



**Buffalo Urban Development Corporation**

95 Perry Street, Suite 404

Buffalo, New York 14203

phone: 716-856-6525 fax:716-856-6754

web:[buffalourbandevelopment.com](http://buffalourbandevelopment.com)

**Buffalo Urban Development Corporation  
MEETING NOTICE**

*Meeting of the BUDC Real Estate Committee Meeting  
is scheduled for:*

**Thursday, March 13, 2014**

**at**

**12:00 p.m.**

**at the New Offices of**

**BUDC/ECIDA**

**95 Perry Street**

**4th Floor - Vista Room**

**Buffalo, New York 14203**

Please confirm your attendance plans with Carrie Hocieniec (362-8367) or e-mail:  
[chocieni@ecidany.com](mailto:chocieni@ecidany.com) as soon as possible.

## Buffalo Urban Development Corporation

95 Perry Street • Suite 404  
Buffalo, New York 14203

phone: 716-856-6525

fax: 716-856-6754

web: [buffalourbandevelopment.com](http://buffalourbandevelopment.com)



### Real Estate Committee Meeting

Thursday, March 13, 2014 at Noon

BUDC-ECIDA Vista Room

95 Perry Street, 4<sup>th</sup> Floor

Buffalo, NY 14203

### Agenda

- 1) Approval of Minutes – Meeting of 2/11/2014 (*Action*) (*Enclosure*)
- 2) General Items
  - a. 2014 Property Disposition Guidelines
  - b. Property Report (12/31/2013)
  - c. Environmental Condition Analysis - 537 East Delavan
- 3) RiverBend
  - a. Out-of Scope Emergency Maintenance Invoice (*Action*)
  - b. Schedule of Revenue and Expenses (12/31/2013)
  - c. Fort Schuyler Management Corp. / RiverBend LLC Purchase Agreement
  - d. Alita / HydroAir Project
  - e. Riverkeeper Phase II Shoreline Restoration Project
- 4) Buffalo Lakeside Commerce Park Updates
  - a. Parcel 3 Contract(s) Close-Out (*Action*)
  - b. Schedule of Revenues and Expenses (12/31/2013)
  - c. 193 Ship Canal Parkway Designated Developer Agreement
  - d. Parcel 4 NYSDEC Superfund Project
- 5) South Buffalo BOA Project Updates
  - a. Overall Step 3 Coordination
  - b. Golf Course Feasibility Study
  - c. Recreational Needs Assessment
- 6) Adjournment (*Action*)

**Minutes of the Real Estate Committee Meeting**  
**Buffalo Urban Development Corporation**  
95 Perry Street  
Buffalo, New York  
February 11, 2014  
12:00 p.m.

**Call to Order**

**Committee Members Present:**

Brendan R. Mehaffy  
Dennis M. Penman  
Craig A. Slater (Committee Chair)  
Richard M. Tobe

**Committee Members Absent:**

Thomas A. Kucharski  
Kimberley A. Minkel

**Officers Present:**

Peter M. Cammarata, President  
David A. Stebbins, Vice President  
Andrew Schoeppich, Treasurer  
Kevin J. Zanner, Esq., Secretary  
Theresa Carpenter, Assistant Treasurer

**Others Present:** Dawn Boudreau, ECIDA Compliance Officer; Elizabeth Burakowski, Special Assistant to the Deputy County Executive; Jonathan Epstein, *The Buffalo News*; Brandye Merriweather, BUDC Project Coordinator; and Melanie Reimondo, BUDC Intern.

**Roll Call** – The Secretary called the roll at 12:06 p.m. and reported that a quorum of the Committee was not present. The Chair requested that the information items of the agenda be presented. Mr. Penman joined the meeting during the presentation of item 4(a) of the agenda, at which time a quorum of the Committee was present.

- 1.0 Approval of Meeting Minutes – January 22, 2014** – The minutes of the January 22, 2014 meeting of the Real Estate Committee were presented to the Committee (following item 5.0 of the meeting agenda). Upon motion made by Mr. Penman, seconded by Mr. Mehaffy and unanimously carried, the minutes of the January 22, 2014 meeting of the Real Estate Committee were approved.

**2.0 RiverBend Updates**

**(a) Fort Schuyler Management Corp./RiverBend LLC Purchase Agreement** – Mr. Cammarata informed the Committee that a memorandum of understanding between Fort Schuyler Management Corp. (FSMC) and RiverBend LLC has been signed, and that the parties are working on the terms of the real estate purchase agreement.

**(b) Alita/Hydro-Air Project** – Mr. Cammarata reported that staff continues to follow the negotiations between Alita and Hydro-Air regarding the proposed three-party land swap that is required in order for the project to move forward. Mr. Cammarata noted the complexity of the proposed transaction, and indicated that he expects the parties to come to a resolution soon regarding the project.

**(c) Riverkeeper Phase II Shoreline Restoration Project** – Mr. Cammarata reported that BUDC and Riverkeeper are negotiating the terms of an access agreement for phase II of the shoreline restoration project. Separate access arrangements will be required between Riverkeeper and

FSMC once the land sale transaction with FSMC closes.

**(d) Miscellaneous OM&M Issues** – Mr. Cammarata reported that cost estimates will be obtained for the replacement of pump #2 at RiverBend. This cost is eligible to be paid for through the Buffalo Brownfield Redevelopment Fund. Mr. Cammarata noted that more capital replacements will be required at RiverBend going forward due to the age of the wastewater treatment system.

**(e) Property Owners Association** – Mr. Cammarata informed the Committee that documents have been prepared for the creation of a RiverBend property owners association, which will provide for the sharing of OM&M costs for the entire RiverBend site among all RiverBend landowners. The property owners association concept has been included in discussions involving the land sale to FSMC and as part of the discussions with Alita and Hydro-Air. Mr. Stebbins commented that there has been pushback from the potential future property owners, who have expressed concern with taking on costs relating to environmental obligations for the entire site. It was noted that if a cost sharing mechanism is not established, BUDC will be responsible for the most significant portion of the OM&M costs relating to the wastewater treatment facility and containment cell.

**(f) Stormwater Preliminary Design** – Mr. Stebbins indicated that BUDC has asked for direction from FSMC on the scope of the stormwater study for FSMC's portion of the RiverBend site in order to assist FSMC's project efforts.

**(g) EPA Re-Powering America Feasibility Study** – Mr. Stebbins informed the Committee that the final EPA Re-Powering America feasibility study report is expected to be issued within the next few months.

### **3.0 Buffalo Lakeside Commerce Park Updates**

**(a) Steel Ladle Project Recap** – Mr. Stebbins presented a written recap of the final project expenditures for the steel ladle installation project. The project has been formally closed-out with BUDC's grant sources. BUDC and the contractor have entered into an escrow arrangement to finalize some minor work that will be completed this Spring. Mr. Stebbins noted that the BUDC Board had authorized the use of up to \$25,000 from the Buffalo Brownfield Redevelopment Fund (BBRF) for the project, but that only \$575.00 of BBRF funding was utilized because the grant sources covered nearly the entire cost of the project.

**(b) 193 Ship Canal Parkway Designated Developer Agreement** – Mr. Cammarata indicated that there is no update on this matter as the developer has been focusing on negotiations with BBRC regarding the potential acquisition of the Trico building.

**(c) Parcel 3 Contract(s) Close-Out** – Mr. Zanner updated the Committee regarding Parcel 3 contract close-out matters. With the Echo Bridge lien bonded off, the surety has authorized the use of retention funds to pay Arcadis (BUDC's consultant) for work performed in connection with the delayed close-out of the project. Mr. Zanner also reported that the surety is reviewing BUDC legal invoices in connection with BUDC's request for reimbursement of those costs.

**(d) Park Association Declaration of Covenants** – Mr. Cammarata indicated that there have been no further discussions with Cobey or Sonwil regarding the Declaration of Covenants and the BLCP property owners association. Staff will continue to pursue this matter with Cobey and Sonwil.

**(e) Parcel 4 NYSDEC Superfund Project** – Mr. Cammarata reported that the Parcel 4 NYS Superfund project will begin this Spring. BUDC has reviewed and provided input on NYSDEC's proposed staging area plans for the project. The cleanup work is expected to be completed in the Spring of 2015.

**4.0 South Buffalo BOA Project Updates**

(a) **Overall Step 3 Coordination** – Mr. Stebbins reported that the final draft of the Step 3 document is being reviewed by staff and other stakeholders and will be finalized soon.

(b) **Golf Course Feasibility Study** – Mr. Stebbins circulated the final draft of a color map depicting the proposed golf course and arboretum and reviewed it with the Committee. The final draft of the feasibility study report is under review and will be finalized soon.

(c) **Recreational Needs Assessment** – Mr. Stebbins reported that work on the recreational needs assessment study is underway.

**5.0 Environmental Condition Analysis RFP - 537 East Delavan** – Mr. Cammarata reported that the consultant will begin its work on the environmental condition analysis for the 537 East Delavan Street property, and that the work should be complete within the next four to five weeks. Mr. Cammarata commented on the importance of obtaining this data for the potential remediation of the property and adjacent parcels.

**6.0 Adjournment** – There being no further business to come before the Real Estate Committee, upon motion made by Mr. Penman, seconded by Mr. Mehaffy and unanimously carried, the February 11, 2014 meeting of the Real Estate Committee was adjourned at 12:20 p.m.

Respectfully submitted,

  
Kevin J. Zanner, Secretary