

*SYNOD COUNCIL MEMBERS*

<b>The Rev. Albert Ahlstrom</b>	<b>2012</b>
<b>Mr. William Anderson</b>	<b>2012</b>
*The Rev. Edward Barnett	2010
<b>*The Rev. William Baum</b>	<b>2012</b>
<b>The Rev. Rosalind Brathwaite</b>	<b>2012</b>
<b>*Mr. Robert Buescher, Treasurer</b>	<b>2012</b>
<b>Ms. Hope Card</b>	<b>2010</b>
<b>Mr. Gerald Erikson</b>	<b>2010</b>
<b>Dcn Charles Germain</b>	<b>2010</b>
<b>Mr. Gene Hiigel</b>	<b>2010</b>
<b>Ms. Barbara Holm</b>	<b>2012</b>
<b>Ms. Barbara A. Johnson</b>	<b>2012</b>
<b>*The Rev. James Krauser, Secretary</b>	<b>2010</b>
<b>The Rev. Perry Kirschbaum</b>	<b>2010</b>
<b>*Dr. Earl Marsan</b>	<b>2010</b>
<b>*Ms. Minerva Melendez</b>	<b>2010</b>
<b>Pr. Paul Milholland</b>	<b>[2012] 2010</b>
<b>The Rev. Annemarie Noto, PhD</b>	<b>2010</b>
<b>Dcn. Robert Rainis</b>	<b>2012</b>
<b>Mr. Brian Reardon</b>	<b>2012</b>
<b>*The Rev. Robert A. Rimbo, Bishop</b>	<b>2014</b>
<b>The Rev. Robert Schoepflin, J.D.</b>	<b>2010</b>
§Ms. Janet Siry	2014

<b>*Mr. Hans Vogel, AiM, Vice President</b>	<b>2010</b>
<b>Ms. Renee Wicklund, Esq.</b>	<b>2010</b>
Mr. Jonathan Westerlund	2010
<b>Ms. Grace Yukich</b>	<b>2012</b>
27 Voting members	

*AUXILLIARY MEMBERS*

Pr. Leo Longan	Conference of Deans
The Hon. Daniel Joy	Lutheran Men in Mission
Rev. Jennifer Casey	Women of the ELCA

*STAFF*

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

Bold=Present  
\*Members of Executive Committee  
§Excused absence

**Devotions and Call to Order**

Devotions were led by Bishop Rimbo.

The meeting was called to order at 5:15pm by VP Vogel.

**I. Adoption of Agenda**

Mr. Vogel asked if there were additions to the agenda.

An addition was made to section 4.

Item D. Report from the Office Site Task Force.

**The modified agenda was adopted.**

**II. Adoption of Minutes**

Two sets of minutes were presented for approval

- 15 December 2009

Two corrections were made.

- Page 3--The following correction was made at the end of section 7A:

“Bishop Rimbo stated that the congregation would be informed of the synod council’s decision, ~~to~~ The council took a brief recess...”

- Page 4--The action number for the resolution regarding St. James, Stewart Manor was corrected from SC09:12/02 to read **SC09:12/03**.

**Approved as corrected.**

- 19 January 2010

**Approved as printed.**

### III. Bishop's Report

#### A. *Congregations and Ministries*

##### 1. Congregation that have voted to withdraw from the ELCA

The bishop reported on the status of the congregations who have petitioned to leave the ELCA. A letter was received from Advent-Elmont that they no longer consider themselves part of the ELCA. He met with a sub-committee to discuss next steps. The judgment of the committee was not to take any further action at this time. The spring Church Council meeting may have an impact on our options as it is expected that they will clarify the ELCA policy on "dual rostering." Holy Trinity-New Rochelle, Advent-Elmont, and St. James-Sewart Manor all have affiliated themselves with LCMC.

The synod will have to particularly concern itself with how we can serve any remnants.

##### 2. Epiphany, Hempstead

Bishop Rimbo next discussed Epiphany-Hempstead where there has been a substantial decrease in membership and on-going conflicts with the pastor. The bishop had proposed separation arrangement to the pastor and congregation. The pastor was asked to respond by March 14. There has been no response. The congregation has announced a Congregation Meeting on March 28 to dismiss the pastor.

Bishop Rimbo is weighing his options for actions he might take between now and the meeting of the congregation.

In response to the report of the actions taken by the bishop to mediate in this situation, the synod council offered a resolution of support.

Motion offered by Pr. Ahlstrom

#### **ACTION SC10:03/01**

**RESOLVED, the Synod Council expresses its confidence in the bishop's judgment and handling of the situation at Epiphany, Hempstead as reported by the bishop.**

**ADOPTED**

##### 3. Salam Arabic, Brooklyn

The bishop continues to be in conversation with the pastor and leadership of this congregation, together with the synod staff and the ELCA Pr. Bouman and Hicks of the ELCA's Evangelical Outreach and Congregational Mission Unit.

He noted that some distress have been caused because of a confusion between this congregation and the congregation Salem Swedish (a few blocks away) which was closed in December.

4. Winter Ministerium

The event led by Dr. Timothy Wengert was well received and well attended.

5. ELCA's Evangelical Outreach and Congregational Mission Unit

An gathering was held in Chicago for synodical leaders in outreach. Pr. Horner shared some of the details of the two day event. Pr. Horner and Bp. Rimbo were accompanied by Pr. Elise Brown, Pr. Barrie Lawless and Pr. Jerome Taylor.

The meeting discussed several objectives in outreach

- o Continue to develop a congregational assessment matrix.
- o Be proactive rather than reactive: Look for opportunities/develop resources.
- o Strengthening ethnic ministries and collaborations with existing congregations and ecumenical partners.
- o Sharing best practices. Tapping into D. Min. projects/learning

6. Funding for the Future

The bishop expressed his intention to gather a small group of leaders from the synod to explore options that can assist the synod for funding our future. He will be writing up a specific proposal to present to the executive committee. He asked the members to give thought to names of persons who might be asked to be part of this group.

7. Role of Synod Council

The bishop would also like to have a group explore the work and culture of our synod council. He is interested in ways the council can be a place of spiritual development for the synod as well as its business concerns. He would like greater clarity of what is expected from the council and for the council to have greater clarity of what is expected from the bishop. Deacon Rainis and Pr. Noto expressed interest in being part of this group.

8. Conference of Bishops Meeting

The bishop recently returned from the meeting of the Conference of Bishops. He said it was the best meeting in his memory, though it is a time of stress for many bishops, following the 2009 CWA.

Time was spent discussing and discerning the future of the ELCA. Lots of work was done to follow up on the August actions and the changes to the ministry policy including a process to deal with 17 persons who had been ordained as "extraordinary candidates."

Pr. Milholland asked what pastoral care was being made available for the bishops to guard against burnout. Bp. Rimbo said that Presiding Bishop Hanson has been in close contact with those who have been particularly stressed. Deacon Rainis asked about the discussion of the Genetics statement. The bishop said that the conference discussed delaying the statement but made no final recommendation to do so.

- B. Ecumenical / Full Communion partnerships*  
A luncheon was held for various “judicatory” leaders at the Catholic Center. Bishop Rimbo attended. He also took part in an ecumenical Vespers at St. Patrick’s Cathedral during the Week of Prayer for Christian Unity. He said that Archbishop Dolan gave a stunning (and impromptu) homily. Our ecumenical partner churches have been invited to bring greetings to our May Synod Assembly. Bishop Rimbo will attend the United Methodist Assembly and participate in their ordination liturgy in June.
- C. Companion Synods*  
Sarah Gioe spoke briefly about the report she produced of the recent trip to Tanzania. A written report was also provided by our pastoral team in Romania.
- D. LSTC Award / General Seminary*  
Bishop Rimbo was presented with a distinguished alumnus award by the Lutheran School of Theology at Chicago in February 2010 and will receive a Doctor of Divinity degree from General Seminary in May.
- E. Appointments / Calls*  
1. Calls to Interim Ministry / On Leave from Call  
The council was asked to confirm following calls to Interim Ministry  
The Rev. Dianne Loufman, Intentional Interim: Good Shepherd, Plainview  
The Rev. Laurie Andersen, Intentional Interim: Grace, Scarsdale  
The Rev. Harriet Wieber, Intentional Interim (P/T): Advent, Brooklyn  
The council was asked to approve “on leave from call” status to the Rev. Richard Jeske.

**ACTION**

**SC10:03/02**

**To extend calls to**

**The Rev. Dianne Loufman, Intentional Interim: Good Shepherd, Plainview**

**The Rev. Laurie Andersen, Intentional Interim: Grace, Scarsdale**

**The Rev. Harriet Wieber, Intentional Interim (P/T): Advent, Brooklyn**

**To grant on leave from call status to the Rev. Richard Jeske**

**APPROVED**

The Rev. Ruby Wiles has been “on leave from call” for over three years. She was granted an extension in October by the Conference of Bishops because she was in a call process, but did not receive the call. She is restricted by geography and the bishop of the SW Pennsylvania synod has indicated that there are no opportunities for call for her in the foreseeable future.

**ACTION**

**SC10:03/03**

**To recommend the removal of Pr. Wiles from the roster of the ELCA.**

**APPROVED**

2. Diaconal Candidates Approved for Rostering

The council was asked to confirm the approval of Candidates for the Synodical Diaconal Roster.

**ACTION**

**SC10:03/04**

**To admit to the roster of synodical deacons when set apart**

**Roberta Detmers  
Jasmine Downer  
Anita Martin-Williams  
Margaret Mueller  
Lulu Paolini  
Nancy Schoener**

**APPROVED**

Pr. Krauser suggested a review of the process for approving deacons to make it more parallel with the process for ELCA rostering.

3. Audit Committee Appointments

The council was asked to confirm the appointments the Audit Committee.

**ACTION**

**SC10:03/05**

**To appoint**

**Craig Aarseth (2/1/10 – 1/31/12)  
David Jacobsen (2/1/2010 – 1/31/13)**

**APPROVED**

Mr. Buescher asked that the following motion of the Financial Management Committee charting the history of appointments be attached to the minutes of the appointment of the members of the Audit Committee

***RESOLVED*, that the history of terms be attached to the minutes:**

**Allan Rubenstein served his first time (2/1/03 to 1/31/06), and his second term expired on 1/31/2009, and the Synod Council appointed him for a third term (2/1/2009 to 1/31/2012). He resigned on/before 1/31/10. Craig Aarseth has been appointed to serve the unexpired term from 1/2/10 until 1/31/12.**

**Eileen Weber was appointed to complete the last 2 years of the term of Kathy Schmidt, (who served for one year to 1/31/09). Eileen will serve her first term (2/1/09 to 1/31/11)**

**David Jacobsen served his first term (2/1/04 to 1/31/07) is serving his second term (2/1/07 to 1/31/2010). He may serve a third term.**

The attachment of the history provided by the FMC was accepted without objection.

#### IV. Treasurer's Report

##### A. *February Financials*

Mr. Buescher offered comments on his report of significant items. He said we need to stress our dependence on Mission Support. The Financial Management Committee continues its concern about our financial stability in the last quarter of the coming year. He said that this should be eased somewhat by new offers on the former St. Paul's-Richmond Hill property, if this sale completes by September.

He reminded members of the resolution to develop a 10 year plan to reduce our dependence on property sales to 0% over that period. He expressed his hope that the work on that goal may demonstrate to the assembly our commitment to reduce our reliance on property sales to balance budgets.

Commitment form response is low. The follow-up process was described.

There has been some delay in posting of commitments due to time spent by staff with the auditors. The auditors completed their work on Friday March 12. There will undoubtedly be some follow-up questions. We await their report.

##### B. *Partnership Grants*

Mr. Buescher introduced a resolution concerning the funding of Partnership Grants

*Whereas*, the Mission Director and his teams have proposed the referenced list of a total of \$202,486 grants for 2010, and

*Whereas*, the Synod Council, re-affirms that such grants are gifts and not obligations, be it

**RESOLVED**, that the Synod Council approve the payment of the grants in monthly installments, retroactive to February 2010, provided that funds are available, and be it further

**RESOLVED**, that the recipients be aware that, due to its present financial condition, the grant payments by the Synod may be deferred or terminated with 30 day notice, and be it also

**RESOLVED** and affirmed that the Treasurer is responsible for the determination of funds available, and in consultation with the Assistant to the Bishop for Finance and Administration, will make appropriate decisions with regard to the withholding of payment of these grants and other obligations.

He was asked if circumstance call for cuts during the year, would they be made across the board. Mr. Buescher indicated that, as in the past, a balancing approach such as that used by the Cash Flow Task Force would be applied.

A question was asked about the St. Luke's grant designation. The answer was that the money for this comes from specific fund designated for specific purposes. There have also been conversations with the congregation concerning the changing make up of the neighborhood.

**ACTION SC10:03/06**

**RESOLVED**, that the Synod Council approve the payment of the grants in monthly installments, retroactive to February 2010, provided that funds are available, and be it further

**RESOLVED**, that the recipients be aware that, due to its present financial condition, the grant payments by the Synod may be deferred or terminated with 30 day notice, and be it also

**RESOLVED** and affirmed that the Treasurer is responsible for the determination of funds available, and in consultation with the Assistant to the Bishop for Finance and Administration, will make appropriate decisions with regard to the withholding of payment of these grants and other obligations.

**APPROVED**

*C. Financial Management Committee*

1. 2010-2011 Synod Budget

Mr. Buescher presented the revised 2010 budget of \$4,074,125 (decrease of \$584,417) and the proposed 2011 budget of \$4,151,625

Mr. Buescher offered the following resolution concerning the budgets for 2010 and 2011:

*Whereas*, the Financial Management Committee had prepared an amended budget for 2010, and a proposed budget for 2010, and

*Whereas*, the budgets follow the guidelines for resource allocation for 2010 and 2011, as approved by the Synod Council in its direction when presented the 2009 ten year plan, and

*Whereas*, the proposed amended budget for 2010 is roughly less than 90% of that approved by the Assembly in May of 2009 (a decrease of \$500,000), and

*Whereas*, the proposed budget for 2011 includes similar frugality and roughly a 2% increase over 2010's proposed amended budget; be it

**RESOLVED**, that the Synod Council propose the amended 2010 and the 2011 budget to the Assembly and seek approval.

**ACTION SC10:03/07**

**RESOLVED**, that the Synod propose the amended 2010 and the 2011 budget to the Assembly and seek approval.

**APPROVED**

2. Synod Ethics and Conflict of Interest Policy

The proposal was withdrawn for further editing.

3. Audit Committee Amendment

Mr. Buescher offered the following resolution:

**ACTION SC10:03/08**

**RESOLVED, that the Synod petition the Assembly for the adoption of a new By Law, delineating the responsibility of the Audit Committee**

**APPROVED**

*S11.05.01. The audit committee shall consist of three persons, none of whom are members of financial, budget or investment committees of this synod. The chair shall be appointed by the vice president of the synod council.*

*S11.05.02. The functions of the Audit Committee shall be to:*

- a. Recommend to the synod council the appointment of independent auditor.*
- b. Meet with the independent auditor to discuss the scope and approach of the audit.*
- c. Review and evaluate the reports prepared by the independent auditor particularly with respect to any identified weaknesses in the synod's internal accounting and management controls and any recommendations for improvements in such controls.*
- d. Monitor and report to the synod council the progress of remedial actions that may be an appropriate response to the report of the independent auditor.*
- e. Review the annual financial statements with the independent auditor.*
- f. Conduct periodic inquiry into synod procedures for ensuring expenditures (especially in sensitive areas such as professional fees, compensation, and travel and entertainment) are appropriate in nature and reasonable in amount.*
- g. Provide the synod secretary with minutes of all meetings.*

4. FMC bylaw change

The proposal was withdrawn for further editing.

5. Recognition of Candy Eng

*Whereas, Mrs. Candy Eng has served on the Financial Management Committee and has been a great resource to the Synod since for several years, and*

*Whereas, Mrs. Eng has shown outstanding performance in the execution of the duties and responsibilities she has volunteered for the benefit of the Synod, and*

*Whereas, Mrs. Eng has chosen to retire from those active roles, be it*

**RESOLVED**, that the Synod Council gives thanks to God for the faithful and diligent service of Mrs. Candy Eng on the Financial Management Committee and requests that the bishop issue a letter of gratitude to Mrs. Eng for her insightful contributions.



**ACTION SC10:03/09**

**RESOLVED, that the Synod Council gives thanks to God for the faithful and diligent service of Mrs. Candy Eng on the Financial Management Committee and requests that the bishop issue a letter of gratitude to Mrs. Eng for her insightful contributions.**

**APPROVED**

6. Office Space Task Force

Mr. Buescher reported that the committee has met. It reviewed current space and some of the available space. It discussed conceptual and actual ideas. It will be asking of deans and council to offer their creative ideas.

**V. Old Business**

- A. *St. Peter's, Manhattan (Ltr dtd 10 Nov 09): Church Council Response*  
Bishop Rimbo reported that concerns are being heard. He has been in communication with both Mr. Swartling (ELCA Secretary) and Mr. Kopanke (Board of Pensions). A letter from the Board of Pensions will be distributed for the next meeting.
- B. *St. Barnabas, Howard Beach (sale of secondary parsonage)*  
Pr. Baum asked for a review of the sale of St. Barnabas' secondary parsonage and renewal of the motion to "take no exception" to the sale.

**ACTION SC10:03/10**

**RESOLVED, that the Synod Council of the Metropolitan New York Synod of the Evangelical Lutheran Church in America, noting the Contract Of Sale made March 13, 2008, and Amended, June 2009, takes no exception to the sale by Saint Barnabas Lutheran Church of its secondary parsonage located at 159-28 99th Street, Howard Beach, NY 11414.**

**APPROVED**      *Yes-24; No-0*

- C. *Congregation Debt Policy*  
Comments are still being solicited.
- D. *Synod Council Retreat Date*  
The retreat was announced for November 19-20, 2010 at Mt. St. Alphonsus in Esopus, NY
- E. *Sale of St. Paul's Richmond Hill Property*  
Two possible buyers have made offers on the property. The best one is from the Full Gospel Assembly of God for \$1,800,000, but buyers have not yet been satisfied as to the condition of the parsonage. We may have to make some concession if they are dissatisfied.

*Whereas*, the Synod having previously taken title to the real property previously owned by consisting of the Church building and parsonage located at 89-11 and 89-19 114th Street, Richmond Hill, New York also known and designated on the Tax Map of Queens County as Block 9322, Lots 45 & 46; and

*Whereas*, the property is surplus property and is not needed by the Synod in conducting the mission and ministry services it provides to the member congregations of the Synod; and

*Whereas*, the Synod having determined to sell the property, an appraisal of the Property was performed reflecting a fair market value for the Property of One Million Six Hundred Seventy-five Thousand (\$1,675,000.00) Dollars in its present "as is" condition; and

*Whereas*, having listed the Property for sale, and having received a number of offers, and the best and most compelling offer having been received from Full Gospel Assembly of God and in the amount of One Million Eight Hundred Thousand (\$1,800,000.00) Dollars, all cash, subject to inspection of the condition of the parsonage and

*Whereas*, the Council having undertaken to consider whether the sale of the Property based on the terms and conditions contained in the Agreement is in the best interests of the Synod; and

*Whereas*, upon due consideration, the Council having determined that it is in the best interests of the Synod to sell the Property to the Full Gospel Assembly of God for One Million Seven Hundred Fifty Thousand (\$1,750,000.00) Dollars or better; NOW, THEREFORE, it is:

*RESOLVED*, that the sale between METROPOLITAN NEW YORK SYNOD OF THE EVANGELICAL LUTHERAN CHURCH IN AMERICA, as Seller, and Full Gospel Assembly of God, Purchaser, in consideration of the sales price of \$1,750,000.00 or better 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; and it is further,

*RESOLVED*, that the METROPOLITAN NEW YORK SYNOD OF THE EVANGELICAL LUTHERAN CHURCH IN AMERICA, as 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, agrees to pay to the REMAX TEAM the sum of 4% of the proceeds of sale as a brokerage commission pursuant to a separate brokerage agreement annexed hereto, such payment to be made only if, as, and when title closes and out of the proceeds of such sale, and it is further

*RESOLVED*, that any of the Officers of the METROPOLITAN NEW YORK SYNOD OF THE EVANGELICAL LUTHERAN CHURCH IN AMERICA, acting solely and on behalf of the Synod, be and hereby are authorized, empowered and directed 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 may 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 each and every officer of the Synod 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

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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.

Mr. Anderson proposed an amendment to remove the language of “\$1,750,000 or better” as this would effectively become the price and weaken our position to seek the \$1,800,000. Mr. Reardon commented that an adjustment, if any, could be made as a sellers concession.

**On the amendment to strike \$1,750,000 or better in each instance (preamble and resolution) and insert \$1,800,000.**

**Approved**

On the resolution as amended:

**ACTION SC10:03/11**

*Whereas*, the Synod having previously taken title to the real property previously owned by consisting of the Church building and parsonage located at 89-11 and 89-19 114th Street, Richmond Hill, New York also known and designated on the Tax Map of Queens County as Block 9322, Lots 45 & 46; and

*Whereas*, the property is surplus property and is not needed by the Synod in conducting the mission and ministry services it provides to the member congregations of the Synod; and

*Whereas*, the Synod having determined to sell the property, an appraisal of the Property was performed reflecting a fair market value for the Property of One Million Six Hundred Seventy-five Thousand (\$1,675,000.00) Dollars in its present “as is” condition; and

*Whereas*, having listed the Property for sale, and having received a number of offers, and the best and most compelling offer having been received from Full Gospel Assembly of God and in the amount of One Million Eight Hundred Thousand (\$1,800,000.00) Dollars, all cash, subject to inspection of the condition of the parsonage and

*Whereas*, the Council having undertaken to consider whether the sale of the Property based on the terms and conditions contained in the Agreement is in the best interests of the Synod; and

*Whereas*, upon due consideration, the Council having determined that it is in the best interests of the Synod to sell the Property to the Full Gospel Assembly of God for One Million Eight Hundred Thousand (\$1,800,000.00);

***RESOLVED*, that the sale between METROPOLITAN NEW YORK SYNOD OF THE EVANGELICAL LUTHERAN CHURCH IN AMERICA, as Seller, and Full Gospel Assembly of God, Purchaser, in consideration of the sales price of One Million Eight Hundred Thousand (\$1,800,000.00) 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; and it is further, *RESOLVED*, that the METROPOLITAN NEW YORK SYNOD OF THE EVANGELICAL LUTHERAN CHURCH IN AMERICA, as 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, agrees to pay to the REMAX TEAM the sum of 4% of the proceeds of sale as a brokerage commission pursuant to a separate brokerage agreement annexed hereto, such payment to be made only if, as, and when title closes and out of the proceeds of such sale, and it is further**

***RESOLVED*, that any of the Officers of the METROPOLITAN NEW YORK**

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**SYNOD OF THE EVANGELICAL LUTHERAN CHURCH IN AMERICA, acting solely and on behalf of the Synod, be and hereby are authorized, empowered and directed 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 may 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 each and every officer of the Synod 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.

**APPROVED**                      *Yes-24; No-0*

A supplementary resolution was introduced to provide for an email vote in the event there are necessary changes to the previous resolution. (The concluding phrase was added by unanimous consent.):

*Whereas*, the next meeting of the Synod Council is not scheduled until April 24, 2010 and,

*Whereas*, the Attorney General of the Supreme Court of New York may require perfecting adjustments to the terms and conditions of sale; now, therefore it is **RESOLVED**, that perfecting amendments to the terms and conditions of sale between Metropolitan New York Synod of the Evangelical Lutheran Church in America, as Seller, and Full Gospel Assembly of God, Purchasers, of the property formerly known as St. Paul's, Richmond Hill, if required before the next regularly scheduled Synod Council meeting, may be proposed and voted by email by a favorable vote of all members of the Synod Council.

**ACTION                      SC10:03/12**

**RESOLVED**, that perfecting amendments to the terms and conditions of sale between Metropolitan New York Synod of the Evangelical Lutheran Church in America, as Seller, and Full Gospel Assembly of God, Purchasers, of the property formerly known as St. Paul's, Richmond Hill, if required before the next regularly scheduled Synod Council meeting, may be proposed and voted by email by a favorable vote of all members of the Synod Council.

**APPROVED**

**VI. New Business**

A. *Lutheran Ministries in Higher Education – Appeal Request*

Pr. Nicole Schwalbe and Ms. Damaris Wollenburg presented a request from Lutheran Ministries in Higher Education to conduct an appeal throughout the synod's congregations.

[Reference]

S15.21.

No appeal to congregations of this or any other synod of the Evangelical Lutheran Church in America for the raising of funds shall be conducted by congregations or organizations related to or affiliated with this synod without the consent of the Synod Assembly or the Synod Council.

**ACTION SC10:03/13**

To grant approval to conduct a Congregational Appeal.

**APPROVED**

It was noted that at the LMHE Annual Dinner in October Pr. Al Ahlstrom and Pr. Robert Wollenburg will be honored as will Village Lutheran Church in Bronxville [LCMS].

B. *Conference Deans: Job Description*

The proposed changes for the dean's job description were presented.

Pr. Ahlstrom spoke against the document saying that he did not believe the deans should be "mini bishops" and he did not approve of the increasing role. He also expressed his disappointment that retired clergy are denied the opportunity to be elected to serve as dean.

A modification was made to the document to allow for retired clergy to serve.

Conference Dean

*Purpose:* The Conference Dean shall support the ministry within the Conference and serve as the principal liaison between the Conference and the Office of the Bishop. The Dean shall represent the Office of the Bishop within the Conference in order to enhance ministry, service and communication among congregations and rostered leaders. The Dean shall represent the Conference within the Conference of Deans. The Dean shall be the Bishop's representative on the territory of the Conference.

*Criteria for Selection:* The Conference Dean shall be a pastor under a regular call from a congregation or the Synod and serving on the territory of the Conference, or a retired pastor living on the territory of the conference. A person selected to serve as Dean:

- is Christ-centered;
- supports the mission and inter-relatedness of the congregations, synod and church-wide expressions of the Evangelical Lutheran Church in America;
- is collegial and cooperative;
- demonstrates leadership in the Conference;
- communicates openly and honestly while respecting confidentiality, and holds sensitive information in strict confidence;
- maintains healthy boundaries and demonstrates physical, emotional and spiritual well-being and financial responsibility;
- participates in the life of the Synod.

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*Election:* The Bishop shall nominate normally two candidates for the office of Conference Dean, in consultation with the Conference. The Dean shall be elected by the full Conference and recognized at the Synod Assembly. The Dean assumes the office immediately upon election, and may be installed at a Conference-wide event. The Dean will normally serve a term of four years, renewable once. In specific cases, based on the need of the Conference, the Bishop may suspend the term limit one time making it possible, in emergencies, for the Dean to serve three terms. Conferences are encouraged to use Synod Guidelines for the election of Deans.

*Duties:* The Dean will work closely with the Bishop and the Synod Staff. The Synod will provide appropriate training for the specific duties outlined below:

- Facilitating or appointing a facilitator for all meetings of the Conference and its rostered leaders, including but not limited to regular bible study, training events, and visioning/discerning God's mission in its territory;
  - Facilitating or appointing a facilitator for ministerium gatherings held at least quarterly;
  - Participating in regular meetings of the Conference of Deans;
  - Offering pastoral care to other rostered leaders and congregations and informing the Bishop of such needs;
  - Sharing information within the Conference about the larger church;
  - Assisting other deans when they are unable to fulfill their tasks;
  - Providing a perspective from the Conference to the Office of the Bishop on pending issues and actions in the life of the Synod;

In support of the call process, and in consultation with appropriate Synod Staff the Dean **may**:

- recommend rostered leaders to synod leadership for congregations in the call process;
  - conduct the exit interview with the rostered leader who is leaving;
  - conduct the exit interview with the elected congregation council at the end of a ministry;
  - provide orientation for the congregation council and call committee in time of transition;
  - be appointed coverage pastor, or may facilitate the appointment of one;
  - introduce the recommended interim;
  - review the congregational self-study/profile for mission with call committee and congregation council, helping to discern the future, ongoing mission of the congregation;
  - present mobility papers of recommended rostered leaders to the call committee;
  - assist the congregation to identify supply pastors in cooperation with and at the approval of the Office of the Bishop; and
  - preach and preside at worship early in the vacancy to represent the Office of the Bishop; for this service, the calling congregation will pay for the supply pastor leadership of the dean's congregation.
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- Representing the Office of the Bishop by visiting each rostered leader in the Conference on an annual basis, and each congregation at least once during his/her term as Dean;
  - Providing feedback to the Bishop's office regarding the missional health of the congregations in the conference; a neighboring Dean will provide a report on the conference Dean's congregation;
  - Representing the Office of the Bishop in welcoming new rostered leaders and normally presiding at their installation, and in other roles as requested by the Bishop;
  - Being accountable for time and activity as Conference Dean to the Office of the Bishop, the Conference and the Dean's own congregation;

- Being in regular contact with the rostered leaders of the Conference, key lay leaders, and the Office of the Bishop; and
- Providing a written report from the Conference to the Synod Bishop, using supplied guidelines, for publication in the Synod Assembly Bulletin of Reports.

*Support:* Conference Deans will receive support from the Conference of Deans, and support and training from Synod Staff and the Bishop. The Office of the Bishop and/or the Synod Staff shall:

- Provide guidance for helping the Dean's congregation adjust to this ministry;
- Visit a new Dean's congregation as a visible sign of support and appreciation to the congregation for sharing their pastor with the Conference.
- Send a yearly thank you to the Dean's congregation for their support as their pastor fulfills his/her duties as Conference Dean.
- Provide timely updates regarding any changes in the rostered leadership of conferences congregations;
- Provide reporting forms and guidelines for all requested reports..
- Provide guidelines for the resignation or termination of the dean's appointment.

*Compensation:* The Synod will provide travel reimbursement at the current IRS rate for all meetings related to the office of Dean, and reimbursement for other appropriate expenses related to the Dean's work.

**ACTION**

**SC10:03/14**

To approve the Job Description for forwarding to the Synod Assembly.

**APPROVED**

Pr. Ahlstrom asked that his dissenting vote be recorded in the minutes.

*C. Catskill Lutheran Mission Center Resolution*

A resolution to establish at LLC in support of Catskill Lutheran Mission Center was introduced.

*Whereas*, the Metropolitan New York Synod values the continuation of Lutheran Mission and Ministry in the Catskill region of Sullivan and Ulster counties, and

*Whereas*, many of the congregations in this region are not able to fulfill the purposes for which they were organized and

*Whereas*, the Synod Council has received the Renewal Proposal of the Catskill Lutheran Mission Center congregations to affiliate for the purpose of founding a new worshipping community that will supplant the affiliating congregations and

*Whereas*, the renewal process is anticipated to be self-funded with significant benevolence support to the wider church and

*Whereas*, the anticipated vehicle for effecting the interim governance and management of resources is a New York Synod-Catskill Area LLC whose proposed Operating Agreement is included in the Renewal Proposal of the Catskill Lutheran Mission Center; therefore, be it

**RESOLVED**, that the Synod Council authorize the organization of the New York Synod-Catskill Area LLC with the Metropolitan New York Synod as its sole member and its charter and Operating Agreement as reported in the Renewal Proposal of the Catskill Lutheran Mission Center and it is further

**RESOLVED**, that any of the Officers of the Metropolitan New York Synod Of The Evangelical Lutheran Church In America, acting solely and on behalf of the Synod, be and hereby are authorized, empowered and directed to sign, verify and cause to be filed such Petition as may be required by law to obtain the approval of such organization by the Courts of the State of New York and the Attorney General of the State of New York; and otherwise do all such things as may, upon advice of Capell Barnett Matalon &

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Schoenfeld LLP, counsel to the Synod, be reasonable, necessary, proper or convenient in order that the terms, provisions and agreements of such organization be fulfilled and the transactions contemplated therein be effectuated; and it is further **RESOLVED**, that John Litke is appointed Manager of the LLC with full powers to act on behalf of the Synod Council and the LLC and to administer the LLC in accord with its Operating Agreement.

Mr. Litke explained the purpose of the resolution to hold cash assets for a three to five year transition period. He indicated that the ministry proposal will not go forward unless at least three congregations agree to participate. The synod council was impressed with the “outside the box” thinking at work but many members asked for more time to read the lengthy supporting materials.

#### **ACTION**

##### **SC10:03/15**

**RESOLVED**, that the Synod Council defer action and further discussion on the LLC resolution until the next meeting and offer the congregations involved in the strategy our enthusiastic support of this continuing endeavor and ask that the proposal be reviewed by the Mission Strategy Table of the MNYS for comment and suggestion.  
**Evangelical Outreach Director**  
**ADOPTED**

- D. *Strategic Plan for Mission Renewal (SW Brooklyn Conference)*  
The proposed strategy was included in the member packets. Bishop Rimbo shared his written response and invited members to forward their comments to Pr. Horner [[Jhorner@mnys.org](mailto:Jhorner@mnys.org)].

#### **Other Reports**

- A. *Youth Report*  
Dcn. Charlie Germain reported on the Regional Consultation at Philadelphia Seminary this past weekend (March 13) Young adults and region bishops had the opportunity for conversation. Four young adults from our synod took part.

#### **Announcements**

Nominations forms are on the website. Synod Council members whose terms are expiring and who cannot be nominated by their conference, may nevertheless submit nominations if they would like to continue to serve. The committee will hold the nominations in the event that nominees in addition to those submitted by the conferences are needed.

The Synod Council is required to nominate two candidates for both Vice President and Secretary. Please give thought to candidates before the April 24 meeting (location to be announced) and bring completed forms if possible.

Pr. Milholland announced that he has been called to serve Trinity-Long Island City. He begins there May 9.



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A motion to adjourn was offered by Renee Wicklund. The closing prayer was by the bishop. The meeting closed at 8:52pm.

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