



BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION
BOARD OF DIRECTORS MEETING MINUTES
December 15th, 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: Brendan Mehaffy, Scott Bylewski, Daniel Castle,
William Reece, Jeremy Toth, Karen Utz,
Catherine Amdur, O.J. McFoy

Board Members *Excused*: Delano Dowell, Cavette Chambers

Board Members *Absent*: Deborah Skulski-Wakelam,

BENLIC Counsel Present: John Sidd (remotely)

BENLIC Staff: Jocelyn Gordon, Marjorie McAllister, Benjamin Brown,
Matthew Azzano

HAND OUTS:

Agenda; Minutes of November 2022 Board Meeting; November 2022 Treasurer's Reports; Resolution #2022-30; Resolution #2022-31

NEW BUSINESS:

1. Roll Call

2. Approval of November 2022 Minutes:

The minutes of the November 17th, 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.

3. Treasurer's Reports:

Executive Director, Jocelyn Gordon, presented the November 2022 Treasurer's Reports. As of November 29th, 2022, the Corporation's bank balance was \$2,938,254.22.

A motion to approve was made by Jeremy Toth, seconded by Karen Utz, and unanimously carried as approved.

4. **Resolution #2022-30** Approval of Auditing Service

BENLIC has used the firm Drescher & Malecki for auditing services since BENLIC's inception in 2014. In that time, the firm has not raised its prices over \$10,000. As BENLIC's procurement policy does not require it to ask for board permission in expenditures under \$10,000, it has not been necessary until now to release an RFP.

In 2022, Drescher & Malecki raised their price to \$12,000. To ensure that the corporation is receiving the best competitive price, BENLIC released an RFP on November 17th for auditing services. Multiple firms declined to respond to the RFP as BENLIC's auditing timeline would pose difficulties given their current commitments.

Drescher & Malecki was the only firm that responded with an offer to the RFP. As such, BENLIC is requesting that the board approve a contract with Drescher & Malecki for a period of three years commencing on January 1st, 2023.

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

Resolution #2022-31 78 Diane Drive, Town of Cheektowaga – Complete Rehab Project

BENLIC acquired 0 Sterling Avenue, 0 Sterling Avenue, 273 Dawn Avenue, and 146 Potomac Avenue in 2022 via the Erie County In-Rem Auction. These vacant properties are being targeted by the Town of Evans for upcoming watershed/stream restoration projects. The two structures,

located at 273 Dawn and 146 Potomac, will be demolished by the Town using Community Block Development Grant (CDBG) funds. The two Sterling Avenue properties are both vacant lots.

BENLIC is requesting that the board approve of transferring these four properties to the Town of Evans for \$1.00 each via a Quit-Claim Deed.

A motion to approve the municipal transfer was made by Catherine Amdur, seconded by William Reece, and unanimously carried as approved.

5. Approval of Meeting Schedule

BENLIC is requesting that in 2023, Board meetings continue to be held on the third Thursday of each month at 1:00 PM as this time seems to be ideal for board members.

A motion to approve the 2023 Meeting Schedule was made by Karen Utz, seconded by Catherine Amdur, and unanimously carried as approved.

6. Approval of Proceeds Distribution Policy

This year, the Erie County Proceeds Distribution agreement was neither approved nor denied by the Erie County Legislature. As a result, BENLIC was not able to use its “Super-Bid” to acquire properties that were part of the most recent In-Rem Auction (In-Rem 171).

BENLIC staff presented the Board with a draft of a new proceeds distribution policy. This policy would split any profits from dispositions with the county 50/50. It would also eliminate *negative net proceeds*, in which BENLIC is required to pay the county when it incurs a loss on a project. Negative net proceeds are a disincentive for BENLIC to fulfill its mission of constructing high-quality housing. The new policy also has the additional benefits of eliminating confusing calculations and therefore being simpler to explain.

As this was a discussion item, no action was required.

7. Executive Director’s Report:

Jocelyn Gordon delivered the executive director’s report. She gave a “Year in Review” presentation which highlighted some of BENLIC’s successes in 2022. Notably, BENLIC began 6 new full-rehabilitation projects; received over a million dollars in revenue from dispositions; and is embarking on its largest project to date between the City of Buffalo, Severyn Development, and Evans Bank.

Jocelyn also informed the board that she would be travelling to Phoenix, Arizona to take part in the Lincoln Institute’s Legacy City project. The travel expenses will be covered by the Lincoln Institute.

8. Executive Session:

A motion to enter Executive Session was made by William Reece, seconded by Dan Castle, and unanimously carried as approved.

A motion to exit Executive Session was made by Dan Castle, seconded by Jeremy Toth, and unanimously carried as approved.

A motion to adjourn the meeting was made by William Reece, seconded by Dan Castle, and unanimously carried as approved.

NEXT MEETING: Board of Directors – January 19th, 2022, 1:00 p.m.

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 _____