

**HALFMOON TOWNSHIP  
OPEN SPACE PRESERVATION BOARD MEETING  
MINUTES  
February 14, 2024**

**1. CALL TO ORDER**

Mr. Moyer called the meeting to order at 7:02pm.

In attendance at this meeting are:

Open Space Board Members: Reed Moyer; Chairman, Jim Smith, Joanne Fisher, Ron Hoover, Chris Bracken-Piper, and George Stine; Planning Commission Representative.

Board of Supervisors: Dave Piper; Chairman, Ron Servello, Tammy Perkins, Patti Hartle, and Chuck Beck

Township Employees: Amy Smith; Clerk, Brett Laird; Treasurer, Meagan Beck; Recording Secretary.

Community Members: Donna & Dan Hughes, Kacee Burke, Diane Servello, Peggy & Tom Majewski, Donnan Stoicovy, Michelle Schellberg (on zoom), and Jeff Pogue (on zoom)

**2. PLEDGE OF ALLEGIANCE**

All in attendance recited the Pledge of Allegiance

**3. CITIZEN'S COMMENTS**

Mr. Majewski asked the board how many people participate in the Open Space Preservation program and receive funds. He also asked if there was a breakdown of the average costs per citizen.

Mr. Moyer responded that Amy Smith, township clerk could provide the list of participants for Mr. Majewski. He said the average cost per citizen is about \$56.70 per person.

**4. APPROVAL OF MINUTES**

***\*\*Ms. Hartle moved to approve the minutes from the January 10, 2024 meeting. Mr. Smith seconded the motion. All are in favor; motion carried.***

**5. BRIEF OVERVIEW: HISTORY AND PURPOSE OF THE OPEN SPACE PRESERVATION PROGRAM**

Mr. Moyer gave a presentation about purpose of the Open Space Preservation Program, its history, the purpose of the open space board, how the OSPB works with the BOS, and the benefits of the program on the township. It is available to view [here](#).

**6. CONCERNS AND QUESTIONS FROM THE BOARD OF SUPERVISORS**

Mr. Moyer opened the floor for comments and concerns from members of the OSPB and BOS.

Mr. Piper, BOS Chairman, stated that he was working for the township when this program was initiated, and said that they started the lease program because that is what the township could afford. He thinks the program has been successful, but still had some questions. His questions were, could the township lease 3,000 acres on the 2-mil tax, and what is the maximum sustainable lease.

Mr. Moyer answered that currently there are 2,080 acres leased and that is sustainable with room to spare.

Mr. Piper asked if the program could handle 1,000 more acres.

Mr. Moyer agreed that potentially it could handle that much more acreage. He also noted that when looking at the original spreadsheet, Mr. Tylka was able to estimate the ongoing cost of the program today within \$20,000. The estimations made at the program's inception were conservatively good estimations.

Mr. Piper then said that the OSPB is looking into buyouts. He is not sure how many people are interested in buyouts.

Mr. Reed stated that of the 2,080 current acres, owners of 1500 acres have expressed interest in going permanent. That is something that could be handled over the next years or so.

Mr. Servello asked if the 1500 acres is part of the 2,080 that is already leased.

Mr. Moyer answered that yes, they are. 2,080 acres of land is currently leased in the program. Approximately 1,500 acres are interested in becoming a permanently preserved.

Mr. Servello and Mr. Piper wanted clarification that the 150 acres of the Fisher property is not included in the currently leased property total and the Thompson property/ Barrens Corridor is also not included in the 2,080 acres. That gives a total of 2,890 acres of land either being leased or already permanently preserved.

Mr. Smith notes that the Hall Property is also permanently preserved.

Mr. Moyer agreed that there have been other properties preserved also.

Mr. Piper then recalls that at the time of the program's inception Centre County was not interested in Halfmoon Township because the soil didn't meet the standards that the county was looking for. But he believes that having properties in the township already preserved has made Halfmoon township more enticing for county involvement.

Mr. Moyer says that Centre County has a scoring system, and the OSPB submitted some properties to get a rough score. He stated that some of the properties scored very well which might make the county want to preserve them without the help of extra money from the OSPB.

Mr. Piper said that there's a could chance the township could get a good deal on preserving those properties.

Mr. Moyer agrees, but says that the goal of the board is to create good working relationships with Clearwater Conservancy and with the County preservation program so as to help property owners move through the process.

Mr. Servello asks how much developable land is available yet to preserve. He then clarifies that he means land that is not in the program, but could be included.

Mr. Moyer says that he can get that information to Mr. Servello, and indicates that there are maps that show which land that is eligible.

Mr. Servello moves on to say that his concerns were brought up by requests that the BOS received to refund fees for permanent easement, and the other was to change the ordinance to remove the requirement to pay the fees.

Mr. Moyer said that the board met Joann (Fisher) who walked the board through the process of becoming part of the OSPP. He states that the board saw an opportunity to not necessarily refund Ms. Fisher's money but to make a document that every property that goes permanent would have to use. That having such a document would make the process easier for other property owners. He said they found out via legal counsel that using a document like that would be illegal.

Mr. Servello then says that he finds it concerning, after having read the ordinance several times, that it was amended and changed 44 times on 11 different dates. He said that it appears that this program is very fluid and that there are not fixed parameters.

Mr. Moyer disagreed that the program changes a lot. He agrees there has been about 1 change a year, one of them being about preserving recreational ground. He said the program is designed to collect tax money to find preservable open space and then preserve them based on the processes in the ordinance. He said the major changes were for the incentives for advanced payments, and that the changes were made in the effort to make the ordinance better with the main purpose of preserving open space to benefit the township.

Mr. Servello said his concerns really stem from not having an outside perspective on what the OSPP is projected to do. He thinks there are too many variables to be able to accurately project an outcome. He thinks an outside legal review would give the township better perspective.

Ms. Bracken-Piper asked what Mr. Servello meant by "legal review."

Mr. Servello clarified by saying he feels that the changes being made to the ordinance and the incentives the ordinance promises are favoring the few at the cost of the many.

Mr. Moyers said that the incentive helps the program accomplish its goal.

Mr. Servello stated that he wanted this meeting so that there could be a public forum for everyone to express concerns. He said he agrees that land preservation is a good thing, but does not agree with the process. He thinks the program needs regulated more to monitor the speed at which it grows, and he's not sure that the program is sustainable on a 2-mil tax.

Ms. Hartle asked if the board knows how much the OSPP has grown over the last several years.

Ms. Smith stated that within the last 10 years, there has been 1 application that has gone through, one application that is pending, and one that isn't due to be reviewed until August 31.

Ms. Hartle then states that it seems as though the program really isn't growing very quickly and that it makes sense at this point to start permanently preserving the properties that are already in the lease program. She also recalled that there are external reviews on this program every 5 years and the reviews are done so that the ordinances can be perfected over the years it is in use. She asked Ms. Smith how many ordinances changes happened at the last review.

Ms. Smith states that there were 2 changes made to the ordinance.

Mr. Moyer noted that as the township gets older, more people become interested in permanent preservation because of their physical age. He said he wouldn't be surprised if citizen's ages

spur up more interest in leasing as well, but wasn't sure if it was better to put new properties on a lease plan or work on making them permanent from the start.

Ms. Hartle recalled when Ms. Fisher was in the lease program and was moving to permanent preservation. She had to terminate her lease which cost \$1,500. Ms. Hartle stated that the cost occurred because of the ordinance. The property owner could have been trying to get out of the lease for other reasons, but because they were trying to move to permanent preservation, she thinks there should have been an exception. She said they sought legal advice on that particular exception.

Mr. Servello asked Ms. Hartle if the 5-year review was an external review.

Ms. Hartle clarified that on the review board, of about seven people, there was one member who was a boss, 2 members were OSPB members, and everyone else not a part of the BOS, or OSPB.

Mr. Moyer confirms that the review board is a mix of people involved in the Open Space program and people who are not.

Ms. Perkins says that the OSPB is available to help any property owner who is interested in going right into permanent preservation.

Mr. Moyer confirms that yes, the goal is to find the best route for everyone who is interested in preserving their land.

Ms. Perkins thinks that the numbers shared earlier are important because they show the projected outcome of the program. She also thought it was interesting that there are potentially 1,500 more acres that could be permanently preserved. She thinks that the program is doing what it's supposed to be doing. Ms. Perkins also asked how many properties are left in the township that are 11 acres or more.

Ms. Smith said, as of 2020, there are 123 properties or 6537 acres not included in the open space program.

Mr. Moyer stated that several years ago the board had an informal goal to permanently preserve approximately 50% of the township. He said that, in their eyes, having the township being 50% "not houses" was a good thing. He thinks they are at approximately 30%.

Ms. Perkins noted that there is research to suggest that having more open land is more equitable for the township because there aren't extra resources needed to care for open land, such as fire protection, road, sewer service, etc.

Ms. Hartle asked if recommendations from the OSPB to the BOS and then get legally reviewed. Which means that any ordinance changes over the years have been legally reviewed and accepted by the BOS.

Ms. Bracken-Piper noted that when this program was instituted it was the only program like it in the whole state. She said there was not template for how to run the program and the only thing they had to go off of was the guidelines the state put out. Over the years the board has had to make amendments and adjustments.

Mr. Piper stated that without the OSPP there would be significantly more people living in the township, so the program is working. He also stated that it used to be that for every \$1 paid from a single-family home, it required \$1.25 in services. That meant that industrial, commercial, and agricultural land was making up the difference in taxes. If the township grows then more services will need to be added to the township at a significant cost. One other thing to note was that more houses would mean the loss of ground water recharge. He agrees that 2 mils is an inconvenience but it may have saved the township a lot of grief over the years.

Mr. Moyer told the BOS that the OSPB has some items for review that have been put on hold.

Ms. Perkins asked if the items from the 5-year review are available to view.

Mr. Moyer clarified that they will be available at the next BOS meeting.

Mr. Piper noted that the BOS would like to maintain good communication and answer any questions as they arise.

Mr. Moyer agrees that the OSPB is also willing to answer any questions and will always have an open door.

Mr. Servello wanted to note that he wanted a truly independent review of the program done.

Mr. Moyer said if the BOS wants to fund an outside review and financial advice, it is worth looking into.

Mr. Servello wants an outside viewpoint to agree that the OSPP will work.

Mr. Moyer rebutted that Mr. Laird has looked over the numbers were up to date. He said that the three things the board estimates are: CPI, interest rate, and increase in tax rates. Those estimated numbers come from Mr. Viglioni and are pretty standard estimation.

Mr. Servello said that he wanted an impartial review not from someone involved in the process.

Mr. Moyer asked Mr. Servello if Mr. Viglioni's comments are in the 5-year review. He asked if Mr. Servello would send them to him.

Mr. Majewski asked who owns permanently preserved land.

Mr. Moyer stated that the land owner still owns the land. He stated that the OSPP buys the developmental rights of the property, that restricts how many buildings are able to be put on the land.

Mr. Majewski then asked if the general public is allowed to use the open land.

Mr. Moyer clarified that no the property owner owns the land, and can use no trespassing signs, etc.

Mr. Majewski asked then about why the part of the ordinance about recreational use was taken out and if it could be put back in.

Mr. Moyer clarified that it wasn't taken away, just that the OSPB is focused on open space, not on public access open space. If there was interest in a new park, it isn't the OSPB's responsibility to find the land for the new park.

There was a public comment about what happens if the land owner sells the land.

Mr. Moyer said that if the land is sold it is still deed restricted and the new owner will have to follow those restrictions.

Mr. Hoover stated that the same holds true for the lease, that it would transfer to the new owners if the property is sold.

***\*\*Mr. Hoover made a motion to adjourn the meeting at 8:05 p.m.; Mr. Smith seconded the motion. All are in favor; motion carried.***

Respectfully submitted,

A handwritten signature in cursive script that reads "Meagan Beck".

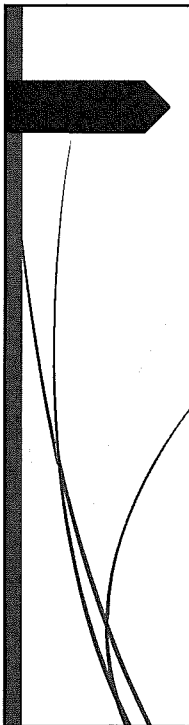
Meagan Beck



# Halfmoon Township Open Space Preservation Program

History and purpose overview for BOS  
February 14, 2024

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## Purpose of the Program

- ▶ The purposes of the open space preservation program of Halfmoon Township are **to obtain for the citizens of the Township those open space benefits that result from the preservation or restriction of use of undeveloped open space.**
- ▶ These purposes **will be advanced by using funds provided as the result of the open space referendum** to acquire conservation and preservation easements on appropriate properties in the Township.

Township Code ([§ 163-2](#))


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## Open Space Program History

- Enabled by PA Act 153 and HMT Ordinance 1999-21
  - Referendum passed in 1999 56.68% to 43.32%
  - Program initially focused on 99 year lease of development rights so more land could be locked up quickly
- Ordinance revised by BOS in 2005 to offer prepayments of lease to encourage participation
- Ordinance revised by BOS in 2008 and 2019 to permit permanent retirement of development rights

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## Role of the Open Space Board

- The OSPB shall be advisory to the Board of Supervisors and shall make recommendations concerning:
  - Terms and conditions of agreements for the purpose of acquiring conservation and preservation easements;
  - Procedures and criteria for selecting properties for conservation and preservation easements;
  - Specific properties to be selected for conservation and preservation easements;
  - Application and acceptance procedures;
  - Subdivision exception for non-open space uses as permitted under § 163-4E and
  - Termination of agreements

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## Role of the BOS

- Receive and act on recommendations from the OSPB
- Approve any and all changes to the program and its functioning
- Approve acceptance of any new leases
- Approve any advance payments
- Approve any funds to be used for permanent preservation
- Receive annual reports on the status of the Program
- Participate in 5-year review

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## Value of Open Space Preservation

- Preserves Township's rural nature for all to enjoy
- Helps preserve water quality for entire Centre Region
- Saves tax dollars by limiting sprawl and reducing infrastructure and municipal services costs (road maintenance, winter maintenance, sewerage disposal, water issues.....)
- Increases property values of homes near preserved land (average = 11%)\*
- Permanent preservation saves tax dollars by eliminating annual payments

\*(Reeves, Mai, Bellinger and Sry, Journal of Forestry, Vol 116 Issue 6 Nov, 2018)

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## How Advanced Lease Payments Work

- ▶ Advance payments added to program in 2005 to incentivize participation
- ▶ Landowner receives upfront payment at current rate for years at back end of lease
- ▶ Payments cover a maximum of 20 years
- ▶ Advance payment refunded if land put in permanent preservation
- ▶ Payments have a positive or neutral effect on program funds, depending on interest rates.

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## Financial Estimation Approach

- ▶ Currently using an in-house Excel per instructions of BOS after 2022 Review
- ▶ Original Excel developed by Joe Tylka and Joe Viglione (ex COG Finance Director)
- ▶ Updated during 2022 5-year Review based on records provided by Brett Laird. Validated by Brett in 2024.
- ▶ Uses standard and reasonable assumptions of CPI, interest rates and tax revenues (per Joe Viglione)
- ▶ Clearly shows that program has adequate funding
- ▶ Clearly shows that putting land into permanent easements is of financial benefit

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## OSPP Land Preservation Status

- ▶ Preserved for 80 to 99 years = **2080.84 ac**
- ▶ Permanently preserved, through OSPP = **160.31ac**  
(Fisher property)
- ▶ Permanently preserved, direct contribution = **650.54 ac**  
(Thompson and Barrens Corridor)
- ▶ Currently interested in permanent = **1568.64 ac**
- ▶ OSPP focus is on permanent preservation per instructions of BOS

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## Not all benefits are financial!



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