



BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION
BOARD OF DIRECTORS MEETING MINUTES
April 19, 2018 – 11:00 AM
Brisbane Building Conference Room 521
403 Main St. Suite 602
Buffalo, New York 14203

Call to Order by Brendan Mehaffy

ATTENDANCE:

Board Members Present: Brendan Mehaffy, Timothy Ball, Michael Siragusa,
James Comerford Jr., O.J. McFoy, Joseph L.
Maciejewski

Board Members *Excused*: Donna J. Estrich, Joseph Hogenkamp, Thomas
Hersey, Frank Krakowski, Michael Ball

Board Members *Absent*:

Fiscal Agent Present: Robert Keating

BENLIC Counsel Present: Martin Polowy

BENLIC Staff: Jocelyn Gordon, Alex Carducci, Ben Brown

BENLIC AmeriCorps: Andrea Folgherait

Guests: Bill Parke - BURA

HAND OUTS:

Agenda; Minutes of April 2018 Board Meeting; April 2018 Treasurer's Report; Resolutions;
Rehab Grant Projects Inventory and Fund worksheet.

NEW BUSINESS:

1. Roll Call

2. Approval of March 2018 Minutes – with Real Estate Committee Minutes of 4/11/2018: The minutes of the March 22, 2018 Board of Directors Meeting were presented and reviewed. A motion to approve was made by Joseph Maciejewski, seconded by James Comerford, and unanimously carried as approved.
3. Treasurer’s Report: Treasurer Joseph Maciejewski presented a Treasurer’s Report as of March 29, 2018 with a balance of \$2,033,912.56 (M&T Bank). A motion was made by Joseph Maciejewski to approve, seconded by Timothy Ball, and unanimously carried as approved.
4. **Resolution #2018-27** - Approval of Erie County Public Benefit Services Contract 2018

BENLIC has been awarded \$10,000 through Erie County Budget for 2018. To receive these funds, BENLIC has to enter into an agreement with the County. BENLIC is awarded the funds based on public benefit services it provides. Use of the funds is limited to operational expenses only. A motion was made by Timothy Ball to approve, seconded by Michael Siragusa, and unanimously carried as approved.

5. Real Estate Committee Report:

A. *Dispositions*:

Resolution #2018-29 – Multiple Properties to the Town of Cheektowaga – Lot Sales

Of the 12 vacant lots The Buffalo Erie Niagara Land Improvement Corporation (BENLIC) acquired during the 2017 Erie County In-Rem Auction, 3 were pre-identified by the Town of Cheektowaga for future community development projects. These lots were located at 38 Barbara Place, 25 Hoerner Avenue, and 89 Gardenvale Avenue. BENLIC provided the Town with disposition price guidelines for lot transfers for use with community development block grant funded (“CDBG”) projects. The guidelines suggest disposition price for lots with CDBG funding should be about a value returned by an independent appraisal. BENLIC obtained the services of KLV Appraisal Group to conduct a professional independent third-party appraisal for all three lots. The appraisals were as follows: 25 Hoerner Avenue (SBL #101.60-5-29) - \$1,600, 38 Barbara Place (SBL #101.28-1-2) - \$1,600, 89 Gardenvale Avenue (SBL #91.06-14-19) - \$14,000. The Costs of BENLIC investment was extremely minimal of less than \$100.

BENLIC Real Estate Subcommittee Members have reviewed the proposed disposition and support the sale of the properties to the Town of Cheektowaga. Pursuant to the Property Disposition Guidelines of BENLIC, section 4.2(A), the Corporation may dispose of real property by negotiation was motioned to approve by Michael Siragusa, seconded by James Comerford Jr., and unanimously carried as approved.

Resolution #2018-30 – 129 David, Cheektowaga – Side Lot Sale

The Buffalo Erie Niagara Land Improvement Corporation (BENLIC) acquired 12 vacant side-lots within the Town of Cheektowaga during the 2017 Erie County In-Rem Auction. Of these 12 lots, 9 were selected for side-lot sales to adjacent property owners. In late 2017, BENLIC staff identified all possible adjacent owners, and solicited adjacent owner interest through direct mail. Adjacent

owners were directed to submit side lot purchase applications and state the intended use of the lot if acquired. Additionally, the letters stated that offers should be a minimum of \$500 to be considered for purchase. BENLIC received 2 offers, both adjacent to 129 David and both willing to combine the lot with their own property. Offeror Ryan Zimbardi (resident of 125 David) possesses an easement on the rear 50% of the lot BENLIC owns and has offered \$1,000 for the lot. Another offeror, Deborah Wanecski (resident of 131 David) is aware of the easement, has submitted an offer of \$1,050, and would use lot for planting a garden. BENLIC Real Estate Subcommittee Members have reviewed all offers and originally supported a disposition to Ryan Zimbardi for the side-lot purchase located at 129 David Avenue. However, once discussed more in depth and presented for the Board, there was some concern reflected toward disregarding the higher offeror because of the easement and liabilities associated with the lot. Additionally, there was still confusion around the existing easement on 50% of the lot, and discussion if it would be possible to split the lot for both offerors. Furthermore, the Board suggested in order to make an adequate decision, BENLIC should return to the higher offeror and discuss insurance liabilities that come with the lot due to the easement. A motion to table the side-lot sale of 129 David, Town of Cheektowaga was made by OJ McFoy, seconded by James Comerford Jr., and unanimously tabled.

B. Acquisitions:

Resolution #2018-31- 36 Longnecker, Buffalo – Lot for New Construction

The Buffalo Erie Niagara Land Improvement Corporation (BENLIC) received a \$180,000 grant award made by LISC (Local Initiatives Support Corporation) to develop a residential urban infill project within the City of Buffalo. BENLIC, with assistance from the City of Buffalo Office of Strategic Planning, identified the vacant lot at 36 Longnecker Street within the Lovejoy Neighborhood due to its strategic location and the project's ability to strengthen a historically healthy, low-moderate income community.

BENLIC has secured the professional services of Conway and Company Architects, via BENLIC Board of Director Resolution #2017-65, to design and gain the required site-plan approvals to initiate new housing construction on the parcel. Additionally, BENLIC has worked with Lovejoy District Councilmember, Richard Fontana, as well as local residents to discuss the project and address any potential stakeholder concerns.

As BENLIC must hold title in its own name during the development process and must hold clear title to the property to subsequently convey the property, an agreement to convey the properties to BENLIC is necessary. BENLIC staff proposes that the City convey the properties to BENLIC with the terms of the agreement following the City of Buffalo "Proceeds Distribution Policy" 2017. BENLIC, upon disposition of the properties, would have the same obligation to pay proportionately in whole or part the various amounts of prior-owing taxes and fees for the properties. The Board of Directors agrees to the recommendation to acquire and authorizes the acceptance of the above-mentioned property through execution of an agreement with the City of Buffalo and conveyance by quit claim deed from the City of Buffalo, was motioned to be approved by OJ McFoy, seconded by Joseph Maciejewski, and unanimously carried out as approved.

6. Bid Approvals

Resolution #2018-32 – Rehab Project – 77 East End, Cheektowaga (LISC Grant)

BENLIC acquired 77 E. End in the Town of Cheektowaga from the Erie County tax foreclosure auction in 2016. The property is a good candidate for LISC rehab funding, as it is a single-family home in a low-moderate income neighborhood. The property has been secured, cleaned-out, and abated of asbestos material. The bid was written by the BENLIC Building Inspector and includes major items:

- New roof, siding, and windows & doors;
- Painting, new flooring, interior doors, and trim;
- New water lines, electrical re-wire and new service, furnace, hot water heater;
- Bath and kitchen rebuild;
- Foundation work.

The structure is in distressed condition but is located on a border street (Cheektowaga-Buffalo line). Stabilization and rehab of the structure would not only provide a new homeowner to the community but also investment into community stabilization efforts - as such the property is a very fit candidate for LISC rehab.

BENLIC received 2 re-bids: Sunset Construction Homes, Inc. whose base bid was \$121,400, with additional alternate window replacement of \$8,500, totaling a complete bid of \$129,000. The second bidder, Residential Construction, Inc. had an base bid of \$107,525, with alternate window replacement of \$9,150, totaling a complete bid of \$115,425 – just under BENLIC Building Inspectors estimate of \$118,500 *exclusive of all window replacement*. The Board supported the additional alternate window replacement for the re-bid to ensure the long-term sustainability of the property. BENLIC Board of Directors approves the bid from Residential Construction Services Inc. of *not to exceed* \$115,425, was made to be motioned for approval by James Comerford, seconded by OJ McFoy, and unanimously carried as approved.

7. Executive Director's Report:

- Travel Item: Center for Community Progress Conference 5/15-5/17
- Finance Committee – budget amendment / Q1 2018 reports/ accounting system changes

8. Next Meeting- Change of Date – May 24th at 11:00 a.m.

9. HR Consultants Focus Group.

Adjournment:

A motion to adjourn the meeting was made by Timothy Ball, seconded by Michael Siragusa, and unanimously carried as adjourned.

NEXT MEETING: Board of Directors – 11 a.m. May 24, 2018
Location: Brisbane Building Conference Room 521 (403 Main St)

Recorded by: Andrea Folgherait, BENLIC Staff
Submitted for Approval: Jocelyn Gordon, Executive Director
Adopted by BENLIC Board Members on _____