

BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION

BOARD OF DIRECTORS MEETING MINUTES

May 19, 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: Brendan Mehaffy Joseph L. Maciejewski, Joseph Hogenkamp, Michael Siragusa, Timothy Ball, James Comerford Jr., Donna J. Estrich, OJ McFoy, Thomas Hersey

Board Members Excused: Frank E. Krakowski, Christopher J. Schoepflin,

Fiscal Agent Present: Robert Keating

BENLIC Counsel Present: Martin Polowy

Executive Director: Jocelyn Gordon

Assistant Program Coordinator: Alex Carducci

Guests:

HAND OUTS:

Agenda; Minutes of April 21, 2016 Board Meeting; Treasurer's Report; Bid Approvals: **Resolution #2016-23**: 898 E Delavan, Buffalo – Exterior Improvements, **Resolution #2016-24**: 33 Donna, Depew – New Build. Dispositions: **Resolution #2016-22** 1519 Eggert, Amherst; **Resolution #2016-25** 0 Buffalo, Village of Hamburg; **Resolution #2016-26** 465 Broad, City of Tonawanda; **Resolution #2016-27** 53 W Main, Springville. Acquisitions: **Resolution #2016-28** 179 Westminster, Buffalo; Proceeds Distribution – 290 Atlantic, Sloan; Buffalo-BENLIC In Rem Notes.

NEW BUSINESS:

1. Roll Call
 - The Board welcomed new member Thomas Hersey, who replaces Tom Dearing as Erie County Dept. of Environment and Planning Commissioner.
 - In lieu of roll call, Board Members signed sign-in sheet.
2. Approval of Minutes: The minutes of the April 21, 2016 Board of Directors Meeting were presented and reviewed. A motion was made by Joseph Maciejewski, to approve, seconded by Tim Ball and unanimously carried as approved.
3. Treasurer's Report: Treasurer Joseph Maciejewski presented a Treasurer's Report as of April 30, 2016 balance of (M&T Bank) \$ \$1,582,674.3. A motion was made by Tim Ball, to approve, seconded by James Comerford Jr. and unanimously carried as approved.

4. APPROVAL OF BIDS:

- **Resolution #2016-23 898 E Delavan, Buffalo – Exterior Improvements**

Resolution #2016-23 is a request to approve received bids for exterior improvement construction services for BENLIC rehab project at 898 E Delavan, Buffalo. The bid was announced on May 2, 2016, with submission deadline of May 18, 2016. BENLIC estimate for the work was \$20,000. The lowest bid received was from Irish Pride Services for \$15,770. A motion was made by Michael Siragusa, to approve, seconded by Tim Ball and unanimously carried as approved.

Resolution #2016-23 ATTACHED.

- **Resolution #2016-24 33 Donna, Depew – New Build**

Resolution #2016-24 is a request to approve received bids for design-build and new construction for 33 Donna, in the Village of Depew. The bid was announced on April 22, 2016, with submission deadline was May 17, 2016.. The lowest bid received was from & IQ Modular Homes for a not to exceed price of \$144,550 (\$138,990 with \$5,560 contingency). BENLIC had wanted to rehabilitate the original property, however the structure was too distressed. A local realtor commented that a new build ranch-style building would be competitive in the current market. The bid was developed to include certain amenities and local comparable sales. Additionally the Board was presented with an offer from an adjacent owner for the lot-only of 33 Donna. The Village of Depew Mayor and Building Inspector remarked that the Village would prefer to see a structure on the site; excerpts of the Mayor's letter was read aloud, and the Mayor's explicit remark was preference for a new build instead of a sale. A motion to approve the Resolution made by Michael Siragusa and seconded by Donna Estrich. and unanimously approved, motion carried. Unanimously carried as approved.

Resolution #2016-24 ATTACHED.

5. DISPOSITIONS:

- **Resolution #2016-22 1519 Eggert, Amherst**

The Town of Amherst participated in BENLIC's Request for Foreclosure process for 2016. One of the three properties submitted was of 1519 Eggert Road – a vacant residential lot. BENLIC proposes to convey the property to the Town for new construction of a home by the Town. Originally, the Town offered \$20,000, however based on BENLIC's appraisal the value of the property was \$25,000. The Town has agreed to pay this price for the property. A motion to approve the Resolution made by Joseph Maciejewski, seconded by OJ McFoy, and unanimously carried as approved.

Resolution #2016-22 ATTACHED.

- **Resolution #2016-25 0 Buffalo, Village of Hamburg**

The Village of Hamburg participated in BENLIC's Request for Foreclosure process for 2015. One property submitted was a vacant lot in adjacent to the Village's municipal parking lot. The Village of Hamburg requested BENLIC to acquire the lot and convey back to the Village to add to its municipal lot, for a nominal price. A motion to approve the Resolution made by OJ McFoy, seconded by Donna Estrich and unanimously carried as approved.

Resolution #2016-25 ATTACHED.

- **Resolution #2016-26 465 Broad, City of Tonawanda**

BENLIC Office of the Attorney General-funded rehab project of 465 Broad St., City of Tonawanda was put on the market for sale on May 5, 2016. One offer was submitted by Norman Titterington for \$95,000, who completed a BENLIC Homebuyer Application and Property Purchase Application and is income-qualified. A motion to approve the Resolution made by Joseph Maciejewski and seconded by Tim Ball and unanimously carried as approved.

Resolution #2016-26 ATTACHED.

- **Resolution #2016-27 53 W Main, Springville**

Resolution #2016-27 is a request to authorize sale of a vacant commercial lot to an adjacent owner who is in possession of an easement affecting the BENLIC-owned property, given the owner the right to ingress, egress and parking. The adjacent owner submitted an offer including a Property Purchase Application. Offer was for \$2,000. A motion to approve made by James Comerford Jr., seconded by Michael Siragusa and unanimously carried as approved.

Resolution #2016-27 ATTACHED.

6. **ACQUISITIONS:**

Resolution #2016-28 179 Westminster, Buffalo

Resolution #2016-28 is a resolution to approve acquisition of City of Buffalo-owned property for rehab. BENLIC will utilize OAG funds to rehabilitate and will resell to income-qualified buyer. A motion to approve the Resolution made by Joseph Maciejewski, seconded by OJ McFoy and unanimously carried as approved.

Resolution #2016-28 ATTACHED.

7. Executive Director Annual Review

A motion to amend Jocelyn Gordon, BENLIC Executive Director's contract regarding salary by 3%, to \$82,000.00 per annum, made by Joseph Hogenkamp and seconded by Tim Ball and unanimously carried as approved.

8. Proceeds Distributions (Informational):

Jocelyn Gordon explained to the Board distribution of proceeds of 290 Atlantic Ave., Sloan which sold and closed April 29. She explained that the costs for 290 Atlantic exceeded the sale price, and, according to the Corporation's Proceeds Distribution Policy, BENLIC will pay 10% of sale price of \$7,900 mostly to Erie County and with a very small portion to the Village of Sloan for reimbursement of foreclosure cost.

9. City of Buffalo In-Rem:

An update of the legislation at the state level regarding a land bank's assignment to an FGU was presented by Brendan Mehaffy. The legislation, Assembly version (A8156), had moved to committee to the Senate. Jocelyn Gordon also discussed some research currently being completed internally by Land Bank Staff. The intent is to plan for alternative mechanisms for BENLIC that may feasibly assist Buffalo to acquire significant property should the legislation not pass.

10. Executive Director's Report:

- Moving-Expansion Committee – Jocelyn Gordon commented to the Board that there have been some meetings scheduled to discuss possibilities of move out of the Rath Building and into a “neutral” location, including budgeting and service needs.
- Audit & Finance Committee – to meet immediately following adjournment of Board of Directors meeting to discuss independent review of corporation journal entries – a material deficiency noted as part of the independent annual audit FYE 2015.

Adjournment:

A motion to adjourn was made by Tim Ball and seconded by Michael Siragusa and unanimously carried as adjourned.

NEXT MEETING: Board of Directors – 11 a.m. Thursday, May 19, 2016
Location: Rath County Office Building, Room 1004

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