

# Williams Township Land Preservation Board

## Minutes, June 23, 2020 Virtual Meeting

Present: Bob Schmidt, Ron HineLine, Ron Reichard, Jim Williams, Linda Heindel  
Supervisors: Ray Abert, Mark Ernst, Michael Bryant  
Township Manager: Mikal Sabatine  
Heritage Conservancy representatives: Laura Baird, Kris Kern

Following the salute to the flag and the call for public comments (no comments voiced), Schmidt opened the virtual meeting at 7:13 pm with the salute to the flag.  
Minutes of the May 26, 2020, meeting were approved 3-0 on motion (moved, HineLine; 2<sup>nd</sup> Schmidt).

### Project Updates

Russell – Heritage Conservancy was asked to carry out the baseline documentation. Sabatine was authorized by BOS to sign the proposal to do the baseline.

Wharen – Schmidt reviewed the requirements of typical easement agreements including what is permitted and what is restricted. Board members expressed concerns about the shooting range and area for four-wheelers. Schmidt felt that Wharen may be having reservations about the project.

Boss – Boss contacted Baird with questions about forest/ timber management. She suggested that he review with Heritage any agreement he might make with timber cutters to protect wildlife and new growth. She believes Boss earnestly wants to retain the conservation values. She pointed out that his enrollment in Act 319 is the only preferential tax assessment program that PA provides. (At the May meeting, Heindel moved (second, HineLine) that pending Williams' confirmation that Lesavoy's bid still stands (given the time lapse since beginning of the year when bids were acquired) that LPB request BOS support of the Lesavoy bid; motion approved 5-0. Appraisers are being cautious about impact of shut-downs over the past three months on comparables.)

Later in the meeting Schmidt noted that he will ask for money to cover the appraisal at the next BOS meeting in July.

O'Brien and Hunter projects present complicated issues and require meetings with Baird to review those issues and the properties. Schmidt asked Baird to set up reviews of both properties, now that the state is permitting greater interaction so that Baird can meet with the landowners.

### Old Business

Sabatine asked Baird whether there should be any further action on Nehoda issues. There is none.

### Treasurer's Report as of May 2020 – HineLine reporting

Checking Account	\$ 28,588.76	
Savings Account	423,608.56	
		\$ 452,197.32
3-- one year CD's @ 2.60% (mature June 25, 2020)		850,000.00
4-- three month CD's @ .60%		956,584.91
		\$ 2,258,782.23
TOTAL MAY 31, 2020		<u>\$ 2,258,782.23</u>

(Note: Interest on maturing one year CD's about \$22,000)

Presentation on Heritage Conservancy proposal on stewardship of township easements

Kern reviewed the offerings enumerated in the Proposal for Heritage to serve as Holder of Conservation Easements. This is a program through which the Conservancy, after settlement with the landowner(s), would co-hold the easement agreements. The proposal would apply to all new easements after the Russell project. The fee would likely be \$15K to be paid at settlement, with fund-raising used to cover actual cost of \$24K. The agreement would include Heritage's completion of the baseline documentation for a fee of \$2500. Among the services would be annual monitoring of property, enforcement of easement requirements, investigation and correction of easement violations, assistance to township in defending easements. Stewardship fee goes in perpetuity with the easement.

Williams asked if there was any scenario in which the township would need more money beyond the original \$15K; Kern could think of only some egregious violation when it would have to join the co-holder township in court.

Motion (moved Williams, 2<sup>nd</sup> Hinehline) to recommend to the Board of Supervisors to sign the agreement as proposed.

Approved 4-0-1 abstention.

Discussion of Reimbursement Agreement

LPB together with Baird and Supervisors present reviewed the assorted positions taken in the previous two years of discussion of the issue. Baird expressed her concerns that clear title, potential property problems, survey costs often come late in the process and affect outcome. Other issues: should LPB have 100% of the funding per appraisal in hand before requiring the landowner to sign the Reimbursement Agreement? Can not the township have the title search completed early in the process so that there are no surprises (e.g., unexpected liens)? After much review of past action and timing of point at which landowner would sign and whether township should reimburse landowner if township should withdraw from the project, LPB members agreed on the following, essentially what they agreed to two years before:

Ask landowner to sign after the appraisal has been done (township pays for first appraisal), after funding is assured and 100% is committed (unless landowner agrees to less than full amounts), and landowner is reimbursed if township should withdraw from the project (just as the landowners must reimburse the township if they withdraw). Schmidt's person-by-person assessment of LPB showed all five members agreeing. Hinehline will provide his documents – the agreement and the project checklist – to accompany minutes. (Both attached below) Schmidt will present the recommendation of LPB to the next BOS meeting in July.

Announcements – None

Audience comments – none

Meeting was adjourned on motion (moved Hinehline, 2<sup>nd</sup> Williams) at 8:43 pm.

Submitted,  
Linda Heindel, Secretary

Next Meeting: July 28, 2020, 7 pm
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