



BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION
BOARD OF DIRECTORS MEETING MINUTES
March 28, 2019 – 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, James Comerford Jr., Joseph L. Maciejewski, Joseph Hogenkamp, Frank Krakowski, Donna J. Estrich, Timothy Ball, O.J. McFoy, Michael Siragusa, Amanda Mays

Board Members *Excused*: Thomas Hersey

Board Members *Absent*:

Fiscal Agent Present: Robert Keating

BENLIC Counsel Present: Martin Polowy

BENLIC Staff: Jocelyn Gordon, Ben Brown, Andrea Folgherait

Guests: Bill Parke – BURA, Carl Widmer – D & M, Joseph Trapp – Third Estate Ventures

HAND OUTS:

Agenda; Minutes of February 2019 Board Meeting; February 2019 Treasurer's Report; 2018 Independent Audit, Annual Report; Annual Report Materials, Board of Directors Evaluations, Resolutions; and Enforcement Note Discharge

NEW BUSINESS:

1. Roll Call

2. Approval of 2018 Reports (*Action*):

- 2018 Independent Audit – Financial Statements, Management Letter, Internal Controls
- Procurement

- Investment
- Property
- Performance Measurement
- Completion of Board of Directors Evaluations
- Annual Report

A motion to approve all reported items listed above as a joint approval was made by Michael Siragusa, seconded by Timothy Ball, and unanimously carried as approved.

3. Election of Officers for 2019 (*Actions*): *To Continue into 2019*

- Chair – Brendan Mehaffy
- Vice Chair – Joseph Hogankamp
- Treasurer – Joseph Maciejewski
- Secretary – Frank Krakowski

A motion to approve all the Elected Officers listed above as one motion was made by Michael Siragusa, seconded by Donna Estrich, and unanimously carried as approved.

4. Election of Committee Members, including Chairs of Committees (*Actions*): *To Continue into 2019*

- Governance Committee – Timothy Ball
- Audit & Finance Committee – Donna Estirch
- Real Estate Subcommittee – Joseph Maciejewski

A motion to approve all the Elected Officers listed above as one motion was made by Michael Siragusa, seconded by Donna Estrich, and unanimously carried as approved.

5. Approval of February 2019 Minutes – with Real Estate Committee Minutes of 3/13/2019:

The minutes of the February 21st, 2019 Board of Directors Meeting were presented and reviewed. A motion to approve was made by Joseph Hogankamp, seconded by Amanda Mays, and unanimously carried as approved.

6. Treasurer’s Report: Treasurer Joseph Maciejewski presented the February 2019 Treasurer’s Report as of February 28th, 2019 with a balance of \$2,508,078.22 – noting this includes the additional \$1 million dollars BENLIC recently transferred to place on a CD. A motion was made to approve by Joseph Maciejewski, seconded by Michael Siragusa, and unanimously carried as approved.

7. Annual Review/ Approval of Corporation Policies (*Actions*): *To Continue policies into 2019 – There are no changes, as with previous years*

- Investment and Deposit Policy
- Code of Ethics/ Conflict of Interest Policy
- Property Disposition

A motion to approve the Corporation Policies listed above as one motion was made by James Comerford Jr., seconded by Joseph Hogankamp, and unanimously carried as approved.

8. Real Estate Committee Report:

A. *Dispositions:*

Resolution #2018-11 – Disposition of 90 Vern, Town of Cheektowaga

The Buffalo Erie Niagara Land Improvement Corporation (BENLIC) acquired the property of 90 Vern Lane, Town of Cheektowaga via the 2018 Erie County In-Rem. BENLIC listed the property for sale in March 2019 at a price of \$89,900.00, with an investment of \$3,715.00 in stabilization work. The property has an estimated cost of \$8,350.00 remaining in repairs; there will be an \$8,350.00 lien value held on the property for one year while the buyers complete the required work scope. This property was marketed in-house by BENLIC staff and is being sold under BENLIC's Note and Mortgage Program – therefore, there are no income requirements. BENLIC received six offers ranging from \$75,000 to \$115,000.00, including both owner occupants and renovate and resale cash offers. Austin Ables submitted the highest and best offer of \$115,000.00 using SONYMA, Ables has a loan to provide for purchase and rehab, as well being an owner occupant. A motion to approve was made by Joseph Maciejewski, seconded by James Comerford Jr., and unanimously carried as approved.

Resolution #2019-12 – Disposition of 100 Lordan, Town of Cheektowaga

BENLIC acquired 100 Lordan, Town of Cheektowaga via the 2018 Erie County In-Rem. There was extensive preservation work done by BENLIC, investing \$10,938.00, before marketing the property as a Note and Mortgage opportunity through in-house sales staff. BENLIC listed the property for sale in March 2019 at a price of \$70,000.00 with an estimated \$56,600.00 cost of repairs, and a lien value of \$46,412.00 over the course of one year. BENLIC received nine offers ranging from \$38,000 to \$85,500.00, including both owner occupants and renovate and resale. The Board discussed the pros and cons of owner occupant versus renovate and resale to an owner occupant and at what offer price makes a difference. The Board approved Nicholas Giambra's submission of \$85,500.00 for renovate and resale to a homeowner. Giambra proposed an investment of \$69,000.00 and provided proof of \$135,000.00 available in funds for renovation. A motion to approve was made by Donna Estrich, seconded by James Comerford Jr., and unanimously carried as approved. The Board also made a motion to amend RJM Homes LLC. renovate and resale as second priority offer, the following highest submission package of cash offer \$80,000.00, and proposing significant investment and proof of available funds. The motion to approve second priority offer was made by Joseph Maciejewski, seconded by Michael Siragusa, and unanimously carried as approved.

Resolution #2019-13 – Disposition of 19 Grove Terrace, City of Tonawanda - Note and Mortgage Private Sale

BENLIC acquired the property of 19 Grove Terrace, City of Tonawanda via the 2017 City of Tonawanda In-Rem Auction. This property was one of three City of Tonawanda Note and Mortgage opportunities offered for sale at the same time by a third-party realtor. The property was listed for sale in January 2019 at a price of \$39,900.00, with an estimated \$38,000.00 in cost of repairs, and a lien of \$31,898.00 over the next year. BENLIC received just one offer on the property, a prior BENLIC purchaser, Leone Dwellings LLC., submitted a cash offer of \$22,000.00 for renovate and resell and provided \$90,000.00 available in funds. A motion to approve was made by Joseph Hogankamp, seconded by James Comerford Jr., and unanimously carried as approved.

Resolution #2019-14 – Disposition of 100 Leddy, City of Buffalo

BENLIC acquired six vacant lots during the 2018 City of Buffalo In-Rem Auction; one was pre-identified by the Valley Community Association for acquisition. The Valley Community Association plans to hold title to the vacant lot and explore developing public green space, additional community center parking, or as a site for promoting community center activities. A motion to dispose of the vacant lot to the Valley Community Association for \$500.00 was made by Joseph Maciejewski, seconded by Michael Siragusa, and unanimously carried as approved.

Resolution #2019-15– Disposition of Multiple Vacant Lots to Bailey Green LLC

Of the six (6) vacant lots acquired during the 2018 City of Buffalo In-Rem Auction, three were pre-identified by Baily Green LLC. for future community development projects. Lot locations, SBL#, and proposed disposition prices: 126 Wende Street (SBL #101.32-4-13) - \$500, 148 Wende Street (SBL #101.32-4-6) - \$500, 130 Kilhoffer Street (SBL #101.32-2-22) - \$500. Bailey Green LLC. proposes to donate these properties to established community development organizations such as Habitat for Humanity in order to promote ongoing redevelopment efforts in the neighborhood. Greenspace, community farms, and infill housing construction are potential end-uses for the vacant lots. A motion to dispose of the vacant lots to Bailey Green LLC. for \$500.00 each was made by OJ McFoy, seconded by James Comerford Jr., and unanimously carried as approved.

B. Note & Mortgage Discharge:

BENLIC Board of Directors were informed that BENLIC Building Inspector found all work required under the Note and Mortgage documents has been completed in a proper and satisfactory manner:

- 1040 Backus Road, Town of Evans (Action)

A motion to approve was made by Mike Siragusa, seconded by Timothy Ball, and unanimously carried as approved.

9. Executive Director's Report:

10. Executive Session (*Action*) – No Executive Session Held

Adjournment:

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

NEXT MEETING: Board of Directors – 11 a.m. April 18th 2019
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 _____