

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

Via Video Conference Call & Live Stream Audio

**June 23, 2020
12:00 p.m.**

Committee Members Present:

Janique S. Curry
Thomas A. Kucharski
Kimberley A. Minkel
Dennis M. Penman

Committee Members Absent:

Brendan R. Mehaffy
Craig A. Slater, Chair
Maria R. Whyte

Officers Present:

Peter M. Cammarata, President
Brandye Merriweather, Vice President
Mollie Profic, Treasurer
Kevin J. Zanner, Secretary
Atiqa Abidi, Assistant Treasurer

Guests Present: Evan Y. Bussiere, Hurwitz & Fine, P.C.; Rebecca Gandour, BUDC; Arthur Hall, BUDC; David A. Stebbins, Bisonwing Planning and Development, LLC; and Paul Tronolone, Empire State Development.

Roll Call: The meeting was called to order by Mr. Penman at 12:04 p.m., who served as acting Chair of the meeting. A quorum of the Committee was not present. Information items 2(a) through 2(g) were presented first. Ms. Curry joined the meeting during the presentation of item 2(f), at which a quorum was present.

The meeting was held via video/telephone conference in accordance with the provisions of Executive Order 202.1, issued by Governor Andrew Cuomo on March 12, 2020. The meeting was also live-streamed to the general public and recorded. A transcript of the meeting will be made available at a later date.

1.0 Approval of Minutes – Meeting of May 19, 2020 – The minutes of the May 19, 2020 Real Estate Committee meeting were presented. Ms. Curry made a motion to approve the meeting minutes. The motion was seconded by Ms. Minkel and unanimously carried (4-0-0).

2.0 Northland Beltline Corridor

- (a) **Northland Corridor – Mancuso Group Contract Extension** – Mr. Cammarata presented a request for Committee authorization to extend the terms of the current property management and leasing services agreement with Mancuso Business Development Group through December 31, 2020. The current agreement is set to expire on July 31, 2020. Mr. Cammarata indicated that BUDC staff will negotiate a new agreement with Mancuso before the end of the year, which will be presented to the Board for approval. Because the dollar amount associated with the proposed extension is less than \$25,000, the Committee is authorized under the BUDC procurement policy to approve the short-term extension. Mr. Kucharski made a motion to approve the extension of the current property management and leasing services agreement with Mancuso Business Development Group through December 31, 2020. The motion was seconded by Ms. Curry and unanimously carried (4-0-0).
- (b) **Northland Corridor – Community Solar & Microgrid Update** – Ms. Gandour updated the Committee regarding the campus energy microgrid and community solar project for the Northland Corridor. Ms. Gandour noted that initial funding for this work is expected to be provided by Empire State Development (ESD), and that the ESD Board will not consider the funding request until this fall. Mr. Tronolone commented on the impact of the COVID-19 pandemic on the processing of new ESD funding commitments.
- (c) **Northland Corridor – Beltline BOA, LISC Grant & Misc. Updates** – Mr. Hall presented an update on several Northland Corridor matters. He noted that the LISC grant agreement has been executed and that all Section 4 requirements have been satisfied. BUDC will submit the BOA document to the NYS Department of State this week. One final public meeting for the BOA will be held via videoconference. Mr. Hall reported on a potential EDA grant application to be submitted in connection with the redevelopment of 631 Northland. He also stated that an application for National Grid grant funding for 777 Northland was submitted, and that a final demolition estimate was received for the project. A virtual meeting for the Northland Corridor business networking series will be scheduled for late July.
- (d) **Northland Central – Phase 2 Construction Updates** – Mr. Cammarata reported that Gilbane has relocated its field office to the Albright-Knox Art Gallery on Elmwood Avenue as Phase 2 nears completion. The commissioning work for the Phase 2 mechanicals is complete, with the exception of the final report. The project has received temporary certificates of occupancy. The red shed building has been completed except for the railings. The landlord work for the Retech space is nearly complete other than the basement sprinkler item.
- (e) **Northland Central – Periodic Review Report Submittal** – Mr. Cammarata reported that LiRo Engineers completed the periodic review report and has submitted it to NYSDEC for comments.
- (f) **Northland Central – Retech Lease Commencement Letter** – Mr. Cammarata stated that a letter has been issued to Retech establishing a July 1, 2020 commencement date for the lease. The premises has been turned over to Retech. Retech will commence work on the tenant improvements soon, which are expected to be completed over the next six months.
- (g) **Northland Central – Rodriguez Construction Update** – Mr. Cammarata reported that the Rodriguez Construction lease has been executed. The tenant will commence work on tenant improvements once plans are presented and approved by BUDC staff. The build-out is expected to be complete by October 31, 2020, with rent commencing as of November 1, 2020.
- (h) **Northland Central – COVID-19 Related Tenant Lease Discussions** – Mr. Cammarata informed the Committee of ongoing discussions with several tenants relating to the financial

- impact of the pandemic on their businesses. Mr. Kucharski made a motion for the Committee to enter executive session to discuss the financial or credit history of Northland corridor tenants. The motion was seconded by Ms. Minkel and unanimously carried (4-0-0). At the conclusion of executive session, Ms. Curry made a motion to exit executive session. The motion was seconded by Mr. Kucharski and unanimously carried (4-0-0).
- (i) **537 E. Delavan – Subdivision Update** – Mr. Bussiere noted that John Fell has been provided with all required documents for the proposed subdivision request that BUDC will present to the Planning Board. It is not known yet when the Planning Board will consider the item.
 - (j) **541 E. Delavan – Construction & Budget Update** – Mr. Cammarata reported that some construction work at 541 East Delavan has resumed and that Apollo Steel is currently installing re-enforcing steel at the site. All other Phase 1(C) construction work remains on hold as BUDC works through Restore NY grant reimbursement timing issues.
 - (k) **631 Northland – Rehabilitation Project Financing Update** – Ms. Gandour reported that two meetings have been held with the Cannon Heyman Weiss tax credits consulting team for the 631 Northland project. BUDC is exploring a grant opportunity through EDA, which would help fill a project financing gap.
 - (l) **777 Northland – Security, Select Demolition & Budget Update** – Mr. Cammarata informed the Committee that fencing has been installed at 777 Northland. 34 Group solicited bids for the select demolition work and is reviewing responses. A recommendation will be presented at the July Committee meeting to select the demolition contractor for the work.
 - (m) **Plesh Gate & Land Exchange** – Mr. Bussiere informed the Committee that the parties are working on title matters for the respective parcels to be exchanged.
 - (n) **NorDel II/COB Land Exchange Update** – Mr. Bussiere provided an update regarding the land exchange transaction. New surveys have been received and provided to City of Buffalo legal counsel. Communications are ongoing to finalize the exchange documents.

3.0 Buffalo Lakeside Commerce Park

- (a) **193 Ship Canal Parkway – LaBella Supplemental Investigation Proposal** – Mr. Cammarata presented the June 2, 2020 proposal from LaBella Associates regarding further environmental sampling and testing at the 193 Ship Canal Parkway site. This work had been discussed at the last Committee meeting, but a specific dollar amount was not then available. Mr. Cammarata reviewed the scope of work, which includes a proposed cost of \$28,900. Ms. Minkel made a motion to recommend that the Board of Directors approve the LaBella Associates proposal in the amount of \$28,900 and to utilize the Buffalo Brownfields Redevelopment Fund to pay for this cost. The motion was seconded by Mr. Kucharski and unanimously carried (4-0-0).
- (b) **193 Ship Canal Parkway – Prospect Update** – Mr. Cammarata reported that a new prospect has expressed interest in the parcel. The prospect toured the site and has submitted a letter of interest. Mr. Kucharski noted that there is continuing interest in buildings and sites despite the COVID-19 pandemic.

- (c) **Parcel 3 –Arcadis FER/SMP Certification Project Update** – Mr. Cammarata reported that Arcadis has started work on the final engineering report and soil management plan. The report is expected to be completed and provided to the NYSDEC by the end of the summer.
 - (d) **BLCP – Uniland Development Co. Land Sale Agreement Update** – Mr. Zanner noted that this property remains under contract with Uniland, with the due diligence period set to expire on August 31, 2020.
 - (e) **BLCP – Zephyr Investors, LLC Land Sale Agreement Update** – Mr. Zanner noted that this property remains under contract with Zephyr Investors, with the due diligence period set to expire on July 31, 2020.
 - (f) **BLCP – Parcel 4 Easement Update** – Mr. Bussiere informed the Committee that the environmental easement has been recorded and the municipal notice letter will be drafted and provided to the City of Buffalo upon receipt of the recorded easement information.
- 4.0 308 Crowley Update** – Mr. Cammarata updated the Committee on developments at the 308 Crowley site, including the negotiations with SHPO regarding a targeted demolition of the main plant building. He noted that SHPO has taken a closer look at the demolition request based on input from LiRo Engineers and may be more amenable to the proposed selective demolition work.
- 5.0 Adjournment** – There being no further business to come before the Committee, upon motion made by Ms. Curry, seconded by Mr. Penman and unanimously carried, the June 23, 2020 meeting of the Real Estate Committee was adjourned at 12:58 p.m.

Respectfully submitted,



Kevin J. Zanner
Secretary