



## ECLB Board Meeting Minutes

Erie County Land Bank

Feb 22, 2023 at 9:00 AM EST to Feb 22, 2023 at 10:30 AM EST

### Agenda

**Zoom Meeting ID: 814 6247 4012 Passcode: ECLB2023**

#### I. Call to Order & Attendance

Board: James Cardman, Brian McGrath, Jack Lee, Christine Rush, Michael Fuhrman, Dave Mitchell

Additional: Jennifer Hirneisen, Christie Mahany, Aaron Snippert, Krista Arnold

##### A. New Board Member

#### II. Review Minutes from Previous Meeting

Requested correction by M. Fuhrman:

*M. Fuhrman voted no to allocate \$1 million to aid in the demolition of the five properties based on his assessment that none of the structures meet the criteria set forth by the Erie County Land Bank's Bylaws which are: Tax Delinquent, Abandoned, Blighted and Vacant. M. Fuhrman pointed out that three of the five properties are occupied.*

Requested addendum by B. McGrath is the content from an email by C. Mahany is at the end of these minutes due to length.

Motion: Approve minutes from previous meeting with the correction and addendum by J. Cardman with a second from J. Lee. All approved.

#### III. Financial Report

Motion: Approve financial report by J. Lee with a second from M. Fuhrman. All approved.

##### A. Demolition Fund

#### IV. Hearing of the Public – none.

#### V. Erie Land Bank

Motion: Approve disbursement to Erie Land Bank in the amount of \$15,688.53 (\$14,538.12 for the 2022 Work Plan and \$1,150.41 for the 2023 Work Plan) by D. Mitchell, seconded by J. Lee. All approved.

#### VI. Solicitor Updates

A. Outgoing properties: 211 Spring and 2 New Street transferred to new owners. 46-48 Atlantic is in process.

B. Incoming properties: 303 Wayne Street, 210 Fifth Street, and 74 Snyder Circle (all in Corry) are on their way into our possession.

## VII. Unfinished & New Business

### A. Property Updates

#### 1. Current Demolitions/ Renovations

a. **23-25 S Main Street Update** – J. Lee and J. Cardman are to meet Dan Burek of CSI of PA and Cindy Wells, Borough Manager at property to discuss. D. Mitchell motioned to allow the Governance committee to rule on the change recommended by J. Lee and J. Cardman after visit and discussion. J. Lee seconded, all approved.

#### b. Demolition Quotes

Motion: Award the following demolitions to the highlighted winning bids on the 4 properties by J. Cardman, with a second from M. Fuhrman. All approved.

2. **Current Applications: 13 Warden Street, Union City.** Motion by D. Mitchell to approve the application received from K. Hines pending borough council approval. Seconded by J. Lee, all approved.

#### 3. Rehab Opportunities Posted

439 Shady Avenue, Corry

59 W Main Street, North East

## VIII. Notices & Announcements

### A. Corry Neighborhood Initiative EOY Update

B. **Upcoming Meeting with CE and ECRDA** February 23, 2023.

## IX. Adjournment

Motion: Adjourn by J. Lee, seconded by M. Fuhrman

**Next Meetings: March 8 (Governance) & March 22 (Board) via Zoom**

Addendum to 01.25.2023 Minutes:

Hi Michael and Brian,

I can absolutely adjust the minutes to further clarify your position, I just want to touch base with you both first as the ECLB bylaws actually do *not* state those 4 criteria.

I have zero interest in getting into a conversation about if these properties are blighted *enough*. Ultimately that is what is determined by discussions at board meetings and by board votes. I fully understand and respect that Michael's vote is that they are not. It is the statement that they do not meet our bylaws or criteria for acquisition that I will politely disagree.

This section that I copied below is the only part of our bylaws that address how we will acquire properties. I broke out the four key points for ease of discussion. These 4 criteria are not mandatory, meaning we can put "and/or" between each, not "and if".

**Section 102.** The Land Bank will acquire, hold, and transfer interest in real property throughout Erie County as approved by the Board of Directors for the following purposes:

- to deter the spread of blight;
- to promote redevelopment and reuse of vacant, abandoned, and tax-delinquent properties;
- to support targeted efforts to stabilize neighborhoods;
- to stimulate residential, commercial and industrial development;**

all in ways that are consistent with goals and priorities established by this Ordinance, local government partners and other community stakeholders.

If you take out criteria 2, it could be argued that this project hits number 1 and 3, and certainly will hit criteria 4.

Now, I just went a bit further and checked our Policies and Procedures as well. Our Policies & Procedures spell out some of the considerations we should apply when acquiring property. If you read through below, you will see the theme of community redevelopment, community comprehensive plans, increasing tax bases, generating money for the land bank, and blighted properties. The key part I am noticing as I am rereading this myself is that redevelopment and community plans are not secondary to blight, they are equally justifiable reasons for the land bank to approve projects.

2.2 Policies Governing the Acquisition of Properties. Properties may be acquired through one of two methods: (i) a "standard acquisition" by the Land Bank for future disposition to an undetermined end-user; or (ii) a "conduit transfer", in which the Land Bank acquires a property for transfer to an identified end-user. In determining which, if any, properties shall be acquired by the Land Bank, the Land Bank shall give consideration to the following factors:

**(a) Proposals and requests by the Erie County municipalities, or municipality-related entities/authorities that identify specific properties for ultimate acquisition and redevelopment, which (i) act as catalyst for further development; (ii) are part of a comprehensive development plan; (iii) support infrastructure, public and green space development; or (iv) reduce blight in the community.**

(b) Referrals from a municipal Blighted Property Review Committee.

- (c) Proposals and requests by private and nonprofit corporations that identify specific properties for ultimate acquisition and redevelopment.
- (d) Improved properties that are appropriate for demolition of the improvements.
- (e) Vacant properties that could be productive as part of a municipal revitalization or economic development program.
- (f) Properties that would be in support of strategic neighborhood stabilization and revitalization plans.
- (g) Properties that would form a part of a land assemblage development plan.
- (h) Properties that will generate operating resources for the functions of the Land Bank.

3.1 Community Improvement Purposes. In transferring properties to organizations or individuals, the Land Bank shall keep in mind community improvement purposes consistent with:

- (a) Neighborhood revitalization plans;
- (b) Return of properties to productive, tax paying status;
- (c) Mitigating instances of blight;
- (d) Land assemblage for economic development; and/or
- (e) Long term "banking" of properties for future strategic uses.

3.2 Neighborhood and Community Development Considerations. As indicated above, the Land Bank reserves the right to consider the impact of a property transfer on short and long-term neighborhood and community development plans. In doing so, the Land Bank may prioritize the following in any order in which it deems appropriate:

- (a) The preservation of existing stable and viable neighborhoods;
- (b) Neighborhoods in which a proposed disposition will assist in halting a slowly occurring decline or deterioration;
- (c) Neighborhoods which have recently experienced or are continuing to experience a rapid decline or deterioration;
- (d) Geographic areas where market conditions are weak for the purposes of residential or commercial development; and
- (e) Increasing the tax base of the municipality and creating opportunities for employment.

8.1 Deviation from Administrative Policies and Procedures. The Board of the Land Bank recognizes that it may in the future be presented with opportunities to advance the purposes set forth in the Land Bank Act which are not currently anticipated by these Administrative Policies and Procedures. Consequently, the Board reserves the right, on a case-by-case basis and for good cause shown, to deviate from these Administrative Policies and Procedures in order to achieve

goals and objectives consistent with the purposes of the Land Bank Act. Any such deviation shall require the vote of a majority of the members of the Board.

I've eliminated several sections that were not relevant to this discussion, but again, all of these documents are available on OnBoard, or I can always email them to you. Considering the conversations outside the organization that we have been having lately, that you may or may not be aware of, I just want to make sure that we are all on the same page regarding what we can and cannot do. According to my research the ECLB was not off course in agreeing to this project – it is well within our bylaws and policies to be able to do these types of projects. Michael is certainly well within his right to disagree for any reason, and I'll gladly clarify as long as we are being accurate.

Please advise as to how you would like me to proceed. We can also discuss this further at the meeting, or I'm available for a call. Thanks!

**Christie Mahany**  
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