

**LACKAWANNA COUNTY LAND BANK
REGULAR MEETING MINUTES
August 12, 2016**

The regular meeting of the Lackawanna County Land Bank was held on August 12, 2016 in the Conference Room of the Commissioners' offices at 200 Adams Avenue in Scranton, Pennsylvania.

At 10:00 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

Also present were Atty. Joseph Colbassani, Land Bank Legal Counsel, Commissioner Laureen Cummings, Ron Koldjeski, Director Tax Claim Office, and Ralph Pappas, Business Relations Manager, Department of Economic Development

PUBLIC COMMENT

No public comment at this time.

MINUTES

A motion was made by Mr. Deecke and seconded by Ms. Aebli to approve the minutes of the July 8, 2016 regular meeting as prepared.

All in Favor

PRESENTATION of VOUCHERS for EXAMINATION and APPROVAL

Mr. Kelly presented, for examination and approval, a listing of voucher expenditures for the month of August. There was one voucher. A check in amount of \$1,000.00 made payable to Atty. Colbassani for legal services.

Motion was made by Mr. Pitoniak and seconded by Mr. Deecke to approve the voucher

DISCUSSION ITEMS

a) Process of transferring property from the Repository List to the Land Bank

Mr. Kelly explained that all three taxing bodies have signed the Cooperation Agreement so the land bank is ready to start conducting business. Mr. Kelly requested Attorney Colbassani give an update on this discussion item. Atty. Colbassani stated the Land Bank Statute gives the land bank broad flexibility in acquiring properties. He has been in touch with other land bank solicitors regarding this process. He explained that the Tax Claim office would give the land bank a deed similar to what they would give a successful bidder for a tax sale property. He also explained that the land bank can accept property donations. He stated that the property donations can also be accepted on terms. Mr. Kelly then elaborated further on the process of transferring repository properties to the land bank. Attorney Colbassani informed the board that new legislation, effective September 11, 2016, will exempt land banks from paying property transfer tax. Mr. Kelly discussed the possibility of getting a concession from the county for a reduced cost on recording fees. Mr. Koldjeski had some questions regarding the Intergovernmental Cooperation Agreement and how it addresses notification to the municipality of a property that is acquired through the repository. Right now if you sell a property on the repository list, the taxing bodies have to approve the sale. Mr. Koldjeski asked if that is still the case or does the Intergovernmental Cooperation Agreement state that taxing body approval is no longer necessary. Mr. Kelly stated that we could research the question of notification and address it at the next board meeting. Commissioner O'Malley expressed the possibility of a resolution or an amendment if that issue is not addressed in the Intergovernmental Cooperation Agreement.

b) Property Donation

Mr. Kelly stated we have been approached by some people who want to donate properties. His recommendation would be to take a look at the property and see if it is marketable for future use. He also stated some other issues we need to look at when looking at donation of properties. Mr. Koldjeski also mentioned several other people who would like to donate property to the land bank. Some of these properties were outside the City of Scranton. Therefore, they could not be considered for donation until there is an Intergovernmental Cooperation Agreement with those taxing bodies.

The discussion continued regarding expanding the land bank into other municipalities. Mr. Koldjeski stated that outside the City of Scranton there are only a few repository properties in some of these taxing districts. His recommendation would be for the land bank to acquire them all. He stated we have to get as many properties as we can back on the tax rolls. Mr. Koldjeski then stated that if a property goes to a non-profit like the Hill Neighborhood Association then there is still no taxes collected on the property. Commissioner O'Malley stated in that case we would be eliminating blight. Mr. Kelly stated that if we were to turn a non-conforming property over to a non-profit it would be as a lease. If they didn't maintain it, we would take it back.

Mrs. Gatto had some concerns about accepting properties from some taxing districts and not from others. She feels we must have some boundaries or criteria as to why we are accepting some properties and not others. We must be able to explain the reasons. Mr. Kelly then stated before we accept any property it will go up for a vote before the board.

The discussion continued with Mr. Kelly stating that he has been approached by a person who has significant property holdings in the City of Scranton that he would like to donate. He also has other property he would like to donate with the stipulation that once the property is sold by the land Bank, he would receive twenty five percent of the sale price. After some discussion, the board members agreed that the land bank could not accept the property under those conditions.

c) Repository Properties

Regarding the repository properties, Mr. Kelly point out the map on the wall that showed all the repository properties in the City of Scranton. It also showed the map numbers of the contiguous properties. This way, for the side lot program, we could identify the adjacent property owners of the non-conforming lot to see if they would be interested in purchasing the property. Mr. Kelly also pointed out some contiguous properties on Briggs Street that could be available for development.

Mr. Koldjeski announced that the City has a new employee. Her job will be to address the properties in the Pittsburgh plan. He explained that he and Commissioner O'Malley have been pursuing the City to have the County Tax Office conduct their tax sales. He explained the advantages of the County Tax claim office in the tax sale process.

d) Advisory Board

Mr. Kelly requested that Mrs. Aebli be designee of the board to form the advisory committee for the City properties. He let it up to her regarding the number of members on the board. Mr. Kelly stated we did commit to two people from the school board. Mrs. Aebli stated that the Mayor will make the determination who he wants to appoint to the board.

Mr. Koldjeski announced that there will be a meeting of the Northeast Assessors Association. It is going to be held September 16, 2016 at the Lackawanna County 911 Center. Topics will be TIF'S, LERTA'S and KOZ's. He thought that some members of the board may want to attend. He then passed around the flyer with information on the meeting. Mr. Pitoniak stated that any board member who wants to attend would need board approval. Mr. Pitoniak made a motion that anyone who wants to attend the meeting notify Ralph Pappas. It was seconded by Mrs. Gatto. All in favor

ACTION ITEMS

None at this Time

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Marie Schumacher, Taxpayer-City of Scranton

Mrs. Schumacher feels the Scranton Redevelopment Authority should be interfacing with the Land Bank. She had attended the last SRA meeting and thought the chairman would be in attendance at this meeting. She feels the Land Bank is stepping on the SRA's grounds and they should be involved in the process

She then had a question regarding the side lot program. Will they be added to the existing property or stay as a separate lot? Mr. Kelly explained that the lot will remain separate for a period of five years and explained the reason. Mr. Pitoniak explained that the creation of the lot would still have to maintain the City's zoning ordinance. She then asked if the Land Bank had to advertise the quit claim deeds. Atty. Colbasanni stated we would have to advertise for quiet title action but all our meetings are public and any properties that the land bank would be interested in acquiring would have to be discussed at the public meeting. She then asked if there would be a legal notice stating the properties that would be discussed at the meeting. Mr. Kelly replied that the website will have all the land bank properties clearly identified. Atty. Colbasanni stated he would research the issue of advertising the properties to be acquired prior to consideration at a land bank meeting. Mrs. Schumacher also expressed her concerns regarding the City of Scranton's Pittsburgh plan. She also asked if the advisory board meeting would be public as well. Mr. Kelly answered yes. She had some concerns about the County taking properties off the judicial sale. Mr. Koldjeski clarified that the Commissioners have the right to buy a property at the judicial sale as long as they are the highest bidder. Commissioner O'Malley responded to Mrs. Schumacher by stating that the Land Bank board isn't here just for developers. The Land Bank is here for everyone.

Commissioner Laureen Cumming

Commissioner Cumming addressed the board about the land bank taking a property at the judicial sale. She reiterated her previous comment about the board adopting a resolution that the land bank would not take a property until it got to the repository list. Mr. Kelly stated at the next meeting the first action for consideration would be of passing a motion to not take properties prior to the judicial sale. Commissioner Cummings then asked Mr. Koldjeski to explain the Pittsburgh plan. Mr. Koldjeski explained the process involved with acquiring a property through the Pittsburgh plan. Scranton is allowed to use the Pittsburgh plan because of their status as 2A class city. Commissioner Cumming also had some question regarding the maps showing the repository properties. Her questions were addressed by both Mr. Kelly and Mr. Koldjeski. Commissioner Cummings asked if anyone on the advisory board gets reimbursed for any work. Mr. Kelly answered no.

Mark McColligan-704 West Elm Street.

Mr. McColligan had a question regarding a property next to his residence. It is city owned but currently not on the repository list. He would like to purchase it but has been running into some difficulties with the City of Scranton. Mr. Kelly explained that the plan is to meet with Mr. Beck, City Treasurer, to discuss situations like this. The objective is to get the properties into the repository so the land bank can acquire them and possibly transfer

them to an adjacent property owner to get them back on the tax rolls. Mr. Kelly stated we would follow up Mr. Beck.

Mr. Kelly passed around photos of some improved properties currently on the repository list. He stated these are properties that a private developer or community development agency may want to purchase and rehabilitate.

Jesse Ergott-NeighborWorks

Mr. Ergott thanked the board for all their work to date. He stated his organization has been doing a lot of research on land banks. He stated that when it comes to doing something with a property, he hopes the goal of the land bank would be the highest and best use of a specific property. It is their hope that the advisory committee would be looking to prioritize the highest and best use of a property. He offered the services of groups like NeighborWorks, United Neighborhood Services and other Community Development organizations to use as resource.

ADJOURNMENT

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

Marion Gatto, Secretary