

Foster Township Board of Supervisors
Regular Monthly Meeting
Minutes
March 13, 2024

CALL TO ORDER

Call To Order The Regular Monthly Meeting, followed by the Pledge of Allegiance to The Flag and a Moment of Silence.

ROLL CALL

Mr. Titus	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
Mr. Malloy	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent
Mr. Pavuk	<input checked="" type="checkbox"/> Present	<input type="checkbox"/> Absent

READING OF MINUTES FROM PRIOR MEETING

Motion to Dispense with Reading of Minutes due to availability to public
Motion to read Minutes

Motion By:	<input type="checkbox"/> Mr. Titus	Second By:	<input checked="" type="checkbox"/> Mr. Titus
	<input type="checkbox"/> Mr. Malloy		<input type="checkbox"/> Mr. Malloy
	<input checked="" type="checkbox"/> Mr. Pavuk		<input type="checkbox"/> Mr. Pavuk

Roll Call:	Mr. Titus	Mr. Malloy	Mr. Pavuk
	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No
	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain

READING OF TREASURER'S REPORT

Motion to Dispense with Reading of Treasurer's Report due to availability to public
Motion to read Treasurer's Report

Motion By:	<input type="checkbox"/> Mr. Titus	Second By:	<input checked="" type="checkbox"/> Mr. Titus
	<input checked="" type="checkbox"/> Mr. Malloy		<input type="checkbox"/> Mr. Malloy
	<input type="checkbox"/> Mr. Pavuk		<input type="checkbox"/> Mr. Pavuk

Roll Call:	Mr. Titus	Mr. Malloy	Mr. Pavuk
	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No
	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain

READING OF LIST OF BILLS

Motion to Dispense with Reading of List of Bills due to availability to public
Motion to read List of Bills

Motion By:	<input type="checkbox"/> Mr. Titus	Second By:	<input type="checkbox"/> Mr. Titus
	<input checked="" type="checkbox"/> Mr. Malloy		<input type="checkbox"/> Mr. Malloy
	<input type="checkbox"/> Mr. Pavuk		<input checked="" type="checkbox"/> Mr. Pavuk

Roll Call:	Mr. Titus	Mr. Malloy	Mr. Pavuk
	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No
	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain

Motion to Advertise Demo Bids – Attny Favreau explained that the advertisement is ready but we are waiting on the eminent domain to go through, there is a period of time that has to expire before we can proceed. Once that time is up the advertisement for both properties will be issued.

Motion to Advertise Building Repair Bids – Tom explained that everything is ready to go, but the architects want to have a pre bid meeting, so once there is a date set for that then they will advertise. John made the motion. Wilson seconds the motion. Roll Call was yes by all.

Motion to Draft & Advertise Landlord Ordinance Amendment – Attny Favreau stated that the board is looking to amend the time period for inspections. Short-term rentals will be required every two years to have an inspection performed, and long-term rentals will be required to be inspected when there is a change of ownership or each time a tenant vacates. Permits will still be required for all rentals each year. John made the motion. Wilson seconds the motion. Roll Call was yes by all.

Engineers Report – Tom has nothing else to report besides the above referenced bids.

Sewer Report – Nothing to report.

Solicitors Report – Attny Favreau would like to make the board aware that the tanks at the old Heller property will be removed the week of March 18th.

CORRESPONDENCES

None

PUBLIC COMMENTS

Jim Shanda wanted to find out if there is a list of the individual ordinances that are not enforced in Hickory Hills because there is an ordinance that the board just talked about that is not enforced in Hickory Hills and he was just wondering if there were any others? Wilson stated that he would have to talk to code officers. Wilson also said that they would have to have their own evidence down there. The township only comes in when it deals with life and public safety. But the HOA needs to exhaust all their means legally first, before it comes to us, unless it's an immediate threat to life and safety. Mr. Shanda asked if a short-term rental is supposed to notify the twp and get an inspection. Because if there is a list of rentals, it is not being enforced. Brittany stated that the list the twp originally got from the HOA just said what properties they had listed as rentals, so nobody was seeing it as long-term, or short-term, it was just a rental. Brittany explained that she spoke with Mr. McHugh, and explained what the twp is looking for. She thinks she understands where the confusion is coming in, and she explained that in their covenants somewhere it says that if you want to rent a property in there, now back when they were written short term, maybe that wasn't even a thing, she is unsure, but when it was written in there it said that if you want to turn the property into a rental you had to go to the HOA Board. So, what Brian means by exhausting all your options is the HOA board needs to recognize all the rentals first, you have to have them come in, fill out the paperwork, or whatever the process is, and then when they write down that they're going to rent it as a short term instead of a long term. That's when you notify us. So, we need your board to recognize it as a short term, and then we come in. Brittany also explained that the inspections are completely separate, and they are not to show if it's a long or short-term. That's just to go and make sure the property is safe. Mr. Shanda asked about short-term rentals and ownership changing after 2016. It was explained to him that if a property changes hands, they would have to have proof that it was a short-term rental prior to 2016.

Alice Lachewitz asked where in the township's rules or regulations, does it say that the HOA needs to exhaust all its options. Where was this voted on? Attny Favreau stated that enforcement is generally in law. Anybody that has police power has the discretion to enforce things or not, just because you call into the police that there's a crime being committed. The police don't have to come down. They don't have to do anything. So, this is a similar situation with short-term rentals. While you may not like that, we are not willing to always enforce something, or when we choose to, they have the discretion to do that.

Jim Shanda asked the board what do the people have to do? They have the listings that show the house, so once that is done, then what will happen? Wilson stated that the code Enforcement officer will look at it and make a determination as to whether to move forward with the Enforcement action. He stated that Brian was already given the listings and nothing was done. Brittany stated that she can verify the listings are here, but what Attny Favreau said before was to send them to your board, too. We all need to be on the same track. Mr Shanda asked if there was a list of properties that the twp has on file as rentals? Brittany explained that yes there is a database, and it has been sent a few times to Mark Lachewitz and Luke McHugh. Mr. Shanda explained that the HOA would need a list in case of ownership changes.

Alice Lachewitz asked if the zoning officer come and inspect the property where say a shed, or whatever is going to be, before they issue the permit? Do they check for accuracy? Attny Favreau stated that they don't have to. They can, if they want to but they go based on the submission in front of them which requires a plot plan, a drawing. Alcie asked if they are allowed to rely on something that's not correct or falsified. Attny Favreau explained if they get the permit, and then, if it comes to his attention that's false, then he could go out there and if there's a material difference between the application and what's actually built, then there will be a basis for the zoning officer to take enforcement action.

Donna Ferraro asked about the burnt down property @ 66 Vacation Drive, she stated that she has sent multiple correspondences on the issue to the twp and she was also on a call with our state rep and senator and they told her it is the twps issue to take care of it. She also spoke about her conversation with the EMA coordinator and the emergency shelters and disaster shelters in the twp, and she wants to know why she cannot know where they are. Wilson stated that he will talk to Brian about the property at 66 Vacation Drive, but the HOA needs to exhaust all their options before coming to the twp. Ms. Ferraro stated that there are county grants for it, and the twp need to file for them because Hickory Hills cannot. Wilson stated that emergency shelters are not announced until there is an actual emergency, that is why our EMA coordinator did not have any information to give her.

ADJOURNMENT

Motion to Adjourn

Motion to Continue

Motion By: Mr. Titus
 Mr. Malloy
 Mr. Pavuk

Second By: Mr. Titus
 Mr. Malloy
 Mr. Pavuk

Roll Call:	Mr. Titus	Mr. Malloy	Mr. Pavuk
	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No

Respectfully Submitted,

Brittany Majewski

Foster Twp Manager