



BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION
BOARD OF DIRECTORS MEETING MINUTES
October 17, 2024 – 2:00 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, Daniel Castle, Delano Dowell,
Catherine Amdur, Oluwole McFoy, Adam
McNeill, Cavette Chambers, Scott Bylewski,
Jeremy Toth

Board Members *Excused*: Karen Utz

BENLIC Counsel *Present*: John Sidd

BENLIC Staff: Jocelyn Gordon, Alexis Duwe, Benjamin Brown,
Matthew Azzano

HAND OUTS:

Agenda; Minutes of September 2024 Board Meeting; September 2024 Treasurer's Report; **Resolution #2024-19** Approval of 2025 BENLIC Budget; **Resolution #2024-20** Adopt Internal Controls Policy; **Resolution #2024-21** Disposition of 29 Marne, Cheektowaga – UDCDA Affordable Rehab; **Resolution #2024-22** Disposition of 181 Lemoine, Cheektowaga – Habitat for Humanity; **Resolution #2024-23** Disposition of 531 Roanoke, Evans – Side Lot Sale; **Resolution #2024-24** Disposition of 563 Adams, Buffalo – Side Lot Sale

NEW BUSINESS:

1. Roll Call

2. Approval of September 2024 Minutes:

The minutes of the September 19th, 2024, Board of Directors meeting were presented and reviewed.

A motion to approve the September 19th, 2024 Board of Directors meeting minutes was made by Delano Dowell, seconded by Daniel Castle, and unanimously carried as approved.

3. Treasurer's Report:

BENLIC provided the September 2024 Treasurer's Reports in advance of the meeting. Executive Director Jocelyn Gordon presented the Treasurer's Reports to the Board. No corrections were offered.

A motion to approve the September Treasurer's report was made by Scott Bylewski, seconded by Adam McNeill, and unanimously carried as approved.

4. **Resolution #2024-19** Approval of 2025 Budget

The NYS Authorities Budget Office requires public authorities such as BENLIC to submit their upcoming annual budgets for review. The 2025 Budget was prepared with the assistance of staff from Lumsden & McCormick. Seth Hennard CPA joined via Zoom to present the budget alongside the 2024 Budget and 2026, 2027, and 2028 projections for comparison.

A motion to approve the submission of the 2025 Budget to the NYS ABO Budget Office was made by Oluwole McFoy, seconded by Jeremy Toth, and unanimously carried as approved.

5. **Resolution #2024-20** Adopt Internal Controls Policy

Project Manager Alexis Duwe prepared an internal controls policy for BENLIC based on the best practices of other NYS Land Banks. This policy outlines the process by which BENLIC will safeguard its assets, ensure integrity of its financial and accounting information, promote accountability, and ensure compliance with section 2931 of the New York State Public Authority law.

Several board members requested further clarification of the Corporation's credit card policy. Daniel

Castle shared experiences with the internal control policies of different departments of Erie County. Delano Dowell explained best practices within the City of Buffalo. A motion to table the item pending a more detailed credit card policy was made by Scott Bylewski, seconded by Daniel Castle, and unanimously carried as approved.

6. **Resolution #2024-21 Disposition of 29 Marne, Cheektowaga – UDCDA Affordable Rehab**

At the November 2023 Board meeting, **Resolution #2023-20** approved the disposition of the single-family home located at 29 Marne Road to the Town of Cheektowaga. The Town stated its intent was to execute a rehabilitation project utilizing the Town’s CDGB funding to create affordable housing. The Town would transfer the property to University District Community Development Association (UDCDA) and provide that organization funds for the rehabilitation.

The Town informed BENLIC that it was unable to complete the transfer of the property to UDCDA due to BENLIC’s Note & Mortgage lien which was attached to the title to enforce the property’s successful rehabilitation. The Town and BENLIC’s legal representation have agreed that a resolution disposing 29 Marne directly to UDCDA would solve this problem. The Town will still provide all necessary funding for the project.

Jeremy Toth asked if it was normal practice for BENLIC to attach a Note & Mortgage lien for rehabilitation enforcement. Ben Brown answered that all Vacant-to-Value dispositions as well as dispositions to other non-profit organizations have been subject to BENLIC-held Note & Mortgage liens.

A motion to approve the disposition of 29 Marne, Cheektowaga to the Town of Cheektowaga was made by Scott Bylewski, seconded by Oluwole McFoy, and unanimously carried as approved.

7. **Resolution #2024-22 Disposition of 181 Lemoine, Cheektowaga – Habitat for Humanity**

BENLIC acquired the property of 181 Lemoine Place, Town of Cheektowaga via the 2022 Erie County In-Rem Auction. This single-family home was identified by Habitat for Humanity Buffalo as a strategic acquisition for rehab and resale to an income-eligible family. Jocelyn Gordon noted that BENLIC has supported Habitat for Humanity activity and partnered with the organization for projects in the Town of Cheektowaga, as well as in other municipalities, in the past.

In June and July 2024, representatives of Habitat for Humanity Buffalo inspected 181 Lemoine Place. An asbestos and lead survey was conducted and paid for by Habitat for Humanity. Volunteers and staff from the organization will perform the rehabilitation and the property will be disposed of to an income-qualifying family.

A motion to approve the disposition pending a modification of a typo was made by Catherine Amdur, seconded by Oluwole McFoy, and unanimously carried as approved.

8. **Resolution #2024-23 Disposition of 531 Roanoke, Evans – Side Lot Sale**

The Buffalo Erie Niagara Land Improvement Corporation (BENLIC) acquired the property of 531 Roanoke Avenue in the Town of Evans via the 2019 Erie County In-Rem Auction. Due to its deterioration, the house was deemed unsuitable for rehabilitation by the BENLIC property inspector.

This property was demolished in July 2024 by N Mathews Enterprises. BENLIC utilized grant funding through NYS HCR to perform this work. After the demolition, BENLIC marketed the property to adjacent homeowners and received two closely competing offers.

Daniel Castle expressed concern about the strange shape of the lot if it were to be combined with the highest offeror's lot, as well as that offeror's plans to build a garage which would front a different street than his house. Several current and former residents of the Town of Evans who were in the room stated that this would not be out of character with Evans.

BENLIC Staff were instructed to contact both offerors and request a final and best offer.

9. **Resolution #2024-24 Disposition of 563 Adams, Buffalo – Side Lot Sale**

In March 2024, BENLIC acquired 23 vacant side-lots within the City of Buffalo for combination and development during the Adams Street Infill Initiative.

After ownership transfer, it was discovered that an Adams Street resident, Albert Hunley encroached on 563 Adams. BENLIC wishes to dispose of 563 Adams to Albert Hunley in an effort to maintain positive relationships with its neighbors and ensure the Adams Street Infill Initiative proceeds forward without delay. Mr. Hunley has agreed to a proposed purchase price of \$2,800 based upon an independent appraisal.

A motion to approve the disposition of was made by Catherine Amdur, seconded by Oluwole McFoy and unanimously approved

10. **Executive Director's Report**

Executive Director Jocelyn Gordon presented a status update for Adams Street. Construction is ahead of schedule. A total of seven foundations have been dug and poured. One house has been completely framed and roofed. Recent photos of the construction progress were shared with the board.

Work is progressing under conditional building permits, as final permits were delayed due to the new lot combinations not yet being assigned addresses and SBL numbers from the City of Buffalo Assessor's Office. Consequently, the financing from NYS HCR and Evans Bank has not yet closed, as the terms require full building permits.

Catherine Amdur, as Commissioner of Permit & Inspection Services, stated that her department would assist by issuing full building permits with the listed addresses for each home based on the pre-combination lot address. The permit will include two notes—one stating that these lots have been combined and are awaiting new addresses to be assigned in the near future; another stating that BENLIC shall comply with all Buffalo Sewer Authority (BSA) requirements.

While waiting for financing to close, BENLIC previously received approval from the Board to pay for up to \$600,000 of work performed. Property Specialist John Good estimated that given the current rate of construction, an additional \$400,000 worth of work may be performed prior to closing. Brendan Mehaffy stated that he has discussed this issue with the other City of Buffalo Board Members and that they wish for construction to continue and that BENLIC can pay for the work until the financing closes.

Regarding BSA requirements for Adams Street, Oluwole McFoy, as General Manager, stated that BSA will grant approval for the project to continue once the utility hookup drawings are delivered from the project's Downstream Sewer Capacity Analysis (DSCA) engineers. John Good stated that these documents are expected to be completed within the following week.

Jocelyn Gordon informed the Board that predevelopment for ARPA Infill Initiative is progressing as planned. Marketing sheets with graphics of each housing typology were prepared by HHL Architects and shared with the Board. While predevelopment is on schedule, HHL has noted that prior to any construction starting, the project must receive approval to connect to the grid and the sewer.

Oluwole McFoy stated that he has discussed the ongoing DSCA regarding the ARPA Infill Initiative with his staff. The BSA will pass the Smart Sewer data it has collected to Tredo Engineers, who will need to issue a report based on that data.

Oluwole McFoy informed BENLIC staff that the next step will be approval from Erie County Department of Health (ECDOH). Jeremy Toth stated that he will assist in expediting the project, as needed, with ECDOH.

Executive Director Jocelyn Gordon advised the board that no action items were planned for the next meeting date. In lieu of a regular meeting, Buffalo Construction Consultants and HHL Architects would be present to hold an informational session and discuss the project with Board members. Chair Brendan Mehaffy proposed that the informational session be held near the site of the Adams Street Infill Initiative, so that Board members have an opportunity to see the construction progress in person. Executive Director Jocelyn Gordon agreed that this would be a good opportunity to familiarize the Board with BENLIC's two largest projects. Chair Brendan Mehaffy suggested that the meeting be held at the Westminster Commons building, where BENLIC has previously held community meetings for the Adams Street Infill Initiative.

A motion to adjourn the meeting was made by Catherine Amdur, seconded by Delano Dowell, and unanimously carried as approved.

NEXT MEETING: Board of Directors Thursday, November 21st, 2024, 4:00 p.m.

Location: TBD

Recorded by: Matthew Azzano, BENLIC Staff

Submitted for Approval: Jocelyn Gordon, Executive Director

Adopted by BENLIC Board Members on _____