

Buffalo Lakeside Commerce Park Property Owners Association, Inc.

Board of Directors Meeting

Monday, November 20, 2023

1:00 p.m.

95 Perry Street, 4th Floor Conference Room

Agenda

- 1) Call Meeting to Order
- 2) Approval of Minutes – Meeting of July 20, 2023 (*Approval*) (*Enclosure*)
- 3) Board of Directors Vacancy and Expansion of Board (*Approval*) (*Enclosure*)
- 4) Financial Report (*Enclosure*)
- 5) 2024 Regular Assessments (*Information*)
- 6) 2024 Buffalo Lakeside Commerce Park POA Budget (*Approval*)
- 7) Property Maintenance Update (*Information*)
- 8) Adjournment (*Approval*)

**Minutes of the Meeting
of the
Board of Directors
of
Buffalo Lakeside Commerce Park
Property Owners Association, Inc.**

**95 Perry Street
Buffalo, New York 14202
July 20, 2023
12:30 p.m.**

Directors Present:

Thomas A. Kucharski
Michael Montante
Dennis M. Penman, Chair

Directors Absent:

Janique S. Curry

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 (via Zoom); Scott Bylewski, BUDC Board member; Alexis M. Florczak, Hurwitz Fine P.C.; Elizabeth Holden, BUDC Board member; Talia Johnson-Huff, ECIDA Project/Facilities Manager; Thomas Mancuso, Mancuso Business Development Group; Antonio Parker, BUDC Project Manager; Angelo Rhodes, Northland Project Manager; and Paul Tronolone, Empire State Development.

- 1.0 Call to Order/Roll Call:** The meeting was called to order at 12:30 p.m. A quorum of the Board of Directors was present.
- 2.0 Approval of Minutes – Meeting of October 18, 2022** – The minutes of the October 18, 2022 meeting of the Board of Directors were presented. Mr. Montante made a motion to approve the meeting minutes. The motion was seconded by Mr. Kucharski and unanimously carried (3-0-0).
- 3.0 Financial Report** – Ms. Profic presented a financial report. Currently, BUDC is paying for expenses on behalf of the POA which are then reimbursed through the assessment process. Ms. Profic anticipates that POA members will eventually be billed two times a year. Bills for assessment charges have not been sent to property owners for the 2023 fiscal year. The only unanticipated POA expense for 2023 to date was repair work involving a storm drain, which cost approximately \$4,500.

Following this update, the POA directors discussed Uniland’s prior request to modify how the POA is calculating its assessment for the solar array project. Mr. Montante reported that Uniland staff has been working on a proposal but has not come up with a proposed solution to date. The Board discussed potential ways that a solar field could be assessed and requested that Uniland submit a written proposal.

4.0 Property Maintenance Update – Ms. Johnson-Huff presented a property maintenance update at Buffalo Lakeside Commerce Park. Landscaping and trash removal work is being completed by the Park’s current contractor. Ms. Johnson-Huff will be conducting a walk-through with a park patron who has submitted consistent feedback regarding the Park. A request for proposals (RFP) will be released in the next month for snow plowing and landscaping services. Repair on a storm drain was completed after a snowplow damaged the drain over the winter.

5.0 Adjournment – There being no further business to come before the Board, the July 20, 2023 meeting of the Board of Directors was adjourned at 12:41 p.m.

Respectfully submitted,

Kevin J. Zanner
Secretary

Buffalo Lakeside Commerce Park Property Owners Association, Inc.

Item 3

MEMORANDUM

TO: BLCP Property Owners Association Board of Directors

FROM: Rebecca Gandour, Vice President

SUBJECT: Board of Directors Vacancy and Expansion of Board

DATE: November 20, 2023

At its October 18, 2022 meeting, the Buffalo Lakeside Commerce Park Property Owners Association (“BLCP POA”) Board of Directors discussed potential appointments to the Board. A vacancy on the POA Board has been created due to the resignation of Maria R. Whyte from her position as Deputy County Executive. In addition, Laborers Way, LLC an affiliate of Zephyr Investors, LLC (“Zephyr”) has become a property owner at BLCP.

Article V of the BLCP POA Bylaws provides that vacancies on the Board of Directors may be filled by a majority vote of the persons then serving on the Board. A director elected to fill a vacancy due to resignation shall be elected to hold office for the unexpired term of their predecessor. In addition, the BLCP POA Bylaws permit the Board of Directors to increase the number of Directors by a majority vote.

We propose that Scott Bylewski be elected to fill the vacancy on the Board that was created due to Ms. Whyte’s resignation. Mr. Bylewski would serve as a director of the BLCP POA for the remainder of Ms. Whyte’s unexpired term, through January 2024, and until his successor is duly elected. It is additionally proposed that the POA Board be increased to a total of six (6) directors, and Ben Siegel serve on the Board as Zephyr’s representative.

Action:

We are requesting that the Buffalo Lakeside Commerce Park Property Owners Association Board of Directors: (i) increase the size of the Board of Directors to six (6) directors; (ii) elect Scott Bylewski to fill the vacancy on the Board due to Ms. Whyte’s resignation and to hold such office for the remainder of the two (2) year term, or until his successor is duly elected; and (iii) elect Ben Siegel to serve on the Board of Directors, to hold such office for a term of two (2) years and until his successor is duly elected.

**Buffalo Lakeside Commerce Park
Property Owners Association, Inc.**
October 2023 Financial Statements

Buffalo Lakeside Commerce Park Property Owners Association, Inc.
Balance Sheet

	<u>October 2023</u>	<u>December 2022</u>
Assets		
Cash	\$ 3,806	\$ 3,806
Assessments receivable	46,927	27,033
Total Assets	<u>\$ 50,733</u>	<u>\$ 30,839</u>
Liabilities		
Due to BUDC	\$ 46,927	\$ 27,033
Members' Equity	3,806	3,806
Total Liabilities & Members' Equity	<u>\$ 50,733</u>	<u>\$ 30,839</u>

**Buffalo Lakeside Commerce Park Property Owners Association, Inc.
Income Statement**

	<u>October 2023</u>	<u>December 2022</u>
Revenues:		
Assessments	\$ 46,927	\$ 70,336
BUDC	-	-
	<u>46,927</u>	<u>70,336</u>
Expenses:		
Landscaping/mowing	28,618	40,066
Snow removal	3,000	5,000
Utilities	389	526
Repairs & maintenance	4,774	-
Insurance	5,186	8,724
Professional fees	4,960	16,020
Total	<u>46,927</u>	<u>70,336</u>
Net Income / (Loss)	<u>-</u>	<u>-</u>

DRAFT - For Discussion Purposes Only

Buffalo Lakeside Commerce Park Property Owners Association, Inc. Proposed 2024 Budget

	<u>2024 Budget</u>	<u>2023 Projected</u>	<u>2022 Actual</u>
Revenues:			
Assessments	\$ 74,166	\$ 72,985	\$ 70,336
Expenses:			
Landscaping/mowing	40,066	40,066	40,066
Snow removal	5,000	5,000	5,000
Utilities	600	519	526
Repairs & maintenance	5,000	4,774	-
Insurance	6,000	5,186	8,724
Professional fees	7,500	7,440	16,020
Management fee	10,000	10,000	-
Total	<u>74,166</u>	<u>72,985</u>	<u>70,336</u>
Net Income / (Loss)	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>