

REDEVELOPMENT AUTHORITY OF THE CITY OF LANCASTER

**Board of Directors Meeting – April 18, 2017**

The members of the Board of the Redevelopment Authority of the City of Lancaster met on April 18, 2017, at 5:15 p.m. in the Commission Room, City Hall Annex Building, 120 North Duke Street, Lancaster, Pennsylvania.

PRESENT: Christian Levan, Douglas Byler, and Jessica King.

STAFF: Frank Mincarelli, Karen Bousquet, and Carolyn Faggart.

GUESTS: Mark Fitzgerald, Tom Smithgall, Paul Lundeen, Dave Garpstas, Jeff Groff, Jon Leventry, Pedro Lopez, Joe Becker, Jessica Santana, Eshan Al Hussaini, Steve D'ercole, Ron Pfeiffer, David Holm, Adrian Young, Matt Beakes, Alan Cherkin, Daniel Falcon, Randell Zook, Chris Leaman, Luis Guerrero, Jim Sanchez, Jean Weglarz, and Tim Stuhldreher.

Vice Chair Levan called the meeting to order and asked if anyone from the public is not on the agenda. Hearing none, Mr. Levan asked for approval of the minutes of March 21, 2017. Ms. King made a motion to approve the minutes of the March 21 meeting. Mr. Byler seconded the motion. Mr. Levan called for the vote, and all were in favor.

Mr. Levan noted that the Treasurer's Report was emailed to the Board today. Since everyone got one, he then asked for questions or corrections on the Treasurer's Report. Mr. Byler had a question on Municipal Revenue Services, the tax claims. Mr. Mincarelli said that's when the tax claims are sold. Mr. Byler asked if the Authority gets any of that and thought the Authority was a conduit. Mr. Mincarelli said the Authority doesn't get any of that and it is a conduit since it passes through the Authority. Mr. Byler then made a motion to accept the Treasurer's Report as presented. Ms. King seconded the motion. Mr. Levan called for a roll-call vote, and all were in favor.

Mr. Levan went on to the Staff Report. Ms. Faggart said we have Act 2 for one property, two extension requests, one installment sale agreement, and twelve proposals to purchase six properties. Mr. Byler then made a motion to take Act 2 on 547 Woodward Street. Ms. King seconded the motion. Mr. Levan called for the vote, and all were in favor.

Mr. Levan moved on to the Marriott Hotel Expansion Project but Mr. Mincarelli said Paul Lundeen isn't here yet.

Mr. Levan then went to the next agenda item, the Report from Younger Realty Group. Dave Garpstas came forward and handed out his report showing updated activity. He thought Pershing Avenue could be the next property to see activity quickly. He anticipated a proposal next month since the interested parties couldn't get their proposal together for tonight.

Mr. Levan went on to the Request for Extensions and started with 526 East King Street. Jon Leventry came forward and said he had a video and photos but noted the long agenda for tonight. He had a heavy workload but said the work should be completed in the next sixty days, mostly organizing the electrician and master plumber. The inspections will be scheduled this week. Mr. Byler asked for his original completion date. Ms. Faggart said this is his second extension; the first one was from November until April. Mr. Byler asked if the City has any issues or complaints. Mr. Bousquet said no. Mr. Byler asked if he needs sixty or ninety days. Mr. Leventry said he has a full crew operating now but opted for ninety days. Mr. Byler then made a motion to extend the completion date for 526 East King Street for ninety days. Ms. King seconded the motion. Mr. Levan called for the vote, and all were in favor.

The next property is 615 East Marion Street and Pedro Lopez came forward with an assistant. Mr. Lopez said the house is almost finished but he needs three more months. His children came from Columbia to help him. His assistant said he had open heart surgery in November so he lost time until March. His children were here in November and December but they had to return home to attend school. Ms. Faggart said he has only had one inspection so far. Mr. Lopez said that was for electric. Ms. Faggart asked him to check with the building inspectors since plumbing is one of the first things they look at. Mr. Lopez said there was no problem with the plumbing. After further discussion, Mr. Byler asked how much time he needs. His assistant said until November. Therefore, Ms. King made a motion to extend the completion date for 615 East Marion Street until the November meeting. Mr. Byler seconded the motion. Mr. Levan called for the vote, and all were in favor.

Mr. Levan then returned to the Marriott Hotel Expansion Project. Mark Fitzgerald from Penn Square Partners and Paul Lundeen from Rhoads & Sinon came forward. Mr. Lundeen said Penn Square Partners would like to close on the financing for this project as soon as possible. They went through the process of approvals and procedures last August, September and October. He was before the Board in August when the Authority adopted several resolutions. One was approving the Redevelopment Proposal and the Redevelopment Contract as it stood at that point, and asking for City Planning Commission, City Council and Mayoral approvals. The other resolution was when this Authority authorized the sale and issuance of up to \$36M of bonds to finance the project. Since then Penn Square Partners advised him that they would need additional financing for the project of \$893,397 due to increased costs of the project. As discussed earlier, there will be two series of bonds, Series A of slightly over \$9M, and a Series B which will be the balance of about \$27M. The first series will be payable from not only the increased lease rentals that Penn Square Partners pays the Authority out of the hotel operations but also out of CRIZ Grant funds. If CRIZ funds are insufficient, then it will be payable from lease rentals by Penn Square Partners under the terms of an amendment to the lease. Mr. Lundeen had a new resolution today which will be amending and supplementing that resolution to increase the financing amount. Mr. Mincarelli said that Mr. Levan and Ms. King were not members of the Board back in August so this is new to them. Mr. Lundeen went over the financing authorized at that time and the request to increase the financing today. He explained how funding comes from the State to the CRIZ Authority but said those revenues come in as arrears. Those generated in 2019, the State will make a grant back to the CRIZ on or about November 15 of the following year. In order to pay the principal and interest on the bonds, Mr. Lundeen said the way it is structured

is the debt service reserve fund is there to pay the principal and interest on the bonds pending receipt of the grant funds, which will replenish the reserve funds. The reserve fund will not be funded in cash and instead it will be a funding agreement with Penn Square Partners whereby they will be called upon by the Bond Trustee to fund the reserve fund as money is needed to pay the bond holders. When the money comes in from the grant that will replenish the reserve fund then it's restored to Penn Square Partners to reimburse them for the advances they made. Mr. Lundeen said this resolution, in addition to approving an increase in the financing amount, is authorizing the supplemental indenture with Fulton Bank as the Bond Trustee, its approving the CRIZ agreement between the Redevelopment Authority and the CRIZ Authority, it approves the Debt Service Reserve Fund Agreement with Penn Square Partners, and the PILOT Agreement between this Authority and the City.

Mr. Mincarelli explained that the PILOT Agreement is a twelve-year obligation. The first year (2017), Penn Square Partners would pay \$350,000, then it increases every year thereafter, so at the end of twelve years, PSP would have paid \$5,466,226 in the form of this PILOT. The amounts keep going up since there is a three percent annual increase to both the existing and the new Tower Base Rent. Attached to the agreement is the amount in each of the years after 2017 that will be paid to the Redevelopment Authority. Mr. Fitzgerald said that's an increase from the previous agreement, which had a minimum payment of \$200,000 per year with no specified increases. As part of the negotiations between the Redevelopment Authority, Penn Square Partners and the City, there was an agreement to increase the minimum from \$200,000 to \$350,000 per year and includes an inflation factor throughout the remaining term of the agreement. Consistent with the prior agreement, once Penn Square Partners receives a 12% cumulative return on the equity investment in the project, then the increment above that the Redevelopment Authority will participate in 30% of that cash flow. On an annual basis, Mr. Fitzgerald said their accounting firm meets with the Redevelopment Authority's accounting firm and goes through an audit reconciling the return calculation. With the CRIZ Agreement not being in place yet, Mr. Byler asked if that has any implication on what we are doing tonight or should it have. Mr. Lundeen said it should not have. We are not going to close and the bank is not going to close until the CRIZ Agreement is finally negotiated and signed by both parties. For clarification purposes, Mr. Fitzgerald said that the CRIZ Authority has approved the increased CRIZ amount and the grant. All we are doing now is going through the documentation to make sure it ties back to the Agreement. The solicitor has a copy of the Agreement and the contract has been negotiated between the parties to make sure they conform to the bond documents. Mr. Lundeen is negotiating on the Authority's behalf, and the exhibits conform to information that was presented to the CRIZ Authority when they approved the grant. Mr. Byler said so there is nothing in the CRIZ Agreement that would materially affect our decision tonight. Mr. Lundeen said no but he wanted to put language in the Agreement to make it clear that whatever obligations this Authority has in this Agreement are limited obligations; they are no recourse to any officers or members, they are no recourse to any assets of the Authority other than the Hotel and the revenues in the CRIZ Grant coming in. So it does not affect you individually or as a general matter or any other project that the Authority may be undertaking. Since Ms. King wasn't here last year, she asked what happens if Penn Square Partners were to fail and not be able to make debt service payments. Mr. Lundeen said it would be a default with the bank, who would be holding mortgages on everything, and they would foreclose on the whole property. They would

take out the Authority's interest as well as Penn Square Partners' interest. Mr. Levan wanted to clarify his understanding and said the first series is basically funded through CRIZ and lease payments. The second series of bonds is solely the lease payments. He thought the series was a subordinated bond series to the series 1. Mr. Lundeen answered they are additional bonds that were issued in 2009 under the existing indenture. To answer a question from Mr. Levan, Mr. Fitzgerald said one of the reasons Penn Square Partners is undertaking this project is to assist the Convention Center Authority to attract larger Level 1 and Level 2 events. Those have the greatest impact on the city and also on the county. One of the Convention Center Authority's greatest impediments in attracting those larger groups of business is a lack of convention quality hotel rooms within walking distance of the Convention Center. As we looked at the amount of business turned away from the Convention Center because they couldn't accommodate that request, we saw an opportunity to expand the size of the headquarters hotel by these additional 110 rooms. Mr. Fitzgerald thought they have been conservative in their pro forma looking at the actual performance of the existing 300 rooms since the hotel opened and they developed a new pro forma based on the 110 rooms to ramp up associated with absorbing those rooms and then projecting it out throughout the remaining term of the lease. Mr. Byler noted that the parking issue has been resolved. Mr. Fitzgerald said they executed a revised lease with the Parking Authority. From the perspective of having approximate parking to the hotel, that issue has been resolved. From the City's perspective, parking continues to be a problem for attracting those larger day show events. Certainly all garages within walking distance do get filled up when those events are in town. We can take care of business but ultimately the Parking Authority would like to see more parking in the city.

Mr. Lundeen returned to the resolution and the Amendment to the Lease Agreement which contains all the provisions we have been speaking about. All fees and costs incurred by the Authority shall be paid from proceeds of the 2017 Bonds or monies provided by Penn Square Partners. All of what Mr. Lundeen summarized in the resolution is the action he is asking the Authority to take as a Board this evening. All documents referred to in this resolution have been created, drafted, and reviewed by Messrs. Mincarelli and Lundeen. Mr. Levan asked how long construction is projected to last. Mr. Fitzgerald said it will go through December of 2018. Mr. Levan asked when he sees it being operational. Mr. Fitzgerald said immediately thereafter. They will then roll right into a renovation of the existing building.

Mr. Levan then asked for a motion. Mr. Byler made a motion to approve Resolution 17-4-31 amending the Bonded Agreements from August 16, 2016 authorizing the sale, issuance, execution and delivery of two additional series of Hotel Lease Revenue Bonds of this Authority in connection with a project at the Lancaster Marriott Hotel on Penn Square. Ms. King seconded the motion. Mr. Levan called for the vote, and all were in favor. Since there were numerous signature pages to be signed and one Board member had to leave shortly, the group waited outside so the meeting could continue with those items that had to be voted on.

Mr. Levan moved on to the Installment Sale Agreement for 631 South Lime Street. Dave Garpstas came forward with Joseph Becker and Jessica Santana. Mr. Becker is trying to sell this former Redevelopment Authority property that he purchased in 2014. He had it on the market and was using the property previously as a rental. He understood this was not allowed and he

contacted Mr. Garpstas about marketing the property for sale. It's been on the market for 324 days with one price reduction from \$49,900 to \$44,900 with mostly investor interest. Because of the deed restriction there was no further interest until Ms. Santana came along. They have an agreement of sale but she needs owner financing. Mr. Garpstas then suggested they come to the Board with an installment sale agreement. This would be recorded but the deed would remain in Maritza Leocadio's name until the entire loan was satisfied. Ms. Santana moved into the property once the agreement was signed. The terms of the agreement were specified and she is planning to have the loan satisfied in three years but hopefully sooner. He asked if the Board would acknowledge a recorded installment sale. After talking to Mr. Mincarelli, they understand that one of two things needs to occur. Either the deed transfers and Mr. Becker holds the financing or they could do the installment sale agreement. After a short discussion, Mr. Mincarelli said the Board has permitted a few installment sale agreements in the past. The property has to be marketed for 180 days, which this property has already exceeded, showing a bona fide effort to find a buyer. Mr. Byler asked if the agreement has been recorded. Mr. Garpstas said they have a traditional agreement of sale but it hasn't been recorded until the Board approves it. Mr. Byler stated that the property needs to remain owner occupied, even if Ms. Santana sells it later on. She understood this. Mr. Mincarelli said the deed restriction remains with the property. This is just a temporary accommodation until she gets enough to finance the property. Mr. Byler then made a motion to approve the installment sale agreement as discussed here today with the parties for 631 South Lime Street. Ms. King wanted the purchaser to be protected and would be more comfortable if she had a finance agreement with Mr. Becker and not an agreement of sale. Mr. Mincarelli asked if she would qualify for a loan. Mr. Garpstas said they are working on that and hoped Ms. Santana could qualify in ten months rather than the three years expected. Mr. Mincarelli said she has some protection with the recorded installment sale agreement rather than as a tenant. After further discussion, Mr. Mincarelli said we need to verify that it's a bona fide installment sale agreement and it gets recorded. Mr. Byler amended his motion to make this a conditional approval until the document could be reviewed by Mr. Mincarelli. Ms. King then seconded the motion. Mr. Levan called for the vote, and all were in favor.

Mr. Levan went on to the Proposals to Purchase and started with 8 North Marshall Street. Since there were two proposals for this property, Eshan Al Hussaini came forward with his realtor Steve D'ercole while the other party left the room. Mr. Byler reviewed Mr. Al Hussaini's submission and said this is a poor proposal and he can't tell what anyone is doing with the property. Mr. D'ercole handed out an updated proposal showing more detail. Mr. Byler said this is much better and asked if this is the first time anyone has seen this. He concurred. Ms. Bousquet said these are typically received ahead of time and reviewed by a few people. This is one that we haven't seen. Mr. Byler asked if Mr. Al Hussaini has done a property with the Authority before. Mr. D'ercole said no, but he owns a rental property. Mr. Al Hussaini said he has one at 412-414 Manor Street and another one at 620 Lafayette Street. Mr. Byler explained that this property was taken by the Redevelopment Authority and how the just comp is determined. He is offering less than what was already paid out and he asked if Mr. Al Hussaini could increase his offer. Mr. D'ercole went on and on about the condition of the property. Mr. Al Hussaini decided he would increase his offer to \$27,500. Mr. Byler mentioned the deed restriction and the omission of a master plumber. Mr. Al Hussaini said he was aware of those. With no further questions, Messrs. D'ercole and Al Hussaini stepped outside so the other party could speak to the Board.

Ron Pfeiffer came in and with a shortage of time Mr. Byler explained the process when there are multiple offers for a property. He explained how the just comp is determined and said the Authority already paid out \$38,500. Since Mr. Pfeiffer is offering less he asked if he could increase his offer. Mr. Pfeiffer asked if Mr. Byler could clarify the difference in price on the multi list and what is on the Redevelopment Authority list since they are two different numbers. Mr. Garpstas said the price was reduced to \$38,767 on their list. Mr. Byler said this was listed for more than a year and to get it moving along the Authority agreed to reduce the price. Mr. Pfeiffer said he would increase his offer to \$38,767. Mr. Byler noted he has done rehab work with the Authority a number of years ago. Mr. Pfeiffer concurred. Mr. Byler reviewed the deed restriction and master plumber requirements and noted his completion date. Mr. Pfeiffer said he was looking to do a higher end rehab and was in discussions with Gary Weaver. Mr. Levan asked what the estimated sale price would be after rehab is completed. Mr. Pfeiffer said around \$135,000 to \$140,000.

Ms. Faggart asked Messrs. Al Hussaini and D'ercole to return to the room for a decision from the Board. Mr. Levan asked for a motion. Ms. King then made a motion to sell 8 North Marshall Street to Ron Pfeiffer for \$38,767 with a completion date of September 1, 2017. Mr. Byler seconded the motion. Mr. Levan called for the vote, and all were in favor.

Mr. Levan moved on to 459 Manor Street where there were three proposals. Messrs. Al Hussaini and E'ercole remained in the room while the other parties went outside. Once again, the Board did not have a completed application so a revised proposal was handed out. Mr. Byler asked for clarification on the current sale price and Mr. Garpstas verified that it's \$12,267. Mr. Byler noted that the Authority paid out \$19,000 in 2013. Mr. Al Hussaini's offer is \$7,500 and asked if he wanted to increase it. He said yes, to \$10,100. The Board had no further questions.

David Holm came in next and distributed an exhibit/map listing the properties that Homes For Life has rehabbed in 2016 and 2017. Ms. King asked if Homes For Life is a business. Mr. Homes said yes; it is not a non-profit. Mr. Byler reviewed the process for awarding properties and the current price of the property. Since his offer is below \$12,267, he asked if Mr. Holm wanted to increase his amount. Mr. Holm said he could increase his amount to \$7,500 and asked the Board to look at the completion dates and his experience in buying condemned properties in the city and having a very short time line for turning them around. Mr. Holm said he has a good program, is a major contributor to the Lancaster City Alliance, and done a lot of work cleaning up streets. With no further questions Mr. Holm left the room so the next party could come in.

Matt Beakes came in next. Mr. Byler stated the original price of \$21,320 and said the reduced price is \$12,267. In light of two other offers he asked Mr. Beakes if he wanted to raise his bid or keep it the same. Mr. Beakes said he walked through the property yesterday and saw significant roof damage, and at this time he couldn't comfortably increase his offer of \$5,000. Mr. Byler said Mr. Beakes has been before the Board several times and the Board is familiar with his work. He is familiar with what the Board does and knows the rules and regulations.

The Board had no further questions but wanted to discuss the proposals before the applicants returned to the room.

Mr. Levan said it's obvious where the dollar amount wins but what about established history. Mr. Byler asked about the market value on this property. Mr. Garpstas said \$44,900. He asked when we reduced the price. Mr. Garpstas thought about three months ago. It was reduced from \$21,320 to \$19,000 before the last reduction. In three months, Mr. Levan said we've dropped the price \$7,000 and these are the only offers. Mr. Byler noted this has been on the books a long time and he would go with the number closest to the reduced price. The person with the highest offer already has properties on Manor Street so he is familiar with the area. Ms. King noted that the construction costs with one of the others was higher and the scope of work was reasonable. Mr. Byler said the highest bidder would still need to do the work required to acquire the CO. After further discussion, the Board was ready to make a decision. After all parties returned to the room, Mr. Byler made a motion to sell 459 Manor Street to Eshan Al Hussaini for \$10,100 with a completion date of March 12, 2018. Ms. King seconded the motion. Mr. Levan called for the vote, and all were in favor.

Mr. Levan moved on to 605 North Queen Street which also had three proposals. Jon Leventry came forward while the others waited outside. Mr. Leventry said he has done several properties with the Authority and is offering more than the just comp on this one. This is a huge project so he wanted to amend his completion date to six months. He would need to replace trusses at the rear of the property and there are more structural issues because excessive moisture is causing the joists to rot. He would purchase this property for one of his employees to live in and he would be the financial backer. Mr. Byler asked if Mr. Leventry will oversee the project. He said he will be doing the whole project but he will have them work on the rehab. Mr. Byler asked if he will stay with his offer of \$28,500. Mr. Leventry said with the additional rehab and adding a half bath, he has to stay where he is. Mr. Byler noted that Mr. Leventry has been before the Board several times and they know the quality of his work. They had no further questions.

Alan Cherkin then came in with two of his contractors. Mr. Byler reviewed his proposal and noted that his offer was below the just comp. He asked Mr. Cherkin if he wanted to increase his offer. He asked if he had to and Mr. Byler said that was up to him. Mr. Cherkin then upped his bid to \$23,000. He thought he needed to move the dates back since he originally tried to get here last month but his bid was late. Ms. Bousquet noted that he has other properties in the city, many of them rentals. There was one at 814 North Duke Street that is currently condemned. Mr. Cherkin said it should be lifted soon since they just completed the renovations. The Board had no further questions.

Daniel Falcon was next but Mr. Garpstas said he had to leave so he withdrew his proposal. Therefore, the applicants were asked to return for a decision from the Board. Ms. King then made a motion to accept the offer of Jon Leventry for 605 North Queen Street for \$28,500 with a completion date of November 30, 2017. Mr. Byler seconded the motion. Mr. Levan called for the vote, and all were in favor.

The next proposal was for 714 Fourth Street and Mr. Levan noted there were two offers for this property. Ms. King said she could stay only five more minutes. Jon Leventry remained in the room while the other party waited outside. Mr. Byler asked how much he wanted to increase his offer. Mr. Leventry said he likes this two-unit property because it has a two-car garage and he will do high end finishes. He increased his offer to \$58,000. Mr. Byler noted that his completion date was missing. Mr. Leventry said six months. Mr. Byler asked if October 31 was ok. Mr. Leventry said he's good with that date.

Randell Zook and Chris Leaman came in and Mr. Byler asked if they wanted to increase their offer. Mr. Leaman said they will keep it at their original offer. Mr. Byler noted their completion date of December 31 and asked if they are ok with that date. Mr. Leaman said yes. Mr. Byler noted that they have seen their work on Chestnut Street and Mr. Leaman had pictures of their current project on East New Street. He said this project is almost completed and they have a buyer lined up. Mr. Byler asked if they could see that property also. Mr. Leaman said final inspection is scheduled for May 8. Mr. Byler noted that Messrs. Leaman and Zook do great work. Mr. Leaman said the plan is to do two high end rental units and keep the property as a rental. They typically do high end rehabs. The Board had no further questions.

Both parties returned to the room and Mr. Byler made a motion to sell 714 Fourth Street to Jon Leventry for \$58,000 with a completion date of October 31, 2017. Ms. King seconded the motion. Mr. Levan called for the vote, and all were in favor.

Mr. Levan went on to 328 West King Street and Ron Pfeiffer came forward. Mr. Pfeiffer said he owned the property but it was taken by the Authority. He wasn't sure how that happened but he just wants the property to be rehabbed. Mr. Mincarelli asked if he submitted any paperwork. Mr. Pfeiffer said yes. Mr. Byler said this was a Sheriff Sale and we couldn't find out the new owner until months later. The bank and the Sheriff knew who the owner was but couldn't tell our solicitor until the deed transferred. Ms. King asked if he has a completion date. Mr. Pfeiffer said it will be one hundred days so around the end of August. He said he had contractors lined up and ready to go when he got the Declaration of Taking notice from Mr. Mincarelli. He asked if this could be reversed or if he will incur fees to reacquire the property. Mr. Mincarelli said it would be more expensive to unwind the taking. It would be cheaper to sell the property outright to you. There would be a transfer tax and closing costs to repurchase the property. Mr. Pfeiffer said his deed was recorded on March 17<sup>th</sup> and he didn't get a notice until April 8<sup>th</sup>. Mr. Byler said the bank knew about it at least ninety days in advance. He then made a motion to approve the Redevelopment Contract for 328 West King Street from Ron Pfeiffer. Ms. King seconded the motion. Mr. Levan called for the vote, and all were in favor.

Mr. Levan went on to 219 Juniata Street with Matt Beakes. Mr. Byler asked if this is with the MOU. Mr. Beakes said yes. Mr. Mincarelli thought the next item should be heard by the full Board. Therefore, these items were tabled since Ms. King had to leave the meeting.

Mr. Levan moved on to the Update on Residential/Commercial Properties. Ms. Bousquet didn't have any items but said we expect to see the auditors next month and she will have Parking Garage data for the Board as well.

Mr. Levan moved on to the Solicitor's Report and Proposed Actions. Mr. Mincarelli distributed his monthly reports including the status report on properties under Redevelopment Contracts and those under Rehab Agreements. He noted that one property sold since last month. Under the bridge loan for the Lancaster Press Building, the Authority released the mortgage on four units that sold since last month. After thirty are sold, the Authority's loan will start getting paid down. Mr. Mincarelli noted that two people were here for extensions tonight so those will be updated on the list.

Mr. Levan went on to Other Business. Luis Guerrero came forward with Jim Sanchez for 823 South Prince Street. He wanted to give an update on his project. Mr. Sanchez said he is the engineer who did the original plan several years ago. Mr. Guerrero has a parking plan that includes a rebuilt wall. The geotechnical engineer from ELA who designed the wall did a report that requires a licensed geotechnical engineer to be on site when construction of the wall takes place. Mr. Guerrero said they spoke to Matt Carroll from ECS MidAtlantic Engineering in York and hopefully by tomorrow they should have a starting date. Mr. Sanchez said that B. R. Kreider is still the contractor and as soon as he gets the name of the geotechnical engineer he can submit the permit application. Ms. Bousquet asked if they have completed the storm water application. Mr. Sanchez said no but he has that with him. Ms. Bousquet said he can't pick up a building permit until the storm water application is submitted. Mr. Byler was glad to hear that they are finally making progress since this has been going on for several years.

Mr. Mincarelli asked Bill McMichael if he is here to get a decision from the Board. Mr. McMichael said no, he just had an update on 423 North Pine Street. Gary Horning, John Lefever and Larry Mansfield came out to inspect and gave him a write up of items. These are all completed. He had certifications for plumbing, roofing, and extermination and a final inspection is scheduled for this Friday. To the best of his knowledge he believed everything was done and he expects to receive the CO after this inspection. Mr. Byler asked if it's sold yet. Mr. McMichael said no.

Having no further business to be brought before the Board, Mr. Levan adjourned the meeting.

Respectfully submitted,

Carolyn Faggart

