
SYNOD COUNCIL MEMBERS

The Rev. Albert Ahlstrom 2012
Mr. William Anderson 2012
***The Rev. William Baum** 2012
The Rev. Rosalind Brathwaite 2012
Ms. Kesley Brown 2012
***Mr. Robert Buescher, Treas.** 2012
Ms. Christine Connell, DM 2014
***Ms. Maria Del Toro, Vice President** 2014
Dcn Charles Germain 2014
Ms. Barbara Hansen 2014
Mr. Gene Hiigel 2014
Ms. Barbara Holm 2012
The Rev. Brenda Jack 2012
***Ms. Barbara Johnson** 2012
The Rev. Perry Kirschbaum 2014
Dr. Carlos Lopez 2014
Mr. John Malone 2014
***Ms. Minerva Melendez** 2014
The Rev. Craig Miller 2014
***The Rev. Paul Milholland** 2014
Mr. Brian Reardon 2012
***The Rev. Robert A. Rimbo, Bishop** 2014
The Rev. Kit Robison 2014
***The Rev. Robert Schoepflin, Sect.** 2014
Ms. Janet Siry 2014
Dr. Grace Yukich 2012

26 Voting Members

AUXILLIARY MEMBERS

STAFF

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

GUESTS

Ms. Rita Fuerst Adams

Bold = present

Italics = excused absence

*Member of Executive Committee

Call to Order VP Maria Del Toro called meeting to order at 5:10pm.

Opening Devotions: *The Rev. Kit Robison*

- 1. Adoption of Agenda**
Adopted as amended.
- 2. Adoption of Minutes: 11 January 2011**
Adopted.

3. Bishop's Report

A. Synod Philanthropy Committee (Ms. Rita Fuerst Adams)

Bp Rimbo introduced Ms. Rita Fuerst Adams to SC. Ms. Adams spoke of importance of philanthropy in Synod. Bp Rimbo noted difference between philanthropy and regular mission support in synod. Bp Rimbo invited SC members to suggest persons to serve on committee. Several names were given. Bp Rimbo will contact them.

B. Resurrection, St. Albans

Bp Rimbo reported on work with congregation.

C. Staff Reports

Written reports received.

E. Calls

- *The Rev. ElizaBeth Nebrasky: On leave from call effective 24 January 2011*
- *The Rev. Marianne Tomecek: On leave from call effective 30 November 2010*

ACTION SC11:02/01

RESOLVED, that the Metropolitan New York Synod Council approve the request for On Leave From Call Status for the Rev. ElizaBeth Nebrasky effective 24 January 2011 and for the Rev. Marianne Tomecek effective 30 November 2010.

ADOPTED

F. For Report

- Finnish Worship Delegation (Jan 14)
- First Call Theological Institute
- Southwest Nassau Conference Visit (Jan 30-31)
- Episcopal Diocese of Long Island / MNYS Exec Staff (Feb 4)
- Visit to Wagner College
Bp Rimbo reported that college is planning to reinstate chaplain program.
- Eger Home, Staten Island
Bp Rimbo reported that Eger is working on constitution.

4. Treasurer's Report

A. January 2011 financials

Mr. Robert Buescher presented the financial reports and charts. He noted that we are behind in our profit and loss estimate and ended January short of our projection for mission support.

B. Asset Investment Objectives and Policies

Mr. Buescher presented new Asset Investment Objectives and Policies.

D. 10 Year Plan

Mr. Buescher presented 10 year plan, outlining financial status of synod if certain assumptions hold true. Mr. Robert Buescher proposed following resolution:

ACTION SC11:02/02

RESOLVED, that the Metropolitan New York Synod Council acknowledge its receipt of the proposed current 10 year plan, and authorize the Financial Management Committee to proceed to draft an adjusted 2011 budget and a proposed 2012 budget for approval by the Synod Council for presentation to the Synod Assembly in May 2011.

ADOPTED

5. Constitutions

Secretary Robert Schoepflin reported that constitutions have been received from Trinity, Staten Island and Redeemer, New Paltz.

6. Old Business

A. Zion / Sion, 119th Street

Bp Rimbo invited Ms. Kathleen Schmidt to report on the financial support given to congregation. At present synod is still negotiating with potential developers. Loan amount is presently greater than amount approved by Synod Council in September 2010. Ministry of congregation is viable and growing. Additional funds need to be expended for test borings and design plans. Ms. Schmidt noted the importance of separating the issue of support for the congregation from the issue of the disposition of the real property.

ACTION SC11:02/03

RESOLVED, that the Synod Council endorse the ministry of Sion as a Manhattan-based Latino ministry of the Synod, and

BE IT FURTHER RESOLVED, that the Bishop's working group present its plan for accommodating the continuing ministry of the congregation to the Synod Council by June 2011

ADOPTED.

ACTION SC11:02/04

RESOLVED, that the SYNOD be authorized to continue to advance funds to SION, adding to the \$1 million debt, until June 1, 2011 not to exceed a total \$1,400,000, and

BE IT FURTHER RESOLVED, that the SYNOD authorize our attorney and staff to continue negotiations with potential developers and extend the period of investigation of possibilities to June 1, 2011, and

BE IT FURTHER RESOLVED, that the SYNOD authorize payment for test borings of the property and design development plans for the property.

ADOPTED.

B. St. John's, Fulton Avenue, Bronx

VP Maria Del Toro reported that the email vote to sell St. John's was unanimous.

ACTION SC11:02/04

RESOLVED, that based upon the facts recited above and for the reasons set forth above, all of which are included and incorporated herein and made a part hereof as if fully set forth herein, the Synod Council hereby ratifies, *nunc pro tunc*, the transfer of title from the **SYNOD** to **METRO SYNOD-ST JOHN'S LLC**, a single member managed limited liability company organized under the laws of the State of New York, of the **PROPERTY**, known and designated as and by street number 1343-1351 Fulton Avenue, Bronx, New York, for the **LLC** to hold, manage, and convey on behalf of and at the direction of its sole member and manager, the **SYNOD**; and be it further

RESOLVED, that any one of the Officers of the **SYNOD**, acting on behalf of the **SYNOD** as the sole member and manager of the **LLC** be and hereby is authorized, empowered and directed on behalf of the **SYNOD** and on behalf of the **LLC** to sign, verify and cause to be filed such Petition as may be required by law to obtain the approval, *nunc pro tunc*, by the Supreme Court of the State of New York and the Attorney General of the State of New York of such transfer; and be it further

RESOLVED, that any of the officers of the **SYNOD**, acting on behalf of the **SYNOD** was and is

authorized to execute, acknowledge and deliver a Deed of Conveyance and all such other documents required to transfer or otherwise confirm ownership of the **PROPERTY** to the **LLC**, and to do all such things as may, on advice of Capell Barnett Matalon & Schoenfeld LLP, counsel to the **SYNOD**, be deemed reasonable, necessary, proper or convenient in order that said transfer be effectuated and/or ratified, and that the Officers of the **SYNOD**, and each and any of them, acting on behalf of the **SYNOD**, pay all such customary and/or required costs and fees relating to the transfer and/or ratification of the transfer of such **PROPERTY**; and be it further

RESOLVED, that the **SYNOD**, as the sole member and manager of the **LLC** does hereby authorize **METRO SYNOD-ST JOHNS LLC** as Seller, to enter into the **AGREEMENT** (a copy of which is annexed hereto) with **Iglesia Ni Cristo**, as **Buyer**, for the sale and purchase of the **PROPERTY**, for a sale price of \$2,500,000.00, all cash, upon the terms, provisions and conditions contained in said **AGREEMENT**, and for the **LLC** to pay on closing, if, as and when title closes, and out of the proceeds of sale, a total brokerage commission of \$100,000.00 (4% of the sale price) to Remax Team and Exit Realty Success, to be shared by them in equal parts; and it is further

RESOLVED, that any officer of the **SYNOD** be authorized, empowered, and directed to execute on behalf of the **SYNOD**, as the sole member and manager of the **LLC**, on behalf of the **LLC**, the **AGREEMENT** between **METRO SYNOD-ST JOHNS LLC**, as Seller, and **IGLESIA NI CRISTO**, as **Buyer**, for the sale of the **PROPERTY** in consideration of the sale price of Two Million Five Hundred Thousand (\$2,500,000.00) Dollars, and that any one of the officers of the **SYNOD** is thereafter authorized, empowered and directed to execute, verify and cause to be filed such Petition on behalf of the **SYNOD**, individually and on behalf of the **LLC**, as the sole member and manager of **LLC**, to both obtain, *nunc pro tunc*, the approval of the transfer of title to the **PROPERTY** from the **SYNOD** to the **LLC** and the approval of the transfer of title to the **PROPERTY** from the **LLC** to **IGLESIA NI CRISTO**, for the sum of Two Million Five Hundred Thousand (\$2,500,000.00) Dollars, by the Supreme Court of the State of New York and the Attorney General of the State of New York, all as required by law; and, in the event that such approvals shall be obtained, to thereafter, on behalf of the **SYNOD** as the sole member and manager of the **LLC**, acting on behalf of the **LLC**, 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** and the **LLC**, be reasonable, necessary, proper or convenient in order that the terms and provisions of the **AGREEMENT** be fulfilled and the transactions contemplated therein be effectuated; and it is further

RESOLVED, that after consummation of the sale by **METRO SYNOD-ST JOHN'S LLC**, 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, be paid over to the **SYNOD** and utilized 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**.

ADOPTED

ACTION SC11:02/05

RESOLVED, that the **LLC** shall make payment of a combined broker's commission of 4% of the sale price (i.e., \$100,000.00) to be divided equally between Re/Max Team and Exit Realty Success, which commission is to be paid out of the proceeds of sale if, as and when the closing takes place and to further pay from such proceeds such customary and/or required closing costs, transfer taxes, attorney and other professional fees in connection with the sale of the Property, and it is further;

RESOLVED, that any one of the officers of the **SYNOD**, acting on behalf of the **SYNOD** for itself and as sole member and manager of the **LLC** sign, verify and cause to be filed such petition and other documents as may be required to obtain the approval of the intended sale of the **PROPERTY** from the Supreme Court of the State of New York and the Attorney General of the State of New York; and it is further

RESOLVED, that any one of the officers of the **SYNOD**, acting on behalf of the **SYNOD**, as sole member and manager of the **LLC**, execute, acknowledge and deliver on behalf of the **LLC** 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, and otherwise do all such things as may, upon advice of Capell Barnett Matalon & Schoenfeld LLP, counsel to the **SYNOD** and the **LLC**, be reasonable, necessary, proper or convenient in order that the terms and provisions of the **AGREEMENT** be fulfilled and the transactions contemplated therein be effectuated; and it is further

RESOLVED, that after consummation of the sale by **METRO SYNOD-ST JOHN'S LLC**, 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, be paid over to the **SYNOD** and utilized in furtherance of the purposes for which the **SYNOD** was formed, in accordance with its Certificate of Incorporation and Constitution and By-Laws.

ADOPTED**C. Mount Calvary, Ruby**

Ms. Kathleen Schmidt reported.

ACTION SC11:02/06

RESOLVED, that the congregation of Mount Calvary Lutheran Church, located at Church Street, Ruby, New York 12475, has ceased to exist as a congregation and its relationship with the Evangelical Lutheran Church in America and the Metropolitan New York Synod of the Evangelical Lutheran Church in America is terminated; and be it

FURTHER RESOLVED, that the Synod Council shall notify the Synod Assembly and any known members of the congregation of Mount Calvary of this termination and of this Resolution; and it is

FURTHER RESOLVED, that the Secretary of the Synod Council shall notify the Secretary of the Evangelical Lutheran Church in America of this termination and Resolution so that Mount Calvary be removed from the roster of congregations of the Evangelical Lutheran Church in America and the Metropolitan New York Synod of the Evangelical Lutheran Church in America.

ADOPTED: 23 for; 0 opposed; 2 abstentions.

D. St. Luke's, Bronx

Secretary Robert Schoepflin gave brief report from attorney on status of legal action.

E. Congregations that have voted to separate from the ELCA.**ACTION SC11:02/07 (ADVENT, ELMONT, NEW YORK)**

NOW THEREFORE, BE IT RESOLVED that pursuant to the authority granted to it by both ecclesiastical and civil law as above recited, in fulfillment of its primary responsibility for the oversight of the life and mission of this church in the territory of this synod, in consideration of the mission and ministry of this synod and in furtherance of the pastoral care of congregations, ordained ministers, associates in ministry, deaconesses, and diaconal ministers of this church in this synod, approval of the request of **ADVENT LUTHERAN CHURCH** to terminate its relationship with the ELCA and this Synod is hereby denied; and

BE IT FURTHER RESOLVED, that a copy of these Resolutions, together with a Certified Letter of the Secretary of the Synod, be delivered to and filed with **ADVENT LUTHERAN CHURCH** with additional copies to both its Pastor and the Secretary of its Congregation Council; and

BE IT FURTHER RESOLVED, that a copy of these Resolutions, together with a Certified Letter of the Secretary of the Synod, be delivered to and filed with the Secretary of the Evangelical Lutheran Church in America; and

BE IT FURTHER RESOLVED, that a copy of these Resolutions, together with a Certified Letter of the Secretary of the Synod, be delivered to and filed with the Attorney General of the State of New York (Charities Bureau); and

BE IT FURTHER RESOLVED, that a copy of these Resolutions, together with a Certified Letter of the Secretary of the Synod, be delivered to and filed with any Federal, state or local governmental agency, bureau, department or body, including but not limited to the United States Internal Revenue Service, as may be deemed reasonable, necessary or desirable in furtherance of or to effectuate or memorialize the existence or intentions of these resolutions.

ADOPTED

ACTION SC11:02/08 (CHRIST, BROOKLYN, NEW YORK)

NOW THEREFORE, BE IT RESOLVED that pursuant to the authority granted to it by both ecclesiastical and civil law as above recited, in fulfillment of its primary responsibility for the oversight of the life and mission of this church in the territory of this synod, in consideration of the mission and ministry of this synod and in furtherance of the pastoral care of congregations, ordained ministers, associates in ministry, deaconesses, and diaconal ministers of this church in this synod, approval of the request of **CHRIST LUTHERAN CHURCH** to terminate its relationship with the ELCA and this Synod is hereby denied; and

BE IT FURTHER RESOLVED, that a copy of these Resolutions, together with a Certified Letter of the Secretary of the Synod, be delivered to and filed with **CHRIST LUTHERAN CHURCH** with additional copies to both its Pastor and the Secretary of its Congregation Council; and

BE IT FURTHER RESOLVED, that a copy of these Resolutions, together with a Certified Letter of the Secretary of the Synod, be delivered to and filed with the Secretary of the Evangelical Lutheran Church in America; and

BE IT FURTHER RESOLVED, that a copy of these Resolutions, together with a Certified Letter of the Secretary of the Synod, be delivered to and filed with the Attorney General of the State of New York (Charities Bureau); and

BE IT FURTHER RESOLVED, that a copy of these Resolutions, together with a Certified Letter of the Secretary of the Synod, be delivered to and filed with any Federal, state or local governmental agency, bureau, department or body, including but not limited to the United States Internal Revenue Service, as may be deemed reasonable, necessary or desirable in furtherance of or to effectuate or memorialize the existence or intentions of these resolutions.

ADOPTED

ACTION SC11:02/09 (HOLY TRINITY, NEW ROCHELLE, NEW YORK)

NOW THEREFORE, BE IT RESOLVED that pursuant to the authority granted to it by both ecclesiastical and civil law as above recited, in fulfillment of its primary responsibility for the oversight of the life and mission of this church in the territory of this synod, in consideration of the mission and ministry of this synod and in furtherance of the pastoral care of congregations, ordained ministers, associates in ministry, deaconesses, and diaconal ministers of this church in this synod, approval of the request of **HOLY TRINITY LUTHERAN CHURCH** to terminate its relationship with the ELCA and this Synod is hereby denied; and

BE IT FURTHER RESOLVED, that a copy of these Resolutions, together with a Certified Letter of the Secretary of the Synod, be delivered to and filed with **HOLY TRINITY LUTHERAN CHURCH** with additional copies to both its Pastor and the Secretary of its Congregation Council; and

BE IT FURTHER RESOLVED, that a copy of these Resolutions, together with a Certified Letter of the Secretary of the Synod, be delivered to and filed with the Secretary of the Evangelical Lutheran Church in America; and

BE IT FURTHER RESOLVED, that a copy of these Resolutions, together with a Certified Letter of the Secretary of the Synod, be delivered to and filed with the Attorney General of the State of New York (Charities Bureau); and

BE IT FURTHER RESOLVED, that a copy of these Resolutions, together with a Certified Letter of the Secretary of the Synod, be delivered to and filed with any Federal, state or local governmental agency, bureau, department or body, including but not limited to the United States Internal Revenue Service, as may be deemed reasonable, necessary or desirable in furtherance of or to effectuate or memorialize the existence or intentions of these resolutions.

ADOPTED

ACTION SC11:02/10 (ST. JAMES, STEWART MANOR, NEW YORK)

NOW THEREFORE, BE IT RESOLVED that pursuant to the authority granted to it by both ecclesiastical and civil law as above recited, in fulfillment of its primary responsibility for the oversight of the life and mission of this church in the territory of this synod, in consideration of the mission and ministry of this synod and in furtherance of the pastoral care of congregations, ordained ministers, associates in ministry, deaconesses, and diaconal ministers of this church in this synod, approval of the request of **ST. JAMES LUTHERAN CHURCH** to terminate its relationship with the ELCA and this Synod is hereby denied; and

BE IT FURTHER RESOLVED, that a copy of these Resolutions, together with a Certified Letter of the Secretary of the Synod, be delivered to and filed with **ST. JAMES LUTHERAN CHURCH** with additional copies to both its Pastor and the Secretary of its Congregation Council; and

BE IT FURTHER RESOLVED, that a copy of these Resolutions, together with a Certified Letter of the Secretary of the Synod, be delivered to and filed with the Secretary of the Evangelical Lutheran Church in America; and

BE IT FURTHER RESOLVED, that a copy of these Resolutions, together with a Certified Letter of the Secretary of the Synod, be delivered to and filed with the Attorney General of the State of New York (Charities Bureau); and

BE IT FURTHER RESOLVED, that a copy of these Resolutions, together with a Certified Letter of the Secretary of the Synod, be delivered to and filed with any Federal, state or local governmental agency, bureau, department or body, including but not limited to the United States Internal Revenue Service, as may be deemed reasonable, necessary or desirable in furtherance of or to effectuate or memorialize the existence or intentions of these resolutions.

ADOPTED

F. Congregations under synod administration (*monthly report*)

Ms. Kathleen Schmidt presented report.

G. Synod Council Culture and Process update

Pr. Jonathan Linman reported.

7. New Business

A. Partnership Grants - 2011

Motion to accept partnership grants made and seconded.

Pr. Jack Horner presented the list of proposed grants.

Bp Rimbo noted that communication to the congregations regarding the grants will be made by the Bishop's office.

ACTION SC11:02/11

RESOLVED, that the Metropolitan New York Synod Council approve the 2011 proposed Partnership Grants.

ADOPTED

B. MNYS Nominees to serve on ELCA Church Council

Secretary Robert Schoepflin reported. 2 nominees, lay female, to be made for Church Council, for a 6 year term. Bp Rimbo invited members of SC to suggest names to him or to VP Maria Del Toro for nomination determination at the March SC meeting. VP Maria Del Toro asked that profiles of people be included with nominations.

C. St. Michael's, Amagansett: request for Bridge loan of \$20,000

Ms. Kathleen Schmidt reported. Loan is for application for building permits and to do the architectural plans for parsonage. Loan would be repaid in full from the proceeds St. Michael's will receive upon closing for the land for the senior housing (closing anticipated to occur in June 2011). Motion, made and seconded

ACTION SC11:02/12

RESOLVED, that the Metropolitan New York Synod Council approve \$20,000 Bridge loan to St. Michael's, Amagansett payable in full with additional 5% interest per Annum on or before July 31, 2011.

ADOPTED

8. Other Reports

Charles Germain reported on training of leaders for National Youth Gathering.

9. Announcements/Events

A. Ordinations:

- Marc Herbst: 3:30 pm, Saturday, Feb 26 (Good Shepherd, Plainview)

B. Delaware-Hudson Conference Visit: Feb 27-28

C. "Catch the Spirit" Festival of Workshops: 2 pm, Feb 27 (Wartburg, Mt. Vernon)

D. Region 7 Women of Color Conference: Mar 19 (Advent, Manhattan)

E. Chrism Mass: April 19, 1:00pm, at Holy Trinity, Manhattan.

Meeting adjourned at 7:47pm.

Bp. Rimbo closed with prayer.

Respectfully submitted,

The Rev. Robert Schoepflin, Secretary