

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

The initial meeting of the Lackawanna County Lackawanna County Land Bank was held on February 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 – Not Present  
Linda Aebli – Present  
Marion Gatto – Present  
Terrence McDonnell – Not Present  
Steve Pitoniak – Present

**MINUTES**

A motion was made by Ms. Gatto and seconded by Mr. Kelly to approve the minutes as prepared.

**PUBLIC COMMENT**

No public comment at this time.

**DISCUSSION ITEMS**

Mr. Kelly explained that we are awaiting appointment of a solicitor by Lackawanna County's Solicitor and we hope to have them in place by the next meeting.

Mr. Kelly explained that the next discussion item is the by-laws. Mr. Kelly furthered that each member was given a DRAFT copy of the by-laws to review and asked for all members' comments and/or concerns.

At this time Mr. Pitoniak, while honored for the appointment, questioned why the County Transportation Planner, would be included on the board. He feels that it should be somebody who is directly involved with properties, someone from the Assessors or Tax Claim area. While his expertise is in Transportation Planning, he does handle some Land Planning, but feels he may serve the board better in an advisory capacity. Mr. Kelly explained that Mr. Pitoniak runs the day to day operations of the Planning office and could be a valuable asset as an advisor. Mr. Kelly then explained that the board would need a solicitor to look into the possibility of changing the ordinance to remove the County Transportation Planner from the board. It was decided that Mr. Pitoniak remain on the Board until a Solicitor review the situation.

Chairman O'Malley then asked if anyone had any comments or concerns on the policies and procedures. Ms. Aebli explained that she believes there should be a "Conflict of Interest" clause. She explained that she uses one in her office and Chairman O'Malley added that he thought it is a great clause to add. Mr. Kelly explained that a lawyer should look in to whether a board member can or should participate at all. Ms. Aebli also emailed a copy of her offices Conflict of Interest clause. All board members agreed that it is in the best interest of openness and transparency for the board.

Mr. Pitoniak also mentioned that section 6.5 makes no mention of the PA Planning Code and in fact some statements are in conflict with the code. He believes that Planning Code needs to be taken into account when creating these.

Ms. Gatto then explained her concern with a "buyers" ability to not appeal the taxes for a five year period. She explained that this could cause difficulty in getting properties back on the tax rolls. Mr. Kelly explained that maybe the Land Bank appraises all properties upon acquisition which would then alleviate the need for a buyer to reassess within the five year period.

Chairman O'Malley then recommended the board hold a work session to get the By-laws and Policies and Procedures right, before voting on them. The board agreed that a work session would be held approximately two weeks before our next meeting.

Mr. Kelly then explained that he did forward the Intergovernmental Cooperation Agreement to Ms. Aebli who did say that she would touch base with Atty. Shrive next week. Mr. Kelly explained that the board could not move forward with any business in a Municipality without the agreement. It was discussed that maybe additional members be added to represent municipalities who sign on. Without this agreement we cannot work any municipality or school board. It was suggested by Chairman O'Malley that we go out to the municipal and school board meetings to try and get them to vote the agreement into place. Chairman O'Malley explained that Community Relations can assist since they are already out in the municipalities.

## **ACTION ITEMS**

Mr. Kelly explained that while the Land Bank does not have any money, the Economic Development Office through the Office of Risk Management, Rick Jones, have shopped the insurance marketplace and have secured a policy. Mr. Jones explained that the policy covers \$2,000,000 per occurrence for a premium of \$2,445. This insurance covers the decisions made by the board. In his professional opinion Mr. Jones urged the board to accept the policy. A motion was made by Ms. Gatto and seconded by Mr. Pitoniak.

All in Favor

## **PUBLIC COMMENT**

Marie Schumacher asked if there would be a website. She recommended for transparency and fairness to let ECTV film the board meetings. She also recommended that the supporting documents be available beforehand for the general public. She also asked to take into account people parking and if staff is needed that they should be made available at the beginning of the meeting.

David Fife, was interested whether the board would be interested in just residential properties or Commercial and Industrial as well. Mr. Kelly explained that it would be all "Tax Delinquent" properties. Mr. Fife then asked if the Board would be looking at the properties beforehand to ensure that environmental issues don't exist. Chairman O'Malley asked Mr. Kelly to explain the Brownfield Grant that the county has applied for, which will be used to remediate certain environmental issues. Mr. Fife commended the board for potentially using the Brownfield Grant to their advantage.

Mr. Kelly then explained that he hoping to find out in early March whether or not the board will receive the LSA grant.

## **ADJOURNMENT**

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

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Marion Gatto, Secretary

