

Town of Washington

Special Town Meeting April 8, 2009

Moderator: Hank Martin

Clerk: Sheila Silvernail

The meeting was opened by First Selectman, Mark E. Lyon, at 7:30 p.m. welcoming everyone and requesting nominations for moderator. Hank Martin was duly nominated, seconded, and elected and called the meeting to order. Sheila Silvernail was introduced as clerk and read the warning call.

Resolution #1: That the Town purchase 31.369+/- acres of land located at 108 New Milford Turnpike from Washington Partners, LLC as shown on maps #1667A and 1667B in the land records of the Town of Washington, for a sum not to exceed \$500,000 from the Town of Washington Open Space Fund.

Proposed by: First Selectman, Mark E. Lyon

Seconded by: Theodore Adams, 4 Schwab Road

Participants: Joe Mustich, Valerie Friedman, Kelly Boling, Janet Buonaiuto, Nick Solley, Margie Purnell, Patsy Matthews, Irene Allan, Ken Cornet, Randy Bernard, Margaret Cheney, Carlos Canal, Susan Nicholas, Janet Hill, Fran Desimone, other unidentified citizens

Discussion: Susan Payne, Conservation Commission Chair, Mark E. Lyon, First Selectman

Discussion entailed description of property, explanation of procedures and negotiations, concerns about environmental issues and uses as well as value, with questions and answers.

Secondary motion: Motion to move to a vote on Resolution #1.

Proposed by: Susan Nicholas, Citizen

Seconded by: Several audience responses to second

Discussion: Explanation by Moderator that secondary motion closes debate of primary motion until secondary motion passes or is denied by at least 2/3 vote.

Vote: Moderator indicated a visual raising of hands indicated majority to end debate and move to primary vote, but not by 2/3. Secondary motion denied and primary debate remained open.

Resolution #1: Continued from point before secondary motion proposed.

Tertiary motion: A motion to add the following clause to the primary motion to buy the property and the clause would be, “Subject to a Phase 1 Environmental Review satisfactory to the Town of Washington.”

Proposed by: Fran Desimone, Citizen

Seconded by: Several audience responses to second

Discussion: Discussion on wording and crafting of amendment. Explanation of different phases involved in environmental reviews.

Vote: Moderator requested all those in favor and then those opposed. Motion passed strongly. Resolution #1: Continued and brought to vote.

Vote: Moderator requested all those in favor and then those opposed. Motion passed strongly.

Resolution #2: To nominate candidates for election to four positions on the Region #12 Board of Education, said terms to continue from July 1, 2009 to June 30, 2013. And further, that all names of those nominated be considered for election by a referendum vote scheduled for May 5, 2009 held in conjunction with the vote on the proposed Region #12 2009-2010 Education Budget.

Proposed by: Mark E. Lyon, First Selectman

Seconded by: Several audience responses to second

Discussion: Moderator explained slight wordy difference between warning and resolution. The correct wordy for four open positions and is minor enough that there is no major discrepancy from warning and that the Town is free to move ahead in the process. Moderator opened floor to nominations.

Nominees:

Michael Condon nominated Matt Franjola and duly seconded by audience.

Peter Tagley nominated Irene Allan, seconded by Valerie Anderson.

Jim Mitchell nominated Valerie Anderson, seconded by Irene Allan.

Tom Kovacs nominated Frannie Caco, seconded by Dick Sears.

Jack Davis nominated Larry Davis, seconded by Susan Payne.

Bill Fairbairn nominated Dan Lee, seconded by Jim Brinton.

Jim Brinton nominated Jim Hirschfield, seconded by Lillian Lyon.

Moderator: Indicated all business on the agenda had been addressed and received motion to adjourn.

Adjournment: Motion to adjourn proposed, seconded and Moderator adjourned the meeting at 9:18 p.m.

*****TRANSCRIPT OF THE TAPE*****

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Clerk: Sheila Silvernail

The meeting was opened by First Selectman, Mark E. Lyon, at 7:30 p.m. welcoming everyone and requesting nominations for moderator. Hank Martin was duly nominated, seconded, and elected. Sheila Silvernail was introduced as clerk and read the warning call.

Mark Lyon: Welcome you to a Special Town Meeting. It's great to see this many people here today. We did extend our tradition of a little snow for town meetings.

Audience: Laughter.

Mark Lyon: Thankfully it didn't stick. Other than the fact that obviously we didn't print enough handouts, it's good to see everybody here tonight. I'd like to open the meeting and ask for nominations for Moderator. Mr. Payne?

Mr. Payne: I nominate Hank Martin as Moderator.

Mark Lyon: Do we have a second?

Audience: Second, second.

Mark Lyon: Second. Any other nominations? All those in favor?

Audience: Aye.

Mark Lyon: I guess nobody's opposed because nobody else ... Hank?

Moderator: Nobody's opposed? Thank you. Alright, let's get started. I call this Special Town Meeting to order and Sheila would you come up and read the warning please?

Clerk: Good evening.

Warning: Town of Washington Special Town Meeting

April 8, 2009 7:30 p.m.

The voters and electors of the Town of Washington are hereby warned that a Special

Town meeting will be held on Wednesday, April 8, 2009 at 7:30 p.m. at Bryan Memorial Town Hall, Washington Depot, Connecticut to consider and act upon the following:

1. To approve the purchase of 31+/- acres at 108 New Milford Turnpike, New Preston, using previously allocated Open Space Funds, for \$500,000.
2. To nominate four candidates for the Region #12 Board of Education whose terms will be expiring 6/30/09. Voting for these candidates will take place in conjunction with the Region #12 Budget Referendum tentatively scheduled for May 5, 2009.

Dated at Washington, CT April 1, 2009

Mark E. Lyon, James L. Brinton, Nicholas N. Solley

Board of Selectmen

Moderator: Thank you Sheila. Just out of curiosity, how many of you in the audience have been to a town meeting before? Could you raise your hands? Then I don't have to explain anything. You all know.

Audience: Laughter.

Moderator: Just in case there's a couple of new people here, I did want to sort of set up the ground rules for tonight. We've got two major items on the agenda. One is the land and secondly the nominations for the Board of Ed. In each case, there's going to be a motion made and seconded, a little discussion on the big issue that we're going to vote on tonight because the nominations for the Board of Ed will not involve a vote, just a nominating process. I will, I commit to you that we will make sure that everybody gets recognized that raises their hand. So, I'm not sure how long it's going to take, but it will take as long as it takes. The one thing I ask in return is that you, um, when you raise your hand and are recognized, please identify yourself and the street you live on for the purposes of our recording secretary here who will probably not be looking up at you. So even if you are well known, for her sake it would be great if you could just identify yourself. Other than that, direct your questions to me or comments to me and I'll direct them to whoever will be answering them. With that let's get into the first issue on the agenda and Mark could you provide the resolution on the first item?

Mark Lyon: Resolved: That the Town purchase 31.369+/- acres of land located at 108 New Milford Turnpike from Washington Partners, LLC as shown on maps #1667A and 1667B in the land records of the Town of Washington, for a sum not to exceed \$500,000 from the Town of Washington Open Space Fund.

Moderator: Could I have a second on that resolution, please?

Ted Adams: Second.

Female: Second.

Moderator: Could you ...?

Ted Adams: Theodore Adams, 4 Schwab Road.

Moderator: Thank you very much. OK, we have a resolution that's been seconded so we're ready to have discussion. Usually the way I like to start is to ask some of the people who have been involved in the process to explain and describe what's going on with regard to this proposed purchase. And, I guess Susie Payne you are going to start that process rolling.

Susan Payne: Thank you. Is that working? Can you hear me?

Audience: Yes.

Susan Payne: 108 New Milford Turnpike. With the Town Plan of Conservation Development Goal of protecting 30% open space of the town to preserve its rural character and 90 plus percentage of the townspeople voting open space preservation as their number one priority in the town wide survey of 2004, this property represents a unique opportunity to fulfill numerous goals of the Town.

Reasons to permanently preserve these 31 acres in the heart of New Preston:

Preservation of rural character and the visual gateway to New Preston on the heavily traveled Route 202 corridor;

Enhancement of this densely populated and historic village center with the permanent preservation of this contiguous and substantial open space parcel;

Preservation of future drinking water supplies for densely populated New Preston;

Protection of an extensive aquifer, expanding natural resource water protection from Meeker Swamp, the East Aspetuck River, and New Preston Falls which is also owned by the town;

Protection of a major headwater wetland acting to preserve the water quality of the East Aspetuck River;

Protection of the property's soils in the upland, area half of which are classified by the USDA as "Farmland of Statewide Importance," that could be used for hay, pasture, organic farms or community agriculture;

Preservation of woodlands on one-third of the property to further enhance air quality, wildlife habitat, water resources, and ecological diversity in this village center;

Protection of a major bird migration flight corridor in the upland area;

Protection of this property advances landscape-scale conservation initiatives with local, regional, and state significance per a Baseline Environmental Assessment that Sean Hayden of Northwest Conservation District did for the Conservation Commission in December;

Creation of passive, natural recreational area within walking distance of 75 (K-5), 35 middle school, and 76 high school children.

Numerous properties have been evaluated by the Conservation Commission, with this property revisited a number of times since 2005. At its December meeting the Commission voted unanimously to recommend to the Board of Selectmen that the Town engage in negotiations with Washington Partners LLC to purchase this property with funds from the Open Space Fund. And I want to remind you that the funds in the Open Space Fund are previously allocated tax dollars. So this is not, this is money that's in a perpetual fund that can only be spent to purchase open space for the town. The price that was negotiated is \$500,000.

The Board of Finance gave it their unanimous approval, but the Planning Commission voted conditional approval last evening.

Susan Payne, Conservation Chair

Moderator: Thank you Susie. Mark did you have some summary comments to make as well?

Mark Lyon: Yes ... This is an illustration. It's like Google map of the property that's outlined in yellow and there's another map out in the lobby that gives a lot better definition to what the ... This is what we thought felt was a, would be an asset to the Town in that it has road frontage. It's 31 acres by the village center, borders a number of properties in the village center, has frontage on Route 202 and Flirtation Avenue. It's one of the last large open space parcels near the village center. It has wetlands, meadows, and forest property and supports a wide variety of wildlife. I don't do this as a preemptive purchase to stop development because it's public knowledge that there's currently a plan application that's made for a subdivision here, but I look at this as a piece of property that would be an asset for the community to have now and in the future. The Conservation Open Space Fund allows for passive recreation as well as conservation of natural conditions and farmland. And, the question did come up, but so far as future uses, we feel that it would be within the purview of that ... with walking paths, picnic pavilion, and that type of passive recreation. It would probably preclude the building of leveling of large areas for ball fields or in that type of recreation. But, having a picnic pavilion and some walking trails and so on would be allowed under that. The other issue that Susie touched on with the aquifer is there's known with the intense development in the village center which we hope to maintain as the center, this would be a possible future water supply for the village center which we'd be allowed to do because we wouldn't be changing the natural state of the land. And also, subterranean feeding like a septic field type system, because after that was installed you'd be returning the property to its natural condition. I've spoken with David Miles who in turn worked with Mike Zizka our land use attorney that is used by all our town boards. The way this, and I should probably get some numbers here. Our

Open Space Fund was established under CT State Statute 7-148C2K which is a broad-based statute that allows towns to create funds that can be carried forward from year to year for specific purposes. The definition of what that purpose is, is going to be ... defined by the town ordinance. Our town ordinance Section 3B1 states that expenditures shall be made exclusively for the appraisal, acquisition, preservation costs relating to parcels of land, easements, ... and which shall be limited to retention of the parcel in its natural condition for the protection of natural resources for passive recreational or agricultural purposes. So their interpretation is that that would preclude any other development beyond what we are talking about. Housing would not be allowed under that as well as if we felt there was a need for some sort of above ground sewage treatment facility. So those of ... development is off the table. But, like I said it still could be used for water supply and subterranean sewage treatment. To go forward years into the future, to change the use of the land or to transfer the land by "sale" or transfer funds within the town such as between the housing and open space, is uncharted territory in that this is a relatively new phenomenon where municipalities are purchasing open space. That sort of case law doesn't exist at this time. Right now its use is defined by the ordinance of which it was purchased under. If at some future date, the legislative body was looking at some other better use, then we would be in territory where there hasn't been any case law to establish that yet. So, that's one of the things we looked at this negotiation. This investigation of this property started in earnest back in the fall. Through a period of time with Conservation Commission looking at this, eventually they came to the conclusion that they thought it would be an asset for the town to purchase. At that time they approached the Board of Selectmen. We had several executive session meetings and when we felt that we wanted to endorse this plan, we asked the Board of Finance to appoint a representative to enter the negotiation process with myself and Susan Payne, the Chair of the Conservation Commission. Michael Jackson, the Chairman of the Board of Finance, asked the Board of Finance Alternate Liddy Adam to represent the Board of Finance in the negotiations. We entered into negotiations with the agent for the property back in, I believe, it was January. We started out with a lot more than \$500,000. We spent a lot of time on it back and forth with the owners through their agent. And this is the, \$500,000 is the price where we ended up. Whether it's a good deal or bad deal is in the eyes of the beholder, but that's where we ended up. Since then we did an appraisal. We hired Ohazo Appraisal Services from Garland Road in Washington to do an appraisal of this. I asked him to do an appraisal of this property, gave him the address, and said look at this as a piece of raw land. I didn't want to give him and prejudice or preconceived notion about what we were looking for. He looked at this and because he had no other plans in front of him, he appraised it as a single home building lot. He appraised it at \$330,000. He also qualified that as three comparable sales were parcels that were between \$220,000 and \$300,000 none of which were over ten acres. One of which is on Flirtation Avenue and has since been ... I believe it was

8.8 acres which has been subdivided into two building lots which are currently on the market for, I believe, it's \$247,000, sale by owner, about \$247,000.

Audience: Each?

Mark Lyon: Each, each right. Subsequently, I asked ... to look at this to look at this in the light of the fact that our zoning regulations allow us to put three single family building lots off of one driveway. And, he came back to me and said, "Well, I really can't give you an honest appraisal unless I have a subdivision plan in front of me." And, I said, "Ok, I'm not going to generate a subdivision plan, could you just give me your honest opinion of what you think three building lots of +/- ten acres on that property might be worth." And, in his appraisal he has a paragraph in there where he says that he would estimate they would be worth between \$150,000 and \$180,000.

Audience: Each?

Mark Lyon: Each, yes. Each. So, that's where we're at on the appraisal. That is pretty much, a very abridged edition of the work we did coming to this evening. And, I ... best served now if we were open the floor to questions.

Moderator: OK, who has questions that they would like to ask or comments they would like to make about this proposal?

Joe Mustich: Yeah, hi, I'm Joe Mustich from Nettleton Hollow and I just had a ... looking over the Ohazo appraisal and he references that there may be some evidence of dumping or there is evidence of dumping on the site. And, I'm wondering whether you've explored that. Additionally, regards to the appraisal in general, I'm wondering why the Town waited until, or did it wait until after you made the offer, and then have the appraisal. Because, in a way the appraisal could potentially been a negotiating piece. Thanks.

Moderator: I know there was a walk through the property last Saturday. Mark, do you want to answer that?

Mark Lyon: Mr. Ohazo noted and we also during our tour have seen there, what I would call trash. There's some old rusted metal material as well as some scrap piles of, you know, building debris. We saw no evidence of any contamination, but we haven't done an environmental study. However, Chris Charles said that some years ago he was working with somebody who did do an environmental study and it came up clean. We ... have that information going in, but other than a visual inspection, no, we didn't do anything other than that. And, the appraisal was done after we had begun negotiations and I, probably in the timeframe of about when we reached our final

price. And, perhaps, hindsight being as good as it is, I don't know if it would have made any difference in our negotiations, but we would have know a little bit more about the property.

Moderator: Valerie, you had your hand up?

Valerie Friedman: I have a question. Valerie Friedman, West Morris Road.

Moderator: Hold on.

Valerie Friedman: I have a question for Susie? Susie, could you just tell me what is it mean that the Planning Commission voted a conditional approval last evening?

Susan Payne: Mark has a letter from the ...

Valerie Friedman: OK, thank you.

Mark Lyon: Yeah.

Susan Payne: ... Planning Commission

Mark Lyon: In those, in the handouts, the Planning Commission letter is published. I ... read it. ... The main paragraphs are: "Washington Planning Commission conditionally approves this acquisition. The use of the property for open space would be consistent with the goals of the 2003 Plan of Conservation Development, which calls for the preservation of the Town's rural character, the protection of scenic resources, and the conservation of natural resources. "However, the Planning Commission thinks it would be short sighted of the Town to forever limit its use to only open space and passive recreation. Given this parcel's proximity to the Village of New Preston and the New Preston business district, consideration should be given to future municipal needs that might arise. These would include, but would not be limited to, but not be limited to, town wells and/or water company and community septic fields and/or municipal sewage treatment facility. "The Planning Commission urges the Town to treat the purchase in a way that would allow it to use at least a portion of the property to meet critical community needs should they arise in the future. Due to the density of both residential and commercial used in New Preston, it is not unreasonable to anticipate future demands for public health solutions. It is impossible to make predictions about what problems will confront the Town 25 or 100 years down the road, but the Town of Washington should take responsible action now to ensure it will have viable, long-term options when needed to secure its sound and healthy future. "This letter constitutes the report required under Section 8-24 of the Connecticut General Statutes." So there, we have addressed the health issues, but

so far as other development, like I said, the two attorneys both felt that, that changing use outside of what's defined in our ordinance or transfer to another organization is uncharted territory. At this point they would say no, but there's no case law to support one way or the other.

Valerie Friedman: Thank you.

Moderator: In the back there.

Kelly Boling: Kelly Boling, Church Street. I, I think all the uses that the Planning Commission wanted to see, the, the potentially available in the future would be allowed under the ordinance as it's written because the parcel could be returned to its natural conditions if say a well were put in or if septic systems were put in. I just wanted to comment about the notion that there was a dump. I had a client who had an accepted offer on this property before the current owner did and he completed a Phase 1 Environmental, Phase 1 of the Environmental Study. And, it didn't indicate any evidence of anything nasty on the property.

Moderator: Could, could I ask you a question? Is there any chance that he could share that, the results of that study with the Town?

Kelley Boling: I could probably get it. I don't have it with me. I would have to ask my client if he was willing to share that and I don't see why he would be.

Moderator: It would be great if you could. Thanks. You had raised your hand in the front? One second, let the microphone get to you.

Janet Buonaiuto: Janet Buonaiuto, Washington. I, I also, I agree that it's a good idea that we would get to see this environmental study to see whether, you know, there's any problems at all. I think that these things should have been brought to the public before negotiations were done. Unfortunately, you know, we don't know what we're paying for here. Are we paying for a problem that may crop up in the future? Obviously, this is not pristine land and yet we're, we seem to be paying top dollar for this. So, I would like to see those studies or possibly have the Town do a study ourselves to see what we're getting into as far as this goes. The second point I'd like to make is we're saying that we want to protect an aquifer that's underneath this property, right? And yet, we're going to put a septic system underneath the ground? I, I question the reasoning there, you know. ... Why would you do that? If you want to protect an aquifer, why are we putting, why are we even thinking about putting a septic system on the property?

Moderator: Thank you. Anybody care to?

Male: Nick, Nick?

Nick Solley: Janet, I'll answer that. I think it was determined that in the future if the Village of New Preston needed an offsite subterranean septic leaching system, that this property potentially could lend itself if it perked out properly. We're not saying there's going to be one. We're just saying that someday there might be the need for it. And it is one of the uses that we seem to, through the interpretation of the statute and our ordinance, seem to be one of the few uses that we may be able to do there. But, it would, again, it would be through a town legislative body voting on this. It would be an expensive proposition, but don't jump to any conclusion that we're thinking about putting a septic system in there in the near future.

Janet Buonaiuto: Can I respond to that?

Nick Solley: Sure.

Moderator: Wait a minute. We need to be recognized. You have a follow-up?

Janet Buonaiuto: Yes.

Moderator: Go ahead.

Janet Buonaiuto: We, you know, there's a lot of concern that there's sprawl that's coming up from New Milford along the Route 202 corridor is going to be, you know, coming into Washington soon. The best way to facilitate that sprawl is to put in a community septic system that will provide more septic for more houses, more businesses, whatever along the Route 202 corridor. So I really question the wisdom of even thinking about that.

Moderator: Thank you. I'm looking for more hands. In the back against the wall? Margie? Wait a minute until the microphone gets to you.

Mark Lyon: Janet, just, there currently is a septic issue with the village. There're very limited opportunities there for septic treatment.

Janet Buonaiuto: Yes.

Mark Lyon: So, I mean, it wouldn't necessary to expand the capacity so we could put in more. The concern is that as time goes on, what exists will no longer have adequate treatment.

Janet Buonaiuto: Right, but doesn't that hold the ... down from where ...?

Mark Lyon: The current building is there.

Moderator: OK, Margie?

Margie Purnell: For those of you who don't know me, my name is Margie Purnell. I served on the Wetlands Commission here for about ten years and I did participate in the development of the natural resources ... for Washington as well as in the Open Space Steering Committee. And, I, I just have a couple comments with regard to this. I'm a real proponent of protection of natural resources, but I also believe in balance. And, with regard to that, the Moore property has some interesting features, but I just wanted to go over a comparison of our prior open space purchase which was Macrocostis. Macrocostis was about over 230 acres. It had direct connections to other pieces of open space. There were multiple cultural resources on it. It had archeological features were likely to be found. It had agricultural fields that were actively used. It had multiple scenic areas and vistas as well as potential greenway opportunities and trails which of course have been installed. It had numerous natural resources, wetlands and water courses. It had a huge stratified aquifer and a bedrock aquifer. There were multiple points for the natural diversity database which is a DEP database. Notable trees were found. Critical habitat areas were found ... and rock outcrop, which are another habitat area as well as wildlife corridors; prime farmland soils and important farmland soils. I believe we spent about \$500,000 that time around. The town did in conjunction with other entities. The Moore property is 31 acres. It has no opportunities for connections to any other open space. There may be archeological features. It is within the blob that is identified as having some archeological features. It does have some agricultural fields that have been used historically. It doesn't really have any scenic areas or scenic vistas. The potential for a greenway was identified in the natural resource area and the natural resource inventory. It does have a swamp. It actually is the headwaters for the East, part of the headwaters of the East Aspetuck River; though more of the water flow actually comes from Lake Waramaug and then contributes into the East Aspetuck. The information, I'm not sure where you're getting the information on the aquifers. There is not under that particular property, neither stratified drift nor bedrock aquifers. Those features and those resources are actually located to the south off the property, the property on the other side of 202. There's nothing ... database, no notable trees, no critical habitat areas. The only other thing that it does have, is does have some important farmland soils which were definitely mentioned before. The open, the other two issues are the Open Space Plan for the Town of Washington, which was done in March 2002 and then revised, the revision through August 2003, actually does not include this property as desirable open space. Also the Planning Conservation and Development which is dated December 2003, also does not include this property as a desirable open space. So, it's possible that the Town of Washington would like to preserve this as open

space, but I just think everyone really needs to think about the various features. If this property's preserved only for open space issues, that precludes any other use so the opportunity for smart growth or responsible growth, maybe a few additional residential units on the property in conjunction with the prime farmland and the protection of the wetlands and watercourses, that is going to be prevented if this is purchased solely for open space. So, I don't know, maybe I'm premature. I'm not speaking necessarily against this, but I just think everyone really should take a very close look at the features and think about if this is how we really wish to spend our money. So, thank you.

Moderator: Thank you Margie, more hands, right here on the inside aisle.

Patsy Matthews: Hi, I'm Patsy Mathews. I live on Bee Brook Road.

Moderator: Could you say that again?

Patsy Matthews: Yeah, I'm Patsy Mathews. I live on Bee Brook Road. If I, I'm on the other side really want very much for us to have this land and believe that every scrap of open space we should grab as fast as we can. But, I am alarmed by the mention of the toxic, potential toxic issues and I'm alarmed by the potential use of it for a sewer for New Preston. And I wonder. I'm concerned about the timeline because I know you've all put in a lot of work to get this deal made. Do we have to approve this tonight? Can we approve it with a proviso that, you know, it is tested for toxicity, because that could wide up costing us a lot of money. And, Washington, places like that all over Washington were dumping grounds for years. Everywhere we've had serious toxic issues. So, is there, could that be a proviso in the deal or is that contract written already?

Moderator: Mark do you want to just provide a quick update on the status of the contract and then I'll provide an update on what we can do and can't do within the town meeting?

Mark Lyon: That's a good question. I, I'm not, can we approve, your question is can we approve this with conditions?

Patsy Matthews: Yes.

Moderator: OK.

Patsy Matthews: Cause almost every real estate deal has that.

Mark Lyon: OK, our, our contingencies in our offer to purchase ended with approval at the town meeting. I would have to ask one of our real estate agents if we can add something at this point.

Patsy Matthews: That's pretty crucial.

Mark Lyon: ... no, yes, no?

Joe Mustich: I see Liddy ... is that no? ... negotiating part?

Mark Lyon: Yeah, like I said, that would be my understanding in that the contract, the contingency from the contract ends with the approval or disapproval at this town meeting, at a town meeting.

Patsy Matthews: How risky, how risky is it to add ... original ... one that is really standard in a lot commercial ... agreements?

Mark Lyon: Go head, yep.

Moderator: If we do this in the manner of an amendment, we have a motion on the floor which has been seconded. However, that motion can be amended by an amendment motion which would then also have to be seconded. And, um, and, and an amendment along the lines that you're talking about saying approval subject to, um, um, a review of satisfactory to the Town of such and such, um, could be done. And I would rule it to be in order. It would also seem to me that if, if, this legislative body, all of us, decided to do that, it would be, um, it would allow the negotiating process to continue because it wouldn't be a definitive approval. It would be approval with a contingency that would have to be addressed. In other words it would keep the door open to further negotiations. So, but it's up to you all obviously what you decide what you want to do. Looking for hands? One in the back and then up front.

Irene Allan: I'm Irene Allan of Nettleton Hollow and West Mountain Road. My question is this, actually two. First of all, I'd like to understand a little bit more about the perspective of this, how this sits in the grand scheme of our acquisition of open space. Does this acquisition affect our ability to purchase other areas of open space or is, or is it simply a singular event and does it affect we do in the future? And then the other question I have is I have heard mention that CL&P has an easement for power lines across this property?

Mark Lyon: I should have somebody from Conservation or Open Space address the question on the long-term plan other than the fact that we've spent the money and it would no longer be available for another acquisition. Alright, I don't, and it, the

funding of this is done in our annual budget and it's accumulated funds over a number of years. And, hopefully, we can continue to accumulate funds. The CL&P or NE Utilities, or whatever they happen to be called now, has a right-of-way across the land and has. It's a fifty-foot wide right-of-way there, where the power lines are now, and they have an additional twenty-five feet on each side of that is a right to trim, which they currently do now. So far as I know, there are no plans to eliminate that by NE Utilities. That would remain there. It doesn't, other than building structures in the right-of-way, which we aren't, which we can't, we wouldn't be doing under this purchase anyhow, it doesn't affect the use of the land by the Town.

Moderator: OK, up front? Hold on for a second longer until he gets the microphone to you Ken?

Ken Cornet: Thank you.

Moderator: My purpose is to get as many miles in for Nick tonight as possible.

Audience: Laughter.

Ken Cornet: Thanks, Ken Cornet, Nettleton Hollow. In continuing what Patricia had said, you, Mark you have described this as a "bargain sale" which from understanding means that the only right that's transferred is the, is the idea that the owner, the present owner, is just transferring this deed and has no responsibility beyond that. So, I would think that if there is a problem with any kind of environmental, pollution, the Town would be stuck with paying for all this. So, I think that the conditions of that kind of sale would really preclude any kind of, of okaying it before we did at least, at least due diligence to out for ourselves what we're getting into here. And, ... continue with what Margie said, I really think at this point our money could be better spent, instead of buying a piece of property way over what it seems to be worth at the, at a time in the market when everything is dropping and there are absolutely really no sales here. And, I don't think that this property really will, will work for that. Thanks.

Moderator: Thank you. Do you want to comment Mark?

Mark Lyon: Yes, on both comments. The bargain sale aspect of this is, is on the part of the seller. OK? That's, it's not a bargain to sale to us. And, his, his qualifying for a bargain sale is an issue between him and the IRS. It doesn't, it doesn't, it doesn't change the fact that it's a transfer of property from him to us just like any, you. If we bought it for a million dollars or a hundred dollars, that doesn't make any difference. It's a simple transfer of property with no encumbrances. There are no deed restrictions, nor are there any easements on the property other than the CL&P.

Moderator: OK, one follow-up for Ken.

Ken Cornet: Well, I have here in our regular glossary of real estate terms: "Market and sale deed - a deed that carries with it no warranties against liens or other or other encumbrances, but that does imply that the grantor has a right to convey title. The grantor may add warranties to the deed at his or her discretion." So, in other words, it seems to me that the only thing he's granting is that, say, is that he has the right to sell this property and he's not guaranteeing anything else.

Mark Lyon: That, that's, like I said I took my information from, I took my information from, that was published on the website by the Massachusetts Land Trust Coalition and it doesn't relieve him of any obligations outside of what would be required for a regular sale. That, that's the only information I had. I got a note here from Liddy Adams who worked with the negotiating committee and helped us with the contracts. The Town can do whatever they want tonight, but the seller may rescind the original agreement which included a final approval or non-approval at the town meeting. So if we had conditions, he may or may not agree to that. Or, he may or not wait for us to do our study and do another approval or whatever. So!

Moderator: Ok, I'm looking for hands. Right over there.

Randy Bernard: Hi, my name is Randy Bernard. I served on Inlands/wetlands Commission with Margie Purnell, I was president of the Washington Environmental Council and I'm currently chair of Stewardship Commission, uh, Committee for Steep Rock. In addition, I am the Laboratory Directory of an environmental lab and I have been an abutting property owner for twenty-five years, maybe thirty years now. So, I am very aware of the environmental condition and the concerns that have been raised here about the potential for a toxic concern. And I would say, although, I haven't done a detailed assessment, I have been aware of what's gone on, on the property and to the best of my knowledge I really don't believe that we have an issue with that. Not to say a follow-up study shouldn't be done, but on the other hand, a Phase 1 Study has already been mentioned. That's my first point. My second point is that from an environmental quality point of view I think it is quite a high quality wetlands and very worthwhile preserving. And, in terms of migratory birds, I think it has some value in its proximity to Lake Waramaug and to the Macrocostis Preserve. Further, I think that in terms of its visibility from the Route 202 corridor, it would be a great asset to the community.

Moderator: Thank you. Anybody else wish to speak?

Female: ... about amendment?

Moderator: Um, OK, we're going to go in back to my right then to the front to my right.

Margaret Cheney: Margaret Cheney from New Preston. I've lived at Schwab Road my entire life. My mother's a property owner and we're very much in favor of this transaction. Having lived in New Preston my entire life, there is not a wide variety for the children in the town to have an opportunity other than the one-acre of land up on Church Street where they have one playscape and the town beach, there's not a lot of open space for the kids to be kids. And tonight, I hope you take that into consideration.

Moderator: Thank you. OK, to my far right in the front, Carlos?

Carlos Canal: Yes, good evening, my name Carlos Canal. I live on Sabbaday Lane. This is not an easy one. For many years I had been involved in environmental matters. Since Randy mentioned his qualifications, maybe I'll mention mine. I was president of the Washington Environmental Council for twelve years and continue to be a director of that body, a body that is certainly concerned with the environment and wants to do what is right. I also served at Steep Rock for about eleven years as the treasurer and was a trustee. I recently left that position. And I also served as a director of the Lake Waramaug Task Force. So that I have a perspective that I think is an interesting one as you view open space. I also in the last two years while I was at Steep Rock had led the Preservation and Farmland Task Force and sadly that didn't produce very many results. But, I understand what is required by way of generating a package that is important in order to obtain land. That the need is valuable and precious of an environmental and natural resource point of view.

One of the things that I'm concerned about is that it has taken us five years, maybe six to gather together the \$600,000 we have now in the Land Preservation Fund. This opportunity has come up. I don't know if we sought it out or it came to us. Susie has mentioned that they have looked at other opportunities. It would be interesting to have her comment on which of those opportunities were and why they were not of real interest. But, we're taking our stake basically and betting it all on one property. Based on what I've seen and I've been in town since, since 1970 running these things that I've said I've done. In the next five years, certainly in the next ten years there are going to be many, many properties that are of great value and possibly more value than the thirty acres we're discussing tonight. If the town were to husband it's funds and have its \$500,000 plus whatever else accumulated, it could act as a catalyst to put together a group that indeed could come up with funds far beyond \$500,000 to take hold of that land and preserve it and possibly put the money to better use. So, that is a concern and I would like to hear what, what these other opportunities were. And, I do

think the future will bring additional opportunities that will be of great value to the town.

Also, the question of the market and the valuation, I've spoken to a few realtors. None of them know what the price should be. The comments that are made, however, are that the property was bought some two years ago when the market was still, if I'm not stating correctly, correct me, but as I understand it, ... two years ago at a time when the market was pretty much close to its high point for \$550,000. And, it's now being offered to us at \$500,000. The realtor's view is that the market is ... when no transactions of any type are taking place, has gone down certainly more than the 10% reduction in price they're giving us and possibly, at least 20% and possibly more. So, a consideration is, are we getting good value for the money we're expending which is in short supply because basically will exhaust the fund that is there for this purpose.

Third, as you talk to people there's concern that like the federal government, we may be providing bailout money and that rubs a lot of people the wrong way. The developer group, Washington Partners LLC, took a position. The market went against them and now they're finding a way out and it's maybe a convenient way, but we should be certainly careful to judge what the real value is taking into account many of the points that have been made tonight as to whether there may be toxicity levels that we won't be comfortable with and will create future expenditures and problems for us. I also, from a personal point of view, like to know who I'm dealing with and I would like the partners of Washington Partners, LLC to ...

Audience: Clapping.

Carlos Canal: You know, this is, uh, an LLC it's nice. I know they're represented by an agent, but who are they. Who are we dealing with? I think we should know who it is that's selling the property to us. I don't and I haven't found out from anyone that they know. So if we could be enlightened on those lines that would be helpful. Thank you.

Audience: Inaudible.

Moderator: Thank you, Susie would you like to address any of that?

Susan Payne: Some, I'll address some of it, but not. Carlos thanks ... you're your remarks. To respond to your last question, the partners of Washington Partners LLC, the partners are Ron Winkler, Louis Sandburg, Opher Shaw, Darrell Hagler [spelling?]. That's all I know about them. Yes, the Conservation Commission over a number of years has been looking at various properties. I am not prepared tonight to bring forward all those comparisons. That really is not the agenda item. I'd be happy

to have any of you come to a Conservation Commission meeting at any time and I will make that information available to you, but I don't have it with me tonight. Bailout? I mean that's, everybody has their opinion on whether the price is right. I don't know whether any real estate deal has the prices right. Conservation Commission did continue to return to this property over and over again. When it was first on the market, granted it was not our favorite property, but as we looked at other properties in town, we had finite resources and we also getting encouraged by people in town to look for an application for this money. Why were we sitting on it? So there are two viewpoints there. Do you let it accumulate so you have a million or two million dollars to leverage or do you apply it now. So as we kept coming back and coming back to this property and evaluating its qualifications, and Margie addressed some of them that and they aren't as perfect as we would like them, we did continue to come back to the density of the population in the Village of New Preston and the concern over the long-term of their water needs. Not necessarily to build out, ... any more building, but just to have that resource available in the gateway, we think it's very primarily important to the preservation of rural character. In the corridor there you have New Preston Falls. You have the gateway into the village. You have coming down New Preston Hill, the Cogswell Tavern. You have a lot of really beautiful things there that we would like to see preserved. Thank you.

Moderator: Thank you.

Audience: Applause.

Moderator: There's a couple of more hands and I'm going to start with John Payne in the middle to my right.

John Payne: Mr. Carlos Canal has indicated that there may be bargain properties to be had in future. Can he name one?

Moderator: He'll be able to answer you in a minute, but I, I'm just call on a couple ... first. Standing in the middle, in the rear?

Susan Nicholas: My name is Susan Nicholas. I live on Flirtation Avenue. I've lived in New Preston my whole life. I'm a teacher in the school district. We have numerous children that live in this area and they really do need a place to go. There isn't a school in New Preston any longer. We need a place for them to be out in the open. I live on Flirtation Avenue. I have a thirteen year-old son and I don't let him ride his bicycle on Flirtation Avenue. It would be wonderful to have a place where he could go and be safe in this, in New Preston. And I'd also like to move to a vote on this, make a motion to move to a vote on this.

Audience: Applause.

Moderator: OK, I need to explain something about the rules of order here. We have a motion that's just been made to move this to a vote. What that means is, is that without any further discussion, we are, we need to see whether that motion can be seconded and then we must vote. This motion has ended the discussion.

Audience: What about the ...

Moderator: I'm sorry, but that's the way it works. The, uh, the motion to move the question is a motion to close the debate. The only way that the debate can be kept open is if the motion is voted down, the motion to close the debate, not the primary motion to buy or not buy the property. Everybody with me?

Audience: Yes, yes.

Moderator: One more thing. In order to carry, this motion must receive a two-thirds vote of this group. So we have a motion on the floor to move the question and close debate. Is there a second to that motion?

Male: Second.

Male: Second.

Moderator: OK, all in favor of the motion to end debate, please raise your hand. OK, lower them, all in favor of denying the motion and continuing the debate, please raise your hand. We are in a quandary. The moderator sees a clear majority to end the vote, but not two-thirds and therefore my call as moderator is to keep the debate open.

Audience: Applause.

Moderator: To the person who made that motion to close the debate, if you'd be a little patient, let's push on with a few more questions and maybe this body will be ready to close debate in a bit. OK? I'm look for hands. Let me get the one in the back, no, Nick, right where you were. Janet Hill and then we're going to come out to the right front and then we're going to come to you.

Janet Hill: Hi, I'm Janet Hill. I work in town hall in the Land Use Office. I started to work there in the 1980s and one of my jobs was to sort through old files and pack them away. And, I was absolutely shocked one day to come across these old files, pollution abatement orders for property after property in New Preston. It seems that in the mid-1960s septic systems from New Preston just emptied raw sewage right out

into the East Aspetuck River. Now at the time, these were fixed, but you know, we don't have records on how well that construction was done. We don't have records on whether septic systems, these small septic systems on these sliver size little properties were maintained as they should have been. And so, to me forget about open space or greenway connections, this piece of property is so valuable in that if it becomes necessary in the future to once again fix septic systems in New Preston and protect both the health of all the people living in New Preston and the health of our environment. It's just sound planning to purchase this property now because if in fifty or seventy-five years it becomes necessary it's going to cost a lot more money to find an appropriate spot and to purchase a property then.

Audience: Applause. Thank you.

Moderator: Thank you. I'm going to come down to Carlos in the front who I think probably wanted to respond to the question that was asked.

Carlos Canal: Yes, John Payne asked question as to whether I could come up with any properties that might be preferable in the future. He used the word bargain. I don't think that's my word. That's his, but there will be properties. I think that you all must be cognizant of the fact that we have an aging farmland group. Most of our farmers are quite elderly. There are no successions. They don't have sons, daughters who want to get involved and continue the farm. So, we're going to have very, very large properties, some of them with indeed beautiful parcels of land on them. They're not all beautiful, but just be magnificent acquisitions as far as open space and conserving natural resources for the town. So that yes, John, there are properties that are going to become available. And, I think if, if we had a fund in town of say, in five years time they could make available close to a million dollars, that would be leverage that would permit us to indeed step forward, put a group together. And, if not ... those properties, maybe continue them as working farms which is part of our environment is all about. Thank you.

Moderator: Thank you, OK, we're going to go over to my left front ...

Fran Desimone: Thank you. Fran Desimone, Sunset Lane. I'd just like to make a motion to see if we can add the contingencies just in case we have, so we don't have a problem in the future.

Moderator: OK, let me just help you out a little bit with that. You want to make a motion to amend the primary motion and add the contingency of some sort of environmental review?

Fran: Yes, please.

Moderator: OK, um, is, before I go any further can I help you? Let's call it a Phase 1 Environmental Review. OK? And, let's also say that that review has to be satisfactory to the Town of Washington. Could that be your motion?

Fran: Yes, OK.

Audience: Some laughter.

Moderator: Would anybody like to second that?

Audience: Second, second.

Moderator: [To Mark Lyon] It's whatever you say is satisfactory is...

Mark Lyon: [What does 'satisfactory to the Town of Washington' mean?]

Moderator: Mark, Mark asked me, "What's satisfactory." And, and, what's satisfactory in my opinion would be what the Board of Selectmen deems to be satisfactory. Uh, yes, on, on the aisle.

Female: I don't think that, you know, the hearsay part of it isn't good enough. It has to be a professional assessment, not people who lived there for thirty years or an old ...

Moderator: Hold on, could you repeat?

Female: My view is that I support this amendment and support the project, but the review, the environmental review has to be not based on hearsay or what somebody's old review or something. It has to be a new check on what's there, because most of the pollution went on long before the people who have spoken about this, long before thirty years ago there were dumping sites in Washington. And, it really concerns me that we could unearth something.

Moderator: Let me; let me reassure you that the term Phase 1 Environmental Review has a specific meaning.

Female: I know that. I know what it means.

Moderator: It would mean that the Town of Washington would get an environmental consultant in ...

Female: Right.

Moderator: ... and do that review contemporaneously and we'll get the condition of the property now.

Female: Right, I understand that ...

Moderator: OK.

Female: ... and I appreciate it and I second the motion.

Moderator: OK. I think it's already been seconded. Is that right Sheila? But, thank you for your seconding of the seconding. Alright, so now we have an amendment. We've got to keep track of this thing. We have a primary amendment on the table or on the floor to vote up or down on the property. And, we have a secondary motion that's been seconded on the floor to add this amendment to the primary motion. Are we ready to vote on the amendment yet?

Audience: Yes, yes, no, no.

Moderator: Alright. Anybody have questions about the amendment? On my far right on the aisle there, Peter?

Peter Arturi: Hi, Peter Arturi, 79 Shearer Road. I'd just like to make sure that everybody knows that a Phase 1 Environmental Study does not entail subsurface investigation. A Phase 1 Environmental Study is just a review of the existing characteristics of the surface and the records of the DEP and local records. You're not; you're not going to get a subsurface investigation if that's what you're looking for.

Moderator: What that means is that there'll be no digging holes on the property. That is a Phase 2 Study. Usually Phase 2 Studies are not initiated until Phase 1 Studies are done and deem a Phase 2 Study to be necessary. Uh, uh, so my sense would be that if the results of the Phase 1 required a Phase 2, that would probably be sufficient grounds for the Board of Selectmen to not consider the review satisfactory in the first place. But, I don't want to put any words in there mouth. Alright, do we have any further questions or comments on the amendment to add this contingency clause? Yes?

Janet Buonaiuto: Janet Buonaiuto. I, I think that if we're considering using this as a playground for children, as a place for people to gather, have a pavilion, have parties there, I really think that it would be prudent for us to know what we're buying here, whether there are environmental concerns. I wouldn't put my son or daughter on a place where, where there might be some contamination so I think it's really prudent

for the town to go ahead and do the Phase 1 and see what happens and then if we need to go further then at least we know what we're buying.

Moderator: Thank you. Are we ready to vote on the amendment?

Audience: Yes, yes.

Moderator: OK, Let me read the motion again. The motion is to add the following clause to the primary motion to buy the property and the clause would be, "Subject to a Phase 1 Environmental Review satisfactory to the Town of Washington." All in favor of adding that, that amendment to the motion, the primary motion, please say aye and raise your hand.

Audience: Aye, aye.

Moderator: Any opposed? OK. The motion carries strongly. So now when we evaluate the primary motion we can do so with the knowledge that this amendment is part of that primary motion. Everybody with me?

Audience: Yes, yes.

Moderator: OK, are we ready to vote on the primary motion yet?

Audience: Yes, yes.

Moderator: Alright, Let me read that to you again. "That the town purchase 31.369+/- acres of land located at 108 New Milford Turnpike from Washington Partners, LLC as shown on maps #1667A and #1667B in the land records of the Town of Washington, for a sum not to exceed \$500,000 from the Town of Washington Open Space Fund subject to a Phase 1 Environmental Review satisfactory to the Town of Washington." All in favor of this motion please raise your hand and say aye.

Audience: Aye.

Moderator: Those opposed? Lower your hands. Those opposed, please, uh. OK, the motion strongly carries.

Audience: Applause.

Moderator: Thank you very much for what I consider to be a great discussion. We're ready to move on to Board of Ed motion and nominations now. Uh, I, I'm going to do, uh, uh, take a one minute break for all those who wish to leave, to leave.

Intermission: Audience noise, doors closing.

Mark Lyon: Can we get re-gathered here so we can have our ... nominations please?

Moderator: Please, take your seats those that, that are staying and those that are leaving, take your conversation outside. We are still in order here.

Moderator: OK, I'm recalling this group to order. Please take your seats. Alright, this town meeting is still in session. In the back? In the back, please either take your seats or leave. Thank you. OK, we're on to Item 2 of our agenda ... nominations for the Board of Ed. Mark would you read that resolution please?

Mark Lyon: To nominate candidates for election to four positions on the Region #12 Board of Education, said terms to continue from July 1, 2009 to June 30, 2013. And further, that all names of those nominated be considered for election by a referendum vote scheduled for May 5, 2009 held in conjunction with the vote on the proposed Region #12 2009-2010 Education Budget.

Moderator: OK, thank you. I want to bring one thing to your attention here. The resolution was worded a little bit differently than the way it showed up in the warning. Let me, and I just want to share with you the, the minor difference. The warning said, "To nominate four candidates." That's wrong. The resolution says, "To nominate candidates for four open positions." That's correct. The change is deemed minor enough that we can accommodate it by just moving ahead the way we are, but I did want to bring to attention the fact that there is a little bit of a difference between the resolution and the warning. It's considered a minor change and we are free to go ahead. So I declare nominations for membership to the Board of Ed open. Do I have any nominations? Michael?

Michael Condon: Good evening. My name is Michael Condon and I'm here to nominate a gentleman who has spent the last four years on the board already. So he wants to be reelected and continue the work, to work on his agenda. And it seems to me that he is the voice of reason on the board. His name is Matt Franjola. Thank you.

Moderator: Do we have a second to that nomination? For that all you have to do is raise your hand and seconded it. Could you identify yourself sir?

Pete Tagley: Pete Tagley, New Preston

Moderator: Thank you.

Pete Tagley: No, I mean you wanted me to second? I going to nominate somebody. I thought you were...

Moderator: Oh, alright, We're looking for second to nomination for Matt Franjola's nomination. John Payne is seconding it. By the way, let me say. I thought this worked very well a couple of years ago when we were doing this. That once we get, well we can do it either way you choose. We could ask the nominated candidate to come up and say a few words to you now. Or, we can wait until all the nominations are done and then ask them to come up. But, um, which way would you like to do that?

Audience: Do that. Do that. All the nominations.

Moderator: Have all the nominations done ...

Audience: Yes, yes.

Moderator: ... and then ask if the people that have been nominated if they wish to come up and say a few words. We did this a couple years ago and I think the people that were at the meeting appreciated it. OK, other nominations? Peter, come on up.

Audience: Laughter.

Peter Tagley: I'd like to nominate Irene Allan. I was on the board for ten years. I've been going to board meetings for twenty-five years. I'm usually the only citizen at a board meeting or various committee meetings. I think I am probably one of the most qualified persons to know how the board functions, how the individuals who serve on the board function, who agree with many of the futuristic needs of our children, need. And, I think Irene is an excellent candidate. She was the chairlady for three years. She served on the board twelve years. I could stand here and bore you with all the meetings, but she's a very driving force. She's a big proponent of a single building. I think a single building is the most crucial issue for this town. We missed it. We're going to suffer for it. The children are going to suffer for it. We've lost the greatest opportunity for the next twenty years, but the possibility exists when our economy picks up to resurrect that issue and I think Irene is a leader in that regard and I place her name in nomination.

Moderator: Thank you Peter. Do I have a second of Irene's name?

Audience: Valerie.

Moderator: Valerie. Additional nominations? Come on up.

Jim Mitchell: My name is Jim Mitchell and I've been a resident on Old Litchfield Road in Washington for the last thirty-five years. And I'm here tonight to nominate Valerie Anderson for another term on the board. She's qualified. She is knowledgeable. And she brings the experience of her background in finance and banking to the board. She has served this town as a watchdog on how our taxes are spent in our ever increasing education budget. She is deserving of another term. Thank you.

Moderator: Thank you very much. Second for Valerie's nomination?

Irene Allan: Irene Allan, I second Valerie's nomination.

Moderator: Thank you. Additional nominations? Standing in the back, sir, come on up.

Tom Kovacs: Hello, my name is Tom Kovacs and I'm nominating Frannie Caco. I guess you could say a newcomer on the block. I know there's some, a lot of experience here, but Frannie is a provider by a child's daycare during the day for the last three years for the ... I think she'll speak for herself in the future. Thank you.

Moderator: Thank you. I'm looking for a nomination of that, a second to that nomination? Dick Sears? Dick is seconding that nomination, right Dick? Other nominations, in the back?

Female: We would like to know the name of the person who was just nominated.

Female: Frannie Caco.

Female: We didn't hear the name.

Frannie Caco: That would be me, Frannie Caco.

Audience: Inaudible.

Moderator: [To clerk] Do you have the name?

Clerk: Fran Caco, but can you spell it please?

Moderator: Our recording secretary is asking for the spelling?

Female: F-r-a-n-n-i-e C-a-c-o

Moderator: Thank you. OK, we have four nominations right now. Are there more?
Jack ... come up on up and then Bill.

Jack Field: He told you who I am so I guess you ...

Audience: Laughter.

Moderator: I didn't mean to, I'm sorry.

Audience: Laughter.

Jack Field: I want to nominate someone who may be new to a good many of you, but I think who's eminently qualified for the kind of work that the Board of Education does. This is Larry Davis who will speak to you in a little bit I'm sure. Larry is a professional educator. He's got thirty-nine, thirty-seven years of experience, most of it in private education. He is; his background is that he was actually ... when he was going to ... He went to Harvard for his bachelor's. He went to ... Master of Education and then worked at his ... school. Subsequently, he became head master at ... prep schools, the ... in Florida, the ... school in Chattanooga, and Morristown ... School in Morristown, NJ. He has in the meanwhile been a director and a trustee of many, many organizations including ... Airline. And, has quite an extensive amount of experience in a, in a, as a director and as a trustee ... for organizations. Related to education, some not, ... American Airways, Global Airways and is, he and his wife, ... moved here with their five children. ... lives up on Roxbury Road. And, I got to know him as a director on the ... American Indian Studies. He's also ... and has become a very valuable member of the ... Institute. A great head and a lot of experience. And I think would make a, a very addition to the, a very good candidate for and a good addition if elected to the Board of Education.

Moderator: Thank you Jack. Would anyone care to second Mr. Davis' nomination?

Susan Payne: Second.

Moderator: Susan?

Susan Payne: Susan Payne.

Moderator Ok, Bill?

Bill Fairbairn: It is my distinct honor to nominate Dan Lee for the Board of Education. Dan, as many of you know, has served on the Board. Dan is knowledgeable. He's experienced and he's committed. Dan has spent pretty much his adult life teaching at

Columbia. He's now a tenured professor at Seton Hall. Dan is experienced in budgets. He's run, you know, his departments which require budgeting and an important part of what goes on at the school board. Dan is committed. Anybody that has been on the school board that would run again is committed.

Audience: Laughter. Bill Fairbairn: And Dan is; Dan and I served together on the school board. I did seventeen years on the school board. In fact, I still have the record. Dan is not afraid of asking tough questions. He expects accountability. When budgets go up, test scores should go up. When administrators' salaries, teachers' salaries go up, there should be accountability and Dan believes in that and will see that that's done. This may cause some problems in the Lee household. Kathy, I hope you'll forgive me for this, but Dan is a person that we desperately need. Dan is not just. The focus in the past two years has all been mortar and bricks. We've forgotten the most important part of what the Board of Education is about, which is providing a good quality education for our children and getting the best we can for the money. And, Dan is someone that will see that that's done. We need a second.

Jim Brinton: Second.

Moderator: Do we have a second? Jimmy Brinton.

Bill Fairbairn: And then Dan could not be here tonight, because he's working, but I will be his surrogate in my best way and imitate what Dan would do, including his laugh. Laughter.

Audience: Laughter, clapping. That was good.

Moderator: Does anyone dare to nominate anybody else after that? Jim?

Jim Brinton: I'd like to put forth the name of a person to serve another term on the Board of Ed who I know works real hard for the town, works real hard at trying to strike a balance between giving the kids the best education and keeping in mind the taxpayer's needs. I would nominate Jim Hirschfield for another term.

Moderator: Second on that?

Lillian Lyon: Lillian Lyon.

Moderator: Did you get that?

Audience: Lillian Lyon.

Moderator: OK, are there any other nominations? How many do we have now, seven?

Audience: Seven.

Moderator: We have seven, OK, that's great. Are there any others? Yes, Irene?

Irene Allan: ... anybody? I move that nominations be closed.

Mark Lyon: Second.

Moderator: OK, we have a motion to close the nominations which has been seconded. All in favor, please say aye.

Audience: Aye, aye.

Moderator: Any opposed?

Audience: Silence.

Moderator: OK, before we leave, I just want to give those who remain, whoever's here, a chance to say a few words, whatever they want, unstructured to us, to our group. So you know who you are, why don't you come on up first, introduce yourself and just say what you would like to say.

Frannie Caco: Good evening. New kid on the block! My name is Frannie Caco and I've lived in New Preston for fourteen years. Can you hear me ok? I've lived in New Preston for fourteen years. I'm a mother of three and a family daycare provider. I am active in the community as the Treasurer of Washington Primary PTO, as a Girl Scout leader, and as the treasurer of the Washington Girl Scout neighborhood. My family will be directly affected by the things that happen at Region 12 for the next twelve years. I have a kindergartener. On the board I think I will bring courage, conviction, and common sense. And if that's what you want, then I'm your gal, thank you.

Audience: Clapping.

Moderator: Thank you, you all know who you are. Who would like to come up?

Matt Franjola: Matt Franjola. I got on the board four years ago because they wanted somebody, some people wanted somebody who could write a declarative sentence and say a declarative sentence. And, I wanted to get on because for my daughters, my oldest daughter is now twenty, had trouble with math. A teacher in the Washington Primary School said, "Why don't you send her to one of the, one of the private school's." So I asked the Chairman of the Board of Education at that time, "You mean

I have to spend \$2000 to have my child to learn how to add and subtract.” And I asked a second question. And that question was, “Do you think the multiplication tables are important?” And the fellow hemmed and hawed and I was incredulous. So, in the time that I’ve been on the board, the mathematic curriculum has changed and math scores have increased. Now lately, in the last two years, the Board of Education has been ... by essentially one large issue which is the consolidation, renovation, and lease. Two years of all bricks and mortar issues. In my mind, with the rapid decrease, in, in decrease in enrollment which is significant and projected to go down even further in this economy that both the twin pillars, or the twin problems, of consolidation and renovation of schools are dead for the foreseeable future and a quite long foreseeable future. As far as the leases go, we have a handshake agreement and we’re very close to the final dotting of the I’s and crossing of the T’s and getting costs for these lists of repair items. We intend to repair the schools. We intend to make good on the past where maintenance has been neglected. Journalists have a tendency to use that the schools are falling down and are in poor shape. The schools have normal maintenance issues, leaky windows, doors, broken pavement, the routine things. The current board is devoted to fixing these problems. This does not obviate the fact that we could have renovation or consolidation time down the line. I think that’s where we’re at now. The other thing is I was elected chair of the board a couple of years ago and the main task at that time was to ameliorate the hostility between the towns. I believe we have reached a ... with the towns over the leases. And we’re very close. Now I see my job on the board is one, get the leases signed. Do the work to take Mr. Obama’s thing, put the shovel in the ground, in this case it would be mortar trowel, a hammer, or a plumber’s wrench and fix what’s wrong with these schools. And secondly, the other emphasis I have is reading and writing. We got an education committee a couple of weeks ago. We have a new program for writing. And, like anything in life, if you go to Carnegie Hall or on the tennis court, it takes practice, practice, practice. And, the more these kids practice in these writing workshop, they’ll be better writers. They will be able to write with a declarative sentence and to have a good concise thought and transfer that thought onto a piece of paper. And, that is the most important part of education. Thank you!

Moderator: Thank you, Matt, Irene would you like to come up?

Irene Allan: Hi, thank you. I’ve been a resident here in Washington since 1980. My husband and I ...

Audience: We can’t hear you.

Irene Allan: ... been a resident since 1980. My husband and I have raised two girls who went through Shepaug, through the, through the school system from kindergarten to graduation. Both of them are young women now. And so, I’ve seen the educational

offerings here from both sides; as a parent, and then as an active community member, and on the Board of Education. I've been on the board for twelve years. My original interest in working on the board was to help implement technology and bring in computers when they were first beginning to be used as an educational tool. We accomplished that. I've gone on and worked in many, many different areas. I will say that in fact being on the Board of Education has been one of the most educational things for me personally. I've learned so much. It's, it's not the thankless job that people often say it is. I will say that I, I see things that I've worked on that tell me regularly that this has been a really purposeful and successful twelve years. In the time that I've been on the board, we've accomplished a great deal. Going forward there's lots to do. I've seen amazing things going on. I've actually been a substitute teacher at one point and seen it from inside the school system, what are teachers are doing. I have seen the math curriculum being implemented for instance. Things have really changed in the way our kids are taught and the understanding of how children learn. My own background originally is in science so I bring, bring a number of skills and ways of thinking to whatever I do and that's, that's based in science. I'm a very technical sort of person. I've worked as I've said in the technology area there. I've been a computer programmer in my background too, so I understand how, how technology impacts what we do. I've worked in business in a corporate environment. I've worked as a self-employed, home-office administrator for my husband's and my own company so I bring a lot of diverse talent. That's a little show offy, but that's not what I meant to say. But, and in addition, I've also worked in medical research. So, I have a, a broad experience. A lot of things that I've worked in that I bring to this and most of all, being on the board, I've just seen so many things change and improve. There's a lot of criticism. It's a tough job, but, and it won't ever satisfy everybody. The most important thing is that we can proud of our public schools ... very, very strong advocate for public education. It, it allows our next generations to get the education that's so important to everything we do today. I don't think there's a more important and therefore satisfying thing that we as a community do. It costs 70% of our budget, but it is the most important thing that we as a community do for our community and that's public education. Thank you!

Moderator: Thank you, Valerie?

Valerie Anderson: I just wrote down a few thoughts and ... don't mind. Being on the Board of Ed you could say is like herding ducks or pushing chains and Mark Twain famously said, "God made idiots for practice and then he made the school board." But these are not humorous times. These are tough times for all of us, most definitely for Region 12. And, once again that's where 70% of your tax dollars go. So much of what we accomplish on the board are in slow glacial movements like turning the Titanic around. We now have school budgets that try hard to economize as much as possible

yet still provide, I believe, a superior education for our kids. We have a declining school population, but we still have unfunded state and federal mandates and union demands and vary old school buildings that make saving tax dollars become harder and harder each year. And, we also try to cooperate as much as possible with our town leaders, though that can be more and more difficult with at least one of our three-member towns. We have a board, twelve members total, that are not always interested in due diligence and representing the interest of the entire region and our kids, but perhaps think about representing a particular town or a particular faction. We cannot even allow taxpayers to vote on crucial issues such as consolidation or renovation for our aging elementary schools because of a court case that is being doggedly pursued by one town's leader that keeps voters from making that choice. We should be allowed to make that choice. No one else, at any time! But, we're kept from doing that and that's a crime. The board now has been tipped by numbers to represent more of that side of the district. We have good incumbents running, some better than others. I urge you to consider how important this vote is. This is just not window dressing or ... to anyone go on the board. We really need people who think about the region, think about the consequences, and more especially that allow voters to vote on what they want to do with these three old schools. To renovate, consolidate, it's up to you. No one should keep you from that decision. And Irene said, in this glacial movement we have, we do have an excellent education in Region 12. I'm very proud of it. I have two daughters. One is a senior. One is a graduate of Shepaug and she went on to Barnard and Oxford University and is now down in D.C. in the media. We've developed some really good minds out here and I'm very proud of it. Changes and improvements have been made, more to come. The main thing is we've got to have representatives who will look at the region as a whole, not just one town against another. Let the voters decide. Let people decide what they want to do. The way this board is now constituted, even if that court case goes away, I really don't think this board is going to allow you to do that and that would be a shame. So, I look forward to your support if you'll give it to me. It's a fool's errand, but I'm ready to go forward again.

Audience: Clapping.

Moderator: OK, there were three more nominees. Yes, come on up.

Larry Davis: I'm Larry Davis and as Jack mentioned I'm relatively new to most people here although I've owned a house in Washington for thirty years. I retired five years ago after thirty-four years in education, as a teacher, and a coach, and administrator. As Jack said, I do have five children. My background is heavily, heavily in education although I did dabble in some kind of third line airlines. And, as they said it was the most inexpensive MBA program for me because I didn't lose my shirt entirely. Case closed. What would I bring to the board? I think Valerie stated it

very well and that is in the limited time I've been going to board meetings, I've noticed this factionalization. That the various board members want to represent their town as they see it, but not what is best necessarily for the region's children. A friend of mine this evening reminded me that 75% of the school budget isn't equal. But, I think if we look at the teachers, those are the people who spend more time with your children than you do. Think of that. Teachers have more affect on children than the parents do, not only traditional education courses and curriculum, which I know quite a bit, but in the morals and ethical training of children. We all want to have good children with the best possible education and still keep the cost well under control. I would be delighted to work towards bringing this kind of education to all of our children. It's something I can do now. I am retired so I have the time and the background for it and I hope very much that I will receive the vote. Thank you.

Moderator: Thank you very much. There's two more, are, are they. I know one is not here. Come on up.

Jim Hirschfield: Good evening. I am Jim Hirschfield. I live in Washington. I'm finishing my third term on the board as well as Valerie and Irene so that in May of this year we will have finished twelve years on the Board. If elected to another term, at the end of that term will be sixteen years. That may be too long for one person to be on the board like this. I believe that limited terms are good. I think the turnover to have fresh blood on the board is a good thing so I'm pleased to see that there're more than four people running for four seats. When I ran twelve years ago there were five or six of us. There're seven of us that ran for four seats. Since then the last two elections there's only been four running for four seats. So I think it's healthy for the town and the board to have a real election in May. In so far that I've been nominated, I would agree to run again and I would ask for your support. Presently I serve as the chair of the board's negotiating and policy committees. I serve at the behest of the chairman. The chairman of the board appoints the chairs of the different committees. I've also chaired the ad hoc lease committee which you may have read about which has been ongoing for some period of time. The lease situation is a difficult one. I don't know that we're very close to signing leases. We received communication from the selectmen in this town as to their thoughts on the leases. Tony Bedini who is a member of the board from Washington who is not up for election now, but he's been doing significant yeoman's work in investigating the repairs that will be needed for these buildings and we're working on price lists. And then the board will have to decide if it's something to present to the towns so the towns would have to approve the leases at town meetings. There was a discussion in the lease committee as to whether the board should commit to the lists, whatever they may be no matter what the dollars are or if the board should commit to a certain dollar amount each year that it could afford to spend. The committee voted to commit to the lists although we don't

even know what the lists are. Are was in the minority on that in the committee, but one of the things that's very nice about this board, is for the most part once votes are taken those who are not on the prevailing side get behind the vote and we go forward. There's no backbiting or bickering and so I think that's very important. In any event, we are working on these lists and hopefully ... will be able to consider the leases shortly. Some of the people who have spoken previously, who are on the board, brought up an issue that has been troubling to me lately. That is that some board members, I believe, are representing very narrow interests. My focus has always been on what's in the best interest of the region. That's my agenda. It's protecting the interests of the region. There are many times when parents come before the board with a particular interest. If I believe that those things are in the best interest of the region, I support them. If I don't believe they're in the best interest of the region, I don't support them. We had an issue recently where parents from Roxbury came before the board wanting a particular bus route to a place where they lived. Four or five parents came forward because they were affected. It affected about ten students. Our own bus company safety manager, bus company told us they did not think this was the safest route and asked us not to have the busses go that way. But, because these ... family members had certain, had spoken to certain members of the board, the board voted to direct the bus company to go this route and they do. And I oppose it. I was the only one to vote against it. Recently we had people come before us with regard to an interest in a co-op football team, five young men, young boys in high school who want to play football with the Nonnewaug High School Football team, to co-op with Nonnewaug. We had a presentation from five parents. They were very adamant they would like this to happen, but we also had a presentation from our high school principal, Mr. Horrigan, and our athletic director, Mr. Perachi, and Mr. Schibi who felt and made a presentation to us as to why they didn't believe it was in the best interest of the region. Why it might have a potential to drain resources from our limited sports team, soccer in the fall, mostly the boy's fall programs. We have feeder programs now where we have freshman sports, JV sports, varsity sports, which very few schools actually have. And, if we started having a drain for football, they did not believe it was in the best interest of the region. Having heard that, the board voted 6:5 to approve the football. So we now have a co-op football despite the advice of these people. So it does concern me that things like this with regards to the best interest of the region are not being adhered to. I'm not saying that the administration or the staff should be given carte blanche and whatever they say goes, but in their particular areas of expertise in the operations of the system, I do defer to them unless I'm given a reason that ... I felt their completely wrong. The positive things I have experienced on the board as I've said is when there is a vote, once the vote is over, the board gets behind the vote and we go forward. There's no bickering. We don't go out and speak behind people's backs once the vote is over. There's very little politics on the board and that's nice. Some boards you read about in the other towns, it's this Democrat or

this Republican. We don't have any of that on this board. That never comes up. It never comes into play. We just simply do the job that we think that we're there to do. So in sum, I would look forward to serving on the board again for another four years if the voters see fit to send me there. So, thank you.

Audience: Applause.

Moderator: Thank you very much. Dan's not here. Bill if you'd like to or if anybody would like to be a ... proxy for Dan ...

Bill Fairbairn: If I could, if I could just ...

Moderator: ... with regard to any known positions that you know about that he has?

Bill Fairbairn: Yeah, and, and I think, you know, Jim and Jack touched on it. I mean my own experience I served nine years on the school board and it was time to get off and I took five years off. And, I went back on for eight years ... time you're up. There's a point to where you've got to have new blood. You've got to bring people in with a new perspective. I'm sort of an anti-Tagley. Pete and I served, but Pete goes to all the meetings. I think I've been at one school board meeting since I left because I don't like to be the hand from the grave. It's OK Pete, you can.

Audience: Laughter.

Bill Fairbairn: But it's you know, I think from following things in the paper, all the articles, is what's happened on the board is what's happened on the board is we have people, and I think Jack touched on it and Jim touched on it too, is that the personalities have prevented a ... serious, reasonable discussion. That, you know, people see red when someone gets up and talks so I think what Dan brings to this is a fresh perspective. He doesn't come with any agendas. He doesn't come with any bad baggage and I think it's an opportunity if, if we're going to solve all these problems having to do the leases, the consolidation, all the rest of it, there's got to be new people who can come in that don't come with all the baggage. Not that these people didn't do great work and should be honored for the service they've given the board, but it's time to bring some new people in to bring a new perspective and I think that's what Dan presents. If there're any questions that I could answer, I'll do my best.

Audience: Sit down, laughter, clapping.

Moderator: We're not ... questions tonight. I would like to personally thank all seven nominees for their willingness to run. I think it's great that you are willing to do so

and I appreciate it as a citizen of this town. We accomplished all the business that was schedule for tonight. Do I hear a motion to adjourn?

Audience: So moved. So moved.

Moderator: Alright, we are adjourned. [The meeting adjourned at 9:18 p.m.]