

City of Duquesne
Public Hearing Minutes
Tuesday, November 28, 2023
6:15 pm

Hearing was called to order by Mayor Adams at 6:15 PM.

Mayor Adams called for a Moment of Silence followed by the Pledge of Allegiance.

Manager Sample called the roll.

Present: Councilperson Washington, Councilperson Adams, Councilperson Artim, and Mayor Adams

Others Present: City Manager Douglas Sample, Engineer Laura Branthoover, and Solicitor Myron Sainovich,

Absent: Councilperson Caldwell

Solicitor Sainovich opened the hearing by reviewing Pennsylvania Statute 53175, letter to COG dated October 20, 2023, and proof of publication for the scheduled demolitions of the following properties:

11 S. 5th Street - Lot/Block #305-H-88
117 N. 4th Street - Lot/Block #305-D-105
1006 Sherman Avenue -Lot/Block #305-G-112
31 Meadow Street - Lot/Block #305-D-8
129 S. 1st Street - Lot/Block #378-F-94
600 Crawford Ave (379-A-098)
602 Crawford Ave (379-A-097)
604 Crawford Ave (379-A-096)
606 Crawford Ave (379-A-095)

Please see attached exhibits for the record.

Solicitor Sainovich swore in Manager Sample. Manager Sample stated the above properties are dangerous and need to be demolished. Moreover, the properties have been posted per the legal requirements.

Solicitor Sainovich asked if there was any Public Comment – None.

Solicitor Sainovich asked that Council to confirm Resolution 2023-10 and 2023-11 confirming the properties are make a **motion to determine the above properties are dangerous and need to be demolished and that the properties are blighted.**

First: Mayor Adams **Second:** Councilperson Washington

53 P.S. § 53175

Pa.C.S. documents are current through 2022 Regular Session Act 53; P.S. documents are current through 2022 Regular Session Act 53.

Pennsylvania Statutes, Annotated by LexisNexis® > Pennsylvania Statutes (§§ 1 — 2710) > Title 53. Municipal and Quasi-Municipal Corporations (Pts. 1/2 — X) > Part VII. Incorporated Towns (Chs. 101 — 114) > Chapter 102A. Nuisances and Junk Yards (§§ 53175 — 53177)

Notice

► This section is repealed in part pursuant to Act 1961, Sept. 29, P.L. 1745 and Section 2 of Act 1990, Dec. 19, P.L. 1343, No 209.

§ 53175. Power to prohibit or remove nuisances

All incorporated towns are hereby empowered to prohibit and remove any nuisance, including but not limited to, accumulations of garbage and rubbish and the storage of abandoned or junked automobiles and to prohibit and remove any **dangerous structure** on public or private grounds, or to require the removal of any such nuisance or **dangerous structure** by the owner or occupier of such grounds, in default of which the town may cause the same to be done, and collect the cost thereof, together with a penalty of fifteen per cent of such cost, in the manner provided by law for the collection of municipal claims, or by action of assumpsit, or may seek relief by bill in equity.

History

Act 1972-321 (H.B. 2441), P.L. 1443, § 1, approved Dec. 6, 1972, eff. immediately.

Pennsylvania Statutes, Annotated by LexisNexis®
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SAINOVICH LAW, INC.

Experience Matters

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444 Allen Road
Beaver Falls, PA 15010
myron@sainovichlaw.com
412-303-7777



October 20, 2023

Ms. An Lewis
Government Grants and Project Manager
Steel Rivers Council of Governments
1705 Maple Street
Homestead, PA 15120

Re: City of Duquesne
CD 48 Demolition Properties
CD 49 Demolition Properties
Act 152 Demolition Properties

Dear Ms. Lewis:

I have spoken with the City Manager this morning. I can confirm that the City of Duquesne has taken the necessary legal steps to obtain the right to demolish the listed dwellings as unsafe structures. Notices of violation have been mailed, the resolution prepared, and properties have been posted and photographed, declaring the structures to be dangerous and uninhabitable.

The City Certifies to the Steel Rivers COG and the Allegheny County Economic Development Authority, that all proceedings are proper, and all notices given and/or waivers obtained.

Thank you again for your kind consideration and understanding.

Sincerely,

Myron R. Sainovich
City Solicitor

Cc: City Council
City Manager

CD 48 Demolition Properties (listed below).

- 11 S. 5th Street - Lot/Block #305-H-88
- 117 N. 4th Street - Lot/Block #305-D-105
- 1006 Sherman Avenue - Lot/Block #305-G-112
- 31 Meadow Street - Lot/Block #305-D-8
- 129 S. 1st Street Lot/Block #378-F-94

CD 49 Demolition

- 16 S. 7th St. Lot/Block #305-H-265
- 18 S. 7th St. Lot/Block #305-H-264
- 28 S. 7th St. Lot/Block #305-H-259
- 30 S. 7th St. Lot/Block #305-H-258
- 35 S. 7th St. Lot/Block #305-H-225
- 119 S. 7th St. Lot/Block #305-M-368
- 121 S. 7th St. Lot/Block #305-M-367
- 125 S. 7th St. Lot/Block #305-M-365
- 129 S. 7th St. Lot/Block #305-M-362
- 151 Aurilles St. Lot/Block #305-M-351
- 138 Aurilles St. Lot/Block #305-M-208
- 125 Aurilles St. Lot/Block #305-M-383
- 18 Aurilles St. (Unit 1) Lot/Block #305-H-350
- 18 Aurilles St. (Unit 2) Lot/Block #305-H-352
- 6 A urilles St Lot/Block #305-G-192
- 8 Aurilles St. Lot/Block #305-G-194
- 13 Erwin Lot/Block #305-H-25
- 12 Erwin Lot/Block #305-H-26
- 20 Erwin Lot/Block #305-H-276
- 23 Erwin Lot/Block #305-H-268
- 27 Erwin Lot/Block #305-H-269
- 29 Erwin Lot/Block #305-H-270
- 31 Erwin Lot/Block #305-H-271

Act 152

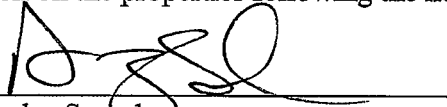
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LEGAL ADVERTISEMENT

NOTICE is hereby given that the City of Duquesne will hold a hearing to consider the declaring the following properties as dangerous structures:

11 S. 5th Street - Lot/Block #305-H-88
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Said hearing will be held at the Duquesne City Building, 12 South 2nd Street, Duquesne, PA 15110, on November 28, 2023, at 6:15 PM. The Council of the City of Duquesne will take final action on the properties following the hearing.



Douglas Sample
City Manager

AFFP

Dangerous Structures Mtg 11/28

Affidavit of Publication

STATE OF PENNSYLVANIA } SS
COUNTY OF
WESTMORELAND }

Stacy Wolford, being duly sworn, says:

That she is Managing Editor of the Mon Valley Independent, a daily newspaper of general circulation, printed and published in Monessen, Westmoreland County, Pennsylvania; that the publication, a copy of which is attached hereto, was published in the said

November 02, 2023

LEGAL ADVERTISEMENT

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Douglas Sample
City Manager
11/2

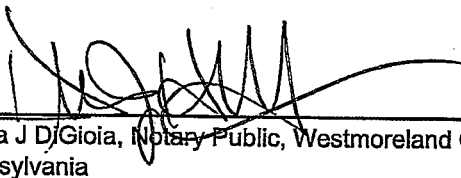
That said newspaper was regularly issued and circulated on those dates.

SIGNED: -



Managing Editor

Subscribed to and sworn to me this 2nd day of November 2023.



Debra J. Digioia, Notary Public, Westmoreland County, Pennsylvania

My commission expires: June 17, 2024

Commonwealth of Pennsylvania - Notary Seal
 Debra J. Digioia, Notary Public
 Westmoreland County
 My commission expires June 17, 2024
 Commission number 1039975

00007951 - 00089878 Pennsylvania Association of Notaries

Doug Sample
City of Duquesne
12 South Second St
DUQUESNE, PA 15110

LEGAL ADVERTISEMENT

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Douglas Sample
City Manager
11/2

2023-10
CONCURRING RESOLUTION

The purpose of the Resolution form is to have on record a statement confirming that the applicant has formally requested CDBG funds, has designated an official to perform the required duties between the applicant and Allegheny County Economic Development and has assured, where applicable, the provision of local matching funds. In addition, the applicant will comply with all other provisions of the CDBG application.

Resolution of the City of Duquesne authorizing
Name of Operating Agency/Municipality
the filing of an application for CDBG funds with Allegheny County Economic Development.

WHEREAS, the City of Duquesne is
desirous of obtaining funds from Allegheny County Economic Development in the amount of \$85,800
under the Federal Housing and Community Development Act of 1970, as amended. *(CDBG Funds)*


NOW, THEREFORE, BE IT RESOLVED, that the City of Duquesne
does hereby formally request CDBG funds from Allegheny County Economic Development.

BE IT FURTHER RESOLVED, that the City of Duquesne does hereby
designate An Lewis as the official to file all applications, documents, and forms between
(Authorized Official)
the City of Duquesne and Allegheny County Economic Development.

BE IT FURTHER RESOLVED, that the City of Duquesne
will assure, where applicable, the provision of the full local share of the project costs.

BE IT FURTHER RESOLVED, that the City of Duquesne
will assure, that the project will be awarded or under construction within 180 days after contractual execution.

Adopted this 14th day of November, 2023, by the



Signature (Must *not* be same as Authorized Official)

Douglas Sample

Printed Name

City of Duquesne

Operating Agency/Municipality

City Manager

Title

2023-11
ATTACHMENT E

DEMOLITION
SLUMS AND BLIGHT RESOLUTION

Resolution by the City of Duquesne of
Allgheny County;

WHEREAS, there are several vacant and dilapidated structures located within the
Municipality of Duquesne;

AND

WHEREAS, such structures constitute a health and safety hazard to our residents;

AND

WHEREAS, such structures identified for demolition will undergo condemnation
proceedings outlined within local ordinances and are in declaration of the property as a public
nuisance and as being in a hazardous or dangerous condition;

AND

WHEREAS, Allegheny County Economic Development, through the Community
Development Block Grant Program, has funds available for the removal of such structures;

AND

WHEREAS, the Municipality of Duquesne is desirous of obtaining
such funds.

BE IT THEREFORE RESOLVED, this 14 day of Nov, 2023 that the
Municipality of Duquesne determines and declares that such
structures individually and collectively constitute blighted property in the municipality as
defined by the Urban Redevelopment Law (1945, May 24, P.L. 991; 1978, June 23, P.L.
556, No. 94; as amended, 1988, March 30, P.L. 304, No. 39).

CHOOSE APPLICABLE CONDITION (S) FOR DEMOLITION:

Because of physical condition or use, such Structure is regarded as a public nuisance at common law or has been declared a public nuisance in accordance with local housing, building, plumbing, fire and related codes.

Such Structure, because of physical condition, use or occupancy, is considered an attractive nuisance to children (including but not limited to abandoned wells, shafts, basements, excavations, and unsafe fences or structures).

Such Structure, because it is dilapidated, unsanitary, unsafe, vermin-infested or lacking in the facilities and equipment required by the housing code of the Municipality, has been designated by the department responsible for enforcement of the code as unfit for human habitation.

Such Structure is a fire hazard, or otherwise dangerous to the safety of persons or property.

Utilities, plumbing, heating, sewerage or other facilities have been disconnected, destroyed, removed, or rendered ineffective from such Structure, so that the Structure is unfit for its intended use.

Such Structure is unoccupied and has been tax delinquent for a period of more than two years.

Such Structure is vacant (but not tax delinquent), and has not been rehabilitated within one year of receipt of notice to rehabilitate from the appropriate code enforcement agency.

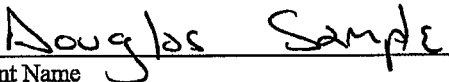
ATTEST:

Clerk or Secretary

Print Name



Council President or Chair/Commissioners / Manager



Print Name

PUBLIC COMMENT

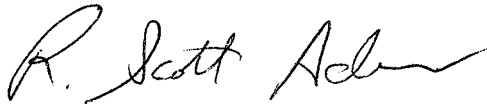
No Comments Made

ADJOURNMENT

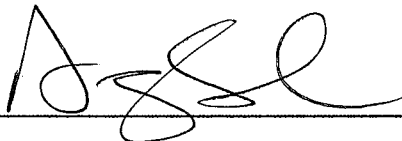
Mayor Adams asked for a **motion to adjourn the Public Hearing at 6:21 PM**

First: Councilperson Adams **Second:** Councilperson Washington

MOTION carried 4-0



R. Scott Adams, Mayor



Douglas Sample, City Manager