



BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION  
BOARD OF DIRECTORS MEETING MINUTES  
July 20, 2017 – 11:00 AM  
Brisbane Building Conference Room 521  
403 Main St. Suite 602  
Buffalo, New York 14203

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Call to Order by Brendan Mehaffy

ATTENDANCE:

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

Board Members Excused: Donna Estrich, Christopher J. Schoepflin

Fiscal Agent *Absent*: Robert Keating

BENLIC Counsel Present: Martin Polowy

Executive Director: Jocelyn Gordon

Program Coordinator: Alex Carducci

Guests: Ben Brown – BENLIC AmeriCorps; David Aldridge – BENLIC AmeriCorps.

HAND OUTS:

Agenda; Minutes of June 2017 Board Meeting; June 2017 Treasurer's Report; *Disposition Approvals*: **Resolution #2017-32**: 44 Sandrock, Buffalo; **Resolution #2017-33** 12880 Schutt, Sardinia; **Resolution #2017-34** 4639 Broadway, Depew. **Resolution #2017-35** Enter into Subcontract for Demolition Services – 511 Terrace, Depew. **Resolution #2017-36** Bid Approval – 66 Burch, West Seneca – Roof. **Resolution #2017-37** Revise Request for Foreclosure Forms (formerly SIR/MDR Forms) and Sample Resolution for Future RFF Process. BENLIC Business Plan – Draft.

NEW BUSINESS:

1. Roll Call
2. Approval of Minutes: The minutes of the June 15, 2017 Board of Directors Meeting were presented and reviewed. A motion was made by James Comerford Jr., to approve, seconded by Thomas Hersey and unanimously carried as approved.

3. Treasurer's Report: Treasurer Joseph Maciejewski presented a Treasurer's Report as of June 30, 2017 with a balance of \$ 2,128,446.01 (M&T Bank). A motion was made by James Comerford Jr. to approve, seconded by Thomas Hersey and unanimously carried as approved.

4. Dispositions:

- **Resolution #2017-32 Disposition of 44 Sandrock, Buffalo**

**Resolution #2017-32** - BENLIC acquired the property of 44 Sandrock, Buffalo via City of Buffalo In-Rem Auction #50. BENLIC considered the property as a good candidate for its first endeavor as "Note and Mortgage" in City of Buffalo. BENLIC made minor improvements to the property to attract buyers. BENLIC proposed to dispose the property to Ezra Littman for \$21,001 who would agreed to complete the required work scope (estimate cost of \$45,602). The work is secured by a lien held by BENLIC in the amount of \$21,001. Following the recommendation of the BENLIC Real Estate Committee, the BENLIC Board of Directors authorizes the disposition of the property in the amount of \$21,001 to Ezra Littman, and with second preference authorizes disposition to Michael Maywalt (offer of \$20,000) in accordance with property distribution guidelines of the Corporation. A motion was made by OJ McFoy to approve, seconded by Timothy Ball and unanimously carried as approved.

Chairman Mehaffy commented on the item asking if the offeror's held City Property Manager License, in accordance with the City's Property Management Ordinance. BENLIC staff remarked that they did not know, but would determine if they held the license.

Additionally Mr. Mehaffy asked BENLIC Counsel Martin Polowy what is needed to formalize the Real Estate Committee and Mr. Polowy replied that the committee would be formalized through charter.

**Resolution #2017-32 ATTACHED.**

- **Resolution #2017-33 Disposition of 12880 Schutt, Sardinia**

**Resolution #2017-33** – BENLIC acquired the property at Erie County In Rem 164. The Town had previously requested BENLIC to demolish a residence on the property and BENLIC funded the demolition under OAG Rd. 2 funding. BENLIC obtained an appraisal for the vacant land and sent out seal bid requests to two adjacent neighbors who had submitted prior purchase applications. BENLIC received only one response to the sealed bid. Robert Mages offered \$2,701 for the property. Mages would maintain the property as a garden. Following the recommendation of the Real Estate Committee, the BENLIC Board of Directors authorizes the disposition of the property to Robert Mages in amount of \$2,701. A motion to approve was made by Joseph Hogenkamp, seconded by James Comerford Jr., and unanimously carried as approved.

**Resolution #2017-33 ATTACHED.**

- **Resolution #2017-34 Disposition of 4639 Broadway, Depew**

**Resolution #2017-34** – BENLIC acquired the property at Erie County In Rem 165 in 2016. The property was submitted to the Corporation via the RFF Process. Post-evaluation, BENLIC identified this property as fit candidate for the Note and Mortgage

sale process. The property was listed at \$38,900 and later \$33,500, with a work scope cost of approximately \$60,000. BENLIC investment was limited with \$2,500 of improvements. Following the recommendation of the Real Estate Committee, BENLIC Board of Directors authorized the disposition to Chris Ciccarelli for \$20,000. The work will be secured by the BENLIC-held lien of \$20,000. The committee reviewed the buyer's application which included proof of purchase financing and documentation of prior residential rehab work. A motion to approve made by Joseph Maciejewski, seconded by James Comerford Jr., and unanimously carried as approved.

**Resolution #2017-34 ATTACHED.**

5. Resolution #2017-35 Authorization to Enter into Demolition Subcontract with Village of Depew.

Village of Depew has requested BENLIC to fund demolition of a condemned residence. The residence is adjacent to the Depew Boys and Girls Club; the Club has expressed written interest in acquiring the property from Erie County if vacant land. The property is headed for County tax auction in September 2017. Erie County is able to strike the property to itself and then convey to the Club. BENLIC had remaining some fund from OAG Rd. 2 award for County-wide demolitions. BENLIC Board of Directors authorized entering into a subcontract with the Village for \$18,900 for demolition services.

**Resolution #2017-35 ATTACHED.**

6. Bid Approval: Resolution #2017-36 Approve Bid for Roof – 66 Burch, West Seneca

BENLIC acquired 66 Burch, West Seneca at County In Rem in 2016. The Property requires a significant amount of work, but would make a good candidate for Note and Mortgage sale if immediate significant work is addressed – specifically roof replacement and seal. BENLIC estimated the work to cost \$13,004. Three bids were received, with bid date of June 16 and deadline of July 14 2017. BENLIC Board of Directors authorizes the bid of \$12,920 from Accurate Builders to perform construction services.

**Resolution #2017-36 ATTACHED.**

7. Resolution #2017-37 Revise RFF Forms (formerly SIR/MDR forms) and Sample Resolution for Future RFF Process

BENLIC staff updated and proposed amended forms for RFF Process. In lieu of the Standardized Inspector Report / Maintenance Disposition and Re-use forms, two distinct forms were proposed – one for structures, the other for lots. The content of the forms were changed in attempt to get more information or information all in one place when reviewing the Request for Foreclosure applications. Additionally the Sample Resolution was changed requesting a) municipalities take title to lots if after one year BENLIC is unable to dispose and b) municipalities agree to provide assistance to remove vehicles if vehicles are on BENLIC property. The BENLIC Real Estate Committee reviewed and considered the changes and recommended the changes at their meeting. The BENLIC Board of Directors authorized the new forms and the sample resolution, and that BENLIC Rules and Procedures be revised to reflect the changes. A motion was made by James Comerford Jr., seconded by Thomas Hersey and unanimously carried as approved.

**Resolution #2017-37 ATTACHED.**

8. Business Plan – Overview for Board Consideration

The Board was given a brief overview of a draft three-year Business Plan. Executive Director Jocelyn Gordon introduced the subject by discussing how the Plan represents use of BENLIC unrestricted funding, and that BENLIC has been arguably the most successful land bank in retaining funds from grants and from property sales.

BENLIC Program Coordinator Alex Carducci gave a presentation of the Plan. He discussed the approach BENLIC might take to determining how many and what kind of properties to acquire, improve and dispose over the next three years. Additionally, the business model and implementation was discussed in detail.

BENLIC staff informed the Board that more discussion on the Plan would be forthcoming, particularly the financial and risk sections of the plan document.

9. Real Estate Subcommittee

Jocelyn Gordon discussed the Real Estate Subcommittee meeting, including BENLIC's subscription into the NYS MLS system – providing BENLIC to list properties on Multiple Listing Service. Also discussed was successful process for NYS DOL Asbestos Investigation into some surveys obtained by BENLIC.

10. Executive Director's Report

Jocelyn Gordon provided her report including an update on New Construction Project in Lovejoy neighborhood of Buffalo. A travel item was presented that Jocelyn Gordon would be traveling to Albany to meet with other NY Land Bank staff and lawmakers to discuss permanent or recurring land bank funding.

Adjournment:

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

NEXT MEETING: Board of Directors – 11 a.m. August 17, 2017  
Location: Brisbane Building Conference Room 521 (403 Main St)

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