

Williams Township Land Preservation
Board (LPB)
Minutes February 27, 2024
Williams Township Community Building
655 Cider Press Rd., Easton, PA 18042

Present: Ken Kodama, Lorraine Mineo, Lori Cox, and Tom Heilman; Alternate Michael Cortright; Supervisor Ray Abert; township resident; Matt Babbitt of Heritage Conservancy (Heritage)

The meeting was called to order by Vice-Chairperson Ken Kodama at 7:01 PM.

He called for the Pledge of Allegiance, then a review of the January 23, 2024 minutes. Motion to approve the minutes with edit regarding project 2023-1 (agreement of sale reference is actually the closing paperwork) made by Mineo, seconded by Heilman. Approved 4-0.

Updates on Preservation Projects:

- 2022-2 Morgan Hill: For the south/lower parcel, LPB discussed how the Board of Supervisors (BOS) approved the LPB's request to fund 100% of the project at their February meeting.
- 2023-4 Morgan Hill: For the north/upper parcel, LPB discussed how the BOS approved the LPB's request to fund the project at their February meeting. LPB requested 100% funding with the expectation that LPB will apply to Northampton County (NORCO) for half. The BOS approved 50% funding and are not going to fund the project if NORCO does not fund the other half.
- 2022-2 and 2023-4 Morgan Hill: Babbitt reviewed some possible caveats due to these two projects being funded differently (one without NORCO and one with NORCO):
 - Since 2022-2 would be completed first, it will landlock the property and it will need an easement through 2023-4 for access. An access road will be needed for Heritage to do their monitoring.
 - When NORCO contributes funding to a preservation project, they have public access rights. If NORCO funds half of 2023-4, that property would need to have public access rights. LPB may want to consult with NORCO to confirm they would still have interest in 2023-4 if they do not have public access rights to 2022-2. Babbitt shared that Heritage has had other properties where there was a third party beneficiary who did not contribute funding but were allowed on the property for monitoring (such as state gamelands). LPB could consult with NORCO to see if this is an option to maintain NORCO's interest in funding 2023-4. LPB agreed to consult with NORCO.
 - The property owners asked for a five year payout to ease tax burdens. Babbitt is unsure if this has been brought up to the BOS.
 - Abert asked if there will be any powerline easement issues. Babbitt said that Heritage has started the title search. Heritage recently started doing title searches earlier in the process.
- 2023-1 Steely Hill: The survey is complete and the maps are done, waiting on the descriptions. Heritage is scheduled to do the baseline report. The property owners wanted the protection areas monumented, which the BOS said the owners would have to pay for. The owners can put up bluebird boxes where Heritage puts their markers, but Heritage's markers are not as accurate as the surveyors. Closing is set for April 8, 2024.
- 2023-3 Morvale Road: Property owner was present. LPB discussed how the BOS approved the LPB's request to fund the project at their February meeting. LPB requested 100% funding with the expectation that LPB will apply to NORCO for half. The BOS approved 50% funding and are not going to fund the project if NORCO does not fund the other half. Babbitt shared that if NORCO does not fund the

project, there are other options such as state and federal conservation programs, but they, like NORCO, require that the township front 100% of the cost and then seek reimbursement for 50%. Also, the state and federal programs do not require public access rights but it is encouraged. The property owner asked about the next steps which Babbitt reviewed. Babbitt also noted that NORCO's new easement language is not available yet, which is needed to move forward in the process. Babbitt said that the owner can wait until the new language becomes available so that he is aware of NORCO's expectations before signing an agreement of sale (AOS). Or the owner could see if the township will move forward with blanks in the AOS where this new easement language will be filled in later. Heritage has been waiting for the new easement language since November 2023 and there is no set date for when it will become available. The property owner also asked if there might be significant changes to the easement language. It appears as though it will mostly be NORCO wanting public access so they can do things like bring researchers onto the property.

Old Business:

- For the Russell property preservation sign, Heilman made revisions to the design based on NORCO's input. There was discussion about how Heritage typically sends the owners a design proof and a form for owners to sign off on. Then typically Heritage will install the sign and perform perpetual maintenance. For the Russell property's sign, LPB has led the process so discussion was had to work out these details. Heritage will share a template of the form they send to owners for LPB to refer to. LPB will reach out to the township Manager to see who the township would like to have install and maintain the sign. Heritage will also split the cost of the sign with the township. Heilman made a motion to commit to splitting the cost of the sign (\$1,506.72) with Heritage (so LPB pays \$753.36), seconded by Kodama (approved 4-0). Motion amended to recommend to the BOS to split the cost of the sign for the Russell property made by Mineo, seconded by Heilman, (approved 4-0).
- LPB is still waiting for a map of preserved properties to be mounted on board and displayed in the township building. Schmidt is working on this.
- As previously noted, LPB has not received the new model easement language from NORCO yet.

New Business:

- Treasurer's Report: Mineo shared the LPB Financial Report. Mineo noted that the January Treasurer's Report has not yet been approved but balances of the accounts have all increased since last month and there were no expenses in January. Based on the data available, checking account \$9,663.02, savings account \$463,989.28, and CD \$1,350,804.90 total \$1,824,457,20.
- LPB did a reorganization. Schmidt had requested the step down as chair. After discussion, Mineo made a motion to nominate Kodama as Chairperson, Schmidt as Vice-Chairperson, Cox as Secretary, and Mineo as Treasurer, seconded by Cox, (approved 4-0). Kodama will confirm with Schmidt that he will be Vice-Chairperson.
- In regard to projects 2023-3 and 2023-4, LPB discussed how the BOS stated at their February meeting that they no longer want to commit to 100% funding of land preservation projects unless NORCO commits to 50%. Kodama and Heilman had asked if this was something new. Mineo had been under the impression that if NORCO did not end up funding a project, the township would come through, such as with the Boss property. Babbitt noted that NORCO, as with other potential funders, expects townships to front the cost and then get reimbursed. Abert shared his thought process regarding the decision. Abert noted that the last three projects were funded entirely through the township due to NORCO having issues, most recently project 2023-1. There was concern that if the township fronted the full cost of the projects, NORCO could back out. Additionally, Abert noted that LPB's funds are

decreasing and in order to keep land preservation moving, LPB would need township funds or a referendum. It was also not clear that it is typical for the township to front the cost of a project and get reimbursed later. Mineo reviewed that LPB does have the funds for all three projects that were presented to BOS in February and would have \$300,000 left over, but would not have funds for a potential new project.

Announcements:

- None.

Comments from audience:

- None.

Meeting was adjourned at 8:37 PM. Heilman moved, Cox seconded. Unanimous approval.

Next meeting March 26, 2024 @ 7:00 PM, Williams Township Community Building.

Submitted,

Lori Cox, Secretary