

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
WORKSHOP MEETING
SEPTEMBER 5, 2024

The Board of Supervisors of Upper Merion Township met for a Workshop Meeting on Monday, September 5, 2024, in the Township Building. The meeting was called to order at 7:34 p.m., followed by a pledge of allegiance.

ROLL CALL:

Supervisors present were: Bill Jenaway, Greg Philips, Carole Kenney, Greg Waks and Tina Garzillo. Also present were Anthony Hamaday, Township Manager; Amanda Lafty, Assistant Township Manager and John Walko, Township Solicitor's Office.

CHAIRPERSON'S COMMENTS: None

DISCUSSIONS:

A. RENTAL HOUSE INSPECTION PROGRAM:

Ms. Amanda Lafty, Assistant Township Manager, stated that Township Staff is looking into implementing a Rental House Inspection Program similar to what other municipalities have started.

She met with the Codes Department, Fire Chief James Johnson and Fire Marshal Bill Daywalt to get their input and address concerns. Most of the neighbors' concerns are about where the renters are parking their cars, fences not being properly setup, etc. Mr. Hamaday mentioned since the Township will be doing this in house by Joanne Lawlor our Codes Maintenance Officer, they tried narrowing it to property maintenance and life safety issues. He said after hearing some comments from the Board of Supervisors, they believe using a third-party inspection for electrical, plumbing, heating and air-conditioning would take some of the burden off the Codes Department. They feel it would be better to put the responsibility onto the property owners to get the third-party inspection done for the major items either every year or every two years, whatever the Board decides.

Supervisor Philips asked how other municipalities are handling rental inspections. Mr. Hamaday responded so far four or five townships have gotten back to them and said they require the property owners to get the inspections like Darby, Plymouth and Montgomery to name a few. By having the owners hire an inspection company takes the burden off the Township and makes it easier for the owners because they can schedule the inspection at their convenience.

Next, Mr. Hamaday asked if the Township should require an electrical inspection every year or just every two years to go along with the Township's inspection. Supervisor Philips said they should inspect it every time a new tenant moves in and Mr. Hamaday said if they go with every 2 years it would get inspected every other year regardless how long the tenant lives there. Then, Chairperson Garzillo asked if every 2 years was feasible for the Township and Ms. Lafty mentioned there are about 500 properties to be inspected between houses (single or attached), apartments and condos. So, if they did 250 per year on a rotation basis this would be the most manageable way for our Codes Department to handle them.

Mr. Hamaday also mentioned that they're still looking out what the fee should be each year for the property owners. Ms. Lafty said they're looking at what other municipalities are charging and what's included with their fee. We're thinking about \$250.00 per year, which would include the original inspection with one reinspection in case the property failed something and maybe an additional \$50.00 for any further inspections if needed or if they missed their appointment and made the Township reschedule.

Ms. Lafty mentioned she was at a Consortium Meeting in which they talked about affordable housing and one of the discussions was about having a rental program. If the Township has a rental program it is able to track the rental prices and what's being done in their Township. So, after having a discussion with the Township Manager, she added the Unit Information section to the Board's rental inspection packet. She said this will be able to help them find out the size of the unit, how much they're charging and what kind of rental housing inventory we have in our community currently. Amanda also spoke to Township Planner about this and he would like to know what type of units there are here, their size and the rent amount for each type. In addition, she spoke to the Public Safety Department and they want to know who lives there and to have contact information for them in case there is an issue and the number of tenants in case of a fire or an emergency. She also added a section for Property Managers in case a third party is managing the property.

Next, Ms. Lafty told the Board the application would include links to our resources for the owners or property managers to look at, like our Ordinance and Property Maintenance Code as well as the International Fire Code. Supervisor Philips thought we already had this Ordinance and Mr. Hamaday replied that we only have it for apartment buildings not individual rental properties. Ms. Lafty said she been working with Public Safety & Codes to figure out how to integrate the private rentals into our Ordinance. Should we have two separate Ordinances or have separate sections within the original Ordinance without it becoming convoluted. In some incidents it can become confusing if someone from the Valley Forge Towers rents out their condo, now that becomes a private rental, which is different from the Valley Forge Apartment rentals.

Supervisor Philips wanted to confirm that the Township is doing this to capture the houses and condos being rented and to make sure they are up to code. Supervisor Philips also asked what was the residents' concerns regarding fencing. Mr. Hamaday replied if a fence starts to lean into public way it becomes a public safety hazard and if it leans towards your neighbor's property then it's a dispute between the neighbors. Then, Supervisor Philips asked if the Township can include vacant properties that aren't cared for into the Ordinance, Mr. Hamaday said for the properties that have overgrown grass and the owners don't reply to the notice and citation the Township will cut the grass to keep it under control and if the owner doesn't reimburse the Township we will put a lien on that property.

Chairperson Garzillo would like to include on the rental inspection form in the Owner Tenant Section, that when or if there is a change in tenant during the middle of the 2 year process the owner will give the Township the new names of their tenants. Also, she would like the lease dates included on the form, not only when it starts but for how long with the lease expiration date, Amanda said she will update the form to include both. Then, Tony asked the Board if they agreed to the 2-year inspection cycle and mentioned if the owner didn't use their free second inspection during that term it can be applied to the new tenant inspection. Supervisor Philips feels it's good to inspect before a new tenant moves in so they're not stuck with any issues the previous tenant was dealing with.

Supervisor Waks asked how the Township was going to handle short term leases like Airbnb's that rent their property. After some discussion about cost and the time it would take they decided short term leases or rentals less than 31 days will follow the Ordinance for Airbnb's and will be inspected once a year. Then they talked about plumbing inspection falling under third-party inspection, making sure everything flushes, spickets and drains run smoothly and the sewer vent is visible from the street. Mr. Hamaday said hot water heaters will go under HVAC inspections and Ms. Lafty mentioned the Township is requiring carbon and smoke detectors outside each separate sleeping area and in the immediate vicinity of each bedroom. Amanda also wants to include a clause if the inspector notices anything that isn't to our code like a fence violation or balcony issue.

Then there was a discussion about alarm systems and fire sprinklers. The Board decided they're not requiring a burglar system but if a rental unit has a sprinkler system then it must be operable to pass inspection. Next, they talked about roof inspections stating there can't be any leaks or signs of mold in the roof area or anywhere else in the house to pass inspection. It was noted that dryer vents must be vented to the outside to pass.

Ms. Lafty said she will clean up the checklist and start working on the Rental Ordinance and mentioned they should be able to start the first round of inspections in the Fall of 2025. She said this will give them a year to create the Ordinance and time to advertise. It also gives the Codes department more time before starting inspections after the spring and summer rush for new buildings, additions and pool permits.

Supervisor Kenney asked how the Township will find the properties that are being rented. Mr. Hamaday replied that they'll check the Business Tax list for Licenses and any permits that are submit to Codes. In addition, Ms. Lafty said staff will research ads for available rentals in Upper Merion to make sure they're registered.

Public Comments: None

B. BUSINESS MEETING AGENDA REVIEW:

Mr. Hamaday said the agenda is not complete and will be finalized at the Chairman meeting on Monday. Then he mentioned Mr. Billy Gallagher's lawyer called saying they're going to fight about the value PECO offered for the compensation on condemning the Gallagher tract and ask if the Township received any plans from PECO which was a negative.

ADJOURNMENT:

Board Action:

It was moved by Supervisor Philips, seconded by Vice-chair Jenaway, all voting "Aye" to adjourn the meeting. None opposed. Motion passed 5-0. Adjournment occurred at 8:27 pm.


ANTHONY HAMADAY
TOWNSHIP MANAGER

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Minutes Approved:
Minutes Entered: