

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

**95 Perry Street
Buffalo, New York
December 13, 2022
12:00 p.m.**

Committee Members Present:

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

Committee Members Absent:

Elizabeth A. Holden
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: Michael Alexander, BBRC Board Member; Alexis M. Florczak, Hurwitz Fine P.C.; Soma Hawramee, ECIDA Compliance Officer; Thomas Mancuso, Mancuso Business Development Group; Antonio Parker, BUDC Project Manager; and Dennis Penman, BUDC Board Member (via Zoom).

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

1.0 Approval of Minutes – Meeting of October 18, 2022 – The minutes of the October 18, 2022 Real Estate Committee meeting were presented. Mr. Kucharski made a motion to approve the meeting minutes. The motion was seconded by Mr. Mehaffy and unanimously carried (4-0-0).

2.0 Northland Beltline Corridor

(a) Northland Central – Phase I Construction Additional HVAC Work Claim Update

Mr. Zanner updated the Committee regarding the HVAC claim. Counsel is preparing a motion to compel outstanding discovery from the defendants.

(b) Northland Corridor – Tenant & Property Management Updates – Mr. Mancuso

presented the Northland Corridor tenant and property management updates. The seasonal security escort project is underway during evening hours at Northland Central, with Retech and Buffalo Manufacturing Works participating. SparkCharge has signed a 6-month extension of its

lease for \$3,300/month. Albright Knox Art Gallery vacated 612 Northland at the end of November and the space is ready for its next tenant. Ms. Gandour added that the Northland Workforce Training Center is hosting a holiday event this evening from 4-7 p.m.

- (c) **Northland Corridor – 612 Northland Lease Discussion** – Ms. Gandour provided an update on the proposed lease of 612 Northland to Zephyr. On December 5th, the Mancuso Group sent a certified letter to Zephyr notifying the company that the lease contingency to execute a memorandum of understanding with the Northland Workforce Training Center (NWTC) by December 1st had not been satisfied and that BUDC will consider other leasing opportunities for Building A in addition to Zephyr's. The NWTC Board will meet on December 20th to consider Zephyr's plan and its consistency with the manufacturing mission of the NWTC. Ms. Gandour asked the Committee for feedback regarding a timeline to consider other leasing opportunities for Building A. It was noted that more information is likely to be available after the December 20th NWTC Board meeting, which would help determine next steps.
- (d) **Northland Corridor – Build Back Better Challenge Grant Update** – Ms. Gandour informed the Committee that a request for proposals (RFP) for architectural and engineering services was released on December 5th. A pre-proposal meeting was held on December 12th with ten firms in attendance. Responses to the RFP are due January 7th, with a recommendation expected to be presented to the BUDC Board in February. Ms. Gandour also reported that Dennis Alvord, Deputy EDA Assistant Secretary for Economic Development, visited Northland as part of a December 9th site visit and participated in a roundtable discussion regarding the vision for advanced manufacturing in Buffalo.

3.0 Buffalo Lakeside Commerce Park

- (a) **193 Ship Canal Parkway Update** – Ms. Gandour reported that Krog is current on its payments under the exclusivity agreement for the site. Krog has been in discussions regarding building design with its potential tenant. A determination on the project is expected in 2023.
- (b) **80, 134, 158 and 200 Ship Canal Parkway** – Ms. Gandour reported that Savarino is current on its payments under the exclusivity agreement for the site. Savarino is in discussions with the NYSDEC regarding the site's environmental report. The NYSDEC is considering a possible policy update regarding the handling and remediation of certain levels of radium, which may impact future projects. The City has been discussing with the NYSDEC its thoughts on the policy change, and BUDC is working with its prospects to navigate this potential new policy.
- (c) **315 Ship Canal Parkway Litigation Update** – Ms. Gandour reported that the appellate court dismissed Sonwil's appeal of Judge Ward's decision, and she referenced a copy of the court's decision which was included in the meeting agenda packet. Mr. Zanner noted that the court dismissed the appeal as moot in part because Sonwil did not apply for a preliminary injunction to prevent Uniland from commencing construction after Judge Ward had issued his ruling.
- (d) **Buffalo Lakeside Commerce Park Property Owners Association** – Ms. Gandour reported that the new 2023 assessments were mailed out to the POA membership. BUDC has not received any questions or comments back from POA members on the changes to the assessments.

4.0 Executive Session – None.

- 5.0 Adjournment** – There being no further business to come before the Committee, on motion made by Mr. Mehaffy, seconded by Mr. Kucharski and unanimously carried, the December 13, 2022 meeting of the Real Estate Committee was adjourned at 12:45 p.m.

Respectfully submitted,

Kevin J. Zanner
Secretary