

Executive Committee, Real Property Section
Meeting Minutes – Tuesday, October 13, 2009

In attendance: Michael Balent, Brad Begelman, Judy Berkman, Mark DePillis, Alfred Fuscaldo, Cheryl Gaston, Michael Goss, Christine Paul, Steven Rothberg, Neil Rubin, Paul Schmidt and Richard Vanderslice.

Chair Christine Paul called the meeting to order.

The minutes for the last meeting were approved.

Treasurer's Report. Since we do not have the documentation from the Bar Association, the Treasurer's Report was tabled until our next regularly scheduled meeting.

Annual Luncheon Update. Chris informed us that the invitations and nominations will go out October 16, 2009. Kevin Gillen will be the speaker and Joseph Synchron of the Schuylkill River Development Corporation will be the good deed honoree.

Zoning Code Commission Update. Ralph Pinkus was not able to attend the meeting so this update was tabled until our next regularly scheduled meeting. Cheryl Gaston advised that Councilman O'Neill will be attending the Section's October 30th meeting with Eva Gladstein and members of the Zoning Code Commission. That meeting is scheduled for October 30, 2009 at noon.

Foreclosure Diversion Program Update. Mike Balent informed us that the program continues to operate well and that there will be an upcoming day long training session for VIP volunteers which will include a significant emphasis on this program.

Act 135 Task Force Update. Judy Berkman informed us that the task force's proposed regulation has been adopted as a general court regulation for the First Judicial District of Pennsylvania.

Resolution of LEED Related Bills. A slightly modified resolution was unanimously approved by the Executive Committee. A copy of the resolution is attached. Paul Schmidt and Judy Berkman advised they received a verbal commitment from the Environmental Law Committee. The Tax Section was meeting at the same time as our Executive Committee but Judy believes that they will also support the resolution. Mark DePillis advocated for a stronger resolution with respect to tax abatement issues. Chris Paul explained that the Section had previously discussed that the Executive Committee did not want to delve into the political issues of whether an abatement should or should not be granted but instead to concentrate on the technical aspects of the measure. The resolution was unanimously approved. We are still awaiting word on the resolution from the Business and Public Interest Sections.

BRT Restructuring. Cheryl Gaston and Judy Berkman reported that the most recent plan provides for the Finance Department performing appraisals and the BRT hearing appeals.

The real issue is who will appoint the BRT. Councilman Green has suggested that the Bar Association select the nominating committee. Cheryl Gaston suggested that perhaps P.I.C.A could be involved in the nominating committee. The consensus of the Executive Committee was to support the Bar Association's involvement with the nominating committee. Judy and Cheryl informed us that they would try to meet with Stuart Weintraub of the Tax Section next week to discuss current developments.

The Adverse Possession Bill, HB1322 - Judy Berkman advised that she had recently testified concerning this bill. Further, the Pennsylvania Bar Association does not support adverse possession in general. However, the Philadelphia Bar Association did send a letter in support of the bill.

New Business:

Cheryl Gaston informed us that she was going to be a course planner for CLE dealing with boundary law issues. It was suggested that she contact Bill Maffuci, who has done similar presentations in the past. Steve Rothberg volunteered to assist her with this presentation.

Next meeting is scheduled for Tuesday, December 8, 2009 at 12:00 noon.

The meeting was adjourned.