

**MINUTES  
COLLIER TOWNSHIP BOARD OF COMMISSIONERS**

**REGULAR MEETING**

**January 10, 2018**

**7:00 P.M.**

**I. CALL TO ORDER:** President Macino called the meeting of the Board of Commissioners to order at 7:03 P.M.

**A. PLEDGE OF ALLEGIANCE**

**B. ROLL CALL:**

**BOARD**

Wilson Durisko – Present  
Wayne Chiurazzi, Esq. - Present  
Dawn Williams-Zabicki- Present  
Rick Ruffennach –Present  
George Macino – Present

**STAFF**

Chuck Means, Solicitor - Present  
Kevin Brett, Engineer - Present  
Craig Campbell, Chief of Police - Present  
Robert Caun, Planning Director - Present  
Bob Palmosina, Public Works Director - Present  
Brian Ralston – Bldg./Codes Officer - Present  
Rochelle Barry, Parks Director – Present  
Jeff Hinds, Finance Director - Present  
Kyle Thauvette, Township Manager – Present  
Valerie Salla, Township Secretary – Present

**C. EXECUTIVE SESSION** – Was held prior to the meeting.

**D. PROCLAMATION** – Sgt. Eric Davis

Commissioner Macino read a proclamation for Sgt. Eric Davis who is retiring and the Board thanked him for his years of service and dedication.

**II. APPROVAL OF MINUTES:**

**A. December 13, 2017** – Board of Commissioners Workshop Meeting

*Motion was made by Commissioner Durisko, second by Commissioner Ruffennach to approve the minutes as submitted above. By unanimous vote the motion carried.*

### III. REPORTS OF OFFICIALS AND COMMITTEES:

- A. Solicitor:** The Solicitor submitted a written report to the Board for the month of December and would be happy to answer any questions the Board might have.

There were no questions or comments.

- B. Engineer:** The Engineer submitted a written report to the Board for the month of December and would be happy to answer any questions the Board may have.

There were no questions or comments.

- C. Manager:** The Manager submitted a written report to the Board for the month of December and would be happy to answer any questions the Board may have.

Mr. Thauvette added he received a letter from PennDOT regarding the traffic study they completed for the intersections of Hilltop Road, Walkers Mill Road and Boyds Run Road. PennDOT deemed stop signs are not necessary. There are low traffic amounts for these roads and very few accidents reported within the last five (5) years.

Mr. Thauvette also added the next Manager's Coffee Hour will be on January 22<sup>nd</sup>, 2018 at 9:30 a.m. at the Community Center.

There were no other questions or comments.

- D. Codes/Zoning:** Mr. Ralston submitted a written report to the Board of Commissioners for the month of December and would be happy to answer any questions the Board may have.

Commissioner Macino questioned if the fire inspection letters to businesses have gone out.

Mr. Ralston stated not till February.

There were no other questions or comments.

- E. COG:** Commissioner Durisko stated many COG members were not re-elected and the next meeting will be in a week.

- F. Finance:** Mr. Hinds submitted a written report to the Board for the month of December and would be happy to answer any questions the Board may have.

Commissioner Williams-Zabicki stated the Profit and Loss statement was done well.

There were no other questions or comments.

**G. Parks and Recreation Report:** Ms. Barry submitted a written report to the Board for the month of December and would be happy to answer any questions the Board may have.

Commissioner Williams-Zabicki told Ms. Barry great job on getting the Clarke's to come again.

There were no other questions or comments.

**H. Planning/Development Report:** Mr. Caun submitted a written report to the Board for the month of December and would be happy to answer any questions the Board may have.

Mr. Caun added the Planning Commission will be meeting on January 18, 2018 to review the Mondine Simple Subdivision.

There were no questions or comments.

**IV. Public Safety – Fire Department Report:** A written report was submitted for the month of December and would be happy to answer any questions the Board may have.

Chief Dave Brown of the Rennerdale VFD stated the fish fry's will be coming up soon.

There were no questions or comments.

**V. Public Safety – Police Department Report:** Chief Campbell submitted a written report to the Board for the month of December and would be happy to answer any questions the Board may have.

Chief Campbell added the following:

1. The Officer that was on light duty is now back on full duty.
2. Hoping to have three (3) candidates by February or March at the latest for the police officer position.
3. He is in the process of completing background checks now.
4. Two (2) new police vehicles were purchased and being up-fitted now and should be on the road soon.

Commissioner Chiurazzi questioned how many police officers he will be hiring.

Chief Campbell stated we are only hiring one. There are several officers off on long Term Workers compensation and he would like to get them back to work or if they are permanently disabled to fill the spot.

Commissioner Chiurazzi questioned what the time frame is for the ones on comp?

Chief Campbell stated he didn't have any new updates on them. The one officer is till next month but then we get another note he will be off another month. There are two (2) officers that have been off for over 2 ½ years.

Commissioner Williams-Zabicki questioned if public safety is affected by this.

Chief Campbell stated public safety has not been impacted. The guys have been working a lot of overtime shifts.

Commissioner Ruffennach questioned what is the oldest year vehicle the department will have now.

Chief Campbell stated the oldest car is a 2013.

Commissioner Chiurazzi questioned if there is anything that can be done with the construction at the middle/high school. He went there the other day and was able to walk right into the schools and thought this was dangerous. Have there been any complaints?

Chief Campbell informed the Board there have been no complaints. We have issues with it also. The school is under construction.

Commissioner Chiurazzi stated we need to do something about this.

Chief Campbell stated we really should let the school respond to this. We do patrol it well.

Commissioner Chiurazzi stated he will do that.

Mr. Thauvette stated we will contact the school.

There were no other questions or comments.

**VI. Public Works Report:** Mr. Palmosina submitted a written report to the Board for the month of December and would be happy to answer any questions the Board may have.

Commissioner Chiurazzi stated the Public Works Department have done a great job on plowing and salting the roads.

Commissioner Macino questioned our salt quantity.

Mr. Palmosina stated we are still in good shape.

There were no other questions for comments.

*Motion was made by Commissioner Durisko, seconded by Commissioner Williams-Zabicki to approve all the above reports as submitted. By unanimous vote the motion carried.*

## **VII. PUBLIC COMMENT / COMMENT ON NEW BUSINESS:**

**Mr. Marty Herman** of 824 Collier Avenue approached the Board with concerns about the speeding on Collier Avenue. Mr. Hartman would like an increased effort and more police exposure to reduce the speeding. Also, he asked if signs could be put up for school bus stop ahead, stop sign at Prestley and a 3 way stop at Delfred Drive.

The Board will look into Mr. Herman's concerns and do what we can.

**Ms. Karen Cummings** of 565 Azalea Lane and Real Estate Agent asked the Board to please take the Planning Commission's recommendation to have a second entrance/exit for the Amalfi Ridge plan. She is finding it is harder to sell homes on plans with one entrance/exit.

**Mr. Frank Noble** of 500 Azalea Lane informed the Board that he will purchasing video equipment to start video- taping the meetings and asked the Board where he could place the cameras so he can get a good view of everything. Mr. Noble would like input on where we could set up the equipment to video. Mr. Noble stated " I want to make sure everything that is being said here is on record and have it to fall back on in case something is said that we can go back on." Mr. Noble would like feedback on this sooner than later so he can have it set up for the next meeting.

Commissioner Macino stated he did not know where the best set up or placement is and certainly residents have the right to video the meetings as long as there is no disruption to the meeting itself.

Commissioner Chiurazzi stated there has got to be something from a legal stand point that they are responsible for any dissemination of content, who is on there, who agrees to be on there. Someone has to take responsibility for it if something gets out there and it can't be Collier Township. We will talk to the Solicitor about this.

**Ms. Cassie Neff** of 313 Sunrise Drive and on the Home Owners Association (HOA) of Prestley Heights informed the Board she received through a right to know request that there are a few punch list items that the developer, Hiroo Patel, needs to complete prior to road dedication and what about the bond. They have had some issues with snow removal. The developer has hired a 3<sup>rd</sup> party contractor to do the snow plowing and salting of their roads but they have not seen any other trucks other than Collier trucks. The Home Owners Association would like some insight on how they could move forward to get these punch list items done so the roads can be turned over. The developer has not been getting things done that he said he will do.

Commissioner Chiurazzi questioned who did the roads before.

Mr. Palmosina stated the Township did it for this first snow we had.

Commissioner Chiurazzi stated if there is an issue with the roads the HOA will need to call Hiroo Patel since he hired someone to do the roads.

Mr. Thauvette stated this is the same situation as Neville Park where the developer said they will have a 3<sup>rd</sup> party do the work. If the Township gets there and see that the roads have not been treated, the Township will then treat the roads and charge the developer per each snow event for the work the Township has to do. The Township has meet with the developer, Mr. Patel, regarding these punch list items and the snow removal and we found out that the 3<sup>rd</sup> party snow removal company is coming from Washington County. By the time this 3<sup>rd</sup> party company gets to the roads, we have done them due to a health and safety issue and Mr. Patel will be billed.

Commissioner Chiurazzi questioned why Mr. Patel didn't just pay us to do the roads. Washington County is not an option.

Commissioner Chiurazzi advised Mr. Thauvette to call the developer and tell him that.

#### **VIII. NEW BUSINESS:**

- A. Consider action to re-appoint NIRA Engineers as the exclusive third party agency to provide electrical inspection services for the remainder of calendar year 2018 at the rate of \$90.00 per hour plus a 20% Township Administrative fee.

*Motion was made by Commissioner Chiurazzi, seconded by Commissioner Ruffennach, to re-appoint Nira Engineers as stated above. By unanimous vote the motion carried.*

- B. Consider action to re-appoint PNC Bank as the Official Township Depository for Accounts and Treasury Management Services for 2018.

*Motion was made by Commissioner Williams-Zabicki, seconded by Commissioner Durisko, to re-appoint PNC Bank as stated above. By unanimous vote the motion carried.*

- C. Consider action the Bond Reduction request of Neville Manor Inc. for the Neville Manor Plan of Lots. The Township Engineer has reviewed the request and recommends the Township reduce the remaining bond amount in its entirety from \$91,315.00 to \$0.00, which is 100% of the total cost for the remaining improvements.

*Motion was made by Commissioner Chiurazzi, seconded by Commissioner*

*Macino, to approve the Bond Reduction request for Neville Manor Inc. as stated above. By unanimous vote the motion passed.*

- D. Consider action to set a public hearing date of Wednesday, February 14 at 6:30 pm for the Application for Inter-Municipal Liquor License Transfer for Fresh Thyme Farmers Market.

*Motion was made by Commissioner Williams-Zabicki, seconded by Commissioner Durisko, set a public hearing on Wednesday, February 14, 2018 as stated above. By unanimous vote the motion passed.*

- E. Consider action on the application for revision to the Phase 3 Preliminary approval of the Amalfi Ridge Conservation Subdivision with the conditions noted in the Township Engineer review letter dated November 7, 2017. The applicant has also requested to pay a fee-in-lieu of recreation open space. The fee of \$1600 per dwelling unit will apply to the new 21 lots, the original negotiated fee of \$300 per dwelling unit, will apply to the remaining 78 lots in Phase 3, all Phase 3 fee-in-lieu shall be payable in one lump sum prior to the issuance of any permits for Phase 3. The applicant is also requesting the following waivers:
- a. Request a modification from Grading Ordinance Section 9-127. The Ordinance requires benching. The applicant has requested a waiver from the benching requirement provided that the applicant produces a report from a Geotech Engineer prior to final approval supporting the same.
  - b. Request for modification of Section 22-603 requiring a 50 foot right-of way. The applicant is requesting to reduce the Right-of-way width of Arno Drive from 50' to 33' with an expanded easement.
  - c. Request for waiver from Section 22-804 to eliminate the requirement for a sidewalk along both sides of the street, only for the first 224 feet of Arno Drive where there are no homes.
  - d. Request for waiver from Section 22-904.1 requiring a second entrance/exit to residential subdivisions containing 25 or more dwelling units.
  - e. Request for waiver from Section 22-904 which limits street length to 600'.
  - f. Emergency road entrance, barriers and the composition all be acceptable to the Township Engineer and be regularly maintained by the Home Owner's Association (HOA).

The Planning Commission as reviewed and recommends denial based on the street length and lack of secondary/emergency access exit.

Mr. Jim Martin and Mr. Robert Meehok approached the Board representing Maronda Homes on the Amalfi Ridge Plan.

Commissioner Macino directed a question to the Planning Commissions Board Chairman, Tom Chidlow. Commissioner Macino questioned if the Planning Commission seen the revision with the second egress/ingress.

Mr. Chidlow stated the Planning Commission received a copy of an email and it was attached.

Commissioner Williams-Zabicki questioned if the plan developer and the community wants this.

Mr. Martin stated this is Phase 3 of the Amalfi Ridge Plan which is a continuation of Tuscany Ridge. When we were asking for approval of phase 2, the feedback for this Board is they would like to see a revision before we came in for phase 3 to eliminate the access we had on the plans and come up with another access. Phase 3 was only accessed thru phase 2 of Amalfi Ridge previously which was eliminated and we created an access off of Hilltop Road. We took this plan to the Planning Commission which is ok with everything other than the single access with no emergency access. We have figured out how to have an emergency access off of the back end of this plan (Dutch Hollow Road) which is now in front of you.

Mr. Meehok informed the Board he understands the safety concerns and setting precedence. There are multiple streets in the Township that are single access such as Meridian Drive, English Turn, St. Mellion, St. Andrews, Annandale and Bryna Ridge.

Mr. Martin went up to the Board's table to point out and explain the access roads on the plan in front of the Board.

A lengthy discussion took place on the following:

1. Making the gravel road a little stronger by using a heavy aggregate or tar and chipping.
2. Road only being used for emergency vehicles and access to pond maintenance.
3. Emergency access road being gated or ballers that can be driven over.
4. Issues with larger fire trucks being able to access this road.
5. Snow removal on the emergency access road.
6. Safety of the residents.

Commissioner Williams-Zabicki questioned if there is a concern or a risk of the HOA not taking care of this emergency access road.

Mr. Meehok stated that they have taken the operation and maintenance of the HOA out of the individuals hands and hired an outside company that runs the HOA's all over Western Pennsylvania to make sure the details are being taken care of the individuals that live there but they are being taken care of by the company that operates the HOA. The HOA's do have the advantage of changing those companies to run the HOA.



Mrs. Gail Neustadt of 1503 Grand Cypress Road stated she was under the understanding that the Planning Commission did not approve this and questioned why the Planning Commission not approved this and she also thought the original plan was to take two (2) roads that would connect.

Mr. Bob Caun stated the Planning Commission reviewed and recommended denial on the lack of the secondary entrance, an emergency access. The rest of the plan they were happy with.

Mr. Kevin Smay of the Planning Commission approached the Board saying “he wanted to clarify his understanding of the evening they met with Maronda Homes. He said we liked what they were doing and Mr. Caun said we were happy. These are two (2) very interesting fellows that think that we like that or we were happy. We were not very happy with what was going on there and we were certainly not happy with the way the plan had arrived there. I want to make it very clear that liking and happiness was not part of the review.”

Ms. Karen Cummings stated “she was concerned about the home owner’s fee. This will affect selling homes there because the demographics of that area do not want a huge home owner’s fee. They want to know what they get for this fee whether a pool or a club house. No, you get an emergency access. This is going to be a problem.”

Mr. Chidlow stated that “Kevin was correct and you cannot say that the tone of the review was happy or we were glad to see it. Our first discussion was we were concerned about the method of where we got to that revision from Commissioners approaching the developer to make them change it themselves. It was denied for not meeting the ordinance. Basically that is the reason for the denial. We did not vote on the waivers so the elimination of the benching was an item that was approved previously so we were not in a disagreement with a limited access and actually it is probably better and we will look at this in the ordinance. Sidewalks was another waiver, we have acceptations. We are not happy to do that but we did have an acceptance to do that. We did not vote for any waivers. It was denied based on not meeting the ordinance first and foremost.”

Commissioner Williams-Zabicki questioned the 50 ft. right of way reducing to 33 ft. is another waiver. Is there a safety at risk?

Mr. Chidlow stated the Planning Commission asked this of the Engineer if there was any concern for this.

Mr. Brett stated this waiver is the minimum requirement for PennDOT. There was less property purchased for this access and it ends up being the same width on how the property is done.

Commissioner Williams-Zabicki questioned the sidewalk waiver.

Mr. Chidlow stated a few years ago we updated our ordinance to acknowledge that some locations there are no sidewalks. In the new ordinance we are requiring the developers to put sidewalks in that connect to nothing. This is the case were a sidewalk would connect to nothing so why do it on both sides.

Commissioner Williams-Zabicki asked Mr. Chidlow if he any other concerns for data to share with the Board.

Mr. Chidlow stated “no. We are always concerned when we are being considered happy when there is a number of waivers and exceptions of significant is brought in front of us and Mr. Smay wanted to make that clear. We really weren’t asked to review the plan. It was emailed to us on Monday. Proper procedure is it goes into Planning Commission for review again but it’s off our table and on your table.

Commissioner Williams-Zabicki stated “she is very, very big on process and looks forward to working with you and Mr. Caun to make sure the process is followed regardless of what has happened in the past and she can’t change that. Starting with today, I look forward to formal process and that is a commitment for me.”

*Motion was made by Commissioner Chiurazzi, seconded by Commissioner Durisko, as stated above. By unanimous vote the motion passed.*

- F. Consider on the application for final conservation subdivision approval of Gregg Station Residential. The Planning Commission has recommended approval with the conditions noted in the Township Engineers review letter dated September 19, 2017, and also the conditions listed in the Preliminary application approval letter dated August 22, 2017. The Preliminary application approval letter dated August 22, 2017 will be revised to read in the following way:
- a. Number 3 of that letter will be removed
  - b. Number 5 c (1) will be revised to say that trail #3 will be built prior to the first Occupancy permit in Phase 1 and trail number 4 will be built prior to the first Occupancy permit in Phase 2 and that the cost of both of these trails will not be counted in the fee of lieu of calculations for recreation amenities.
  - c. Section 5 c (2) is revised to read in its entirety as follows: (2) Trail Number 2 is eliminated.

The applicant has requested a waiver of the fee-in-lieu of Recreation Open Space which waiver will be approved on the following conditions:

1. Recreation amenities will be listed and bonded to the satisfaction of the Township Engineer and if the total cost of listed items is less than \$108,800, the developer shall pay the difference to the Township as a fee in lieu of recreation open space and/or the Township may keep that portion of the bond as recreation open space.
2. All recreation amenities will be accessible by general public pedestrians or bike users.

3. In the preliminary approval letter dated August 22, 2017 item 5 c (2) which provided for trail #2 to be eliminated with the applicant to pay the Township a fee in lieu of for installation of the trail in the amount of \$29,250 calculated by the Township Engineer. The amount of \$29,250 has been waived.

Mr. Craig Cozza, Developer for the Gregg Station Residential Plan approached the Board to explain his plan to the Board and stated it is not easy meeting all the requirements of the Ordinance. This is a 45 acre site and we are disturbing about ½ of it. Mr. Cozza spoke about his trails for connectivity to the Panhandle trail and to Collier Park. There are trails for hiking, biking, a pavilion and a water station. There is also a flat field that can be used for sports. This will also be HOA maintained. He would prefer to not do the fee in lieu and spend the money here in our green spaces.

Commissioner Chiurazzi stated he feels this is an amazing development. The biggest issue is you don't want to pay the fee in lieu. You want to put that fee right back into your development.

Mr. Cozza stated right.

Mr. Cozza brought up items in the approval letter that were discussed regarding when the trails will be put in due to safety factors while development of the plan is ongoing.

Mr. Means made changes to the letter and a final approval letter will be written and given to Mr. Cozza and the Township for the files.

Commissioner Chiurazzi questioned how we get the guarantee that the money would go back into your development because a fee in lieu of wouldn't, it would go to our parks.

Mr. Cozza stated in the developers' agreement, a bond.

Mr. Means, Township Solicitor stated it would be treated as showing or listed on the plan and described. The cost to install them would be engineered approved. Than that cost would have to be bonded so that if these trails etc., would not be done then the Township would have to put them in.

Commissioner Williams-Zabicki stated she feels there are benefits of this plan and questioned the Planning Commission members on the following:

1. What risks do you see from a safety respective?
2. What concerns do you have with this particular proposal?

Mr. Chidlow stated "on the setting precedence, it opens up a gray area about determining what is or is not a community asset or development assets that are used by the community. Mr. Chidlow doesn't feel they have seen everything that is proposed even though they have worked with Mr. Cozza for a number of

meetings to get where we are here right now but doesn't feel the Planning Commission has any idea of what exactly is being proposed. But, in general, the ordinance says what it does about the fee in lieu of and where it should go and not back to the property. There are some folks here and some developers in the Township that could have some issues with what we are doing and cause some real issues for the fee in lieu of."

Commissioner Williams-Zabicki stated "the essence of our problem is this sounds like a fantastic plan, a community with unique options and would enhance the beauty of this Township but we have some strict ordinances prohibiting this. How can we bring this closer together?"

Mr. Chidlow stated to go back to the fee in lieu of which is to push developers to have the recreation open space within their development. If you can answer that in a development and say yes this does meet that intent, it may make it easier for you to answer that question when this comes up on a case by case basis."

Commissioner Williams-Zabicki stated in Mr. Cozza's development, there is open space that is not flat open green but space for biking, hiking and walking. Do we value differently a flat open green space verses square footage of walking, hiking, trail, etc?

Mr. Chidlow stated thinking you want the money to go to the park that is community based and everyone uses it but if the money goes to the Township Park, but everyone uses the community building. So, would they use that money that is put towards one of the other parks like, Webb or Presto. The intent and push for is to include that open space within a development and not take the easy way out and make it tight to make more money. We updated the amount of the fee in lieu of in the ordinance. If you can evaluate if this development meets that intent than you will be able to make it easier to evaluate the fee in lieu of.

Commissioner Chiurazzi questioned Mr. Chidlow if he would be alright with whatever the fee in lieu of, to somehow we monitor these developers are doing this. He is concerned with loosing this development. This is not a developer that builds 100 homes a year. This could be a great area to be developed and done right.

Mr. Chidlow stated for him to make a comment, he would need to see what is exactly proposed. There are things bonded that have to be done and not that you have to push to be done.

Mr. Cozza stated there are certain areas of the development that will have to wait to be done because of safety issues of equipment moving around.

Commissioner Williams-Zabicki questioned which trails and amenities would be available for the community and the whole actual Township to use.

Mr. Cozza stated every one of them.

Commissioner Williams-Zabicki stated if she walks through those trails no one is going to mind.

Mr. Cozza stated no.

Commissioner Williams-Zabicki questioned what happens when the HOA gets tired of the maintenance for these trails and amenities.

Mr. Cozza stated it is part of the HOA and they will have to take care of it.

Commissioner Durisko stated he has a hard time believing an HOA is going to be happy paying for and maintaining these amenities that the entire Township can use. We are going to get complaints about why are they paying for this when the whole entire Township can use it.

Mr. Cozza stated the HOA has no choice. It is in their agreement they have to sign. They will know what their responsibilities are.

Mr. Means stated “the trails and other amenities will be privately owned. The Township will not own them and is not liable for the maintenance and doesn’t protect them. As far as the people that move in, that will pay HOA fees. They will be buying expensive properties and it is up to them to make a judgement when they buy. The Township does not have a rule in assuring that they are happy later with their HOA fees or whether some of them include more things then they like or less things than they like. That is a private arrangement.”

Commissioner Chirazzi stated “the beauty of this plan is that we do not have to do anything. The Township is out, it is not ours. This is an HOA deal.”

Commissioner Durisko stated what will happen when the first time the wet lands flood and destroy things. Who is going to do the repairs?

Mr. Cozza stated the trails are not in the wet lands. The wet lands sit lower. If this should happen, we as a developer will take care of it until it is turned over to the HOA and they will have to repair it.

Commissioner Williams-Zabicki stated if the topography of the property is technically impossible to meet all of these ordinances, is it right to punish this charge or is it one of those exceptions in 808.2 that allows us to make an exception.

Mr. Brett stated the ordinance was created to for things to be used and that there is not steep slopes created. A lot of the trails in this plan are on 15% slopes. There will be maintenance issues. The ordinance is set up not to have land that has to be

maintained by the HOA's. That is why a fee in lieu was established so that money goes to the Township for upgrades to their parks.

Commissioner Williams-Zabicki commented she doesn't like the fact that we are going to make it the HOA's responsibility to maintain this recreational space and the HOA getting frustrated after the developer leaves and then come to the Township asking for help with that burden.

Mr. Cozza stated that all the trails in the County Parks are maintained by.....

Commissioner Williams-Zabicki stated by Allegheny Land Trust and questioned if that is an option for the Township.

Mr. Thauvette stated that is an option for Mr. Cozza to consider. If he is concerned about the expense to the Township if he were to turn that property over to a land trust (Allegheny Land Trust or Hollow Oak Land Trust), they have a commitment to maintain that recreational space. They will more or less own that property and it will be open to the public and there will be no HOA maintenance requirement in that agreement. This is something that Mr. Cozza will have to approach with a land trust.

Mr. Cozza stated this is something he will look into.

Commissioner Durisko stated this is all great but he has nothing to say that is going to happen and if I approve this, it's done and Mr. Cozza doesn't have to come back. There is nothing but good intentions.

Mr. Cozza stated "if you bond it, it will be built and the HOA will maintain it".

Commissioner Chiurazzi stated he belongs to two (2) different HOA's and it is not cheap. He pays \$300 a month to one HOA and doesn't know what they do with it. There are a lot of HOA's that don't pay \$300 a month the whole year.

Mr. Cozza stated long term these trails are not hard to maintain. The nature trails are planted in grass and the large field will need mowed.

Commissioner Macino started to read the motion and Mr. Means added the changes in the above motion.

*Motion was made by Commissioner Chiurazzi, seconded by Commissioner Williams-Zabicki, to approve the final conservation as stated above. By a 3 to 2 vote the motion passed. Commissioners Durisko and Ruffennach voted no.*

- G. Consider action on bond reduction request #10 for Settlers Pointe Phase One. The Township Engineer has reviewed the request and recommends the Township reduce the bond amount from \$448,810.50 to \$394,499.80, which is 110% of the total cost for the remaining improvements plus 10% of the completed improvements.

*Motion was made by Commissioner Chiurazzi, seconded by Commissioner Durisko, to approve the bond reduction request #10 for Settlers Pointe Phase One as stated above. By unanimous vote the motion passed.*

- H. Consider action on Resolution 011018-01; A Resolution for the destruction of specific records in the Police Department.

*Motion was made by Commissioner Ruffennach, seconded by Commissioner Durisko, to approve Resolution 011018-01 as stated above. By unanimous vote the motion passed.*

- I. Consider action to do the following transfers:
- Approval of the transfer of \$215783.73 from the General Fund Checking Account to the Capital Fund Checking Account.

*Motion was made by Commissioner Chiurazzi, seconded by Commissioner Ruffennach to authorize the transfer as stated above. By unanimous vote the motion carried.*

**IX. APPROVAL OF GENERAL FUND OPERATING ACCOUNT ITEMS:**

1. Invoices paid and checks written from December 14, 2017 to January 9, 2018 in the amount of \$676,960.72.
2. Bills requested for payment for January 10, 2018 in the amount of \$240,715.28.

*Motion was made by Commissioner Chiurazzi, seconded by Commissioner Ruffennach, to approve the report and authorize payments as stated above. By unanimous vote the motion carried.*

**X. APPROVAL OF CAPITAL INVESTMENT ACCOUNT ITEMS:**

1. Invoices paid from December 14, 2017, 2017 to January 9, 2018 in the amount of \$122,409.73.
2. Bills requested for payment for January 10, 2018 in the amount of \$71,977.15.

*Motion was made by Commissioner Chiurazzi, seconded by Commissioner Ruffennach, to approve the report and authorize payments as stated above. By unanimous vote the motion carried.*

**XI. ADJOURN:**

*Motion was made by Commissioner Chiurazzi, seconded by Commissioner Ruffennach to adjourn the meeting at 9:25 p.m. By unanimous vote the motion carried.*

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George E. Macino – President  
Board of Commissioners

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Valerie A. Salla  
Township Secretary