

# **BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION**

**BOARD OF DIRECTORS MEETING MINUTES**  
May 15, 2015 – 9:00 AM  
Edward A. Rath County Office Building, Room 1004

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Call to Order by Vice Chairman Brendan Mehaffy.

## **ATTENDANCE:**

Board Members Present: Frank E. Krakowski, Joseph L. Maciejewski, Joseph Hogenkamp, ,  
Maria R. Whyte, Timothy Ball , Michael Siragusa, Brendan  
Mehaffy, James Comerford. Jr., David Comerford, Donna J.  
Estrich

Board Members Excused: Christopher Schoepflin

Fiscal Agent Present: Robert Keating

BENLIC Counsel Present: Marty Polowy

BENLIC Staff Present:  
Executive Director Jocelyn Gordon

Assistant Program  
Coordinator Alex Carducci

Guests: Michael Clarke (Local Initiatives Support Corporation), Andrew Spong (WNY Law  
Center)

## **HAND OUTS:**

Agenda; Minutes of April 17, 2015 Board Meeting; Treasure Report; Approval of Bids for 74  
Stillwell, 290 Atlantic and 465 Broad. BENLIC MBE / WBE Policy, BENLIC Homeowner's  
Application.

## **NEW BUSINESS:**

1. Roll Call
2. Approval of Minutes: The minutes of the April 17, 2015 Board of Directors Meeting were presented and reviewed. A motion was made by James Comerford. Jr. to approve, seconded by Michael Siragusa and unanimously carried as approved. A motion to reconsider April 17, 2015 minutes to correct error by Timothy Ball

seconded by Michael Siragusa and unanimously carried as approved. A second motion to amend minutes by removing the last two bullet points - item #9 Executive Director's Report (as it carried over content from the meeting prior) - by James Comerford, Jr. seconded by Michael Siragusa and unanimously carried as approved.

3. Treasurer's Report: Treasurer Joseph Maciejewski presented a Treasurer's Report as of April 30, 2015 balance of (Key Bank) \$319,942.96 and the balance in the checking account at (Key Bank) \$8,420.72 also a balance of \$168,071.64 in M&T Bank Checking. A motion made by Joseph Hogenkamp, to approve, seconded by David Comerford, and unanimously carried as approved.
4. OAG Grant Update (74 Stillwell)

Three Bids were received for work on Siding, Windows, Entry Doors, and Front Porch.

- **DP Contracting LLC \$21,800**
- Sunset Builders \$ 21,802
- Surety Construction \$ 26,460

The Board advised its Executive Director to call the references given by DP Contracting LLC – as the Board was unfamiliar with the company. Member James Comerford, City of Buffalo Commission of Permits and Inspections Services noted that while DP Contracting was licensed in the City, his staff was not familiar with their work. It was also suggested that for all bid sheets to include a subcontractor utilization table to determine the level of subcontractors for a job. A motion was made by David Comerford to approve the bid and seconded by James Comerford, Jr. Unanimously carried as approved.

5. OAG Grant 290 Atlantic and 465 Broad:

- For the two small home rehab projects, only a single bid was returned (for one of the properties) by the date of the Board meeting – May 15<sup>th</sup>. Executive Director Jocelyn Gordon noted that a handful of contractors had viewed the property. A recommendation by the Executive Director was made to extend the bid deadline to receive more bids or revised bids by at least an additional two weeks. The Board concurred. In the event of receipt of adequate bids before the next Board meeting, official procedure to approve said bids was discussed – including holding a special meeting as well as the option of a written unanimous consent resolution.

6. 235 West Royal Parkway:

- BENLIC staff explained to the Board that the resale price for 235 W Royal would likely exceed \$100,000. It was explained that if the disposition procedure was by *negotiation*, the Corporation would have to prepare an Explanatory Statement to be delivered to various State departments and must wait a period of 90 days before the sale could close. Considering that such a procedure may be difficult for a buyer for many reasons, BENLIC staff informed the Board that the Corporation may proceed to dispose the

property by means of *sealed bid* - in this arrangement there is no Explanatory Statement and wait period though some terms may need to be defined in the request for bids and may not be adjusted thereafter.

7. BENLIC MBE/WBE Policy:

- BENLIC counsel explained that the Policy is required for the Corporation under New York State Executive Law. A motion was made by David Comerford to approve as written and seconded by Brendan Mehaffy. Unanimously carried as approved.

8. Adoption of BENLIC Homeowner's Application

- Chair Maria Whyte suggested the Application be tabled to give more time for the Board to review.

9. Personnel Subcommittee Update:

Election of members to the personal subcommittee:

- Maria R. Whyte
- Brendan Mehaffy
- Frank E. Krakowski
- Joseph Hogenkamp
- *Vacancy* – Board Chair Maria Whyte announced that she expected Christopher Schophflin to fill this vacancy to replace former ESD Board member Christina Orsi
- A motion to approve as submitted was made by Donna J. Estrich, seconded by Joseph Maciejewski and unanimously carried as approved.

Executive Director Annual Review

- Performance review: A motion was made to enter Executive Session by James Comerford, Jr., seconded by Joseph Hogenkamp. 10:15 AM
- Return from Executive Session at 10:35 AM. A motion by Joseph Maciejewski to amend the Contract of the Executive Director to a salary of \$80,000 a year – effective retroactively - by the Personnel Committee seconded by James Comerford, Jr. and unanimously carried as approved.

10. Executive Directors Report

- Press Events – Lackawanna, Amherst, Tonawanda – Jocelyn Gordon discussed that 1745 Abbott Road was near completion and that a press conference for May 29<sup>th</sup> was scheduled. Erie County Executive Mark Poloncarz, City of Lackawanna Mayor Geoff Szymanski, local contractors, members of the media and others are expected to be in attendance. Other press events in other communities will be scheduled and held in Amherst and Tonawanda communities.
- OAG Demolition update – Buffalo, V. Hamburg, Sardinia, Sloan
- Vacant Property Conference – Detroit – May 19th.

11. Adjournment:

- A motion to adjourn was made by Joseph Maciejewski and seconded by Michael Siragusa Unanimously Carried.

NEXT MEETING: Board of Directors – 9 a.m. Friday, June 19, 2015  
Location: Rath County Office Building, Room 1004

Recorded by: Frank E. Krakowski  
Submitted for Approval: Maria R. Whyte  
Adopted by BENLIC Board Members on \_\_\_\_\_