

BOROUGH OF CHALFANT – WORK SESSION

April 11, 2023.

PRESENT: Mss. Fullwood, Hillen, Fennell, Messrs. Hoover, Royster, Lilac.

ABSENT: Mayor Perry, Mr. Sauter.

The work session began at 7:00 pm and ended at 8:50 pm.

BOROUGH OF CHALFANT - REGULAR MEETING

April 12, 2023

PRESENT: Mayor Perry, Mss. Fullwood, Fennell, Hillen, Messrs. Hoover, Sauter, Royster, Lilac, Sol. Evashavik.

ABSENT: None

Mr. Hoover called the meeting to order and led the assemblage in the Pledge of Allegiance.

Motion by Sauter, seconded by Hillen, to allow Mr. Hoover to speak before Citizen Participation regarding the recently enacted Ordinance 439, an ordinance providing the registration, licensing, regulation, and inspection of non-owner-occupied residential units.

Motion by Fennell, seconded by Lilac, to approve the minutes from the last regular meeting. The motion was unanimous.

Motion by Sauter, seconded by Lilac, to approve the bank balances as read. The motion was unanimous.

Motion by Hillen, seconded by Fennell, to approve payment of the monthly bills after being properly countersigned. The motion was unanimous.

Motion by Fullwood, seconded by Lilac, to approve the Tax Collection report as read. The motion was unanimous.

MAYOR

There were 172 routine patrols by the Forest Hills Police Department and 33, 911 calls in March. The majority of the 911 calls were:

3- Animal complaints

3- Domestic

3- Suspicious activities

3- Request for additional patrols

2- Accident reports

BOROUGH OF CHALFANT REGULAR MEETING
APRIL 12, 2023
PAGE TWO

2- Med unit assists.

There were no questions from Council.

SOLICITOR

No report.

FINANCE AND ADMINISTRATION

No report.

PERMITS AND ORDINANCES

Ms. Hillen advised that no building or dumpster permits were issued in March. There were two Certificates of Occupancy issued in March.

Ms. Hillen read a detailed street-by-street list of active code enforcement cases, including the open citations/private criminal complaints currently before the magistrate. Ms. Hillen advised that three cases were closed in March.

ROADS AND PUBLIC WORKS

No report.

HEALTH AND SANITATION

Motion by Fennell, seconded by Fullwood, to create a Community Day Fund for Community Day donations. The borough will track the fund for the Community Day Committee. The motion was unanimous.

PUBLIC SAFETY

No report.

WHEMS

Mr. Royster advised there were eight calls to WHEMS in March. He read the date and outcome of each incident.

BOROUGH OF CHALFANT REGULAR MEETING
APRIL 12, 2023
PAGE THREE

Motion by Royster, seconded by Sauter, to transfer \$2,855.30 from the General Fund MM Account to the WHEMS Account. This was the amount of WHEMS tax collected in March. The motion was unanimous.

PARKS AND RECREATION/BOROUGH PROPERTY

Mr. Lilac advised that there is still an issue with one of the recently installed exterior LED lights at the Community Center, it continues to blink. The light is under warranty and Mr. Lilac has requested a replacement. Mr. Lilac also asked Sol. Evashavik about the insurance requirements if a team wanted to use the ballfield at the park. Sol. Evashavik advised that it is a public park so anyone can use the ballfield, but if an organization wants to reserve the field, they would need to follow the proper steps, obtain permission from Council, and carry their own liability insurance. A discussion regarding the field's use ensued between Council and Sol. Evashavik.

Motion by Lilac, seconded by Hillen, to purchase a new defibrillator from Thompson Safety Works for the Community Center at a cost of \$1,485.00. The motion was unanimous.

Mr. Hoover explained that the borough would like to remove the dead pine tree from the Armed Services Memorial on North Ave. The pine tree is on private property and shreds the flags at the memorial. The property owner has given permission to the borough to remove the tree.

Motion by Lilac, seconded by Sauter, to remove the dead pine tree at the Armed Services Memorial. The cost of removal will be determined and will be ratified by Council at a later meeting date. The motion was unanimous.

CRIME WATCH

Ms. Bouvier explained that Crime Watch membership on the Nextdoor App is now down to 125 members. On March 28th, CW held a meeting that featured Trent Chontas of Chontas Tang Soo Do Karate. Ms. Bouvier said Mr. Chontas was very nice and she wished there had been a bigger turnout. On April 22nd, CW and Council will hold a Redd Up Day to clean up the borough. Everyone attending should meet at the Community Center at 10 am, gloves and bags will be provided. Ms. Bouvier expressed disappointment that the CW June Flea Market is unlikely to occur due to a lack of participation. There is a CW meeting scheduled for May 23rd that will feature a sheriff and safety demonstration. Ms. Bouvier plans to call CW members to ensure a good turnout for the event. Ms. Bouvier then brought up a few recent resident concerns before

BOROUGH OF CHALFANT REGULAR MEETING
APRIL 12, 2023
PAGE FOUR

Mayor Perry and Council, including recent car break-ins and a suspicious person caught on a resident's camera. Ms. Bouvier encouraged residents to call 911 if they see anything in the borough that concerns them.

TAX COLLECTOR

No report.

STATEMENT REGARDING ORDINANCE 439

Mr. Hoover explained that he wanted to address all of the landlords in the room that are likely in attendance this evening regarding Ordinance 439. Mr. Hoover advised that the \$100 per unit registration fee established in Ordinance 439 is an administrative fee, not a special tax. The fee is for all non-owner-occupied units, including vacant units. Mr. Hoover anticipates that the fee will be lowered once the initial task of creating a database to maintain the landlord-tenant registration is complete; Council will continually reevaluate their actual administrative and code enforcement costs enforcing the ordinance and adjust the fee accordingly. Mr. Hoover noted that he recognized many of the landlords in attendance this evening and that they generally are not the landlords whose properties are continually creating code enforcement and police issues but the ordinance must be enforced across the board and will affect all non-owner-occupied units at this time. In the future, Council may look into establishing a 'good landlord clause' which could reduce or eliminate the fee for compliant properties. Mr. Hoover explained that the borough is now paying close to \$30,000 per year on code enforcement and that rental properties are chewing through our allotted CE time. This ordinance will allow CE and Council more control over nuisance properties in the borough; the new license requirement will give the borough more tools to address property maintenance and tenant behavior.

CITIZEN PARTICIPATION

Carol Donahue, 110 Greenfield Ave., asked if the Chalfant VFC is still responding to calls in the borough and if residents should still send in their VFC donations. Mr. Hoover advised that yes, the Chalfant VFC is still operational until the merger is through the courts. Ultimately, the VFC's bank account, which would include any remaining donations, will be passed to Wilkins Township VFC #3, along with the rest of the Chalfant VFC's assets.

Doris Libell, 127 Lynnwood Ave., expressed concerns about rental properties on her street. She said that one property is doing renovations and left all of the garbage outside which was then blown all around when storms came through the borough recently. Mr. Hoover advised it is the property owner's responsibility to remove any construction debris, refuse collection does not

BOROUGH OF CHALFANT REGULAR MEETING

APRIL 12, 2023

PAGE FIVE

accept any construction materials. Ms. Libell said she spoke with people doing work at 126-128 Lynnwood Ave. and discovered the landlord is out of state. Ms. Libell said that the gutter was busted off of the property, she let the people working there know but they did nothing to address the issue. Ms. Libell said the property is a mess and landlords don't seem to care, they just want rent money. Ms. Libell also expressed concern about the flags in the borough and said she would volunteer to maintain the borough flags; she will ask Senator Costa's office for new flags. Mr. Hoover explained that he actually already has new flags for the Armed Services Memorial but wants to wait until the dead pine tree is removed to hang them.

Luann Bouvier, 101 Highland Ave., told Ms. Fennell that she'd like to get back to focusing on the Welcome Committee. Mr. Hoover said they could discuss this at the next meeting. Ms. Bouvier commended Council and Ms. Hillen for the work CE is doing with the courtesy notice door hangers. She stressed the importance of saying something if residents see something concerning in the borough.

Paul Suvak, 301 and 306 North Ave., asked if the database for the landlord-tenant registration would be public information. Mr. Hoover advised that no, it is for borough use only. Mr. Suvak asked for clarification on Ordinance 439 and if landlords are responsible for their tenants. Sol. Evashavik advised that property owners are always responsible for what occurs on their property. Mr. Suvak asked why the fee wasn't for everyone in the borough. Mr. Hoover explained that the ordinance only covers non-owner-occupied units, including vacant units while noting that a disproportionate amount of time and money is spent on code enforcement dealing with non-owner-occupied properties and that the community at large has been shouldering this cost. A discussion ensued between people in attendance and Council with Mr. Suvak asking about the eyesore property next to the Community Center. Sol. Evashavik advised that the borough cannot just demolish a structurally sound privately owned property. The owner of that property is out of state, tax delinquent, and despite multiple attempts to address the situation from Code Enforcement, the property has remained under violation for years because when property maintenance violations are brought before the magistrate, oftentimes the complaint goes unanswered if the property owner is out of state. A bench warrant may then be issued, but those often go unanswered as well. Sol. Evashavik stated that many landlords will just pay fines and continue to not address the problems at their properties, including tenant behavior and the disruptions to the community that they cause. Sol. Evashavik advised that the borough cannot just cherry-pick which landlords will be affected by an ordinance, it has to be applied to all landlords. Mr. Hoover added that at one property last year, there were 43 calls to the police in one month due to issues with a tenant. That tenant was cited, arrested, paid a fine, and went right back to creating problems. Sol. Evashavik explained that the borough cannot evict disruptive tenants, it needs to rely on tools such as Ordinance 439 to hold landlord accountable for the

BOROUGH OF CHALFANT REGULAR MEETING

APRIL 12, 2023

PAGE SIX

their non-owner-occupied properties cause. Denise Trasoline, 222 North Ave., said that she read online that Chalfant's Code Enforcement provider, Turtle Creek Valley Council of Governments, already has a database and asked why the borough isn't using that for the landlord registration. Mr. Hoover advised that they do have a database called CodeNforce but that it only encompasses property maintenance and is still in development, TCVCOG CE is not currently set up to manage landlord-tenant registration but that eventually, when they are equipped to do so, the management of Ordinance 439 will be turned over to them. Ms. Trasoline asked about the \$75 inspection fee landlords already pay when they have a change of tenant. Mr. Hoover advised that that has nothing to do with the landlord-tenant database and that \$65 of that fee goes directly to TCVCOG. Ms. Trasoline asked why the information from the Allegheny County Assessment site isn't just used. Mr. Hoover said that it is, but oftentimes, that information isn't correct, and the borough has to spend time trying to find accurate addresses for rental property owners. Mr. Hoover said that Chalfant's Tax Collector, Ms. Donahue, has the same issues with the tax mailings. A discussion regarding the creation of a database ensued between Council and Ms. Trasoline with Ms. Trasoline insisting that it wouldn't be much work to build a database and said she would do it. Mr. Hoover explained that the borough already has an employee. Ms. Trasoline expressed displeasure with the ordinance and the provision requiring intermittent inspections for long-term tenants. Mr. Hoover said the borough has had issues with long-term tenants and hoarding situations in the past; one instance resulted in a property being declared unfit for occupancy. It continues to remain vacant with property maintenance issues to this day. Eventually, vacant properties become structurally unsound resulting in the borough shouldering the cost of the demolition of that property and subsequently, the cost of maintaining the empty lot. Ms. Trasoline said that it's the tenants that should be fined for issues such as garbage at the properties, not the landlords. Sol. Evashvik reiterated that it is always the property owners that are responsible for their properties. Sol. Evashvik advised that these sorts of ordinances are becoming commonplace and noted that Wilmerding enacted a similar ordinance with very good results. Ms. Hillen explained that she is also a landlord and she is happy to see this ordinance enacted, even though it leaves her responsible for \$200 in fees. Ms. Hillen stressed the importance of property maintenance to property values and said that property maintenance issues and abandoned properties affect everyone in the borough. Ms. Hillen explained that she always tries to be proactive in her role on Council; she goes street by street in the borough with her clipboard and the CE reports and sees that many of the issues that both CE and the police deal with in the community are created by rental and non-owner-occupied properties. Ms. Hillen noted that many residents and property owners in the borough fail to attend council meetings until there's a problem. Council discussed Ordinance 439 for months before passing the ordinance. Ms. Hillen noted that only one landlord that is in attendance this evening, Bob Lasser, was present at any of those meetings.

BOROUGH OF CHALFANT REGULAR MEETING

APRIL 12, 2023

PAGE SEVEN

A man who only identified himself as Marc stated that he owns several buildings in the borough. Marc said he likes to think of himself as a good landlord. Marc said the only way to fix the problem is to price landlords out of the borough. That home prices are based on compatible homes and when he was using comps to determine purchase price, he was initially looking at Forest Hills for comps but now looks to East Pittsburgh. A discussion about home sales ensued between property owners in attendance and Council. Marc said his complaint isn't about the \$100 fee but he feels he is being unfairly taxed. Ms. Hillen and Mr. Hoover again explained that this isn't a tax but an administrative fee to enforce the ordinance. Mr. Hoover said the borough is trying to cover their costs and that's it—he estimates over 80 percent of CE time is spent on non-owner-occupied properties. Marc then expressed concern about the private lateral time of sale requirement the borough has in place. Mr. Hoover and Sol. Evashavik explained that this requirement is now in many surrounding municipalities and is part of the EPA's Clean Water Act and the Consent Decree between the EPA and Alcosan. All local municipalities will require it eventually.

Karen Lasser asked how many rentals are in the borough. Ms. Hillen said that close to half of the units in the borough are non-owner-occupied. Bob Lasser, 243 Lynnwood Ave., inquired that when TCVCOG takes over the management of Ordinance 439, how will the borough maintain control? Mr. Hoover explained that TCVCOG would just take over the management of the database, and the borough will still have the final say in the enforcement of ordinances. Mr. Lasser suggested publicizing the names of landlords in violation. Mr. Hoover said the borough can't do that. Mr. Lasser asked Council to evaluate a tree that is damaged/split on his street. Mr. Hoover advised the borough will look into it.

With regards to Ordinance 439, Mr. Hoover again said that the borough will continue to evaluate its administrative costs and will adjust the registration fee accordingly in the future; it remains set at \$100 per non-owner-occupied unit for 2023. He thanked everyone in attendance for coming to the meeting and addressing their concerns with Council.

OLD BUSINESS

None.

NEW BUSINESS

Mayor Perry expressed his concerns with the mess outside of the building at the corner of Shadeland and North. Mayor Perry also said he received a letter from a concerned neighbor about the gentleman living at a house on Wilkins. Ms. Hillen advised that Council and CE are aware of the situation; CE has been to the house and has addressed the what issues CE is able to

BOROUGH OF CHALFANT REGULAR MEETING

APRIL 12, 2023

PAGE EIGHT

address. County services are also involved but the gentleman at the property has refused their help. Mayor Perry said there has been a red Jeep Cherokee speeding throughout the borough. He asked residents to call 911 and report the plate and driver description as it is happening; he wants the driver cited.

Motion by Hillen, seconded by Lilac, to make a civic contribution in the amount of \$100 to Moriyah Chancey, a Woodland Hills High School Senior that has been selected to participate as a PA Cheerleader in the Big 33 High School Football Classic, also known as the High School Superbowl. Ms. Chancey is recognized as a leader at Woodland Hills HS; she is a positive role model representing the district. The motion was unanimous.

Council discussed the borough occupancy inspection requirements. Recently, a property owner appealed the requirement with CE because he maintained that as a child born to the immediate family of the previous property owner, he was exempt from getting an occupancy inspection for the transfer of the property. Sol. Evashavik stated that this individual is not exempt from the requirement because the child born to the immediate family clause that exists in the borough ordinance is not applicable to this situation—that exemption only applies when the child moves back in with the family, it does not make him exempt from fulfilling the requirement for property transfers.

ADJOURNMENT

Motion by Sauter, seconded by Fullwood, to adjourn at 8:42 p.m. The motion was unanimous.

ATTEST: _____
Borough Secretary Council President

