



BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION  
BOARD OF DIRECTORS MEETING MINUTES  
October 11, 2018 – 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, Joseph Hogenkamp, Frank Krakowski, James Comerford Jr, Donna J. Estrich, Michael Siragusa, O.J. McFoy

Board Members *Excused*: Thomas Hersey, Timothy Ball

Board Members *Absent*:

Fiscal Agent Present: Excused

BENLIC Counsel Present: Martin Polowy

BENLIC Staff: Jocelyn Gordon, Ben Brown

BENLIC AmeriCorps: Andrea Folgherait

Guests: Bill Parke - BURA

HAND OUTS:

Agenda; Minutes of September 2018 Board Meeting; September 2018 Treasurer's Report; and Resolutions.

NEW BUSINESS:

1. Roll Call
2. Approval of September 2018 Minutes – with Real Estate Committee Minutes of 10/7/2018: The minutes of the September 20th, 2018 Board of Directors Meeting were presented and reviewed. A motion to approve was made by Donna Estrich, seconded by Joseph Hogenkamp, and unanimously carried as approved.

3. Treasurer's Report: Treasurer Joseph Maciejewski presented a Treasurer's Report as of September 30th, 2018 with a balance of \$2,081,401.86 (M&T Bank). A motion was made by Joseph Maciejewski to approve, seconded by Michael Sirgusa, and unanimously carried as approved.

4. Personnel Committee Report:

Andrea Folgherait, Assistant Program Coordinator  
Ben Brown, Real Estate Specialist

The Board went into Executive Session for discussion. A motion to end Executive Session was made by OJ McFoy, seconded by Michael Siragusa, and unanimously carried as approved. In Executive Session, it was determined that Andrea Folgherait was to be hired as Assistant Program Coordinator at an annual salary of \$35,000.00 effective November 1<sup>st</sup>, 2018. It was also established that Ben Brown is to receive an increase in salary from \$32,000.00 to \$46,500.00 effective November 1<sup>st</sup>, 2018.

5. Real Estate Committee Report:

A. *Acquisitions*:

**Resolution #2018-63** – NCST / Mr. Cooper Donations:

- 33 West, Village of Hamburg NY
- 2866 Main Street, Buffalo NY

Both properties have been offered as donations by the National Community Stabilization Trust (NCST). The NCST is a non-profit organization that works to achieve similar goals of eliminating property vacancy and abandonment throughout the United States. By settling REO Foreclosures, the NCST is able to donate, or sell property to community housing organizations. BENLIC Inspector John Good and BENLIC Sales Specialist Ben Brown, have toured the above referenced properties and have determined that all are appropriate candidates for acquisition. BENLIC staff believe the property would be marketable for resale sold either as a Note & Mortgage, or rehabbed by BENLIC. City of Buffalo Members on the Board were especially pleased BENLIC is acquiring 2866 Main Street. The property being across from Bennett High School and a known 'problem property' by its visible distress, BENLIC will be able to stabilize the structure.

Additionally, each property has the potential to make use of rehab-specific grant funds through the *NCST Mr. Cooper Program*. Through settlements with Mr. Cooper (aka Nationstar), properties acquired through the NCST Mr. Cooper Program are eligible to receive up to \$20,000.00 in funds. Properties under this program are not income restricted. BENLIC would utilize these funds for stabilization repairs before an eventual resale. The BENLIC Real Estate Subcommittee has reviewed the potential donations and supports acquisition. A motion to approve the acquisition of the two properties was made by Joseph Maciejewski, seconded by James Comerford Jr., and unanimously carried out to amend.

*B. Dispositions:*

**Resolution #2018-64** – 107 Longview, Buffalo – OAG Rehab

BENLIC acquired the property of 107 Longview Avenue, City of Buffalo via City of Buffalo In-Rem 54 in 2016. BENLIC used funding from the New York State Attorney General's (OAG) Office Community Revitalization Initiative grant award to rehabilitate the home. BENLIC listed the property for sale in August 2018 at a price of \$57,900. As an OAG funded project, qualified offers must make no more than 100% the Erie County Area Median Income adjusted for household size. This property was originally approved in September, but soon after the Boards approval the prospected buyer decided to back out. BENLIC had realtor, Kiersten Minnick, reach out to the previous interested buyers to see if any remained interested in re-submitting their package, as this was later in the month, and there was not enough time to relist the property and properly manage the influx of purchase packages. Receiving 5 offers, BENLIC and Real Estate Committee recommended 2 offerors, first priority offeror Constance Bailey, whom has previously applied for a BENLIC property, Bailey submitted a complete package and an offer of \$75,000.00-the Board also authorized the disposition of the property for no less than \$62,901.00 subject to BENLIC review of the institutional appraisal. A motion to approve was made by Joseph Maciejewski, seconded by Joseph Hogenkamp, and unanimously carried out as approved.

**Resolution #2018-65**- 375 Northumberland, Buffalo – OAG Rehab

BENLIC acquired the property of 375 Northumberland Avenue, City of Buffalo via City of Buffalo In-Rem 54 in 2016. BENLIC used funding from the New York State Attorney General's (OAG) Office Community Revitalization Initiative grant award to rehabilitate the home. BENLIC listed the property for sale in August 2018 at a price of \$62,900. As an OAG funded project, qualified offers must make no more than 100% the Erie County Area Median Income adjusted for household size. Similarly, to 107 Longview, this property was originally approved in September, but soon after the Boards approval the prospected buyer had decided to back out. BENLIC again had realtor, Kiersten Minnick, reach out to the previous interested buyers to see if any remained interested in re-submitting their package. BENLIC was also able to relist this property because there was enough time (10 days) for complete packages to be submitted. Receiving 8 offers again, BENLIC and Real Estate Committee recommended 2 offerors. First priority offeror, Ariska Puenti and Angel Santi, showed solid financial history, stable savings, and a complete package. BENLIC presented their offer of \$85,000.00- the Board authorized the disposition of the property for no less than \$72,751.00 subject to BENLIC review of the institutional appraisal. A motion to approve sale was made by Joseph Maciejewski, seconded by Joseph Hogenkamp, and unanimously carried out approved.

**Resolution #2018-66**- 9389 Orange-Note & Mortgage Rehab

BENLIC acquired the property of 9389 Orange Street, Town of Evans via the 2016 Erie County In-Rem Foreclosure Auction. BENLIC listed the property for sale in July 2018 at a price of \$15,000. This property was selected for BENLIC in-house sales. BENLIC staff held property showings, collected offers, and fielded property inquiries as opposed to third-party realtors. BENLIC has invested \$21,090.00 already into the property, however the property will need an estimated \$64,850.00 in repairs, and hold a lien value of \$50,000.00. There were two offerors for this property, priority offer of MWE, LLC, a licensed contractor, was presented by BENLIC, a

cash offer of \$15,000.00 for renovate and resale. MWE, LLC showed available funds up to \$90,000.00, and a planned investment of \$40,000.00. A motion to approve was made by Micheal Siragusa, seconded by Joseph Maciejewski, and unanimously carried as approved.

**Resolution #2018-67-** 947 Bellevue, Cheektowaga – Note & Mortgage Rehab

BENLIC) acquired the property of 94 Bellevue Avenue, Town of Cheektowaga via the 2017 Erie County In-Rem Foreclosure Auction. BENLIC listed the property for sale in September 2018 at a price of \$10,000.00 This property was selected for BENLIC in-house sales. BENLIC staff held property showings, collected offers, and fielded property inquiries as opposed to third-party realtors. BENLIC received one offeror, Kurtz Development LLC; a submission of \$12,000.00 for renovate and resale, with prior experience, \$53,036.00 in available funds, and a proposed investment of \$18,000.00. The property is estimated to have \$16,050 left in repairs - BENLIC has had a minimal investment of \$150.00 and has a lien on the property for \$13,161.00. A motion to approve sale was made by Joseph Maciejewski, seconded by Donna Estrich, and unanimously carried as approved.

**Resolution #2018-68-** 2355 Genesee Street – Note & Mortgage Rehab

BENLIC acquired the property of 2355 Genesee Street, Town of Cheektowaga via Erie County In-Rem. BENLIC listed the property for sale in August 2018 at a price of \$39,900.00 This property was listed by a third-party realtor. The property was part of a package of three investor-appropriate City of Buffalo properties. BENLIC hoped by ‘bundling’ the properties with one realtor it may enhance the possibility of finding a responsible buyer to return the properties to productive use.

BENLIC has invested \$4,155.00 into the property for cleaning out and securing it, there is an estimated \$41,200.00 in repairs left, and a lien value of \$33,000.00. BENLIC received an offer from Sm Al Momin who plans to operate the property as rental units and already operates 25 units in Buffalo/Cheektowaga area, as well as performing majority of the renovation on his own. Momin submitted a cash offer price of \$30,500.00, with \$96,628.00 in available funds, and a proposed investment of \$50,000.00. A motion was made by Michael Siragusa, seconded by Frank Krakowski, and unanimously carried as approved.

**Resolution #2018-69-** 257 Chapel, Cheektowaga – Side Lot Sale

BENLIC acquired 12 vacant side-lots within the Town of Cheektowaga during the 2017 Erie County In-Rem Auction. Of these 12 lots, nine were selected for private sale. In June of 2018, BENLIC began to publicly market remaining vacant side-lots that did not receive offers from adjacent property owners. BENLIC used prior professional appraisals of nearby vacant lots to establish a per-square-foot price for the remaining properties. BENLIC received one offer, Michael Caruso, of \$1,500.00 to maintain the lot with future plans to construct a possible home for his daughter. A motion was made by James Comerford Jr., seconded by Joseph Maciejewski, and unanimously carried out as approved.

6. **Resolution #2018-70-** City of Buffalo – In Rem 2018 Authorization to Bid Properties

BENLIC adopted Resolution #2018-57 authorizing BENLIC and the City of Buffalo to enter into a Pre-Emptive Bid Assignment.

The City of Buffalo is interested in having BENLIC bid and then assign potentially 155 properties at the October 2018 In Rem Foreclosure Sale. The City of Buffalo Office of Strategic Planning has identified properties through a particular selection process. Pursuant to the terms of the Pre-Emptive Bid Assignment Agreement, the City provides BENLIC a list of properties. If there is any election by the City to remove and not preemptively bid on any approved properties, the BENLIC Board Chair would provide BENLIC Staff a list of such removed properties in writing at least one day prior to the applicable date at which the properties would be auctioned. Similarly, there might be an election by the City to add properties. A motion to approve the list of properties in which the City desires BENLIC to preemptively bid to was motioned by OJ McFoy, seconded by James Comerford Jr., and unanimously carried out as approved.

7. **Resolution #2018-71** – Approval 2019 Budget for the NYS ABO Budget Office  
BENLIC must prepare and provide an annual budget to New York State. As BENLIC is a local public authority of the State, it must provide such budget to remain in compliance at least sixty (60) days before start of BENLIC fiscal year (January 1). The budget was drafted with the assistance of senior Staff from Lumsden & McCormick, LLP as a part of their contracted menu of services for BENLIC.

The BENLIC Audit & Finance Committee has reviewed the 2019 NYS ABO-specific budget with BENLIC staff.

An amendment was made to authorize the Executive Director of BENLIC to submit required anticipated Budget to ABO by James Comerford Jr., seconded by Joseph Hogenkamp, and unanimously approved. A motion to approve this amendment was made by Joseph Maciejewski, seconded by Joseph Hogenkamp, and unanimously carried as approved.

*Executive Director's Report:*

- County In-Rem 166 Results
- October 24<sup>th</sup> (full day): Invitation to Participate in University at Buffalo Workshop: “what’s Net for Buffalo Niagara” in Housing / Neighborhoods Working Group
- Proposed November EK Ward Board Meeting

Adjournment:

A motion to adjourn the meeting was made by James Comerford Jr., seconded by Michael Siragusa, and unanimously carried as adjourned.

NEXT MEETING: Board of Directors – 11 a.m. November 15th, 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 \_\_\_\_\_