

February 27, 2003

Present: Selectmen: Elaine Luckey, Nick Solley, Harry Wyant
Press: David Lombino, Litchfield County Times

First Selectman Elaine Luckey called the meeting to order at 4:35 p.m.

Minutes: Minutes of the February 13 meeting were approved as submitted.

Communications:

207 Bee Brook Road: Murray Kessler, attorney for Joseph Bennett, Jr. of 207 Bee Brook Road, sent a letter to the Selectmen to inquire into the possible purchase of a town-owned parcel of land on Bee Brook Road. This matter will be referred to Town Council for review. If the sale of this property is considered, it must be submitted to the Planning Commission, as well as approved at a town meeting.

Washington Art Association: Jack Dunbar had requested use of the side of the old firehouse in the Depot to place a sculpture on behalf of artist Tim Prentiss. This would be during a showing of their works at the Washington Art Association from May 31 to June 22. A picture of the sculpture showed a hanging sculpture comprised of small rectangles. This was agreeable to the Board with the stipulations that the lessees of the building are agreeable and that no damage is done to the building.

Cell Tower Attorney Fees: Elaine reported the Board of Finance had approved an ex-budget appropriation for \$8,000 for legal costs to review the possible leasing of the New Preston firehouse for a cell tower. In the event that there is an interest in the firehouse or any Town location, it was felt the Town should be represented by legal counsel before the Siting Council, should have legal counsel review any contracts and insurance, and should insure that the Town would be relieved of any liability. Costs were based on a fee of \$200/hour for the services of Attorney Michael Ziska of Murtha Cullina, LLP., who is experienced in these types of legalities.

Donations in Lieu of Open Space: Elaine reported according to Statute 7-131r, any municipality, by vote of its legislative body, may establish a land acquisition fund. An amount not to exceed the amount that would be generated from two mills may be appropriated by the municipality for this purpose. Statute 8-25b allows a municipality to set up a fund where any fee paid, in lieu of a land use requirement to provide open space, may be deposited in a fund to be used to preserve open space or acquire additional land for open space, recreational or agricultural purposes. This had been discussed at a recent meeting of the Land Use Chairmen, and the Planning and Conservation Commissions are interested in finding out if these funds could also be used to monitor and manage this land. Elaine noted that land that has been donated for open space has sometimes become a hodge-podge of small parcels and difficult to monitor and manage. The Steep Rock Ass'n., while unable to take on this full responsibility, has indicated they could monitor some properties, but would like to be compensated for doing so. It was agreed to confer with Town Counsel and the Town's auditor about the legalities.

Snow on Private Property Causing Traffic Hazards: Due to recent parking and safety problems in New Preston because of the large amount of snow, Elaine will write a letter to the business owners to notify them that next year they will be responsible for removal of snow in their parking areas unless it is on a town right-of-way. This was agreeable to the Board.

The meeting was adjourned at 5:00 p.m.

Respectfully submitted,

Kathy Gollow, Selectman's Assistant