

**LACKAWANNA COUNTY LAND BANK
REGULAR MEETING MINUTES
October 14, 2016**

The regular meeting of the Lackawanna County Land Bank was held on October 14, 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 – Excused Absence
Linda Aebli – Present
Marion Gatto – Present
Terrence McDonnell – Present
Steve Pitoniak – Present

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

PUBLIC COMMENT ON AGENDA ITEMS ONLY

No public comment at this time.

MINUTES

A motion was made by Mrs. Aebli and seconded by Mrs. Gatto to approve the minutes of the September 9, 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 October. 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. McDonnell and seconded by Mrs. Aebli to approve the voucher.

All in Favor

DISCUSSION ITEMS

Property Disposition and Donation Applications

Mr. Kelly explained that at the last meeting the discussion involved the process of how the land bank is going to acquire properties. Mr. Kelly informed the board that there is an interest in a commercial property that is on the repository list. However, it has a number of encumbrances and liens on it. The staff has a copy of the title search and we are doing our due diligence on that property right now. He stated that we want to take this property into the land bank because it is also a brownfield property. It can be included in EPA brownfield assessment. Mr. Koldjeski asked if the property is on the repository list. He stated that if it is, the liens should have been cleared with the absolute declaration at the judicial sale. Atty. Colbassani stated the judicial sale extinguishes more liens than the Pittsburgh plan. However, he wasn't sure about IRS liens. Mr. Koldjeski stated the absolute declaration of the judicial sale extinguishes all liens at the time the title search was completed. If the liens were placed after that, it would be a different story. Mr. Koldjeski stated that if the property went through a judicial sale, the appropriate lienholders were notified and if they didn't come in to protect themselves, then that lien will be extinguished. The discussion continued regarding whether the judicial sale cleared the IRS liens as well. Mr. Koldjeski stated yes. Mr. Kelly stated that while attending various Land Bank seminars, he had conversations with attorneys from other Pennsylvania land banks and was told IRS liens were not extinguished after the judicial sale. Mr. Koldjeski stated that if the IRS lien was part of the search and there was money for it and they didn't come in and do anything about it, then that lien is taken care of as well. Atty. Colbassani stated he would further research the issue.

Scranton Advisory Committee Update

Mrs. Aebli stated that on September 22, 2016, Mayor Courtright sent a letter to Chairman O'Malley recommending six individuals to the Scranton Advisory Committee of the Lackawanna County Land Bank. The individuals are Wayne Beck-City Treasurer, Maria Costanzo-City Tax Office, Tom Oleski-Deputy Director Scranton Licensing, Inspections and Permit Office, Councilman Pat Rogan, Lisa Durkin-United Neighborhood Centers and Jesse Ergott-NeighborWorks. Mrs. Aebli also stated she sent a letter to Scranton School Board President Bob Sheridan requesting he submit two names for consideration to land bank advisory committee. She was waiting for a reply.

Mr. Kelly made a motion to approve the individuals recommended by Mayor Courtright to the City of Scranton Advisory Committee. Motion was seconded by Mr. McDonnell.

All in Favor

First Round of Property Acquisitions

Mr. Kelly stated that he would like to make a recommendation to the board that we take the top 100 properties into the land bank. These would be the properties that we can determine to be most viable or feasible for marketing or rehabilitation. He stated that he had staff, Ralph Pappas and Lou Stassi, do research on properties that have improvements. Mr. Stassi stated that he looked at over 50 properties. He stated there are about 4 or 5 that could be demolished, about 6 that could be rehabilitated. Mr. Kelly stated by the next meeting he would like to have the process in place, request title be transferred to the land bank. Then, finalize and vote on these properties at the next meeting. These would only be properties from the repository list. Mrs. Aebli requested the list of properties with improvements. Mr. Kelly asked how is the encumbrance of the lien handled on a home that was razed. Mrs. Aebli stated when the Land Bank takes the property, the lien is extinguished. Mrs. Aebli stated would check further on whether a HUD lien could be extinguished.

Wayne Beck, City Treasurer, was asked about the Pittsburgh plan properties and bringing those properties into the land bank. Mr. Beck replied he would like to see that done. The legal mechanism to get that done has to be looked at by the City Solicitor. Mr. Koldjeski spoke about two properties on West Market Street that were part of the Pittsburgh plan. It is his understanding that the process has moved along. They went before the court and there will be a distribution to the taxing bodies. The properties should be conveyed within the next week. Now that property will be back on the tax rolls. The discussion continued regarding doing some plotting on some nonconforming contiguous lots and making them suitable for development.

A motion was made by Mr. McDonnell and seconded by Mr. Pitoniak for the Land Bank to acquire 100 properties from the repository list.

All in Favor

ACTION ITEMS

Resolution #16-008 agreeing not to acquire tax sale property prior to the Tax Claim Bureau's judicial sale process as declared absolute

The board again discussed in detail the pros and cons of acquiring a tax sale property prior to the tax claim bureau's judicial sale. The resolution did not move forward for a lack of motion

Mr. Pitoniak brought up the idea of having a work session a week prior to the next scheduled regular meeting. The advisory committee would also be invited to the work session. The work session will be scheduled.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Dave Burgerhoff-Scranton Resident

Mr. Burgerhoff addressed the board regarding a property in North Scranton that he has been trying to purchase for the past 4 years. The property adjoined his property. The property was part of the Pittsburgh plan. He felt he had done his due diligence in order to acquire the property including paying for an appraisal on the property. He found out a few weeks ago that the property was sold. He stated somehow it went from the City to the County and then it was sold. Mr. Koldjeski then explained to the board of how this property was sold. Mr. Burgerhoff expressed concern about Councilman Rogan's appointment to the advisory committee. He also offered his opinion on the selection of the 100 properties to be acquired by the land bank. Chairman O'Malley reiterated his statements that we are here to rebuild the city and get properties back on the tax rolls

Marie Schumacher-Scranton Resident

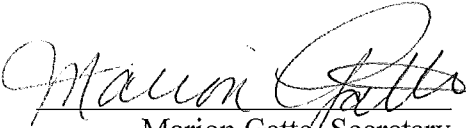
Mrs. Schumacher also expressed some concern about Councilman Rogan's appointment to the advisory committee. She also had some concerns about Resolution #16-008 that failed to pass earlier in the meeting. Mrs. Schumacher continued the discussion regarding the Scranton properties that are part of the Pittsburgh plan. Specifically, some properties in the East Mountain area. She also had some questions about the land bank's donation policy as well as the maintenance of the 100 properties that the land intends to acquire. Mr. Kelly stated the City is still responsible for the maintenance of the properties. The land bank will work with the City make sure they are safe.

Jennifer Spitler-Director of Neighborhood Development NeighborWorks

Ms. Spitler commended the board for the work they have done to date. She asked if the advisory committee could meet prior to the work session. She stated that NeighborWorks has been doing a lot of work on their own regarding the properties on the repository list. She feels because of the work they have done. They would be a good position to make some recommendations to the board.

ADJOURNMENT

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


Marion Gatto, Secretary