

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

Via Video Conference Call & Live Stream Audio

**October 20, 2020
12:00 p.m.**

Committee Members Present:

Janique S. Curry
Thomas A. Kucharski
Kimberley A. Minkel
Dennis M. Penman
Craig A. Slater, Chair

Committee Members Absent:

Brendan R. Mehaffy
Maria R. Whyte

Officers Present:

Peter M. Cammarata, President
Brandye Merriweather, Vice President, Downtown Development
Rebecca Gandour, Vice President, Finance & Development
Mollie Profic, Treasurer
Kevin J. Zanner, Secretary
Atiqah Abidi, Assistant Treasurer

Guests Present: Jenna Bichler, Buffalo Urban Renewal Agency; Evan Y. Bussiere, Hurwitz & Fine, P.C.; Arthur Hall, BUDC; Thomas Mancuso, Mancuso Business Development Group; and Paul Tronolone, Empire State Development.

Roll Call: The meeting was called to order at 12:02 p.m. A quorum of the Committee was present. Ms. Curry joined the meeting during discussion of agenda item 2(b).

The meeting was held via video/telephone conference in accordance with the provisions of Executive Order 202.15, issued by Governor Andrew Cuomo on March 12, 2020, as amended. 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 September 22, 2020 – The minutes of the September 22, 2020 Real Estate Committee meeting were presented. Mr. Penman 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 Central – BCP SMP Additional Groundwater Sampling – Mr. Cammarata reviewed the October 7, 2020 proposal from LiRo Engineers to perform additional groundwater sampling at 683 Northland. NYSDEC has requested that this work be performed as part of the

Brownfield Cleanup Program project for the site. The cost of the work is \$4,704 and is within the threshold for purchases that may be authorized by the BUDC President.

- (b) **Northland Central – Retech Construction Update** – Mr. Cammarata updated the Committee regarding the Retech tenant improvements and referred the Committee to the photograph of the tenant space that was included in the meeting materials. Retech has begun moving equipment into its leased space.
- (c) **Northland Central – Rodriguez Construction Update** – Mr. Cammarata reported that Rodriguez Construction has commenced its tenant build-out work, including HVAC installation and drywall installation. The tenant is currently on schedule to complete the work by November 1, 2020.
- (d) **Northland Corridor – “Red Shed” Prospect** – Mr. Penman made a motion for the Committee to enter into executive session to discuss a proposed lease of the “red shed” building at Northland Central on that the basis that public discussion of the lease terms would substantially affect the value of the property. The motion was seconded by Mr. Kucharski and unanimously carried (5-0-0). Mr. Cammarata informed the Committee that Garwood Medical Devices, LLC, a medical device manufacturer that is currently located at 77 Goodell Street, is seeking to lease the “red shed” building, which consists of approximately 5,866 square feet of space at Northland Central. Mr. Cammarata reviewed the proposed lease terms. The lease is for a five year term commencing as of November 1, 2020. The lease is structured as a “triple-net” lease, with monthly base rent payments in the amount of \$3,300.00. The building would be leased to the tenant in “as-is” condition, with no further landlord improvements required. The Committee discussed the proposed financial and other terms of the lease, including the amount of the proposed monthly base rent payment in relation to other Northland tenancies and prevailing market rates. At the conclusion of the discussion, Mr. Penman made a motion to recommend that the Board of Directors approve a five-year triple-net lease with Garwood Medical Devices, LLC at a monthly base rent of \$3,300. The motion was seconded by Mr. Kucharski and unanimously carried (5-0-0). Ms. Minkel then made a motion to exit executive session, which was seconded by Ms. Curry and unanimously carried (5-0-0). Mr. Slater then reported in open session that the Committee had approved a recommendation for the Board of Directors to approve a sublease of the red-shed building, which will be presented at the October 27th Board meeting.
- (e) **Northland Corridor – Beltline BOA, Networking Series & Misc. Updates** – Mr. Hall presented the Northland Corridor update. BUDC staff continues to make changes to the draft BOA, which when complete will be submitted to the NYS Department of State for final approval. The next session of the business networking series will take place on November 19th. This session will focus on recovery, relaunching and rebuilding in a post-COVID-19 economy. Mr. Hall noted that the UB School of Architecture is coordinating with BUDC and local groups to develop a plan for the Northland Corridor. He also reported that BUDC’s \$289,000 National Grid grant application has been approved. The proceeds of this grant will be used for the redevelopment of 631 Northland. Mr. Hall completed his report with an update on the Albright-Knox Outdoor Fall Film Series.
- (f) **537 E. Delavan – Subdivision Update** – Mr. Bussiere reported that the deeds for the separate parcels have been recorded and the subdivision process is complete.
- (g) **541 E. Delavan – Construction Update** – Mr. Cammarata reported that Apollo Steel is working through punch-list items and is expected to complete its work by the November 15th. All other contractors remain on pause until Restore NY V funds are received.

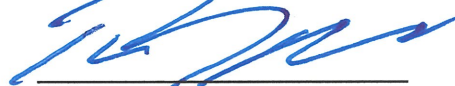
- (h) **631 Northland – EDA Grant Application** – Mr. Cammarata informed the Committee that staff will present a resolution at the next meeting of the Board of Directors to authorize BUDC to apply for a three million dollar EDA grant, the proceeds of which will be used for the 631 Northland rehabilitation project.
- (i) **Plesh/BUDC Land Exchange Update** – Mr. Bussiere presented a brief report on the Plesh land exchange transaction. Title commitments have been circulated and draft closing documents are being prepared and reviewed.
- (j) **COB/BUDC Land Exchange Update** – Mr. Bussiere presented a brief report regarding the City of Buffalo/NorDel II, LLC land exchange transaction, noting that all required documents have been provided to City of Buffalo counsel for review and that closing is anticipated very soon.

3.0 **Buffalo Lakeside Commerce Park**

- (a) **Lawncare, Landscape and Snowplowing (RFP)** – Mr. Cammarata reported on the results of a request for proposals (RFP) that BUDC issued for lawncare, landscape and snowplowing services at BLCP. Four proposals were received in response to the RFP. T&R Seasonal Services is current service provider and was one of the four respondents. DMJ Property Services (DMJ) submitted the lowest cost proposal in the amount of \$135,200 per year, and staff is recommending that DMJ be retained to perform the work. Mr. Kucharski made a motion to recommend the DMJ proposal for lawncare, landscape and snowplowing services at BLCP in the amount of \$135,200 per year. The motion was seconded by Mr. Penman and unanimously carried (5-0-0).
- (b) **NYSDOT Skyway Alternatives Study** – Mr. Cammarata presented a map denoting the proposed traffic patterns that could be established if the Skyway were removed. He noted that BUDC received a notice from the NYSDOT that a portion of the northern wetlands at BLCP could be impacted by one or more alternatives under consideration with respect to the Skyway project. Mr. Cammarata further noted that NYSDOT has requested permission to perform soil testing.
- (c) **193 Ship Canal Parkway Prospect & LaBella SIWP Update** – Mr. Cammarata referred the Committee to the September 30, 2020 letter from NYSDEC acknowledging receipt by the agency of the supplemental investigation work plan prepared by LaBella Associates. The prospect for this parcel remains interested, pending its review of the LaBella report.
- (d) **Parcel 3 –Arcadis FER/SMP Certification Project Update** – Mr. Cammarata reported that Arcadis submitted the final engineering report and soil management plan to NYSDEC on August 7th. NYS Department of Health has not completed its review of the report and SMP.
- (e) **BLCP – Uniland Development Co. Land Sale Agreement Update** – Mr. Cammarata reported that Uniland's due diligence with respect to the 255 Ship Canal Parkway site has resulted in questions regarding existing site conditions, principally with respect to soil quality and existing foundations and spoils on the site. Given these conditions, Uniland is exploring the possibility of utilizing the parcel for a solar array. The Committee discussed the possible use of the site for a solar project. Mr. Cammarata indicated that this item would be discussed in more detail at a future meeting of the Committee.
- (f) **BLCP – Zephyr Investors, LLC Land Sale Agreement Update** – No update was presented for this item.

- (g) **Canal Wall Lighting Repairs** – Mr. Cammarata informed the Committee that BUDC decided to decommission the lighting for the winter season, except for lighting on the bridge which will be retained. The cost to decommission the canal lighting was \$900.00. The cost to repair the lighting was estimated at \$20,000.
- 4.0 **308 Crowley Update** – Mr. Cammarata presented a map of the 308 Crowley site and discussed the potential sale of the cinder block building to Enterprise Folding Box Company for an expansion of its business operations. An appraisal and a survey have been ordered, and discussions continue regarding the proposed partial demolition. Mr. Cammarata also indicated that he would be participating in the Section 106 process for the site, starting with a Zoom meeting on October 21st.
- 5.0 **2020 NY PSC Hearing - National Grid** – Mr. Cammarata reported that last month he testified at the 2020 NYS Public Service Commission hearing in support of the National Grid rate proposal. Mr. Cammarata's hearing testimony was included as part of the Committee meeting packet.
- 6.0 **Real Estate Committee Meeting Schedule** – Mr. Cammarata reviewed the 2021 Real Estate Committee meeting schedule, copies of which were included in the meeting packet.
- 7.0 **Adjournment** – There being no further business to come before the Committee, upon motion made by Mr. Penman, seconded by Mr. Kucharski and unanimously carried, the October 20, 2020 meeting of the Real Estate Committee was adjourned at 1:05 p.m.

Respectfully submitted,



Kevin J. Zanner
Secretary