

**Minutes of the Cranberry Township
HOA Forum
Monday, September 9, 2014
6:30 p.m. Room 203**

Attendees:

Mary Sanguigni , Freedom Woods
Tom D'Andrea, Settlers Grove
Angela Rankin, Glen Eden
Steven Bone, Woodlands
Ken Bobetich, Redman Place
Mary Lynn Kasputis, St. Leonard's Woods
Kathy Newcomer, Stone Field
Chris Hickey, Winchester Lakes
Jim Lynskey. Franklin Ridge
Chris Matthews, Glen Brook
Valerie Steinmetz, Hampshire Woods

Moderator: Angela Rankin, Glen Eden Homes

1. Meeting called to order at 6:30 p.m., with introductions
2. Name and email list was reviewed. Corrections were made.
3. Slow Down campaign was discussed:
 - a. Duane mentioned that engineering has the speed and count data, only one trailer collected data. The borrowed trailer did not have the technology.
 - b. Duane mentioned the PD would like to purchase an additional speed trailer. The Forum was supportive of this.
 - c. Duane was asked if the Slow Down Campaign included increased enforcement. The Forum responded yes, and Duane mentioned the PD will provide a report with any citations or warning issued during the Campaign.
 - d. St. Leonard's Wood reimbursed the Slow Down Campaign \$19.00 for stolen or lost yard signs.
 - e. Duane asked if we should purchase two sided signs. The Forum respond yes, and we should add color too.
4. The Municipal Center activity room use was discussed. The renovations of the building has caused a shortage of activity rooms. This will persist until the end of January. Duane mentioned there are a few room available and that they could contact him directly. The rooms need a little more coordination for access.
5. Guest Speaker – Attorney Bill Labovitz (BL)
 - a. Reviewed his work experience with HOA issues
 - b. BL reviewed the importance of utilizing the HOA Covenants, By Laws and Rules and Regulations.

- i. Covenants are recorded documents and require the entire development to agree to a change, or at least 75% of the homeowners. Each set of Covenants is slightly different. The Rules and Regulations can be changed by the Board.
 - c. Question: How can the changes made by one board to another be tracked? BL said the changes need to be tracked by the Board. Any change made by a board is still in place unless officially changed. It is a good idea to try and collect and summarize all the changes.
 - d. Question: Can a Board grant variances? BL said yes, but. The Board needs to be very consistent and document the variance. Use the governing documents and have a rationale entered in the meeting minutes of the approval process. There is a good chance you will be challenged in the future.
 - e. Question: Do you need a permit to replace windows or the shingles on a roof? Response from the Forum and Duane was no. This was confirmed by the Codes Department.
 - f. Question: Can an HOA be sued if they do not react or enforce the covenants? BL, yes, But, the HOA should have insurance for the Board members. Only property owners or individuals with a vested interest or that are personally impacted can sue the HOA. Renters of a single family home would not have the leverage, but renters in a condo or townhome may. Just due to the circumstances.
 - g. Question: Can an HOA repair property that is not well kept? BL, yes. However the covenants should allow for this. It is also very difficult to do this when the people are still living there. Foreclosures seem to be easier. The HOA should follow a process to avoid claims of trespass.
 - h. Question: Can the HOA charge for maintain an empty lot, or charge the lot HOA dues. BL, yes. But again follow the process. Send notices and implement the fine system for nonpayment.
 - i. Question: How far back can unpaid dues be collected for? BL. All the way back to the time of nonpayment. Including penalties of the Rules outline a penalty/fine system for nonpayment.
 - j. Question: How can a landlocked Townhome get their trash cans to the road? BL, the covenants should contain an easement right for the Homeowner to cross over the properties. If not the HOA could consider taking steps to restrict fences or other physical obstructions blocking access. Or if that is not an option the HOA could consider this a hardship and grant a variance. Remember to track the process of the variance.
6. Do we need to clean the detention Ponds? Yes, HOA own the maintenance of ponds. Glen Brook offered up that they cleaned out their ponds last year. Franklin Ridge mentioned that the North Boundary Ponds look terrible.
7. Can the Township require an applicant to get approval from the HOA before the Township issues building permits? Duane said the permit process does ask the homeowner to contact the HOA. But the Township does not require this notification. Duane has discussed this with the Codes Department, but there seems to be some limitations on the Township's ability to require the notification. The Codes Department gains its regulating ability from the PA Uniform

Construction Code, this does not give them the ability to enforce the self-imposed rules developed in the HOA Rules and Regulations. The plan reviewers do remind people to contact the HOA whenever possible but they cannot require the applicant to contact the HOA.

8. What is the requirement for snow removal on sidewalks? Duane said some HOA's have their own rules, but the Township Ordinance requires clearing with 24 hours of an event. One HOA member mentioned he researched ADA compliance and that there should not be a lip between concrete slabs greater than ¼ inch.
9. Can the next guest speaker be a Police Officer? Duane will check with the Police Department.

What is New in Cranberry? Duane reviewed numerous new land developments and store openings. A detailed list can be found at www.cranberrytownship.org/index.aspx?NID=1576.

Just Opened:

1. Tesla Motors Supercharging Station - 1308 Freedom Road (Residence Inn)
2. Perfect Nails & Spa - 20111 Route 19 (Cranberry Mall)
3. Quest Diagnostics - 20325 Route 19 (Cranberry Gardens Plaza)
4. Seven Seas Pools & Spas - 5003 Bear Run Road
5. Wealth of Wellness - 1659 Route 228
6. Tescan USA - 765 Commonwealth Drive
7. Sims-Lohman - 1241 Freedom Road
8. Complete Chiropractic - 2710 Rochester Road
9. Auto Owner's Insurance Co - 2009 Mackenzie Way
10. Blackrock Testing Co. - 717 Thomson Park Drive
11. New Life Renewal Service - 2624 Rochester

Opening soon:

Under Construction:

1. Cardinal Wuerl North Catholic High School - 1617 Route 228
2. Cranberry Woods Apartments - Cranberry Woods Office Park
3. Home 2 Suites - 1401 Cranberry Woods Drive

Under Review:

1. Market Place at Cranberry, North Boundary Road
Probably a Giant Eagle rumor says
 2. Wendy's, scrap and rebuild, Cranberry Mall
The old Kuhn's will be subdivided and an Aldi's added, rumor says
- Road projects.
3. New I79 ramps done by the end of September
 4. Freedom Road done by the end of October
 5. The Freedom Road Bridge over the Turnpike is under design and funded for construction.

10. Moderator for next meeting: ?

11. Next Meeting is set for December 8, 2014, 2014 at 6:30 Room 203 of the administration office in the Municipal building.

12. Adjournment: 7:45 PM