

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

**95 Perry Street  
Buffalo, New York  
September 21, 2023  
12:00 p.m.**

**Committee Members Present:**

Scott Bylewski  
Brendan R. Mehaffy  
Kimberley A. Minkel, Chair  
Dennis M. Penman

**Committee Members Absent:**

Janique S. Curry (via Zoom)  
Elizabeth A. Holden  
Thomas A. Kucharski

**Officers Present:**

Brandye Merriweather, President  
Rebecca Gandour, Executive Vice President (via phone)  
Mollie Profic, Treasurer  
Atiqa Abidi, Assistant Treasurer

**Guests Present:** Evan Y. Bussiere, Hurwitz Fine P.C.; Thomas Mancuso, Mancuso Business Development Group (via Zoom); Antonio Parker, BUDC Project Manager; Angelo Rhodes, Northland Project Manager; and Paul Tronolone, Empire State Development.

**Roll Call:** The meeting was called to order at 12:04 p.m. A quorum of the Committee was determined to be present. Paul Tronolone joined the meeting during the presentation of item 4.

**1.0 Approval of Minutes – Meeting of August 22, 2023** – The minutes of the August 22, 2023 Real Estate Committee meeting were presented. Mr. Bylewski made a motion to approve the meeting minutes. The motion was seconded by Mr. Penman and unanimously carried (4-0-0).

**2.0 BUDC Office Sublease Amendment** - Ms. Merriweather presented her September 21, 2023 memorandum regarding an amendment to BUDC's sublease of office space with ECIDA which is expiring September 30, 2023. Mr. Bylewski asked if there were any staff concerns regarding the slight decrease of square footage to 1,238 square feet. Ms. Profic noted there were no concerns with the decrease as there will be no net loss of BUDC's dedicated leased space. Mr. Mehaffy made a motion to recommend that the BUDC Board of Directors: (i) approve the sublease arrangement with ECIDA upon the terms and conditions described in the September 21, 2023 Committee memorandum and contingent on the ECIDA's Board of Directors' approval of the sublease arrangement with BUDC at its September 27, 2023 meeting; and (ii) authorize each of the BUDC President or Executive Vice President to execute the amendment and extension to the sublease with such modifications as may be necessary or appropriate and to take such other

actions as may be necessary or appropriate to implement this authorization. The motion was seconded by Mr. Penman and unanimously carried (4-0-0).

**3.0 Northland Corridor – ESD Solar Microgrid GDA Amendment** – Mr. Rhodes presented his September 21, 2023 memorandum regarding the proposed amendment to the ESD Solar Microgrid grant disbursement agreement. Following his presentation, Mr. Rhodes and the Committee discussed the timing of the grant and the design elements of the microgrid and its mapping. Mr. Bylewski made a motion to recommend that the BUDC Board of Directors: (i) approve the Empire State Development grant award in the amount of \$1,800,000 and (iii) authorize each of the BUDC President or Executive Vice President to execute the Grant Agreement and any related grant documents and agreements, and to take such other actions as may be necessary or appropriate to implement this authorization. The motion was seconded by Mr. Mehaffy and unanimously carried (4-0-0).

#### **4.0 Northland Beltline Corridor**

(a) **Northland Central – 631 Northland A&E, Inspection and Grant Administration Services RFP** – Ms. Merriweather presented an update regarding the 631 Northland A&E, inspection and grant administration services RFP. She noted the selection committee met August 28<sup>th</sup> to review the proposals received. Four (4) teams were shortlisted and were interviewed by the selection committee. It is anticipated that the selection committee will present its recommendation to the Real Estate Committee at its October meeting.

(b) **Northland Central – Build Back Better Challenge Grant A&E, Inspection and Grant Administration Services Update** – Ms. Gandour presented an update regarding A&E, inspection, and grant administration services for the Build Back Better Challenge grant. LaBella Associates has completed schematic design and Ms. Gandour met with LaBella on September 5<sup>th</sup> to review the preliminary costs of design for the project. BUDC staff will be meeting with LaBella again to discuss value engineering that may be available for certain design aspects of the Phase 3 project.

(c) **Northland Corridor – Tenant & Property Management Updates** – Mr. Mancuso presented the Northland Corridor tenant and property management updates. Students have returned to Northland. Food Truck Thursdays at Northland continue and have received positive community feedback. The 34 Group has experienced minor flooding issues at 683 Northland and additional information will be available next week. Retech is evaluating its electric power needs due to the amount of its electric usage. Winter preparation is underway on the campus. Ms. Gandour noted that a new RFP for property management services will be drafted and issued due to Mr. Mancuso transitioning into retirement. Mr. Mancuso stated he will stay on in some capacity to ease the transition to a new property manager. The Committee thanked Mr. Mancuso for his work and efforts at the Northland Corridor.

(d) **Northland Corridor – Northland Workforce Training Center Proposed Lease** – Ms. Gandour reported that the proposed lease with the Northland Workforce training Center was approved at the BUDC Board's August 29, 2023 meeting. BUDC is awaiting notification from the Training Center regarding whether it has secured its grant funding for the lease.

(e) **Northland Corridor – Phase I Construction Additional HVAC Work Claim Update** – Mr. Bussiere updated the Committee regarding the HVAC claim and reported that a status conference is scheduled for October 4<sup>th</sup> with Judge Chimes.

**5.0 Buffalo Lakeside Commerce Park**

- (a) **BLCP Landscape and Snowplow Services RFP** – Mr. Mancuso reported that the current snowplow and landscape services contract term runs through November 2023. A request for proposals (RFP) was issued last week with submissions due October 6<sup>th</sup>.
- (b) **193 Ship Canal Parkway Update** – Ms. Merriweather reported that the exclusivity agreement for 193 Ship Canal Parkway with Savarino was terminated. BUDC is working with Invest Buffalo Niagara to update its brochures to re-market the property. Ms. Gandour reported that a prospect has proposed a project that would involve the construction of a 135,000 square foot storage facility on the property. BUDC is in the process of obtaining more information regarding the prospect and project that will be presented at the next Committee meeting. The Committee discussed the importance of due diligence prior to entering into any agreements regarding the property.
- (c) **80, 134, 158 and 200 Ship Canal Parkway** – Ms. Gandour reported that there are no new updates regarding these parcels.
- (d) **Buffalo Lakeside Commerce Park Property Owners Association** – Ms. Gandour reported that the Uniland proposal providing for an alternate assessment of its solar facility at 255 Ship Canal Parkway was rejected and a counterproposal will be presented to Uniland. The Committee suggested creating a new assessment category for the solar facility. Such a category should provide for an assessment in an amount between vacant land and a fully constructed building and would be cost neutral to BUDC.
- (e) **Zephyr Compliance** – Ms. Merriweather reported that Zephyr submitted additional comments to the three-party MOU, which continues to be negotiated by the parties.

**6.0 Executive Session** – None.

**7.0 Adjournment** – There being no further business to come before the Committee, on motion made by Mr. Bylewski, seconded by Mr. Mehaffy and unanimously carried, the September 21, 2023 meeting of the Real Estate Committee was adjourned at 12:41 p.m.

Respectfully submitted,



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Evan Y. Bussiere  
Secretary of the Meeting