

Jacque Leventoff, Vice Chair  
George Nikolados, Treasurer  
Anna Milucky, Secretary



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

## **MINUTES**

### **Board Meeting March 22, 2023**

#### **BOARD MEMBERS:**

**IN ATTENDANCE:** Heather Brown, Nancy Buck, Julian Dawson (4:09 PM), Vicky Ferguson (4:04 PM), Susan Harte, Jacque Leventoff, Anna Milucky, George Nikolados, Ira Steingart, Jill Weyer

**ON ZOOM:** N/A

**ABSENT:** Alan Sorensen

**OTHERS PRESENT:** Shannon Cilento, Faith Moore, Kassondra Johnstone

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

The meeting was called to order at 4:03 PM.

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

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

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

A motion was made by Buck, seconded by Ferguson, to approve, with all present approving the minutes of the February 15, 2023 meeting.

#### IV. Discussion/Updates

1. **Transition –RFP Process** - The group discussed the recent change in Board leadership, including the official addition of Weyer as a Community Member. The Board discussed and decided to elect an Acting Chair to serve until the County Legislature appoints the remainder of the Board members.

The board also discussed the RFP that was released by the County for Housing Services, which included administration from the Land Bank. The RFP received two response, with the lower response coming from RUPCO. Faith Moore from RUPCO was in attendance and was able to provide answers to questions regarding the services that RUPCO would provide, including preparing for board meetings, managing finances, property maintenance, project monitoring, application vetting and processing, and evaluation of parcels. This would cost \$35,000 for a one-year contract. The Legislature passed a resolution to authorize a contract with RUPCO at their last meeting on March 16. The board agreed that it would be beneficial to all parties if the Land Bank was able to contract directly with RUPCO as opposed to through the County if the County was still able to provide those funds along with its annual administration and RUST funding, in a total amount of \$335,000.

The board decided to attend the next Planning, Real Property, and Economic Development Committee meeting of the Legislature on April 6 at 10 AM to present on the status of the Land Bank as requested by the Legislative Chair and to request that the funding authorized for this contract be moved into general administrative services allocation for the Land Bank.

2. **91 Chestnut** - Johnstone reported that applicants Steven Landman and Mira Aldridge provided an updated proposal with answers to outstanding questions that the board asked during their presentation, as well as proof of funds. The proposal was shared with the board. The board decided to hold an Advisory Board meeting within the next week to finalize contingencies before the board passes a resolution to dispose of the property.
3. **Monthly Meeting Dates/Times** – Given the challenges in scheduling the previous two meetings and attendance at this meeting, Johnstone suggested that the going forward the schedule should be amended to begin meetings at 4 PM. The board agreed and passed a resolution to amend the schedule.

#### V. Resolutions

##### RESOLUTION ELECTING AN ACTING CHAIR

WHEREAS, the Sullivan County Land Bank Corporation is a not-for-profit corporation duly organized and validly existing under the laws of the State of New York; and

WHEREAS, the Board of Directors (the “Board”) has been notified of the resignation of the Chair; and

WHEREAS, in accordance with the Bylaws of the GSPDC, the Board has elected an officer to serve as Acting Chair until the Board's next Annual Meeting;

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

1. The Board hereby elects the following person to the offices set forth opposite their names until their successor is elected and assume office:

<i>Name</i>	<i>Office</i>
<i>Jill Weyer</i>	Acting Chair

2. The above appointed Acting Chair is also designated as a bank signor for the Sullivan County Land Bank Corporation banking purposes.
3. This Resolution shall take effect immediately.

Steingart moved to nominate Jill Weyer at Acting Chair, seconded by Harte, put to a vote with Sorensen absent, carried and declared duly adopted on a vote of 10 ayes, 0 nays.

**RESOLUTION REMOVING BANK SIGNORS, TO ADD ADDITIONAL ONLINE ACCOUNT USERS, AND APPROVES SIGNORS FOR THE LINE OF CREDIT**

WHEREAS, the Sullivan County Land Bank Corporation has been informed of the resignation of current Chair of the Board of Directors (the "Board"), Freda Eisenberg; and

WHEREAS, Eisenberg was listed as a signor for the Land Bank bank account; and

WHEREAS, former Board member Terri Ward was also still listed as a signor for the Land Bank bank account; and

WHEREAS, due to the change in officers the Sullivan County Land Bank will need to add additional users to the online bank account portal to gain access; and

WHEREAS, the Sullivan County Land Bank has a line of credit through Jeff Bank that needs and authorized signor;

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

1. The following persons are removed as signors for the Jeff Bank account:
  - a. Freda Eisenberg
  - b. Terri Ward
2. Heather Brown, Interim Commissioner of the Division of Planning, is authorized to enroll as a user to the online Jeff Bank account.
3. Those listed below are approved as signors for the Jeff Bank line of credit:
  - a.
4. This Resolution shall take effect immediately.

Ferguson moved to amend the resolution to include Heather Brown, Interim Commissioner of the Division of Planning as a user for the online Jeff Bank account, and remove #3, seconded by Milucky, put to a vote with Sorensen absent, carried and declared duly adopted on a vote of 10 ayes, 0 nays.

Moved by Steingart, seconded by Buck, put to a vote with Sorensen absent, carried and declared duly adopted on a vote of 10 ayes, 0 nays.

**RESOLUTION TO AWARD TREE REMOVAL SERVICES AT LAND BANK PROPERTIES**

WHEREAS, quotes were solicited for Tree Removal Services at various Land Bank properties by River Realty who handles property maintenance; and

WHEREAS River Realty obtained quotes for this work; and

WHEREAS, the Land Bank believes it is in the best interest to accept the lowest responsible quote per property from River Realty;

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

1. \_\_\_\_\_, Acting Chair, is; authorized to pay River Realty to handle tree removal services for an amount not to exceed \$12,000;
2. This Resolution shall take effect immediately.

Ferguson moved to amend the resolution to state "Acting" Chair, seconded by Brown, put to a vote with Sorensen absent, carried and declared duly adopted on a vote of 10 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; and

WHEREAS, the Land Bank previously approved the disposition of properties to the Buyer in both Monticello and Liberty and the Board would like to dispose of the five properties in Monticello and five properties in Liberty as two separate purchase and sale agreements, as proposed to Community Preservation Corporation (cpc) and New York State, and contingent on items identified by the Acquisition and Disposition Advisory Group; and

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 Chair 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 Chair 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.

Address	Village/Town	SBL	Buyer	Offer Price
Pinehurst Dr.	Liberty	106.-2-11	Davinder (David) Makan	\$10,000
Morris Dr.	Monticello	119.-2-5	Aspiration Properties & Equities, LLC Makan Construction, LLC	\$10,000

Ferguson moved to amend the resolution to replace Executive Director with “Chair”, seconded by Dawson, put to a vote with Sorensen absent, carried and declared duly adopted on a vote of 10 ayes, 0 nays.

## **RESOLUTION TO SET THE 2023 MEETING SCHEDULE FOR THE BOARD MEETINGS**

WHEREAS, in reviewing attendance of this year’s meetings, it is recommended that monthly meetings occur on the 3rd Wednesday of the month at 4:00 PM.

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

1. A legal notice will be issued to amend the time on the 2023 meeting schedule.
2. This Resolution shall take effect immediately.

Moved by Brown, seconded by Weyer, put to a vote with Buck and Sorensen absent, carried and declared duly adopted on a vote of 9 ayes, 0 nays.

## **VI. Discussion/Updates**

1. Freda reported that due to Jill’s departure from the County, there was an RFP issued for a consultant to take over some of her duties in the Division of Planning as well as Land Bank administration. A consultant would be paid out of Planning’s budget and would also assist with other housing objectives from the County. The RFP received two responses for the Land Bank administration, one at \$75,000 for one year, and RUPCO at \$40,000 for one year. The board supported hiring RUPCO to ensure a smooth transition while Freda searches for a replacement for Jill’s position. Jill confirmed that other Land Banks in the state are also administered by their County’s CHDO and it would not be a conflict of interest given the other work the RUPCO completes on the Land Bank’s behalf.
2. Freda reported that a doodle poll will be sent out to board members to determine the best dates and times for board meetings going forward.
3. Freda reported that she reached out to RUPCO for a quote to complete the Land Bank Initiative Phase II grant application. RUPCO quoted \$2,500, which is under the procurement limit for a resolution. The board expressed support at contracting with them for this purpose.

## **VII. Other**

Nikolados reported that the Village of Monticello board has been informed of the Land Bank’s lease of the Key Bank building to the Hurleyville Performing Arts Center (HPAC) for the Black Library, and are interested in pursuing a PILOT agreement with the HPAC since the building will now be occupied. Milucky asked if the Land Bank would now be paying water, sewer, and sanitation fees for the duration of the lease, and Weyer confirmed that they would. Harte also stated that HPAC is a non-profit organization and would not pay taxes even if they owned the building.

## **VIII. Public Comment**

None.

## **IX. Adjournment**

The meeting was adjourned at 5:22 PM by a motion of Ferguson and seconded by Nikolados, with all present approving.