Minutes of the Real Estate Committee Meeting
Buffalo Urban Development Corporation
143 Genesee Street
Buffalo, New York
September 19, 2011
12:00 p.m.

Call to Order

Committee Members Present:

Darren E. Kempner
Kimberley Minkel
Craig A. Slater (Committee Chair)

Committee Members Absent:

Thomas A. Kucharski
Brendan R. Mehaffy
Benjamin N. Obletz
Christina P. Orsi
Dennis M. Penman
Sundra L. Ryce

Officers Present:

Peter M. Cammarata, President
David A. Stebbins, Vice President
Andrew Schoeppich, Treasurer
Kevin J. Zanner, Secretary

Roll Call: The roll of Committee members was called at 12 20 p m. A quorum of the Committee was not present The Chair requested that staff present to the Committee the information items of the agenda followed by the proposed action items

1.0 **Approval of Meeting Minutes** – Presentation of the minutes of the August 23, 2011 meeting of the Real Estate Committee was deferred until the next meeting of the Committee.

2.0 **Ship Canal Commons Native Tree Planting Bid** – Mr. Stebbins reported that BUDC will seek competitive bids for the purchase and planting of approximately 700 trees at Buffalo Lakeside Commerce Park. The trees will be one and one-half inch caliper trees ranging from eight to ten feet in height and will be guaranteed. Grant funding of approximately $100,000 will be utilized to pay for the work. Bid responses are expected during the last week of September, and a proposed contract award will be presented to the Board of Directors at the September meeting.

3.0 **RiverBend Solar Project Update** – Mr. Stebbins noted that this item was tabled by the Board of Directors, and that the project is not expected to proceed at this time. Staff is reaching out to NYPA regarding available solar energy programs. Mr. Cammarata commented that the proposal presented by TM Montante Development could not be implemented before December 31st, which would have been required in order to take advantage of any applicable tax credits for the project.

4.0 **BLCP Parcel 3 Open Space Project Update** – Mr. Cammarata reported that a walk-through of the project took place with the contractor this morning, and that the project is now substantially complete, with the exception of the delivery and installation of the pedestrian bridge. The contractor will hydro-seed the grass areas of the park today and tomorrow. A ribbon-cutting event for the official opening of the park is being coordinated with NYSDEC.

Mr. Stebbins then updated the Committee regarding a proposed task order between BUDC and Arcadis for construction administration and inspection services relating to supplemental bid items for the Parcel 3 project. The total cost of services is $12,500 and will be paid for entirely from grant proceeds for the project. The task order will be presented to the Board for approval at the September meeting.

5.0 **BLCP Phase IV Road & Infrastructure Project Update** – Mr. Cammarata reported that staff continues to work with National Grid on a proposal to pay National Grid $74,000 of the electrical service installation cost upfront, with the balance due at the end of the 2011 calendar year. The Phase IV project is complete with the exception of the installation of the electrical service.

6.0 **BLCP Sanitary Sewer Force Main Project Update** – Mr. Stebbins reported that work on the sanitary sewer force main project is 60% to 70% complete. This project is required as part of the completion of the infrastructure for Buffalo Lakeside Commerce Park.

7.0 **National Grid E.D. Programs Relationship Update** – Mr. Cammarata reported that National Grid has elected to convert its economic development grant programs to direct pay grant programs. As a result, BUDC will no longer serve as a pass-through for grants awarded by National Grid awarded after January 1, 2012. BUDC is presently administering a few grants and will complete the administration of those grants in the ordinary course.

8.0 **Ship Canal Commons Maintenance Agreement Update** – Mr Stebbins reported that the Ship Canal Commons maintenance agreements are in the final stages of being approved by the Buffalo Fiscal Stability Authority, after which they will be presented to Mayor Brown for signature. Mr. Stebbins also reported work has begun on revising the Declaration of Covenants for BLCP and that a request for proposals for park maintenance services will be issued in Spring 2012. Mr. Cammarata commented that snowplow contractor will also be needed to fulfill that particular maintenance responsibility.

9.0 **RiverBend Master Plan Implementation Update** – Mr. Stebbins reported that staff is preparing an application to the Niagara Greenway Commission to secure a consistency determination for the RiverBend project. Obtaining the determination would allow BUDC to apply for grant funding from the Commission. He also reported on the inclusion of grant funding for Republic Park as part of the consolidated funding application to be submitted by the WNY regional economic development council.

10.0 **South Buffalo BOA Grant Agreement Update** – Mr. Stebbins reported that the BOA grant agreement continues to work its way through the State approval process. Staff will continue to monitor the State's progress in finalizing the agreement.

11.0 **Buffalo Building Re-Use Project Update** – Mr. Cammarata commented that the Buffalo Building Re-use Project team has recommended that BUDC serve as the principal economic development entity. A more detailed report will be provided at the Board of Directors strategic planning session to be held later this month.

12.0 **BERC Merger Update** – Mr. Cammarata reported that the BUDC-BERC merger transition team is expected to meet sometime within the next week in advance of the Board of Directors strategic planning session.

13.0 **193 Ship Canal Parkway Letter of Intent** – Mr. Cammarata informed the

Committee that BUDC has received a non-binding letter of intent to purchase 193 Ship Canal Parkway, a ten acre site located at Buffalo Lakeside Commerce Park. Several meetings have already taken place with the prospect, and more meetings are planned in connection with the project.

14.0 **193 Ship Canal Parkway LDA Update** – Mr. Cammarata presented the September 14, 2011 letter received from Krog regarding enhanced marketing activities for 193 Ship Canal Parkway. He noted that this information had been requested by the Committee at the last Committee meeting. Krog will be working directly with the prospect that submitted a letter of intent to purchase the property. Based on the submittal, staff is recommending that the designated developer letter agreement be extended for a six month period. This item will be presented to Board for approval at the September meeting.

Adjournment: There being no further business to come before the Committee, the September 19, 2011 meeting of the Real Estate Committee was adjourned at 12:55 p.m.

Respectfully submitted,

Kevin J. Zanner, Secretary