

BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION

BOARD OF DIRECTORS MEETING MINUTES

March 24, 2016 – 11:00 AM
Edward A. Rath County Office Building
95 Franklin Street, Room 1004
Buffalo, New York 14202

Call to Order by Brendan Mehaffy, Chair

ATTENDANCE:

Board Members Present: Joseph L. Maciejewski, Joseph Hogenkamp , Timothy Ball,
Frank E. Krakowski, Brendan Mehaffy, James Comerford Jr.,
Donna J. Estrich, OJ McFoy

Board Members Excused: Thomas J. Dearing, Michael Siragusa, Christopher J. Schoepflin

BENLIC Counsel Present: Martin Polowy

Executive Director: Jocelyn Gordon

Assistant Program Coordinator: Alex Carducci

Guests: Carl Widmer (Drescher & Malecki), Joseph Popiolkowski
(Buffalo News)

HAND OUTS:

Agenda; Minutes of February 18, 2016 Board Meeting; Treasurer's Report; **Resolution #2016-11:** 33 Donna, Depew – Demolition, **Resolution #2016-12:** 365 Northumberland, Buffalo – Exterior Improvements, **Resolution #2016-13** 59 N. Main, Angola – Exterior Improvements, **Resolution #2016-14** t 64 Hedwig, Cheektowaga – Interior Improvements, **Resolution #2016-15** 316 Doris, West Seneca Exterior Improvements, **Resolution #2016-16** Disposition of 0 Harlem Road, Sloan

NEW BUSINESS:

1. Roll Call
2. Approval of Minutes: The minutes of the February 18, 2016 Board of Directors Meeting were presented and reviewed. A motion was made by Donna J. Estrich to approve, seconded by OJ McFoy, and unanimously carried as approved.
3. Treasurer's Report: Treasurer Joseph Maciejewski presented a Treasurer's Report as of February 29, 2016 balance of (M&T Bank) \$892,241.15. Bank of America donation to BENLIC in the amount of \$500,000 has been received and is reflected in the balance as of February 29, 2016. A motion was made by James Comerford Jr, to approve, seconded by Joseph Hogenkamp and unanimously carried as approved.

4. Approval of 2015 Reports

- Audit Report of Corporation Financial Statements FYE 12/31/2015 presented by Dresher & Malecki Auditors
 - A. Financial Statement Highlights
 - B. Cash decrease \$59,141
 - C. Assets held for sale increased \$549,222
 - D. Liabilities to municipalities increased \$70,634
 - E. Unearned revenue increased \$73,388
 - F. Total net position increase \$813,386
 - G. Material weakness found in the report regarded Journal Entries made through the Year. Recommendation that more oversight by the audit committee or audit committee member occur on a monthly or quarterly basis to sign-off on entries.
 - Procurement Report – the Procurement Report, constituting the Procurement Policy as most recently adopted by the Board, and any changes to the Policy was presented to the Board of Directors.
 - Investment Report – the Investment Report, constituting the Investments and Deposits Policy of the Corporation as most recently adopted by the Board, any changes to said Policy, and the Investment record of the Corporation FYE 12/31/2015 showing an investment income of \$118.57 was presented to the Board of Directors.
 - Property Report – the Property Report, constituting the real property acquired by the Corporation in 2014 and 2015 and the real property disposed by the Corporation in 2015 was presented to the Board of Directors.
 - Performance Measurement Report – the Performance Measurement Report constituting the Corporation’s Mission Statement (unrevised during fiscal year 2015), the Corporation’s Performance Measures and explanation of those measures was presented to the Board of Directors.
 - Annual Report – the 2015 Annual Report consisting of a list of the participating Board of Directors members through 2015; a list of the Board Officers; a list of Committees and membership of Committees of the Corporation; Member’s attendance of meetings; the Corporation Organizational Chart; and the Operations Summary, Accomplishments, and Administrative Activities of the Corporation, was presented to the Board.
- A motion to approve the 2015 Reports made by Timothy Ball, to approve report as submitted seconded by James Comerford Jr. and unanimously approved. Carried.

5. Annual Review / Approval of Corporation Policies

- The Corporation’s Investment and Deposit Policy and Code of Ethics/ Conflict of Interest Policy has remained unchanged. A motion was made by Joseph L. Maciejewski, to approve, seconded by Donna J. Estrich and unanimously carried as approved.

6. Approval of Corporation Strategic Plan – Content Only:

- A motion to approve as submitted was made by Donna J. Estrich , seconded by Timothy Ball and unanimously approved. Carried.

7. Annual Election of Officers:

- Chairman Brendan Mehaffy
- Vice Chairman Joseph Hogenkamp
- Treasurer Joseph L. Maciejewski
- Secretary Frank E. Krakowski

- A motion to approve as submitted by James Comerford Jr. seconded by OJ McFoy and unanimously carried as approved

8. Election of Committees members including chairs of committees

- Governance committee: Brendan Mehaffy, Timothy Ball and Michael Siragusa as Chair of Governance Committee. A motion to approve as submitted was made by Joseph Maciejewski, seconded by OJ McFoy and unanimously carried as approved.
- Audit Committee: Joseph Hogenkamp, Donna J. Estrich and Michael Siragusa. Donna J. Estrich as Chair of Audit Committee. A motion to approve as submitted was made by Joseph L. Maciejewski, seconded by OJ McFoy and unanimously carried as approved

9. Approval of Bids over \$10,000

- **Resolution #2016-11 33 Donna, Depew - Demolition**

Resolution #2016-11 is a request to approve received bids for demolition of 33 Donna Village of West Seneca. The bid was announced on March 10, 2016 with a deadline of March 21, 2016. The lowest bid received was from Geiter Done of WNY at \$15,900. A motion was made by James Comerford Jr. to approve, seconded by Timothy Ball, and unanimously carried as approved.

Resolution #2016-11 ATTACHED

- **Resolution #2016-12 365 Northumberland, Buffalo – Exterior Improvements**

Resolution #2016-12 is a request to approve received bids for exterior improvements 365 Northumberland, in the City of Buffalo. Work for bid is for exterior improvements. The bid was announced on March 9, 2016 with a deadline of March 21, 2016. BENLIC estimate of the work was \$12,500. The lowest bid received was from RJ Properties at \$9,555. A motion to approve the Resolution made by Donna J. Estrich and seconded by James Comerford Jr. and unanimously approved, motion carried.

Resolution #2016-12 ATTACHED

- **Resolution #2016-13 59 N Main Street, Angola – Exterior Improvements**

Resolution #2016-13 is a request to approve received bids for rehabilitation construction services for BENLIC OAG-rehabilitation property 59 N. Main, in the Village of Angola. Work for bid is for exterior improvements. The bid was announced on March 7, 2016 with a deadline of March 21, 2016. BENLIC estimate of the work was \$36,000. The lowest bid received was from RJ Properties for \$21,425 which was rejected as irresponsible. Robin Combs Contracting submitted the seconded lowest bid in the amount of \$32,279. A motion to approve the Resolution was made by Joseph Hogenkamp, seconded by Joseph L. Maciejewski, and unanimously as approved, motion carried.

Resolution #2016-13 ATTACHED

14. **Resolution #2016-14 64 Hedwig, Cheektowaga - Interior Improvements**

Resolution #2016-14 is a request to approve received bids for interior improvements construction services for BENLIC OAG-rehabilitation property 64 Hedwig, in the Town of Cheektowaga. The bid was announced on March 9, 2016 with a deadline of March 21, 2016. BENLIC estimate of the work was \$14,200. The lowest bid received was from Sunset Custom Homes at \$12,625. A motion to approve the Resolution was made by James Comerford Jr., seconded by Donna J. Estrich and unanimously approved, motion carried.

Resolution #2016-14 ATTACHED

15. **Resolution #2016-15 316 Doris, West Seneca – Exterior Improvements**

Resolution #2016-15 is a request to approve received bids for exterior improvements construction services for BENLIC OAG-rehabilitation property at 316 Doris, in the Town of West Seneca. Work for bid is for exterior improvements. The bid was announced on December 29, 2015 with a deadline of January 13, 2016. BENLIC estimate of the work was \$15,700. The board of directors previously awarded the bid to Titan Remolding Inc. for \$12,118.13. Titan Remodeling failed to secure permits and begin the work within 30 days of receiving a Notice to Proceed. BENLIC rejected the bid of RJ Properties as irresponsible due to past work performance. The next lowest bidder was received from Surety Construction at \$13,135. A motion to approve the Resolution was made by OJ McFoy and seconded by James Comerford Jr. and unanimously carried as approved.

Resolution #2016-15 ATTACHED

16. **Resolution #2016-16 Disposition of 0 Harlem Road, Village of Sloan**

Resolution #2016-16 is a request to approve of the disposition of the property 0 Harlem Rd. in the Village of Sloan for \$2,500 by agreement of Sale of Real Property. The adjacent property owner wishes to obtain the property. A motion was made to approve the Resolution made by Joseph Hogenkamp and seconded by Joseph L. Maciejewski and unanimously approved, motion carried.

Resolution #2016-16 ATTACHED

11. Approval of Preaquisition Agreement for 393 Walnut, Buffalo (Informational):

- Jocelyn Gordon explained to the Board status of City of Buffalo Rehabs to be Completed by March 1, 2017 to comply with OAG Requirements.
- Jocelyn Gordon explained the status of the County demolition fund; BENLIC received funds of \$203,766.30 and has an estimated Balance remaining of \$79,577.58. BENLIC may also reallocate the balance of fund to be used for rehabilitation.

12. Legislative Update:

- Brendan Mehaffy clarified legislation regarding BENLIC ability to assign property after BENLIC exercises its super bid at auction then can assign property it acquires to the four (4) Foreclosing Governmental Units (FGUs) which would save BENLIC administrative hold period and the cost involved. The super bid authority would reside only with BENLIC.

13. Executive Director's Report:

- Jocelyn Gordon informed the Board of the \$500,000 donation from Bank of America that is completely unrestricted for use to capitalize the Corporation and continue to meet BENLIC's mission.

Adjournment:

A motion to adjourn was made by James Comerford Jr., seconded by Joseph L. Maciejewski and unanimously carried as adjourned.

NEXT MEETING: Board of Directors – 11 a.m. Thursday, April 21, 2016
Location: Rath County Office Building, Room 1004

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