

The stated meeting of the Infrastructure Committee of the Board of Commissioners of the Township of Abington was held on Wednesday, May 3, 2023 via webinar with Chairman Commissioner Rothman presiding.

CALL TO ORDER: 7:01 p.m.

ROLL CALL: Present: Commissioners Chairman ROTHMAN, BOWMAN, DiPLACIDO, THOMPSON
Excused: Commissioner ZAPPONE

Also Present: Township Manager MANFREDI
Township Solicitor CLARKE
Commissioner SPIEGELMAN

CONSIDER APPROVAL OF MINUTES:

Commissioners Rothman made a MOTION, seconded by Commissioner DiPlacido to approve the minutes from the Infrastructure Committee Meeting of February 1, 2023.

MOTION was ADOPTED 4-0.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

Consider and discuss an ordinance amending Chapter 143 – “Streets and Sidewalks,” Article III – “Repair of Curbs,” to amend the title Article III, amending Sections 19 through 22 and adding Section 22.1 – “Violation and Penalties.”

Manager Manfredi explained that there has been concern about the condition of sidewalks/curbs, and there is no vehicle making sure that property owners are making repairs to their property. The proposed amendment is when a property transfers at settlement that any sidewalks/curbs should be repaired before the new property owner takes ownership.

Solicitor Clarke added there is an existing code and proposed is to add language that says, “Every owner of an abutting property shall, prior to the transfer of ownership of such property, cause all curbs and sidewalks immediately in front of, adjacent to and/or abutting a property to be repaired to the Township’s satisfaction.” Another section to be added says, “Any work performed by a property owner or property owner’s contractor shall be the sole responsibility of the property owner(s).”

There will also be a provision for the timeframe of when repairs should be made, and the Township can do the work if necessary and then place a lien on the property, and penalties were added in Section 143-22.1.

Fire Marshall Platz said proposed amendments would provide clarity, and Section 143-19. B that says, “to the Township’s satisfaction” needs to be clarified so we can create guidelines and parameters for compliance as well as an enforcement mechanism.

Manager Manfredi added that repairs would need to be made within 30 days after notice is given.

Commissioner Rothman asked about any ongoing matters relating to this item; why this amendment would be helpful for residents; how surrounding municipalities are handling it; and how will the Township determine what work needs to be done with respect to making repairs to sidewalks/curbs and would it require more resources.

Manager Manfredi replied there are existing cases where citations have been issued and homeowners can appeal through a Review Board.

Fire Marshal Platz added that neighboring Townships have similar ordinances that require maintenance upkeep and Abington will need to review its standards and publicize them as well as an enforcement mechanism.

Commissioner Rothman asked for any comments from Commissioners.

Commissioner Bowman commented that Upper Dublin residents are sent a letter with a timeframe to make repairs, if it is not done by then, they will do the work and place a lien on the property.

He generally supports the idea of restoring sidewalks, but it is expensive for homeowners, and should not be required at the time of sale. Inspectors can determine whether the sidewalk needs repair/replacement and notify the homeowner, and curbing is even more expensive to replace. Proposed ordinance should be discussed/reviewed further with the full Board of Commissioners and Township Solicitor.

Commissioner Thompson questioned the legality of the ordinance because what obligation does the homeowner have to repair a sidewalk in a neighborhood where one block has them and another does not, and they just rip it out and plant grass.

Solicitor Clarke replied the ordinance is legal, and if a development was approved by requiring a sidewalk, the homeowner cannot remove it and plant grass.

Manager Manfredi added the statutory authority are the previously adopted ordinances requiring sidewalks/curbs whether through a subdivision or home addition. This ordinance only applies to existing sidewalks/curbs that are in disrepair.

Solicitor Clarke added there are existing ordinances that require an owner of an abutting property to be responsible for keeping curbs and sidewalks immediately in front of his property in good order and repair at his expense, and proposed is to add language to give “teeth” to the ordinance. When a property is sold, these types of negotiations are typically held between the seller and buyer.

Commissioner DiPlacido said he understands the concept of the ordinance; however, he expressed concern about the cost, burden on the homeowner; the timeframe in which repairs need to be made; enforcement of the ordinance, and it does not provide affordable options for the homeowner, so he is not prepared to move this forward until there is further review and discussion by the full Board.

Commissioner Spiegelman agrees that these types of citations are the most expensive for homeowners, so he sees the merit in tying this to the sale of a property. Sidewalks in good condition make for a walkable, connected and engaged community as well as increases curb appeal and sale price.

He suggested looking into whether the Township could provide grants for homeowners in need or possibly contract with a masonry contractor to offer Township residents a discounted rate that would help them be in compliance with the ordinance. He is in favor of discussing this further at a future working session.

Manager Manfredi said this will be researched further to provide more information at a future meeting.

Commissioner Rothman made a MOTION, seconded by Commissioner DiPlacido to move this item forward to a future Working Session of the Board of Commissioners without recommendation.

Commissioner Rothman asked for any public comment. There was none.

MOTION was ADOPTED 4-0.

Infrastructure Committee Meeting

May 3, 2023

PUBLIC COMMENT ON NON-AGENDA ITEMS ONLY: None.

ADJOURNMENT: 8:06 p.m.

Respectfully submitted,

Liz Vile, Minutes Secretary