
Blighted Property Review Committee
Thursday, October 20, 2011
Certification & Determination Hearing
Meeting Report

Mr. Olson called the Determination Hearing to order at 6:10 pm.

Mr. Olson announced that the purpose of the hearing was to consider if the conditions of the properties on the agenda met the conditions set by the Pennsylvania Urban Redevelopment Law of 1945, as amended and the City of Reading Blighted Property Review Committee Ordinance, and could be certified or determined as blighted.

BPRC Attendance: L. Olson, D. Reed, W. Bealer, H. Urena, M. Wolfe

Staff Attendance: L. Kelleher, T. Butler, S. Haver

Mr. Olson asked Ms. Butler, attorney from the City's Law Department, to conduct the hearing. Ms. Butler explained the hearing procedures and summarized the blighted conditions as set forth in the City's Blighted Property ordinance.

CERTIFICATION HEARING

Ms. Butler announced that the Committee will consider certifying the following properties and she asked all property owners or those wanting to comment to step forward:

- 1. 829 N 11th St., owned by Xavier Mendoza, 1009 N 10th St, Reading PA 19604, Purchased April 2002 – Tabled at July Certification Hearing – Tabled at September Certification Hearing**
- 2. 922 Penn St, owned by Amado Brito, 108 N Front Street, Reading PA, Purchased March 2001 – Tabled at July Certification Hearing – Tabled at September Certification Hearing**
- 3. 515 N 4th St, owned by Domingo Tejada, PO Box 418 Reading PA 19603, Purchased May 2007 – Tabled at June Certification Hearing**

When no one responded to Ms. Butler's announcement, she asked the Committee to consider taking these properties in a group motion. She stated that all properties were posted on September 22, 2011, notices were mailed to the property owners on September 16, 2011, and all properties qualify for certification. She entered the property packets for these three (3) properties into the record. Ms. Butler stated that she recommends the certification of all three (3) properties.

Ms. Butler opened the floor for public comment. No one stepped forward.

Ms. Reed moved, seconded by Ms. Wolfe, to certify 829 N 11th St, 922 Penn St, and 515 N 4th St as blighted properties. The motion was approved unanimously.

REVOCAION OF CERTIFICATION

1. 146 Elm St, Samuel Sanchez, owner, 520 Schuylkill Ave.

Ms. Butler stated that this property, which was certified by the Committee, no longer meets the blight criteria and recommended that the Committee revoke the certification of this property.

Ms. Butler opened the floor for public comment. No one stepped forward.

Ms. Butler asked the Committee to consider a motion to revoke the certification of 146 Elm Street, as it no longer meets the City's blight criteria.

Mr. Urena moved, seconded by Ms. Reed, to revoke the certification of 146 Elm Street. The motion was approved unanimously.

DETERMINATION HEARING

Ms. Butler stated that the properties will be taken out of agenda order. The properties with owners or others willing to testify will be taken before properties not having representatives present.

1. 302 South 7th. St, owned by Edward Spencer, 551 R McKnight Street, No purchase date listed – Tabled at September Determination Hearing

Ms. Butler stated that Mr. Spencer, owner, allowed a health and safety inspection at 302 South 7th Street and Property Maintenance Inspectors found that the property meets the minimum compliance with the City's codes regulations. She recommended removing the property from the list.

Ms. Butler opened the public comment period and no one stepped forward to speak.

Ms. Wolfe moved, seconded by Mr. Urena, to remove 302 South 7th Street from the list. The motion was approved unanimously.

2. 632 Weiser St, owned by Bankers Trust Co of CA Trust For Vendee Mortgage Tr, 1761 E Saint Andrew Pl Santa Ana CA 92705, No purchase date listed

Ms. Butler asked the property owner or his representative to step forward. Attorney Joan Depford, representative of the property owner stepped forward. Ms. Kelleher administered the oath to Ms. Depford. A copy of the property packet was sent to Ms. Depford

electronically on Thursday, October 20th.

Ms. Butler asked Ms. Kelleher if she received, reviewed and completed the Summary Sheet and if the Summary Sheet was an accurate representation of the supporting documentation. Ms. Kelleher replied affirmatively.

Ms. Butler entered the property packet for 632 Weiser Street into the record and reviewed the documents and affidavits submitted and attached as follows:

- Notice mailed to the property owner via first class and certified mail on September 16, 2011
- Notice posted on the property on August 23, 2011
- Delinquent water charges totaling \$120.87
- No Delinquent Taxes
- No Water Service since November 2010
- Electric Service On
- Gas Service Inactive as of January 2006
- Trades reports that the building is unmaintained and no building permits have been issued
- Property Maintenance reports that there are numerous Quality of Life violations and that there are 4 work orders for removal of high grass and weeds
- Delinquent Trash and Recycling Charges totaling \$325.79
- Liens of \$76.50 for removal of high grass and weeds

Ms. Butler stated that the property meets the blighted criteria.

Ms. Depford stated that the bank transferred the property to a new owner in 2006; however, the deed has not been recorded. She stated that the property is vacant. She stated that her services were retained to resolve the issues with the deed.

Public Comment

Ms. Butler opened the floor for public comment. No one stepped forward.

BPRC Vote

Ms. Reed moved, seconded by Ms. Wolfe, to approve the determination of 632 Weiser Street as a blighted property. The motion was approved unanimously.

3. 833 Bingaman St, owned by Agustin Torres Perez, 833 Bingaman St, Reading 19601, Purchased July 2004

Ms. Butler asked the property owner to step to the podium. Attorney Valerie West and Mr. Perez stepped forward. Ms. Kelleher issued the oath to the property owner and his attorney

and provided them with a copy of the property packet.

Ms. Butler asked Ms. Kelleher if she received, reviewed and completed the Summary Sheet and if the Summary Sheet was an accurate representation of the supporting documentation. Ms. Kelleher replied affirmatively.

Ms. Butler entered the property packet into the record and reviewed the documents and affidavits submitted and attached as follows:

- Notice mailed to the property owner via first class and certified mail on September 16, 2011
- Notice posted on the property on August 23, 2011
- Delinquent water totaling \$5,430.35
- Water Service Off since October 2008
- Electric Service On
- Gas Service On
- Delinquent taxes for 2008, 2009, 2010 and 2011 totaling \$1297.61
- Trades reports that the building appears occupied and is in fair condition
- Property Maintenance reports that the property owner was found guilty of a citation for roof spouting in 2009
- Delinquent trash and recycling charges totaling \$499.16
- Liens totaling \$1948.95 for unpaid taxes 2006 through 2009 and trash and recycling totaling \$289.18 for 2005, 2007 and 2008

Ms. West stated that the Perez family resides at this property. The family is composed of husband, wife and two children all on SSI. She stated that she has been assigned as the family's bankruptcy attorney since 2008. She stated that the taxes are to be paid through the bankruptcy court. She also stated that she was unaware that the water service was terminated. She stated that she will need time to rectify this issue with the bankruptcy court and RAWA. She asked the Committee to release the property from the blighted property process due to their bankruptcy.

At Ms. Butler's request, the property owner and his attorney agreed to a health and safety inspection. Ms. Butler stated that she will provide the waivers to Ms. West.

Public Comment

Ms. Butler opened the floor for public comment. No one stepped forward.

BPRC Vote

Mr. Bealer moved, seconded by Mr. Urena, to approve the determination of 833 Bingaman Street as a blighted property. The motion was approved unanimously.

4. 820 Buttonwood St, owned by Jack Shultz, 1801 Cambridge Ave Apt A18 Wyomissing PA 19610 Purchased December 2009

Ms. Butler asked the property owner to step to the podium. Mr. Shultz stepped forward. Ms. Kelleher issued the oath to the property owner and provided him with a copy of the property packet.

Ms. Butler asked Ms. Kelleher if she received, reviewed and completed the Summary Sheet and if the Summary Sheet was an accurate representation of the supporting documentation. Ms. Kelleher replied affirmatively.

Ms. Butler entered the property packet into the record and reviewed the documents and affidavits submitted and attached as follows:

- Notice mailed to the property owner via first class and certified mail on September 16, 2011
- Notice posted on the property on August 23, 2011
- Delinquent water totaling \$3091.17
- Water Service Off since October 2005
- Electric Service Off
- Gas Service Off as of March 2004
- Delinquent taxes for 2008, 2009, 2010 and 2011 totaling \$677.64
- Trades reports that the property is a vacant lot
- Property Maintenance reports that the property was demolished due to its poor condition and that there are numerous work orders for weeds and trash removal along with citations for high weeds and grass and rubbish in 2009
- Delinquent trash and recycling charges totaling \$461.18
- Liens totaling \$1508.64 for unpaid 2005 and 2006 taxes and \$2500.10 for water charges

Mr. Shultz expressed the belief that blight cannot apply as this property is a vacant lot. Ms. Butler explained the blight criteria relating to delinquent taxes for vacant lots. Mr. Shultz stated that he cannot afford to pay the taxes.

Mr. Shultz stated that he is unable to build on this vacant lot and questioned the water charges for a vacant lot. Ms. Kelleher explained that if the water lines to a property are not removed when a building is demolished there is a monthly charge for the live underground lines. He also noted that he allows people to park on this lot.

Public Comment

Ms. Butler opened the floor for public comment. No one stepped forward.

BPRC Vote

Ms. Wolfe moved, seconded by Mr. Bealer, to approve the determination of 820 Buttonwood Street as a blighted property. The motion was approved unanimously.

5. 1017 Cotton Street, owned by Jack Shultz, 1801 Cambridge Ave Apt A18 Wyomissing PA 19610 Purchased December 2009

Ms. Butler announced that this property requires further examination prior to proceeding with the determination hearing.

6. 310 Heckman's Ct., owned by Donna L. Conrad, 16 Woodside Ave Temple PA 19560, No purchase date listed

Ms. Butler asked the property owner to step to the podium. Ms. Conrad stepped forward. Ms. Kelleher issued the oath to the property owner and provided her with a copy of the property packet.

Ms. Butler asked Ms. Kelleher if she received, reviewed and completed the Summary Sheet and if the Summary Sheet was an accurate representation of the supporting documentation. Ms. Kelleher replied affirmatively.

Ms. Butler entered the property packet into the record and reviewed the documents and affidavits submitted and attached as follows:

- Notice mailed to the property owner via first class and certified mail on September 16, 2011
- Notice posted on the property on August 23, 2011
- Delinquent water totaling \$112
- Water Service Off since December 2007
- Electric Service Off
- Gas Service n/a
- Delinquent taxes for 2008, 2009, 2010 and 2011 totaling \$677.64
- Property Maintenance reports that the property was issued a citation for fire damage in 2009 and received citations for high grass and weeds in 2011
- Delinquent recycling fees totaling \$85.03
- No Liens

Ms. Conrad disputed the water delinquency and claimed that her bill is current. Ms. Butler stated that the affidavit was completed in early October so it is possible that the bill was paid after the affidavit was completed. She stated that the affidavit is attached to the property packet and advised Ms. Conrad to take the affidavit to RAWA to inquire further.

Ms. Conrad noted that the City has the \$8000 fire escrow money from her property insurer

and she inquired why 312 Heckmans Court is not being processed. Mr. Haver explained that a paper snafu prevented 312 Heckmans Court from being processed tonight. He also stated that the fire escrow money can be applied to offset the City's demolition costs however he noted that the average cost to demolish a building is around \$25,000. He stated that a lien would be placed on the property for the remaining cost.

Ms. Conrad stated that she does not intend to rehabilitate the property since the devastating fire and that she is willing to sign a demolition waiver. She noted that the property has been nothing but problems since she purchased it. She stated that she recently learned that the property has been infested with termites.

Public Comment

Ms. Butler opened the floor for public comment. Terry Conrad, husband of Ms. Conrad stepped forward. Ms. Kelleher issued the oath.

Mr. Conrad inquired about the eminent domain process. Ms. Butler explained the blighted property hearing process and the eminent domain process.

No other person came forward to speak.

BPRC Vote

Mr. Urena moved, seconded by Ms. Wolfe, to approve the determination of 310 Heckmans Court as a blighted property. The motion was approved unanimously.

7. 856 North 8th St., owned by Charles K. Millard Sr et al, 1150A N 10th St Reading PA 19604, No purchase date listed

Ms. Butler asked the property owner to step to the podium. Michael and Lillian Millard stepped forward and stated that Charles Millard, their father is deceased. Ms. Kelleher issued the oath to Mr. and Mrs. Millard and provided them with a copy of the property packet.

Ms. Butler asked Ms. Kelleher if she received, reviewed and completed the Summary Sheet and if the Summary Sheet was an accurate representation of the supporting documentation. Ms. Kelleher replied affirmatively.

Ms. Butler entered the property packet into the record and reviewed the documents and affidavits submitted and attached as follows:

- Notice mailed to the property owner via first class and certified mail on September 16, 2011
- Notice posted on the property on August 23, 2011
- Delinquent water totaling \$127.77

- Water Service Off since January 2011
- Electric Service Off
- Gas Service is inactive as of January 2011
- Delinquent taxes N/A
- Trades reports that the property is fire damaged and that no building reports have been issued
- Property Maintenance reports that the property fire damaged in January 2011 and received numerous Quality of Life violations.
- Delinquent trash and recycling fees N/A
- No Liens

Mr. Millard stated that trash is collected at the property each Thursday. He stated that he recently listed the property for sale with Century 21 Gold. He noted that fire escrow money is being held by the City.

Public Comment

Ms. Butler opened the floor for public comment. No one came forward to speak.

BPRC Vote

Ms. Reed moved, seconded by Mr. Urena, to approve the determination of 856 N. 8th Street as a blighted property. The motion was approved unanimously.

8. 316 North 10th St., owned by Gerardo Rojas-Chavez, 28 South 10th Street, Purchased August 2004 – Carmen Roman Padilla (new owner), PO Box 414 Tobyhanna Pa 18466

Ms. Butler stated that the property owner is not present however; someone who lives at a neighboring property would like to comment.

Ms. Butler asked Ms. Kelleher if she received, reviewed and completed the Summary Sheet and if the Summary Sheet was an accurate representation of the supporting documentation. Ms. Kelleher replied affirmatively.

Ms. Butler entered the property packet into the record and reviewed the documents and affidavits submitted and attached as follows:

- Notice mailed to the property owner via first class and certified mail on September 16, 2011
- Notice posted on the property on August 23, 2011
- Delinquent water totaling \$201.60
- Water Service Off since February 2009
- Electric Service Off
- Gas Meter removed January 2009

- Delinquent taxes N/A
- Trades reports that the property is vacant and unmaintained
- Property Maintenance reports that the property was placarded for not being registered and that Quality of Life violations were issued
- Delinquent trash and recycling fees totaling \$681.61
- Liens totaling \$698.25 for 2010 taxes

Public Comment

Ms. Butler opened the floor for public comment. Harvey Texter stepped to the podium. Ms. Kelleher issued the oath to him.

Mr. Texter stated that his property is attached to 316 North 10th Street. He stated that this property has been broken into several times. He stated that that a strong smell of heating oil is bothersome and he described his numerous attempts to quell the various problems with this property via complaints to City Codes, Police and the PaDEP. He stated that this property is a nuisance to the neighborhood. He noted the amount of public services costs from the varying nuisances at this property. He expressed the belief that the property should be condemned.

BPRC Vote

Mr. Urena moved, seconded by Mr. Bealer, to approve the determination of 316 N 10th Street as a blighted property. The motion was approved unanimously.

Mr. Butler inquired if any one representing the following properties is present and inquired if anyone in the audience would like to provide comment on the following properties.

- **228 Moss St, owned by Martin & Alan Hyneman, 3808 Reiff Pl Reading PA 19606, Purchased Dec 2008**
- **100 Neversink St, owned by Jack Shultz, 1801 Cambridge Ave Apt A18 Wyomissing PA 19610 Purchased December 2009 – *Peter Lengel (new owner), 200 Neversink St***
- **633 S 17 1/2 St, owned by Jack Shultz, 1801 Cambridge Ave Apt A18 Wyomissing PA 19610 Purchased December 2009 – *Carl Bomberger (new owner), 622 S 17th 1/2 St***
- **1017 Cotton Stt, owned by Jack Shultz, 1801 Cambridge Ave Apt A18 Wyomissing PA 19610, purchased Dec 2009**
- **1042 Windsor Street, Raymond G and Gwen Weaver Sr., 532 Raymond St Reading PA 19605, No purchase date listed**
- **259 West Oley Street., owned by Robert Mendez, 131 Hichborn St Revere MA 02151, Purchased March 2010**

No one stepped forward.

Ms. Butler entered the property packets into the record. In summary:

- **228 Moss St** - Delinquent water \$14,849, Water and Electric off, unpaid 2009, 2010 and 2011 taxes, vacant
- **100 Neversink St.-** Delinquent water \$2312.19, Water, Electric and Gas off, unpaid 2008, 2009, 2010 and 2011 taxes, Grass and Weeds violations 2007, 2008, 2009, 2010 and poor maintenance citations 2009 and 2010, Delinquent Trash and Recycling and Liens
- **633 S 17 1/2 St.** –Delinquent water \$1612.56, Water Service off, Unpaid 2008, 2009, 2010 and 2011 taxes, Liens and Delinquent Trash and Recycling
- **1017 Cotton St** - Delinquent Water \$833.40, Water on, Condition of Property unmaintained, Delinquent Taxes \$2798.11, Delinquent Trash and Recycling \$1721.08
- **1042 Windsor Street** – Delinquent Water \$112, Water off, Property vacant since 2000, citations for roof collapse and unsafe condition June 2011, Historical violations for high grass and weeds and trash 2000-2011
- **259 West Oley Street.** – Delinquent Water \$658.27, Water and Electric off, Fire damaged, vacant since 2003, numerous quality of life violations, liens for taxes

Ms. Butler again asked if the owners of any of the listed properties were present. No one responded.

Public Comment

Ms. Butler opened the floor for public comment. No one stepped forward.

Ms. Butler stated that each of these properties meets the blight criteria.

BPRC Vote

Mr. Urena moved, seconded by Ms. Wolfe, to approve the determination of these properties as blighted. The motion was approved unanimously.

Mr. Urena moved, seconded by Mr. Bealer, to adjourn the determination hearing.

Respectfully submitted by Linda A. Kelleher, Secretary