

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

Jill M. Weyer, Executive Director



Nancy Buck  
Julian Dawson  
Vicky Ferguson  
Susan Harte  
Alan Sorensen  
Ira Steingart

## **MINUTES**

### **Board Meeting September 21, 2022**

#### **BOARD MEMBERS:**

**IN ATTENDANCE:** Freda Eisenberg, Anna Milucky, Vicky Ferguson, Susan Harte, Julian Dawson, Nancy Buck, Ira Steingart and Alan Sorensen (8:10)

**ON ZOOM:** Jacquie Leventoff (8:14), Alexander Concepcion

**ABSENT:** George Nikolados

**OTHERS PRESENT:** Zoom: Jill Weyer

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

The meeting was called to order at 8:04am

#### **II. Approval of Bills to Pay**

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

#### **III. Approval of Minutes**

A motion was made by Ferguson, seconded by Harte, all present approved the minutes of the August 17, 2022 meeting.

#### **IV. Resolutions**

##### **RESOLUTION TO APPLY FOR THE USEPA BROWNFIELD ASSESSMENT GRANT**

WHEREAS, USEPA announced funding available through the FY23 Brownfield Assessment Grant 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 cost share 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 FY22 EPA Brownfield grant program and, if awarded, such grant is accepted.
2. This Resolution shall take effect immediately.

Moved by Milucky, seconded by Ferguson, to approve with all remaining present carried and declared duly adopted by a vote of the board on a vote of 7 Ayes, 0 Nays.

##### **RESOLUTION TO INDEMNIFY, HOLD HARMLESS AND DEFEND THE TITLE COMPANY FOR THE DISPOSITION OF 53-57 PARK AVENUE**

WHEREAS, the Sullivan County Land Bank Corporation authorized the request and acceptance of title to 53 Park Avenue, 55 Park Avenue and 55 ½ Park Avenue from the County of Sullivan and the Village of

Monticello and properties were transferred to the Land Bank on February 14, 2018, February 20, 2018, and June 21, 2019; and

WHEREAS, the two structures were demolished in in September 2019 using Community Revitalization Funds and RUSf funds; and

WHEREAS, all three lots were merged into one and all easements and ROWs were extinguished to create one larger buildable lot known as 57 Park Avenue; and

WHEREAS, a new home was constructed on the property in 2021 working with RUPCO, Inc. to build a three-bedroom home to be made available to income eligible buyers; and

WHEREAS, the total cost of demolition and construction exceeded \$350,000 using Community Revitalization Initiative, CDBG and AHC funds to subsidize the project costs in order to make the home affordable given the tax rate in the Village of Liberty and mortgage value; and

WHEREAS the Land Bank authorized sale of the home to Deon Smith at its January 5, 2022 meeting at a sales price of \$173,260; and

WHEREAS during the disposition of the property, the title company identified a potential issue related to the noticing of previous owners on two of the merged lots during the County foreclosure process; and

WHEREAS as a condition of sale, and in order to insure title, the title company requires the Land Bank to indemnify, hold harmless and defend the title company should a previous owner file suit.

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

1. The recitals above are hereby incorporated into this Resolution as if fully set forth herein.
2. The Sullivan County Land Bank hereby agrees to indemnify, hold harmless and defend the Title company related to the disposition of 57 Park Ave, with respect to the notice issues with the foreclosure process; and
3. This Resolution shall take effect immediately.

Moved by Milucky, seconded by Harte, to approve, with Buck recusing and all remaining present carried and declared duly adopted by a role of the board on a vote of 7 Ayes, 0 Nays.

## V. Discussion

*NYS Land Bank Initiative Phase 1 & 2*- Jill discussed the programs and announced the Land Bank was awarded \$200,000 for Phase 1 and is working on the paperwork for accepting the award. She discussed that Phase 1 is for administrative costs but Phase 2 will be for more capital expenses.

*2023 Budget* – Jill gave an overview of the proposed 2023 Budget and explained that it was a draft for review. There was a discussion on whether to be conservative or anticipate funds from Phase 2 of the NYS Land Bank Initiative. Freda asked about which the State would prefer but Jill mentioned that hopefully we will have more direction from the State for the Phase 2 funds and how best to reflect the Land Bank budget. Jill also mentioned keeping the \$100,000 in from the County but was unsure of adding \$200,000 again for the demolition funds. The County demolition expenses are to be spent in 2023 and are reflected in the budget. Ira and Alan were supportive for allocating the same amount of funds for 2023. There was discussion on the expenses associated with Key Bank and the carrying costs for holding it until RUPCO acquires it. Anna asked about procurement of oil for our buildings and Jill explained the process for quoting for the properties. Anna mentioned requesting a fixed rate for the buildings, Jill will look into this as we go into the winter with the Key Bank building. Freda asked about carrying costs for the building and what will need to be done. Nancy asked about maintaining the building through the winter to ensure the systems stay in place. Ira asked about an alarm system and putting in a sensor. Jill will check with RUPCO about how they need the systems on for their project and what we need to do. Jill let the Board know they need to adopt the budget by November 1<sup>st</sup> and to bring any questions or comments to be addressed.

*RUSSt Funds & Foreclosures* – The 2022 foreclosure process is at a standstill and we are waiting for the County to proceed with the foreclosure process to finalize. Jill is working on the due diligence of the seven properties that are requested in order to hit the ground running when properties are able to be transferred. Jill gave a brief overview of the data she has obtained to date on the 7 properties.

*Other Board Discussion* – Jill discussed the need for the indemnification resolution above for 53-57 Park Avenue and the resolution was passed above. Harte asked about Opportunity Zones and there was a brief discussion on the locations of these compared to our properties. Jill brought up the USPS lease for the Broadway Theater lot and asked Susan to review and provide feedback on the requested broker fee. Jill will send to Susan for review.

**VI. Public Comment** – Alexander Concepcion asked about sitting with someone who can explain the process in Spanish. Jill will reach out to RUPCO to see if they have someone who can sit with him.

**VII. Adjournment**

The meeting was adjourned at 9:06 am upon a motion by Buck, seconded by Ferguson, with all present approving.