

# BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION

## BOARD OF DIRECTORS MEETING MINUTES

November 20, 2015 – 9 A.M.  
Edward A. Rath County Office Building  
95 Franklin Street, Room 1004  
Buffalo, New York 14202

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Call to Order by Thomas J. Dearing, Chair

### ATTENDANCE:

Board Members Present: Brendan Mehaffy, Joseph L. Maciejewski, Donna J. Estrich, OJ McFoy, Joseph Hogenkamp, Michael Siragusa, Thomas J. Dearing

Board Members Excused: Chris Schoepflin, Frank Krakowski, James Comerford, Timothy Ball

Fiscal Agent Present: Robert Keating

Executive Director: Jocelyn Gordon

Assistant Program Coordinator: Alex Carducci

GUESTS: Jennifer Beltre – COB-OSP, Jamie Kline – iqModular Homes

### NEW BUSINESS:

1. Roll Call
2. Approval of Minutes: The minutes of the October 23, 2015 Board of Directors Meeting were presented and reviewed. A motion was made to approve by OJ McFoy, seconded by Joseph Hogenkamp, and unanimously carried.
3. Treasurer's Report: Treasurer Joseph Maciejewski presented a Treasurer's Report from October 2015. A motion was made by Joseph Hogenkamp to approve, seconded by Donna Estrich, and unanimously carried.
4. Approval of Bids:

272 Kohler, City of Tonawanda – Jocelyn Gordon explained that the property at 272 Kohler had been extensively evaluated and that demolition of the property was recommended. Ms. Gordon described that staff spent considerable time exploring the possibility of new construction on the site. She explained that while new stick-built construction was likely too expensive, modular construction was feasible. Ms. Gordon introduced Jamie Kline, business development manager from iqModular Homes. Ms. Kline gave an overview of the company and of modular and panelized construction. She explained that the proposed project at 272 Kohler was a unique project because of the small site size and that it could be completed as a panelized structure (walls only built in

factory, home assembled on site). Tom Dearing asked what the process would be if the Board approved the bid. Jocelyn explained that if the bid was approved that there would be a construction agreement that would be signed by the Corporation. Michael Siragusa asked if the work had been bid out, Ms. Gordon informed that the engagement up to date was only with iqModular, that the work had not been bid out per se. Thomas Dearing expressed that the project was unusual in the stages of design and deliberation and that the Board’s decision process could make use of BENLIC Counsel Marty Polowy’s understanding. Brendan Mehaffy asked if there were other modular/ panelized companies in the area. Jocelyn Gordon responded that there were and explained that she felt that iqModular had outstanding qualities including a locally manufactured product, a Staff architect, pleasing aesthetics, and a high level of Staff responsiveness. Thomas Dearing expressed that it was a question of process of approval of the work and that he would like Marty to review and give a summary. Tabled.

69 Ross, Buffalo – BENLIC put out exterior work for bids for the building. Two bids were received:

<b>Contractor</b>	<b>Bid</b>
RJ Properties	\$ 17,905
Surety Construction	\$ 27,790

Motion to approve the recommended bid from RJ Properties made by Donna Estrich and seconded by OJ McFoy. Carried.

5. Property Disposition Guidelines – Update:

Alex Carducci explained the changes to the Guidelines subsequent to the amendments made to the Land Bank Act regarding disposition of property. Mr. Carducci explained that Land Banks are no longer required to follow the property disposition rules of Public Authorities Law. Marty Polowy revised the guidelines by removing the prior rules and the guidelines were presented to the Board in the revised form. Motion to approve by Joseph Maciejewski and seconded by Donna Estrich and unanimously carried.

6. Resolution# 2015-20 Disposition of 235 W Royal Parkway, Amherst – Jocelyn Gordon explained that the offer accepted by the Board of 235 W Royal Parkway had fallen through, that the buyer had cancelled contract after home inspection. She explained that the property was re-listed and that the procedure to dispose by sealed bid was no longer necessary pursuant to the recently-adopted legislation amended Public Authority’s Law regarding property disposition and land banks. Jocelyn Gordon explained that the property was re-listed and a new offer came in for \$135,000 including seller’s concession. The offer also included a purchase application with loan pre-qualification letter. Buyer may fit under the moderate income threshold for OAG affordable property. Motion to approve made by Joseph Maciejewski seconded by OJ McFoy. Carried.

7. Resolution # 2015-19 – Acquisition of 22 Allegany, Kenmore – The property is the first donation BENLIC has considered from JPMChase bank. Jocelyn Gordon expressed that the bank has not offered a cash concession. For all other Wells Fargo donations, the property donation has been accompanied by a cash concession. Motion to approve acquisition made by Joseph Maciejewski, seconded by Mike Siragusa. Carried.

Second Discussion Regarding Approval of Bids – 272 Kohler – Michael Siragusa asked to re visit the issue. Brendan Mehaffy expressed that the process would need to be a bid, not an RFP. Mr. Mehaffy read aloud from the Corporation’s Procurement Policy and expressed that there may be authority through Counsel to approve the form of the procurement. Mr Mehaffy believed that a motion could be made, contingent on Counsel’s review, to approve the bid. A motion to reconsider made by Brendan Mehaffy, seconded by Thomas Dearing. The following Motion to approve the bid of \$135,883 with 5% contingency,

*Read Aloud*

RESOLVED that the BENLIC Board of Directors hereby approve the bid,  
contingent upon approval by BENLIC Counsel approving the procedure  
under the Corporation’s procurement policy; and be it further,  
RESOLVED that Jocelyn Gordon, Executive Director of BENLIC, is to report  
back to the Board of Directors as to the procedures that were used to  
obtain the bid.

made by Brendan Mehaffy seconded by Joseph Maciejewski.

10. Proceeds Distribution Package – Sheridan-Parkside Vacant Lots: Proceeds distribution calculations were presented to the Board for the properties of 3-7 Lardner, 28 Browning, 32 Browning, 50-64 Burnett, 20-26 Whittier, and 45-55 Pyle.
12. December Board Meeting – On the schedule, there was originally no scheduled meeting for December, considering the projects in BENLIC’s pipeline, Tom Dearing expressed that there should be a meeting for December, on the third Friday of the month, 12/18/2015.

ADJOURNMENT: Motion by Mike Siragusa; seconded by Joe Maciejewski. Carried.

NEXT MEETING:

Board of Directors – 9 a.m. Friday, November 20<sup>th</sup>

Location: Rath County Office Building, Room 1004

Recorded by: Carol Wirth

Submitted for Approval: Thomas J. Dearing

Adopted by BENLIC Board Members on \_\_\_\_\_