

**ELSMERE LAND BANK
MEETING MINUTES
February 08, 2018
ELSMERE TOWN HALL
5:00 p.m.**

CALL TO ORDER: Chairman John Jaremchuk called the meeting to order at 5:05 p.m.

PLEDGE OF ALLEGIANCE:

MOMENT OF SILENT PRAYER FOR THOSE WISHING TO DO SO:

ROLL CALL:

CHAIR	JOHN JAREMCHUK, JR	PRESENT
VICE CHAIR	RONALD RUSSO	ABSENT
SECRETARY	SALLY JENSEN	PRESENT
TREASURER	CHARLES MCKEWEN	PRESENT
DIRECTOR	TED PFIRRMANN	PRESENT
DIRECTOR	VACANT	
DIRECTOR	VACANT	
NON VOTING MEMBER	ROBERT GOERLITZ	PRESENT

Town Solicitor, Edward McNally – Present
Town Manager, John Giles – Present

PUBLIC COMMENT:

None

APPROVAL OF MINUTES:

Minutes of the December 14, 2017 Elsmere Land Bank Meeting

ACTION: A motion was made by Chairman Jaremchuk to approve the minutes of the December 14, 2017 meeting. The motion was seconded by Director Pfirrmann.

VOTE: 5-0 with 1 Absent and 2 Vacant All-in-favor Motion Carried

OLD BUSINESS:

Chairman Jaremchuk will update the Board regarding activity since the last meeting.

Mr. McNally stated that he would like to discuss 112 Washington Avenue and gave an update since the last meeting. Mr. McNally stated that at the last meeting they had discussed three properties that he agreed to write letters to:

- 112 Washington Avenue, which is still vacant but the property tax has been paid;
- 147 Bungalow Avenue, which has been paid since, but he is unsure whether it is occupied; and,
- 2122 Seneca Road, which he also wrote to.

In addition to these three properties, 201 Ohio Avenue was also discussed but he held off on this because it is up for sale and hopefully it will be sold soon. He had been instructed to pursue 2122 Seneca Road if they did not comply with the letter. Mr. McNally apologized for not following up on this. He proposed to pursue this property due to the balance, which is \$8,266.92. He proposed to hold off on 201 Ohio Avenue and continue to monitor it. Town Manager John Giles stated that it is scheduled to be sent to Sheriff Sale by the Town due to the length of time of the delinquency and the amount delinquent. Mr. McNally stated that it might be best to write a letter to 201 Ohio Avenue and pursue 2122 Seneca Road in court.

Chairman Jaremchuk stated that the bank has paid the delinquent balance on 112 Washington Avenue and now has it listed for sale. Chairman Jaremchuk discussed the properties located in Elsmere that are being advertised for the Sheriff Sale on February 13, 2018. The properties are located at: 227 Locust Avenue (123662), 1313 Sycamore Avenue (119733), 242 Birch Avenue, 102 Northern Avenue, and 126 Filbert Avenue.

A discussion followed about these properties. Treasurer McKewen stated that he understands that the property at 1313 Sycamore Avenue is in good shape. Chairman Jaremchuk stated that it is a mortgage sale and is too high of a balance for the Land Bank to bid on. Town Manager Giles stated that the Town still has the option of contacting the bank to let them know that they can receive a credit for turning the property over to the Town. Treasurer McKewen stated that he has seen activity at the property such as people taking photos.

Chairman Jaremchuk stated that the property at 242 Birch Avenue is also on the list and owes the Town \$1,223.93 and the amount owed on the mortgage is \$100,633, which is higher than the market will hold.

A conversation followed about the status of 102 Northern Avenue, which Chairman Jaremchuk stated was also still on the Sheriff Sale list. Town Manager Giles stated that a local attorney's firm has been looking into purchasing the property, demolishing the existing building and rebuilding. Chairman Jaremchuk stated that the Sheriff Sale has not been stayed so perhaps the sale has fallen through. Town Manager Giles explained that there are two separate parcels, with one parcel being zoning commercial and the adjoining parcel being zoned residential, that the parcel that has Merrill's on it is the one that is going to Sheriff Sale. Town Manager Giles also stated that the mayor and members of council met with the prospective buyers and gave them information that was not accurate.

Secretary Jensen stated that after reviewing the list of vacant and delinquent properties that the Board had been provided, she noticed 1005 Baltimore Avenue listed. The property owner of this property passed away some time in 2017 and maybe this is something that the Board can send the family a letter. A discussion followed about the status of the property. Chairman Jaremchuk asked Mrs. Cynde Pfirrmann to draft a letter to be sent to the address.

Chairman Jaremchuk asked if anyone had any other updates since the last meeting. Director Pfirrmann stated that he is still working on the RFI form to start putting together a database of contractors.

Town Manager Giles stated that it has come to his attention that the Town may not be handling Community Champions in the most effective manner which may be resulting in the occupancy status to be listed incorrectly. The Town has not been following up on properties that are not in compliance with the registration requirement for properties that are in default. Also the Town is not following up on properties that have received a public nuisance and missing out on additional fines.

NEW BUSINESS:

A New Tactic, A Different Outcome, Same Goal

Chairman Jaremchuk stated that the outcome of the 112 Washington Avenue made him think. After contacting the mortgage company with a letter that the Town is going to take them to receivership, it resulted in the mortgage company paying the delinquent balance that was over \$5,000 and putting the house up for sale. The goal is the same regardless of how it happens, which is to get a family occupying a zombie house. Chairman Jaremchuk stated that this made him think about sending the receivership letter to all of the other properties on the list to see if the same thing happens – pay the fines and do something with house, whether it is to sell the house themselves or turn the house over to the Town in a receivership.

Mr. McNally stated that he thinks it is a good idea, though he reminded the Board that there is certain criteria that they have to consider: That it has to be vacant and that it has to have a past due balance that is composed of code fines and not just property taxes. Mr. McNally stated that for properties that meet the criteria it is a simple process to mail out the letter and that it costs the Land Bank almost nothing. Chairman Jaremchuk stated that is good because he was going to say that it will be a lot cheaper for the Committee to do things that way and revitalize the properties that rather than to go through the ownership or receivership. Mr. McNally stated that is true it is much cheaper but it also may not be a final solution to the problem because someone may pay and then not do anything to maintain the property. If this happens, they may have to re-evaluate.

A discussion followed about the criteria that Mr. McNally had mentioned that the property must be vacant and have a past due balance that includes code fines. Mr. McNally stated that he advocated for that at the last meeting because it is better in court, that it makes the case stronger for receivership. However, Mr. McNally stated that he will do whatever the Board directs him to. Mr. McNally stated that he believes the policy has always been not to seek receivership of a property that is occupied by a family. Chairman Jaremchuk agreed that the policy is not to seek to do anything with a property that is owner occupied.

Secretary Jensen inquired how many properties are vacant. Town Manager Giles stated that he does not have that information at this time, that the Code office will begin following up on properties that are listed with Community Champions. He further stated that the Code Office, at one point, tried to follow up on properties that will not complying with the registration requirement with Community Champions. However, the department heard horror stories from people how they were struggling to stay in their homes and

were faced with what to do with it due to the impact that it was having on people. Town Manager Giles stated that he has never such a response.

Secretary Jensen asked about sending a letter to those addresses that are known to be vacant. Chairman Jaremchuk agreed.

Town Manager Giles stated that due to recent changes that the vacant and delinquent list should change next month and that the Board will receive an updated list.

ACTION: A motion was made by Chairman Jaremchuk to send receivership letters to all the addresses on the vacant delinquent list with the exception of 242 Birch Avenue which is scheduled to be sold at Sheriff Sale next week. The motion was seconded by Secretary Jensen.

Member Robert Goerlitz agreed that it is a good idea.

VOTE: 5-0 with 1 absent and 2 vacant Motion Carried

ITEMS SUBMITTED BY BOARD MEMBERS:

Secretary Jensen asked how many properties that the Land Bank can work on at one time in case they receive a decent response from the letter. Chairman Jaremchuk stated that he doesn't expect too many to result in receivership. Director Pfirrmann stated that it is an opportunity for the properties to get caught up on the fines that they owe to the Town.

PUBLIC COMMENT:

None.

ADJOURNMENT:

ACTION: A motion was made by Treasurer McKewen to adjourn. The motion was seconded by Chairman Jaremchuk.

VOTE: 5-0 with 1 Absent and 2 Vacant All-in-favor Motion Carried

These minutes summarize agenda and other issues discussed at this Board Meeting. Votes are recorded accurately. The audio recordings of this meeting will be available at Town Hall for a period of two years from the date these minutes are approved. The audio recordings may be reviewed at Town Hall by appointment and in accordance with the Freedom of Information Act.

**JOHN JAREMCHUK
CHAIRMAN**

**SALLY JENSEN
SECRETARY**