



BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION  
BOARD OF DIRECTORS MEETING MINUTES  
October 15<sup>th</sup>, 2020 – 11:00 AM -Via Teleconference  
Buffalo, New York 14203

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Call to Order by Brendan Mehaffy

ATTENDANCE:

Board Members Present: Brendan Mehaffy, Michael Siragusa, Scott Bylewski, Timothy Ball, Thomas Hersey, Frank Krakowski, William Reece, Donna J. Estrich, James Comerford Jr., Amanda Mays, Michael Grifa

Board Members *Excused*: OJ McFoy

Board Members *Absent*:

Fiscal Agent Present:

BENLIC Counsel Present: Benjamin Macaluso

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

HAND OUTS:

Agenda; Minutes of September 2020 Board Meeting; September 2020 Treasurer's Report; BENLIC 2021 Budget, Approval to Bid Properties at 2020 Erie County In-Rem Tax Foreclosure Auction, Dispositions, Bid Approvals, Vacant to Value Discharges, Vacant to Value Extensions

NEW BUSINESS:

1. Roll Call

2. Approval of May 2020 Minutes with Real Estate Committee Minutes:

The minutes of the September 17th, 2020 Board of Directors Meeting were presented and reviewed. A motion to approve was made by Timothy Ball, seconded by Michael Siragusa, and unanimously carried as approved.

3. Treasurer's Report: Board chair Mehaffy presented the September 2020 Treasurer's Report, as of September 30th, 2020, the balance was \$3,560,489.96. The balance includes \$1,500,000.00 in Treasury Bills the Corporation filed for in late December of 2019. A motion to approve was made by Timothy Ball, seconded by Donna Estrich, and unanimously carried as approved.
4. Audit and Finance Committee Report

**Resolution #2020-34** - Approval of 2021 Budget for the NYS ABO Budget Office

BENLIC is a local public authority of New York State. In order to remain in compliance with the State, BENLIC prepares and provides an annual budget at least sixty (60) days before the start of BENLIC fiscal year (January 1) to submit to the Authority Budget Office. 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. One minor change in the budget is the increase in Professional Services budget, this is due to more day to day administrative services needed. Another note is the \$650,000.00 left in grant funding from the New York State Attorney General's Office, once this funding is spent there is no guaranteed future funding for New York State Land Banks. The BENLIC Audit & Finance Committee has reviewed the 2021 NYS ABO-specific budget with BENLIC staff. A motion to approve BENLIC's 2021 Budget was made by Timothy Ball, seconded by Donna Estrich, and unanimously carried as approved.

**Resolution #2020-35** - Approval to Bid Properties at 2020 Erie County In-Rem Tax Foreclosure Auction

BENLIC conducted its an annual Request for Foreclosure (RFF) Process. This process involves reaching out to representatives from Erie County municipalities to review eligible tax-delinquent parcels. They're then invited to present tax-delinquent property "candidates" to the BENLIC Board for acquisition and return to productive use. The RFF process is described in the Rules and Procedures of the Corporation. BENLIC engaged in the RFF process with the intent to obtain an inventory of properties for the purpose of achieving the return of the selected properties to productive use – including but not limited to stabilization, improvement and resale of residential property, sale of property to municipalities, sale of side lots to adjacent owners, etc. This year BENLIC has received forty (40) eligible properties with appropriate end uses - majority of which are Single-Family Residential. There are some re-occurring communities, such as Evans, and new communities, Gowanda, that BENLIC is excited to have as a new partner. A motion to approve BENLIC to bid on these properties at the 2020 Erie County In-Rem was made by Timothy Ball, seconded by Thomas Hersey, and unanimously carried as approved.

5. Real Estate Committees Report

A. *Dispositions*

**Resolution #2020-36** - 19 Euclid, Town of Cheektowaga

BENLIC acquired 19 Euclid Avenue, Cheektowaga via Erie County In- Rem 167. As part of the annual Request for Foreclosure Process, The Town of Cheektowaga requested BENLIC acquire the property and dispose of it to the Walden Fire District adjacent to the lot. BENLIC has received a letter of interest from the Walden Fire District agreeing to combine the lot with their

property now and use the lot for employee parking and possible construction of a garage. The Fire District has offered \$500.00 cash for the parcel. BENLIC has less than \$500.00 invested into the lot for maintenance and sees this as a public benefit. A motion to approve the sale was made by Timothy Ball, seconded by Michael Siragusa, and unanimously carried as approved.

**Resolution #2020-37** - 9406 Jamestown, Town of Evans

BENLIC acquired the vacant lot located at 9406 Jamestown Street in cooperation with the Town of Evans during the 2019 Erie County In-Rem Auction. The parcel is located in the Lake Erie Beach community and is partially wooded. BENLIC has invested less than \$500.00 into any maintenance of the lot. Prior to BENLIC acquisition, Evans Officials submitted a formal letter of interest from adjacent property owner, Vickie Isenhart, for \$800.00 cash offer. Ms. Isenhart plans to combine the lot with her property, build a fence surrounding it, and install landscaping. Town Officials support a sale to Ms. Isenhart, as the lot is a site of a prior demolition and is non-buildable. A motion to approve the sale was made by Timothy Ball, seconded by Michael Siragusa, and unanimously carried as approved.

6. Bid Approvals

**Resolution #2020-38** - 1574 &1576 E. Delavan, Cheektowaga – Asbestos Abatement

BENLIC acquired the structures at 1574 & 1576 E. Delavan Avenue at the Erie County In-Rem Auction in 2019. Post abatement of asbestos materials, BENLIC will negotiate the sale of the properties to Habitat for Humanity Buffalo. Habitat for Humanity has invested significant resources in the surrounding community and as such have identified the properties of strategic value. Once acquired, Habitat would perform a complete renovation of both properties for low-income first-time homebuyers. Funds for abatement work have been provided by Enterprise Community Partners as part of the NYS OAG Community Reinvestment Initiative program in the amount of \$30,000.00. BENLIC received eight (8) bids, including pricing for each property separate and combined. BENLIC staff has recommended SEG Construction Services, Inc. a WBE located in Cheektowaga and has completed work for BENLIC before. SEG submitted a bid of \$5,500.00 for 1574 E Delavan and \$28,000.00 for 1576 E Delavan, for a combined total of \$33,500.00. A motion to approve was made by James Comerford, seconded by Timothy Ball, and unanimously carried as approved.

**Resolution #2020-39** - 53 John Brian, Cheektowaga – Complete Renovation Project

BENLIC acquired 53 John Brian Lane, Cheektowaga NY via 2019 Erie County In-Rem tax foreclosure auction. The property was a good candidate for BENLIC rehabilitation as a single-family home found to be in good condition. The property has been abated for asbestos and stabilized. This rehab will not be a grant-funded project. BENLIC has invested \$21,000.00 into stabilizing and cleaning out the property; BENLIC Building Inspector estimated \$125,000.00 left in repairs. BENLIC received four (4) bids and has recommended Buccilli Renovations, LLC. for \$104,850.00. Buccilli has recently started completing some stabilization work for BENLIC and has shown success. A motion to approve the bid was made by Timothy Ball, seconded by Amanda Mays, and unanimously carried as approved.

**Resolution #2020-40** - 117 Dupont, Tonawanda, Complete Renovation Project

BENLIC acquired 117 Dupont Avenue, Tonawanda NY via 2019 Erie County In-Rem tax foreclosure auction. The property was a good candidate for BENLIC rehabilitation as a single-family home in the Riverview Neighborhood of Tonawanda, providing an opportunity for a first-time homebuyer. The property has been abated for asbestos and stabilized. This rehab will not be a grant-funded project. BENLIC has invested \$41,000.00 into a new roof and cleaning out the property; BENLIC Building Inspector estimated \$120,000.00 left in repairs. BENLIC received five (5) bids and has recommended Buccilli Renovations, LLC. for \$100,000.00. A motion to approve the bid was made by Thomas Hersey, seconded by Donna Estrich, and unanimously carried as approved.

## 7. Vacant to Value Activity

### A. Discharges

4590 Harlem, Town of Amherst

On October 25, 2019, Vitaly Dedovets purchased 4590 Harlem Road in the Town of Amherst subject to a Note and Mortgage in the amount of \$50,000.00. Having received a letter from Vitaly Dedovets dated 10/7/20 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 Note and Mortgage documents has been completed in a proper and satisfactory manner.

11 Normandy, Town of Cheektowaga  
73 Manitoba, City of Buffalo

Both 11 Normandy in the Town of Cheektowaga and 73 Manitoba in the City of Buffalo were under BENLIC's Vacant to Value Program and successfully completed by Habitat for Humanity. BENLIC requires a Certificate of Occupancy from any and all Note and Mortgages completed by Not-for-Profits in order for the lien to be released. The Certificate should be obtained after the duration of the work period, which is up to two (2) years.

A motion to discharge all three (3) Note and Mortgage liens was made by Thomas Hersey, seconded by James Comerford, and unanimously carried as approved.

### B. Extensions

#### **Resolution #2020-41** - Extend Note Term – 231 Adam, City of Tonawanda

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, with a lien for \$48,380.00. BENLIC Staff has been in communication with the purchasers who report additional time will be needed to satisfy the required rehabilitation work consisting of interior finishes and painting, BENLIC Staff believes this request to be reasonable. A motion to extend Note and Mortgage term six (6) months was made by James Comerford, seconded by Donna Estrich, and unanimously carried as approved.

#### **Resolution #2020-42** - Extend Note Term – 56 E. Hazeltine, Village of Kenmore

BENLIC acquired the property of 56 East Hazeltine Avenue, Village of Kenmore via donation in late 2018. The Corporation disposed of the property via Resolution #2019-2 in January of 2019 to Scott and Mollie Millar for \$45,000.00, with a lien for \$36,559.00. BENLIC Staff has been in communication with the purchasers who report additional time will be needed to satisfy the required rehabilitation work consisting of interior finishes and painting, BENLIC Staff believes this request to be reasonable. A motion to extend Note and Mortgage term six (6) months was made by Thomas Hersey, seconded by Timothy Ball, and unanimously carried as approved.

**Resolution #2020-43** - Extend Note Term – 20 Andrews, Town of Cheektowaga

BENLIC acquired the property of 20 Andrews Avenue, Town of Cheektowaga via the 2017 Erie County In-Rem Foreclosure Auction. The Corporation disposed the property via Resolution #2018-49 in August 2018 to Habitat for Humanity Buffalo, for \$7,500.00, with a lien of for \$7,500.00. BENLIC Staff has been in communication with Habitat for Humanity who report additional time will be needed to satisfy the required rehabilitation work listed in the scope. BENLIC Staff believes this request to be reasonable due to significant work performed to-date, and after an inspection of the property and its reported exterior improvements and stabilization repairs that have been made. A motion to extend Note and Mortgage term six (6) months was made by Amanda Mays, seconded by Timothy Ball, and unanimously carried as approved.

8. Executive Director's Report

- BENLIC Counsel Introduction – Benjamin Macaluso with Lippes Mathias Wexler Friedman, LLP
- ADLN Grant Submission Complete – \$1 million-dollar grant to partner with Fruit Belt Land Trust to build two (2) homes for permanently affordable housing
- Real Estate Transaction

9. Executive Session (Action)

A motion to move into Executive Session was made by Timothy Ball, seconded by Michael Siragusa, and unanimously carried to move.

A motion to move out of Executive Session was made by Timothy Ball, seconded by Michael Siragusa, and unanimously carried to move.

A motion to adjourn the meeting was made by Timothy Ball, and seconded by William Reece, and unanimously adjourned.

NEXT MEETING: Board of Directors – 11 a.m. November 19<sup>th</sup>, 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 \_\_\_\_\_