

BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION

BOARD OF DIRECTORS MEETING MINUTES

January 21, 2016 – 11:00 AM
Edward A. Rath County Office Building
95 Franklin Street, Room 1004
Buffalo, New York 14202

Call to Order by Thomas J, Dearing, Chair

ATTENDANCE:

Board Members Present: Joseph L. Maciejewski, Joseph Hogenkamp, Michael Siragusa, Donna J. Estrich, , Thomas J. Dearing, Christopher J. Schoepflin, Timothy Ball,

Board Members Excused: Brendan Mehaffy, James Comerford Jr., OJ McFoy, Frank E. Krakowski

Fiscal Agent Present: Robert Keating

BENLIC Counsel Present: Martin Polowy

Executive Director: Jocelyn Gordon

Assistant Program Coordinator: Alex Carducci

Guests: Sheldon Alderson, Assemblywoman Crystal Peoples-Stokes Office; Alan Oberst.

HAND OUTS:

Agenda; Minutes of December 18, 2015 Board Meeting; Treasurer's Report; **Resolution #2016-1:** 316 Doris, West Seneca – Exterior Improvements, **Resolution #2016-2:** 310 Wagner, Sloan – Exterior Improvements, **Resolution #2016-3** 64 Hedwig, Cheektowaga – Exterior Improvements, **Resolution #2016-4** RFF 2016: Authorization to Submit List of Properties for Foreclosure to Erie County Legislature, BENLIC Counsel Procurement Reference Sheet, Enterprise (Attorney General Grant Manager's) Desk Review Letter. **The above resolutions attached.**

NEW BUSINESS:

1. Roll Call
2. Approval of Minutes: The minutes of the December 18, 2015 Board of Directors Meeting were presented and reviewed. A motion made by Joseph Hogenkamp to approve, seconded by Joseph Maciejewski and unanimously carried as approved.
3. Treasurer's Report: Treasurer Joseph Maciejewski presented a Treasurer's Report as of December 31, 2015 balance of (Key Bank) \$39,918.47 and the balance in the savings account at (Key Bank) \$9,056.18 and a balance of \$607,295.38 in M&T Bank Checking. Additionally, Joseph Maciejewski as part of request of the whole approval of the Report, recommended that both Key accounts be closed. A motion was made by Donna J. Estrich, to approve, seconded by Joseph Hogenkamp, and unanimously carried as approved.
4. Approval of 2016 Board of Directors Meeting Schedule

With responses aggregated from surveys completed by Board Members, the day and time receiving the most votes were Thursdays at 11:00 a.m. Motion to approve the following Board of Directors schedule made by Michael Siragusa and seconded by Christopher Schoepflin and unanimously carried as approved.

BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION
Board of Directors Meetings
2016 Calendar

All meetings take place in the Edward A. Rath County Office Building, 95 Franklin Street, 10th Floor
Conference Room 1004, Buffalo, New York.
Meeting time: 11:00 a.m. – 12:00 p.m.

January 21
February 18
March 17 **Annual Meeting**
April 21
May 19
June 16
July 21
August 18
September 15
October 20
November 17
December 15

Adopted by the BENLIC Board of Directors on: **JANUARY 21, 2016**

5. Approval of Bids over \$10,000.00:

A. **Resolution #2016-1 316 Doris, West Seneca – Exterior Improvements**

Resolution #2016-1 is a request to approve received bids for rehabilitation construction services for BENLIC OAG-rehabilitation property 316 Doris in the Town of West Seneca. Work for bid is for roofing replace, installation of gutters and replacement of windows. The bid was announced on December 29,2015 with a deadline of January 13, 2016. BENLIC estimate of the work was \$15,700. The lowest bid received was from RJ Properties at \$10,485, however due to past performance and the significant difference between the bid and the estimate, this bid was rejected and the second lowest bid from Titan’s Remodeling Inc. of \$12,118.13 was accepted. Josph Maciewjeski suggested an amendment on the Resolution, to remove the incorrect figure of “\$8,145” and replace with the correct figure per the bid tabulation of “\$10,485” in the first RESOLVED clause. A motion to approve with amendment made by Joseph Maciejewski, seconded by Christopher Schoepflin. Unanimously approved, motion carried.

Resolution #2016-1 ATTACHED.

B. **Resolution #2016-2 310 Wagner, Sloan – Exterior Improvements**

Resolution #2016-2 is a request to approve received bids for rehabilitation construction services for BENLIC OAG-rehabilitation property 310 Wagner in the Village of Sloan. Work for bid is for roofing replace and installation of gutters. The bid was announced on December 29, 2015 with a deadline of January 13, 2016. BENLIC estimate of the work was \$11,000. The lowest bid received was from RJ Properties at \$8,145. A motion to approve the Resolution made by Michael Siragusa and seconded by Donna Estrich and unanimously approved, motion carried.

Resolution #2016-2 ATTACHED.

C. **Resolution #2016-3 64 Hedwig, Cheektowaga – Exterior Improvements**

Resolution #2016-3 is a request to approve received bids for rehabilitation construction services for BENLIC OAG-rehabilitation property 64 Hedwig in the Town of Cheektowaga. Work for bid is for roofing replace, installation of gutters and installation of soffit/ fascia. The bid was announced on December 29, 2015 with a deadline of January 13, 2016. BENLIC estimate of the work was \$15,000. The lowest bid received was from Surety Construction Co. at \$12,890. A motion to approve the Resolution made by Michael Siragusa and seconded by Tim Ball and unanimously approved, motion carried.

Resolution #2016-3 ATTACHED.

6. **Resolution #2016-4 RFF 2016: Authorization to Submit List of Properties for Foreclosure to Erie County Legislature**

Chairperson Thomas Dearing described how BENLIC received submissions from Erie County Towns and Villages for the 2016 Request for Foreclosure process. He remarked that the properties submitted had been reviewed by staff and had been reviewed by BENLIC's Property Selection Subcommittee – a committee of BENLIC Board members – to vet the various properties including the various municipality's desired outcomes for such properties. Approximately twenty-five (25) properties were submitted and reviewed. Some municipalities requested BENLIC to hold properties for an indeterminate amount of time, those properties, Chairperson Dearing commented, were not being recommended on the list of properties on the Resolution to be submitted to the Erie County Legislature. Jocelyn Gordon further commented on the selection process, particularly that the Property Selection Subcommittee considers a number of selection criteria when any property is evaluated. She remarked that the municipalities have agreed via respective resolutions to pay for the cost of foreclosure as per the Erie County Proceeds Distribution Policy. A motion to approve made by Michael Siragusa, seconded by Tim Ball and unanimously approved. Carried.

Resolution #2016-4 ATTACHED.

7. **Presentation by BENLIC Counsel – Review of BENLIC Procurement Policy**

Thomas Dearing remarked that there had been some confusion regarding BENLIC's Procurement Policy, and had asked BENLIC Counsel Martin Polowy to develop a reference sheet for better understanding. Mr. Polowy explained to

the Board the procurement types - Bid or Request for Proposals - and then described the various dollar thresholds which determine how a contract may be awarded. The Exceptions of the Policy were also explained as were other requirements of note.

The BENLIC Procurement Reference Sheet is ATTACHED.

8. Response from the Corporation's Audit Committee Regarding Independent Auditor's Engagement Letter to Perform 2015 Audit

Jocelyn Gordon explained that BENLIC is in its third and final year of its engagement with the firm Drescher and Malecki who is set to prepare the 2015 audited financial statements of the Corporation.

9. Executive Director's Report:

- Jocelyn Gordon explained to the Board the results of Enterprise Desk Review Letter. She described that the Review was for BENLIC's OAG grant expensing over the period Q3 2015. Thomas Dearing remarked that the Desk Reviews will continue for other periods going-forward and the reviewers are likely to flag spending in the category of Buffalo rehabs, therefore BENLIC is in need of acquiring property for rehab in the City of Buffalo in the near-term.
- Ms. Gordon explained that she had received some feedback from readers of the strategic plan and that she had a lot of response for the BENLIC logo. She explained that she is awaiting some responses and comments from other readers on the draft version before the final plan is put forward to the Board for its approval.

Public Comments:

Sheldon Anderson from NYS Assemblywoman Crystal Peoples-Stokes Office expressed that municipalities, and that ultimately the public, does not have a database of properties that are vacant and abandoned but are privately owned and are tax-current. Thomas Dearing responded that Mr. Anderson contact BENLIC staff so that they make better take account of exact problem and situation that Mr. Anderson was describing.

Adjournment:

A motion to adjourn was made by Donna Estrich and seconded by Christopher Schoepflin and unanimously carried as adjourned.

NEXT MEETING: Board of Directors – 11 a.m. Thursday, February 18, 2016
Location: Rath County Office Building, Room 1004

Recorded by: Alex Carducci
Submitted for Approval: Frank E Krakowski
Adopted by BENLIC Board Members on _____