



## BOARD OF DIRECTORS MEETING MINUTES

April 26, 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, Joseph L. Maciejewski, Timothy Ball, Donna J. Estrich, Joseph Hogenkamp, James Comerford, Jr., Michael Siragusa

Board Members Excused: Christopher J. Schoepflin, Thomas Hersey, Frank E. Krakowski, OJ McFoy

Fiscal Agent Present: Robert Keating

BENLIC Counsel Present: Martin Polowy

Executive Director: Jocelyn Gordon

Program Coordinator: Alex Carducci

Guests: Nate Neuman

### HAND OUTS:

- a) Agenda; Minutes of March 28, 2017 Board Meeting; Treasurer's Report; **Resolution #2017-15** - Approve Extension of NYS OAG Rd. 2 Grant; *Bid Approvals:* **Resolution #2017-19** – 166 Pearl, Blasdell – Complete Project; *Disposition Approvals:* **Resolution #2017-20** – 392 Frankhauser, Amherst, **Resolution #2017-21** – 310 Wagner, Sloan, **Resolution #2017-16** – 50 Aurora, West Seneca, **Resolution #2017-22** – 26 Meadow Lea, Amherst, **Resolution #2017-23** – 59 N Main, Angola, **Resolution #2017-24** – 100 Sawyer, Tonawanda, **Resolution #2017-25** – 850 Tonawanda Creek, Amherst, **Resolution #2017-26** – 83 Roland, Sloan

### NEW BUSINESS:

1. Roll Call/ Sign-In
2. Approval of March 2017 Minutes: The minutes of the March 28, 2017 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.

3. Approval of Treasurer's Report: Treasurer Joseph Maciejewski presented a Treasurer's Report as of March 30, 2017 indicating balance of \$1,738,720.03 (M&T Bank). This balance is not yet reflective of the 3<sup>rd</sup> round of AG grants. A motion was made by Joseph Hogenkamp to approve, seconded by Donna J. Estrich, and unanimously carried as approved.
4. Approve LISC Grant Award Receipt
  - **Resolution #2017-17** – BENLIC received a grant award from Local Initiatives Support Corporation (LISC) in the amount of \$1,230,000. The Corporation requested authorization to sign and execute the grant agreement. A motion was made by Donna J. Estrich to approve, seconded by James Comerford, Jr., and unanimously carried as approved.
5. Amend Previous Disposition Resolution #2017-13 – 121 Irwinwood, Lancaster – Buyer Financing
  - **Resolution #2017-18** – The terms of the previously approved disposition of 121 Irwinwood, Lancaster, were up for amendment. The aforementioned approval was partially contingent upon a cash offer, while the applicant instead desires to finance the property. The other offeror from the previous resolution opted for financing as well, but at a lower price. A motion was made by Joseph Hogenkamp to approve, seconded by Michael Siragusa, and unanimously carried as approved.
6. Approval of Bids Over \$10,000:
  - a.) **Resolution #2017-19 – 166 Pearl, Blasdell – Complete Project**

**Resolution #2017-19** – 166 Pearl is a small single family ranch home in the Village of Blasdell. BENLIC submitted a full rehabilitation job out to bid, which was guided by the work-scope of staff inspector Corey Baskerville. There were reservations about the winning bid by M & V Home Repair (\$51,125) in that it was substantially lower than the other offer (\$95,160). The board felt comfortable as long as the contractors were aware that change orders would not be tolerated. A motion was made by James Comerford, Jr., to approve, seconded by Donna J. Estrich, and unanimously carried as approved.
7. Property Dispositions:
  - A.) **Resolution #2017-20 – 392 Frankhauser, Amherst**

**Resolution #2017-20** – The house at 392 Frankhauser will serve as a continuation of the Note & Mortgage program, where repairs are mandated as a condition of sale. The estimated cost of repairs on the house was just under \$21,000, and the listing price was 69,900. The best qualified offer was determined to be a veteran, who is a cash buyer, and plans to occupy the home. His offer was \$74,300, with a lien for 120% of the work estimate (\$25,021). A motion was made by James Comerford, Jr., to approve, seconded by Joseph L. Maciejewski, and unanimously carried as approved.

**B.) Resolution #2017-21 – 310 Wagner, Sloan**

**Resolution #2017-21** – 310 Wagner is a brick two-family home in the Village of Sloan. An investment of \$74,871 was devoted to the property's renovation. It was listed for \$92,900 and there were 9 complete offers submitted. The winning offeror sought to finance the home with a Neighborhood Assistance Corporation of America (NACA) loan; they would also occupy the home, with a family member occupying the second unit. A motion was made by Michael Siragusa, to approve, seconded by Timothy Ball, and unanimously carried as approved.

**C.) Resolution #2017-16 – 50 Aurora, West Seneca**

**Resolution #2017-16** – BENLIC listed the property at 50 Aurora for \$32,000 February 2017. The corporation invested \$45,000 in it knowing that they would likely lose money, but with the understanding that it was situated in a strategic area and presented an opportunity to help stabilize a neighborhood. The sole offer submitted was for \$29,900, though it was initially denied by BENLIC Staff due to income restrictions. BENLIC Staff confirmed with the Enterprise Grant Manager that the property could be sold without income restrictions. BENLIC re-contacted the offeror, who still had interest in the property. A motion was made by Timothy Ball to approve, seconded by Michael Siragusa, and unanimously carried as approved.

**D.) Resolution #2017-22 – 26 Meadow Lea, Amherst**

**Resolution #2017-22** – 26 Meadow Lea was acquired with expressed intent of turning property over to the Town of Amherst. They intended to exhaust their remaining CBDG funding on the project. Amherst initially planned to pay only the back taxes in return, which was roughly \$13,000. They raised their offer to \$20,000 upon request from the Executive Director, and claimed it was the most they could budget.

While there was an initial motion to approve that was also seconded, they were eventually withdrawn due to a perception the offer price was arbitrary, and possibly not reflective of what Amherst could truly offer. Among the concerns was the fact that the property was assessed at \$75,000, and there was no agreement to only pay back taxes in the resolution to acquire it at Auction. Consensus was that there needs to be a formula in place to determine adequate sales prices with regard to direct municipal transfers. The resolution was tabled pending further discussion.

**E.) Resolution #2017-23 – 59 N Main, Angola**

**Resolution #2017-23** – The property at 59 N Main in Angola is located right within the Village's central business district. \$57,411 was invested in its rehabilitation, but given the low demand in the surrounding market, it was listed at \$39,900 in January. After receiving no interest from a few months, a first-time homebuyer

submitted a cash offer of \$35,000, with the intent of occupying the structure year-round. However, there is some ambiguity in whether first floor residential is still permitted, given that the front structure was demolished. The board felt that the real property subcommittee should be discussing more complicated transactions such as this prior to the full meetings, and making their recommendations known. The resolution was tabled so that such action could be taken for this property.

#### **F.) Resolution #2017-24 – 100 Sawyer, Tonawanda**

**Resolution #2017-24** – The vacant commercial lot at 100 Sawyer had been in BENLIC possession since 2014. It was acquired at the request of the Town of Tonawanda whom indicated they had a buyer in place. That sale fell through, and the property received little interest since. After staff placed a “for sale” sign on the lot, it received an immediate inquiry. The owner of a nearby business offered \$100, and the board was amenable to moving the property, which has some environmental concerns, at any cost. A motion was made by Joseph L. Maciejewski to approve, seconded by Michael Siragusa, and unanimously carried as approved.

#### **G.) Resolution #2017-25 – 850 Tonawanda Creek, Amherst**

**Resolution #2017-25** – The small lot at 850 Tonawanda Creek was up for direct municipal transfer to the Town of Amherst. They intended to preserve it as open space with access to the existing bike path. They agreed to pay \$300, which was the assessed value of the lot at time of acquisition. A motion was made by Joseph L. Maciejewski to approve, seconded by James Comerford, Jr., and unanimously carried as approved.

#### **H.) Resolution #2017-26 – 83 Roland, Sloan**

**Resolution #2017-26** – The property at 83 Roland was acquired via judicial foreclosure in March 2017. It initially had a structure on it, which was demolished. An adjacent property owner had expressed interest in acquiring the lot from the onset, and submitted an offer of \$2,000.00 to do so. A motion was made by Donna J. Estrich to approve, seconded by Joseph Hogenkamp, and unanimously carried as approved.

8. **Approval Considering Sale Price Range and Material Factors:** An option to pre-approve dispositions based upon fitting certain criteria was referred to the Real Estate Subcommittee

9. Executive Director's Report: The audit/finance committee was set to meet after the board meeting. The director also sought to seek the blessing of the board to use remaining travel funds to match LISC scholarship offer for a trip to a "Land Bank Boot Camp" training seminar. The Board approved this funding since money remains in the 2017 Travel Budget. BENLIC staff attended the Erie Association of Governments dinner in Clarence on April 26, and the Executive Director did a presentation on current Land Bank activity. There are plans to conduct an open house event at 33 Donna, Depew, in the near future. BENLIC staff will also accompany Cheektowaga on administering their judicial warrants, and accessing RFF 2017 properties.

Adjournment:

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

NEXT MEETING:      Board of Directors – 11 a.m., May 18, 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 \_\_\_\_\_