

# BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION

BOARD OF DIRECTORS MEETING MINUTES  
May 16, 2014 – 9:00 AM  
Edward A. Rath County Office Building, Room 1004

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Call to Order by Board Chair Maria Whyte.

## ATTENDANCE:

Board Members Present: Maria Whyte, Frank E. Krakowski, Joseph L. Maciejewski, David Comerford, Joseph Hogenkamp, James Comerford, Jr., Donna J. Estrich, Timothy Ball, Christina Orsi  
Board Members Excused: Brendan Mehaffy, Michael Siragusa  
Fiscal Agent Present: Robert Keating  
Executive Director: Jocelyn Gordon

## GUESTS:

Martin Polowy – Asst. County Attorney, Tom Dearing, Ken Swanekamp – Erie County Planning, Jennifer Sepulveda-Beltre – City of Buffalo Office of Strategic Planning

## HAND OUTS:

Agenda; Minutes of April 11, 2014 Board Meeting; Treasurer's Report; Property Tax & Maintenance/Foreclosure Draft Proceeds Distribution Policy 2014 (for City of Tonawanda); Assistant to the Executive Director Position Summary; 2014 Budget; BENLIC 2014 Properties under Consideration Report.

## NEW BUSINESS:

1. Roll Call
2. Approval of Minutes: The minutes of the April 11, 2014 Board of Directors Meeting were presented and reviewed. A motion was made by Joseph L. Maciejewski to approve, seconded by Donna J. Estrich and unanimously carried as approved.
3. Treasurer's Report: Treasurer Joseph L. Maciejewski presented a Treasurer's Report for the month of May. He noted a Key Bank balance of \$367,475.01 as of April 30, 2014. BENLIC received a refund from our property insurance carrier of \$790 based on a reduction of required premium. BENLIC also paid Structural Engineering Consultant Robert Curtis \$750 for work at 39 Fowler. A motion was made by David Comerford to approve, seconded by James Comerford, Jr., and unanimously carried as approved.
4. 2014 BENLIC Budget Presented by Executive Director (Jocelyn Gordon)
  - The 2014 Proposed Budget was reviewed by the BENLIC Audit/Finance Committee and recommended for adoption to the BENLIC Board with the following adjustments;
    - Removal of "In-Kind" services from totals from Revenue side of budget and moving "In-Kind" service totals to footnotes section.

- Removal of “In-Kind” services from the Expenditure side of the budget and moving “In-Kind” service totals to footnotes section.
  - Decrease projected Building Sales from \$40,000 to \$30,000
  - Increase projected PILOT Rehab by \$7,891 which would balance the budget.
- A motion was made to adopt the proposed 2014 Budget after making the following adjustments: amend projected Building Sales from \$40,000 to \$30,000; remove “In-Kind” services from revenue and expenditures sides of budget and relocate to footnotes section; decrease projected revenue to \$1,577,649; increase Pilot Rehab by \$7,891 to \$83,861 to balance budget; change the total expenditures to \$1,577,649 and a balance of \$0. A motion to approve amendment was made by Donna J. Estrich seconded by Joseph Hogenkamp and unanimously carried as approved. A motion to approve as amended by Donna J. Estrich seconded by Joseph Hogenkamp and unanimously carried as approved.

#### 5. Personnel Committee

- Dave Comerford expressed concern that a Job Description for an Assistant to the Executive Director was made public without being first approved by the Board. He questioned whether the position was essential. Maria Whyte and Jocelyn Gordon noted that the funding for the position was approved in OAG Grant application from Fall 2013 and has been discussed many times in Board settings. Christina Orsi noted that the Executive Director should have the latitude to post a Job Description without Board approval. James Comerford concurred with Dave Comerford’s concerns.
- Joseph L. Maciejewski made a motion to form a Personnel Committee to address any future BENLIC Personnel issues including but not limited to hiring, retirement, employee benefits. The motion was seconded by David Comerford: The committee members would be as follows:
  - Joseph Hogenkamp
  - Christina Orsi
  - Frank Krakowski
  - Brendan Mehaffy
  - Maria Whyte (Chair)
 Unanimously carried as approved.

#### 6. City of Tonawanda Proceeds Distribution Policy

- Joseph Hogenkamp presented the City of Tonawanda’s position to approve the Proceeds Distribution Policy for the City of Tonawanda to the BENLIC Board. The City of Tonawanda is aware that this policy will only apply to the 2014 auction.
- A motion to approve the Policy as written was made by Timothy Ball, seconded by Joseph L. Maciejewski and unanimously carried as approved.

#### 7. 2014 BENLIC Current Properties Spreadsheet Update

- Joseph Hogenkamp updated the board on the upcoming In Rem auction in the City of Tonawanda and that everything is moving along on schedule.
- Frank E. Krakowski updated the board on the upcoming In Rem auction stating that the two properties previous submitted have be withdrawal from the In Rem auction due to a Bankruptcy filing by the property owners. Town mew properties would be submitted for the June 21, 2014 meeting.
- Review of spreadsheet in further detail for the June meeting.

8. Subcontracting Agreement BENLIC/Buffalo (Information)

- Jim Comerford reported that the City of Buffalo is still waiting for completion of the Interfund Loan required for Buffalo to initiate demolitions. He requested an extension for completing the first round of demolitions until July 2014.
- Buffalo is currently on schedule to demo 25 properties in the Amount of \$500,000 already budgeted by Q3 2014 to comply with OAG grant.

9. Town Transfer Policy (Informational)

- BENLIC is in need of a clear policy to outline the procedure for the Land Bank to transfer property back to municipalities for purposes of resale, transfer to non-profit, or public use. There are many different scenarios under which this transfer may occur and appropriate policy needs to be clearly written to address these scenarios. Jocelyn Gordon is currently drafting this policy for Board Review.

10. Executive Director Report

- Personnel Report – Review of Job Description for Assistant position
- Evans Bank considering donation of money and/or properties, offering a potential Line of Credit
- Visit to Syracuse Land Bank
- Hamlin Park Taxpayer Association Jocelyn Gordon will be doing a presentation along with the City of Buffalo on June 5, 2014
- Partnership with Belmont / New Opportunities

11. Adjournment

- Prior to Adjournment, County Executive Mark Poloncarz made a visit and greeted the Board
- A motion to adjourn was made by David Comerford and seconded by James Comerford, Jr. unanimously carried.

NEXT MEETING: Board of Directors – 9 a.m. Friday, June 20, 2014  
Location: Rath County Office Building, Room 1004

Recorded by: Frank E. Krakowski

Submitted for Approval: Maria R. Whyte

Adopted by BENLIC Board Members on June 20, 2014