

BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION

BOARD OF DIRECTORS MEETING MINUTES

October 26, 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, Donna J. Estrich, Michael Siragusa, Thomas Hersey, OJ McFoy, Timothy Ball

Board Members Excused: Christopher J. Schoepflin, Frank E. Krakowski, James Comerford Jr., Joseph Hogenkamp,

Fiscal Agent Present: Robert Keating

BENLIC Counsel Present: Martin Polowy

Executive Director: Jocelyn Gordon

Assistant Program Coordinator: Alex Carducci

Guests: Nate Neuman, Community Planner, City of Buffalo

HAND OUTS:

Agenda; Minutes of October 6, 2016 Board Meeting; Dispositions: **Resolution #2016-43** 316 Doris, West Seneca; **Resolution #2016-44** 69 Ross, Buffalo; **Resolution #2016-45** 93 Fuller, Buffalo; **Resolution #2016-46** 64 Hedwig, Cheektowaga. **Resolution #2016-47** Approval of 2017 BENLIC Budget ABO Report.

NEW BUSINESS:

1. Roll Call
2. Approval of Minutes: The minutes of the October 6, 2016 Board of Directors Meeting were presented and reviewed. A motion was made by Joseph Maciejewski, to approve, seconded by Michael Siragusa and unanimously carried as approved
3. Dispositions:
 - **Resolution #2016-43** 316 Doris, West Seneca

BENLIC acquired the property of 316 Doris Drive, West Seneca at Erie County's 2015 In Rem Foreclosure sale. BENLIC used funding from the New York State Attorney General's (OAG) grant award to rehabilitate the property. The property was listed for sale the first week of October 2016 at a price of \$114,900. After reducing the sale price to \$109,900, an offer of \$100,000 all cash was received from Anthony and Jodie Danstetter.

A motion to approve the disposition via the Resolution made by Joseph Maciejewski, seconded by Tim Ball and unanimously carried as approved.

Resolution #2016-43 ATTACHED.

- **Resolution #2016-44 69 Ross, Buffalo**

BENLIC acquired the property of 69 Ross via donation from Wells Fargo Bank NA in 2015. Funds from OAG Community Revitalization Initiative were used to rehab the property. The property was listed for sale the first week of October 2016 with an asking price of \$74,900. An offer was received by Cing Khat Huai for \$76,000.

The Board of Directors discussed making the property lead-safe, because the offeror has four children. Additionally a process to make properties lead safe was discussed by Brendan Mehaffy and Thomas Hersey, particularly for 69 Ross and 93 Fuller in Black Rock/Riverside. The cost to perform a basic lead examination would cost approximately \$400 per single-family property. Approval of the resolution with understanding that the property be made lead safe made by OJ McFoy, seconded by Donna Estrich and unanimously carried as approved.

Resolution #2016-44ATTACHED.

- **Resolution #2016-45 93 Fuller, City of Buffalo**

BENLIC acquired the property of 69 Ross via donation from Wells Fargo Bank NA in 2015. Funds from OAG Community Revitalization Initiative were used to rehab the property. The property was listed for sale the first week of October 2016 with an asking price of \$76,900. An offer was received by Manashan Htoo for \$76,900 with FHA financing and Noble House Property Group, \$76,900 with 20% cash. An incomplete application package was received from Noble House Property Group. A motion to approve the Resolution with understanding the property be made lead safe made by OJ McFoy, seconded by Tim Ball and unanimously carried as approved.

Resolution #2016-45 ATTACHED.

- **Resolution #2016-46 64 Hedwig, Cheektowaga**

BENLIC acquired the property of 64 Hedwig at Erie County's 2015 In Rem Foreclosure sale. Funds from OAG Community Revitalization Initiative were used to rehab the property. The property was listed for sale the first week of October 2016 with an asking price of \$59,900. An offer was received by Linda Robinson for \$54,900 with FHA financing. A motion to approve the Resolution made by Michael Siragusa, seconded by Tim Ball and unanimously carried as approved.

Resolution #2016-46 ATTACHED.

4. **Resolution #2016-47** Approval of 2017 BENLIC Budget ABO Report (*Action*)

Jocelyn Gordon explained that a Board approved budget is needed for 2017 to satisfy ABO compliance requirements. She explained that Audit & Finance Committee had not had a chance to review, but would review prior to submission and give approval. Alex Carducci reviewed the budget generally, explaining that the format is the same as the 2016 budget, with very similar accounts and consistencies. Board Chair Mehaffy commented that after Audit & Finance has reviewed the document that the Board should review. Brendan Mehaffy made amendment to Resolution to read "...that the BENLIC Board of Directors approves the 2017 BENLIC budget *for submission to ABO* contingent on review of same budget and comment by the BENLIC Audit and Finance committee."

Resolution #2016-47 ATTACHED.

5. Action regarding prior **Resolution #2016-42** Approval to Enter into 5 Year Lease Agreement with Brisbane Realty Associates.

Counsel Martin Polowy discussed that he had not been able to remove capital improvement costs of the building potentially applied to BENLIC over the lease term. Such costs could include major capital improvements – roofs, elevators, etc. The Board discussed the capital costs implications. Martin Polowy commented that such applied capital improvement costs are typical in long-term leases, not short-term leases such as BENLIC's 5 year. Martin Polowy proposed a reconsideration and revision of prior Resolution #2016-42 to authorize base rent expense and additional expenses in future years with reasonable cap of capital costs applied to lease. A motion to approve by OJ McFoy, seconded by Donna Estrich and unanimously carried as approved.

6. Review of Auctions and Superbid

Nathan Neuman from City of Buffalo Buffalo Urban Renewal Agency explained that BENLIC used its preferred bid for 57 houses, 62 lots, for a total of 109 properties from the City's In Rem foreclosure sale. Jocelyn Gordon explained that BENLIC acquired 17 structures and 9 lots from the County's In Rem foreclosure sale.

7. Annual Review – Alex Carducci (*Action*)

The Board of Directors voted for a promotion of Alex Carducci from the Assistant Program Coordinator role to Program Coordinator role, and for an increase in his salary to \$41,600 from \$36,500 effective retroactive to his anniversary date of July 25th.

Adjournment:

A motion to adjourn was made by Michael Siragusa and seconded by Joseph L. Maciejewski and unanimously carried as adjourned.

NEXT MEETING: Board of Directors – 11 a.m. November 17, 2016
Location: Rath County Office Building, Room 1004

Recorded by: Alex Carducci
Submitted for Approval: Alex Carducci

Adopted by BENLIC Board Members on _____