

# BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION

BOARD OF DIRECTORS MEETING MINUTES  
April 11, 2014 – 9:00 AM  
Edward A. Rath County Office Building, Room 1004

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Call to Order by Chairwoman Maria Whyte.

## ATTENDANCE:

Board Members Present: Maria Whyte, Brendan Mehaffy, Joseph Hogenkamp, Donna J. Estrich, Timothy Ball, Michael Siragusa, Joseph L. Maciejewski  
Board Members Excused: Frank Krakowski, Christin Orsi, James Comerford, David Comerford  
Fiscal Agent Present: Robert Keating  
Executive Director: Jocelyn Gordon  
Counsel to Land Bank: Martin Polowy, County Attorney

## GUESTS:

Tom Dearing, Del Costello – ECDEP, Jennifer Beltre-Sepulveda – City of Buffalo

## HAND OUTS:

Agenda, Minutes of March 21, 2014 Board Meeting, Judicial Foreclosure Update.

## NEW BUSINESS:

1. Roll Call
2. Approval of Minutes. The minutes of the March 21, 2014 Board of Directors Meeting were presented and reviewed. A motion was made by Brendan Mehaffy to approve, seconded by Michael Siragusa and unanimously adopted.
3. Treasurer's Report. Treasurer Joseph Maciejewski presented a Treasurer's Report for both March and April 2014. He noted a Key Bank balance of \$370,817.28. Fiscal Agent Robert Keating suggested reinvestigating collateralization of the Key Bank deposit. While not an official requirement, Robert believes it would be a responsible action. Jocelyn Gordon will investigate.
4. BENLIC/City of Buffalo Subcontracting Agreement. Brendan Mehaffy and Tim Ball from the City of Buffalo both agreed to append a list of 50 properties (plus an unidentified number of alternates) to the Subcontracting Agreement to satisfy the requirements of the OAG. They also agreed to name the OAG as an additional insured on the demolition contracts to be executed under this Subcontracting Agreement. Jocelyn Gordon will take the contract to Brendan Mehaffy's Office by end of day for signature by City of Buffalo.

5. BENLIC 2014 Budget.

- The Executive Director requires an appropriate figure for In-Kind Services provided by Erie County and the City of Buffalo to complete the Draft 2014 Budget. These figures were requested from Maria Whyte as Erie County representative and Brendan Mehaffy as City of Buffalo representative. Once these figures are received Jocelyn can finish the Draft Budget to place before the Audit Committee for review before the May 16, 2014 Board Meeting. Audit Committee will then present their recommendation for adoption to the Board at the May 2014 Board Meeting.

6. OAG Grant Projects (Information Discussion).

- City of Tonawanda continues to move forward with obtaining Council Resolutions requesting BENLIC acquire:
  - i. 272 Kohler
  - ii. 585 Morgan
  - iii. 465 Broad

SIRR/MDR forms have been completed. The Land Bank Working Group date will be moved to May 8<sup>th</sup> so the City of Tonawanda will have time to approve the necessary resolutions before the Working Group meeting and before the BENLIC vote on May 16<sup>th</sup>. Tonawanda's auction scheduled for June.

7. Other BENLIC Potentials.

- Town of Amherst
  - i. 235 West Royal Parkway – Inspection completed. Property is sound. Negotiations continue with Town of Amherst.
  - ii. 1815 Eggert Road - Commercial Property (Environmental testing was completed – findings are negative). This property will not be acquired by BENLIC – the Town will look toward the private market for acquisition at Public Auction.
- Town of Colden
  - i. 8820 State Road - Town would like to acquire parcel next door to Town Hall to expand their Military Park. There are some environmental issues on the parcel because of its history as a gas station. Jocelyn Gordon will investigate to ensure these issues have been addressed and present findings to the Board. The property is already included in the upcoming In-Rem auction.
- Village of Lancaster
  - i. 71 Central Avenue - Town would like to use this vacant parcel as a Gateway/public park. Discussions are in process. The property is already included in the upcoming In-Rem auction. Maria Whyte suggested that the Land Bank Working Group should discuss a potential Town Transfer policy for turning properties over to any municipality.

8. 2013 Pilot Project Update.

- 45-55 Pyle Court, Tonawanda – Property has been demolished. BENLIC still in negotiations with Tonawanda regarding terms of transfer of property from BENLIC to the Town of Tonawanda.
- A Judicial Foreclosure update was distributed informing the status of 44A Windwood, 3048 William and 59 N. Main Street. Auction is possible as early as June. The ad hoc Judicial Foreclosure Working Group (consisting of Land Bank legal advisors Martin Polowy, Jennifer Persico, Joseph Kelemen, James McGavern along with Maria Whyte and Jocelyn Gordon) is scheduled to convene on April 16<sup>th</sup> to discuss the intricacies of the Auction.
- 39 Fowler – Structural Assessment completed. Final decision has not been made on a direction for the property. Jocelyn Gordon will solicit the opinion of a local realtor on disposition potential for the property. The Land Bank Working Group has suggested working with the Town to pick a disposition plan, then convening neighbors for a public meeting

9. Additional Comments.

- Brendan Mehaffy inquired as to whether BENLIC has a policy for lead/asbestos removal. He suggested that the existing BURA policy could be helpful and will provide a PowerPoint slide for presentation at the May Board meeting.
- Brendan Mehaffy also noted that the Land Bank should begin to investigate forecasting methods and should concentrate on acquiring properties that will enable the Land Bank to sustain itself. He noted the LB Bank should avoid acquiring properties that will be a financial burden.

10. Executive Director Report.

- Jocelyn reviewed the OAG Press Conference and neighborhood tour. She discussed some happenings throughout the State based on the monthly NYS Association of Land Bank phone call. Syracuse Land Bank has been granted \$750,000 from the Onondaga County IDA for demolitions. Jocelyn has interviewed one candidate for Assistant and is putting together a Job Description to initiate a broader search. Brendan Mehaffy said that he has numerous resumes and will provide them to Jocelyn.

11. Adjournment:

- A motion to adjourn was made by Joseph Maciejewski, seconded by Michael Siragusa, and unanimously carried.

NEXT MEETING: Board of Directors – 9 am May 16, 2014  
Location: Rath County Office Building, Room 1004

Recorded by: Jocelyn Gordon  
Submitted for Approval: Maria R. Whyte  
Adopted by BENLIC Board Members on May 16, 2014