

HALFMOON TOWNSHIP OPEN SPACE PRESERVATION BOARD
REGULAR MEETING-MINUTES
JULY 17th, 2013

1. CALL TO ORDER

Vice Chair Joe Tylka called the meeting to order at 7:24pm. Other members present were Bob Eberhart, Ben Pisoni, and Andy Merritt. Staff present was Susan Steele, Manager, Amy Smith, OSPB Administrator, Kathleen Yurchak, Township Solicitor (7:35pm via conference call) and Rebekah Seymour, Recording Secretary. No audience was present.

2. PLEDGE OF ALLEGIANCE

3. MINUTES

- ***MOTION: Mr. Eberhart moved to approve the minutes of May 15th, 2013 as submitted; Mr. Merritt seconded; Vote 4-0-0; Motion carried.***

4. REVIEW OF CODE CHANGES REGARDING SUBORDINATION/LEIN POSITION AS DRAFTED BY TOWNSHIP SOLICITOR

There was a brief discussion about the workings of advance payments and how it is recorded that the Township is in first position and if any foreclosures, change of ownership, etc. happen that the advance monies are due back to the Township. There was also discussion on how to have the title searches show there has been money advanced on a property that currently has a lease on it. The OSPB agreed with Ms. Yurchak's recommendations for Section 163-8 Advanced Payment Options.

Mr. Tylka agreed that new properties to be brought into the program should have title insurance bought on them as per Ms. Yurchak's recommendation. The OSPB members agreed as well.

There was brief discussion regarding Section 163-3(c) (1)-Program Administration as to whether this section should be removed. The Program Administrator is a township employee and should not have to go through any additional interviewing processes as a result of taking on the job. The board members agreed to this recommendation to send forward to the BOS.

Mr. Tylka stated that he agreed with Ms. Yurchak's amended language to Section 163-5-Review Process (B) with the addition of adding the language for the requirement of title insurance and assumption of appraisal fees by landowner if necessary. The OSPB members agreed and Ms. Yurchak stated she would add the language into her recommendation.

The OSPB agreed with the recommended language for Section 163-5 Review Process (B) (2) (c) with the addition of language regarding title insurance and Section 163-5 Review Process (B) (2) (d).

There was a brief discussion about the practicality of placing new demands on leaseholders and if there might be some resistance to the changes. Ms. Yurchak stated that there could be some hurdles or some leaseholders that might not like the changes but for them to request and advance payment, the Township needs to be protected and these new changes need to be in place.

Mr. Tylka stated that he felt the Township should not permit different ownership of the land and the lease and that the ordinance was "silent" to this issue. Ms. Yurchak stated that the lease

was an obligation to the land and not the leaseholder. There was a brief discussion on this topic and possible implications to which Ms. Yurchak would confer with her partner on this issue and come back to the OSPB with their recommendations.

5. OTHER BUSINESS

Mr. Tylka stated he, Ms. Steele and Ms. Smith met with the Finance Officer from Centre Region COG who looked at the business model he had provided to the OSPB and BOS. The Finance Officer liked the modeling and would let them know what protections they could put on the program. Ms. Steele stated that she had the intern that is working with Halfmoon Township apply these protections.

Mr. Eberhart remarked on the OSPB cancelling three meetings and wanting to look at other items for discussion simultaneously to avoid a reoccurrence of this. Some board members and staff expressed a desire to continue to focus on one item and see it to completion prior to moving on to another topic as it facilitates more meaningful discussion and gets recommendations to the BOS in a more effective manner. Mr. Eberhart also brought up that there was a member that hasn't been in attendance at meetings. Ms. Steele stated that Mr. Way's son-in-law showed interest in taking a spot on the OSPB. Mr. Eberhart asked if it was decided whether the BOS wanted to continue the program as a lease and purchase program or if the BOS wanted to do one or the other only. Ms. Steele stated that the decision was to keep it as it is as a lease and purchase program.

6. CITIZEN'S COMMENTS

There were no citizen's comments.

7. ADJOURNMENT

The meeting was adjourned at 8:40pm. Ms. Yurchak signed off via phone at 8:24pm.

- ***MOTION: Mr. Merritt moved to adjourn the meeting at 8:40pm; Mr. Pisoni seconded; Vote 4-0-0; Motion carried.***