

Freda Eisenberg, Chair  
Jacquie Leventoff, Vice Chair  
George Nikolados, Treasurer  
Terri Ward, Secretary



Nancy Buck  
Vicky Ferguson  
Joshua Potosek  
Alan Sorensen  
Ira Steingart

## **MINUTES**

### **Board Meeting March 21, 2019**

#### **BOARD MEMBERS:**

**IN ATTENDANCE:** Freda Eisenberg, Jacquie Leventoff, Josh Potosek, Terri Ward, Nancy Buck, Vicky Ferguson, George Nikolados (8:43), Alan Sorensen (8:47), Ira Steingart (8:47)

**ABSENT:**

**OTHERS PRESENT:** Jill Weyer, Helen Budrock, Juan Juornet, Bruce Reynolds

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

The meeting was called to order by Freda Eisenberg, Chair at 8:34 am.

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

##### **Paid:**

Jacobowitz & Gubits (Jan. '19)	\$ 4,533.78
Sullivan County DPW (Lawn Signs)	\$ 1,272.50
Sullivan County Democrat (Legal Notice)	\$ 42.54
CenterState CEO Foundation (2019 NYLBA Dues)	\$ 2,000.00
Brownfield Redevelopment Solutions, Inc.	\$ 4,000.00
NYSEG (9 Cross Street, Monticello)	\$ 16.42
NYSEG (7 Washington Street, Monticello)	\$ 20.09
Village of Monticello (Property Tax Agreement)	\$ 1,576.91
Tyler A. Gold PA (26 Racine Ct., Monticello)	\$ 1,018.74
Loveland	\$ 10.00
Collier Construction LLC (7 Washington Street)	\$ 8,113.00
Collier Construction LLC (53 Park Avenue door)	\$ 564.00
Doreen Huebner (Berger Property Taxes)	\$ 1,844.20

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

Jacobowitz & Gubits (Feb. '19)	\$ 5,204.87
Brown & Brown (General Liability Insurance)	\$ 25,514.23
Philadelphia Insurance Comp. (Non-Profit Pkg)	\$ 555.19
Village of Liberty (Property Tax Agreement)	\$ 37,055.30
NYSEG (9 Cross Street, Monticello)	\$ 16.52
NYSEG (7 Washington Street, Monticello)	\$ 18.60

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

#### **III. Approval of Minutes – February 21, 2019**

A motion was made by Buck, seconded by Ferguson, all present approved minutes from February 21, 2019 meeting.

#### IV. Status Report & Resolutions

##### **RESOLUTION RECOMMENDING RE-APPOINTMENT OF BOARD MEMBERS TO THE SULLIVAN COUNTY LAND BANK CORPORATION**

WHEREAS, the Board members of the Sullivan County Land Bank Corporation (“Land Bank”) are appointed by the sole member, the County of Sullivan; and

WHEREAS, the Land Bank terms expired in February 2019 and the current Board members are proper holdovers; and

WHEREAS, the current Board members have requested re-appointment to the Board for an additional two terms.

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Land Bank Corporation recommends the re-appointment of the following members for another two year term, ending February 2021:

1. Joshua Potosek , County Manager
2. Nancy Buck, County Treasurer
3. Alan Sorensen, Majority Leader SC Legislature
4. Ira Steingart, Minority Leader SC Legislature
5. Freda Eisenberg, Planning Commissioner
6. Jacquie Leventoff, Community Member
7. Terri Ward, Community Member

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

##### **RESOLUTION RECOMMENDING THE APPOINTMENT OF BOARD MEMBERS TO THE SULLIVAN COUNTY LAND BANK CORPORATION**

WHEREAS, the Board members of the Sullivan County Land Bank Corporation (“Land Bank”) are appointed by the sole member, the County of Sullivan; and

WHEREAS, the Land Bank increased the membership of its Board by two additional community members; and

WHEREAS, a vacancy notice was issued and a letter of interest was received from the public to serve on the Board for a two-year term.

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Land Bank Corporation that recommends the appointment of the following member to a two year term, ending February 2021:

1. Bruce Reynolds, Community Member

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

##### **NAMING BOARD OFFICERS FOR THE SULLIVAN COUNTY LAND BANK CORPORATION**

WHEREAS, the adopted bylaws for the Sullivan County Land Bank Corporation call for the election of Board Officers; and

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

1. the following slate of Directors are elected as Board Officers of the Sullivan County Land Bank Corporation for a 1-year term:
  - a. Chair: Freda Eisenberg
  - b. Vice-Chair: Jacquie Leventoff
  - c. Treasurer: George Nikolados
  - d. Secretary: Terri Ward
2. The above appointed officers are also designated as bank signors for the Sullivan County Land Bank Corporation banking purposes.

3. This Resolution shall take effect immediately.

Moved by Sorensen, seconded by Steingart, put to a vote, unanimously carried and declared duly adopted by a vote of the board on a vote of 9 Ayes, 0 Nays.

#### **RESOLUTION TO INCREASE CONTRACT WITH WHEAT & SONS FOR 7 WASHINGTON ROOF REPAIRS**

WHEREAS, the insurance requirements for LISC funds stipulate additional general liability insurance above what Wheat & Sons currently carries; and

WHEREAS, a quote was received and approved by our insurance broker for additional coverage for this and subsequent projects that will be spread across various contracts; and

WHEREAS, adding the increased insurance expense (\$6,890), Wheat & Son's bid is still below the next qualified bidder.

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

1. Jill Weyer, Executive Director is authorized to modify the Agreement to increase the contract *up to* \$24,615 for contractor work for Roof Repairs on 7 Washington Street, Monticello;
2. This Resolution shall take effect immediately.

Moved by Sorensen, seconded by Ward, for discussion. Motion made by Sorensen and seconded by Nikolados to amend the resolution to "up to \$24,615", put to a vote, unanimously carried and declared duly adopted by a vote of the board on a vote of 9 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 Liberty, 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 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 the 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, 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 factors 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 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 the Property to the corresponding Buyer identified on the Properties List and authorize the Chair and/or Executive Director to ~~enter into~~ execute a Purchase & Sale Agreement with the Land Bank as seller and the Buyer as buyer with respect to each Property. Agreement will be approved in form and content by the Land Bank counsel.
3. The Land Bank Chair or 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.

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

**SCHEDULE A**

Address	Village	SBL	Buyer	Sale Price
40 Yaun Avenue	Liberty	106.-3-10	Rose Kallal	\$3,000

**RESOLUTION TO ADOPT THE 2018 ANNUAL REPORT**

WHEREAS, the State of New York Authorities Budget Office requires the Sullivan County Land Bank Corporation to submit an annual report for reporting purposes; and

WHEREAS, a draft 2018 Annual Report was presented to the Board.

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

1. The 2018 Annual Report, attached hereto as Exhibit A is adopted;
2. This Resolution shall take effect immediately.

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

**V. Old Business**

Jill reviewed the status report with the Board, highlighting the approval of the 39-43 High by the Village Board, necessitating a resolution for acceptance at this month’s meeting. Anticipating approval of 45 High Street at next Village Board meeting and will need a resolution to accept at April’s meeting. Work has started on 7 Washington Street and the agreement draft was finalized for the Buyer to review. Jill has also scheduled ABO training for April 10<sup>th</sup> and there are other dates available if Board members are interested.

**VI. New Business**

*NYLBA Advocacy Day & Annual Conference*

Jill reported on the Advocacy Day held in Albany on March 3<sup>rd</sup>. Four other land banks from NY were

in attendance and engaged 11 Senate & Assembly members and/or their staff to discuss the importance of Land Banks and handed out information to even more offices. We discussed the need for recurring funding and the concerns related to insurance coverage and prevailing wage rates. There was mention of funding being included in the One-House Budget on the Assembly side, so we hope to see a recurring funding stream in the future.

The annual conference will be held in Buffalo this year from June 12-14 at the Buffalo Marriot Harborcenter, anyone who is interested in attending should let Jill know so we can plan accordingly. Once there is an agenda, Jill will share with the Board.

#### Grant Opportunities

**CDBG Housing Program:** NOFA was issued and applications are due April 26<sup>th</sup> and the County would be the applicant. RUPCO is assisting with creating a pipeline of homeowners and conducting outreach which is crucial to a successful application. A public hearing is required as part of the application process and thus a resolution is needed to set the public hearing date at today's Full board meeting of the SC Legislature. Terri will work to waive the requirements and get a resolution on and Jill will provide the necessary language for the legal notice and get it issued.

**Enterprise Landlord Ambassador Program:** Jill discussed this with RUPCO but it is not worthwhile to proceed with as it will be very competitive and we are not grant-ready for tackling this program.

**Zombie 2.0:** An application was submitted by the March 8<sup>th</sup> deadline requesting the full \$100,000 for the Town/Village of Liberty and Village of Monticello with the intention of going Countywide. Anticipate hearing in May.

#### Rock the Block Event

A community meeting will be held on March 23<sup>rd</sup> to discuss using the vacant lot as a community space. The Disposition Advisory group discussed the project and would like to ensure the property is used for passive recreation and that nothing is permanent. Jill is reviewing liability concerns and requirements to ensure the Land Bank is protected. The waiver for using the mobile tool trailer has been finalized by Ben. Also there was a discussion on the 12 Washington St. property that is on the Zombie List and whether the Land Bank would entertain an offer. Jill will request a donation with the Broker and see what happens. If an offer is accepted a resolution would be required to accept the property.

#### Other News

Jill mentioned that she was invited to speak at the annual NYCOM conference on May 6 and 7 in Cooperstown.

George brought up the idea of working with the Village of Monticello to market and sell 504 Broadway for the Village of Monticello to get the best price and best use of the property. Jill will work with the Village to formalize an agreement and will present at April meeting.

There was a brief discussion on the Nuisance Law and the new Abandonment Law and language to include Land Banks.

### **VII. Public Comment**

Helen mentioned the name of an auction firm to reach out to with regard to the items in 39-43 High Street – Lembrecht Auctions and will get the contact information to Jill.

### **VIII. Adjournment**

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