

Freda Eisenberg, Chair
Jacquie Leventoff, Vice Chair
George Nikolados, Treasurer
Vacant, Secretary

Jill M. Weyer, Executive Director



Nancy Buck
Vicky Ferguson
Sims Foster
Joshua Potosek
Alan Sorensen
Ira Steingart

MINUTES

Board Meeting January 23, 2020

BOARD MEMBERS:

IN ATTENDANCE: Freda Eisenberg, George Nikolados, Nancy Buck, Vicky Ferguson, Sims Foster, Ira Steingart, and Joshua Potosek (8:38),

ABSENT: Jacquie Leventoff, Terri Ward, Alan Sorensen

OTHERS PRESENT: Jill Weyer, Eugenia Manwelyan, Allison Capella

I. Call to Order / Roll Call

The meeting was called to order by Freda Eisenberg, Chair at 8:35 am.

II. Approval of Bills to Pay

Current Account Balance: \$71,288.15

Paid:

Jacobowitz & Gubits (November '19)	\$ 927.00
NYSEG (17 Cooke Lane, Monticello)	\$ 56.77
Lee & Mason Financial Services, Inc.	\$ 1,550.87
Tri County Mold Busters LLC	\$ 11,500.00
Deerpark 1 Environmental Services	\$ 1,650.00
RUPCO, Inc.	\$ 14,499.39
Upstate Abstract of New York, Inc.	\$ 550.00
Swanson Consulting, Inc.	\$ 225.00
CHB Inspections	\$ 1,000.00
Harris Woods Homeowners Association	\$ 285.00
River Realty Services, Inc.	\$ 712.18
Martino Parente (Application Refund)	\$ 200.00
Casimiro Rodriguez (Application Refund)	\$ 200.00
George Brown (Application Refund)	\$ 200.00
Feruza Yushuvayeva (Application Refund)	\$ 200.00
Jose Ponce (Application Refund)	\$ 200.00
Loveland	\$ 10.00
Village of Liberty (8 Balsam Bldg. Permit)	\$ 33.00

To Be Paid:

Jacobowitz & Gubits (December '19)	\$ 824.73
NYSEG (17 Cooke Lane, Monticello)	\$ 27.41
Lee & Mason Financial Services, Inc.	\$ 1,760.51
River Realty Services, Inc.	\$ 70.07
Bowers & Company CPAs, PLLC	\$ 2,000.00
Deerpark 1 Environmental Services	\$ 1,200.00
Gorick Construction Co., Inc.	\$ 28,644.00
NYSEG (48 Yaun Avenue, Liberty)	\$ 159.74

Account Balance After Bills Paid \$101,3764.48

A motion was made by Nikolados, seconded by Steingart, all present approved the bills to be paid listed above.

III. Approval of Minutes – December 19, 2019

A motion was made by Steinagart, seconded by Buck, all present approved the minutes from the December 19, 2019 meeting.

IV. Status Report & Resolutions

RESOLUTION TO APPLY FOR THE LAND BANK COMMUNITY REVITALIZATION INITIATIVE ROUND 4.2 GRANT

WHEREAS, Enterprise announced the availability of additional funding through the Community Revitalizations initiative (CRI) program; and

WHEREAS, an application would be submitted to continue the efforts of the Land Bank to apply for the maximum funding request of \$1,000,000 with no match requirement from the Land Bank.

NOW, THEREFORE, BE IT RESOLVED by the Sullivan County Land Bank Corporation that:

1. Jill M. Weyer, Executive Director, is authorized to execute any and all documents necessary to apply for the Community Revitalization Initiative Round 4.2 grant program and, if awarded, such grant is accepted.
2. This Resolution shall take effect immediately.

Moved by Ferguson, seconded by Nikolados, put to a vote with Jacquie Leventoff, Terri Ward, and Alan Sorensen absent, all present carried and declared duly adopted by a role of the board on a vote of 6 Ayes, 0 Nays.

RESOLUTION TO AUTHORIZE ELECTRICAL WORK 8 BALSAM DRIVE

WHEREAS, quotes were solicited for specified electrical work to be done at 8 Balsam Drive as a condition of sale; and

WHEREAS, the lowest quote has been received by Wire Pro and meets the needs of the Land Bank.

NOW, THEREFORE, BE IT RESOLVED by the Sullivan County Land Bank Corporation that:

1. Jill Weyer, Executive Director, is authorized to pay Wire Pro for the specified Electrical Work for 8 Balsam Drive in Liberty in an amount not to exceed \$3,000; and
2. This Resolution shall take effect immediately.

Moved by Buck, seconded by Ferguson, put to a vote with Jacquie Leventoff, Terri Ward, and Alan Sorensen absent, all present carried and declared duly adopted by a role of the board on a vote of 6 Ayes, 0 Nays.

RESOLUTION TO AUTHORIZE SURVEY OF MONTICELLO MANOR

WHEREAS, quotes have been received for survey work to be done at Monticello Manor; and

WHEREAS, the lowest quote has been received by John Galligan, L.S., and meets the needs of the Land Bank.

NOW, THEREFORE, BE IT RESOLVED by the Sullivan County Land Bank Corporation that:

1. Jill Weyer, Executive Director, is authorized to pay John Galligan for survey work at Monticello Manor in an amount not to exceed \$8,000; and
2. This Resolution shall take effect immediately.

Moved by Eisenberg, seconded by Nikolados, put to a vote with Jacquie Leventoff, Terri Ward, and Alan Sorensen absent, all present carried and declared duly adopted by a role of the board on a vote of 6 Ayes, 0 Nays.

RESOLUTION TO REVISE SCLBC BYLAWS

WHEREAS, the SCLBC Bylaws were amended on February 21, 2019 to increase the Board composition by two additional community members; and

WHEREAS, a recommendation from the Governance Committee was received to remove the County Manager as an officer who serves by virtue of their position and replace with another community member.

NOW, THEREFORE, BE IT RESOLVED by the Sullivan County Land Bank Corporation that:

1. to remove the County Manager as a member of the Land Bank Board of Directors and to increase the number of community members to four (4), and revise the bylaws accordingly, and

2. this Resolution shall take effect immediately.

Moved by Buck, seconded by Nikolados, put to a vote with Jacquie Leventoff, Terri Ward, and Alan Sorensen absent, all present carried and declared duly adopted by a role of the board on a vote of 6 Ayes, 0 Nays.

RESOLUTION TO ADOPT GOVERNANCE COMMITTEE CHARTER

WHEREAS, the Governance Committee reviewed the sample Charter from New York State Authorities Budget Office at the December 19th committee meeting; and

WHEREAS, a draft Charter was reviewed by the Committee and is recommended for approval by the Board.

NOW, THEREFORE, BE IT RESOLVED by the Sullivan County Land Bank Corporation that:

1. the Governance Committee Charter, attached hereto as Exhibit A, is adopted.
2. this Resolution shall take effect immediately.

Moved by Eisenberg, seconded by Steingart, put to a vote with Jacquie Leventoff, Terri Ward, and Alan Sorensen absent, all present carried and declared duly adopted by a role of the board on a vote of 6 Ayes, 0 Nays.

RESOLUTION TO INCREASE PAYMENT TO COLLIER

WHEREAS, the Board previously awarded Collier Construction up to \$84,046 for contractor work on Land Bank Property at 48 Yaun Avenue, Liberty at the June 20, 2019 meeting; and

WHEREAS, additional contractor work is needed for work to be done at 48 Yaun Avenue for an additional cost of \$30,000, as quoted in the detailed estimate received from Collier.

NOW, THEREFORE, BE IT RESOLVED by the Sullivan County Land Bank Corporation that:

1. Jill M. Weyer, Sullivan County Land Bank Executive Director, Chairman is authorized to increase the contract price with Collier Construction for Contracting Services in an amount not to exceed \$30,000; and
2. This Resolution shall take effect immediately.

Moved by Nikolados, seconded by Buck, put to a vote with Jacquie Leventoff, Terri Ward, and Alan Sorensen absent, all present carried and declared duly adopted by a role of the board on a vote of 6 Ayes, 0 Nays.

RESOLUTION TO AUTHORIZE APPLICATION AND APPROVAL OF COMMUNITY CAPITAL FINANCING FOR NEW CONSTRUCTION

RESOLUTION TO AUTHORIZE APPLICATION & EXECUTION OF JEFF BANK FINANCING FOR LINE OF CREDIT

A motion was made by Nikolados, seconded by Buck, to table the above resolutions and have Ben check on the legality and form of borrowing the Land Bank can obtain, put to a vote with Jacquie Leventoff, Terri Ward, and Alan Sorensen absent, all present carried and declared duly adopted by a role of the board on a vote of 6 Ayes, 0 Nays.

RESOLUTION AUTHORIZING THE SALE OF REAL PROPERTY

WHEREAS, New York Not-For-Profit Corporation Law §1609(d) authorizes the Sullivan County Land Bank Corporation, Inc. ("Land Bank") to convey, exchange, sell, or transfer any of its interests in, upon or to real property; and

WHEREAS, New York Not-For-Profit Corporation Law §1605(i)(5) requires that a sale of real property be approved by a majority vote of the Board of Directors; and

WHEREAS, the Land Bank's Disposition Policy permits the Land Bank to dispose of property for less than fair value by negotiation when the disposal is within the mission, purpose, or governing statute of the Land Bank, subject to obtaining such competition as is feasible under the circumstances; and

WHEREAS, all disposals of Land Bank property must be made to qualified buyers pursuant to the Property Disposition Policy; and

WHEREAS, the Land Bank owns certain parcels of real property situated in the County of Sullivan, State of New York and more particularly identified on the Property List attached hereto as Schedule A; and
 WHEREAS, the Land Bank Disposition Advisory Group, after evaluating all purchase offers received for the Property in accordance with the Property Disposition Policy, has recommended that the Land Bank sell the Property to the corresponding Buyer identified on the Property List in accordance with the terms and conditions set forth therein; and

WHEREAS, the Land Bank Disposition Advisory Group has determined that the Buyer is a qualified buyer; and

WHEREAS, the Land Bank solicited proposals from recommended landlords for a pilot project for this multi-family property; and

WHEREAS, the Buyer's plans are consistent with the mission, purpose and governing statute of the Land Bank, the Property Disposition Policy permits the Land Bank to sell each Property to the corresponding Buyer by negotiation; and

WHEREAS, if any Property is being disposed of for less than fair market value, the Board of Directors (the "Board") has considered the information in the Property Disposition Policy and the recommendation of the Disposition Advisory Group and has determined that the sale to the Buyer will best achieve the purposes and mission of the Land Bank; and

WHEREAS, the Land Bank desires to sell the Property to the Buyer identified on the Property List at, or substantially at the offer price set forth on the Property List.

NOW, THEREFORE, BE IT RESOLVED by the Sullivan County Land Bank Corporation as follows:

1. The recitals above are hereby incorporated into this Resolution as if fully set forth herein.
2. The Board hereby authorizes the Land Bank to sell the Property to the Buyer identified on the Property List and authorizes the Executive Director to negotiate the final sale price of the property within a 5% increase or decrease of the offer price and to enter into a Purchase & Sale Agreement with the Land Bank as seller and the Buyer as buyer with respect to the Property. Agreement will be approved in form and content by the Land Bank counsel.
3. The Land Bank Executive Director is hereby authorized and directed to execute all documents on behalf of the Land Bank which may be necessary or desirable to further the intent of this Resolution and do such further things or perform such acts as may be necessary or convenient to implement the provisions of this Resolution.
4. The other officers and agents of the Land Bank are hereby authorized and directed for and in the name and on behalf of the Land Bank to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer or agent acting, desirable and proper to effect the purposes of the foregoing Resolution, all subject to the approval of the Executive Director.
5. This Resolution shall take effect immediately.

Moved by Buck, seconded by Nikolados, for discussion, with a motion made by Buck, seconded by Ferguson to amend the Property information and offer detailed below. A motion was made by Steingart, seconded by Buck to accept the amended resolution, put to a vote with Jacquie Leventoff, Terri Ward, and Alan Sorensen absent, all present carried and declared duly adopted by a role of the board on a vote of 6 Ayes, 0 Nays.

SCHEDULE A – Property List

Address	Village / Town	SBL	Buyer	Offer Price
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20 Orchard St	Liberty	112.-3-7	Dan Eraifej	\$	3,000
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RESOLUTION TO ACCEPT DONATION OF PROPERTY

WHEREAS, the Board has received a request to accept the donation of 27 Grant Street (109.-4-5) in the Village of Liberty; and

WHEREAS, the Village of Liberty owns an adjacent property that could be merged to create a larger property for redevelopment.

NOW, THEREFORE, BE IT RESOLVED by the Sullivan County Land Bank Corporation that:

1. The Board hereby authorizes the acquisition of the above properties, subject to the completion of due diligence and the approval from the Village of Liberty to transfer the adjacent property to the Land Bank.
2. Jill M. Weyer, Executive Director, is authorized to sign any and all documents necessary to acquire said properties.
3. This Resolution shall take effect immediately.

Moved by Nikolados, seconded by Buck, put to a vote with Jacquie Leventoff, Terri Ward, and Alan Sorensen absent, all present carried and declared duly adopted by a role of the board on a vote of 6 Ayes, 0 Nays.

RESOLUTION TO AUTHORIZE APPLICATION & EXECUTION OF JEFF BANK FINANCING FOR PROPERTY ACQUISITION

A motion was made by Steingart, seconded by Nikolados, to table the above resolutions similar to above, put to a vote with Jacquie Leventoff, Terri Ward, and Alan Sorensen absent, all present carried and declared duly adopted by a role of the board on a vote of 6 Ayes, 0 Nays.

RESOLUTION TO AUTHORIZE EXECUTION OF AN OPTION TO BUY 430 BROADWAY AKA THE STRONG BUILDING

WHEREAS, the Land Bank has been working with RUPCO, Inc. on several housing related projects in the County and RUPCO, Inc. has expressed interest in the Strong Building and other buildings on the same block of Broadway in Monticello; and

WHEREAS, an option is necessary to purchase 430 Broadway for \$250,000 with \$0 money down, from Strong Development LLC and hold title for redevelopment of this vacant and blighted building; and

WHEREAS, in order to ensure the redevelopment of the property, site control is needed to obtain other grants and financing opportunities.

NOW, THEREFORE, BE IT RESOLVED by the Sullivan County Land Bank Corporation that:

1. Jill M. Weyer, Executive Director, is authorized to execute any and all documents necessary for an option to purchase 430 Broadway from Strong Development LLC for \$250,000, subject to the completion of due diligence.
2. This Resolution shall take effect immediately.

Moved by Eisenberg, seconded by Nikolados, put to a vote with Jacquie Leventoff, Terri Ward, and Alan Sorensen absent, all present carried and declared duly adopted by a role of the board on a vote of 6 Ayes, 0 Nays.

RESOLUTION TO EXTEND TERM OF EXECUTIVE DIRECTOR

WHEREAS, the Board appointed Jill M. Weyer as the Executive Director of the Land Bank at its February 21, 2019 meeting; and

WHEREAS the term of the appointment was for January 1, 2019 – December 31, 2019, with the authority to extend on an annual basis for up to three years.

NOW, THEREFORE, BE IT RESOLVED by the Sullivan County Land Bank Corporation that:

1. Jill M. Weyer is appointed the Executive Director of the Sullivan County Land Bank Corporation for a term period January 1 – December 31, 2020; and
2. The Executive Director shall have signing authority for administrative, banking purposes and other similar purposes; and
3. This Resolution shall take effect immediately.

Moved by Ferguson, seconded by Nikolados, put to a vote with Jacquie Leventoff, Terri Ward, and Alan Sorensen absent, all present carried and declared duly adopted by a vote of the board on a vote of 6 Ayes, 0 Nays.

V. Discussion Items

Board Vacancies

A letter of interest was received from Anna Milucky, an employee of Jeff Bank. The Board was supportive of her but wanted to make sure that the board can still do business with the Land Bank and how to handle potential conflicts of interest. Additional outreach is needed for more board members due to Josh's vacancy and Bruce's resignation.

VI. Public Comment

No public comment.

VII. Adjournment

The meeting was adjourned at 9:27 am upon a motion by Buck, seconded by Steingart, with all present approving.