

SYNOD COUNCIL MEMBERS

The Rev. Albert Ahlstrom	2012
Mr. William Anderson	2012
The Rev. Edward Barnett*	2010
The Rev. William Baum*	2012
The Rev. Rosalind Brathwaite	2012
Mr. Robert Buescher, Treasurer*	2012
Ms. Hope Card	2010
Mr. Gerald Erikson	2010
Dcn Charles Germain	2010
Mr. Gene Hügel	2010
§Ms. Barbara Holm	2012
The Rev. Dr. Jack Horner (resigned)	2012
Ms. Barbara A. Johnson	2012
The Rev. Perry Kirschbaum	2010
The Rev. James Krauser, Secretary*	2010
Dr. Earl Marsan*	2010
§Ms. Minerva Melendez*	2010
The Rev. Annemarie Noto, PhD	2010
Dcn. Robert Rainis	2012
Mr. Brian Reardon	2012
The Rev. Robert A. Rimbo, Bishop*	2014
The Rev. Robert Schoepflin, J.D.	2010
§Ms. Janet Siry	2014

Mr. Hans Vogel, AiM*	2010
Ms. Renee Wicklund, Esq.	2010
Mr. Jonathan Westerlund	2010
§Ms. Grace Yukich	2012

AUXILLIARY MEMBERS

Pr. Leo Longan	Conference of Deans
The Hon. Daniel Joy	Lutheran Men in Mission
Ms. Marion Steadman	Women of the ELCA

STAFF

Ms. Sarah Gioe
The Rev. Dr. Jack Horner
Pr. Kathleen Koran
Pr. Jonathan Linman
Mr. John Litke
The Rev. Dr. Gary Mills
Dcn. Gayle Ruege
Ms. Kathleen Schmidt

Bold=Present

*Members of Executive Committee

§Excused absence

Devotions / Prayer

Call to Order

VP Hans Vogel called the meeting to order at 5:16pm. He asked Bishop Rimbo to offer the devotion and prayer. Bishop Rimbo read an article he had written for the webpage.

- Adoption of Agenda
The agenda was adopted with no additions.
- Adoption of the Minutes of 19 September
 Correction to name of Ms Alexandra Alam El Din in youth report, printed as to Alexandria (correction should apply to June as well). **Adopted as corrected**
- Treasurer's Report
 Mr. Buescher referred to his emailed report (attached). He then distributed a chart depicting available cash and discussed it (attached).
 Pr. Ahlstrom asked "Why?"
 Mr. Buescher noted a loss of \$2M in Fund "A" due to recession and loss in market value. A second factor was that unlike recent years, only one property closed to provide cash. He noted that Mission Support receipts are also behind what was budgeted.
 He observed that it will take a few years for the 10 year plan to get on track. A new version of the plan will be presented in early 2010 one more analysis of our situation is reviewed.
- Mission Development Board
 Bishop Rimbo directed the members to the Mission Renewal Strategy. He had requested Bp. Olson and Mr. Litke to put this together.
 He suggested that in order to work into this strategy that we dissolve the Mission Development Board [S11.21.02.d.1).SC2004.04.5]. He then asked also that the proposed strategy be reviewed and comments be received from various elements in the synod, specifically the Mission Tables and the Conferences.

Pr. Baum offered a resolution from the Executive Committee implementing the bishop's suggestions:

Whereas the "Proposed Fall 2009 SC Actions – Mission Renewal Strategy" proposes far-reaching guidance for the mission of the Metropolitan New York Synod; and

Whereas it would be beneficial to have the broadest possible discussion of and support for the mission renewal strategies envisioned in the materials; be it

RESOLVED, the Synod Council refers the "Proposed Fall 2009 SC Actions – Mission Renewal Strategy" to the Council of Deans and the Mission Tables being established by the Director of Evangelical Mission with the request that they engage the Conferences of the Synod in discussion of the materials and report on the substance of these discussions to the Synod Council meeting in January 2010; and be it further

RESOLVED, that with thanksgiving for their work the Mission Development Board [S11.21.02.d.1).SC2004.04.5] be dissolved, effective immediately.

A suggestion was made to change the reporting date until February. The response was that there was a desire to reflect an attitude of urgency regarding this matter. No change was made.

The resolution was ADOPTED.

ACTION (SC09:10/01)

***RESOLVED*, the Synod Council refers the "Proposed Fall 2009 SC Actions – Mission Renewal Strategy" to the Council of Deans and the Mission Tables being established by the Director of Evangelical Mission with the request that they engage the Conferences of the Synod in discussion of the materials and report on the substance of these discussions to the Synod Council meeting in January 2010; and be it further**

***RESOLVED*, that with thanksgiving for their work the Mission Development Board [S11.21.02.d.1).SC2004.04.5] be dissolved, effective immediately.**

5. Salem Swedish Lutheran Church, Brooklyn

The congregation had taken a vote to close a year ago – but then offered to work with the NorthStar Consultants and other congregations. The cost should run about \$4500. per month until the pastor has another call. The effective date of closing will be December 31, 2009, though the last s will be held January 3, 2010.

A motion was made for the synod to place the congregation under permanent synodical administration pursuant to S13.24. **The motion was ADOPTED.**

ACTION (SC09:10/02)

Yes-19, No-0 [19 present]

***RESOLVED*, That the Synod pursuant to Section 13.24 of its constitution does hereby impose synodical administration over the property of SALEM to take charge and control of the property of SALEM and to hold, manage, and convey on behalf of the Synod, and it is further**

***RESOLVED*, That the following are hereby appointed as trustees, with the full power to hold and manage the property of SALEM on behalf of the Synod in all regards relating directly or indirectly to the taking charge and control of the property of SALEM and in holding, managing and conveying such property of SALEM on behalf of the Synod, to wit Mr. Eugene Hiigel, Esq., the Rev. Christopher Mietlowski, and the Rev. Gary Mills, and it is further,**

***RESOLVED*, That the signature of any one of the Trustees acting to take charge and control of the property of SALEM and to hold, manage, and convey the property of SALEM on behalf of the Synod shall be binding upon and considered as the act of all of the Trustees. No person or part acting in reliance of the signature of one such Trustee as binding upon all Trustees shall be charged with notice of any revocation or change of such authority unless he, she or it shall have received actual written notice thereof. No person or party shall be required to look behind the signature of such Trustee.**

6. Property Sales

- A. Parsonage: Good Shepherd, Bayside
The recommendation of the Executive Committee is to accept the offer for \$600,000.
Bishop Rimbo reported the property appraised at \$635,000, other offers were made ranging from \$525,000 to \$550,000.
The bishop spoke to the letter from the Interim pastors (attached). He affirmed that the staff was working on housing options with Pr. Taylor and that the synod would see that his housing needs are met.
It is expected that we will be including the interim pastors' concerns in the the development of the Mission Renewal Strategy.
Some discussion was held.

The motion on the sale of the former parsonage of Good Shepherd Lutheran Church, Bayside was ADOPTED.

ACTION (SC09:10/03)

Yes-12, No-6 [19 present]

RESOLVED, That the certain written Agreement of Purchase and Sale between 202-16 23rd Avenue LLC, as Seller, and Renaldo Diaz as Purchaser, for the sale of the real property known as and by street address 202-16 23rd Avenue, Bayside New York, in consideration of the sales price of \$600,000.00 to be paid by the Purchaser be, and the same is hereby authorized, approved, ratified and adopted by the Synod Council as the binding act and deed of the Metropolitan New York Synod of the Evangelical Lutheran Church in America as the sole member and manager of 202-16 23rd Avenue LLC; and it is further

RESOLVED, That 202-16 23rd Avenue LLC upon closing of title and out of then proceeds of sale pay to Remax Team its brokerage commission of \$24,000, and it is further

RESOLVED, That the Officers of the Metropolitan New York Synod of the Evangelical Lutheran Church in America, acting on behalf of the Metropolitan New York Synod of the Evangelical Lutheran Church in America and on behalf of 202-16 23rd Avenue LLC, to sign, verify and cause to be filed such Petition as may be required by law to obtain the approval of such sale by the Courts of the State of New York and the Attorney General of the State of New York and , in the event that such approvals, shall be obtained, to thereafter execute, acknowledge and deliver a Deed of Conveyance and all such other documents as my be required to convey title to the Property, and to pay all customary and/or required closing costs, transfer taxes, brokerage, attorney and other professional fees incurred in connection with the sale of the Property; and otherwise do all such things as may, upon advice of Capell Barnett Matalon & Schoenfeld LLP, counsel to the Synod, be reasonable, necessary, proper or convenient in order that the terms, provisions and agreements of such Agreement of Purchase and Sale be fulfilled and the transactions contemplated therein be effectuated; and it is further

RESOLVED, That 202-16 23rd Avenue LLC, and each and every officer of the Synod, and the Synod a sole member and manage of 202-16 23rd Avenue LLC be, and they hereby are authorized, empowered and directed to utilize the net proceeds from the sale of the Property, after payment of the customary and/or required closing costs, transfer taxes, attorney and other professional fees relating to the sale, in furtherance of the purposes for which the Synod was formed, in accordance with its Certificate of Incorporation and Constitution and By-laws; and it is further

RESOLVED, That the dissolution of the Synod is not contemplated following the transfer of the Property.

- B. Parsonage: Bethany, Brooklyn
Bishop Rimbo reported and appraised value for the property was \$850,000 2 years ago; no other offer was made at this time.
The recommendation of the Executive Committee is to accept the offer for \$700,000.

The motion on the sale of the former parsonage of Bethany Lutheran Church, Brooklyn was ADOPTED.

ACTION (SC09:10/04)

Yes-17, No-1 [19 present]

- RESOLVED**, That the certain written Agreement of Purchase and Sale between Metro Synod-Bethany LLC, as Seller, and Pietro A. Modena, as Purchaser, for the sale of the real property known as and by street address 1017 84th Road, Brooklyn New York, in consideration of the sales price of \$700,000.00 to be paid by the Purchaser be, and the same is hereby authorized, approved, ratified and adopted by the Synod Council as the binding act and deed of the Metropolitan New York Synod of the Evangelical Lutheran Church in America as the sole member and manager of Metro Synod-Bethany LLC; and it is further
- RESOLVED**, That Metro Synod-Bethany LLC upon closing of title and out of then proceeds of sale pay to Remax Team its brokerage commission of \$28,000, and it is further
- RESOLVED**, That the Officers of the Metropolitan New York Synod of the Evangelical Lutheran Church in America, acting on behalf of the Metropolitan New York Synod of the Evangelical Lutheran Church in America and on behalf of Metro Synod-Bethany LLC, to sign, verify and cause to be filed such Petition as may be required by law to obtain the approval of such sale by the Courts of the State of New York and the Attorney General of the State of New York and , in the even that such approvals, shall be obtained, to thereafter execute, acknowledge and deliver a Deed of Conveyance and all such other documents as my be required to convey title to the Property, and to pay all customary and/or required closing costs, transfer taxes, brokerage, attorney and other professional fees incurred in connection with the sale of the Property; and otherwise do all such things as may, upon advice of Capell Barnett Matalon & Schoenfeld LLP, counsel to the Synod, be reasonable, necessary, proper or convenient in order that the terms, provisions and agreements of such Agreement of Purchase and Sale be fulfilled and the transactions contemplated therein be effectuated; and it is further
- RESOLVED**, That Metro Synod-Bethany LLC, and each and every officer of the Synod, and the Synod a sole member and manage of Metro Synod-Bethany LLC be, and they hereby are authorized, empowered and directed to utilize the net proceeds from the sale of the Property, after payment of the customary and/or required closing costs, transfer taxes, attorney and other professional fees relating to the sale, in furtherance of the purposes for which the Synod was formed, in accordance with its Certificate of Incorporation and Constitution and By-laws; and it is further
- RESOLVED**, That the dissolution of the Synod is not contemplated following the transfer of the Property.

- C. Recommended Resolution from Executive Committee on oversight of properties
Whereas, the Synod Council is charged with diligent oversight of congregations and properties under Synodical Administration, be it
- RESOLVED**, that pursuant to S13.24 and S13.25, the Synod Council appoint as Trustees for each congregation and/or property held under Synodical Administration (1) a member of the Synod Council, (2) the Dean of the Conference of said congregation or a representative thereof, and (3) a member of the synod staff; and be it further,
- RESOLVED**, that at each regularly scheduled meeting the Synod Council be presented a concise written summary of any pertinent issues including financial activity regarding each congregation under synodical administration. This report is to be prepared by the Assistant for Administration in consultation with the synod staff and with each team of Trustees; and be it further
- RESOLVED**, that all other real property assets in possession of the synod be included in the report of the Assistant for administration.

The resolution was ADOPTED.

ACTION (SC09:10/05)

- RESOLVED**, that pursuant to S13.24 and S13.25, the Synod Council appoint as Trustees for each congregation and/or property held under Synodical Administration (1) a member of the Synod Council, (2) the Dean of the Conference of said congregation or a representative thereof, and (3) a member of the synod staff; and be it further,
- RESOLVED**, that at each regularly scheduled meeting the Synod Council be presented a concise

written summary of any pertinent issues including financial activity regarding each congregation under synodical administration. This report is to be prepared by the Assistant for Administration in consultation with the synod staff and with each team of Trustees; and be it further

RESOLVED, that all other real property assets in possession of the synod be included in the report of the Assistant for administration.

7. Other Business

A. Calls, Appointments

Three resolutions of call were presented and ADOPTED.

ACTION (SC09:10/06)

To extend a Non-stipendiary call as pastoral associate to St. Luke's, NYC to the Rev. Martha Jacobi effective October 20, 2009 (subject to approval by the Conference of Bishops) [under ELCA 7.44.05.b.12.1.]

ACTION (SC09:10/07)

To extend a call to the Rev. Annemarie Noto as Interim Pastor to St. Paul's, E. Northport effective Nov 1 – Dec 31, 2009 [under ELCA 7.44.05.b.1.5.]

ACTION (SC09:10/08)

To extend a call to the Rev. John Jurik as Interim Pastor to St. Paul's, E. Northport effective January 1, 2010 [under ELCA 7.44.05.b.1.5.]

B. Congregation Council Consultations

Two congregations have notified the synod of their first vote to terminate their relationship with the ELCA, under their constitutions there is a period of consultation with the synod of at least 90 days following the first vote. Meetings have been scheduled and the members of council will accompany the bishop to those meetings.

Nov. 11 Advent, Elmont

Bishop Rimbo, Mr. Vogel, Ms. Wicklund

Nov. 12 St. James, Stewart Manor

Bishop Rimbo, Pr. Barnett, Pr. Noto

8. Announcements, Closing Prayer and Adjournment

Bp. Rimbo reviewed for the council the procedure for submitting resolutions for consideration in the agenda of a council meeting. They should be submitted at least 10 days prior to the Executive Committee meeting prior to the Synod Council meeting so that the Executive Committee may schedule them for discussion and offer any recommendations on the resolution it may think appropriate.

Bishop Rimbo also reminded members that we should elect a clergy person to replace Pr. Horner. This person will serve until a permanent replacement may be elected by the assembly in May. Nominations should be made in advance of the meeting so that the usual biographical information may be provided to the council.

Before adjournment, Bishop Rimbo was asked to comment on his meetings with Black and Latino Pastors and Presiding Bishop Hanson. He said that they conversations were constructive and that the involvement of an ELCA mediator has not yet been necessary. The next meeting is scheduled for November 12.

The meeting adjourned at 7:00pm with prayer by Pr. Barnett.

*The Rev. James G. Krauser
Secretary, MNYS*