

**BELLEFONTE BOROUGH
SPECIAL COUNCIL MEETING
January 24, 2017
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CALL TO ORDER

The Special Council Meeting of the Bellefonte Borough Council was called to order by Council President Gay Dunne in the Bellefonte Borough Municipal Building at 6:00 p.m.

Mrs. Dunne stated this is a Public Meeting that is being held because it is a very opportune time for the Borough to review 2 ½ years of experience with the Code Administration Agreement and roughly half the Council members were not on Council at the time the original decision was made so this will be an educational experience for everyone and possibly for Centre Region Code.

One of the Council members, Courtney Dickman, is new and has not taken the oath of office so she will not be able to vote, but she will be otherwise participating.

Mrs. Dunne reported in the Agenda there is only 15 minutes for Public Comment. Sometimes that seems inadequate, but it has to be made adequate. She would like to know in advance how many members of the public would like to comment. Two hands were raised. It will be comment only, not question and answer.

Pledge of Allegiance:

Following the Pledge of Allegiance, Council remained standing for a moment of silence. It was requested that cell phones either be placed on vibrate or turned off.

ROLL CALL

Members Present: Dunne, Hombosky, Johnson, Tosti-Vasey, Beigle, Brachbill, Brown, Clark, Dickman

Members Excused: Mayor Tom Wilson

Officials Present: Ralph Stewart, Borough Manager
Don Holderman, Assistant Borough Manager

Staff Present:

Guests: Brian K. Fisher; Allen & Tara Witherite; Jim Steff; Rob Wagner;
Eph Wiker, Amy Wagner, Kathy Woods; Tim Knisely; Brenda C. Masullo;

PUBLIC COMMENT

- Brian Fisher, a resident of Walker Township, but a property owner in Bellefonte. He has been in the real estate business for 29 years. He has a long, knowledgeable experience with the Borough and the real estate business. He is at the meeting not to complain about the code enforcement but to complain that he feels the Borough has lost its direction. He feels the Borough is using landlords (he has 19 units in Bellefonte Borough and his mother has 11). The Borough is using the landlords as previous Borough Council's have used the Water Authority. He watched previous Council meetings where the Borough would need money and say "let's borrow it from the Water Authority." The Water Authority is out of money so now they put water meters in everybody's apartment buildings. Every single family has a water meter. Everybody has to pay for water, and water just went up again. The Sewer Authority raises the sewer rates. The Garbage Authority raises garbage rates. Everything keeps going up. Up, up, up. What doesn't go up is people's income. Rents can't keep up. He can't go to somebody in a one-bedroom apartment and say rent is going up \$25 a month. It has to. Bellefonte is being inundated with public housing. Someone like himself, who doesn't have public housing units and doesn't get money from the government, does not have an endless supply of money.

He came into the Borough office the other day because he was so very angry. He got a letter from the Borough where he was charged \$20 to pick up a bookshelf that was on the border of his property and somebody else's property. It wasn't on his property and it didn't belong to any of his tenants but just because they know the landlord is going to pay it, they sent him the bill. They didn't ask him if that was his bookshelf. That very day he handed the Borough a check for almost \$3,500 for his water, sewer and trash. He didn't hand that \$20 in. He said send it to somebody else because he isn't paying it.

With the inspections, he remembers when he first started paying for the permit it was \$8 and now it is \$50. He has three buildings with third floor units. Two of those units he is being told he cannot rent. The one unit he purchased in 1988, and there has been a third floor unit in it since 1988. He went to this very room and asked to put a fire escape on it and was told no. Then Walt Peterson superseded and said yes, put that on. Now he is being told that it isn't adequate, and he needs an additional one put on. Another gripe he has is that he has read in the paper that the Borough wants to investigate getting money to help some of the larger buildings in town do sprinkler systems or fire suppression systems. Guess what...it's not going to cost the Crider Exchange any more per unit to install a sprinkler system than it is a five unit on Linn Street. It will cost the five unit on Linn Street more to install a sprinkler system.

This town is 250 years old and a code is being thrown into the town...he has a railing on his building on Linn Street that he was told it has to be raised and the 8" gaps between the railing that has been there since the day it was built has to be narrower. He has owned that building since 1988 and a kid has never stuck his head between the railing, and nobody has ever fallen off that porch. It doesn't make sense to spend that money.

He has no gripe with the people because they have worked with him every step of the way. He calls and asks them what to do and they tell him what he needs to do.

They have been very, very helpful. He just feels there needs to be a better set of parameters on what is being done. He can see the day when a guy like Mr. Witherite, Mr. Wilt or himself just says, you know what...I've had enough of Bellefonte Borough, and we sell it or don't take care of it. Then what happens to the buildings and the town. Council knows for a fact that they are making a ton of money off the landlords. There isn't a single person in the room that can say they aren't making a ton of money off the landlords. He is there to tell them that the pot isn't as full as they think it is. You can't keep reaching in.

- Allen Witherite, the owner of the Triangle True Value, Witherite Property Management and Triangle Construction. He has been in the rental business for upwards of twenty years, the retail business for three years and the construction business for twenty-some odd years. He has many dealings with different inspectors. Unlike Mr. Fisher he is here to complain. He is not afraid to voice his opinion. As far as Centre Region being in Bellefonte, he has not had a good rapport with them. He remodeled his store over the last two years, and they have not been very helpful to him at all. He particularly had problems with the inspector, Mr. Metzger. He has called Mr. Schneider twice and left messages. He called Ralph and left him a message and talked to him and asked for him to have Mr. Schneider call him, and he never received a call. As far as he is concerned, when he pays their permit, and they walk through his store, he is now their customer. He will work with any inspector. He has worked with many inspectors and gotten along fine, but when the inspector comes in and wants to say no, that's not what you're supposed to do and doesn't want to work with him and try to resolve the problem or doesn't want to give him some...basically his words were what do you want to see? What do I need to do and I'll do it. That's not what he was getting at Centre Region Code. When he would call for an inspection for his project, he would call one day and schedule the inspection for the next day. They would not pinpoint a time because it's an open commercial permit, and they feel somebody's going to be there all day. He doesn't know about other businesses, but he's not in his office all day. He has forty employees and one of the comments from one of the inspectors was they could show one of the employees what needs to be addressed. Communication with forty employees isn't always the best. He had himself or his construction supervisor present so if they wouldn't provide a time he or his construction supervisor could be clear across town and would have to come back and meet with them. He finally did find out if you call in for a utility inspection they can narrow that down to morning or afternoon. Even the cable company or Dish network will narrow it down to a two-hour window, and they have millions and millions of customers. The other things was can you give me a phone call, but they did not want to give him a phone call.

He doesn't have any complaints with rental housing inspections. He feels the Borough should take into consideration that a Borough employee used to handle it and it went fine. For the commercial and building inspections he feels Centre Region is too far up in State College to accommodate them.

Mrs. Dunne thanked everyone for their comments. They will be addressed later in committee.

- Brian Fisher feels before a decision is made there should be some type of work session that the landlords could come to. He feels there should be some chance where they can voice their opinions and concerns.

Mrs. Dunne said she is taking comments, but not answering questions at this point.

UPDATE FROM CENTRE REGION CODE

- Walt Schneider is the Agency Director for Centre Region Code Administration. He has Jim Steff with him. Jim is Walt's boss. He is the Executive Director of the Centre Region Council of Governments. They appreciate the opportunity to talk to Council. They have a slide presentation to bring Council up to date on some things. They understand that most of this Council was not here when the RFP originally was addressed and put together in 2014.

As he goes through the slide presentation he encouraged Council members to stop and ask any questions they might have.

The first thing to talk about is Why Building Codes. One thing is to make sure that people can get out of buildings in an emergency. They want people to get out of buildings safely and to allow first responders to be able to get in and deal with the problem. They also want to make sure the rights of people with disabilities are protected. One of the things in the Building Code is the Americans With Disabilities Act, along with three other enacting legislation pieces have all found their way into the Building Code and they are protecting somebody's Civil Rights with them to be able to get in to structures and to be able to enjoy the same built environment that the common person is.

They also want to reduce common injuries such as slip, trip and fall issues. Those are the most common injuries seen across the board and they want to be able to eliminate those as far as the general public goes. They also want to reduce the instance of fire. The Borough of Bellefonte has had a history, and quite honestly, one of the things that brought Centre Region and Code into the forefront and brought them to the table was the number of large fires and the Fire Safety Task Force that the Borough has currently and the previous Task Force all indicated that one of the things that needed looked at was strengthening the codes so that fire could be prevented and not just dealt with once the building is on fire. They want to make the overall building safe in order to preserve the community. When you look at communities that traditionally have stronger codes in place the community itself is better preserved than those that do not have codes in place.

The agency mission is truly to protect the health, safety and welfare of all the people working, residing and visiting in the municipalities that they serve. They do that through the administration of the Uniform Construction Code of Pennsylvania and the locally adopted Bellefonte Borough Safety and Property Maintenance Codes and in the other municipalities it is the Centre Region Building Safety and Property. Every day when they go to work they look at how to make the community better by administering the codes that have been put in place by the elected officials.

In 1968 the CRCA was created. The articles of agreement were adopted by four municipalities. Over the years it has increased in size based on Harris Township coming on board. In addition Halfmoon Township came on board when the new construction program took over administration, the UCC (Uniform Construction Code of Pennsylvania). In 2014 Bellefonte Borough joined the agency with a three-year agreement, which is what is being discussed at this meeting.

From a funding standpoint the Centre Region Code Administration is entirely funded through Building Permit fees. They do not have any financial backing from the municipalities so they are 100% fee driven with the idea that they balance the books at the end of the year and what they are providing is a service to the municipalities that is truly user driven. If you are a resident of the municipality and you are not renting or having a business or doing construction you are not paying for code administration, although you do enjoy some of the things that are brought to the table. An example is fire prevention. The common things done around the municipality to try to make it better and a better livable place everyone enjoys at essentially no cost.

There are two major programs. One is the new construction program, which the Uniform Construction Code of Pennsylvania is administered. They also administer the existing structures program where rental housing and commercial fire inspection is done. That is done through the Centre Region Building Safety and Property Maintenance code in the five municipalities that have adopted that, and in the Bellefonte Property and Safety Maintenance Code in Bellefonte Borough. Council has full control over that. They met in 2016 and are in the process of updating that into the 2017 edition and giving Council the opportunity to make modifications to their own code and how it is administered.

There is a staff of 25. On the administration side of the office there are six members; eleven in the new construction group; and eight in the existing structures group. He actually would like to acknowledge several of the staff at this meeting. One of the important things to note is they have a very large vested interest in Bellefonte Borough and Bellefonte Borough maintaining its viability. Eph Wiker is the existing structures inspector that predominately does the work in the Borough. He is supported by the rest of the staff, but he is the face you see most of the time. He has worked in the Borough the past 2 ½ years and has worked well with the people in the Borough. Walt resides in the Borough. Tim Knisely, who is Walt's senior inspector in the existing structures side is a Borough resident for nearly his entire life. Wes Faust, who is a rental housing inspector, is a resident of the Borough. Rob and Amy Wagner are longtime residents of the Borough. Rob is a commercial plans examiner and inspectors. Amy works in the administration side of the office. Also, Kathy Woods, who heads up the administration side on the existing structures group. They actually have more staff members who live in Bellefonte Borough than any other municipality that they serve. From a vested interest standpoint they truly care on a daily basis how the Borough looks, feels and functions.

They provide professional building plan reviews. They do construction, fire and rental housing inspections. They do a lot of staff training. Walt is very proud of the fact that the staff is second to none when you look at the number of years of experience in the construction industry and the number of certifications the staff carries they truly are second to none with respect to that professionalism. They try to provide effective code

administration management and they try and assist the municipalities with respect to code issues and educate the building community with respect to how they function, how to function with them, and try to give them the best information possible on the built environment. They also try to educate the public on fire and life safety issues through the existing structures program and the fire prevention programs.

Some notable achievements is they have been held out as the example of a model regional code program. They are the largest regional code program in the Commonwealth measured by value of new construction and the number of rental units inspected. They have an outstanding record when you look at the fire loss and structural failures. They maintain a high standard of property maintenance. That has been recognized by two ratings by national organizations. The insurance services office provides two rating schemes. The first one is the BCEGS Rating System, which is a Building Codes Effective Grading Scale. Every five years every code office in the Commonwealth is rated by ISL. They actually have the best rating of any code agency in the Commonwealth with a rating of 1 for commercial and 2 for residential. There are only eleven 1's in the entire country. This result gets given to insurance companies and results in savings for people buying insurance premiums. Insurance companies use this to varying degrees, but look at who is the code office; who is serving you, and based on that rating, realizing that there is a significant reduction in loss and thus savings to their insurance companies by there being effective code administration in that area. Similarly there is a second rating scheme that ISO does. That is the Public Protection Classification System. This is rated 50% on the fire department, 40% on the water system and 10% on the 911 system. This is another way that insurance companies look at how the municipality is functioning with providing coverage to their properties that they are insuring and how much should you be paying for your insurance. In that system there are bonus points for code enforcement and public education efforts. When they came on board in 2014 all of their programs came to bear on Bellefonte and in 2015 when they were rated for the Bellefonte Fire Department they actually garnished all the bonus points they were allowed to receive on those two fronts and it actually helped them to be one step better on the rating scheme. It's a one to ten rating and it allowed them to get one step better. That was a big move because that reflects on the insurance premium that you pay every year over and over again on a property and so in realty savings money.

What is required of the Borough? First of all Uniform Construction Code of Pennsylvania is a state-wide building code. You don't have any choice in the matter. This was passed by the legislature and took effect in July 2004. It must be administered across the Commonwealth. There was an option to opt in or to opt out. If you opted out then the Department of Labor and Industry would take care of all commercial inspections out of Harrisburg and all permitting would be done in Harrisburg for commercial inspections. For residential inspections and new construction work you would be referred to a third party residential inspector. There would be a list you could choose from. Bellefonte opted in and that gave local control, but they still have to administer in accordance with the state wide regulation. It requires that certified building code officials be used. Bellefonte has named Walt Schneider as their certified building code official as agency director. It requires certified inspectors and plans examiners and those are typically tested through the International Code Council and

then those certifications are transferred over to the state and maintained through the state through continuing education as well as additional testing. Realizing that under the UCC you have the potential to make the code more strict if that is chosen, but you can't lessen the code. They are audited every five years by the Pennsylvania Department of Labor & Industry, who looks at the effectiveness of that program. They do that by selecting three projects of representative size – one large, one medium and one small – and they review the project and make comment. When they go through their audit they actually get a copy of their audit statement as to any deficiencies they found.

In the case of Bellefonte Borough all appeals are heard by the Centre County Appeals Board with respect to UCC issues, and that is a regional appeals board that was put together in 2004 to help municipalities be able to fill that appeals board because not everybody had enough staff or people of expertise as required by the code.

Mrs. Dunne asked if a user of code enforcement in the Borough chose to submit an appeal would Council know about it. Walt said yes. The first line of appeal is within the agency itself and if an appeal went beyond that Council would know about it because notification is given to the municipality. They have not gotten any appeals that have gone to the full appeals process. Walt said appeals aren't bad. It's just a question of a difference of opinion.

From an adoption standpoint, National Model Codes are used because of complexity and cost. They are updated every three years to stay current. The Commonwealth of Pennsylvania is mired right now in updates due to some legislative issues. He is on the statewide board that looks at the updates. They are in a legislative miring at the moment. The Commonwealth reviews and then publishes the documents that they see fit to adopt. The big one that always gets updated are the accessibility provisions. Adoption is through the Department of Labor and Industry and will give an effective date for enforcement that must be followed.

Ms. Tosti-Vasey asked if this is for the Uniform Code, which it is. Mr. Johnson clarified that with the uniform building code there are no modifications that could exist. Mr. Schneider said you can modify, but you have to make it stricter. Mr. Johnson referred to section 105.1 Modifications to the Building Code. Wherever there is practical difficulties involved in carrying out the provisions of this code the code official shall have the authority to grant modifications for individual cases. Mr. Schneider said this doesn't happen very often in Bellefonte because they try to keep the intent of the code. Visitability is becoming a hot topic in the handicap community. It involves handicapped individuals being able to get in to single family homes and visit people. There are some requirements that some interested people have in modifying or making the statewide building code more restrictive. The process to do it is there, but it's very difficult in time and cost. You have to justify to the Department of Labor & Industry why you are different from every other municipality. It's not a recommended process because of the hoops you have to get through. One of the tests is that you have to justify to the Department of Labor & Industry why you are different from every municipality in the Commonwealth. It is a local change that would be a blanket change.

The International Code Family of Codes is what has been adopted in the Commonwealth of Pennsylvania. Any local requirements that were in place prior to

1999 are allowed to stay in place if they were more restricted. Bellefonte had none so they have the straight UCC Code.

From an accessibility standpoint one of the things to remember is the accessibility provisions in the code continue to get larger and a bigger part of the code. These are where a lot of issues come up. They are Civil Rights, so the accessibility provisions of the code are somebody's Civil Rights. They come out of four main enabling pieces of legislation at the national level. Any accessibility provision and changes have to be appealed through the Department of Labor & Industry in Harrisburg. There is no option to hear them locally. They are more and more critical as you go farther and farther down the codes. It is the one piece of the code that, by legislation, is automatically adopted every three years. They are truly the source of many lawsuits. They are very, very specific with respect to tolerances. The Department of Labor & Industry has made the position that in the code it gives you the tolerance. If it says it's between 30 and 32 that's the tolerance and when they audit they will look for 30-32. If it's 29 ½ that is getting called it will be in an audit. If it's 32 ½ it's getting called in an audit. They spend more time in accessibility than anything else.

From an audit standpoint the Pennsylvania Department of Labor & Industry audits every five years for every municipality. They are specific to accessibility issues. Council will get results for every one of those audits. It can be counted against the inspector certification and can result in disciplinary action at the individual inspector's level if something is called out in an audit.

From the property maintenance side of things the other code that is administered is the Borough of Bellefonte Safety and Property Maintenance code. It was locally adopted in 2011 by the Council that was seated at that time. It was modeled on the Centre Region Building and Safety Property Maintenance code, the 2010 edition with some minor changes. It is locally controlled by Council. He met with Council earlier this year to get feedback on changes and updates to it. All the appeals in that code are heard by Bellefonte's Housing Board. The existing two year inspection cycle is something that was adopted in 2011 with that code adoption. It was changed from the previous single year inspection cycle that happened before prior to fire inspections being instituted in the Borough. That edition of the code introduced commercial fire inspections for the first time.

Mr. Brachbill asked if when the inspectors come down to do the building maintenance inspection if they are using the Bellefonte code, which they are. He asked if there could be interpretation of the Pennsylvania code and the two getting confused when doing the inspections. Walt said no, they would use the Bellefonte code as the first basis. If it is something that needed to be modified then the modifications would need to meet the requirements of the state code. There will be times when the modification gets driven by the property maintenance code, but the state code gets triggered as part of the modification requirements. It has the possibility of being more strict. Mrs. Dunne asked if that leads to confusion for the property owner. Walt said they try their best to not let it be confusing, but apparently they are dealing with very technical issues and there is always the issue. They try to do their best to work through any confusion that may exist. One of the things that is really great is Walt's staff. Eph does most of the rental housing inspections in the Borough and he is also certified as a UCC inspector. Most of the staff is dual certified at least at the generalistic level. One

of the great things is they know both codes and can work with both of them. Ms. Tosti-Vasey asked if there is any point where the two codes conflict and would cause an issue with either a commercial or rental property. Walt said there is always a potential for the two to conflict. The more restrictive of the two would always take precedence. The only way the state code gets initiated is if something is happening with respect to construction. Say something is called out that needs to be modified and once the modification is made then it would need to meet the state code as far as the modification.

From an appeal standpoint one of the things...the basis of an appeal...there are three basis of appeal for either code. The first one is that the code section cited does not apply in the case. He uses the example of talking about plumbing in a sink and the code inspector happened to call out a section that refers to plumbing in the toilet. The one doesn't apply to the other so that would be the basis of an appeal saying look, the inspector is talking about a toilet and we're talking about a sink so the code section doesn't apply. Not real common to have happen, but it has happened.

The second is the code section is misapplied. An example there is the code section says the countertop height needs to be between 32" and 36" high and for some reason the code inspector is indicating that the counter top, while being proposed at 33", no, it really needs to be less than 32". The section is saying 32" to 36" and you are proposing something that is correct and the code inspector is misapplying it and saying no, it is excluding it, not including it. Ms. Tosti-Vasey said suppose someone is in a wheelchair and the 32" counter is too high for them to use that counter. The inspector comes in and says this is where it must be...they could appeal based on a mis-application because of the situation...correct? Walt said no, the code would be saying look, it has to be between this and that and if you wanted to lower it below that, because it's an accessibility issue it would be appealed to Harrisburg, but what you would be saying then is something a little different. This mis-application would be saying you're planning to put it in the right spot. We're telling you to put it in the wrong spot. It's a mis-application...the section is correct...we applied it wrong.

The last is...and we get more of this than anything else on the appeal side of things. They are proposing an equal or better method to meet the intent of the code provision. He said they require in newly built townhomes that they be sprinkled. An example would be that the builder is proposing to have a trained firefighter sitting on the couch with a charged water fire extinguisher 24 hours a day 7 days a week. You're going to feed them snacks and they're going to patrol the house and you're saying look, the intent is to have fire suppression here very quickly that I'm providing this by having a firefighter in the building. That would be an example of an equal or better method to meet the intent of the provision of the code. There was one recently in Harris Township with regard to this where in planning and zoning of the buildings the established setback between the buildings, which was a minimum of 15', the code because of the nature of what they did wouldn't allow them to consider that except for the fact that it was an equal or better method, but it was done in an innovative or different way and the appeal was based on that. This is what most of the appeals that we see. Somebody is trying to do something that the code doesn't consider.

From a Centre Region Code standpoint they responded to an RFP in 2014 and were the selected service provider. They actually took over July 1, 2014 and they

administer both the PAUCC with no changes and the Borough of Bellefonte Safety and Property Maintenance Code unchanged from the prior code official. One important thing to realize is when they came on board in 2014 there was no change to the code that they are administering. Ideally the predecessor was administering it the exact same way in both the UCC and the Property Maintenance Code. When they showed up on site there were several things that they found. First of all they found that the prior new construction inspectors, which were all third parties, didn't administer the UCC based on what they should be. That was based on audit history. They looked back at the audit history and there were some pretty scathing results from the previous third parties. New construction files were not present at the Borough as required by state law. They don't have any of the files from the previous third party inspectors so for example if something would happen and Council would decide to use a different new construction inspector they would be giving the Borough all their files for new construction because the new UCC BCO is required to have them. No fire inspection reports were present. We know, based on talking to business owners in town, that inspections were done but no records of them could be found. Permit fees had not been collected in 2014 for fire permits. No rental housing files were present. The only thing found was a stack of rental housing reports. It appears when the previous inspector came back from inspection they got tossed in the pile. If you had to find where the previous inspection was you had to kind of know where in the pile to start looking. As a result his office set up new files for all the rental housing and all commercial fire permits. That was something they didn't anticipate doing, but they felt that it needed to be done to administer the program properly. Kathy and Amy were two of the ones that got tasked with putting that together and trying to untangle that. They accepted as payment at that point in time...quite honestly they looked at what was collected in 2014 for rental housing permits and they said look, take off the top all your expenses and so the Borough was made whole in 2014 and they basically accepted whatever was left for the six months of the program that they were starting to administer. He can say without a doubt in his mind that they took a pretty good bath at that point in time and said look, we're here for the long haul. It's about doing the program right and setting it up correctly so they felt they needed to do that and they also felt it was unfair at that point to go back and ask for additional funds. The prior code official, to be honest, they were finding that they were inspecting properties that they had a financial interest in. They were finding also that they were not doing all the required re-inspections. In talking with folks, as they started doing education, one of the questions that was asked was are you going to be doing re-inspections and they said of course. Typically we're going to come out thirty days after the initial inspection to re-inspect. They said the predecessor didn't. Mrs. Dunne asked if that was part of the inspection fee. Walt said it is buried in the fee, but it is also an important piece because we're going to tell you that you need to correct something and we better make sure that you did it because if not, one of the things that we were finding as we went through those inspection records, the ones that there were multiple inspection records they were finding the same thing called every year or two years. Ms. Tosti-Vasey said if you come in and don't find something that needs redone do you come back, which they don't. Some properties were permitted and had not been inspected at all. They also found some properties that had been inspected one time for a number of years. The inspector

said your property is in such good shape that we don't need to inspect you again. Walt said these are things they truly found as they started to set up the system. They found, based on the previous third party and based on complaints received by Council, that some new construction projects hadn't been inspected. The permit was pulled with the previous third parties and no inspection was done or a number of the new constructions couldn't get an inspection in a timely fashion. They would call and call and call and never get an inspection. When they did the RFP it indicated there were 1600 rental units. There were actually 1482. The RFP indicated that there were 300 commercial fire permits and there are actually 255. That data is as good as today at noon. That is truly what is permitted in the Borough as of today.

Some transition efforts that were done. CRCA staff held meetings at the Borough building with building owners and tenants. From the fire side they wanted to meet with the building owners because they are one important group, but they also held meetings with tenants so they understood from a tenant's standpoint what their responsibilities were. There were meetings with residential contractors as well as commercial contractors and they had their staff that would be dealing with them there as part of those meetings. They also had and continue to have site meetings at no charge. Ralph and Don have both participated in those types of meetings. Anytime there is a phone call and they need to go out they are more than happy to do that. One of the things they did specially for Bellefonte Borough and continue to do only for Bellefonte Borough is to have a courier service. Eph or others function as a courier. You can drop documents off at the Borough and they are couriered over to their office at no cost to anybody and they can be returned the same way. They stop at the Borough daily to pick up courier service. The courier service is used approximately twice a week.

When they did round one of rental inspections they were getting into two or three pages of corrections that needed to be made. Some examples of what they found was every manner of problems – wiring problems, fire alarms, fire extinguishers, bedbugs, structural issues, posts that were rotting on decks, human and animal waste that hasn't been cleaned. With 100 inspections to go they have made over 3,000 corrections and it will probably end up being close to 4,000. In addition to that they were given additional time for compliance because the idea of trying to be compliant in thirty days in many cases was not feasible.

Mrs. Dunne had a question comparing the RFP to the agreement that was signed. Her question is how does the Borough get information about progress in the inspection lineup and if and any information on corrections that were made. It appears that they have to ask for that information. Walt said with the exception of them keeping track of the first round, none of their municipalities do they keep track of how many corrections were put out, etc. They indicate to them that there is a given list of inspections that have to be done and they indicate through the reporting that the Borough is already getting the inspections that are being done from the new construction side of the house. The existing construction side of the house, for the most part, the municipalities have been satisfied with them saying look, we're maintaining it. In the past audits have been done when requested to maintain that they are meeting their requirements under the code but there has not really been a want or conveyance that they want that level of information. Mr. Johnson said in attachment a, item 8, the CRC will provide monthly reports on building activities to individual municipalities,

routinely attend meetings and local regional issues. With him reading that he would expect a monthly report of some sort. Mrs. Dunne reported they do get some of that, but it is all building activity and it doesn't include the inspection cycle and where things are. She said sometimes they get many, many reports and she can't really say whether they see the monthly report on a regular basis. Walt said that report is given to anybody who is on the list for public safety. That public safety email is sent out and comes out with the agenda for the public safety committee, which the Borough has a representative as well as a backup on. Mrs. Dunne said there has been some discussion on the schedule and timeliness of inspections and where it is going because of the previous backlog and so that is what she has been curious about. She suggested perhaps Council should be asking for an annual audit. She didn't realize until she read the whole thing that Council had to make the request. Walt said with the exception of State College Borough, who requested an annual audit for a few years and hasn't requested one in a number of years, the rental housing program the other municipalities weren't really interested in beyond Walt saying the inspections were done. Any time they request spot checking they have been more than happy to pull the files and say here, they are available for a spot check. Mrs. Dunne said Bellefonte is the outlayer and they have had other, maybe not as thorough experiences, and that is why it was up there in her radar. Ms. Hombosky asked if Council could get a report if they want one. She feels it shouldn't be a surprise as to the exact number of rentals in Bellefonte. She said that Walt is essentially Council's employee and they have no way to gauge his success because they have no way to quantify that. Walt said if you look at the agreement it states they are more than welcome to ask for an audit at any given point of time in the program. Ms. Hombosky doesn't need an audit. She would like to see the number of inspections in a month, what were the results, how many passed, how many failed, how were they resolved. Mrs. Brown said they were not aware that Bellefonte had that many. Walt said Bellefonte reported there were 1,600. Walt will turn the reporting to Jim. What he provides to Bellefonte reporting wise he also has to provide to the other six municipalities. He has to treat each one equally with respect to reporting. Again, they treat Bellefonte identically, with respect to other parts of the program. Mr. Beigle asked if they have the same RFP as Bellefonte and since they don't that point should be mute. What Bellefonte is requesting is something that is in the RFP. Council wants to see some type of report to know what is going on.

Jim Steff suggested that Council members relay their thoughts to Ralph about what they want in a report. Ralph can put it in writing and they will look at it and get back to Council. Currently Bellefonte is getting the same information that other elected officials are receiving.

Mrs. Brown said if they had known when they were getting the questions from the community they could have said they found this many violations in this many inspections. Mrs. Dunne said Council didn't explore the depths of the agreement and services and it is time to pay attention.

Walt said they are going through the second round of inspections and they have found that they have gone from two to three pages of corrections to three items. Truly the rental owners have stepped up to the plate and have made corrections and are coming in to compliance with the code that Council put into place. Walt is seeing a much different animal in the second round, which is what they expected to see. One of

the early on discussions was the idea that once they made it through two cycles of two years that they would be in a position to move to a three year cycle, similar to the other municipalities because the compliance level and comfort level was achieved with working together to get compliance in the units.

Mr. Brachbill understands, according to the agreement, that the communication between Bellefonte's administration and COG's administration is what takes place. He doesn't want people to micro manage the code office. Bellefonte's administration has to view the agreements that Council has approved and see that they are followed through on. When those reports come in they end up in the Council packets and that is how Council members get their information. Walt said if there is additional information the request should be made accordingly so that they can look and see if they can provide the information, when and how often. Mr. Johnson asked how Council becomes a micro manager by getting that information. Mr. Brachbill said if Council wants something from them they go through the Borough's administration to get it. Mr. Johnson hasn't seen any Council member try to micro manage anybody. They are just looking for information.

Walt said in 2016 they had a meeting with Council and identified several things. There seems to have been a breakdown in communication in getting back to Council, and they apologize for that. One of the things asked for was staff identification in the field and about a week later the entire staff is wearing ID's in the field. It has been positive across the program. Staff friendliness in the field was addressed immediately with staff and they continue to remind staff about being friendly in the field and trying to be as conscientious to how they're coming across as well as how that whole relationship follows through. They do the same thing in the office and they reminded the office staff as well.

They initiated two hours a week immediately in Bellefonte to meet with applicants the week following the complaint. Only one appointment to date has been made and that appointment never showed up for the appointment. The office hours continue. Bellefonte is the only municipality that this is done for. Halfmoon Township is further from the office than Bellefonte. Mr. Beigle asked how often the office hours are offered to the contractors doing in Bellefonte. Walt said they actually convey to them...on the contractor and applicant they are willing to meet them not during the office hours. Mr. Beigle asked if contractors are given a sheet of paper saying if you have a problem when you start your construction you can come in and talk to us at a certain time. Has that been conveyed to contractors? Walt said most of the time they reach out to contractors and tell them to call and they would go out to the job site. This was set up so that when somebody came in the Borough staff could tell them someone is there and when they can stop in. He is more than happy to do a site visit with contractors at no cost to them. When they call in to the office they talk to a staff assistant because most of the time the inspectors are out in the field. It actually get scheduled on their schedule like an inspection. It truly gets on the schedule as a scheduled meeting.

Rob Wagner is partial plans examiner and he is in the office mostly all day long because they do commercial plan reviews. It is not uncommon at any time of the day for a contractor to show up at the counter unannounced and the secretary will bring them back to them and they will answer the questions. Mr. Johnson has had the

personal experience of not having that opportunity. He said it is like the Land of Oz and you can't see that great wizard behind there unless you're recognized by the staff at the front desk and he was disappointed by that treatment. Walt apologized for that. One of the problems they do have is when the entire staff is actually out in the field. If there is somebody in the office the staff will call back or will walk to the back and try to grab somebody to answer a question. Nothing is worse than letting a question go unanswered. They would rather answer it immediately. Including...Walt is the last one to get drug to the front office. He realizes they have a very difficult, tough, tough job. Walt would be remiss to say there truly are times where there is nobody in the office. They are that busy and all the people are out, but they strive to answer as many questions as they can immediately. He emphasized again that they are always happy to go out to the field and do a site visit. The office hours were truly meant so the Bellefonte staff could tell someone with a question that there would be someone in the office at a given time. Ms. Tosti-Vasey said when she put the solar panels on her house they had the building inspector there and if they had been told that they could only do it morning or afternoon, but sometimes that doesn't work in a residential, particularly for a bed & breakfast with having customers come in. She asked if residential have been aware of the office times. Walt said this is not for inspections. It is for questions. Walt said when he took over as agency director he was going to do timed inspections. He was going to be the one to crack that egg. He said when they evaluated the problem they ran into, in talking to other colleagues that do it, you need additional staff and oddly enough customer service levels tend to go down. The reason is if I come out for a timed inspection for you at 1:00 and I have a timed inspection for you at 2:00 I have to leave in time to get to the second one. What there is right now is the ability that as long as they can balance the eight inspections that are on their inspection list they can spend more time with the people that they need to spend more time with. If they see that they've got a really short appointment they juggle their schedule around to be able to give the best service they can and to spend as much time with those people that need help. Ms. Tosti-Vasey asked if there is some way to give a more specified time. Walt said they continue to look at it and right now they can't figure out a way to do it and maintain the service level. There are times on an inspection list when somebody might be doing six inspections in the afternoon and only two in the morning because of how long that inspection takes. If we told you the day before we'd be there in the morning and really I need to have you in the afternoon because of that...they have found that it is a plus and minus. Some days you'll be the winner and some days somebody else is the winner. They have found the best customer service...the other option to that is they add staff and increase those time slots so they can do a timed inspection. The agencies he has talked to have less inspections per day. Walt would have to increase staff numbers and decrease the number of inspections, which would eventually run into additional costs. There is that balance to the mix. It also means there are more inspectors sitting there because you have more inspectors and so they are less efficient from that side of it.

Ms. Hombosky said the gentleman would say it's not great customer service to have these floating days. I own my own business and if I had to take off the whole day or if I missed my meeting in State College because I had to wait for this floating schedule that doesn't feel like great service. I don't know what the solution is because I

don't run your business, but if I told one of my clients I'll be there sometime today they would fire me. Walt said they continue to look at it and they will continue to look at it. It comes down to a balance of what folks are willing to pay for and what they are willing to do. Up until now the messages they have gotten are they want them to be able to spend the time with them on site and be able to work with the individual permit holders and so on as compared to adding staff. The question was asked if there isn't a way with the inspectors where they can call when they are an hour out or a half hour out. It has been asked and they won't guarantee it. Walt said that is correct because there is a plus and minus to that. The plus is yes, it's a great thing to do. The problem they have run in to as some inspectors have done it and it has been tested is that they pick up the phone and call and say I'm going to be there in 30 minutes and the person on the phone says I can't be there. Ms. Hombosky said they are essentially saying they are not valuing the customer's time. They are paying a lot of dollars to not get the shaft. Walt said they are more than happy looking at doing that, but it is realizing when they do that Council might get complaints when they say someone didn't show for inspection. Ms. Hombosky said who cares because we are getting complaints now. She is looking at the office hours in Bellefonte and she feels there is something passive aggressive in saying there's only been one appointment and they never showed up. Then Walt additionally is saying he is not telling people to come in to the office, that he will meet them directly so this program is built to fail if they aren't telling people to come in the office. If he isn't educating people to come meet him then it is going to fail. He is more than willing to look at how to do that from the field but he wants Council to realize from the other side when they aren't there complaints will come from the other side of the coin. He said it is all about doing a better model. Ms. Hombosky doesn't mean to be too aggressive about this, but Council asked for this office hour appointments and then to be told people aren't taking advantage of it kind of negates Council asking to have the program. Walt said from the office hour side of it they continue to do everything that they were doing and they didn't want to shoehorn folks in to having to come to the office. They looked at the idea that they were doing the office hours as an additional piece so that when staff in Bellefonte had somebody that came in it gave them an option. Ms. Tosti-Vasey said they are hearing when someone calls the office in State College with some questions before they start their construction work they aren't being told there will be a person in the Bellefonte office at a specified time so they don't have to drive to State College. Walt said what they are actually being told is...first they try to answer any questions over the phone that they can. They are being told instead of having to wait until there are office hours they are being told they will come out to the site and direct a meeting directly with them. Most site visits are truly site visits that are scheduled. A set of prints must be on site at all times for the inspector and a set stays at the office. An advantage to having a set at the office is if while at the field the inspector has a question somebody at the office can roll them out and they can talk back and forth. Mr. Beigle was getting at that fact about the set at the office so any questions can be addressed at that time. Alan said he didn't get that addressed by the inspector and Mr. Beigle thought the inspector would have called back to the office and talked to the engineer to get an answer to the question so it would not hold up the project for the contractor because that is costing him time as far as completing the construction. Mr. Beigle knows that kind of thing takes place and it delays construction.

It needs shored up somehow so Walt can convey to the inspector that they are there to serve the customer. If they can't get answers they need to call back to the engineer so things can move forward and not delay the project. He is constantly hearing that the construction is delayed because they are not getting answers. He is saying the contractor is the customer of the Borough and of the inspectors. Council wants to make this the best there is. Walt said they do too. Mr. Beigle said there are some loopholes in the system. One of the biggest complaints is the window of inspection time. He asked if they have GPS on the vehicles that the inspectors drive, which Walt said they do not. Mr. Beigle suggested they might want to think about that. Walt said they keep track by inspection time based on... Mr. Beigle said a lot of people in the service industry have GPS, which keeps the fellow more aware of what is happening on the job. Mr. Beigle said a courtesy call goes a long, long way when you are in the customer service business. Mrs. Dunne said it is a little bit like trying to schedule medical house calls. It's more doable in an office setting, but once you have to farm yourself out the courtesy call would be a very good thing. Walt said they do not know before they go to a site how complicated it is going to be. They have some general ideas based on the inspection that was called. Mrs. Dunne said they could take the most important things and take care of them that day and do a real soon follow up after that to take care of that. Walt said once they schedule...everybody is just as important as the other...and so they run into the situation where all the inspections have to get done the day they are scheduled. Mrs. Brown asked if there were enough Bellefonte places to schedule them all in one day. Walt said it all depends on what is going on at any given day. When the Cadillac and the Garman were going on there was a good possibility that there was an inspector there all day long between the two projects and on the other hand on a given day maybe not. It all depends on the construction. That is the same case in any of the municipalities.

Mr. Brachbill asked how many projects are going on right now in Bellefonte. Walt doesn't have the list in front of him but can get it. If he is a contractor and calls in for an inspection and is told it will be tomorrow afternoon because that is the calendar they are looking at and that is where there is an opening. If it is in the afternoon is the inspector able to look at that schedule and move things around within that morning or afternoon or maybe move something to the morning so you're not driving thirty miles this way to go fifty miles that way to come back here to be here at 2:00 or whatever time that window is. Walt said routinely the three electrical inspectors are going to sit down every morning and they may juggle inspections between inspectors to do the same thing. Then they will look at their schedule to try to balance things.

The question was asked if there is the need for different inspectors can one come before the other. Walt said it all depends on what is going on. He said there are very few times that one is precursor to the other when they are getting inspected close to each other. A lot of times they all have to be done before the final inspection, but a lot of times they may call ahead and say look, give me a call and make sure this is okay. It's not like they are changing the work that day. An inspector may say for the final inspection everything was okay but we're just waiting for fire inspection to be done. The fire inspector can sign off or bring the card back and we'll sign at the office. Walt said if there is a scenario of the order they try to coordinate that in the office in the morning before they go out.

Mrs. Dunne wants to be sure Borough Council gets a chance to ask any questions that they have outside of Walt's presentation. Mr. Johnson said once a plan is approved by the office and taken to the job site and they get to the job site and the contractor builds it as approved; an inspector comes and looks at it and says it is incorrect and has to be changed what responsibility does the code office take? Walt said the first thing is the Uniform Construction Code of Pennsylvania indicates that the design professional or whoever the designer is for the project is supposed to design it to the code. Second is that the contractor builds it to code. At the code office side they are supposed to be spot checking. Walt is registered in six states and has practiced in six states. He said they do a more in-depth review than any other...he always found that because he could practice here the other places were easy with respect to the plan review here was that methodical. With that said, do they miss stuff...yes. Everybody is human. If they are going to cost somebody a significant amount of money the inspector contacts Walt and said okay, we approved this; we're requiring this; and then Walt gets involved to say yes, we have to do this. This is a life safety issue. There is nothing we can do. We have to go down this road...or nope. We can go down this road or is there a way that we can look at it so that we cost you less and maybe get 95% of the way. A fair statement is the code office takes no responsibility if there is an error. It's all on the contractor or the professional that did the drawing. Mr. Clark said that is across the board for any agency whether it is code enforcement; DEP; PennDOT. The review is basically we're looking at this and our approval doesn't mean it's done right. From a liability viewpoint it is the professional. There will be disclaimers on every document you see.

Mrs. Brown said one of the things people have come to her with is that they get three different people coming. One says do this, the next one comes in and says no, you'll have to do that. They have told her that they have actually had three different inspectors coming telling them something different. She said there doesn't seem to be any continuity between them. Walt said the minute someone finds out about something like this he wants to know about it. They do their damndest to try and be as uniform as physically possible. At any given time any of the inspectors should be able to show in the document where it says you have to do something. You say could you please show it to me in the code where it is and any of them should be able to show you where they're calling it out from. As the agency director Walt wants to know where someone has said do this and the next one says don't do that. In the projects that he knows about they had a case in Bellefonte where truly there was a conflict between two issues. One was a fire issue versus an electrical issue and oddly enough they were both correct. It was just the interpretation of where it went to get to that point. He wants to know about those kinds of things so he can address them with the entire staff to hopefully eliminate the problem.

If someone has three property code violations and Mr. Eph comes back and when the inspector came back to re-inspect the corrections the new inspector started looking around at other things and said whoa, what is this over here, when he was specifically to be there to look at this correction that was already done. Is that the way it is supposed to work. Walt said compliance is supposed to be compliance and there shouldn't be a problem. Again, unfortunately people are human but every inspector is not going to catch everything every time they are in the building. In Patton Township

every three years they will switch who is doing it because they don't want the same inspector inspecting every property the same way because there are things they will miss every time. Walt would like to know about those kinds of things. Council has asked them to administer a code and obtain compliance for a code and they take that seriously saying their marching orders are to get compliance with the minimum standard that is required so if they see something they would be negligent in not calling it out and requesting it be fixed. Mr. Johnson said it takes the property owner off guard. There are other ways of approaching that. He said the agency has to be user friendly and reach out to these people. You have to be nice to the people because the public relations side of the business is number one and it needs some help. Walt is very, very good at what he does. He read through the contract where Walt is offering seminars, but Mr. Johnson hasn't heard of any training sessions. His suggestion is if Walt would be the Property Maintenance and Building Code again he recommends reaching out to the contractors once or twice a year and have a seminar. Walt is not trying to dodge anything, but they were hoping to have the new PM code this fall. The anticipation was to have updates in the fall. It has lagged because they are trying to get all the municipalities to put the same document in at the same time. Mr. Johnson doesn't want to hear Walt's problems. That is his business. The Borough is paying for the service and they don't need to hear about that.

Mrs. Dunne wanted to draw Council's attention to what they might do with the agreement and the possibility of sending out an RFP.

Walt pointed Council's attention to the document for Agency Contributions. The four big things to keep in mind are: emergency calling. They are an on-call agency with respect that they provide call-out capability 24/7 365 days a year. An example is yesterday they had a ceiling collapse in town and within an hour they had three inspectors on site dealing with the issues. At 3:00 a.m. he can have someone from the agency on site to assist the fire department to do what needs to be done from a code standpoint. He doesn't know another agency in the Commonwealth that does that. They continue to do site meetings. They serve on the HARB board. They truly serve whenever they are asked and they also provide fire prevention support and activities to assist the fire department and leverage the volunteers so their fire prevention efforts go much farther and truly give them abilities they would not otherwise have.

Council thanked Walt for joining them tonight and allowing some dialogue.

COUNCIL DISCUSSION AND ACTION ON NEXT STEPS

- Council has the agreement and everyone has had a chance to read it. They also have the RFP that was issued that brought in the agreement. Mrs. Dunne would like to know what Council would like to do with the agreement because there are various choices.

Mr. Johnson said there are three things that are being looked at. One is Building Code, one is the Property Maintenance Code and the other one is Fire Inspections. There are three items that the service has to provide to the Borough. Mr. Johnson asked if that is being requested from each code agency. For the Property Maintenance Code he said you do not have to have a license to inspect property. Mr. Stewart said in the RFP that was done three years ago that is what was done. They

asked for an entity to provide all three services. They felt it was better to be able to manage it from that perspective. Mr. Brachbill doesn't feel Council wants to piecemeal it because that didn't work in the past and he isn't sure how it would work in the future. They have issues with the group that does all three so he can't imagine what it would be like with individuals. Mr. Stewart said some of the concerns were there was one inspector and a lot of money was put into the training and Council heard the deficiencies that were there. You have to be concerned because you hire one person to do one thing and they leave or something happens then you are out of business again. The Borough wanted some entity that had back up service. When a code person leaves Centre Region for a job opportunity they have others and the Borough would not be out of business. That is what led to doing the RFP.

Mr. Beigle recommended getting a price on all three entities and that would give an idea what each one is costing the Borough. You don't have to accept them. You can go with one. Mr. Stewart said when you do the RFP you can ask for the cost per service. Mr. Stewart said the user or property owner pays. The Borough doesn't collect the tax. It's a fee based system. The fees were established by Borough Council. The inspection fees have changed. It used to be done differently than the Centre Region, but they came to an agreement on how it is done. The rental housing is done differently because a different cycle is being done. The fire inspection fee was based on square footage that Russell Shuey came up with. Mrs. Brown asked if COG was the only agency that would do all three. Mr. Holderman said there was at least one or two other entities. Some of the issues were the other entities were not from Centre County so the way they were going to provide service is they would send one inspector in one day a week. The Borough wanted to go with a contracting agency that could provide the services or go back to looking at hiring one person to do everything, and it was impossible. Mr. Stewart recently reviewed Russell's job description and they have a whole agency trying to do all three services and they have other municipalities, but there is no way one person could keep up with it and that is why, through the fault of the Borough, he got behind. If this was brought back in house there would definitely be more than one person hired.

There was an in-house building code supervisor who could do some level of inspections. He had some certifications. He also had a contractor that was really the inspector. There has been a contractor since 2004. It has been different people over the years. That was the major inspectors that were used for the UCC portion. The rental housing inspection...there has been a rental housing code since the late 70's so the Borough has always had apartment inspected. The fire inspection came in about four or five years ago as a result of all the fires in the Borough. Russell never made it through the commercial fire inspections. He may have gotten a fourth of the way through. Mr. Stewart said Russell had the same issues. He had to develop a billing structure, get his foot in the door, and get a database built. There were a lot of issues and he shared a lot of them with Council. Mr. Holderman said when you have one person they have vacation time, they have sick time...when they aren't here there isn't anyone doing inspections. If he would be off six months for a workmen's comp issue there would be nobody filling in. They tried to make it work but the actual contracted inspector was the one that was very difficult to contact. Some days he would answer and some days he wouldn't. People liked him because he was pretty lenient, but is that

what you really want. Do you want the property inspected or not? You can pick somebody like that but you won't get the service. That is what the Borough was running in to. They were not delivering the service that the Borough was paying for. Mr. Holderman said the complaints mostly received at that time was the inspector never showed up when he was expected. Mr. Stewart said the Borough does have some records.

Mr. Brachbill said Council knows what the history is, but moving forward it's Council's job to make sure they are supporting the Bellefonte community. He feels this move with code two years ago was a positive step. People may not agree, but they do their job. They administer the code. Yes, there are disagreements maybe with how those things are done but the opportunity is there now to hopefully fix some of that stuff. Maybe Council needs to re-evaluate Bellefonte's specific needs and try to continue with that as opposed to bringing somebody brand new on and going through this again because you don't know what you're actually going to get until that entity would get in and see what they are getting in to. The code is the code and if it's not administered properly then you will end up with issues.

Mr. Beigle shared three people that interviewed. It's not so much the code, but the biggest problem was the arrogance that was established out there and going to the main office and feeling like you are a second class citizen. The laws are the laws, but it comes down to them recognizing that Bellefonte is the customer and are serving the customer out there. That is the biggest issue that people had and it sticks its ugly head up. The last thing in the presentation that Walt didn't get a chance to address is that is one thing they are working on. Mr. Beigle has no problem with whatever Council decides, but the main thing is Council has to satisfy the people in Bellefonte and make it so the complaints don't continue. The other part was the retribution part. It has happened. If Mr. Beigle receives a complaint like that he should share it with Council, who will then pass it on to the code administration. You can name the name of the inspector. Whether you name the name of the complainer is another thing, but it's only fair to who you are complaining about. If Mr. Beigle receives a complaint again he is going to go to Mr. Stewart.

Ms. Tosti-Vasey feels some of these customer service issues could be resolved by having the data on a regular basis. She would like to see some sort of time tables on when inspections were promised and when they were done. If there is a pattern that there isn't enough staff maybe the fees need to be discussed so they can hire more staff and get the customer service required. The data needs to come from CRCA and the Borough and then Mr. Stewart would have to put it together to show where the problem is. In the agreement it says if requested a code official could attend a monthly meeting. Ms. Hombosky agrees with Ms. Tosti-Vasey to collect data.

A quarterly report could reflect the number of inspections for business; for rental property owners; for inns...and how specific does it have to be. How many rejections? How many resolutions? How were the violations resolved? Possibly contractors, business owners, inn keepers and property owners could be provided a survey to fill out after they do a project. The survey would go anonymously to someone in the Borough and the data would be accumulated for Council to see. Ms. Hombosky asked if that would involve a part-time person for the Borough or who would collect the information and enter it properly and then generate a good enough report for Council.

Mrs. Dunne said there may be some data on the record management system on the inspections that would be easily accessed. Mr. Stewart said a customer service survey is fairly easy, but trying to collect the inspection data is very, very difficult. Walt said they don't keep track of how many violations per property because nobody has requested that information. For the data management they don't put that much data in the system. The point system in State College Borough is based on several things. A violation doesn't happen the minute a deficiency is discovered. They have the opportunity to correct it before it becomes a violation. When it becomes a violation that information is forwarded to State College Borough for them to track. You have the first thirty days to take care of the problem. When the problem isn't taken care of it gets into the point system. Walt said if things go forward as anticipated with the adoption Bellefonte has slated that they want the point system adopted Council would have to decide if they want to administer the system. State College Borough manages their own point system. It's in a higher section of the code where it's a combination of rental housing violations, criminal violations, and a whole host of things that generate points under the property maintenance cod. State College Borough is the only municipality that currently manages that. There are other municipalities that have it in place but have not chosen to manage it.

Mr. Beigle asked how the CRCA evaluates to know if they are meeting the needs of the customer that they are serving. Walt said they track when they do the inspections and that they are meeting the requirements of having the inspections done in a timely fashion and they know what they are sending over as far as what are truly violations to the point where they have to write citations. Mr. Beigle wants to know how you know that you are satisfying the customer that you are serving and meeting their needs. Walt said from the construction side they have done two new construction surveys in two years. In 2017 they are doing a rental housing survey and the anticipation going forward will be to alternate years doing a rental housing survey in the odd year and in the even year they will do a new construction survey to all permit holders from that year. That is done by the Office of Administration. It is paid for through the code office. The Office of Administration does it so CRCA doesn't see data directly. Can that be done so the data focuses specifically on Bellefonte? Walt said as long as he knows the data needs to be split he doesn't see a problem with it. Commercial building permits would be in the new construction. If code did a rental housing inspection and something doesn't pass they have thirty days to correct the issue, unless it is a life safety issue. With a life safety issue they have twenty-four hours. If nobody is occupying the rental then it would just need to be done before the inspector comes back. If it is painting in the winter they will have more time to get it done or for replacing concrete. They try to be reasonable. A lot of it is show me that you have a contract in place with a contractor with starting dates and then things are good because code knows something is in place.

Council would like to see the customer satisfaction data included in any agreement. Mrs. Dunne said it has been important to CRCA that all municipalities be treated the same, but there are probably some differences being heard at this meeting. She asked how much negotiation would need to be done to make agreement changes in the future. Walt said if he does something for Bellefonte it's not that he has to do it for the other municipalities, but when they come to the table and ask for it he can't say

no so he has to evaluate what time and effort it will be to put that in place based on anticipating service level, etc. An example with data collection is how much work does his existing front office staff have on their plate and does he need additional front office staff to get that data. Is it something he can get easily? Is it something that the inspector has to come back from the inspection and put additional data into the system and how much time and productivity does it take. Bellefonte can request anything but Walt has to go back and evaluate whether there is a cost from that request, can he meet that and does he feel it is realistic to continue to meet that so he doesn't let the Borough down. Would the entity that wants the data would they have to establish a fee for Borough data or change the cycle from two to three years. Before CRCA came on board Bellefonte recommended two years for inspections. Another question is why is Bellefonte charging \$50 for inspections and other municipalities have different rates. Walt said the CRCA charges all of Bellefonte Borough \$37. State College Borough tacks on a fee that CRCA collects on their behalf and then conveys it to them. Other municipalities have tacked on a fee for "ordinance enforcement". CRCA recommended that Bellefonte stay with the two-year cycle for two cycles before going to a three-year cycle. They would like to go to a three-year cycle on a January 1st date. The fee is \$50 per unit.

Ms. Hombosky referred to #9 in the agreement. She asked what data is on file and what access does the Borough have. On new construction it is the plans, all the permit data, all the construction data – once the project is dormant for one year it is sent to an off-site record keeping and it is maintained indefinitely. All the data belongs to the Borough. There is a file for every rental housing unit with all the hard copy inspection data in it. There is a data base that is predominately fee and scheduling for every bit of rental housing, every permit, every fire permit and all the new construction permits. Some of the things Bellefonte wants may come from the access that is already available to them.

Mrs. Dunne stated something Council would like to do is incorporate some customer satisfaction requirements into the RFP. This would allow the CRCA to respond to the RFP given some additional needs that Bellefonte has. Ms. Tosti-Vasey would like to have quarterly reports. Council would like to see public education in the RFP. Mr. Beigle said the document is only as good as Council enforces it.

Mr. Stewart and Mr. Holderman will try to capture Council's ideas for the RFP. Mr. Stewart will try to get it to the next work session. He said things must keep moving.

Mr. Steff wanted to address Council briefly. He heard a lot of good suggestions today about things that could be done differently in terms of providing reports, marketing, public education programs, some professional development in terms of customer relations. Another option to going out to bid is to just be specific and tell CRCA what Council wants. Walt is absolutely right...the proposal to Bellefonte will look a lot like the services they do to the other municipalities. The ideas that he heard about surveys, something on the website to broadcast the programs, and having customer services. All the elected officials are interested in that. You just have to tell CRCA that is what Bellefonte wants done and they will bring it to the public services committee and tell them what they are up to. Randy is a member and is very conscientious about coming to the meetings and he talks to Ralph and Don on a regular basis. He said Bellefonte has the choice to go out on a bid, but he heard some things that would be a

common interest to all the elected officials. They would be glad to explore that. The ideas he heard are universally good concept that he would like to explore and be held accountable to come back to Council. Bellefonte is still under agreement with CRCA so if they choose to take those suggestions and push them forward they should. He is going to report them back to his boss because they are good ideas. He and Walt have kicked around some structural changes that they can make in terms of customer service and getting feedback to people. It's a big agency. They looked at \$250 million of new construction last year and it will be equivalent this year. They can't change on a dime and probably they are behind the technology ball because he's not a tech head. They do a lot of things on paper when trying to transition to digital format, but with this level of business we just don't do everything right. Mr. Holderman said the Borough is in the same boat. Council is happy to have some clarity on what the CRCA is doing.

COG's Right-to-Know Officer said all the issues Council discussed about bad landlords and rental housing units...he gets requests for public records on that all the time. He said you don't have to be a member of Borough Council. Everything discussed today is a public record. They have to respond within five days to all those requests. He had a request not too long ago for over 100 records.

Mr. Beigle said Jim heard what Council talked about tonight and he wondered if the other municipalities share the same thing that was discussed tonight. Jim said they are concerned about customer service. CRCA needs to look at it. It is difficult because inspection staff are enforcement officers. They are enforcing the law just like the police officer that pulls you over. He suspects there are some things that could be done better. The other municipalities are not so interested in some of the detailed information. In the past they have come and looked at the files and soon lost interest. They would be glad to have Ralph or Don come over to compile stuff. The big thing with the other municipalities is are they charging a fair price. The \$37 that is charged is the most one that he is aware of. Something Council might want to think about is the other municipalities add a fee to it. If you have 1,600 units and add \$12 for each one that would be \$25,000. The code inspection charges are less than they were in 2007. There is a very low rate of fire loss in CRCA's municipalities. They have been able to maintain an all volunteer fire company. There have been very, very few building failures in the municipalities that they serve. If they have one gripe it would be that they need to present themselves in a more helpful and friendly manner. Mr. Beigle said that is something to be emphasized. He would like to know how they will address that. He is very interested in knowing how they are going to address that. Jim said he and Walt have had some ideas because it is a broad enough concern that it needs to be addressed. It is particularly hard because of the retribution thing that has been discussed. Jim did a randomized survey and 95% of the people that responded, and they were sent out to everyone that took out a building permit, had at least a satisfactory experience with the code agency. He would like to do something on the website. There are some things they can do. Mrs. Brown said even a "tell me how we did". That at least shows them that you care about what is happening.

Ms. Hombosky is curious about what percentage of the problem is personalities and what percentage is a problem with the code. If people complain and are not specific and are complaining about the code that is an education thing that has to happen and there is a two-way street. There are going to be people who won't like that

no matter what. It is hard for Jim to identify but there are some code issues. Some of the codes get picky and have to be followed because the state sends out auditing teams. With the 8" railing if some kid would get hurt in that the property owner would get sued and CRCA would get sued because they would say did you inspect that property or not. We would say yes and they would say what is the regulation? It's 4". You approved it? Then you are liable. Walt said there are certain things that can be done with respect to Historic Preservation but they better be able to be sure they have figured out every possibility to make it compliant because it's the same thing. Unfortunately the agency got sued a number of years ago with respect to an illegal conversion of a furnace. You better make sure you got your t's crossed, your l's dotted and you have tried to do everything from a technical feasibility standpoint as best you can. If you don't and something bad happens then unfortunately nobody wants to pay for it so they're looking at the next deep pocket to go after. Negligence trumps municipal exemption. If CRCA is found negligent in what they do and what they are supposed to be doing at that point in time the floodgates open. CRCA represents Bellefonte and part of Walt's job is to look out for Bellefonte's liability and CRCA's.

CRCA inspects the public schools for building safety. It puzzles Mr. Johnson about a sidewalk that runs parallel to Spring Street next to the elementary school and there is a drop-off that is more than 4'...Walt said the sidewalk is not in the CRCA jurisdiction. It is the Borough's.

PUBLIC COMMENTS

- None.

ADJOURNMENT

- With no other business to come before Council Mr. Beigle made a motion to adjourn the Special Council Meeting of January 24, 2017, at 8:53 p.m. Mr. Johnson seconded the motion. A voice vote was unanimous.