

Synod Council of the Metropolitan New York Synod
Evangelical Lutheran Church in America
MINUTES

April 22, 2017
APPROVED 6/10/17

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SYNOD COUNCIL MEMBERS

<i>Mr. Leonel E. Avila</i>	2020
The Rev. William Baum	2017
Ms. Cynthia Corley	2020
*Ms. Maria del Toro, Vice President	2018
Ms. Tabitha Johnson (youth)	2018
*The Rev. Amy Kienzle	2018
Mr. John Litke	2018
*Dr. Carlos Lopez	2018
<i>Synod Dcn. John Malone</i>	2018
Ms. Karen Maulen	2018
The Rev. Christopher Mietlowski	2020
Mr. Walter Nash	2018
The Rev. Jeanine Owens	2020
Synod Dcn. Lulu Paolini	2018
The Rev. Daniel Peter	2018
Synod Dcn. John Prosen	2020
*The Rev. Robert A. Rimbo, Bishop	2020
Ms. Denise Rutherford-Gill	2020
<i>*The Rev. Harry Schenkel</i>	2018
<i>*The Rev. Robert Schoepflin, Sect.</i>	2018
The Rev. Nicole Schwalbe	2020
The Rev. Garry Squire	2017
*Mr. Frank Suttell, Treasurer	2020
Ms. Wendy Bean Tannenbaum	2018
Ms. Abby Triebel	2020
<i>Ms. Emma Turner (Young Adult)</i>	2020
*Mr. Christopher Vergara	2020
Ms. Karen Woolley	2017

AUXILIARY MEMBERS

STAFF

Ms. Susan Brandt
Mr. Branden Dicks
The Rev. Percy Butiku
The Rev. Kathleen Koran
The Rev. Jonathan Linman
Synod Dcn. Gayle Ruege
Ms. Kathleen Schmidt
Ms. Rebekah Thornhill
The Rev. Lamont Wells

GUESTS

Bold = present

Italics = excused absence

*Member of Executive Committee

Devotions: *Dr. John Litke*

Observer: *Ms. Cynthia Corley*

Call to Order: Ms. Maria del Toro at 5:08 pm

1. **Adoption of the Agenda:** adopted as presented
2. **Adoption of the Minutes**
 - A. Synod Council: 21 March 2017: adopted as presented
 - B. 2016 Metropolitan New York Synod Assembly: adopted as presented **(EXHIBIT A)**
3. **“Tell your story”:** The Rev. Daniel Peter Penumaka
4. **Bishop’s Report**
 - A. **Calls**
 - a. The Rev. Kimberli Lile: *OLFC effective 15 March 2017*
Pr. Lile just completed a chaplaincy at Stony Brook University Hospital.
 - b. The Rev. Ann Tiemeyer: *OLFC effective 15 May 2017*
Pr. Tiemeyer will complete her interim work at Advent, Manhattan on May 14
 - c. Synod Deacon Richard Ferolito: *OLFC effective 13 November 2016*
 - d. Synod Deacon Gloria Taylor: *OLFC effective 13 November 2016*
Deacons Rich Ferolito and Gloria Taylor serve at St. John’s, Poughkeepsie. Pastor Dan Ward retired on Nov 12. Both deacons are formally OLFC through the pastoral transition.

ACTION SC17:04/01

RESOLVED, that the Metropolitan New York Synod Council approve On Leave from Call Status for The Rev. Kimberli Lile, effective March 15, 2017; The Rev. Ann Tiemeyer, effective May 15, 2017; Synod Deacon Richard Ferolito, effective November 13, 2016; Synod Deacon Gloria Taylor, effective November 13, 2016.

ADOPTED

B. Appointments

- a. Mr. David Mohr: *Constitution Review Committee*

ACTION SC17:04/02

RESOLVED, that the Metropolitan New York Synod Council approve the appointment of Mr. David Mohr to the Constitution Review Committee.

ADOPTED

C. Staff

- a. Assistant to the Bishop for Finance & Administration
Kathy Schmidt has announced her retirement date of September 1, 2017. A sub-group of the Executive Committee is meeting on May 2 to develop the position description (s). Financial / Accounting position and the Property Management position.

b. Assistant to the Bishop for Congregations

There were 9 applicants for the position of Asst to the Bishop for Congregations. The Executive Committee selected 3 principal candidates to interview on April 19. The EC unanimously voted to present Deacon Margaret Schmitt Ajers to the Synod Council for call.

ACTION SC17:04/03

RESOLVED, that the Metropolitan New York Synod Council extend a call to Deacon Margaret Schmitt Ajers to serve as Assistant to the Bishop for Congregations, eff. 1 June 2017.

ADOPTED

c. MNYS Congregation review

Pr. Kathleen Koran reviewed the congregational informational booklet prepared by Susan Brandt with the Synod Council. This important resource is being used by staff, the Conference of Deans and the Gathered Committee. The Council thanked Pr. Koran for her 8 years of ministry service on synod staff and Sue Brandt for her work in developing this valuable resource.

ACTION SC17:04/04

RESOLVED, that the Metropolitan New York Synod Council acknowledge and thank Pr. Kathleen Koran for her exceptional work / service as Assistant to the Bishop for Congregations and Susan Brandt for the development of the Conference Informational Booklet that provides a valuable overview of our synod ministry sites.

ADOPTED

5. Treasurer's Report

A. Mission Support Report (EXHIBIT B)

Contributions for the month of March totaled \$87,134.56. Year-to-date mission support received is \$149,090, which is \$20,772 lower than the budgeted amount of \$169,862

B. Report of the Audit Committee (EXHIBIT C)

ACTION SC17:04/05

RESOLVED, that the Synod Council adopt the Financial Statements and Report for the year ending January 31, 2017 prepared by Tait, Weller & Baker, certified public accountants, noting that in the opinion of the auditors the financial statements taken as a whole present fairly the financial position of the Metropolitan New York Synod in conformity with generally accepted accounting principals.

ADOPTED

C. Tait, Weller & Baker

ACTION SC17:04/06

RESOLVED, that the Metropolitan New York Synod retain the services of Tait, Weller & Baker, Certified Public Accountants, for the year ending January 31, 2018.

ADOPTED

D. Approved Proposed Budgets / March meeting

The proposed revised budget for 2017-2018 and the proposed budget for 2018 were approved by the Synod Council at the March SC meeting. A brief review for members of the Synod Council that were not in attendance at the March meeting was provided.

6. Strategic Plan Implementation

A. Synod Assembly Forums

Rebekah Thornhill provided a brief overview.

B. CLAIMED Committee

Nov 1 Reformation 500 event / Cathedral Church of Saint John the Divine

C. GATHERED Committee: Synod Grants Resolution

The resolution regarding non-compliance by recipients of synod grants to grants terms and conditions was recommended by the Gathered Committee to the Executive Committee for presentation to the Synod Council. The resolution was deferred back to the Gathered Committee.

D. SENT Committee

The Committee met today in the Synod Office on the 16th Floor to discuss and plan for their Synod Assembly forum.

E. FMC

The FMC is scheduled to meet on May 1

F. Anti-racism Initiative / Enabler

Dates for (4) Anti-racism training events 2017-2018 will be announced soon.

7. New Business

A. Procedure for Appeal (EXHIBIT D)

The Procedure for Appeal of Decisions under S13.24 will be added (item G) to the Rules and Procedures for the Synod Assembly.

The Procedure for Appeal was crafted by Secretary Schoepflin in consultation with ELCA Secretary Chris Boerger, Parliamentarian Andrew James, Pr. Joel Brandt / Chair, Reference & Council, members of the Consultation Committee and legal counsel.

ACTION SC17:04/07

RESOLVED, that the Metropolitan New York Synod Council approve the Procedure for Appeal of Decisions under S13.24 as item G to the Rules and Procedures for the Synod Assembly for adoption by the Synod Assembly.

ADOPTED

- a. Eltingville, Staten Island
- b. St. Paul's, Coney Island
- c. St. Peter's, 140th Street, Bronx

Certified letters were sent and received by the congregations of Eltingville, St. Paul's, Coney Island and St. Peter's, Bronx notifying them of their constitutional right to appeal the SC's action (to take charge and control of their property) to the Synod Assembly. A written communication expressing intent to appeal was received from Eltingville.

8. Old Business

A. 2017 Synod Assembly Update

R. Thornhill reported

B. Synod Properties / Congregations under synod administration (EXHIBIT E)

- a. List for sale property located at 42-15 165th Street, Flushing, NY

ACTION SC17:04/08

RESOLVED, that the Metropolitan New York Synod Council list for the sale the property located at 42-15 165th Street, Flushing, NY, formerly Messiah Lutheran Church.

ADOPTED

- b. Sale of the property located at 85-15 101st Avenue, Ozone Park, NY

ACTION SC17:04/09

RESOLVED, that the Metropolitan New York Synod Council approve the sale of the property located at 85-15 101st Avenue, Ozone Park, NY, formerly known as Christ, Ozone Park, to Ushi Shafran for \$2,700,000 or an affiliate.

ADOPTED

C. Transfiguration, Harlem

The congregation of Transfiguration, Harlem has been without a full time pastor since the resignation of Pr. Barbara Kearsse in 2006. Since that time pastoral ministry has been provided on a part-time / coverage basis with a Sunday supply. Synod time and resources have been expended over the years to assist the congregation. Communication from an elected officer of the congregation prompted the appointment of an Advisory Panel. The Panel interviewed members of the congregation and provided a report to

Bishop Rimbo. A letter from Bishop Rimbo was sent to the Congregation Council which summarized their current ministry and provided recommendations for future action.

Bp. Rimbo and Pr. Wells met with the congregation on Sunday, April 2. The proposal that the synod take charge and control of the property of Transfiguration for the purpose of initiating a radical redevelopment of the existing property with the engagement of a mission developer was discussed with a positive response from the congregation.

WHEREAS, TRANSFIGURATION LUTHERAN CHURCH (TRANSFIGURATION) located at 74 West 126th Street, New York, New York is a member congregation of the **Evangelical Lutheran Church In America (ELCA)** rostered with the **METROPOLITAN NEW YORK SYNOD (SYNOD)** and

WHEREAS, the membership of **TRANSFIGURATION** has declined and dwindled to so few, and become so scattered and diminished in numbers as to make it impractical for **TRANSFIGURATION** to fulfill the purposes for which it was organized, and

WHEREAS, the Constitution of the **SYNOD**, Section 13.24 provides in instances where a congregation's membership has diminished such that it is unable to fulfill its mission and ministry for which it is organized, the **SYNOD** may take charge and control of the property of such a congregation to hold, protect, preserve, manage and convey the same on behalf of this **SYNOD**, and

WHEREAS, such charge and control of the property by the **SYNOD**, as provided in Section 13.24, may be through the appointment by Synod Council of trustees, and

WHEREAS, by virtue of the authority granted it by Section 13.24 of its Constitution, the **SYNOD** has requested Synod Council to consider applying the terms and provisions of Section 13.24 and to take charge and control of the property of **TRANSFIGURATION**, through the appointment of three trustees, and to hold, protect, preserve, manage and convey such property on behalf of the **Synod**.

NOW THEREFORE, it is:

RESOLVED, that for the reasons set forth above, all of which are included and incorporated herein and made a part hereof as if fully set forth, the **SYNOD**, pursuant to Section 13.24 of its constitution does hereby take charge and control of the property of **TRANSFIGURATION** to hold, protect, preserve, manage, and convey it on behalf of the **SYNOD**, and it is further,

RESOLVED, that the following are hereby appointed as trustees, with the with full power to hold and manage the property of **TRANSFIGURATION** on behalf of the **SYNOD** in all regards relating directly or indirectly to the taking charge and control of the property of **TRANSFIGURATION** and in holding, protecting, preserving, managing and conveying such property of **TRANSFIGURATION** on behalf of the **SYNOD**, to wit: The Rev. John Flack; The Rev. Lamont Anthony Wells; Dr. Carlos Lopez.

RESOLVED, that the signature of any two of the Trustees acting to take charge and control of the property of **TRANSFIGURATION** and to hold, protect, preserve, manage, and convey the property of **TRANSFIGURATION** on behalf of the **SYNOD** shall be binding upon and considered as the act of all of the Trustees. No person or party 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.

ACTION SC17:04/10

RESOLVED, that for the reasons set forth above, all of which are included and incorporated herein and made a part hereof as if fully set forth, the SYNOD, pursuant to Section 13.24 of its constitution does hereby take charge and control of the property of TRANSFIGURATION to hold, protect, preserve, manage, and convey it on behalf of the SYNOD, and it is further,

RESOLVED, that the following are hereby appointed as trustees, with the with full power to hold and manage the property of TRANSFIGURATION on behalf of the SYNOD in all regards relating directly or indirectly to the taking charge and control of the property of TRANSFIGURATION and in holding, protecting, preserving, managing and conveying such property of TRANSFIGURATION on behalf of the SYNOD, to wit: The Rev. John Flack; The Rev. Lamont Anthony Wells; Dr. Carlos Lopez.

RESOLVED, that the signature of any two of the Trustees acting to take charge and control of the property of TRANSFIGURATION and to hold, protect, preserve, manage, and convey the property of TRANSFIGURATION on behalf of the SYNOD shall be binding upon and considered as the act of all of the Trustees. No person or party 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.

ADOPTED

D. Update: former Zion, Brooklyn

K. Schmidt reported. Architectural drawings are complete. Synod is in the process of negotiating a contract with the School Construction Authority.

E. SA Actions (Pending)

- SA2015:05.08 / MNYS Disaster Response Task Force
- 2016 SA Actions
 1. SC16:04/07 Supporting Organizations / FMC is reviewing documents
 2. SA2016:05.4 On Mission Partnerships
 3. SA2016:05.11 On Advocacy and Justice for Refugees

9. Announcements / Other Reports

10. Observer's Evaluation

Synod Council Retreat: June 9-10, 2017 / Seminary of the Immaculate Conception
440 West Neck Road
Huntington, NY 11743

Meeting adjourned with prayer by Bp. Rimbo at 3:10 pm

*Proposed items for the Synod Council agenda should be submitted to S.Dcn. Gayle Ruege (gruege@mnys.org) for consideration by the Executive Committee on or before May 23.

As of September 2016, all committees are to provide a digital copy of meeting minutes to Susan Brandt (sbrandt@mnys.org) for the synod files.

*Synod Deacon Gayle Ruege
Senior Assistant to the Bishop*