

Freda Eisenberg, Chair  
Jacquie Leventoff, Vice Chair  
Joshua Potosek, Treasurer  
Terri Ward, Secretary



Nancy Buck  
Pete Gozza  
George Nikolados  
Alan Sorensen  
Ira Steingart

## **MINUTES**

### **Board Meeting November 15, 2018**

#### **BOARD MEMBERS:**

**IN ATTENDANCE:** Freda Eisenberg, Nancy Buck, Jacquie Leventoff, Terri Ward, George Nikolados, Alan Sorensen, Ira Steingart

**ABSENT:** Pete Gozza, Josh Potosek,

**OTHERS PRESENT:** Jill Weyer, Helen Budrock, and Juan Journet

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

The meeting was called to order by Freda Eisenberg, Chair at 8:44am.

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

##### **Paid:**

Gorick Construction Co., Inc.	\$ 104,225.00
Jacobowitz & Gubits (Sept. '18)	\$ 1,188.93
Center for Community Progress	\$ 3,500.00
New Hope Community, Inc.	\$ 635.00
Acorn Plumbing & Heating	\$ 1,280.00
Upstate Abstract of New York, Inc.	\$ 1,953.00
NYS Department of Law (2017 filing fee)	\$ 75.00

##### **To Be Paid:**

Jacobowitz & Gubits (Oct. '18)	\$ 2,574.67
New Hope Community, Inc.	\$ 210.00
Enterprise Community Partners, Inc.	\$ 146.69
NYSEG (9 Cross Street, Monticello)	\$ 12.78
NYSEG (7 Washington St, Monticello)	\$ 134.57*

\*pending review of usage

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

#### **III. Approval of Minutes – October 11, 2018**

A motion was made by Buck, seconded by Steingart, all present approved minutes from October 11, 2018 meeting.

**IV. Status Report & Resolutions**

**RESOLUTION TO AUTHORIZE TRANSFER OF COUNTY OWNED PROPERTIES AND CHAIR TO SIGN ALL NECESSARY DOCUMENTS**

WHEREAS, by County Resolution 347-18, the Sullivan County Legislature authorized the transfer of certain County owned properties defined on Schedule A below; and

WHEREAS, additional properties have been made available and requested by the Sullivan County Land Bank for additional County owned properties defined on Schedule A below; and

WHEREAS, there is no payment or other consideration for the transfer of these properties, except for 15 High St; and

WHEREAS, in order to transfer properties to the Land Bank, documents will need to be executed.

NOW THEREFORE BE IT RESOLVED, the Sullivan County Land Bank will accept the properties, identified on Schedule A below, from the County of Sullivan and authorizes the Chair to sign any and all documents necessary to transfer the properties.

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

1. Freda Eisenberg, Chairman, is authorized to execute any and all documents necessary to accept and transfer the properties outlined on Schedule A from the County of Sullivan.
2. This Resolution shall take effect immediately.

Moved by Sorensen, seconded by Ward, put to a vote with Gozza and Potosek absent, carried and declared duly adopted on a vote of 7 ayes, 0 nays.

**Schedule A**

Address	Village	Tax Parcel	Resolution
40 Yaun Ave	Liberty	106.-3-10	347-18
48 Yaun Ave.	Liberty	106.-3-9	347-18
112 Academy St	Liberty	108.-3-3	347-18
47 School St	Liberty	108.-6-20	347-18
233 S Main St	Liberty	115.-1-3	347-18
North Delaware Ave Ext	Liberty	102.-7-8.3	
North Delaware Ave Ext	Liberty	102.-7-8.4	
North Delaware Ave Ext	Liberty	102.-7-8.5	
North Delaware Ave	Liberty	102.-7-8.6	
North Delaware Ave Ext	Liberty	102.-7-8.7	
North Delaware Ave	Liberty	102.-7-8.8	
North Delaware Ave Ext	Liberty	102.-7-8.9	
North Delaware Ave Ext	Liberty	102.-7-8.11	
220 S Main St	Liberty	114.-3-11	
High St	Monticello	112.-3-2.1	347-18
North of Gipson St	Monticello	115.-10-11	347-18
Spring St	Monticello	116.-2-12	347-18
15 High Street*	Monticello	107.-1-11.1	347-18

**TABLED - RESOLUTIONS TO AUTHORIZE TRANSFER OF VILLAGE OWNED PROPERTIES AND CHAIR TO SIGN ALL NECESSARY DOCUMENTS**

**RESOLUTION TO INCREASE PAYMENT TO COLLIER CONSTRUCTION FOR CONTRACTING SERVICES**

WHEREAS, the Board previously awarded Collier Construction up to \$10,000 for Contracting Services on Land Bank Properties at the December 12, 2017 meeting; and

WHEREAS, additional construction management is needed for work to be done at 7 Washington Street and 9 Cross Street for an additional cost of \$15,844, as quoted in the detailed estimate received from Collier.

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

1. Freda Eisenberg, Chairman is authorized to increase the contract price with Collier Construction for Contracting Services in an amount not to exceed \$25,844.
2. This Resolution shall take effect immediately.

Moved by Ward, seconded by Nikolados, put to a vote with Gozza and Potosek absent, carried and declared duly adopted on a vote of 7 ayes, 0 nays.

**RESOLUTION TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS, ACCEPT THE AWARD, AND ENTER INTO A CONTRACT WITH ENTERPRISE COMMUNITY PARTNERS, INC. AND THE COUNTY OF SULLIVAN**

WHEREAS, Enterprise Community Partners, Inc. ("Enterprise") committed a grant in the amount of \$900,000.00 ( the "Grant") to the County of Sullivan (the "County") for the Sullivan County Land Bank Corporation ("Land Bank") to fund its ongoing community development work, and

WHEREAS, a requirement of the grant is to accept and authorize the Land Bank to use the funds as per the Disbursement Conditions Agreement (the "Agreement") between the Land Bank and Enterprise; and

WHEREAS, to the extent the Land Bank is a SEQRA agency, this action is not subject to the State Environmental Quality Review Act.

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

1. Freda Eisenberg, Chairman and Secretary is authorized to execute any and all necessary documents to accept and administer the funding from Enterprise for the Community Revitalization Initiative program for the term of the grant as per the Disbursement Conditions Agreement with such changes as may be necessary with advice from counsel; and
2. This Resolution shall take effect immediately.

Moved by Sorensen, seconded by Buck, put to a vote with Gozza and Potosek absent, carried and declared duly adopted on a vote of 7 ayes, 0 nays.

**RESOLUTION TO ACQUIRE PROPERTY THROUGH NATIONAL COMMUNITY STABILIZATION TRUST FIRST LOOK PROGRAM**

WHEREAS, the National Community Stabilization Trust ("NCST") is a non-profit organization that serves as the bridge between financial institutions and local housing providers to stabilize neighborhoods; and

WHEREAS, NCST helps community-based housing providers accomplish housing strategies that ensure low- and moderate-income families have access to affordable, safe homeownership and rental opportunities; and

WHEREAS, the Sullivan County Land Bank ("Land Bank") has applied to participate in NCST's REO acquisition programs, which facilitate the transfer of properties between participating financial institutions ("REO Sellers") and eligible local housing providers ("Community Buyers"); and

WHEREAS, a property has been identified through the Mr. Cooper First Look Program and upon review by the Acquisition Advisory Group, it is recommended that the Land Bank acquire the available properties located at 61 Airport Road, Town of Highland and 26 Racine Ct, Town of Thompson.

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.
2. The Board also hereby authorizes, Freda Eisenberg, Chair, to sign any and all necessary documents to acquire said properties.
3. This Resolution shall take effect immediately.

Moved by Nikolados, seconded by Sorensen, put to a vote with Gozza and Potosek absent, carried and declared duly adopted on a vote of 7 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 Village of Monticello, 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 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 the 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 Chair 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.

Moved by Buck, seconded by Nikolados, put to a vote with Gozza and Potosek absent, carried and declared duly adopted on a vote of 7 ayes, 0 nays.

**SCHEDULE A**

Address	Village	SBL	Buyer	Sale Price
9 Maple Lane	Monticello	114.-7-2	Helen Jersey	\$4,800
7 Washington St	Monticello	116.-1-23	Alexis Vera	\$15,000

#### **V. Old Business**

Due to timeframes and lack of pipeline for housing renovations, the Land Bank will not be submitting a HOME grant and instead will continue to work with RUPCO to identify other funding opportunities and develop a process for housing related services and becoming grant ready.

Jill will be meeting with the Villages and County to discuss the unpaid taxes and will work with them to develop agreements necessary. Once agreements have been reviewed and approved, they will be presented to the Land Bank.

#### **VI. New Business**

Weyer reviewed the Status report and updated the Board on work done since the last meeting. The County Manager has recommended budgeting \$100,000 to the land bank in 2019.

The Disposition Advisory Group reviewed the two applications and recommended approval to the Board a resolution was passed.

Additional outreach is needed for transferring properties and two realtor events will be planned for November to get more input and buy-in from the Realtor community.

Jill will also be presenting at Sullivan Renaissance's December Planning Seminar to give an update on the Land Bank.

#### **VII. Public Comment**

Helen Budrock discussed the upcoming Sullivan Renaissance planning seminar where they anticipate announcing the Neighborhood Revitalization programs including the Rock the Block program. Jill will work with Helen to provide maps and data to identify a targeted block.

#### **VIII. Adjournment**

The meeting was adjourned at 9:38am upon a motion by Buck, seconded by Sorensen, with all present approving.