

Chairman Joe Kerber on Monday April 30, 2018 6:04pm in the Meeting Room of the Municipal Building called a Special Meeting of the Sewickley Township Board of Supervisors to order as advertised in the Tribune Review on April 28, 2018. The members of the Board of Supervisors present were Joseph Kerber, Brian Merdian, and Mark Petros. Also attending the meeting were Bill Luzar, Randy Brown, Linda Harvey, Elizabeth Guardasoni, K. Waryanka, Bobbie Oblack, Cecilia Cella, Ron Oblack, Jill Petros, Jamie Dubinsky, Attorney Kansler and Erika Horvat.

Mr. Kerber led those present in the Pledge of Allegiance.

### **Public Comment**

Linda Harvey stated that there is a lot of interest in regards to what's going on with the sewage within the Township. She stated that the Water Authority is looking to buy MSATS and SSMSA. All of these come together and part of Sutersville is Sewickley, so is the water authority looking to buy both together. Mr. Merdian explained that the transactions between these two authorities and the water authority are absolutely separate and there are no ties between them at all. One purchase can go through and the other one may not. Mrs. Harvey asked if the Township has to agree to these agreements. Mr. Merdian stated yes, and Sutersville Borough would have to agree also. Mr. Merdian stated that the Township has vested finances in these authorities. That's where the township comes into play. Mr. Kerber stated that we at the Township guaranteed the loans for both of these entities. We are tonight, voting on extending the loan for SSMSA. They are very close to not being able to pay it. Mr. Merdian stated that there is also an Act 537 Plan designated by the Dep regarding the Elizabeth Township Sewage Authority. The Township supervisors voted against the Act 537 Plan because it could cause the customers of SSMSA a \$30 increase per month. A resident asked why we can't build a plant for SSMSA. Mr. Kerber stated that we cannot get a loan for it. SSMSA cannot get out of any kind of agreements unless the debts are paid off. If the water authority buys SSMSA the will come in and buy the authority out, pay the debt off, invest another 1.3 million to run another line to MSATS. This will cut out the Elizabeth Township fiasco with the Act 537 and the sales to McKeesport, then the possible sale to PA American Water Authority. Mr. Kerber stated that the previous board guaranteed the debt of SSMSA. Tonight we are voting to extend the loan approximately 7 or 8 years that will lower the monthly payment about \$2,000 a month.

Brian Merdian made a motion, seconded by Joe Kerber to amend the agenda. Public Comment: None Voting: Mr. Kerber, Mr. Merdian, Mr. Petros; yes. Motion carried unanimously.

Brian Merdian made a motion, seconded by Joe Kerber authorizing a letter to be sent from Sewickley Township to SSMSA with a our strongest recommendation to expedite a decision of the sale of their entity to either MAWC or Pa American. The decision would have to be provided to one of these two entities within sixty days. Public Comment: None. Mr. Petros asked about the meeting SSMSA is to have. Mr. Merdian stated they are to meet a week from tonight and hopefully they will make a decision. Voting: Mr. Kerber, Mr. Merdian, Mr. Petros; yes. Motion carried unanimously.

Brian Merdian made a motion, seconded by Mark Petros approving the Sutersville Sewickley Municipal Sewage Authority's refinancing of their current PENNVEST Loan. Voting: Mr. Kerber, Mr. Merdian, Mr. Petros; yes. Motion carried unanimously.

Brian Merdian made a motion, seconded by Mark Petros to authorize the solicitor to prepare the documentation and ordinance necessary to obtain DCED approval regarding the refinancing of the Sutersville Sewickley Municipal Sewage Authority PENNVEST loan. Voting: Mr. Kerber, Mr. Merdian, Mr. Petros; yes. Motion carried unanimously.

## **Workshop Discussion: Property Maintenance Code.**

Attorney Kansler stated that this new code we are looking into will regulate standards of dwellings and structures within the Township. It can help regulate a variety of factors concerning maintenance of structures and requiring plumbing, electrical and fire codes. I would like for you to see what other Townships have done also. We wanted to have a quorum of the Board of Supervisors and to have an advertised meeting so the board is able to provide me some insight on this. Mr. Merdian asked if a typical ordinance officer is qualified to enforce this new code. Attorney Kansler stated it would be a good idea for them to take a training course. It doesn't have to be a certified person though. If we would have a structure that needs demolished, like the fire damaged structure on Greenhills Road, we would be able to demolish it using this new code. So what would happen is the Ordinance Officer would call the engineer, they would decide if it is an unsafe structure, we would then put a notice on the property that it is not fit for human habitation and it needs demolished. If it is not demolished in that period of time, we can lien the property. Right now we don't have a code that states that we can do that to avoid the court system. This new code will avoid it. Mr. Merdian stated that this would help with the Aronkes Property and Mike's Bar also. Mr. Merdian asked about the properties that are not as extreme. Attorney Kansler stated we would give notice to fix the defect and move forward from there. What this does that our code doesn't, is allow us to deem a structure unstable so we can put a lien on the property. If they still don't follow the code, we may still need to use the magistrate though. There are also standards for new buildings. We don't have right now a code to enforce a one window per bedroom, enforcing a new build to have proper ventilation, plumbing, mechanical electrical fixtures etc. We can use the International Property Maintenance code and make changes as we see fit for our Township. It also requires exterior properties to stay in a sanitary and clean condition, such as weeds and swimming pool standards. We do not have pool standards right now. We are looking at a variety of tools to improve the municipality. This is a part of the Quality of Life Ordinance. This is to insure that structures throughout the Township are stable and safe. A resident asked what is changing. Attorney Kansler stated that this is a more extensive version of our already Health and Safety section in our code. Attorney Kansler stated that we have a variety of buildings that are fire damaged and we have no emergency mechanisms to go out and demolish a building that is ready to collapse. We would have to go through the courts. There are liability issues with these properties. This new code will be a tool to get dangerous buildings demolished faster. This will also help tenants who live in unstable structures. It will force the landlord to correct the issue. A resident stated that some properties have already been demolished. The Supervisors stated that these properties were demolished through the land bank. They were able to be purchased through a free and clear sale. The properties with multiple liens on them are harder to get demolished. This is to provide safer standards and to modernize our code. This will also help in case a developer would come in and want to build. Linda Harvey asked if someone was building a new house, would it be the Planning Commission who would see if they are following these new codes. Mr. Merdian stated that it would be the building inspector and the code enforcement officer that would make sure they follow their building plans. This will also help with some of the dilapidated properties that are sold cheaply to out of state companies. It's hard to track these people down. This will shorten the time it takes to fine these property owners. Attorney Kansler stated that the only way we will tear down a building is if an engineer will determine the building unsafe. We will then post a notice on the property, if the property owners don't respond to the notice within a certain time; we will lien the property and tear it down ourselves. Attorney Kansler went on to explain that this new code is not meant to nitpick at property owners. In order for you to be in violation of this code, there has to be a serious or unsafe issue. The only way a person would be forced out of their home would be if a civil engineer would deem it unsafe for human habitation. Linda Harvey brought up the new business in town and asked if they needed an occupancy permit. The Supervisors stated that they need to call Mike Stack to see what is needed. They stated that this is why we need to get this code in place. Mrs. Harvey asked if there is something that allows us to go into rentals in between tenants to see if the structure is safe. The Supervisors stated no, this is another reason why we are doing this. Attorney Kansler stated we don't have these codes in an ordinance right now. We need something on paper saying, for example, you are not allowed to have a bedroom with out a window for fire escape purposes. We can't enforce this rule right now. The Board of Supervisors and Attorney Kansler went on to explain that this is to provide the Township with a way to enforce safer standards throughout the Township.

With no further business to come before the Board, Brian Merdian made a motion to adjourn, seconded by Mark Petros. Voting: Mr. Kerber, Mr. Merdian, Mr. Petros; yes. Motion carried unanimously. Meeting adjourned at 7:02pm.

Erika Horvat  
Secretary/Treasurer