

**Williams Township Land Preservation Board  
And Special Meeting of the Board of Supervisors  
Minutes, July 28, 2020 Virtual Meeting**

Present: Bob Schmidt, Ron Hine, Ron Reichard, Jim Williams, Linda Heindel  
Supervisors: Ray Abert, Mark Ernst, Michael Bryant  
Township Managers: Mikal Sabatine, Mel Ernst  
Heritage Conservancy representatives: Laura Baird, Kris Kern  
Township Solicitor: Att. Jonathan Reiss

The Special Public Meeting: Board of Supervisors Chairman Mark Ernst opened the virtual meeting at 7:03 pm for discussion of two issues: (1) whether to adopt an Agreement of Sale in the land preservation process and (2) whether to contract with Heritage Conservancy for stewardship services in management of conservation easements in which the township holds an interest

Discussion of whether to adopt an Agreement of Sale in the process of land preservation

Atty. Reiss and Laura Baird of Heritage Conservancy reviewed the characteristics of an Agreement of Sale, as opposed to a Reimbursement Agreement, with a landowner who is considering placing a conservation easement on his/her property. Their points consisted of the timing of the AOS in the stages of investigation (landowner would be asked to sign it after the appraisal has revealed the worth of the easement (market value less value of property after easement) and thus the price would be agreed upon as well as contingencies (e.g., environmental issues, title search results, survey, which entities are funding the easement cost), inclusion of the standard PALTA conservation easement document (County uses this template), adequate education of landowner regarding complexities of the AOS. advice to owner to seek legal counsel to review the AOS and easement. Upon discussion by all members of both LPB and BOS, Atty. Reiss suggested BOS could vote to have an AOS without specific contingencies yet defined, document could be drafted and given to LPB for review, and changes of terms could be made later.

LPB decision: Hine moved (2<sup>nd</sup> Williams) to adopt the AOS as described by Atty. Reiss, and LPB voted 5-0 to recommend to the BOS to move it on in this manner.

BOS decision: Abert moved (2<sup>nd</sup> Ernst) to move the recommendation on, 3-0.

Discussion of Heritage Conservancy's Stewardship Proposal

Discussion focused on which costs the \$15,000 (or more) fee would cover, since it would take effect after settlement of the conservation easement. It would include yearly monitoring of all properties co-held by Heritage Conservancy and the township, the conventional landowner's donation, and handling of minor easement violations.

Upon Supervisor Ernst's polling of LPB, it voted 5-0 to recommend the plan to the Board of Supervisors

BOS: Abert moved to proceed, with adoption of the proposal (2<sup>nd</sup> Mark) 3-0.

This ended the special virtual meeting of the Board of Supervisors.

Regular Land Preservation Board meeting of July 28, 2020

Schmidt opened the meeting of the Land Preservation Board for July 28, 2020. Minutes for the June 28, 2020 meeting will be presented at the August meeting for approval.

Updates

Russell – The grant contract from the County had been approved, as reported by Twp. Manager Sabatine. Baird reported the County is working on easement language (their first time using the PALTA easement).

Wharen – has not contacted Baird regarding questions regarding use of his property. He needs a nudge.

Boss – the appraisal was approved to start. Lesavoy (of the Frederick Group) appraisal contract was conveyed and company is ready to begin. There had been a delay because of owners' resistance to public access; but when terms were explained, the problems were resolved.

O'Brien and Hunter projects – Baird's visits to the properties need to be scheduled. Schmidt noted that LPB should have the AOS sample to show them. Acevedo may be asked about joining the visit if projects meet County criteria.

Schmidt will call O'Brien; Heindel will contact Hunter for times that may fit Baird's schedule.

Nehoda – Baird has had no contact from Newberry since Newberry was informed of “last call” to take advantage of funding for their project. Newberry had wanted to consult with brother. Sabatine noted that funds originally allotted to the Nehoda project could be rescinded and used elsewhere in the County. Baird will try for an answer by Monday, August 3.

Treasurer’s report could not be accessed so will be included at next meeting.

There being no Announcements, no Audience Comments, Schmidt adjourned the meeting at 8:25 p.m.

Submitted,  
Linda Heindel, Secretary

Next Meeting: August 25, 2020, 7 pm