

**Pennington Borough Council
Special Meeting – October 10, 2017**

Mayor Persichilli called the Special Meeting of the Borough Council to order at 4:00 pm. Borough Clerk Betty Sterling called the roll with Council Members Chandler, Gnatt, Marciante and Mills in attendance. Mr. Lawver and Mr. Griffiths were both absent.

Also present were Borough Administrator Eileen Heinzl, Public Safety Director Bill Meytrott, Public Works Superintendent Rick Smith and Borough Attorney Walter Bliss.

Mayor Persichilli announced that notice of this meeting has been given to the Hopewell Valley News, Trenton Times and was posted on the bulletin board in Borough Hall and on the Borough web-site according to the regulations of the Open Public Meetings Act.

Mayor Persichilli asked everyone to stand for the flag salute.

Open to the Public – Agenda Items Only

Mayor Persichilli read the following statement:

The meeting is now open to the public for comments on items on the agenda for which no public discussion is provided. In an effort to provide everyone interested an opportunity to address his or her comments to the Governing Body, a public comment time limit has been instituted for each speaker. **Please come forward and state your name and address for the record. Please limit comments to the Governing Body to a maximum of 3 minutes.**

There were no comments from the public.

New Business

**BOROUGH OF PENNINGTON
RESOLUTION 2017 – 10.10**

RESOLUTION AUTHORIZING ERECTION OF A FENCE AND OTHER EMERGENCY MEASURES AT 63 NORTH MAIN STREET, BLOCK 301, LOT 16 ON THE BOROUGH TAX MAP, WITH RECOUPMENT OF COSTS, PURSUANT TO THE UNIFORM CONSTRUCTION CODE, N.J.A.C. 5:23-2.32(b)5, N.J.A.C. 5:23-3.21 AND CHAPTER 136 OF THE CODE OF THE BOROUGH OF PENNINGTON

RECITALS

1. The property known as 63 North Main Street in the Borough of Pennington, also known as Block 301, Lot 16 on the Borough Tax Map (“the Property”), contains an abandoned single-family residence in close proximity to neighboring residences;
2. The Property is zoned residential and is in the Borough’s Historic District;

Parties in Interest

3. The owners of the Property previously occupying the now abandoned residence are John Kling and Elizabeth Henninger, whose last known address on the tax records of the Borough is 63 N. Main Street.
4. As the result of a foreclosure proceeding, the Property is controlled by U.S. Bank National Association, as Trustee for Residential Asset Mortgage Products, Inc., Mortgage Asset-Backed Pass-Through Certificates, Series 2005-EFC6 (“the Bank”) c/o Ocwen Loan Servicing, LLC, which is the Bank’s assignee, located in West Palm Beach, Florida (“Ocwen”). By means of a Writ of Possession filed in the foreclosure proceeding on or about September 19, 2017, the Bank and Ocwen are in possession of the Property.
5. Under a Notification to the Borough Clerk filed during the foreclosure proceeding, the law firm of Phelan Hallinan Diamond & Jones, PC, of Mt. Laurel, New Jersey, is authorized to accept service of process on behalf of the Bank and Ocwen.
6. Ocwen has retained the services of Altisource, Inc. of Atlanta, Georgia to manage the Property and undertake repairs and demolition as may be needed.

Notice of Unsafe Structure

7. On or about May 17, 2017, the Construction Code Official of the Borough issued the attached Notice of Unsafe Structure pertaining to the Property, reporting that the Property had been determined to be an unsafe structure, that the rear roof system was structurally unsafe and collapsing into the dwelling, that the dwelling was no longer weather tight, that doors and windows had been damaged to the point they cannot be closed, and that the dwelling was dangerous and a fire hazard. This Notice was sent to

Owner Elizabeth Henninger at the address of the residence, and by Certified Mail to Altisource, in Atlanta, Georgia.

8. The Notice of Unsafe Structure ordered that pursuant to the Uniform Construction Code and N.J.A.C. 5:23-2.32 the unsafe condition must be remedied by no later than June 19, 2017 or the matter would be referred to legal counsel for prosecution and assessment of penalties. The Notice included advice that to contest the Order a hearing must be requested before the Mercer County Board of Appeals within 15 days of receipt of the Order as provided by N.J.A.C. 5:23A-2.1.

Further Notices of Violation

9. As of September 28, 2017, there had been multiple communications between the Borough and Altisource but, while Altisource did not contest the Notice of Unsafe Structure, no action had been taken to make the residence on the Property safe. On that date, further pursuant to N.J.A.C. 5:23-2.32, the Borough Construction Official issued and served on Henninger, Altisource, Ocwen, and Phelan, Hallinan Diamond & Jones, PC, the attached Notice and Order of Penalty requiring payment of penalties for failure to comply with the earlier Notice of Unsafe Structure and for failure to remedy the violations going forward, setting a deadline of October 9, 2017 for the latter purpose.

10. Also on September 28, 2017, the Borough Construction Official issued and served on Henninger, Altisource, Ocwen, and Phelan, Hallinan Diamond & Jones, PC, the attached Notice of Imminent Hazard ordering that the imminent hazards presented by the Unsafe Structure be immediately corrected to render the structure on the Property safe and secure and that failure to comply with the Order may result in the necessary correction being made by the Construction Official at the expense of the property owner pursuant to N.J.A.C. 5:23-2.32(b)(5). The Notice further advised that if a party wished to contest the Order it must apply for a stay to a court of competent jurisdiction within 24 hours.

11. On September 29, 2017, the Borough Attorney of Pennington sent to all the parties in interest a letter with the caption "Notice of Municipal Intent to Make Emergency Repairs to Property at Owner's Expense" ("Attorney Letter" or "Letter"). The Attorney Letter, enclosing all three of the Notices by the Construction Official (one dated May 17, 2017, the others each dated September 28, 2017) was sent to each of the parties in interest as indicated at the top of the Letter, in the manner indicated. The Attorney Letter with enclosures to Kling/Henninger was also posted on the Property and the Letter with enclosures to the attorneys for the Bank and Ocwen were hand delivered. A copy of the Attorney Letter is attached.

12. The Attorney Letter advised that upon failure to make the Property temporarily safe and secure as ordered by the Construction Official, the Borough, at the direction of the Construction Official, will proceed with such measures at the parties' expense in accordance with N.J.A.C. 5:23-3.21. The immediate measures to be undertaken, on the first day after October 9, 2017 or sooner as necessary, shall include but need not be limited to:

- a. communication with appropriate consultants to determine the particular steps required to make the Property safe;
- b. construction of a chain-link fence to surround the Property, enhanced as needed to block airborne debris;
- c. boarding up openings;
- d. emergency construction or demolition as needed to prevent collapse of the roof and rear of the structure;
- e. such additional measures as determined to be needed to address environmental exposures on the Property and, generally, to make the Property safe.

13. The Attorney Letter also advised that the Property constitutes a nuisance in need of immediate remediation as provided by Chapter 136 of the Borough Code and as defined in particular by Section 136-3.A(14). Section 136-7 of the Code provides that whenever a nuisance declared by Section 136-3 is found, a violation shall be given to the owner in writing to remove or abate the nuisance within a specified time not less than five days from the date of service of the notice. Section 136-7.D provides that if the person fails to comply with such notice within the time specified and the nuisance has not been abated or removed under the direction of the enforcing official, any cost or expense incurred for abating or removing the nuisance or causing the nuisance to be abated or removed may be certified to the Tax Assessor and shall become part of the taxes next assessed against the Property, without prejudice to assessment of penalties and other legal remedies .

14. The Attorney Letter further advised that any action by the owner to demolish the structure on the Property or to take actions beyond temporary measures to make the structure safe will require compliance with the Borough's Historic Preservation Ordinance.

Emergency Measures to be Undertaken

15. As of the date of this Resolution, the parties owning and controlling the Property have not made the Property safe as ordered by the Construction Official.

16. The intent of this Resolution is to authorize the Construction Official and, at his direction as needed, such Borough officials as appropriate to take any or all of the measures identified in paragraph 12 of the Resolution to make the Property safe.

17. The first priority is construction of a fence surrounding the structure.

18. At the direction of the Construction Official, the Borough has obtained a quotation from National Construction Rentals of Bayonne, New Jersey to construct a 6-foot chain link fence with a 6-foot windscreen and a gate. The quoted price is \$2,500.00, subject to additional charges as specified. A copy of the Quotation for Services is attached.

19. The Chief Financial Officer has certified that funds required to pay for the fence and the emergency measures specified in paragraph 12, subject to recoupment from the property owner, are available in Account No. 7-01-26-310-000-227 (Borough Property-Building Maintenance).

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, as follows:

1. The Borough Administrator and Borough Clerk are hereby authorized to issue such purchase orders as necessary to National Construction Rentals to construct the fence described in the attached Quotation, for the price of \$2,500.00 and any additional sums required by the work.

2. The Borough Administrator and Borough Clerk are hereby further authorized to issue additional purchase orders as necessary to accomplish the measures described in paragraph 12 as directed by the Construction Official.

3. Neighboring properties shall receive timely notice of the work.

4. The costs incurred in the performance of this work shall be paid by the Borough on the certification of the Construction Official and the Borough shall institute appropriate legal action for the recovery of such costs.

5. The costs of the work shall also be certified to the Tax Assessor and shall become part of the taxes next assessed against the Property, without prejudice to assessment of penalties and other legal remedies.

6. A copy of this Resolution shall be sent to all parties in interest as directed by the Borough Attorney.

Record of Council Vote on Passage

| COUNCILMAN | AYE | NAY | N.V. | A.B. | COUNCILMAN | AYE | NAY | N.V. | A.B. |
|------------|-----|-----|------|--------|------------|-----|-----|------|--------|
| Chandler | X | | | | Lawver | | | | absent |
| Gnatt | S | | | | Marciante | M | | | |
| Griffiths | | | | absent | Mills | X | | | |

Council Member Marciante made a motion to approve Resolution 2017-10.10, second by Council Member Gnatt. Mr. Bliss stated that the title that Mayor Persichilli read out loud was amended. Mr. Bliss read the amended title into the record. Mr. Marciante asked if the fence will definitely not infringe on the sidewalk. Mrs. Heinzl stated that this fence is intended to be in the ground and will not be over the sidewalk. Mr. Marciante asked what type of screening would be used. Mrs. Heinzl stated that the screening will be canvas for visibility but also to contain debris that may be blowing around.

Mrs. Heinzl stated that she spoke to Mark Childs of Altisource today and he was hoping to be at this meeting. Mrs. Heinzl stated that Mr. Childs reported that his investor has approved the hiring of a fence company to come in and install a temporary construction fence, much like the one in the resolution except that it would not be stake driven in it would be a temporary fence with sandbags. Mrs. Heinzl stated that Mr. Childs stated that their intention is to have the fence in place by Friday. Mrs. Heinzl stated that she informed Mr. Childs that this meeting was today at four and that Council would likely approve the resolution so that the Borough can arrange for a fence and recoupment of the costs if necessary. Mrs. Heinzl stated that the investor is willing to install the fence by Friday and then they would pay for the fence directly. Mrs. Heinzl stated that they are proposing a six foot chain link fence with canvas without stakes but temporarily with sandbags. Mr. Marciante asked if they think that this is the solution to the problem? Mrs. Heinzl stated that Mr. Childs will be appearing before the Historic Preservation Commission at their meeting next week and they understand that there is going to be a permit involved and they understand that they will need a structural engineer. Mrs. Chandler stated that Eric Holtermann met with Mr. Childs to discuss partial and full demolition of the house. Mrs. Heinzl explained that Mark Childs works for Alitsource which is the management company in charge of taking care of this property. Mrs. Chandler asked if Mrs. Heinzl has reached out to the structural engineer that the Historic Preservations Commission want to coordinate with.

Mrs. Heinzl stated that she contacted John Harrison today and she is waiting for a call back. Mrs. Heinzl stated that Mr. Childs indicated that he also has reached out to John Harrison. Mrs. Chandler stated that a visit to the property with members of the Historic Preservation Commission will need to take place. Mrs. Chandler stated that some members went there earlier in the spring but they need to go back again within reasonable safety precautions. Upon a roll call vote all members present voted in favor.

**BOROUGH OF PENNINGTON
RESOLUTION 2017 – 10.11**

RESOLUTION AFFIRMING PENNINGTON BOROUGH’S SUPPORT FOR READING STREET SENIOR CENTER IMPROVEMENTS

WHEREAS, there exists a community need to provide a location in which activities serving seniors in Pennington Borough, Hopewell Township and Hopewell Borough may occur; and

WHEREAS, in 1985, with the support of Pennington Borough and Hopewell Borough, Hopewell Township secured a Community Development Block grant to improve property owned by Pennington Borough located at Reading Street which was to be used for the Mercer County Nutrition Program and as a regional Senior Center serving Pennington Borough, Hopewell Township and Hopewell Borough residents; and

WHEREAS, the Hopewell Valley Senior Advisory Board has reported over the past 10 years that the existing Senior Center at Reading Street is increasingly inadequate to meet the needs of the growing senior population, and the Board has evaluated alternatives to the Reading Street Senior Center; and

WHEREAS, by letter dated January 9, 2017, Pennington Borough formally notified Hopewell Township and Hopewell Borough that the Reading Street Senior Center requires significant repairs which the Borough is unable to fund and, therefore, it must close the Reading Street Center effective December 31, 2017; and

WHEREAS, in recognition of the growing needs for senior, community and recreation facilities purposes, Hopewell Township has performed a community needs assessment and is presently evaluating alternatives for developing new facilities to meet future needs; and

WHEREAS, developing a new community/senior services facility will not be accomplished prior to the **announced** December 31, 2017 closure date for the Reading Street Senior Center; and

WHEREAS, Pennington Borough, Hopewell Township and Hopewell Borough recognize the importance of providing for our senior population and the need to develop a more comprehensive Community Center which will take additional time; and

WHEREAS, Pennington Borough, Hopewell Township and Hopewell Borough have collaborated to find an interim solution to the December 31, 2017 closure of the Reading Street Senior Center; and

WHEREAS, Pennington Borough, Hopewell Township and Hopewell Borough will work together to secure community donations, in-kind contributions and available funds through the Mercer County Grant Program to make interim repairs and upgrades to the Reading Street Senior Center; and

WHEREAS, these interim repairs will permit the senior programs to continue at the Reading Street Senior Center until such time as a new facility is operational;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that Pennington Borough affirms its support for working with Hopewell Township and Hopewell Borough to make interim repairs to the Reading Street Senior Center subject to the availability of third-party funding for this purpose; and

BE IT FURTHER RESOLVED, that, in particular, Pennington Borough will work together with Hopewell Township and Hopewell Borough to secure funding for these interim repairs under the Mercer County Grant Program; and

BE IT FURTHER RESOLVED, that the announced date for closure of the Reading Street Senior Center on December 31, 2017 is hereby deferred indefinitely pending the outcome of these efforts.

Record of Council Vote on Passage

| COUNCILMAN | AYE | NAY | N.V. | A.B. | COUNCILMAN | AYE | NAY | N.V. | A.B. |
|------------|-----|-----|------|--------|------------|-----|-----|------|--------|
| Chandler | | X | | | Lawver | | | | absent |
| Gnatt | X | | | | Marciante | M | | | |
| Griffiths | | | | absent | Mills | S | | | |

Council Member Marciante made a motion to approve Resolution 2017-10.11, second by Council Member Mills. Mrs. Chandler stated for the record that she appreciates all of the efforts that have gone into this and

though it is not the outcome that Council thought would happen and that is why we are back to this. Mr. Marciante asked if there is something in place regarding maintenance of the building for the next ten years. Mayor Persichilli stated that is part of the discussion that will take place on Friday along with questions that we have about the grant application, matching requirements and in the long term how this will work out and will all three municipalities contribute. Mrs. Heinzl reminded Council that there is a shared services agreement in place for maintenance of the building. Upon a roll call vote all members present voted in favor with the exception of Mrs. Chandler who voted no.

**BOROUGH OF PENNINGTON
RESOLUTION 2017 – 10.12**

**RESOLUTION AUTHORIZING APPOINTMENT OF RONICA A. BREGENZER TO PROVIDE
ARCHITECTURAL SERVICES RELATED TO PENNINGTON BOROUGH HALL
RENOVATIONS**

WHEREAS, in July 2017 Pennington Borough issued an RFP seeking proposals from architectural consultants to assist the Borough with assessment, design and development of renovations at Pennington Borough Hall, including preparation of construction documents and supervision of the renovation process;

WHEREAS, Pennington Borough Hall is an 8,400 square foot one-story building that serves the Borough's municipal business offices, police department, municipal court and the Pennington Public Library, with a parking lot adjacent to the building that is shared with neighboring private offices and businesses;

WHEREAS, a preliminary needs assessment by Borough officials and staff has identified a list of repairs and renovations believed to be needed to improve building functionality and enhance Borough services, broken down into five project areas:

1. General Building Improvements, including HVAC, roof replacement, windows and parking lot;
2. Police Department;
3. Municipal Offices;
4. Council Chambers: courtroom, court office; violations bureau; construction office; and public restrooms;
5. Library and public hallway.

WHEREAS, the Borough anticipates undertaking the repairs and renovations in each of these project areas in their entirety, but it reserves the right to divide and/or bundle the project areas and put them out to public bid either as separate projects or in group packages, and the Borough also reserves the option of pursuing none or only some of the repairs and renovations, in some or all project areas, depending on projected costs;

WHEREAS, all firms interested in responding to the RFP were invited to tour the building and to meet with Borough officials to answer questions, and original building plans and surveys were made available to them for inspection;

WHEREAS, each firm was asked to submit a comprehensive proposal outlining all architectural services required to prepare a complete building needs assessment and a comprehensive renovation design plan that can be implemented either as an all-inclusive project or in separate projects, including all steps necessary to develop the design plan and to prepare construction documents required for the bidding process, the supervision the architect and the firm will provide throughout the renovation process, and estimated cost and work plan schedule for the entire project and for each project area separately;

WHEREAS, the proposals were reviewed and the submitting architects were interviewed by a Borough team consisting of the Council President, the Director of Public Safety, the Superintendent of Public Works, the Library Director and the Borough Administrator;

WHEREAS, the review team has recommended to Borough Council that it accept the attached proposal of Ronica A. Bregenzer, Architect, LLC, of Princeton, New Jersey, as best meeting the needs of the Borough, all factors considered;

WHEREAS, Ronica Bregenzer has worked extensively with municipal clients, her work includes renovation of the Hopewell Borough municipal hall, and her proposal describes a project approach which will feature working with the Borough to move the project from preliminary assessment, to repair recommendations, to renovation schemes and options, to cost estimating for these schemes, to effective bidding and finally to construction;

WHEREAS, it is the intent of Borough Council to enter into a professional services agreement with Ronica A. Bregenzer, Architect LLC, for a term of one year, consistent with the attached proposal, at a total cost not to exceed \$35,800.00 plus provision for reimbursable expenses estimated at \$1,500. and an

additional \$4,000. for as is drawings if necessary, in form to be approved by the parties;

WHEREAS, approval of such agreement complies with the Local Pay-to-Play Law, N.J.S.A. 19:44A-20.5, effective January 1, 2006, which except in prescribed circumstances prohibits the award of contracts with a value in excess of \$17,500 to any person or business entity which makes reportable contributions to local political or candidate committees representing members of the governing body;

WHEREAS, Ronica A. Bregenzer, Architect, LLC., and its principals, officers and employees have made no such political contribution and shall make no such contribution during the term of the agreement;

WHEREAS, award of the contract also complies with the Code of the Borough of Pennington, Section 15-1, et seq., which further prohibits the award of public contracts to certain political contributors;

WHEREAS, Ronica A. Bregenzer, Architect, LLC, shall complete and submit a Business Entity Disclosure Certification which certifies that the firm has made no reportable contribution to a political or candidate committee in the Borough of Pennington and shall make no such contribution through the term of the contract;

WHEREAS, this contract is being awarded as a professional services contract in compliance with the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., and is not required to be subject to a competitive bidding process;

WHEREAS, the Local Public Contracts Law requires that a resolution authorizing an award of contract for professional services without competitive bid be publicly advertised following adoption;

WHEREAS, the Chief Financial Officer of the Borough has certified that funds are available for the purpose of this contract under Ordinance #: 2017-14 in Account No.C-04-17-014-000-250;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that the Mayor, with the attestation of the Borough Clerk, is hereby authorized to enter into a professional services agreement with Ronica A. Bregenzer, Architect, LLC, for a total cost not to exceed \$35,800 plus reasonable out-of-pocket expenses estimated at \$1,500. and an additional \$4,000. for as is drawings if necessary, consistent with the attached proposal and subject to approval by the Borough Attorney.

Record of Council Vote on Passage

| COUNCILMAN | AYE | NAY | N.V. | A.B. | COUNCILMAN | AYE | NAY | N.V. | A.B. |
|------------|-----|-----|------|--------|------------|-----|-----|------|--------|
| Chandler | M | | | | Lawver | | | | absent |
| Gnatt | S | | | | Marciante | X | | | |
| Griffiths | | | | absent | Mills | X | | | |

Council Member Chandler made a motion to approve Resolution 2017-10.12, second by Council Member Gnatt. Mr. Bliss asked for a few minor amendments to the resolution. Mr. Bliss stated that right up to the meeting time we were not sure if we would have a contract so what we are doing here is approving the appointment of the architect based on a proposal and a statement of costs by task. Mr. Bliss stated that we really do need a form of agreement and the architect is aware of that. Mr. Bliss explained that these are usually standard form agreements. Mr. Bliss read some changes to the resolution into the record and gave two options on to award the contract subject to approval by the Borough Attorney so that we don't have to wait to award the actual contract in November and the other option would require approval of the agreement in November. Mr. Bliss stated that the total cost of the contract is \$35,800 with possible expensed up to \$1,500.00 additional and looking more closely at the project proposal there is also a possible additional \$4,000 for as-is drawings if they need to be prepared. Upon a roll call vote all members present voted in favor of the resolution as amended by the Borough Attorney.

Public Comment

Mayor Persichilli asked that anyone wishing to speak to Council please come forward and state your name and address for the record. Please limit comments to the Governing Body to a maximum of 3 minutes.

Mr. Tom O'Neill of 55 North Main Street stated that with regard to 63 North Main Street, as he understands from the comments, the owner of the property is intending to erect a fence and the Borough is standing by to erect a fence if necessary. Mr. O'Neill stated that he would like to see some time limit on this temporary fencing, it is going to ugly, it is going to be out of keeping with the neighborhood and it will degrade the quality of life and the general experience of living there. Mr. O'Neill stated that he can imagine a long period of time going by with the fencing up and nothing actually taking place on the improvement of the property. Mr. O'Neill asked Borough Council to consider putting on some kind of time constraints on the length of time that this temporary solution to a public safety problem is allowed to continue. Mr. O'Neill stated that he would like Council to provide for penalties if the owner does not proceed in a sensible time period to make repairs. Mr. O'Neill stated that this is a troublesome property and he understands that but it will be easy to put up this fence and forget about it for some period of time and he wants to make sure that does not happen. Mayor Persichilli stated that sounds reasonable. Mr. Marciante stated that Council could enact an abandoned house ordinance. Mr. Bliss stated that the duration of the fence is a function of how long it takes to resolve what is inside the fence and until we have an assessment by the Historic Preservation

Commission next week we will not have a good handle on things. Mr. Bliss stated that the comments stress the importance of getting the Historic Preservation Commission to meet so that an informed judgement can be made as to how long it should take to resolve what is inside the fence and at that point a time limit can be imposed. Mrs. Chandler stated that there are two similar issues, one being this particular house which she feels will have some resolution and there will be some demolition. Mrs. Chandler stated that the bigger picture is that in the future when we have these houses and they are in need of a fence or there is a long time period where unacceptable conditions exist, we do not currently have a way to institute a time limit in order to get repairs done. Mrs. Chandler stated that the Borough needs to do something to address these issues. Mr. Bliss stated that there are penalties that can be assessed under the Uniform Construction Code and the Construction Code Officials orders subject the owner to \$500 per week for every week after October 9th that the matter is not resolved. Mr. O'Neill asked what Mr. Bliss meant by "until the matter is resolved". Mr. Bliss stated that the Construction Code Official declared back in May that the structure is unsafe and he specified reasons for that with the largest being that the roof is collapsing into the building, there is a huge hole in the back, the inside is a mess, there is a fire hazard and also a health hazard. Mr. Bliss stated that rectifying the unsafe condition which as far as the owner is concerned; the solution is to demolish the house. Mr. Bliss stated that would be a short turn around however the complicating factor is that the Historic Preservation Commission requires a Certificate of Appropriateness for demolition. Mr. Bliss stated that he thinks that the bank would be happy with a quick solution that would allow them to demolish the structure in part or in whole and move on and whether this is viable or not in terms of the quality of life in the neighborhood and the timing remains to be seen. Some discussion took place with regard to how long it could take to resolve this and also if putting up the fence eliminates the unsafe condition. Mr. Bliss stated that fence does not prevent anyone from getting inside the house and it does not eliminate the unsafe condition. Mr. Marciante stated that it could still take forever. Mrs. Chandler stated that in this particular case, the engineer is coming to look at the structure, the Historic Preservation Commission is planning to meet and there will be a decision on demolition, whether in part or in full. Mr. Marciante stated that if part of the structure is left, there would still be a need for a fence and it could be there for a while. Mrs. Chandler stated that was a good point and she would bring it into the conversation. Mrs. Heinzl stated that Mr. Hall should be part of the demolition decision. Mr. O'Neill thanked Council for the discussion.

At 4:20pm with no further business to come before Council the meeting was adjourned.

Respectfully submitted,

Elizabeth Sterling
Borough Clerk