

BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION BOARD OF DIRECTORS MEETING MINUTES

October 20th, 2022 – 1:00 PM

Brisbane Building Conference Room 521

403 Main St. Suite 602

Buffalo, New York 14203

Call to Order by Board Chair, Brendan Mehaffy

ATTENDANCE:

Board Members Present:

Board Members *Excused*:

Brendan Mehaffy, Scott Bylewski, Daniel Castle, William Reece, Jeremy Toth, “OJ” McFoy

Catherine Amdur, Karen Utz, Cavette Chambers

Board Members *Absent:* Deborah Skulski-Wakelam, Delano Dowell

BENLIC Counsel Present: BENLIC Staff:

John Sidd

Jocelyn Gordon, Marjorie McAllister

HAND OUTS:

Agenda; Minutes of September 2022 Board Meeting; September 2022 Treasurer’s Reports; 2023 Budget; 2022 Budget; Resolution #2022-23; Resolution #2022-24; Resolution #2022-25; Resolution #2022-26; Resolution #2022-27.

NEW BUSINESS:

1. Roll Call
2. Approval of September 2022 Minutes:

The minutes of the September 22nd, 2022, Board of Directors Meeting were presented and reviewed.

A motion to approve was made by Scott Bylewski, seconded by William Reece, and unanimously carried as approved.

1. Treasurer’s Reports:

Executive Director, Jocelyn Gordon, presented the September 2022 Treasurer’s Reports. As of September 29h, 2022, the Corporation’s bank balance was $3,135,463.81.

A motion to approve was made by OJ McFoy, seconded by Dan Castle, and unanimously carried as approved.

1. **Resolution #2022-22** Approval of 2023 Budget for the NYS ABO Budget Office

As a local public authority of the State, BENLIC must provide its annual budget to New York State at least sixty (60) days before the start of the fiscal year (January 1st). The 2023 Budget was prepared with the assistance of staff from Lumsden & McCormick. The budget was presented to the Board along with the 2022 Budget for comparison.

A motion to approve the submission of the 2023 Budget to the NYS ABO Budget Office was made by William Reece, seconded by Daniel Castle, and unanimously carried as approved.

**Resolution #2022-23** Bid Approval for Real Estate Closing Services:

On September 15th, 2022, BENLIC released a Request for Proposal (RFP) for real estate legal services with a submission deadline of October 18th, 2022. The RFP is for legal firms that may assist BENLIC with the closing procedure for properties, title clearance, negotiating with any Developer Partner regarding executive development agreements, and representing BENLIC in any contracts or other writings necessary during real estate transactions.

BENLIC received proposals from four firms with differing levels of experience and pricing: Bengart & DeMarco, LLP; Daniel Tarantino; Berger & Paskowitz; and Rupp Baase Pfalzgraf Cunningham LLC. BENLIC requested that the list of firms be approved so that anyone may be utilized for legal services. This approval would last for a period of two (2) years, commencing on November 1st, 2022.

Board member Scott Bylewski recused himself as one of the aforementioned firms is handling a personal matter of his. As this action may be considered a procurement, BENLIC counsel John Sidd advised that the Board should not vote on the resolution without a larger quorum of the Board. Procurements require an affirmative vote from the majority of the Board.

A motion table the resolution was made by William Reece, seconded by Daniel Castle, and unanimously carried as approved.

1. **Resolution #2022-24** Disposition of 146 Royal:

146 Royal was acquired by BENLIC in 2021 via the City of Buffalo Acquisition Agreement. Using funding from the New York State Attorney General’s Office, the home was completely rehabilitated. The property was listed for sale in September 2022 for $215,000. As the project was funded by the Office of the Attorney General, the qualified offerors must make no more than 100% of the Erie County Area Median Income adjusted for household size.

BENLIC has received a qualified offer from Jordan Nicole Sieracki for $200,000. BENLIC is requesting the Board approve the sale of 146 Royal to Jordan Nicole Sieracki.

A motion to approve the disposition of 146 Royal was made by William Reece, seconded by Scott Bylewski, and unanimously carried as approved.

1. **Resolution #2022-25** Disposition of 385 Marilla:
385 Marilla was acquired by BENLIC in 2021 via the City of Buffalo Acquisition Agreement. Using funding from the New York State Attorney General’s Office, the home was completely rehabilitated. The property was listed for sale in September 2022 for $225,000. As the project was funded by the Office of the Attorney General, the qualified offerors must make no more than 100% of the Erie County Area Median Income adjusted for household size.

BENLIC has received a qualified offer for $210,000 from Ashley Muniz. BENLIC is requesting the Board approve the sale of 385 Marilla to Ashley Muniz.

A motion to approve the disposition of 385 Marilla was made by William Reece, seconded by Daniel Castle, and unanimously carried as approved.

1. **Resolution #2022-26** Disposition of 138 Lancaster:

138 Lancaster is a vacant side lot which was acquired by BENLIC in cooperation with the Town of Evans during the 2022 Erie County In-Rem Auction. The property is located in the Lake Erie Beach community and is partially wooded. An adjacent property owner, Patrick VanRemmen, offered to buy 138 Lancaster for $1,500 in order to combine the parcel with his property.

1. **Resolution #2022-27** Disposition of 6884 Revere:

6884 Revere is also a vacant side lot acquired by BENLIC in cooperation with the Town of Evans during the 2022 Erie County In-Rem Auction. Like 138 Lancaster, it is located in the Lake Erie Beach community and is partially wooded. An adjacent property owner, Timothy Donovan, offered to buy 6884 Revere for $4,000 in order to combine the parcel with his property.

BENLIC is requesting that the Board approve the dispositions of 138 Lancaster and 6884 Revere to Patrick VanRemmen and Timothy Donovan, respectively.

A motion to approve the dispositions of 138 Lancaster and 6884 Revere was made by OJ McFoy, seconded by William Reece, and unanimously carried as approved.

1. Executive Session:

A matter has come before the board involving the threat of litigation against BENLIC. BENLIC counsel John Sidd recommended discussing the matter in executive session. A motion to enter executive session was made by William Reece, seconded by Daniel Castle, and unanimously carried as approved.

A motion to exit executive session was made by Scott Bylewski, seconded by Daniel Castle, and unanimously carried as approved.

On return, it was noted by Brendan Mehaffy that no action would be taken regarding the matter discussed during executive session.

A motion to adjourn the meeting was made by OJ McFoy, seconded by Jeremy Toth, and unanimously carried as approved.

**NEXT MEETING: Board of Directors – 1 p.m. November 17th, 2022**

Location: Brisbane Building Conference Room 521, 403 Main St. Suite 602, Buffalo, New York 14203

Recorded by: Matthew Azzano, BENLIC Staff

Submitted for Approval: Jocelyn Gordon, Executive Director

Adopted by BENLIC Board Members on \_\_\_\_\_\_