



BUFFALO ERIE NIAGARA LAND IMPROVEMENT CORPORATION
BOARD OF DIRECTORS MEETING MINUTES
February 20, 2025 – 2:30 PM
Brisbane Building Conference Room 200
403 Main Street
Buffalo, New York 14203

Call to Order by Board Chair, Scott Bylewski

ATTENDANCE:

Board Members *Present*: Scott Bylewski, Daniel Castle, Raymour
Nosworthy, Adam McNeill, Cavette Chambers,
Jeremy Toth, Karen Utz, Nadine Marrero

Board Members *Excused*: Debbie Gable, Catherine Amdur

BENLIC Counsel *Present*: John Sidd

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

HAND OUTS:

Agenda; Minutes of January 2025 Board Meeting; January 2025 Treasurer's Report; **Resolution #2025-1** – Accept NYS HCR Land Bank Initiative Grand Funding– **Resolution #2025-2** – Approve Builders for Cheektowaga ARPA Infill Construction, M&T Line of Credit Term Sheet

NEW BUSINESS:

1. Roll Call

2. Approval of January 2025 Minutes:

The minutes of the January 23rd, 2025, Board of Directors meeting were presented and reviewed.

A motion to approve the January 23rd, 2025 Board of Directors meeting minutes with minor edits was made by Karen Utz, seconded by Jeremy Toth, and unanimously carried as approved.

3. Treasurer's Report:

BENLIC provided the January 2025 Treasurer's Report in advance of the meeting. Executive Director Jocelyn Gordon presented the Treasurer's Report to the Board. Karen Utz requested that a line be added to the Treasurer's Report that breaks down credit card expenses specifically. Executive Director Jocelyn Gordon confirmed that this line would be added to future reports. BENLIC's combined assets totaled \$7,101,125.20 on January 31st, 2024.

A motion to approve the January 2025 Treasurer's report was made by Karen Utz, seconded by Adam McNeill, and unanimously carried as approved.

4. **Resolution #2025-1** – Accept NYS HCR Land Bank Initiative Grand Funding

Throughout February 2025, Program Manager Alexis Duwe and Program Coordinator Matt Azzano wrote and submitted a grant application as part of NYS HCR LBI Initiative's Open Round. Funds were requested to construct new homes on vacant lots currently in BENLIC's inventory, pay for the construction of permeable "green" driveways for the houses currently being constructed on Adams Street, and provide gap funding for the Legacy City ACCESS program. NYS HCR has awarded BENLIC a total of \$1,494,219 for these purposes.

The Board discussed the terms of this grant and the current status of the projects that will be funded by it. Executive Director Jocelyn Gordon noted that the two vacant lots that BENLIC currently owns in the City of Buffalo which are not part of the ARPA project are good candidates for constructing new homes. Daniel Castle inquired about BENLIC's capacity to do more home rehabilitations simultaneously with BENLIC's new construction projects. Jocelyn Gordon responded that rehabilitation work is the type of niche that the corporation has the most experience. Nadine Marrero mentioned that the City of Buffalo has very few vacant structures left in its inventory. The City mainly has vacant lots remaining.

A motion to accept the NYS HCR LBI Open Round funds was made by Jeremy Toth, seconded by Cavette Chambers, and unanimously carried as approved.

5. Authorize M&T Ban Line of Credit

Term sheets for a potential line of credit from M&T Bank were circulated to the Audit & Finance committee for discussion earlier in February. Executive Director Jocelyn Gordon explained that BENLIC will need to provide sufficient cashflow for multiple simultaneous new homes being constructed throughout the ARPA Infill Project. BENLIC has a good history working with M&T and the approximately 6.2% interest rate they offered is very favorable. She noted that anything under 8% for a one-year line of credit is considered fair. While the City of Buffalo and Erie County ARPA funds will pay for all expected expenses, BENLIC would like to have a backup in case of a situation where emergency cash flow is needed.

BENLIC Counsel John Sidd asked if M&T would require any collateral from BENLIC and Jocelyn Gordon said she did not believe so but would inquire with M&T to confirm.

Raymour Nosworthy asked if this would be the first time that a line of credit was established. Jocelyn Gordon responded that BENLIC has never needed a line of credit before. The ARPA Infill Project is the first time that BENLIC has dealt with such large sums of money. President of Buffalo Construction Consultants (BCC) opined that BENLIC would need to ensure that there was no possibility of cashflow restriction so that all subcontractors and other expenses would be paid expeditiously.

Erie County Deputy Director of Economic Development Zaque Evans stated that the County would be happy to move additional ARPA funds to BENLIC in order to ensure that there would be no potential for cashflow restrictions. He stated that this would prevent BENLIC from incurring any interest and maximize the project's success. This offer was welcomed as a potential solution by Jocelyn Gordon.

Raymour Nosworthy stated that he would discuss the matter with the City of Buffalo Comptroller's Office.

A motion to table the item was made by Daniel Castle, seconded by Adam McNeill, and unanimously carried as approved.

6. **Resolution #2025-2** – Approve Builders for Cheektowaga ARPA Infill Construction

BENLIC presented complete bids from three local contractors for the construction of four new single-family homes on lots owned by BENLIC in the Town of Cheektowaga as part of the ARPA Infill Project. The bids were originally released on December 10, 2024 with a submission due date of January 13, 2025. After conducting interviews with the lowest bidders and presenting BENLIC staff recommendations to the Board of Directors at the January meeting, BENLIC staff were instructed to modify building specifications in order to achieve cost savings and invite the bidders to place a new, alternate bid. These bids were due on February 17, 2025.

Construction Specialist John Good noted that he was confident that the largest cost savings possible was achieved by altering the construction specification. Cost savings were accomplished by deleting fencing, stick building roofs instead of using pre-built trusses, and substituting double-hung windows instead of casement windows.

BENLIC staff recommended spreading the bids out among the three lowest bidders in order to not overload any one contractor. The lowest bidder, WNY First Choice, was a newer home builder, so the maximum number of homes he was comfortable awarding was two. The two homes located next to each other at 305 Hyland would be ideal for WNY First Choice, due to their close proximity. The other two bidders, Buccilli Renovations and Sunset Custom Homes have completed several successful projects for BENLIC in the past. Sunset Custom Homes was the highest bidder out of the three. Therefore, BENLIC staff recommended awarding one of each of the remaining homes—at 257 Chapel and 195 Northcrest—to Buccilli Renovations and Sunset Custom Homes, respectively.

Adam McNeill asked about the possibility of awarding both 257 Chapel and 195 Northcrest to Buccilli Renovations in order to further lower costs. Construction Specialist John Good explained that Buccilli Renovations is already engaged in a twelve-unit new construction project on Adams Street as well as two other home rehabilitations. Adam McNeill inquired how BENLIC would enforce the six-month time limit for substantial completion and John Good responded that there is a \$201 per day penalty written into the contract for late delivery.

A motion to award the construction of 305A Hyland and 305B Hyland to WNY First Choice Construction for a total of \$627,600; 257 Chapel to Buccilli Renovations for \$320,500; and 195 Northcrest to Sunset Custom Homes for \$359,000 was made by Jeremy Toth, seconded by Karen Utz, and unanimously carried as approved.

7. Executive Director's Report

Executive Director Jocelyn Gordon reviewed BCC's Guaranteed Maximum Price (GMP) with the Board. The blended program will consist of three different housing typologies—twenty-two homes will be stick-built, and twenty-five will be modularly constructed. The entire process will be “open-book”, so BENLIC has access to all of BCC's data throughout the project. For the construction of all forty-seven infill homes in the City of Buffalo, the total GMP will be \$19,968,000. Extra allowances have been built in for engineering and soil testing. Any money left in contingency will be returned to BENLIC.

Jocelyn Gordon mentioned that one very important issue is the disposition of the soil that will be removed when foundations are built. If the City of Buffalo is willing to receive any of the soil, it could significantly increase savings.

Daniel Castle stated that Erie County will be applying for an infrastructure grant through Empire State Development in order to pay for the utility hookups.

Adam McNeill inquired about the designs made by HHL Architects which ultimately will not be used for these forty-seven homes. Jocelyn Gordon explained that these designs can be used for future projects, such as the three homes which BENLIC is proposing to build using the LBI Open Round funds.

Jocelyn Gordon also noted that the elections for subcommittees will be held next month at the annual meeting.

A motion to adjourn the meeting was made by Daniel Castle, seconded by Jeremy Toth, and

unanimously carried as approved.

NEXT MEETING: Board of Directors Thursday, March 20th, 2025, 2:30 p.m.

Location: Conference Room 200, Brisbane Building 403 Main Street, Buffalo NY 14203

Recorded by: Matthew Azzano, BENLIC Staff

Submitted for Approval: Jocelyn Gordon, Executive Director

Adopted by BENLIC Board Members on March 20th, 2025.