

BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION

BOARD OF DIRECTORS MEETING MINUTES July 19, 2013 – 9:00 AM Edward A. Rath County Office Building, Room 1004

Call to Order by Chairwoman Maria Whyte.

ATTENDANCE:

Board Members Present: Maria Whyte, Brendan Mehaffy, Joseph L. Maciejewski, David Comerford, Joseph Hogenkamp, James Comerford, Jr., Michael Siragusa, Donna J. Estrich,

Board Members Excused: Christina Orsi, Frank E. Krakowski, Timothy Ball

Fiscal Agent Present: Bob Keating

GUESTS:

Mary Holtz and Charles Markel (Cheektowaga); Rick Gillert (Amherst); Joe Keleman (WNYLC); Jennifer Sepulveda-Beltre (COB/OSP); James Bragg (CNF); Hub Frawley (Angola)

HAND OUTS:

Agenda; Minutes of June 21, 2013 Board Meeting; Cheektowaga Resolution 2013-379; NYS Legislation – Purchase Foreclosed Property; BENLIC Resolution re Requests by Municipalities to Foreclose on Properties; BENLIC Resolution re City of Niagara Falls; Standardized Inspection Reports: 44A Windwood Court and 3048 William St., Cheektowaga.

NEW BUSINESS:

1. Roll Call
2. Approval of Minutes: Mike Siragusa made motion to approve June 21, 2013 minutes. Donna Estrich seconded. Minutes were adopted unanimously.
3. Working Group Report:
 - Properties for the 2013 Pilot Project were discussed. The addresses for the Pilot Project are: 59 N. Main, Angola; 44A Windwood Ct., Cheektowaga; and 3048 William St., Cheektowaga.
 - Maria Whyte shared a handout discussing the next steps BENLIC would be required to take following an agreement by the Board to acquire the above listed properties. Risks associated with acquisition were discussed.
 - The Board agreed to establish a Technical Assistance sub-committee, Chaired by Jim Comerford. Initial work of the sub-committee will focus on the REO Bank Controlled properties and the discussion of strategies and tactics to address challenges associated with properties of this nature.

4. Approval of Resolution regarding Property Selection:
 - Motion to Amend: David Comerford; seconded by Jim Comerford; Passed.
 - Approved as Amended: Jim Comerford, seconded Joe Hogenkamp. Passed Unanimously.

5. Approval of Resolution regarding the City of Niagara Falls:
 - Following a brief discussion a motion to amend the Resolution to include a RESOLVED clause to add a Board Seat for the Association of Erie County Governments was made by Brendan Mehaffy and seconded by Michael Siragusa. The motion was passed.
 - A motion to approve as amended was made by Joe Maciejewski and seconded by David Comerford. The Resolution was unanimously approved as amended.
 - Maria Whyte will provide counsel's memorandum regarding the necessary steps to be taken by BENLIC and other parties to add the City of Niagara Falls.

6. Formation of a Technical Assistance Subcommittee:
 - A motion to form a Technical Assistance sub-committee was made by Donna Estrich and seconded by Joe Hogenkamp. The motion was carried unanimously.
 - The sub-committee will be chaired by Jim Comerford and will work first on the issue of REO Bank controlled properties. Other members of the sub-committee will include Brendan Mehaffy, Charlie Markel, Jason Knight, Josh Pennel, and Joe Keleman, as well as a potential representative from M&T Bank.

7. Date Change for September BENLIC Board Meeting:
 - Maria Whyte discussed the need to move the September Board meeting to September 6. She stated this was necessary in order to seek appropriate approvals from the Erie County Legislature prior to the October 2, 2013 In Rem Auction.
 - A motion to officially change the date of the September BENLIC Board meeting from September 20 to September 6 was made by Brendan Mehaffy and seconded by Jim Comerford. The motion was unanimously approved.

8. Open Discussion:
 - Agenda Items for September Meeting:
 - The BENLIC Board will need to pass a resolution officially identifying those properties on which BENLIC will bid at the October In Rem Auction as part of the 2013 Pilot Project.
 - The Board will need to officially designate an Insurance Broker of record and will likely choose Lawley who currently serves as the County's Broker.
 - The Board will also need to formally engage Legal Counsel, most likely with the firm Mosey Persico, LLP as they are currently an Erie County vendor. Mosey Persico, LLP is also a WBE.

- Bank Account
 - Tom Dearing will work with Joe Maciejewski and Bob Keating to finalize the county's contract with BENLIC and submit the first invoice for funds to the County. Once completed, an account can be opened with Key Bank.
- Letter to Governor
 - A letter to the Governor was sent by County Executive Mark Poloncarz officially supporting amendments made to the Land Bank Act and requesting support of the Governor.
- Fundraising Update
 - \$20 million of funding for NY Land Banks was authorized by the Attorney General. BENLIC will submit a competitive application.
- Thank you to Jason Knight
 - It was announced that Jason Knight has accepted a position at Buffalo State College and will be leaving the County on August 23. He indicated a desire to stay active with the Land Bank. Ken Swanekamp and Dale Morris were introduced as Erie County Department of Environment and Planning staff to assist BENLIC going forward.

9. Next Board of Directors Meeting:

- The next Board meeting will be Friday, September 6 at 9 am, Room 1004, Rath Building.
- There will be no August meeting.

10. Adjournment:

- A motion to adjourn was made by David Comerford and seconded by Michael Siragusa. It was carried unanimously

NEXT MEETING: Working Group – 1:00 p.m. Thursday, September 5, 2013
 Board of Directors – 9 a.m. Friday, September 6, 2013
 Location: Rath County Office Building, Room 1004

Recorded by: Carol Wirth
 Submitted for Approval: Maria R. Whyte
 Adopted by BENLIC Board Members on October 18, 2013