

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

**95 Perry Street  
Buffalo, New York  
February 15, 2022  
12:00 p.m.**

**Committee Members Present:**

Thomas A. Kucharski  
Kimberley A. Minkel, Chair  
Dennis M. Penman  
Maria R. Whyte

**Committee Members Absent:**

Janique S. Curry  
Brendan R. Mehaffy

**Officers Present:**

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

**Guests Present:** Alexis M. Florczak, Hurwitz & Fine, P.C.; Thomas Mancuso, Mancuso Business Development Group; Antonio Parker, BUDC Project Manager; and Paul Tronolone, Empire State Development.

**Roll Call:** The meeting was called to order at 12:18 p.m. A quorum of the Committee was present.

**1.0 Approval of Minutes – Meeting of February 15, 2022** – The minutes of the February 15, 2022 Real Estate Committee meeting were presented. Mr. Penman made a motion to approve the meeting minutes. The motion was seconded by Mr. Kucharski and unanimously carried (4-0-0).

**2.0 Northland Beltline Corridor**

**(a) Northland Central – Phase I Construction Additional HVAC Work Claim Update**–

Mr. Zanner reported on the litigation claims against Watts Architecture and Popli Design Group, including an update on the report prepared by an expert retained by BUDC. Mr. Zanner also addressed several questions from Committee members regarding the claims.

**(b) Northland Corridor – Tenant & Property Management Updates** – Mr. Mancuso

presented the Northland Corridor and property management update. The tenant safety committee held its second meeting, at which the tenants identified their respective fire marshals and discussed the installation of blue light stations on the campus. The tenants are planning to schedule a facility-wide fire drill later this year. Renovation of the Bank on Buffalo space

continues, with opening anticipated in April 2022. Siemens fire monitoring services were recently installed on campus. February 2022 electric bills remain higher due, but it is anticipated that these bills will decrease in the coming months.

- (c) **Northland Corridor – Community Solar & Microgrid Project** – Ms. Gandour reported that the project team is reviewing whether leasing the roof at 683 Northland will be permitted by the historic tax structure in place at the building. Investor consent is likely required for the use of the rooftop for the solar panel installation. Ms. Minkel asked whether a solar wall for the project has been considered as an alternative. Ms. Gandour indicated that she would reach out to Frey Electric to determine the feasibility of this option.
- (d) **Northland Corridor – NWTC/ESD/BUDC MOU** – Ms. Gandour reported that BUDC has received feedback from ESD on the MOU. BUDC counsel is reviewing ESD's proposed changes.
- (e) **Northland Corridor – Build Back Better Update** – Ms. Gandour reported that BUDC submitted its component of the project proposal for the phase 2 application. Mr. Kucharski indicated that over ninety letters of support were submitted with the region's application. It is anticipated that the EDA will make its funding decisions on projects in September or October of 2022.

### **3.0 Buffalo Lakeside Commerce Park**

- (a) **80, 134, 158 and 200 Ship Canal Parkway** – See item 5.0 below.
- (b) **Various Parcels – Zephyr Investors Update** – Ms. Gandour reported that Zephyr has reached out to ECIDA and others regarding incentives that could potentially be obtained for its project.
- (c) **193 Ship Canal Parkway – Prospect Update** – Ms. Gandour indicated that GW Burnett is working with LiRo Engineers to coordinate with the NYSDEC regarding the soils on site. The prospect is awaiting the NYSDEC decision on this matter.
- (d) **Park Property Owners Association** – Ms. Gandour reported that BUDC is cleaning up dumping that has occurred on site. She also noted that a bank account has been set up for the POA and BUDC has received Uniland's share of the POA property maintenance fees.

### **4.0 308 Crowley Update** – See item 5.0 below.

### **5.0 Executive Session** – Ms. Whyte made a motion for the Committee to enter into executive session to discuss items 3(a) and 4.0 of the meeting agenda, on the basis that public discussion of these proposed real property sales would substantially affect the value of the properties. The motion was seconded by Mr. Kucharski and unanimously carried (4-0-0). At the conclusion of the executive session, Mr. Kucharski made a motion to exit executive session, which was seconded by Ms. Whyte and unanimously carried (4-0-0). No votes were taken during executive session.

Mr. Penman then made a motion in open session to recommend that the Board of Directors approve the sale of the remaining parcel at 308 Crowley to Douglas Development Corporation for the appraised value of \$120,000, and with the stipulations that the end use of the site is compatible with the residential neighborhood and the tower structure and most of the warehouse located on the site be restored and retained. The motion was seconded by Mr. Kucharski and unanimously carried (4-0-0).

**6.0 Adjournment** – There being no further business to come before the Committee, upon motion made by Mr. Kucharski, seconded by Ms. Whyte and unanimously carried, the March 22, 2022 meeting of the Real Estate Committee was adjourned at 1:35 p.m.

Respectfully submitted,

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Kevin J. Zanner  
Secretary