

UPPER MT. BETHEL TOWNSHIP

387 Ye Olde Highway
Mount Bethel, PA 18343-52220

UPPER MT. BETHEL TOWNSHIP
OPEN SPACE ADVISORY BOARD
THURSDAY, December 7, 2017
EMERGENCY MEETING MINUTES

I. CALL TO ORDER

The Meeting was called to order at 7:05 PM by Janet Pearson, Chairman. Members Present: Jason Albert, Terry Abramson and Laura Bocko. John Bermingham, Larry Hallet, and David Due from the UMBT BOS, Rick Fisher Township Manager, Judith Henckel and Several members of the Public were also in attendance.

Janet Pearson wanted to add to the Agenda a Letter from Maria Bentzoni, Northampton County Farmland Preservation.

John Bermingham wanted to note that as long as the 3 Supervisors do not hold dialogue between themselves during this meeting there is no breaking of the Sunshine Law. If needed he can leave the room.

II. MINUTES

Laura Bocko moved to approve the previous month's minutes, 2nd by Terry Abramson, voted on and approved.

III. OLD BUSINESS

Budget Approval has not yet been finalized.

IV. EI STATUS

Copy of Resolution and Clarifications:

Janet Pearson stated there is some confusion the proposed Resolution Her goal for this Emergency Meeting is to clarify some wording and information in the Resolution and have this Board make the necessary recommendations to the BOS.

-There should be clarification over the amount of funds that are to be used per the appraisal on the property. The language in the Resolution should state the amount and where it is coming from.

-Page 2, ¶ 2 does not say the correct Acreage, there should also be Meets and Bounds descriptions of the various parcels less the 64 acres the Township wants to retain.

-Page 3, sec. 1 & 2, there is a contradiction with each. If the Township would sell it would the Conservation Easement stay with it? If Open Space Money was used, the usage of the property cannot change, this should be amended. Janet stated there should be language such as the following added:

"This Covenant is for Conservation purposes and shall run with and burden the premise in perpetuity and the Township and assigns shall have the right to enforce the same at law or in equity, and the right to enter the premises at a reasonable time and in a reasonable manner in order to monitor compliance herewith."

Larry Hallet asked why?, because it would not change anything it is redundant. Rick Fisher stated it would give the Township the right to go in there and monitor the property to ensure it is being used for what we stated it is going to be used for. It is harmless to add. A Member of the Public

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agreed with Rick and stated any language used to make it more evident and clear that this is an effort to conserve the property is harmless to add.

-Judy Henckel stated there is no information on what the use is for, to get it done properly the Township should go through a Land Trust. What does the Township want to protect? Can the holder be the owner? It should be a 3rd Party. Janet Pearson commented by say the OSAB could sit down and work with the Township and decided what is permitted. She read several examples. Everyone who lives in this Township should get to use it for some purpose.

-Janet Pearson asked if other Townships are working with 3rd Parties? Judith Henckel replied some are but UMBT is losing credibility with 3rd Party Conservation Groups because of the continued delay in preserving areas.

Janet Pearson asked John Bermingham if we get a recommendation to the BOS by Monday can we get these some clarifications to the proposed Resolution? He said he does not see why not. Jason Albert said he can have it sent out Friday morning.

-Laura Bocko made a Motion, 2nd by Terry Abramson for Jason to submit a Recommendation to include the following points:

▪ *“This Covenant is for Conservation purposes and shall run with and burden the premise in perpetuity and the Township and assigns shall have the right to enforce the same at law or in equity, and the right to enter the premises at a reasonable time and in a reasonable manner in order to monitor compliance herewith.”*

▪ *Also include the following language: “Using EIT funding to pay approximately \$923,000 on those acres being conserved, not to exceed the amount owed on said acres.”*

▪ *on Page 2, Sec. 2, we would like to see a proper description of conserved area with meets and bounds of parcels involved.*

▪ *on Page 3, Sec. 1, we would like to clarify language of said Section.*

▪ *on Page 3, Sec. 3, we would like to add after Township Supervisors “in conjunction with the Open Space Advisory Board and Environmental Advisory Council.”*

Furthermore, the OSAB would like to recommend that appropriate uses of the Conserved EI property be executed through the full Cooperation of the OSAB, EAC, and the Township Supervisors with insight and input from the Public, at a later date.

V. NEW BUSINESS

Maria Bentzoni from Northampton County Farmland Preservation submitted a letter that one of the farms in UMBT has removed themselves from the application list.

VI. ADJOURNMENT

Terry Abramson made a Motion , 2nd by Laura Bocko to adjourn at 8:30 PM until next meeting December 19, 2017.

Respectively Submitted

Jason M. Albert

Secretary