

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

Jill M. Weyer, Executive Director



Nancy Buck
Julian Dawson
Vicky Ferguson
Sims Foster
Alan Sorensen
Ira Steingart

MINUTES

Board Meeting

Hybrid Format: In-Person and via ZOOM

July 21, 2021

BOARD MEMBERS:

IN ATTENDANCE: Anna Milucky, Freda Eisenberg, Jacquie Leventoff, Ira Steingart, Susan Harte
Nancy Buck

ON ZOOM: Sims Foster, George Nikolados, Vicky Ferguson

ABSENT: Alan Sorensen, Julian Dawson

OTHERS PRESENT: Denise Frangipane (Zoom)

I. Call to Order / Roll Call

The meeting was called to order by Freda Eisenberg at 8:04 am. Susan Harte, who arrived a few minutes later to attend her first meeting as a board member, was introduced to all present.

II. Approval of Bills to Pay

A motion was made by Leventoff, seconded by Steingart, all present approved the bills to be paid listed on the financial report.

III. Approval of Minutes – May 19, 2021

A motion was made by Buck, seconded by Leventoff, all present approving the minutes from the May 19, 2021 meeting.

IV. Discussion/Presentation

Eisenberg noted the SCLBC Executive Director Jill Weyer was absent on vacation, and reported that the current focus of work was on developing the CFA application to seek funding for Broadway Theater rehabilitation. She mentioned that consultants would be providing cost estimates for theater stabilization and creating a site program for rehabilitation.

Eisenberg also mentioned work on the CDBG grant that the County has for subsidizing new home purchases, some of which is earmarked for the three modular homes the Land Bank will be building in the Villages. The funding agency has requested that a portion of that grant be diverted to replace a trailer in the Village of Monticello. A number of questions were raised about the trailer replacement, including the type and size (i.e. is it a single or double wide), the mechanics of and liability related to moving the resident of the existing trailer that will be replaced, and the long term use and ownership of the new trailer.

Eisenberg also reported that the variances sought by the Land Bank from the Village of Monticello for rehabilitation of 43 High Street and the planned new construction on York Avenue have been granted.

V. Resolutions

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

Address	Village / Town	SBL	Buyer	Offer Price
161 Park Ave	Monticello	119.-6-19.1	Bilah Miller	\$10,000

Moved by Buck, seconded by Ferguson, put to a vote with Sorensen and Dawson absent, unanimously carried and declared duly adopted by a role of the board on a vote of 9 Ayes, 0 Nays.

RESOLUTION TO APPLY FOR EPF FUNDING FOR BROADWAY THEATER

RESOLVED, that the Sullivan County Land Bank Corporation (the “Land Bank”) applied for financial assistance from the New York State Office of Parks, Recreation and Historic Preservation (“OPRHP”) under **Title 9 of the Environmental Protection Act of 1993** for the purpose of funding the restoration planning of the Broadway Theatre located at 498 Broadway in the Village of Monticello;

RESOLVED, that the Land Bank is authorized and directed to accept these grant funds in an amount not to exceed \$200,000 for the project described in the grant application;

RESOLVED, that the Land Bank is authorized and directed to agree to the terms and conditions of the Master Contract with OPRHP for such restoration of the Broadway Theatre.

RESOLVED, that the Land Bank is authorized and directed to agree to the terms and conditions of any required deed of easement granted to OPRHP that affects title to real property owned by the corporation and improved by the grant funds, which may be a duly recorded public access covenant, conservation easement, and/or preservation covenant; and

RESOLVED, that the Board of Directors delegates signing authority to execute the Master Contract and any amendments thereto, any required deed of easement, and any other certifications to the individual(s) who hold the following corporate office and employment position titles: Chair and Executive Director.

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

1. Jill Weyer, Executive Director, is authorized to execute any and all documents necessary to apply for the 2021 EPF Funding and, if awarded, such grant is accepted.
2. This Resolution shall take effect immediately.

Moved by Leventoff, seconded by Buck, put to a vote with Sorensen and Dawson absent, unanimously carried and declared duly adopted by a role of the board on a vote of 9 Ayes, 0 Nays.

RESOLUTION TO AWARD REALTOR SERVICES FOR NEW CONSTRUCTION PROJECT TO

WHEREAS, proposals were solicited from realtors for the pre-sale and sale of the new construction homes being built with RUPCO, Inc, and

WHEREAS, the Land Bank's Board of Directors believe it is in the best interest of the Corporation to accept such proposal and enter into an agreement for contractor services.

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

1. Jill Weyer, Executive Director, is authorized to enter into an Agreement for realtor services for new construction sales of 3 homes with _____.;
2. This Resolution shall take effect immediately.

Moved by Leventoff, seconded by Ferguson for discussion only, the question was never called.

Leventoff expressed concerns about utilizing an out of County realtor when there are many realtors in Sullivan County. Steingart connected the lack of interest to the current, active market. Discussion followed regarding the level of outreach used and what might be done to increase a local response. Strategies suggested included working closely with the SC Board of Realtors, engaging the SC Chamber and Partnership in outreach efforts, and either advertising or publicizing the opportunity. Both Leventoff and Harte volunteered to follow up with their contacts to promote interest. Additional discussion concerned the timing of the modular delivery, the level of subsidies available and required income restrictions. Eisenberg committed to the Land Bank issuing a news release with images of the modular homes promoting the opportunity.

Eisenberg proposed to table the resolution pending addition realtor recruitment. All agreed.

VI. Public Comment

Denise Frangipane noted this was her first SCLBC meeting and that she is assuming additional Sullivan Renaissance duties in the wake of Allison Capella's departure.

Susan Harte asked whether SCLBC work was subject to SEQRA review, Eisenberg responded that projects to date have been at the single-family scale and exempt as a Type II action. She added that she was unsure of whether larger projects would be exempt due to the Land Banks status as a public authority but, as a planner, would look to comply regardless.

Leventoff raised questions about the status of the Zombie 2.0 grant, including the grant deadline and the results of work being undertaken by RDAC on the Land Bank's behalf. Eisenberg stated that details would be provided at the August meeting.

VII. Adjournment

The meeting was adjourned at 8:37 am upon a motion by Leventoff, seconded by Ferguson, with all present approving.