



BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION
BOARD OF DIRECTORS MEETING MINUTES

March 5th, 2020 – 11:30 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, William Reece, OJ. McFoy,
Scott Bylewski, Donna J. Estrich, Timothy Ball,
Thomas Hersey, Amanda Mays, Frank Krakowski

Board Members *Excused*: Michael Siragusa

Board Members *Absent*: James Comerford Jr.

Fiscal Agent Present: N/A

BENLIC Staff: Jocelyn Gordon, Ben Brown, Andrea Folgherait,
Marjorie McAllister

HAND OUTS:

Agenda; Minutes of January 2020 Board Meeting; January 2020 Treasurer's Report; Approval of December 2019 Amended Minutes, Vacant to Value Discharges; Vacant to Value Extensions; Dispositions

NEW BUSINESS:

1. Roll Call
2. Approval of January 2020 Minutes with Real Estate Committee Minutes and Amended Minutes of December 2019: The minutes of the January 30th, 2020 Board of Directors Meeting were presented and reviewed. Additional approval of the amended December 2019 minutes were presented and reviewed. Language was added to the December 2019 minutes to provide clarity that there was no action taken in executive session. The December 2019 minutes were clarified to report the approval of salary increases. It was also noted that Scott Bylewski abstained from the motion approving the December 2019 Board Meeting Minutes because he was not a yet a board member. A motion to approve was made by Donna Estrich, seconded by OJ McFoy, and unanimously carried as approved.

3. Treasurer's Report: Chairman Mehaffy presented the January 2020 Treasurer's Report as of January 31st, 2019 with a balance of \$2,719,180.79, this includes \$1,500,000.00 in Treasury Bills the Corporation filed for in late December of 2019. A motion was made to approve by Timothy Ball, seconded by OJ McFoy, and unanimously carried as approved.
4. Real Estate Committee Report: Real Estate Sub Committee minutes of 2/26/2020 were recorded and are discussed as followed:

A. Dispositions:

Resolution #2020-7 – Disposition of 2 Redwood, Cheektowaga

BENLIC acquired the property of 2 Redwood Drive, Town of Cheektowaga via Erie County In-Rem Auction in 2018. The Corporation used \$95,199.00 of funds from the New York State Attorney General's (OAG) Office Community Revitalization Initiative grant award, and \$23,800.00 of BENLIC funds to rehabilitate the home. BENLIC listed the property for sale in January 2020 at a price of \$114,000.00. As an OAG funded project, qualified offers must make no more than 100% the Erie County Area Median Income adjusted for household size. BENLIC received one offer from an owner occupant for \$118,00.00, using a NACA loan, with an anticipated close date of 4/18/2020. A motion to approve the sale was made by Thomas Hersey, seconded by Amanda Mays, and unanimously carried as approved.

Resolution #2020-8 – Disposition of 52 Olcott, Cheektowaga

BENLIC acquired the property of 52 Olcott Place, Town of Cheektowaga via 2018 Erie County In-Rem Auction. The single-family home had been identified by Habitat for Humanity Buffalo as a strategic acquisition for rehab and resale to an income-eligible family. Since early 2018, BENLIC and Habitat for Humanity continue a partnership to support housing activity in the Town of Cheektowaga - 52 Olcott Place is within close proximity to past, current, and future development projects by the organization. BENLIC had minimal investment into the property, a total of \$1,200.00 was used in order to stabilize and cleanout the interior. In accordance with BENLIC's Property Disposition Guidelines, the sale price is in the amount of \$7,500 by an Agreement of Sale of Real Property with offeror, Habitat for Humanity Buffalo. Habitat will rehab the property and sell to an income eligible buyer, comply with a two-year completion time period, and obtain a Certificate of Occupancy. A motion to approve the sale was made by Timothy Ball, seconded by William Reece, and unanimously carried as approved.

Resolution #2020-9 – Disposition of 28 Hinchey, Village of Lancaster

BENLIC acquired six vacant side-lots in cooperation with the Village of Lancaster during the 2018 Erie County In-Rem Auction. BENLIC staff solicited adjacent owner interest through direct mail in April of 2019 stating that offers should be a minimum of \$500 to be considered for purchase, and directed to submit side lot purchase applications and state the intended use of the lot if acquired. Additionally, an informational flyer was included from the appraisal firm KLV Appraisal, as each lot independently appraised ahead of a direct mail campaign to better determine fair market value. The appraised value of the vacant lot was \$22,000.00, BENLIC received two offers. Divert Properties, LLC. submitted an offer of \$20,100.00, and included that

the plan was to explore single family residential infill and discussed a proposed plan with the Village Building Department. The second offeror was for \$15,000.00 similarly proposing to explore a 2-3-unit infill construction and also had discussed the plan with the Village Building Department. The Board discussed any possible environmental concerns due to the nearby tire factory and if BENLIC performs any Environmental Phase I or Environmental Phase II. BENLIC performs an Environmental Review, not quite a Phase I, but nothing of concern arose. A motion to approve the sale to the higher offer was motioned by Timothy Ball, seconded by William Reece, and unanimously carried as approved.

Resolution #2020-10 – Disposition of Multiple Vacant Lots, Evans

BENLIC acquired the property of 0 Lake Crest Road and 0 South Creek via 2017 Erie County In-Rem Auction and 9579 Lakeshore Road, Town of Evans via 2018 Erie County In-Rem Auction. The vacant lots were targeted by the Town during the 2017/2018 Request for Foreclosure Process for future public-space enhancement projects. BENLIC provided the Town with disposition guidelines for lot transfers for open space/recreation use. The guidelines suggest a disposition price of the properties set at the assessed value. The Town of Evans communicated that they would be unable to purchase the lots for this value. BENLIC Staff requested that the Town submit a formal offer letter for each property so that it could be reviewed with the BENLIC Real Estate Subcommittee. In February of 2020 BENLIC received this offer letter detailing the proposed use, public benefit, and purchase price for each property. The proposed purchase and assessed values are as follows:

- 0 Lake Crest Road – Assessed: \$45,000.00 Proposed Purchase Price: \$500.00
- 0 South Creek Road – Assessed: \$43,300.00 Proposed Purchase Price: \$500.00
- 9579 Lake shore Road – Assessed: \$15,000.00 Proposed Purchase Price: \$2,900.00

BENLIC Staff reviewed details of the offer letters with the Real Estate Subcommittee in February 2020. A \$500 disposition value for both 0 Lake Crest Road and South Creek was believed to be fair if the Town of Evans agreed to a deed restriction dictating permanent open space and/or public use for the land. Town Officials communicated that this restriction would be acceptable. The Town communicated that the appraised value of 9575 Lake Shore Road was acceptable if the property was disposed of without deed restrictions. Initial plans by the Town specified public use however they did not want to limit the possibility of future private commercial development as it is located adjacent to the “Lake Erie Beach mixed use hamlet”. The Board of authorized the disposition of all three properties by an Agreement of Sale of Real Property with offeror Town of Evans. However, requesting that 0 Lake Crest Road and 0 South Creek Road are subject to a restrictive covenant requiring the property to be used, maintained and/or developed for permanent public use and that 9575 Lake Shore Road if sold at appraised value. A motion to resolve was made by Thomas Hersey, seconded by William Reece, and unanimously carried out as resolved. A motion to approve as amended was made by Thomas Hersey, seconded by Amanda Mays, and unanimously carried out as resolved.

5. Vacant to Value Activity:

A. Extensions

Resolution #2020-11- 231 Adam Street, City of Tonawanda – Vacant to Value Extension

BENLIC acquired the property of 231 Adam Street, City of Tonawanda via the 2018 City of Tonawanda In-Rem Foreclosure Auction. The Corporation disposed the property via Resolution #2019-6 in February 2019 to James and Kim DiLorenzo for \$39,900.00, the property with the Vacant to Value Agreement for \$48,380.00 (the “Agreement”). BENLIC Staff has been in communication with the purchasers who report additional time will be needed to satisfy the required rehabilitation work under the Agreement. BENLIC Staff believes this request to be reasonable due to the original condition of the home and significant work performed to-date by the purchasers. A motion to approve the term of the agreement by six months from March 24, 2020 to September 29, 2020 was made by Thomas Hersey, seconded by William Reece, and unanimously carried as approved.

B: Discharges

78 Avery Place, Cheektowaga

On March 25, 2019, Matthew Lijewski purchased the above property subject to a Note and Mortgage in the amount of \$26,846. BENLIC received a letter from Matthew Lijewski on February 18, 2020 informing BENLIC that all work has been completed on the property and requesting that the Note and Mortgage Lien be discharged. BENLIC property inspector found that all required work from the Vacant to Value documents had been completed to a proper and satisfactory matter. A motion to approve the discharge of the lien was made by OJ McFoy, seconded by Donna Estrich, and unanimously carried as approved

A motion to adjourn the meeting was made by Timothy Ball, and seconded by Thomas Hersey

6. Executive Director’s Report:

- BENLIC 2019 Audit –Dresher and Malecki Audit/ Finance Committee Teleconference 3/17

NEXT MEETING: Board of Directors – 11 a.m. March 19th, 2020

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 _____