

Freda Eisenberg, Chair  
 Jacquie Leventoff, Vice Chair  
 George Nikolados, Treasurer  
 Anna Milucky, Secretary

Jill M. Weyer, Executive Director



Nancy Buck  
 Vicky Ferguson  
 Sims Foster  
 Alan Sorensen  
 Ira Steingart

**MINUTES**

**Board Meeting – via ZOOM  
 October 15, 2020**

**BOARD MEMBERS:**

**IN ATTENDANCE:** Freda Eisenberg, Jacquie Leventoff, Vicky Ferguson, George Nikolados, Nancy Buck, Ira Steingart, Alan Sorensen, and Sims Foster (8:39)

**ABSENT:** Anna Milucky,

**OTHERS PRESENT:** Jill Weyer, John Liddle

**I. Call to Order / Roll Call**

The meeting was called to order by Freda Eisenberg, Chair at 8:33 am.

**II. Approval of Bills to Pay**

<b>Current Account Balance:</b>	<b>\$ 572,266.75</b>	
<b>Paid:</b>		
New Hope (property maintenance)	\$ 810.00	various
Jacobowitz & Gubits (various)	\$ 1,063.75	various
Lee & Mason (various)	\$ 1,349.99	various
Harris Woods Homeowners Association (Sept)	\$ 285.00	26 Racine
NYSEG (17 Cooke Lane, Monticello)	\$ 16.42	17 Cooke
NYSEG (19 Balsam Ave, Liberty)	\$ 18.60	19 Balsam
Sullivan County DPW (unsafe Signs)	\$ 80.62	Monticello Manor
Zoom Communications Inc.	\$ 14.99	Office Expense
<b>To Be Paid:</b>		
Loveland	\$ 10.00	Zombie
Jacobowitz & Gubits (various)	\$ 683.59	various
Harris Woods Homeowners Association (July)	\$ 285.00	26 Racine
Village of Liberty Tax Agreement	\$ 13,720.42	various
NYSEG (48 Yaun Ave, Liberty)	\$ 178.98	48 Yaun
NYSEG (19 Balsam Ave, Liberty)	\$ 19.34	19 Balsam
Lee & Mason (various)	\$ 1,380.33	various
Hanover Insurance Comp.	\$ 25.00	BOP Endorsement
<b>Account Balance After Bills Paid</b>	<b>\$555,964.09</b>	

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

**III. Approval of Minutes – September 17 & 24, 2020**

A motion was made by Leventoff, seconded by Nikolados, all present approving the minutes from the September 17<sup>th</sup> and September 24<sup>th</sup>, 2020 meetings.

#### **IV. Presentation**

Representatives of RUPCO, Inc. – Kathy Germain, Sandy Altomare and Bill Anderson – presented on the New Construction project to build three homes using CRI Round 4 funding. Leventoff requested they look into a raised ranch with unfinished basement to allow family growth, as well as making sure we use local contractors and modular companies. Ferguson commented that we want to make sure these properties appraise and will be affordable to eligible homebuyers. Sorensen remarked on making sure we work with reputable banks to avoid predatory lending. Eisenberg commented on qualifying homebuyers and affordability with the sustainability policy.

#### **V. Resolutions**

##### **RESOLUTION TO EXECUTE AGREEMENT WITH RUPCO, INC. AS CO-DEVELOPER FOR THE CONSTRUCTION OF 3 NEW HOMES**

WHEREAS, a proposal has been received from RUPCO Inc., for co-developer services to construct three new homes as part of the CRI Round 4 funding administered through Enterprise; and

WHEREAS, the Land Bank's Board of Directors believes that it is not prudent or appropriate to prepare a request for proposals and it is in the best interest of the Corporation to accept such proposal and enter into an agreement for co-developer services with RUPCO Inc., because they are the only potential contractor with the skill, experience and capacity at this time to provide these necessary services.

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

1. Jill M. Weyer, Executive Director is authorized to execute an Agreement for Co-Developer services with RUPCO, Inc. for as outlined in their proposal, subject to approval of an agreement by the Land Bank's Attorney;
2. This Resolution shall take effect immediately.

Moved by Sorensen, seconded by Leventoff, put to a vote with all present approving, carried and declared duly adopted on a vote of **8** ayes, **0** nays.

##### **RESOLUTION TO AUTHORIZE USE OF LINE OF CREDIT FOR THE ACQUISITION OF 430 BROADWAY AKA STRONG BUILDING AND EXECUTE ALL NECESSARY DOCUMENTS**

WHEREAS, the Sullivan County Land Bank Board authorized the acquisition of 430 Broadway at its September 17<sup>th</sup> meeting subject to the authorization of an MOU with RUPCO and the ability to use funding from Enterprise to shore and secure the building; and

WHEREAS, the option was extended until October 30, 2020; and

WHEREAS, the Board approved the creation of a line of credit for acquisition and cash flow needs; and

WHEREAS, in order to transfer the property, the Land Bank needs to use the line of credit to purchase the property and execute documents for the transfer; and

WHEREAS, Enterprise has committed \$250,000 to the acquisition, which depending on the date of receipt will be used to pay for the acquisition price, or to pay back the line of credit.

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

1. acquisition of the property, identified on Schedule A below, from the Seller, is approved; and
2. the Executive Director and/or Chair are authorized to draw upon the line of credit to the extent necessary to purchase the property; and
3. the Executive Director and/or Chair are authorized to execute any and all documents necessary to acquire the property identified on Schedule A from the Seller, including using the line of credit to proceed with purchase, subject to approval of documents by the Land Bank attorney; and
4. this Resolution shall take effect immediately.

**Schedule A**

Address	Village	Tax Parcel
430 Broadway	Monticello	112.-9-14.1

Moved by Leventoff, seconded by Nikolados, put to a vote with all present approving, carried and declared duly adopted on a vote of **8** ayes, **0** nays.

**RESOLUTION TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT FOR A STRUCTURAL PLAN FROM CLAPPER ENGINEERING**

WHEREAS, a proposal has been received from Clapper Engineering for a structural plan and inspection fees to secure and shore up 430 Broadway AKA Strong Building; and

WHEREAS, the Land Bank’s Board of Directors believes that it is not prudent or appropriate to prepare a separate bid and it is in the best interest of the Corporation to accept such proposal and enter into an agreement for engineering services with Clapper Engineering, because the engineer is working with RUPCO on the project as part of the Broadway Redevelopment MOU and will be more cost effective and efficient to use their services to accomplish this task.

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

1. Jill M. Weyer, Executive Director is authorized to execute an Agreement for engineering services with Clapper Engineering for an amount not to exceed \$5,000 as quoted in the proposal attached hereto as Exhibit A, subject to approval of an agreement by the Land Bank’s Attorney;
2. This Resolution shall take effect immediately.

Moved by Sorensen, seconded by Ferguson, put to a vote with all present approving, carried and declared duly adopted on a vote of **8** 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 Properties List attached hereto as Schedule A (individually , a "Property" or collectively, the "Properties"); and

WHEREAS, the Land Bank Disposition Advisory Group, after evaluating all purchase offers received for the Properties in accordance with the Property Disposition Policy, has recommended that the Land Bank sell each Property to the corresponding Buyer identified on the Properties List (individually, a "Buyer" or collectively, the "Buyers") in accordance with the terms and conditions set forth therein; and

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

WHEREAS, the Land Bank has obtained such competition as is feasible under the circumstances for each Property by advertising the Property on its website, listing the Properties on MLS by licensed real estate brokers, and conducting adequate outreach; and

WHEREAS, as each 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 has determined that there is no reasonable alternative to the proposed transfer that would achieve the same purpose of the transfer; and

WHEREAS, the Land Bank desires to sell each Property to the corresponding Buyer identified on the Properties List at, or substantially at the offer price set forth on the Properties 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 Members of the Board hereby authorize the Land Bank to sell each Property to the corresponding Buyer identified on the Properties List and authorize the Executive Director to negotiate the final sale price of each 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 each Property. Each 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.
5. This Resolution shall take effect immediately.

**SCHEDULE A**

<b>Address</b>	<b>Village / Town</b>	<b>SBL</b>	<b>Buyer</b>	<b>Offer Price</b>
15 Jordan Ave	Liberty Village	114.-4-7	Mark Kuskowski	\$29,900.00

Moved by Nikolados, seconded by Ferguson, put to a vote with all present approving, carried and declared duly adopted on a vote of **8** ayes, **0** nays.

**VI. Public Comment**

No public comment received but it was mentioned that the buyer of 17 Cooke Land passed away but that the Board expressed a desire to work with the widow to continue the sale. There is also a need for more board members and a push will be made to get more board members.

**VII. Adjournment**

The meeting was adjourned at 9:44 am upon a motion by Sorensen, seconded by Eisenberg, with all present approving.