

**DOVER TOWNSHIP
BOARD OF SUPERVISORS
WORK SESSION MINUTES
NOVEMBER 8TH, 2021**

The Dover Township Board of Supervisors for Monday, November 8th, 2021, was called to order at 6:05 PM by Vice Chairman Robert Stone in the Dover Township Board of Supervisors meeting room. Supervisors present were Stephen Parthree, Charles Richards, and Michael Cashman. Stephen Stefanowicz was absent with prior notification. Other Township Representatives in attendance were Laurel Oswalt, Township Manager; Charles Rausch, Township Solicitor; Brooke Scarce, Recording Secretary and John McLucas, Zoning Officer. There were no members of the public present.

This meeting is being recorded for the purpose of minutes only.

Vice Chairman Stone asked J. McLucas to begin the discussion.

J. McLucas noted in August the Board of Supervisors was given a copy of sample ordinance of rental regulations, which included sample forms as well as a copy of the property maintenance code. At the Work Session on September 13th, the Board requested Staff review the sample documents with the Township Solicitor, Attorney Rausch. Revisions to the ordinance due to that review were to strike reference to disorderly conduct provisions in the document. The purpose of this evenings meeting is to further discuss issues of concern on the Board Members.

Vice Chairman Stone indicated he was concerned with Subsections: 1). 11-104(5) and the requirement to provide information on the tenant within 10 days of occupancy; 2.) 11.104.B and E and the requirements to display the license, trash date, contact information, etc.; and 3.) 11.105 requiring an annual license. He indicated he did not understand the need for this level of government involvement. Vice Chairman Stone understands the purpose behind the need for the program, but was hoping for a resolution without all of these requirements.

J. McLucas stated this ordinance was pulled from another municipality's program and changes were made to the document to better fit Dover Township as well as changes after legal review. Additional changes can be made with Board direction. He indicated a timeframe is necessary for the tenant information to be supplied.

Vice Chairman Stone questioned the need for the information at all.

J. McLucas stated the information is needed for emergency purposes.

L. Oswalt noted landlords presently required to register their tenants now, but there is no inspection program associated with that regulation.

C. Richards questioned the need to renew every year. He suggested five years as the license term. He agreed he was unclear on the need to hang the license

J. McLucas commented the intent behind hanging the license was to ensure the resident had a readily available location for the all the pertinent contact information for the property and its services.

Vice Chairman Stone suggested the requirement for the tenant to be provided a copy of the license instead of displaying it.

There was discussion regarding registering a complaint. It was determined that initial contact should be through the landlord or their agent. If the landlord does not address the matter and it is a violation of the property maintenance code, then the Township would have a duty to investigate the matter to compliance.

S. Parthree had questions regarding the inspection. Who will complete these inspections? How will they determine the structural integrity of the property?

J. McLucas commented he or Garry Walterdorff would be completed the inspection and are capable of determining whether a crack or fear of collapse.

S. Parthree was concerned about the potential liability if something was missed.

L. Oswalt stated a professional would likely be brought in to confirm the issue, if noted by Township Staff.

There was additional discussion on why all residential homes would not be subject to inspection. It was noted that any complaints that are violation of the property maintenance code would be the subject of an investigation. The reason rental inspection programs exist is that they have a higher percentage chance of becoming blighted, as noted in the 2020 Joint Comprehensive Plan.

J. McLucas noted he just received a voicemail last week from a tenant that was having issues with their landlord addressing matters in the property. Many landlords are responsible to their tenants, but there are circumstances where they are not. In most cases, the tenants do not have the means to address the matter on their own.

Vice Chairman Stone asked J. McLucas how this ordinance would help with that circumstance.

J. McLucas stated under the program he would be able to go to the property inspect, determine the violation and issue a notice to require the matter to be addressed within 30 days. As a requirement of the license the landlord is agreeing to the Township's entry to inspect.

Vice-Chairman Stone commented the tenant was letting the Township into the structure so he was unclear why that was not an option at this time.

It was questioned whether the tenant can grant the permission. Attorney Rausch felt they could grant permission.

J. McLucas felt it was best to have permission and the licensing program would make that a requirement.

Vice Chairman Stone asked Attorney Rausch's opinion of this program.

C. Rausch stated it all depends on what the Township is trying to accomplish. Is it a minimum level of safety for all rental properties, like making sure that there are working smoke detectors and fire extinguishers, or is it more.

L. Oswalt commented that the Comprehensive Plan noted our housing stock is getting older and needs investment to keep our community attractive and viable. People who own their homes tend to invest in them. Sometimes the rental homes are in the same communities and if not properly maintained can depreciate the value of the area.

S. Parthree remarked he felt this was a larger issue in the Borough.

J. McLucas reported we estimate there are approximately 2000 rental units in the Township out of approximately 9500 homes.

It was noted this was not a staff decision to implement. It came from the Comprehensive Plan and has been a matter of note from Emergency Services, who often find themselves entering structures that are not kept up to date with the property maintenance code.

J. McLucas has performed this kind of work in another municipality and is aware that many property maintenance companies are familiar with these types of regulations.

S. Parthree asked Vice Chairman Stone if there is a break on insurance premiums for a home that would be licensed and inspected under this program.

Vice Chairman Stone stated there is a break if your property is inspected by the insurance company but not under this program. This is not usually an annual inspection.

There was discussion about this program possibly leading to Dover Borough implementing a similar system of inspections that they would dovetail with Dover Township's Program. The Borough would need to adopt the International Property Maintenance Code for that to be possible.

Vice Chairman stated he had a problem with the annual nature of the program. He suggested inspections every two years. He questioned when this matter will come to a vote.

J. McLucas responded staff needs a clear understanding of what provisions need changed for the Board to consider the program on the whole.

C. Rausch stated the Board needs to determine what parts of the ordinance need removed or changed to make the document worthy of their consideration.

There was some discussion regarding business inspections. This currently covered by the part-time Fire Marshall position.

S. Parthree questioned whether rentals to family members are exempt.

J. McLucas stated it could be looked at as a change, but it would likely depend on whether there is compensation for the rental.

Vice Chairman Stone asked Manager Oswalt how she felt about the program.

L. Oswalt noted she was a landlord until recently and had a management company handling the unit. It was discovered when her tenants left that the condition of the property was not as it should have been. These inspections would have made it clear that the management company was not as diligent as needed with the tenants. She can therefore see the value in it, however, as with any ordinance, there will be those that do not approve of the program.

S. Parthree commented he is agreeable to stepping in where there is a complaint.

There was discussion about the two-year cycle for inspections. Perhaps a three-year cycle could be considered. Another option was if you have a satisfactory inspection, there would be no need to inspect for another five years. Staff was concerned over the difficulty of tracking the property under the five-year program suggestion.

M. Cashman expressed he was most interested in preventing blight while also avoiding the invasiveness of the program.

Lt. Anderson of Northern Regional Police Department suggested reaching out to North York Borough about their program.

J. McLucas stated we have been discussing this matter for several months now and staff needs to direction on whether we are to move forward or abandon this program. The Board members need to come to the next meeting with what they want removed or changed to make the program acceptable for their approval.

With no further discussion on this matter, Vice Chairman Stone adjourned the Work Session at 6:57 PM to be followed by the regular Board of Supervisors meeting at 7 PM.

Respectfully submitted by: Laurel A. Oswalt

Laurel A. Oswalt, Township Manager