

**LACKAWANNA COUNTY LAND BANK
REGULAR MEETING MINUTES
March 11, 2016**

The regular meeting of the Lackawanna County Lackawanna County Land Bank was held on March 11, 2015 in the Conference Room of the Commissioners' offices at 200 Adams Avenue in Scranton, Pennsylvania.

At 10:05 am Chairman O'Malley called the meeting to order and asked for all to join in the pledge of allegiance.

ROLL CALL

Roll Call was taken by Mr. George Kelly (member)
Commissioner O'Malley (Chairman) - Present
Henry Deecke – Present
Linda Aebli – Present
Marion Gatto – Present
Terrence McDonnell – Present
Steve Pitoniak – Present

MINUTES

A motion was made by Mr. Pitoniak and seconded by Ms. Aebli to approve the minutes of the February 12, 2016 regular meeting and the March 4, 2016 work session as prepared.

All in Favor

PUBLIC COMMENT

No public comment at this time.

DISCUSSION ITEMS

- a) Legal Council
Mr. Kelly stated he interviewed 3 different Attorneys that expressed interest for the position of land Bank solicitor. One had a background in trust and family court, one worked as a public defender for a county and the third Mr.

Colbassani works for a local law firm specializing in real estate and has worked for a redevelopment authority, worked for the City of Scranton and experience working with the Scranton School board. A motion was made by Mr. Deecke and seconded by Chairman O'Malley that Mr. Colbassani be appointed Solicitor at a fee negotiated, not to exceed \$12,000.

All in Favor

b) Intergovernmental Agreement

The Board did not go over the Intergovernmental Agreement in detail because they are waiting for the appointment of a solicitor. A copy of the agreement was sent to Jason Shrive, Scranton City Solicitor. However, Mr. Kelly had not heard back from him. Mrs. Aebli stated she would coordinate with the city. Commissioner O'Malley requested we now get Atty. Colbasanni involved and set up a meeting with Atty. Shrive. Mr. Kelly stated once we get the agreement approved, we have to get the Scranton School Board involved as well. Until we get all 3 parties to sign the agreement we cannot begin. Commissioner O'Malley suggested another work session prior to the next regular meeting. Maybe at the same time as when the solicitors get together.

ACTION ITEMS

a) Resolution NO. 16-001 Entering into a Loan Agreement

Mr. Kelly stated he was hoping to have received a LSA grant for the land bank funding by now. Seeing the last meeting to award the LSA grant was canceled without a new date rescheduled, Mr. Kelly proposed using a \$50,000 loan from a \$500,000 Economic Development Revolving loan fund. The loan would be a short term no interest loan for 2 years until funding from the local share grant. He stated that right now there are no companies earmarked for those funds and would not be a high impact to the revolving loan fund. Commissioner Laureen Cummings was in attendance and completely disagreed with funding the land bank from Lackawanna County taxpayer monies with this loan. Commissioner Cummings stated her concern with taking property off people. Mr. Kelly clarified that the Land Bank would not take property and put people out of their homes. The Land Bank cannot use eminent domain. It will take blighted properties and non-conforming lots from the tax repository list and return them back on the tax rolls. Commissioner Cummings further inquired about the loan fund. Mr. Kelly explained the money would come from a competitive grant awarded by DCED and not out of the County's general fund. The money is used for a short term loan for small businesses. Typically, a business that may have a problem getting a conventional loan from a bank. Mr. Kelly further explained the loan fund and the type of projects that are funded with that money. Commissioner O'Malley called for motion for

entering into a loan agreement with the Department of Economic and Community Development. Mr. McDonnell made the motion and was seconded by Mr. Deecke.

All in favor.

- b) Adoption of By-Laws (contingent upon final review of Solicitor)
Mr. Kelly stated a draft of the by-laws was presented at the first meeting. Last meeting we took in some comments and those comments were incorporated into the by-laws. Mr. Kelly requested, at this time, the land bank By-laws be approved contingent upon review of the solicitor. He stated if there are any changes to be made, they could be done in the form of a motion. Commissioner O'Malley called for motion to adopt the by-laws contingent upon review of the solicitor. Mr. Pitoniak made the motion and it was seconded by Mrs. Aebli.

All in Favor

- c) Adoption of Policy and Procedures (contingent upon final review of Solicitor)
Mr. Kelly stated during the work session of March 4th, there were several suggestions from the board. Ron Koldjeski was present at the work session and made substantial recommendations on how to proceed. We can use his experience as the Tax Claim Director. Mr. Kelly stated there were detailed changes made to the policies and procedures during the work session. He stated they also need one or two additional agreements that would be separate and distinct such as a conflict of interest policy. However, that could wait until a solicitor is on board to assist with that. Mr. Pitoniak and Mrs. Aebli also made some additional recommendations and comments regarding the policies and procedures. Mr. Kelly stated the land bank will rely on the local municipality's rules, codes and regulations. Mr. Kelly suggested additions could be added in response to Mrs. Aebli's concerns regarding Scranton's program regulations. Commissioner O'Malley called for a motion to adopt the policies and procedures contingent upon review of the solicitor. Mr. McDonnell made the motion and it was seconded by Mr. Deecke.

All in Favor

Commissioner O'Malley brought up the idea of adding additional board members since the land bank will be adding municipalities. He feels as new municipalities join the land bank, they would want some representation from the municipality on the board. After some input by the board members, it was decided to have the solicitor look into it.

PUBLIC COMMENT

Marie Schumacher asked if there is website yet. Mr. Kelly explained that at this time we plan on posting the documents through the county's Legislative Research Center

on the County website. We do plan on providing a website. Part of the requirements of the land bank is full transparency. Anything that is going on with the land bank must be publicized. Mrs. Schumacher asked when the documents approved at this meeting would be available. Mr. Kelly said by the next meeting. Mrs. Schumacher asked how many days before the next meeting would the agenda be available. Mr. Kelly answered two days prior. Mrs. Schumacher asked about a property up by the lookout on Moosic Street that Mr. Kelly previously mentioned that he thought was incorrectly assessed and therefore wasn't moving. She stated she was afraid we would be doing spot assessments. Mr. Kelly responded we definitely would not be doing spot assessments. Mrs. Schumacher asked how we would get the properties reassessed. Mr. Kelly stated the process was discussed at the work session. Mrs. Schumacher asked if the land bank would be paying the same fee as a private citizen to get a property reassessed. Mr. Kelly responded we would have to look into that.

Commissioner Cumming addressed the Board and stated that she is against the land Bank. Her concerns are that it was stated that no Lackawanna County Taxpayer money would be used for the land bank and the board voted to use taxpayer money for the program. She also expressed that she will be watching this board to make sure things that went on with other land banks do not happen here.

ADJOURNMENT

As all business had been conducted, a motion to adjourn was made by Mr. McDonnell with a second by Mr. Deecke. The motion carried.

Marion Gatto, Secretary