

Trafford Borough
Public Hearing- October 29, 2019

The Trafford Borough Council held a Public Hearing on Tuesday, October 29, 2019, at 6:00 p.m., in the Manchester Room.

Council President, Kris Cardiff, called the meeting to order and led the Pledge of Allegiance and Moment of Silence.

Roll Call of Attendance by Assistant Borough Manager, Nina Solivan:

(Present)	Kris Cardiff, Council President	Ed Llewellyn, Mayor
	Casey Shoub, Council Vice-President	Craig Alexander, Solicitor
	Steve Perovich, Councilmember	Ashley Stack, Borough Manager
	Joshua Sanders, Councilmember	Adam Hlad, Code Enforcement Officer
	Ralph Deabner, Councilmember	
	Leslie Peters, Councilmember	
(Absent)	Zachary Cole, Councilmember	

Councilman Cardiff thanked everyone for being present this evening and turned the meeting over to Solicitor Alexander.

Solicitor Alexander stated the meeting is named a public hearing but it is more of an informational session to bring the public up to speed regarding 501 Cavitt Avenue. There is litigation pending the case number has a 2018 date. So, it has been at least a year. Back in May at the last status conference that we had Trafford Borough agreed to issue a demolition permit. Not to bring the whole building down, but to demolish certain parts of it to rebuild it or get it up to a state where it's not in a condemned form.

At that point, we had a different code enforcement officer. Adam came on at our last status conference. The borough issued the demo permit and the judge indicated that he wanted to see boots on the roof. Things got stagnant and there's some dispute on whether there were people over there working after July. The owners of 501 Cavitt Avenue claim that they were there on occasion, but then the hurricane came and their contractor went down to North Carolina to do work on his own house. Council was getting more and more concerned that the building could collapse. The council directed me to ask the judge for another status conference. To obtain some firm dates to be put into the court order to complete the remodeling or to get the building down.

Adam Hlad the borough's Code Enforcement Officer was able to obtain drone pictures of the roof. They are on the table if anybody wishes to view them after the hearing. We showed the judge the pictures and the court adopted our concerns. Those in attendance at the status conference were Adam Hlad, Ashley Stack, Casey Shoub, Lou Corrales, and Brian Lindbloom. We were there in full force to demonstrate to the judge that this is a very serious matter and we believe that it is a matter of life and death. The property owner's engineer called it a life safety issue. The Judge required all of those that attended the hearing were to meet that afternoon at Attorney Jim Creenan's office in Murrysville. We went to his office at one o'clock to address our concerns. Mr. Creenan wanted to know what our concerns were. Our concerns are getting that building down and under the judge's original order which required them to do so. They were required to get it down and they didn't do it.

Mr. Creenan filed a notice of all their attempts to call different demo people and nobody returned their calls or it was too expensive. So, I filed a motion for contempt on October 15, 2019. The judge entered a sua sponte order which means on his own, nobody asked him to do it.

Solicitor Alexander read the order. Order of Court. And now, this 15th day of October, 2019, it is hereby ORDERED, ADJUDGED, and DECREED sua sponte by this court as follows:

1. Should Lanalex Cloyd, Inc. fail to confirm demolition by 5:00 PM on October 16, 2019, then Trafford Borough shall immediately direct the demolition of the building by 5:00 PM October 18, 2019.

2. In the alternative, Lanalex Cloyd, Inc. and/ or the Borough of Trafford shall at a minimum bring down the external wall siding the Route 130 corridor to the interior of the remaining building until expedited complete demolition can occur at the nearest possible time in accordance with the Court's prior orders and directives.

3. The Borough of Trafford shall be able to seek relief in the case at bar to amend their pleadings to recover any expenditures related to the herein ordered demolition should Lanalex Cloyd fail to perfect the Court ordered demolition unilaterally.

4. Lanalex Cloyd, Inc. shall not be prejudiced in any fashion as to recovery through ongoing litigation in the case at bar and/or any other case or cause of action against Trafford borough.

5. FURTHER, in accord with Pa.R.C.P, Pennsylvania Rule Civil Procedure 236(a)(2)(b), the Prothonotary is DIRECTED to note in the docket that the individuals listed below have been given notice of this order. Signed Harry F. Smail Jr. Judge.

Solicitor Alexander stated in layman's terms Lanalex Cloyd is to bring the building down by October 18, 2019. Anticipating that Lanalex Cloyd wouldn't and agreeing with the concerns of Trafford Borough, that it is a life safety issue that the building is too dangerous to leave up.

If Lanalex Cloyd ignores the judge's order, then Trafford has to bring it down. The judge gave Trafford the ability to seek relief for any money that they expend. The problem is if you can't get blood out of a turnip. Essentially the borough will be giving a loan to Lanalex Cloyd in the form of getting the building down with the hope and prayer that the borough will get relief at some point in the future. We have an order of the court that requires us to do something. At the very least we're required to bring the parapet wall in. Having spoken with various demo contractors we've undertaken to move forward in the fashion that the court has ordered us to do so.

We've learned it's not as simple as bringing out a demo company a day later numerous things need to be accomplished before that can happen. We're required to do an asbestos study to find out whether there's asbestos in the building. If there is asbestos in the building, then there's an asbestos abatement that has to be undertaken because that's what the law says. If a study is not performed everything is treated as 100% asbestos and has to be dealt with differently. Which also doubles the cost of the demolition. We've organized the asbestos study to determine whether there's any asbestos present. We've received some preliminary findings. We don't have a full report.

We've received quotes from six different contractors. We've got another contractor coming tomorrow. The current quotes range from a minimum of \$135,000.00 over \$200,000.00. The majority are between \$135,000.00 to \$165,000.00 without asbestos. When the report has been received, we will go back to the contactors based on what the report says for updated quotes.

There are high tension wires that have to be removed by the power company. There's a gas line that needs to be capped off in the back. There's a lot that has to be done. Even though Mr. Yeager wasn't able to do the demolition, a lot of this he could have done in my opinion. Regardless, we're undertaking to get a lot of this done. Once we know what the score is on everything, I intend to go back in front of the judge and say, here's what has to happen to bring this building down. I know that you've ordered Trafford Borough to do it. I think that we need to come up with some sort of creative way that everybody shares in this. Then go back after Mr. Yeager again, but something needs to be done. I don't think the judge is going to back off his order that one of the two of us has to bring that building down. When we've talked with the demo contractors a number of them weren't as concerned about the structural stability of the building as we are. Looking at pictures Chief Lindbloom believes that structure is ready to collapse. It's an exigent circumstance and nobody in this room wants to spend taxpayer dollars to bring the building down. We've been ordered to do so and right now we're moving forward to comply with the judge's order. With the hopes that we receive relief from the judge to somehow share this responsibility and figure out a creative way to pay for this. Solicitor Alexander concluded his summary. Solicitor Alexander

stated we will proceed with the public comment as we normally do. Everyone will have a chance to speak. We will limit all comments to three minutes and the board will respond to any questions or concerns after all comments have been heard.

Councilman Cardiff stated the purpose of this meeting is to keep the community fully aware of what is going on and the potential use of taxpayer dollars. We want to continue to be transparent on what is happening. Ashley has been on the phone with state reps and county reps trying to find some sort of financial assistance. So far nothing has come to fruition. There are a few possibilities but nothing that's concrete at this time.

Manager Stack stated as Solicitor Alexander mentioned the high-tension wires. Our public works foreman discussed the high-tension wires with Duquesne light and they are planning on working around them. Duquesne Light is going to shield the lines. Duquesne Light mentioned bringing in a triplex but at a cost. Duquesne Light is going to bill the property owner directly. To date, I have spoken to congressman's office, state representatives, state senators, and the county. The County is looking into some possible options. When speaking with the county Manager Stack questioned was if the borough had to take down the building before funding becomes available, could the borough be reimbursed. The answer was no. The county is trying to come up with something. I'm not getting anywhere federal wise, grant wise, or state wise. We're going to continue with the county and we're going to keep them updated. Hopefully, the county will be able to help us out with something.

Councilman Cardiff opened up the floor for public comment. Councilman Cardiff stated this is a public meeting pertaining to the Mellon Bank Building located at 501 Cavitt Avenue. All are welcome to ask questions or make a statement about how you feel about the building. I just ask that you stay on the subject with this and all other matters outside of this can always be addressed at our next council meeting, which is next Wednesday, November 6th.

Patricia Paola 74 first street; I have a couple of questions. Where are you going to get a loan for the money? If the taxpayers are paying for it will we be reimbursed? Is there going to be a written report that we can see how the money's being spent? Where it's going and how we're paying? Which is a thing that we don't very well see. I'm wondering how you're planning on paying. Do we have an emergency fund? If so, how much is reserved? Are you taking the lowest bid on the contractors to take it down or are you going by veteran-owned companies? What's the criteria?

Councilman Cardiff stated unlike our council meetings, we can address each speaker individually after they're done speaking. Councilwoman Peters stated somebody else might have the same question so we should address each individually. Councilman Cardiff stated to answer your question regarding the financials' and never being able to see where the money has been spent. The information is on the website. I spend a few hours every month putting our financial information on the website for everybody to see as soon as they're approved. Mrs. Paola stated she views the website frequently and has never seen them. Councilman Cardiff stated he will pull up which drop-down menu they're under. Mrs. Paola stated we don't get a financial report. I would think that we should. Councilman Cardiff stated before the financial report can be released to the public it has to be approved. After the meeting I'll show you where the reports are located and that way you can have access to it. That goes for everybody. It's there. I spend that time so the public can see where your tax money's being spent.

Manager Stack stated as far as an emergency fund, we do not have one. It is my understanding; the borough has not taken out a loan in the last two years. I've been here a little over two years. We have not taken out a loan in the last two years since I've been here. What I was told is that we were having to take out loans to stay afloat. We did have a surplus last year which just goes back into our budget for the next year. I do not want to take out a loan. There is money there at this point. We would have to take this out of the general fund. I feel a loan is the last possible option and I would not want to do that unless we got to that point. At this point, I feel like we would be okay. My concerns are tax revenues do not get paid to the borough until April. We would still have payroll and all of the monthly expenditures. There are still a lot of unknowns. We still will need to see the final quotes once the asbestos report comes back. I do believe we should go with the lowest bidder as long as they're licensed, professionals. Worst case scenario, rather than taking out a loan, I would rather borrow from our sewage fund. This would all be public information and would not be behind closed doors. That'd be something that will be discussed in a public setting in a council meeting and that people would know if we had to do

that. As I've said, we've not had to do that since I've been here. We've not had to take out a loan since I've been here. I'm hoping that we can get some funding from the County and the bids come in as low as possible. As Craig said, we will go after the property owner and recoup whatever we can legally.

Councilman Cardiff stated the financials are located on our website. The website is www.traffordborough.com. If you go under the Trafford Borough dropdown menu, there's a selection, it says council information under there it lists; Trafford Borough Elected Officials directory so you can find all our email addresses there so you can email us about whatever you might need. All the meeting dates for that year. The 2019 budget is on there, so you can see what our current budget is. That'll be updated as soon as we approve the 2020 budget for next year. Council meeting approved minutes. I put those on there and update every month so you can see what happened at the last meeting. Again, just like the financial information, it can't be posted until the council approves it. It's always a month late, but it's there. The approved expense lists. That's where you can see all the financials. Last on the list are the council meeting agendas.

Colleen Hunter 534 Brinton Avenue: The first week of August I was walking to the post office and I was coming out of the back end of the high rise. I'm walking past the fenced-in area around the bank building and had I taken a faster pace I would have been hit in the head with bricks. An entire brick fell right in front of me. Scared the daylights out of me. Outside on that side of the fence on the street, landed on the street. I was standing, waiting to cross 130 to get to the post office. It shook me up because all I kept thinking was, I take walks with my grandbabies. You know how kids are sometimes they want to get a little ahead of you. Had I had a stronger pace that day. This would be a whole different meeting. Now there's glass teetering up there. It's coming. It's coming down. Who's going to get hit next? That piece of glass is big. Who's going to get that on their head? Thank you for listening. Councilman Cardiff stated we're glad you're safe. Councilwoman Peters asked Mrs. Hunter to please walk across the street on Dom's side to cross 130.

Brandon Lacina 175 Stewart Street; Good evening everyone and thank you for your work and time I know you all have been extraordinarily busy. I'm here tonight working on behalf of the Trafford Business Association. We want to thank you for the work you have put in thus far. We have been documenting as you may or may not know what's been going on at the building. The personnel that's been on site. I've taken photographs of the building. Some of the concerns that we have thus far are we know the building's going to come down at some point. Some of the business owners, specifically Tariq, who owns the Stop n Go, he's concerned about timetables if he's going to have to shut down over a period of time while the demolition occurs. What type of advance notice you might have? Some of the other things that we're concerned about are the power lines are they going to be shut down for an extended period of time. Some of us are getting into our busy season and we'd like to kind of have an idea of when that may occur and what are shutdown times and we're going to be for that. As far as outreach goes, if there are any resources that we can provide to you, whether it be additional photographs, documentation, prints, whatever it is, feel free to let us know. We'll be more than happy to help. Thank you.

Councilman Cardiff stated as we know what businesses will be affected, we'll let them know.

Manager Stack stated we met with PennDOT a couple of weeks ago to see what they would want to do regarding the closure of state Route 130. They were concerned but they wanted to know how the borough wanted them to proceed. They understood our concerns but they needed to know locally what would be permissible. We received a letter from PennDOT and spoke to them and they were planning on bringing their materials for the road closure to our public works garage. I don't know when that is going to take place. We haven't even received the materials yet. They know about the court order. We did discuss a game plan if we would have to close that portion of state Route 130 from Brinton Avenue up to Duquesne Avenue and what we would have to do to detour that. That is something that we looked into as well cost-wise because we're either going to have to purchase several signs and public works will have to have to erect them or we're going to have to contract that out, which is also costly. Cavitt Avenue will then become a two-way street which is another headache in itself. We came up with a game plan but until we had anything final or knew any time table, we're in limbo right now. Once we receive the materials from PennDOT public works will be responsible for putting the signage out and we'll just have to notify PennDOT once that is complete. I have already notified the school district and Dr. Harris. I

have also spoken to Port Authority. Again, no time table but this is what we're looking at. Duquesne Light did tell us it would be like a couple of weeks but we haven't heard anything since. So as soon as we hear anything from them, we'll let the business owners know as well as anything with the closures. As soon as we have any dates, we'll give you guys a heads up. As soon as we know when this is going to take place or happen. We didn't want to get everybody upset and then it doesn't take place for another month. So as soon as we do have a timetable, we will let you know and we appreciate all your help thus far and we'll keep you posted if we need anything else.

Linda Brown 503 Gilmore Avenue; Mrs. Brown questioned if there is a health issue being that there are rats and birds living in the building? That's my concern because on the Trafford Neighborhood site I saw the lady say she saw a rat running across her porch. That to me is a major issue that it's a health concern too. For those who are not living necessarily right beside the building. Has that been addressed? Has anybody gone in that?

Manager Stack stated we go up almost daily. I have never seen any animals other than birds flying in and out. We'd been directly next to the building. We've been inside the fencing. When we did the asbestos testing, we were able to look inside the building and the structure, I did not see any. I don't know at this point if there is anything in there. The dumpster only has construction materials, there are no food items. I have not seen anything other than birds.

Pamela Kerns; Items have already been addressed.

Carmella George; Items have already been addressed.

William Mence 517 Brinton Avenue; I think it's affected everybody in the community in some form or way. My question is other neighboring communities like Wilkins Township, Turtle Creek, the City of Pittsburgh, and the City of Philadelphia when it comes to an abandoned building and it becomes an emergency, they can request resources. They can request a crane through Harrisburg. Is that an option that the borough is looking into?

Manager Stack stated she's reached out to both state representatives. She used to work for the state and is familiar with the resources. A lot of those resources, they're saying aren't available. There are a few grants but because of the historic portion of the grant application, it takes so much time. There's a lot that goes with the grant procedure. Even with the PEMA and FEMA, a lot of those grants we looked at, they take too long. Due to the imminent danger that changes everything. The same thing goes for the county. The county has its fund, but they'll have money in a few months.

Mr. Mence questioned if the borough has declared the building as an emergency.

Solicitor Alexander stated the judge did. Councilman Cardiff stated we're also at a disadvantage right now because it's the end of the year and they're out of money. They've spent their money and it doesn't get replenished until the beginning of the year.

Manager Stack stated one of the county commissioners has reached out to me after I had contacted them and has been trying hard to see what they can do. Once we receive the asbestos report, I'm supposed to get back to the County right away. I'm planning on doing that tomorrow. The county is trying to come up with a creative way to help us save money so we wouldn't have to spend all the funds until the County had some funds available. They mentioned a partial demolition. Well, that doesn't work with what we're dealing with. The Code Enforcement Officer followed up with a structural engineer who did the report and asked if a partial demo is possible. The structural engineer said the only partial demolition that in my opinion will be sufficient is to remove all structure above grade. As long as the perimeter fencing would prohibit the entry of pedestrians, the foundation and first-floor framing could remain until funds are required to finish. That's still going to be a public nuisance. It's going to still be taxpayer money going towards this. It's still going to be there. It's still going to need to be remediated. I think this is just a Band-Aid. If we are going to have to use taxpayer money, we need to do it right and then we can go from there. That's my personal opinion. I don't see that fixing this and I

don't see just waiting. They might say, okay if you're able to do that, we'll give you \$50,000.00 but then we might get to that point and they might say, oh we only have \$25,000.00 available.

A question raised from the audience. Has the borough gotten any partial demo bids?

No, I haven't. I'm going to have to talk to them and see what's the difference cost-wise. You also have to think about mobilization in a project this large. A lot of times some of the majority of the costs are mobilization costs. Having to mobilize twice, I would have to think that we'd be paying even more money if we're the ones who have to remediate the second time as well.

Solicitor Alexander stated he spoke with one of the demo contractors about the possibility of a partial demolition or even as the judge said, bring down the external wall siding the Route 130 corridor to the interior of the remaining building until an expedited completion of demolition can occur. The demo contractor said when you do that, that furthers the instability of the property. Once you start a demolition project, nine times out of 10 you can't stop.

Councilman Perovich stated that's a pretty crazy statement anyways. If you're taking down a wall on 130 it's going to become more unsightly. I mean at least now it's a building with four walls on it. Maybe we should bring the judge down and say, hey, visualize this my man take a look right here. If you go this far in, what's it going to look like? How would you like that in the middle of Greensburg?

Solicitor Alexander stated I think the judge's goal was with all good intentions because he needs to look out for everybody and to get that building on the ground because he was fearful of safety. I don't think he cares what it looks like. His fear like the chief's fear, is that that building could come down on its own and kill somebody. We want to get that building on the ground.

Councilman Cardiff stated safety's the number one issue here. That's what we went to the judge about. I mean it's all about safety and where we're at.

Brandon Lacina questioned if there is a plan in place for a partial collapse.

Manager Stack stated if there was a partial collapse in the building, we'd have to take emergency action. Hopefully, we'd have the PennDOT materials. If we didn't, we'd have to notify PennDOT because even when we talked about this with PennDOT, when PennDOT came out to meet with us, they said if that building fell onto 130 it would stay like that until the property owner cleaned it. That was before the court order. They said that will be on the property owner. They would block off the road but it depends on time and how long it would've taken. It would have fallen on the property owner to take care of that. So that's when we decided that Cavitt Avenue will be made a two-way street instead of one. If there is a partial collapse, we already have a game plan if that takes place.

William Mence questioned while this is still going on, can the property owner still be cited?

Solicitor Alexander stated we will need to address that with the court because we thought he was going to comply when the original order was entered. Whereby we were going to issue the demo permit and we agreed to withdraw the citations that we had pending against him at that time. In my opinion, it's an ongoing violation of the property maintenance code. It is something that we are going to explore. A member of the audience questioned if dropping the citations was something that the judge ordered. Solicitor Alexander stated the judge did order us to do it, but it was all in agreement and in essence to try to show good faith on both parts, I'm not sure that that's how it turned out.

Brian Lindbloom 205 Wallace Avenue; Chief Lindbloom stated he was extremely pleased how quickly that everyone has come together to get some progress done on this building. We've been frustrated for a year now in this lawsuit and have some progress unfortunately, it's coming back on the borough taxpayers to put up the money. I'm very pleased and I

applaud you for your efforts and I'm here to help any way I can. I did have a couple of ideas and one that stuck out, I'd like the mayor to talk to the Emergency Management Coordinator to call a state of emergency for the four-block area. The 400 block and the 500 block of Cavitt Avenue and the 200 block and 300 block of Fifth Street. Anytime public works is sent to that area during the day you log those hours and they're all recoverable in your lawsuit. You have to rent or buy all of the signage. It's all recoverable for a state of emergency. It can easily be done. Alert the EMC and I can get the information on the knowledge center to declare that it's a state of emergency and that can stay open and there is no ending timeline. Every time you do something relating to that state of emergency, it's recoverable. One other thing I'd like to comment on anyway is I heard you talk about a loan and we don't really like that idea. However, in this case, I think it would be a good idea. If you take on a loan, just for the price of this demolition, you get the money, you make your payments. It's not taking as much taxpayer money to make those loan payments. In the beginning, all that time you're fighting the lawsuit could take years, right? So, you're out of a couple of loan payments for the first couple of years until you get your judgment.

When you take advantage of Act 90 to lien his other properties, not just this property. Eventually, the borough will be made whole. You might've only made one or two annual payments on this loan. So, the taxpayers aren't out that much. You don't have to raid the sewage fund and the judge makes him pay off the loan, you'd have a real amount to sue the person for. Maybe the judge would order him to assume the loan, it gives you options. You don't have to take \$50,000.00 out of your budget now to pay for this, you just make the loan payments. Act 90 allows you to go after his real property. You can get the judgment that you can take his car, his house, tax refunds until you can get it back. If you're only making minimum payments, it frees that money up for us.

Janet Cronin 405 Gilmore Avenue; What will happen with the basement? How do you plan on covering it? How is the owner responsible at the end of all of this? If the borough takes down the property will he still own the property? What do we do about that?

Solicitor Alexander stated when the building comes down that has to be back-filled in. I know that you're allowed to use the brick to backfill it in. Anything that has asbestos has to be moved off offsite and put in a special area in the landfill. As I indicated at the outset, if we can't figure out what's asbestos and what's not asbestos, everything's treated as asbestos and has to be removed. That makes you have to use another material to backfill in which further increases the cost. I don't think that's going to be the case. Hopefully, the contractor will be able to use the bricks and other non-asbestos related portions of that building that are permissible to be used as fill to fill in that basement.

The property will remain his property. When a borough demolishes a property, it doesn't acquire that property. It doesn't become theirs. That's a myth. What happens in that case, the property gets a lien. It's a legal mechanism where you attach the money you spent to tear it down onto that property and when that property gets sold, that lien gets paid off. The property you might not ever get sold or may sell 50 years from now.

Chief Lindbloom brought up the avenue of what's called Act 90 Is a piece of legislation that was enacted a few years ago by the state legislature. It permits under certain circumstances a municipality to go after the personal assets of heirs and relative heirs of a property owner to get paid back money that they're owed for back taxes. In this case, a municipal plain lien. It looks good on paper. I've never fully seen it in action yet, but this might be the case where that happens.

Mrs. Cronin questioned if the taxes are current. Assistant Manager Solivan stated she has confirmed with the tax collector that the taxes are current.

Chief Lindbloom stated if you see something falling off of it and there's a life safety hazard dial 911. Let's get that on the record. Once the Mayor declares a state of emergency, we will have documentation If the police department responds, or the fire department or public works has to go out its all recoverable in that. Items should not be bouncing over the fence or hitting the fence. So that might have to be adjusted or looked at. If you're in that area, drive around a block. I don't even go up that way, please be careful.

Councilman Cardiff stated If it could be harmful to yourself or others or life-threatening to yourself or others in any situation in a borough call 911 that's what it's there for. That's why we have a police department. If you see something fall off of it, even if it's from afar and nobody's near, call the borough office. Let them know, let somebody know so that way we can record it and we can keep that in our back pocket for whatever might come about.

Mayor Llewellyn questioned Solicitor Alexander as to what the judge's opinion is on items falling off the building.

Solicitor Alexander stated he is very concerned about it.

Mayor Llewellyn questioned if we could request that netting be put up.

Solicitor Alexander stated he's ordered him to tear it down two weeks ago.

Mayor Llewellyn stated this has been ongoing for how long now?

Solicitor Alexander stated we can go back and ask him to tell him to put up netting. We can do anything that we feel is reasonable. I think right now what we have to do is to get our plan in place. Then go back in front of the judge. He wants some action here. Let's get our demo list together, figure out our game plan and then go back and say, this is what we need. I'd like to do that as quickly as possible.

Carol Richardson to 225 Third Street; Mrs. Richardson stated we've mentioned making Cavitt Avenue a two-way street in the event of a collapse. The area on Duquesne Avenue between Fourth Street and Fifth Street was only a one way because of the fire company being there and the fire trucks coming out that way. Since that is no longer there, is there a possibility of making Duquesne Avenue a two way so people can come down that way?

Manager Stack stated that was briefly thrown out there, I think at this point that would just cause way too much mass confusion. Either way, people have to get to the post office. We have a lot of traffic with the post office and then we have Dom's on the other side of Cavitt Avenue as well as housing. We would have to utilize the parking lots as turnarounds for both of those to make it a two way that was discussed. I will throw it out there again, but when we discussed it before, it would make things more complicated.

A member of the audience questioned how much did the owner purchase the property for?

Councilman Cardiff stated it was purchased for \$15,000.00 in 2013. In May of 2015 council declared 501 Cavitt Avenue among others as abandoned, dilapidated or a nuisance. As Craig Alexander, our Solicitor had mentioned that in 2018 that is when litigation began. It was a process where I believe that the judge was giving the owner a lot of opportunities to do something with the property as he intended to. We would keep going back to the judge saying this is happening, this isn't happening. The judge would allow more time. Now here we are with the situation that we're in. We did receive a court order as Craig did read off as you know, it's the property owner's responsibility and if not, it's on us. It is the council's decision ultimately on where we proceed from here.

Manager Stack added when she contacted the County, one of the first things the county mentioned was that the Land Bank tried to purchase this property prior to her employment with the borough. They tried to purchase this property years ago from the property owner at the same amount that he had paid for it.

Councilwoman Peters stated so that's the gap he purchased the property, he declined the land banks offer to take it off of his hands so they could raise it or do something with it and now it's a bigger problem.

Solicitor Alexander stated I still don't think that tearing down this building and chasing them for the costs are going to end the litigation. Trafford Borough has already been placed on notice of future litigation with regard to this building and this individual. They think it's worth something and Trafford is a hindering an investment property.

A member of the audience questioned which judge signed the order. Solicitor Alexander stated Judge Smail.

A member of the audience questioned if this property owner owns any other property in town. Solicitor Alexander stated no.

Fanty Comcaluski 524 Duquesne Avenue; This isn't the only building that's derelict and fenced off from the street. Is this going to be an example of how the deal with future properties or are they on a case by case basis as they happen? Solicitor Alexander stated Trafford Borough is not in the demolition or the real estate business. I represent several communities. There are blighted properties everywhere that need demolished. In many communities, Trafford Borough included has a demolition wish list on which properties are the worst that need to come down first. In every occurrence, you wait until there's money available to bring them down. COG money or grant money from the County or grant money from the state or grant money from the federal government. However, you can get the money to bring a blighted property down, then bring it down.

We did the same thing on Duquesne Avenue. I don't know how long you've lived in the town, but there used to be a building behind Dom's gravel lot. It was called the Trafford Motor Company.

That building was in a very similar situation to 501 Cavitt. Granted 501 Cavitt is a lot worse than what the Trafford Motor Company was. It was a very dilapidated building. Bricks were also falling off and there was fencing around it. Trafford Borough did not go out and hire a demo contractor to bring that building down because they waited until funds were available. We had to trade a year's worth of funds because that was such a big building. I'm going by recollection I might not be 100% right. That's what we did, we waited until funds were available. If this wasn't such a life safety issue as their experts called it, that's what we'd be doing here. It's the property owner's responsibility to get their properties down. If the borough has to become involved. Traditionally what's happened is we wait until funding is available to bring it down. This is a unique case. It's not in my opinion, something that's going to be precedent-setting because we're not going to start going around and demolishing everybody's blighted property because the funds aren't going to be there. This building because of the Route 130 corridor, Dom's, Sherm Edwards, and the Stop n Go is such an exigent circumstance that has to come down now we can't wait for the funds to become available.

Manager Stack added and because it was ordered by the court.

Mark Kozubal 14 Meadow Street: Mr. Kozubal stated he's lived in this borough for 64 years. There are a lot of residents here tonight that have lived here longer than I have. We are damn tired of our tax dollars going toward ripping down blighted properties. It's coming out of my pocket and everybody else's pockets around here. We're tired of it. I'm a taxpayer I'm retired now and now I know how it feels. Yes, the building needs to come down but damnit we're tired of paying for this stuff. That building you're talking about on Duquesne Avenue we paid for that. Like I said we are damn tired of it.

Councilman Cardiff stated in my opinion, this is not where I want to be either. I'm a resident here in Trafford. I pay my taxes as well as everybody else up here that this is the very last scenario we ever wanted. We thought that it'd be on the owner to take it down completely and then we were informed that if he doesn't, then it's on us. When we heard that the owner would have to take it down as it should be, in my opinion, because that's his property. He should be responsible for his property, not the taxpayers in this town. Knowing that this situation of being a safety issue and a court order on us to do it and we don't, I don't want to do it. That was the last thought. I agree that our funds can go towards more appropriate things.

A member of the audience questioned if the order could be appealed. Solicitor Alexander stated this is an interlocutory order, which means it's an order that's entered before the case is over. At which time there would be a final order so it cannot be appealed. There are very limited circumstances to be able to appeal what's called an interlocutory during the case order of court.

Councilman Perovich stated we should explore every avenue possible. We need to go after everything the property owner has.

Solicitor Alexander stated we are going to explore Act 90 to the fullest extent. Act 90 is the only way to get to personal assets. The property was purchased in the name of a corporation. The corporation could declare bankruptcy if they needed to get out from under this obligation. I was a resident of Trafford Borough in the late eighties and early nineties. I have a very soft spot in my heart for everybody here. We will go after Act 90 in this circumstance to the extent that it's available to us.

A question raised from the audience; can he still claim bankruptcy under Act 90? Solicitor Alexander stated he did not know the answer. However, if you're able to go after their heirs and everybody else for the blight, I would certainly hope that is possible. It's the corporation that could declare bankruptcy. I'm hoping that Act 90 provides that avenue under any circumstances.

Mr. Mence questioned how the asbestos testing will be completed if the owner's workers will not enter the building?

Manager Stack stated the asbestos testing has already been completed. We were able to collect samples from everything except the boiler. Due to that area being collapsed and having no access. Being the boiler area cannot be tested it will be considered asbestos.

Mr. Mence stated he has documented every instance a chimney has fallen. He expressed his concern for any individual entering the building, due to the floors being collapsed.

Manager Stack stated they were able to retrieve every sample that they needed except for the boiler. The location of the boiler is in the basement facing Cavitt Avenue. There is no access due to the collapse. Our public works foreman has been in the building prior and was willing to collect a sample but he was unable to gain access. There are pictures of the boiler room that we have on file that were looked at and appeared to have asbestos. However, I have to talk to the contractors about that because if everything else is negative for the asbestos, what are we looking at price wise since it's not everything in the structure. There were 22 total samples taken.

Carly Martin questioned how soon the asbestos report would be received.

Manager Stack stated she has to call the asbestos testers again in the morning. Once the report is received, she will pass the report onto the contractors for adjusted quotes to reflect the report findings.

Brandon Lacina questioned if there is a time table or milestones for progress. Solicitor Alexander stated this was required to be done a week ago. Councilwoman Peters stated everyone is working as fast as we can. Mr. Lacina questioned what the next steps will be. Solicitor Alexander stated once we know our asbestos obligation, then we can go back to the contractors that previously provided us a quote, and get new quotes. Then the high-tension wires still need taken care of. We'll have a contractor on sight as soon as possible. We will get back before the judge to see if he can create an order to share this responsibility instead of placing the burden onto the taxpayers of Trafford with hopes of being made whole.

Mrs. Cronin expressed concerns regarding Route 130 being kept open. Mrs. Cronin stated brinks are falling and she fears someone is going to get hurt. Individuals drive through this area. There are school buses and Port Authority buses that pass through this area. If something collapses there is going to be an accident.

Solicitor Alexander stated and that's why we're acting in the manner that we're acting. In the most exigent basis as possible in order to get it down now. Not by going back before the judge and saying we're sorry we're not using taxpayer dollars to fund this. The property owner says he doesn't care what the order says. We're not saying we don't care what the order says, we haven't been able to comply with the order and the dates put in it. However, we're going to comply. Hopefully, we can convince the judge to order some shared responsibility.

Mrs. Cronin stated she understands but there is another building on the same road that is collapsing as well and it's terrifying. Mrs. Cronin questioned where the funding will come from for the other collapsing building.

Manager Stack stated that funding for the Cromer building has already been applied for. I applied for a grant for that building quite some time ago. The funding is through the County as well. They're not making their determination until January.

Rose Frollini stated when a building collapses in, the bricks do not all fall in. When Trafford Motor Company collapsed the roof at the back of the building fell in first. The second collapse, was the sidewall. From the second collapse bricks flew at least 40 feet and hit my house. My whole backyard was covered in bricks. Should any part of the Mellon Bank building start to go, the street is going to be littered with bricks. I agree with Chief Lindbloom, the four-block area should be declared as a hazard zone. You should also consider moving the fence out onto the street a little further than it is now because the facade on the front of the building is starting to crack. It's cracking where it's attached to the main part of the building and while it is slightly tipped in all those bricks are not going to fall in. Some are going to come flying out and the bank building is significantly taller than Trafford Motor Company. The bricks are going to fly a lot farther than the ones that flew in her yard. So again, I agree with chief Lindblom part of the street needs to be blocked off.

Theresa Severino questioned if someone gets hurt, who pays the bill? Is it the borough or the property owner?

Solicitor Alexander stated I can guarantee you one thing that if somebody gets hurt, that somebody is going to file suit against absolutely everybody. Councilman Perovich questioned if the property owner has proof of insurance. Solicitor Alexander stated we asked him that question at the status conference and he refused to answer it.

Councilman Perovich stated couldn't the judge make him answer the question. Solicitor Alexander stated it wasn't an actual hearing, it was a status conference. At some point, the judge can make them do that.

Councilwoman Peters stated shame on the property owner if he doesn't. That is just my personal opinion.

Brandon Lacina questioned with holiday festivities to begin shortly are there any precautions the public should be aware of before arriving on site. Councilwoman Peters stated she'll be addressing that with the rest of the council. Councilman Cardiff stated hopefully this will be taken care of by then. Councilwoman Peters stated thankfully the parade route isn't on Cavitt Avenue anymore. However, people will still travel down the sidewalk to get to the corner. So that is a concern.

Carol Richardson stated during a personal injury case and hopefully, it won't ever get into that however, in those types of cases, discovery is presented. Can the judge compel some discovery materials just show the insurance information? Solicitor Alexander stated in our case we could engage in discovery if we had to. We're still going to need to get this building down.

Joan Monroe questioned when a summary of this meeting will be provided.

Councilman Cardiff stated we are recording this meeting and there will be minutes available after they are approved, once they are approved by the council, I will put them on the borough website. Mrs. Monroe stated that it seems like a long time for how critical this issue is.

Manager Stack stated I want this on the record for everybody. I want to thank the staff because they have kicked butt. I mean this has consumed our office over the last month and I know as many of you know and have seen on Facebook that sewage bills have gone out. So, it's perfect timing. This has been consuming our time. We are trying to look for any possible sort of funding that could help out the taxpayers, grants, anything. Anybody that we can contact or reach out to. Everybody's oftentimes staying after hours to do what they need to do, to go on-site, to take pictures, to get drone pictures, to be prepared for court. I just want to thank the staff. That's the Code Enforcement Officer, Adam Hlad, and Nina Solivan, the Assistant Borough Manager.

I want to thank all of the public works, particularly the Public Works Foreman Lou Corrales. I mean they have all gone above and beyond. I know a lot of people don't see that and all everybody's seeing as the taxpayer money being spent, but everybody is trying to do what's best for the borough. We're trying to save taxpayer money because a majority of these people live in the borough and all of the council members live in the borough. I mean this is their money too and that's not what people want. We want this town to succeed. We want things to go well and move in a positive direction. Everybody is working very hard to try to get this taken care of as quickly and safely and as inexpensively for the taxpayers as possible.

Councilman Cardiff concluded the public comment portion of the meeting and asked if anyone from the board or members of the staff had any statements or comments.

Councilman Sanders stated there are drone photos at the end of the table if anyone would like to view them.

Councilwoman Peters stated she emulates what Manager Stack stated. She stated she knows how much everyone has been working on this. It literally has consumed every minute they're in the office to try to come up with some creative way to save us and save our money. I also wanted to say, look out for your neighbors. If your neighbor needs help, help them. It takes a community. Call your neighbor, take their garbage can in, cut their grass, rake their leaves, and see if they need groceries. Just help one another.

The meeting concluded at 7:41 P.M. on October 29, 2019.