

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

**95 Perry Street
Buffalo, New York
March 20, 2023
12:00 p.m.**

Committee Members Present:

Scott Bylewski
Janique S. Curry
Thomas A. Kucharski
Brendan R. Mehaffy
Kimberley A. Minkel, Chair
Dennis M. Penman

Committee Members Absent:

Elizabeth A. Holden (attended via Zoom)

Officers Present:

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

Guests Present: Zaque Evans, Senior Economic Development Specialist, Erie County Executive's Office; Alexis M. Florczak, Hurwitz Fine P.C.; Elizabeth A. Holden, BUDC Board member (via Zoom); Thomas Mancuso, Mancuso Business Development Group; and Antonio Parker, BUDC Project Manager.

Roll Call: The meeting was called to order at 12:09 p.m. A quorum of the Committee was determined to be present. Mr. Mehaffy joined the meeting during the presentation of item 2(b). Ms. Curry joined the meeting during the presentation of item 2(c).

1.0 Approval of Minutes – Meeting of February 3, 2023 – The minutes of the February 3, 2023 Real Estate Committee meeting were presented. Mr. Penman made a motion to approve the meeting minutes. The motion was seconded by Mr. Bylewski 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 for all parties recently met with Judge Walker's law clerk, who expressed that the court would like the parties to submit the matter to mediation. If the parties do not mediate, the court will issue a scheduling order.

- (b) Northland Corridor – Landscaping Services** – Mr. Mancuso presented his one-page report included in the meeting agenda packet outlining the proposals received for mowing and landscaping services for the Northland Corridor. Mr. Mancuso indicated that 12 contractors were provided the request for proposals (RFP). Of the twelve contractors contacted, three proposals were received: one from Scott Lawn Yard/LAWNY, a WBE company, and two from Aaron’s Landscaping and Hall Services, both of which are MBE companies. Mr. Mancuso noted that Aaron’s Landscaping is located in the City and recommending selecting the company for the mowing and landscaping services contract. Mr. Kucharski made a motion to recommend that the Board of Directors approve a contract with Aaron’s Landscaping for mowing and landscaping services in the Northland Corridor for a three-year term and total cost of \$47,280. The motion was seconded by Mr. Penman and unanimously carried (5-0-0).
- (c) Northland Corridor – Tenant & Property Management Updates** – Mr. Mancuso presented the Northland Corridor tenant and property management updates. The parking lot security program ended the first week of March, with Retech and BMW participating and reimbursing the cost of these services. Snow from the blizzard continues to melt outside the Northland campus, with additional damage to be assessed. Flooring in the bathrooms at 714 Northland is being replaced. Mr. Mancuso noted that there has been continued interest in the vacant space at 683 and 612 Northland. Ms. Minkel asked if there was an early estimate on the damage caused by the blizzard. Mr. Mancuso indicated that fencing, landscaping and pavement were damaged and he estimated the cost to be in the five-figure range. The Committee then discussed whether the damage repair costs would be reimbursable from federal disaster funding.
- (d) Northland Corridor – Build Back Better Challenge Grant Recommendation for A&E, Inspection and Grant Administration Services** – Ms. Gandour presented her March 20, 2023 memorandum regarding Build Back Better Challenge Grant Recommendation for architecture/engineering, inspection and grant administration services for Phase 3 of Northland Corridor redevelopment project. Mr. Mehaffy made a motion to recommend that the Board of Directors: (i) authorize BUDC to enter into a contract with LaBella Associates for architectural & engineering consulting, project inspection services and grant administration services for Northland Corridor Redevelopment Phase 3 for an amount not to exceed \$1,132,000; and (ii) authorize each of the President or Executive Vice President to execute the contract and any related documents and agreements, and to take such other actions as may be necessary or appropriate to implement this authorization. The motion was seconded by Ms. Curry and unanimously carried (6-0-0).

3.0 Buffalo Lakeside Commerce Park

- (a) 193 Ship Canal Parkway Update** – Ms. Gandour reported that since the last Committee meeting, the exclusivity agreement with Krog has lapsed and Krog had not exercised its right to extend the term of the exclusivity agreement. BUDC issued a letter to Krog informing the company that its exclusivity agreement had lapsed and the property was placed back on the market.
- (b) 80, 134, 158 and 200 Ship Canal Parkway** – Ms. Gandour reported that Savarino has elected to extend its exclusivity agreement and is current on its payments under the agreement. BUDC and Savarino are working towards a land sale agreement.
- (c) Zephyr Compliance Update** – Ms. Merriweather reported that, as part of the MBWE compliance aspects of BUDC’s land sale agreement with Zephyr, BUDC is required to identify a consultant for compliance work, which will be paid by Zephyr. BUDC issued a request for qualifications (RFQ) and received seven responses, which are currently under review.

(d) **Buffalo Lakeside Commerce Park Property Owners Association** – Ms. Profic reported that BUDC staff received payment from Zephyr for its 2022 assessment and is awaiting Uniland’s payment for its 2022 assessment invoice. Invoices for the 2023 assessment have not yet been issued, but POA members have been notified of the 2023 assessment calculation.

4.0 **Executive Session** – None.

5.0 **Adjournment** – There being no further business to come before the Committee, on motion made by Mr. Kucharski, seconded by Ms. Curry and unanimously carried, the March 20, 2023 meeting of the Real Estate Committee was adjourned at 12:26 p.m.

Respectfully submitted,



Kevin J. Zanner
Secretary