

## PUBLIC HEARING

(CONTINUED FROM APRIL 13, 2015)

MONDAY, MAY 11, 2015

6:15 P.M.

**Roll Call** Dave Buchewicz presiding. Board members Walt Sackinsky and Ed Snee were present. Also in attendance were: Karen Fosbaugh, Township Manager; Chief Dennis McDonough; and Paul J. Gitnik, Esq., Township Solicitor.

**Purpose of Hearing** The purpose of the hearing, which is continued from April 13, 2015, is to take oral or written testimony on the condition of the following property to determine if the property should be declared a Public Nuisance by the Board of Supervisors, and subject to the appropriate abatement procedures and/or fines and penalties as outlined in the Code of the Township of South Park.

Owner(s):Location:

N&B Management Company, LLC 1797 Cedaridge Drive  
South Park, PA 15129  
Lot/Block 1008-D-162

**Testimony** Mr. Wargo – Mr. Wargo explained that in July 2013, the property sold through Sheriff Sale to N&B Management Company, LLC, the owner being Mr. Golan Barak. In August 2014, a Notice of Enforcement was sent to N&B Management, citing high grass and weeds. Mr. Barak complied with the Notice by keeping the grass cut through the summer and into the fall. On January 20, 2015, a Certified Notice of Enforcement was sent to N&B Management, citing a nuisance property. The certified letter was signed by Mr. Barak's wife, Linda Gordon; however, the property was not brought into compliance, and the owners did not contact South Park Township. The Board of Supervisors scheduled a Public Hearing for March 9, 2015. Mr. Wargo entered into the record photographs which showed the electric and gas turned off, the front door laying in the front yard, miscellaneous debris on the rear deck and dilapidated siding. Mr. Wargo continued explaining that on February 12, 2015, a Certified Letter was sent to N&B Management informing them of the Public Hearing, which was signed by Linda Gordon. On February 27, 2015, an advertisement

for the Public Hearing was sent to the Post-Gazette and the Park News. On March 2, 2015, the property was posted and letters were sent to all neighbors notifying them of the Public Hearing. On March 9, 2015, Mr. Barak contacted Mr. Wargo, by phone and by fax, stating that there is an ownership issue with the mortgage company relative to the property. The Board of Supervisors rescheduled the Hearing to April 13, 2015. On March 11, 2015, a Certified Letter was sent to N&B Management informing them of the rescheduled Hearing date, and the Certified Letter was signed by Linda Gordon. On March 27, 2015, the Public Hearing was advertised in the Post Gazette. On April 1, 2015, letters were sent to all neighbors notifying them of the continued Hearing date. On April 2, 2015, the property was posted. On April 6, 2015, Mr. Wargo received a fax from Mr. Barak stating that the ownership issue still remained. During the Hearing on April 13, 2015, Mr. Barak stated that he would provide the County Sheriff Office's contact information regarding the handling of the sale of the property. At that time, the Board of Supervisors tabled the Hearing until May 11, 2015. On April 17, 2015, Mr. Wargo received a letter from Ms. Carey Soff, of Cyprex Services, located in Florida, inquiring about the property. On April 20, 2015, Mr. Wargo spoke with Ms. Soff who stated that they work for Nationstar Mortgage, located in Texas, who hold the mortgage on the property. She also gave the contact information for Nationstar. Emails were sent to both organizations updating them on the property violations. On April 21, 2015, Certified Notices were sent to parties involved with the property, being Cyprex, Nationstar, N&B Management, and Clyde Dukes, who was the prior property owner. All certified mail green cards were signed and returned, with the exception of Clyde Dukes whose mail was marked "returned/unable to forward" on April 1, 2015. Memos were sent to Chief McDonough, Manager Karen Fosbaugh, and the Board of Supervisors informing them of the need to inspect the property. The inspection of the property showed two dumpsters on the site. Currently, there is a third dumpster. Pictures were taken on April 1, 2015. As of today, the house has been emptied, and the grass is now being maintained.

**Golan Barak, N&B Management Company, LLC, 1091 Beechwood Blvd., Pittsburgh, PA 15206** – Mr. Barak stated that he spoke with the mortgage company, and they agree that he is the owner of the property and will send him documentation stating that he is the legal owner. Mr. Barak explained that the mortgage company has verbally agreed to allow him to clean-up the property, but not to do any demolition or construction activities until he receives the proper ownership documents. Mr. Sackinsky

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inquired as to when he will be receiving the documents. Mr. Barak was not certain as to when they will be sent. Mr. Sackinsky asked what his tentative schedule will be, relative to marketability, once he receives notification of ownership. Mr. Barak stated that the house will be on the market in less than four months, weather permitting. Mr. Buchewicz inquired as to mold within the house. Mr. Barak responded that he has only been in the house once since he purchased it, and he is not sure if there is any mold. Mr. Wargo asked that Mr. Barak inform him as soon as he receives the documents from the mortgage company. Mr. Barak agreed that he will contact Mr. Wargo.

**Mr. Gitnik:** Mr. Gitnik stated that he verified through the Department's State Website that N&B Management Company was created on July 10, 2013 and is an active entity. Mr. Gitnik stated that since N&B Management is not authorized to do any demolition or construction until they receive documentation, Mr. Gitnik recommended to the Board of Supervisors that the Township notify Property Management Company, which is a fiduciary to the Bank. Mr. Gitnik explained that the Township may want to declare the property a nuisance unless Mr. Barak can provide a letter within so many months. Mrs. Fosbaugh suggested continuing the Hearing in three months (90 days). Mr. Buchewicz suggested continuing for only one month. Mr. Gitnik stated that he would recommend giving Mr. Barak three months. The notice should be sent to the Bank and the property manager so that they are aware of the need to resolve the ownership issue. Mr. Gitnik commented that all of the documents that Mr. Wargo presented must be entered into the record.

**Mrs. Fosbaugh –** Mrs. Fosbaugh stated she inspected the property on Wednesday, April 29, 2015; Monday, May 4, 2015; and Friday, May 8, 2015. The structure was in a state of disrepair. Mrs. Fosbaugh reported that since her last inspections prior to the meeting held on April 13, 2015, a dumpster has been placed on site and it appears that debris has been taken from the interior of the home. The grass was cut, the siding is buckled and coming off of the home, vines are growing underneath the siding, debris is in the rear of the home, there is a hole in the porch roof located in the rear of the home, the installation is exposed in the rear, the roof of the home needs repaired, and the home is in overall poor condition and uninhabitable in its current state.

**Chief McDonough –** Chief McDonough stated that he inspected the property on May 4, 2015; May 7, 2015; and May 11, 2015.

He reported that the property is currently uninhabitable. He mentioned that a dumpster is present on the property, and debris has been taken from the inside of the house.

Mr. Snee – Mr. Snee stated that he inspected the property on May 4, 2015; May 6, 2015; and May 9, 2015. Mr. Snee reported that there is debris under the rear deck, the siding is coming off of the house, there is a hole in the rear of the roof, the shingles are falling apart, and there was a blue dumpster in the driveway. On May 9, 2015, he witnessed a large green truck and a person cleaning-up the property.

Mr. Sackinsky – Mr. Sackinsky stated that he inspected the property on May 5, 2015; May 10, 2015; and May 11, 2015. Mr. Sackinsky concurs with the reports of the various inspections made by Township officials. He stated that he witnessed on his first inspection a dumpster with tires inside, and on his next inspection there was a kitchen sink and various other items. Mr. Sackinsky stated that the property is in poor condition.

Mr. Buchewicz – Mr. Buchewicz stated that he inspected the property twice on May 10, 2015 and once on May 11, 2015, and he reported that it is a nuisance property.

#### Adjournment

Motion by Mr. Sackinsky and seconded by Mr. Snee to close the Public Hearing. All members voted aye. Motion carried.

Motion by Mr. Sackinsky and seconded by Mr. Snee to adjourn the Public Hearing. All members voted aye. Motion carried.

Time: 6:38 p.m.