waiting for news regarding its application for a National Endowment for the Arts (NEA) grant. The NEA grant is a part of a creative placemaking grants program that supports projects that integrate arts, culture, and design activities into efforts to strengthen communities.

Community Outreach: The Northland Beltline Taxpayers Association is continuing its event planning work for the Fall Harvest Festival. The Fall Harvest Festival will take place on Saturday October 23rd from 2:00 PM to 5:00 PM.

Business Network Series: The Business Network Series will be held on Thursday October 28th at 6:00 PM.

3.0 Buffalo Lakeside Commerce Park

- (a) **Various Parcels – Zephyr Investors Update**– Ms. Gandour noted that Zephyr is working with C&S Engineers as part of its due diligence process. BUDC provided existing survey documents to Zephyr.
- (b) **255 Ship Canal Parkway – Uniland Update** – Ms. Gandour reported that Uniland has purchased the solar panels and completed its site design work. The developer anticipates commencing construction at the site within three to four weeks.
- (c) **193 Ship Canal Parkway - Prospect Update** – Mr. Cammarata reported that G.W. Burnett is continuing its discussions with NYSDEC and Benchmark regarding the Brownfield Cleanup Program for the site. The company would acquire the 9.65-acre site in “as-is” condition and take over the Brownfield Cleanup Program requirements upon taking title to the parcel. There was discussion regarding an appropriate sale price for the parcel, with the Committee considering, among other things, the limited availability of shovel-ready sites.
- (d) **NYSDOT Skyway Alternatives Study** – Presentation of this item was deferred.

4.0 308 Crowley Project Update – Mr. Cammarata reported that demolition at the site continues and that community feedback regarding the demolition work has been very positive. The City and BUDC are pursuing funding for Phase 2 of the demolition work. Mr. Cammarata and Mr. Bussiere also reported on a recent inquiry from Enterprise Box Company regarding the potential acquisition of an additional portion of the 308 Crowley master parcel. Enterprise Folding Box will order a survey of the sub-parcel. BUDC will obtain an appraisal of the sub-parcel once delineated.

5.0 Adjournment – There being no further business to come before the Committee, upon motion made by Mr. Kucharski, seconded by Ms. Curry and unanimously carried, the September 20, 2021 meeting of the Real Estate Committee was adjourned at 12:52 p.m.

Respectfully submitted,



Kevin J. Zanner
Secretary

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Item 3A

MEMORANDUM

TO: BUDC Real Estate Committee

**FROM: Rebecca Gandour, Executive Vice President
Kevin J. Zanner, Secretary**

SUBJECT: Buffalo Lakeside Commerce Park Property Owners Association

DATE: October 19, 2021

In 2015, BUDC formed the Buffalo Lakeside Commerce Park Property Owners Association (the "POA"). The purpose of the POA is to provide a mechanism for property owners to collectively fund the maintenance of certain common areas of BLCP, principally Ship Canal Commons.

Prior to BUDC's sale of the 255 Ship Canal Parkway parcel to Uniland, BUDC was the sole Member of the POA. Accordingly, there was only a limited governance structure in place for the POA. With Uniland now a Member of the POA, it is recommended that a more formal POA governance structure be established.

Current POA Governance Structure

Board of Directors

The current POA Board of Directors consists of the following:

Brandye Merriweather
Rebecca Gandour
Mollie Profic

Applicable POA Bylaw Provisions. Under the POA Bylaws, only Members of the POA, through their authorized representatives, may serve on the POA Board of Directors. The POA Board shall consist of a minimum of three (3) and maximum of seven (7) directors. Members of the POA have the right to elect the entire Board of Directors for terms of two (2) years by plurality vote and until their successors are duly elected. The annual meeting of the Members is to be held in December of each year.

Current POA Officers

The current Officers of the POA are as follows:

President:	Brandy Merriweather
Vice President:	Rebecca Gandour
Treasurer:	Mollie Profic
Secretary:	Kevin Zanner

Applicable POA Bylaw Provisions. Officers of the POA are elected by a majority vote of the POA Board of Directors. Officers of the POA serve for a term of two (2) years. The annual meeting of the Board of Directors is to be held in December of each year.

Proposed Governance Structure

With Uniland now a Member of the POA, BUDC staff believes it is important for Uniland to have a representative serve on the POA Board. One option is to implement a Board structure that is similar to the BBRC Board structure, with Real Estate Committee members serving on the POA Board, along with a representative from Uniland. The officers of the POA would remain the same.

There are logistics to work through with this approach, including obtaining input from Uniland and scheduling appropriate POA meetings. This matter was discussed at the September Audit & Finance Committee meeting and is being presented for information purposes to seek input and comment from the Real Estate Committee.