

**HALFMOON TOWNSHIP OPEN SPACE PRESERVATION BOARD
REGULAR MEETING-MINUTES
OCTOBER 19, 2011**

1. CALL TO ORDER

Chair Ron Hoover called the meeting to order at 7:15pm. Other members present were Bob Eberhart, Ben Pisoni, Denny Thomson and Joe Tylka. Staff present was Kathleen Yurchack, Township Solicitor; Susan Steele, Manager; Dave Piper, Zoning Officer; Amy Smith, OSPB Administrator and Rebekah Seymour, Minute Recorder. No Audience present.

2. PLEDGE OF ALLEGIANCE

3. MINUTES

- ***MOTION: Mr. Pisoni moved to approve the minutes of May 18th, 2011 and August 3rd, 2011; Mr. Eberhart seconded; Vote 5-0-0; Motion carried.***

4. REVIEW OSPP APPLICATIONS FY 2012

Ms. Smith stated there were three applications submitted to the Open Space Preservation Program FY 2012. Ms. Sandra (Peters) Podgurski has submitted two applications; one for approximately 31.5 acres located off of Fye Road and one for approximately 41.25 acres located off of State Route 550 near the Way Fruit Farm. The third application was submitted by Mr. & Mrs. Friling for approximately 30 acres bordering the Centre County & Huntingdon County lines adjacent to the David Piper & D. Christine Bracken-Piper property.

- ***MOTION: Mr. Thomson moved to approve both applications of Sandra Peters; Mr. Pisoni seconded; Vote 5-0-0; Motion carried.***

Mr. Eberhart asked if Mr. and Mrs. Friling were going to submit the property in Huntingdon County into the program. Mr. Piper stated that only about 30 acres that is in Halfmoon Township was going into the Halfmoon Township open space program and the portion in Huntingdon County was going into the Huntingdon County program. Mr. Tylka asked what was the determination for prioritization and about the funding for advance payments. Ms. Steele stated that these applications were being accepted to proceed to inspection in November and once inspected they would be rated and recommendations for advance payments would be forwarded to the Board of Supervisors by the end of December. Ms. Steele commented advance payment and prioritization discussions would be dealt with during code discussions at a later date.

- ***MOTION: Mr. Pisoni moved to approve the application of Wayne and Margaret Friling subject to their signature on the application; Mr. Thomson seconded; Vote 5-0-0; Motion carried.***

5. NOVEMBER INSPECTIONS

Ms. Smith will contact property owners to set up dates and times for November inspections. Ms. Smith stated that the three new applications she would schedule for November 5th, 2011 and the three properties up for five year review (R. Richard & Alice Ritti, D. Michael Barr and Wolfgang & Nancy Bruckner) would be scheduled for November 12th, 2011. Board members available for these inspections are Mr. Tylka, Mr. Eberhart and Mr. Hoover for November 5th and Mr. Thomson for November 12th. Ms. Smith will send out a reminder email and get final counts for availability when the landowners have confirmed inspection dates and times.

6. CODE DISCUSSIONS

Ms. Smith asked that for each change or amendment to the code put forth that the board members vote on it. Ms. Steele stated that within the code the word “tract” was not defined and that the definition she found was a parcel of land or lot. She asked if the board members wanted to add the definition into the code. Mr. Eberhart asked if tract is even the word they wanted to use. Ms. Yurchak stated that this issue was best left until the board came to the sections about subdivisions and removals of 10% of land.

Ms. Steele stated that in the code under membership requirements it uses the word “landowner” but originally it had used the word “resident” and she suggested changing it back. She suggested that board membership be a four year term and that it be open to the public. She stated this would allow more flexibility for general residents of the land. Mr. Thomson questioned what the phrase “actively engaged in farming” really meant under requirements of board membership (i.e. main income or supplementary income). Mr. Hoover questioned if that line should even be included. Mr. Pisoni stated it might not be as important now as it was when the board was formed when they had needed to set parameters. Mr. Eberhart stated that this was put in at the request of Mr. Brown (not present at the meeting) and this was because he viewed it as a farm program. Mr. Tylka shared this concern but also stated that this might not be a question who owns the land but what is the land being used for. Ms. Steele stated that if you change the membership composite the line might not be needed. Ms. Steele commented that this issue could wait until more suggestions were given for the next meeting and language could be looked over. Ms. Steele stated that all instances the use of the word Secretary would be changed to Program Administrator as the job title had been changed.

Ms. Steele recommended that the board membership be limited to a term with no limit on how many terms one can serve. Mr. Eberhart stated that was originally put in so the board would have continuity in its members. Mr. Thomson agreed on a four year limit and also suggested a limit of terms. Ms. Yurchack stated that the limit of years served would open up membership for new people.

- ***MOTION: Mr. Thomson moved to strike the language under the Membership Section 2 subsection (b) regarding the length of terms of service and removal of board members to allow for Ms. Yurchack to draft new language for four year staggered terms; This would eliminate all but the first sentence in this subsection; Mr. Pisoni seconded; Vote 5-0-0; Motion carried.***

Ms. Steele suggested striking entire clause of alternate members. Mr. Hoover agreed since having an alternate member was of no use if they had no voting rights other than in the event the alternate is attending on behalf of an absent member. Mr. Hoover stated he had concerns that the alternate member would not be aware of discussions and intentions when voting on a agenda item that may have taken several meetings to complete if they were not in attendance for the whole discussion. Mr. Eberhart has concerns that the Board is struggling to form a quorum and an alternate member may allow for a quorum.

- ***MOTION: Mr. Hoover moved to strike the alternate members clause from the code; Mr. Thomson seconded; Vote 4-1-0; Messrs. Thomson, yea; Pisoni, yea; Hoover, yea; Tylka, yea; Mr. Eberhart, nay; No abstentions; Motion carried.***

The Board agreed to strike language under the Membership Section; Section 4 regarding the election of officers. This section should now read; Officers. The OSPB shall elect a Chair and Vice-Chair.

There was a discussion on the definition of commercial mining and Mr. Hoover requested the discussion be held off until there was time to review Chapter 255 for the definition. The Board requested Ms. Steele forward the definition of commercial mining for review at the next meeting.

Ms. Steele reviewed staff recommendations regarding additional language added to 163-4; Terms and conditions of conservation and preservation easements; Section E – Open Space land subdivision restrictions (addition – on unimproved lots).

There was also discussion as to why 60 acres was the set amount for allowing a 10% exemption. Mr. Piper questioned why it is called an “exemption”. Mr. Piper stated this provision was put in the Ordinance but was intended for the landowner to exempt the 10% out of the property prior to placing it in a conservation lease. The Board disagreed as to intent of the 10% exemption. There was discussion among Board members that the intent of the 10% exemption was so if a landowner wanted to subdivide for a family member or if in a financial bind needed to subdivide, it gave them that opportunity. There was discussion on whether the 10% had to be in one clustered area or if it could be spread out among the property. The Board agreed that this issue should be discussed further after board members had opportune time to review the language and provide

suggestions. Ms. Yurchak agreed this language needs to be clearer because it may be difficult for landowners to interpret. The Board requested Ms. Yurchak draft language for both “parcel clustering” and parcels spread out among the property under the 10% exemption for the Board to review.

7. OTHER BUSINESS

No other business was discussed.

8. CITIZEN’S COMMENTS

There were no citizen’s comments.

9. ADJOURNMENT

The meeting was adjourned at 9:30pm.

- ***MOTION: Mr. Thomson motioned to adjourn the meeting at 9:30pm; Mr. Pisoni seconded; Vote 5-0-0; Motion carried.***