

**HALFMOON TOWNSHIP OPEN SPACE PRESERVATION BOARD
REGULAR MEETING – MINUTES
JUNE 23RD, 2010**

1. CALL TO ORDER

Chair Ron Hoover called the meeting to order at 7:03 p.m. Other members present were Bob Eberhart, Ben Pisoni, Dennis Thomson, Jerry Brown, Andy Merritt and Brooks Way (arrived at 7:07 p.m.). Staff present was Dave Piper, OSPB Administrator; Susan Steele, Manager and Amy Smith, Minute Recorder. No Audience present.

2. PLEDGE OF ALLEGIANCE

3. MINUTES

• ***MOTION: Mr. Thomson moved to approve the minutes of February 24th, 2010; Mr. Pisoni seconded; Vote 7-0-0; Motion Carried.***

4. OSPB MEMBER RECOMMENDATION

• ***MOTION: Mr. Thomson moved to recommend Jim Strauss for appointment to the Open Space Preservation Board; Mr. Merritt seconded; Vote 7-0-0; Motion Carried.***

5. THOMSON LEASE AMENDMENTS

Ms. Steele discussed the Board of Supervisors recommendation on the lease amendments. The Board of Supervisors is not in favor of making the amendments and had some concerns. Mr. Pisoni and Mr. Merritt who also serve on the Board of Supervisors felt it was important to get the Open Space Preservation Boards recommendations before proceeding. The Board reviewed the memos provided by Ms. Yurchak and Ms. Dupuis regarding the amendment requests. There was discussion on what the consensus was with the Board members on whether they wanted the changes. Mr. Brown expressed concern with amending the "financial hardship" language and stressed this would make the lease too easy to get out of in 25-30 years. The point of the program was to maintain the leases for 99 years and possibly longer. Mr. Way stated he felt there needed to be some clarification on some of the language regarding the first right of refusal and automatic extension and arbitration language. Mr. Merritt questioned what the difference would be if Mr. Thomson was in the program and taxes went up or if he was not in the program and taxes went up; either way the taxes went up and it is still a matter of how to pay them. Mr. Brown stated he did not feel Mr. Thomson would have any problem paying the taxes based on the annual lease payment he received for participating in the program. Ms. Steele stated the way the hardship reads is it is only a hardship if the land is used to generate his primary source of income and in this case is not Mr. Thomson's primary source. Mr. Brown again reiterated that you can not predict a financial hardship cause and there was no way you could list them all and not jeopardize the program. Mr. Way suggested Mr. Thomson and/or his attorney draft some language so the Board had some direction on what type of language he is looking for in the amendments and the referred sections. Mr. Eberhart stated he did not feel it was fair that Mr. Thomson pay his attorney to draft language and would like a more direct answer from the Township Solicitor whether she feels these are legitimate amendments. Mr. Thomson stated he is not sure he should be drafting language for amendments he is suggesting. Mr. Brown stated he does not see a problem with that because it is just direction on helping the Board understand what he is requesting. Mr. Way again asked Mr. Thomson

to draft language for the next meeting for discussion. Mr. Thomson will draft language for the next meeting. No action was taken at this time.

6. ADVANCE PAYMENT REQUEST - BARR

The Board reviewed a letter provided by Mr. & Mrs. D. Michael Barr requesting another 20 year advance on the property located along Municipal Lane. There was discussion on whether the OSPB would make this approval or the Board of Supervisors. Mr. Piper reviewed the Ordinance and stated the Board of Supervisors would make that determination and the OSPB would make the recommendation. Mr. Piper referred to a section in the advance payment Ordinance that states the Board of Supervisors “may” grant an advanced request. Mr. Piper stated the OSPB had 60 days to take action. Mr. Hoover questioned whether the letter served as the request or if Mr. Barr needed to fill out some type of application. Ms. Smith stated there was no form available for a second advanced payment request. Mr. Piper stated he would review the Ordinance and come back with a clearer process of a second request for the next meeting. No action was taken at this time.

7. OSPP 5 YEAR REVIEW COMMITTEE

Mr. Hoover reviewed the committee members and stated they held their first meeting and would hold their meetings every third Thursday at 7:00 p.m. Mr. Hoover stated he expected it to take 4-5 meetings to complete the review. Mr. Eberhart stated he thought the OSPB and Planning Commission should have some input on what they thought should be reviewed.

8. TESTIMONIAL LETTER

Ms. Steele provided a letter she would like to use to promote the program along with a flyer attached. Ms. Steele stated she would like to get some testimonials from participants in the program to include in the flyer. The Board thought this was a good idea but word of mouth was also a very useful tool in promoting the program. Mr. Thomson suggested Mr. Brown provide a testimonial.

9. BOS REPORT

Ms. Steele reviewed the outcome of the RVZD Ordinance since the public hearing had taken place. Ms. Steele stated the Board of Supervisors would like to see the Open Space Preservation Board and Planning Commission work on agenda items in a timely manner.

10. OTHER BUSINESS

There was discussion on the progress of the construction work being done along S.R. 550 and what the fiber optic cables will be used for and when they will be available.

11. CITIZEN'S COMMENTS

There were no citizen's comments.

12. ADJOURNMENT

The meeting was adjourned at 9:07 p.m.

- ***MOTION: Mr. Pisoni moved to adjourn the meeting at 9:07 p.m.; Mr. Thomson seconded; Vote 7-0-0; Motion Carried.***