# Town of Washington Special Town Meeting January 7, 2010

Moderator: Hank Martin Clerk: Sheila Silvernail

First Selectman, Mark Lyon, addressed the floor at 7:33 p.m. requesting nominations for Moderator. Mr. Solley nominated Hank Martin with a second by Jack Boyer. Hank Martin was duly nominated and voted Moderator who called the meeting to order and requested the warning be read.

Warning: Town Of Washington, Connecticut – Special Town Meeting The voters and electors of the Town of Washington are hereby warned that a Special Town Meeting will be held on Thursday, January 7, 2010 at 7:30 p.m. at Bryan Memorial Town Hall, Washington Depot, Connecticut to consider and act upon the following:

- 1. The approval of an expenditure of \$110,000.00 from the Town of Washington's Affordable Housing Fund to the Washington Community Housing Trust for predevelopment costs associated with the acquisition, development and implementation of Marbledale Meadows with the following condition: that \$25,000.00 be conveyed to WCHT to fund work required to complete their application to DECD and the balance of \$85,000.00 be conveyed to WCHT upon their written receipt of a full funding commitment from the State of CT Department of Economic and Community Development sufficient to complete the project.
- 2. To re-schedule the Annual Town Budget Meeting for the Town of Washington from Saturday, May 22, 2010 at 10:00 a.m. to Thursday, May 20, 2010 at 7:30 p.m. per Town Ordinance.

Dated at Washington, CT this 30th day of December 2009.

Mark E. Lyon James L. Brinton Nicholas N. Solley Board of Selectmen

The Moderator requested and received approval from audience to reverse order of resolutions for consideration to enhance discussion and flow of the meeting.

#### Resolution #2:

To re-schedule the Annual Town Budget Meeting for the Town of Washington from Saturday, May 22, 2010 at 10:00 a.m. to Thursday, May 20, 2010 at 7:30 p.m. per Town Ordinance.

Proposed by: Mark Lyon

Seconded by: John Payne

Discussion: Moderator explained the purpose and need to reschedule to comply with current town ordinance. Slight discussion followed clarifying date and times.

Vote: The motion carried unanimously.

#### Resolution #1:

Move for the approval of an expenditure of \$110,000.00 from the Town of Washington's Affordable Housing Fund to the Washington Community Housing Trust for pre-development costs associated with the acquisition, development and implementation of Marbledale Meadows with the following condition: that \$25,000.00 be conveyed to WCHT to fund work required to complete their application to DECD and the balance of \$85,000.00 be conveyed to WCHT upon their written receipt of a full funding commitment from the State of CT Department of Economic and Community Development sufficient to complete the project.

Proposed by: Mark Lyon Seconded by: John Boyer

Discussion:

Walter Whitney presented summary on behalf of Washington Community Housing Trust. Ten homes with limited homeowner equity and leased land we're proposed. The audience raised various concerns, details, finances, and questions. There was an overall concern for concept of limited equity, assurance of qualification, liability if foreclosures, process for leasing, efficiency of utilities, driveways and garages, residency preferences, and other comments.

### **Secondary Motion:**

Motion to have a paper ballot on Resolution #2 at end of debate.

Proposed by: Richard Sears

Seconded by: Ken Cornet, John Payne

Discussion:

Moderator explained that this didn't cut off debate on the primary motion, Resolution #2, but was just to determine whether voting on it would be verbal or written. Someone questioned the purpose for a written vote and whether or the vote could first be verbal then written. The Moderator explained that a written vote made the count more accurate than a visual show of hands and verbal response. Since the motion was to actually go to a written vote, there couldn't be a verbal vote first proceeding to the written vote. He continued explaining the process for the written vote if approved.

**Tertiary Motion:** 

Motion to move the secondary motion.

Proposed by: John Payne

Seconded by: Male in audience.

Explanation:

Moderator explained no debate allowed and a 2/3 majority was required in the affirmative to move the motion. Audience responded positively when he asked if they understood.

Vote:

Tertiary motion carried unanimously.

Debate ended and process returned to secondary motion.

Secondary Motion: Continued.

Vote: Moderator called for vote noting requirement for simple 51% majority.

Secondary motion carried unanimously.

Process returned to debate on primary motion.

Quaternary Motion: Motion to move the original motion.

Proposed by: John Payne Seconded by: Wayne Hileman Discussion: Debate ended.

Vote: Quaternary motion carried unanimously to end debate and proceed to vote on

Resolution #2.

Resolution #1: Continued.

## Explanation:

Moderator explained process for written ballot and read resolution again.

To approve an expenditure of \$110,000.00 from the Town of Washington's Affordable Housing Fund to the Washington Community Housing Trust for pre-development costs associated with the acquisition, development and implementation of Marbledale Meadows.

Vote: 220 written votes cast. 81 in favor, 139 opposed. Motion rejected.

Adjournment: The meeting adjourned at 9:13 pm.

I, Sheila R. Silvernail, do hereby certify that the foregoing pages are true and accurate to the best of my ability of the Special Town Meeting of the Town of Washington held on Jan 7, 2010.

\_\_\_\_\_ Dated at Washington, CT this 9th day of Jan 2010.

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# Town of Washington Special Town Meeting January 7, 2010

### **Transcript**

Moderator: Hank Martin Clerk: Sheila Silvernail

First Selectman, Mark Lyon, addressed the floor at 7:33 p.m. requesting nominations for Moderator. Mr. Solley nominated Hank Martin with a second by Jack Boyer. Hank Martin was duly nominated and voted Moderator.

Moderator: Thank you Mark. I'd like to call this Special Town Meeting to order and ask our secretary, Sheila Silvernail, to read the Warning.

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Dated at Washington, CT this 30th day of December 2009.

Mark E. Lyon James L. Brinton Nicholas N. Solley Board of Selectmen

Moderator: Thank you Sheila. Can you all hear me?

Audience: Yes.

Moderator: There are a few scattered seats up front for any of you who are standing that would like not to. I see one, two, three, four, five, six, seven, eight right off the top of my head, nine, so if you like you can come forward and sit down. There's three right over here. Ok, we've got a good crowd here tonight. Thank you all for attending. As is the case usually with our town meetings, with each question to be considered, and there are two tonight as Sheila indicated in her reading of the Warning, we will have a motion, have that motion seconded, and then have discussion on it leading to a vote.

During the discussion if you raise your hands, I will call on you when I recognize you. And, our goal is to, you know, call on everybody that wants to be heard to the extent that the rules allow. When we call on you, please state your name and street for the benefit of our secretary who is probably going to be looking downward at her laptop as opposed to upward, even if you know that we know who you are. That would be a great help. And, finally, in the discussion to take place in these matters, please direct your conversation, your comments or questions to me. Then I will seek out the appropriate people to get them answered and get the responses heard.

Now I want to do one thing tonight based upon my experience. I want to use a little bit of Moderator prerogative and flip the sequence around and consider question number two, the routine question associated with simply scheduling the town meeting, take care of that first. That way, when question number one is finally resolved and the vote is down, we can just adjourn. I won't have to work hard to reconvene all of us to continue on with the business of the meeting. Does that sound ok to everybody to do it that way?

Audience: Yes, yes.

Moderator: Good, then that's what we'll do. So therefore let me just ask for a motion from a member of our Board of Selectmen on question number 2.

Mark Lyon: Mark Lyon, I move to reschedule the Annual Town Budget Meeting for the Town of Washington from Saturday, May 22, 2010 at 10:00 a.m. to Thursday, May 20, 2010 at 7:30 p.m. per town ordinance.

Moderator: Do I have a second for that motion?

John Payne: I second it.

Moderator: Sheila, you've got that? John Payne seconded.

Mark Lyon: John Payne.

Moderator: Thank you. The purpose of rescheduling this. This got scheduled for Saturday morning in October, but we found out that Ordinance 107 is inconsistent with that scheduling. Let me read the pertinent words, "all", this is Ordinance 107 of the Town of Washington. "All regular and special town meetings shall be held at 7:30 p.m." So if we stay with the original schedule we'll be not in compliance with our own ordinances. That's probably not too good a thing to do. So, in terms of whether it's a good idea or not to be holding the meeting on Saturday morning, that's something the Board of Selectmen will consider, the pros and cons of it, in upcoming weeks and whether they should change the ordinance. But for now, the ordinance is what it is and we need to, you know, comply with it. Are there any questions or any discussion on that? Ok, then I'll move the question and I'll read the motion again.

The motion was to reschedule the Annual Town Budget Meeting for the Town of Washington from Saturday, May 22, at 10:00 a.m. to Thursday, May 20 at 7:30 a.m. per town ordinance.

Audience: P.M., p.m. p.m.

Mark Lyon: P.M.

Moderator: Did I say that right?

Audience: P.M.

Moderator: What did I do wrong?

Audience: You said a.m.

Moderator: Oh, I'm sorry, yes. The original schedule was a.m. and that's been rescheduled to p.m. No the other way around. Originally p.m. down to ....

Audience: Laughter.

Moderator: I need to go home and watch the football game. All right, let me do this again. I apologize. To reschedule the Annual Town Budget Meeting for the Town of Washington from Saturday, May 22 at 10:00 a.m. to Thursday, May 20, 2010 at 7:30 p.m. per town ordinance.

Audience: Yes, right.

Moderator: Thank you. All in favor, please say ay.

Audience: Aye, aye.

Moderator: Any opposed? Ok, the motion carries. Thank you, and now we'll go to question number one which I hope we'll have such an easy time with that we'll vote as well as we did on budget number two.

Moderator: Who is going to make the motion on question number one?

Mark Lyon: I will.

Moderator: Mark will, thank you.

Mark Lyon: Move for the approval of an expenditure of \$110,000.00 from the Town of Washington's Affordable Housing Fund to the Washington Community Housing Trust for pre-development costs associated with the acquisition, development and implementation of Marbledale Meadows with the following condition: that \$25,000.00 be conveyed to WCHT to fund work required to complete their application to DECD and the balance of \$85,000.00 be conveyed to WCHT upon their written receipt of a full funding commitment from the State of CT Department of Economic and Community Development sufficient to complete the project.

Moderator: Thank you Mark. Do I hear a second for that motion?

Jack Boyer: Second.

Moderator: Jack Boyer, thank you. Alright, the way we usually start these discussions is to have somebody familiar with the project do a brief summary of what it is. Now I know we had an information meeting in December which many of you attended, but not all of us. So we to, at least do a little bit of summary of the proposal. So I would like to ask for somebody from the housing trust, Walter Whitney are you going to come up?

Walter Whitney: Yes.

Moderator: Thank you. And, just briefly summarize this project for the benefit of everybody here. Thank you.

Walter Whitney: Thank you Hank. I'm Walter Whitney. I have lived in Washington all my life. Some of you may actually even have known my father, Lester Whitney. He also lived here all his life. I'm here this evening to speak with you about housing, about affordable housing for the Town of Washington. And, I would like to, I'd like to introduce to you the other directors who have volunteered their time with the Washington Community Housing Trust to bring this ... that we're making this presentation tonight. I'd like to ask the directors who are present to stand please, the directors of the Housing Trust, to be recognized. Their names are Liddy Adams, Phyllis Allen, John Boyer, Chris Charles, William Fairbairn, Joan Gauthey, Martha Gavenas, Jean Hough, Martin Meyers, John Millington, Richard Sears, Terry Tiernan, Ray Underwood, and myself. So you can see that we're all your neighbors. We're all volunteers. We're all Washington citizens. We are not developers who are coming in from out of town to bring something here that we wouldn't want for ourselves. But, we are here specifically because we want to help our seniors. We want to help our young folks, our volunteers, to have affordable housing in Washington. There's a tremendous need for it. And, over the years, since I think around 1985, the Housing Trust has built altogether 37 houses for families here in Washington starting with the Dodge Farm complex which is an entry level rental housing complex. Our Church Street project in New Preston is moderate income rental and our senior housing project on Nettleton Hollow on River Road is for senior housing. And, there are waiting lists for each. They are attractive homes. They've been well received and this is a continuation of, what we're talking about this evening, of those three efforts.

The project that we're talking about this evening is to be limited equity and I'll mention a little bit about that before I'm finished. What you can see in this rendering is one of the, one of the artist's conceptions, our architect's conception for the project that we have recently identified. It is on Mygatt Road in, over in the Marbledale section. We're going to call it Marbledale Meadows. It is a property which has been approved for the construction of sixteen houses. There are two houses there presently. We plan to build ten more so that there will be a total of twelve on the property when it's complete.

The ten homes that we plan to build will be. There will be two single family homes and there will be four two-family homes. These are preliminary. We are here this evening to ask for you to help us to make them more definitive to get all of the details in place that we need in order to qualify for a Department of Economic Development grant which will enable us to construct this. But, these have been developed by our

architect, Bill ... who has done a number of these projects with DECD, the Department of Economic and Community Development. So he's quite familiar with our community and our interest as it is our mission to, to provide affordable housing that is in keeping with the historic and the neighborhood context of our community. So he's, he has designed homes that steeply pitched roofs. They have gables. They have divided light windows. They are two and three-bedroom homes and as the next picture shows, they're grouped in a community which is, which is on Mygatt Road. This is Mygatt Road. Quarry Ridge is right here at the top of your picture and this would be a single-family house. This would be a single-family house. These are the existing two houses that are already constructed. And the others are two-family houses. So as you can see, they are closely, they're closely sited. It's a thirteen acre parcel. We are disturbing a minimum of the entire parcel and of course the advantages that come from that are the, there's a, an economical use of the road, the wells, the septic systems and it all together makes for an affordable project. The wells are in. The roads are in. The project is ready to go.

The team that we've put together consists of our engineer Brian? Bill? I mentioned is the architect. David Berto from Housing Enterprises is here this evening. He's in the orange and black jacket in the back. He's a consultant who has so successfully shepherded many of these types of affordable housing projects through the Department of Economic and Community Development.

The need for this type of housing I think has been well established. It's something that our town has recognized. Our town has in fact set aside the money that we're asking this evening be allocated to this project for affordable housing. So what we're for, \$110,000 is already part of a funded deposit ... amounts to \$250,000 and it is established for the purpose of affordable housing. So we're asking that, again, working with the Town of Washington those funds be made available to further develop the project.

What's striking about this particular slide is, as you can see, house prices in this time frame the last seven or eight or nine years have increased 96%. Incomes have increased only 14%. So when I said that I was born and raised in Washington. Those were in the days when it wasn't so hard so hard for me to stay in Washington or others. But, it's different now. It's harder. It's very difficult for a young person to assemble the funds that they need in order to, to raise a family, to buy a house and raise a family in town. And, it has so much to do with our, the fabric of our community and with our volunteer. You know, we have so many different volunteer organizations just like the organization that I'm speaking on behalf of this evening. They are all made from, made up of volunteers that we hope will be able to afford to live in Washington.

Trust, but by the Town Housing Commission. Some of you have returned the surveys that have provided the information that has identified this need. A tremendous number of people commute to town. So many of our teachers, shopkeepers, the people that are working, you know, the places where we shop and get our cars fixed and so forth, many of them have to commute to Washington. Many of the people that have benefited from the rental housing we've developed have actually been able to move on to ownership housing, but not in Washington. They may be able to save enough money through the affordability of the rentals that we've provided to put a down payment on a house in New Milford or Torrington. And, many of them of done that which is most of our mission. The rest of our mission would be to allow them to continue to remain in our community. Regardless of ...

The project summary is here. It, I'm going to go through it quickly because it's, it is preliminary. It does include costs of \$3.5 million. The funding for that \$3.5 million is to come from, this is something I mentioned, This is the DECD grant that we are seeking. This is the \$110,000 which is the subject for this meeting. The \$2,035,000 comes from the sale of the ten homes to the individuals. The way the limited equity process works. It's an arrangement where a home is offered for purchase. There's a substantial ... purchase price by virtue of the fact that the land is not included in the sale. Typically the title to the land would remain a not-for-profit company or entity such as the Washington Community Housing Trust. We are a 501(c)(3) and so a qualified purchaser would secure their own mortgage. They would make their improvements or maintain their own home. They would pay taxes just like any other homeowner, but when the time came for them to sell, if they did choose to sell, they would have to offer their house to another qualified purchaser. That is income qualified. Qualified by definition of moderate income is a person earning 80% or less for the median income for this area. It's something in the neighborhood of \$69,000 for a family of four persons. So when they sell the house it would be transferred a new qualified individual at an affordable price. The price would be, again, limited not only by virtue of the fact that the land is not part of the sales price, but by virtue of the fact that, that they will have a cap on the appreciation of the ... probably the consumer price index.

I would say the time frame would be to work immediately to obtain the DECD funding. That's the key to this entire project. The Department of Economic and Community Development is looking for a message from this community that the community wants to see this housing. That's what the \$110,000 represents. It gives us the ability to get our complete detailed specific application before them. The money, just like the money that's in the Town of Washington Housing Commission Fund, is in, it's already funded at the state level. ... the \$1,500,000 that I pointed to has already

been allocated. Our tax dollars are already there. It's just a question of whether we get it or somebody else gets it. It is on a first come, first serve basis and we're in a rush to get it. So, it'll be full speed ahead after this evening and with action from the State of Connecticut anticipated in the spring, maybe the summer David, we would be hopefully in a position to build in the fall. So that's it for a rough, a very rough, time frame.

I want to ask you to seriously vote for in favor of this for all of the reasons I've mentioned. I think it's what is going to ... our community ...

Moderator: Thank you Walter. Ok, we are now going to open up discussion to the floor. And, anybody that wishes to speak out for or against or just has a question, please feel free to raise your hand. I'm going to start by ... Nick here is going get to Mr. Peterson there in the red. And we'll start from there. Nick will get the microphone to you.hHld on so that everybody will be able to hear. And, again, I wanted to remind you and ask you for your cooperation identifying yourself and your street. Thank you.

Mr. Peterson: Given that two-thirds of the total ...

Moderator: Would you, would you ... and your street

Audience: Laughter.

Mr. Peterson: Sorry, I forgot my name. Kirby Road.

Audience: Laughter.

Mr. Peterson: Given that two-thirds of the total revenue forecasted for this comes from conventional mortgages? The homeowners would have to be \$2,035,000 would have to come from individuals applying for a conventional mortgage?

Walter Whitney: It comes from a combination of their mortgage and their down payment. They are required not only to qualify for financing, but to make a down payment. So typically a bank would be lending no more than 90% even if it's Chaffa, the Connecticut Housing Finance Association. They might lend 80% if it's an independent community bank. Chaffa might lend 90%, but for purposes of illustration, we'd be talking about a mortgage of roughly \$180,000, a down payment of roughly \$...,000.

Mr. Peterson: Is it reasonable to assume that somebody with a \$68,000 annual income: a) can afford a \$22,750 down payment, one, and if that family has four kids, or a family of four rather, that they're cash flow could put them in a position where

they could realistically could get a conventional mortgage? I just had an apartment for sale in Chicago through Wells Fargo and through Bank of America. I had a guy with \$135,000 annual income and he couldn't. It took him nine months to get a mortgage. And, in the event that those numbers haven't been carefully ..., the Board doesn't have a high degree of confidence in that number based on those financial scenarios. If there should be a foreclosure or if there should be a default on a mortgage, is the town responsible for picking up the cost?

Walter Whitney: The answer to your last question is certainly not. The Town does not have responsibility for picking up the cost. I can tell you that we have very carefully ... the numbers. There is no question that there are a number of persons, the great majority of the people we're targeting for this project will qualify for financing at rates that we need. But, I would also mention that this is not for everyone. Not everyone will qualify. Those persons that have been able to move from our Dodge Farm Apartments and buy houses in Torrington and New Milford hopefully could afford to buy one here. What it essentially does, it reduces the purchase price of a home by approximately one-third of the price. If they could afford a three-family house for one-third of what it would normally cost in the Town of Washington, they'll be able to afford this.

Moderator: Walter, if the Town of Washington wouldn't be liable to pick up the responsibility on a foreclosure, who would if there was a foreclosure?

Walter Whitney: The debt is going to revert to the bank as the in the past, just as it would in a normal foreclosure. In our case, we would want to, and we do have and retain the right to repurchase the unit and then to remarket it to another qualified unit, unit owner or applicant. So, the first thing that happens is that the people default on their mortgage. If they can't keep up with payments, remember they are prequalified so they are no more likely to default than any other individual, affordable or not affordable. But, if they default, they go through the same process that everyone else goes through in a default situation. In the final analysis, if the bank doesn't find a purchaser that qualifies, then the Housing Trust would step in and make sure that we have a qualified individual to occupy the ...

Moderator: Ok, I'm looking for more hands. We're going to stay over here. Peter?

Peter Tagley: Good, thank you Mr. Chairman.

Moderator: I'll get over to this side in a minute.

Peter Tagley: Pete Tagley, member of the Board at Quarry Ridge. I'm not going to beat around the bush. I came here tonight to vote against this proposal. I'll explain to

everyone why. There are two issues here for me this evening. One is the issue, what control do we have over what gets built ...?

Audience: Inaudible.

Moderator: Can everybody here him?

Audience: No, no.

Moderator: Hold it closer to your mouth.

Peter Tagley: What can we do about what gets constructed in our neighborhoods? We have a Zoning Commission. When it comes to the Affordable Housing Act, they basically do nothing. That leaves it up to the neighborhood to get involved with what gets constructed in our neighborhoods. And if your not concerned, I would suggest you drive down Kinney Hill Road Saturday morning and take a look at what's being constructed on Kinney Hill Road. Then you come over to Mygatt Road and you see what we've been living with for the last four years. The affordable housing project that started out has failed. Two gentlemen formed a corporation and decided to build five to seven \$750,000 condos and then build four affordable housing condos on the lower piece of the property. Under the Affordable Housing Act you cannot segregate affordable housing from market rate housing. You have to integrate. You can't segregate the people. Therefore their first project failed. They had come to us and showed us what they intended to do. They didn't ask us for our opinion. They didn't ask us for input. These buildings showed up. They've been sitting there for approximately three to four years. One is a market rate unit and one as an affordable unit. They have not been able to be sold. People tell me one of them sold. I went to the Town Hall. Nothing has come through the town records that either of these two units are sold. Therefore, it's obvious to many of us, especially the neighbors, that the people who are underwriting the original project want to get out of it. They've had enough of it. It hasn't been profitable for them. Their original proposal of making money by selling very expensive condominiums has failed. They could not have built those condominiums without using the Affordable Housing Act. Zoning would not have approved it because the laws don't permit any more condos to be built in the Town of Washington. You have to use the Affordable Housing Act to get into any neighborhood to construct a project. And they did that and failed. Now their offering the Housing Trust, a proposal to purchase this project. The Housing Trust is proposing that they will construct the project that will be successful whereas the previous project was not successful. As neighbors, we do not have confidence that this is what will happen.

We met two times with the Housing Trust. They asked us for some of our opinion. None of them which we see put forth here. We recommended that the roads which are gravel right now in the driveways, what there are of them are gravel, we recommended that we wanted to see paved roads, paved driveways, and garages. Units that they propose to build have no garages, no paved roads. We thought that was very detrimental. We thought that what we'd be looking at is a parking lot and we would lose the scenic value of what we have purchased in the Town of Washington.

One of the things that came up during the discussion was, and it just came up previously, what happens if the unit is foreclosed. Ten years after Dodge Farm Condominium project was built it needed \$400,000 worth of repairs. Fortunately for the Town of Washington the state paid for that repair. If the state didn't pay for that repair, we would have paid for that repair because where is the Housing Trust going to turn for large sums of money to fix what may become broken. And, the answer is us. Like it or not, we'd be sitting here at a meeting debating over whether we should give the Housing Trust money because the project would go into disrepair. And that's what we will be confronted with this project.

In this economic environment, unfortunately, if times were better we'd probably have more support for this project. But, under the current economic situation that we have, where are we going to find ten people to put up \$200,000, ten to twenty percent down payments, move into a project and then underwrite it? When you move into a condominium project you have what are called common charges. Our common charges at Quarry Ridge run \$3500 to \$4200 a year for each unit. It costs \$15,000 a year to plow the roads and the driveway, \$24,000 a year to maintain the grounds, \$15,000 to repair the buildings. Where are you going to find the money in this project? Who's going to repair these buildings? Who's going to maintain the roads? What are the common charges going to be? Where is the business plan for this project for tonight? We need to see a business plan. We can't forward taxpayers dollars to the Housing Trust to purchase what is a good deal on the surface, because the project that is currently there probably has an excess of \$1,000,000 pumped into it.

Moderator: Peter, I'm going to ask you to try to get finished here so we can give somebody else a chance.

Peter Tagley: Ok.

Audience: Clapping.

Moderator: Ok, I'm looking for more hands. Yes, the gentleman here in the second row.

Allan Grunberg: Thank you Mr. Chairman. Allan Grundberg ... Washington Depot. I'll keep my comments short. My main objection to this project is that there's no residency requirement and there cannot be. So the main rational for this project is that we're going to supply housing for Washington volunteers and Washington residents, but once you take federal or state money you cannot have any residency requirement. So basically you're asking the town to subsidize anybody to come in, say a couple from Bridgeport who has special needs children and wants to move to the country, come to Washington. The Housing Trust cannot say no. And then we're going to have the town who's going to subsidize this project initially to the tune of \$110,000 and we don't know. We don't have an itemized detail what that money is going to go to. But also the property taxes are going to be permanently low on the project so the residents of this project are going to pay property taxes that are much lower because of the assessed value of the house will be lower. And then if the houses cannot be sold and rented, those renters pay no property taxes at all. So not only will there be an initial subsidy, but a permanent subsidy as long as these houses are in and there's no guarantee that we're going to be subsidizing Washington residents. Thank you.

Audience: Clapping.

Moderator: Thank you, ... this side, Walter did you want to make any comments at this point.

Walter Whitney: Yes I would. There's a number of issues that have been raised and I've been told that we shouldn't let any of these issues, just go unanswered. But, I'd like this really not to be a tit-for-tat thing. But, I'd like to demonstrate that much of the work that both gentlemen who spoke about has been evaluated. I'd like to see the, one of the slides that we have that shows what the \$110,000 is to be used for because you haven't seen that. You are entitled to see it. The more information that I give you hopefully the more that you'll understand that we really, truly have thought this through. Every piece of information that we give, it's possible that it will raise other questions. I would like not to overcomplicate this, but we have done that. I'd also like to look after everyone ... for a moment and we can come back to it at the slide that discusses what the qualification for an individual would be and how much they would have to make in order to live in one of the houses. So, maximum of 30% of the income can be spent on housing costs. As I mentioned, \$69,000 is the maximum the 80% of the median income that we'll be looking for, \$1734 per month. So that's not a small amount of money unless you compare it to a new four, three or four-bedroom home mortgage requirement is in Washington, because it could be a third more. It would be a third more. So, but then again I'm not suggesting that this is for just anyone. It's for qualified individuals that can afford to spend \$1734 per month. The rest of the things, I wanted to ask Wayne Hileman if he could please identify himself?

Moderator: We'll get to him. I want to have, get a few more questions in.

Walter Whitney: Ok, I just wanted to respond to Mr. Tagley's remarks. I think he's best to do that at the appropriate time.

Moderator: Questions on this side? The lady in the second row.

Janet Buonaiuto: I'm Janet Buonaiuto from Shearer Road. At the last meeting in December I raised the question of the road. It exists now as a gravel road and I was told that that was accepted by the Zoning Commission in town. That you were going to allow these gentlemen to develop this piece of property and leave the road a gravel road. I'm concerned that the state, once you accept state monies, I believe you are there for, it's necessary to get up to state standards. And, I don't think that the state is going to allow you to develop this piece of property without improving that road. I don't, didn't see any costs of improving the road on the, you know, what you've presented to us tonight. Are you absolutely sure that we do not have to pave that road and put drains in it and are you absolutely sure that you're not going to be coming back to the taxpayers for money to do this?

Moderator: Let me just say, I don't have the answer to your question other than to say that the Zoning Commission has not yet looked at this project. So whatever the design of the project is, it's not because the Zoning Commission told them to do it that way. It's what the proposers of the project have decided to do. Now in terms of the specific question, who can answer that? Can you answer that Walter? Walter would you answer the question?

Walter Whitney: Thank you. We not wedded to a gravel road. We haven't yet got to that point where we have made that determination. We'd like to make sure that of course it would qualify for any of the requirements, both practical and those that may be part of either the Zoning code or the federal requirements. I can tell you that we've met with the Town to discuss the road. There are a good number of persons who believe that the road as it has been designed is a greener application. We are not wedded to a gravel road. I'd be happy to put that up to a vote any day and go either way. It's a question of what's functional and what meets the requirements and what is going to be best for the occupants that live there.

Moderator: Thank you. Ok, Ken you had your hand.

Ken Cornet:Hi, Ken Cornet from Nettleton Hollow. I mean I want to start off with saying I really resent being pulled out here on a cold night to go through this where I really agree with Pete. Your statistics from the informational are really not in line. But, to start out with, when you say there's a demand for this affordable housing, Pete

said it. Affordable housing has been on the market for four years. Not one person has come forward to doing it. Why only ask to continue with this when no one has bought what you have to offer when it was ... On top of that, the idea that is the joy of owning your own home, this is not a home that you're owning. It's not even a condominium. It's even less than a co-op because you have no way of expanding it of doing anything you need to your own home. You can't resell it and make a profit after you've gone through a lot of ... equity. You can't do a whole bunch of things. You might as well rent and save your money for a real property. And then, if by any chance some family who is underprivileged or can't afford to pay for it, is unable to move because of the constrictions on resale. So what are you really presenting here for people who need homes? Thank you.

Audience: Clapping.

Moderator: Thank you, I'm looking for more hands. None on this side. Ok, Nick head back over. I'm going to go with the lady in the pink top.

Ruth Krajnak: Thank you. My name is Ruth Krajnak, I'm from Quarry Ridge. I have seven questions.

Audience: Laughter.

Ruth Krajnak: Will the original developers retain the land if this proposal is voted down?

Walter Whitney: The answer is no.

Moderator: The answer is no.

Walter Whitney: I'm sorry, if it's voted down.

Ruth Krajnak: If it's voted down.

Walter Whitney: There'll be no change. They own it now. They'll continue to own it.

Ruth Krajnak: Ok, thank you. If the current owners retain the two existing houses, are they going to live in them and do they meet the financial guidelines because the two existing homes are rented and they do not comply with the Affordable Housing requirements. How can they remain a physical part of Marbledale Meadows?

Walter Whitney: They are not part of Marbledale Meadows. We are not purchasing the two houses. We will have no ownership interest in them.

Ruth Krajnak: And no ownership of the land they're on?

Moderator: No, no ownership of the land either.

Ruth Krajnak: And is the land that remains with those houses only the footprint of the building?

Moderator: I'm not sure exactly how big the lot is.

Ruth Krajnak: It has specific measurements?

Moderator: I assume. Go ahead on with your questions.

Ruth Krajnak: You know about that word don't you? Ok, Who pays for the maintenance of the land? Who pays for plowing. if paving needs to be done, if grass needs to be cut, I understand homeowners will probably maintain their own grass, but you are showing an open expanse on the other side. Who's going to mow that?

Walter Whitney: It's the same as your organization. There will be a homeowner's association. They will pay for it on a prorata basis and the two houses that are there will pay there pro rata share also.

Ruth Krajnak: Ok so the people that can barely afford anything none that are going to somehow afford this, are also going to pay monthly common charges?

Moderator: It sounds that way. Keep going

Ruth Krajnak: I see your median prices and wages far from 2007. Was 2009 not available?

Moderator: I can tell you that we're lucky to have 2007 data from the government.

Ruth Krajnak: Amazing!

Audience: Laughter.

Ruth Krajnak: Is the remaining open land subject to further development?

Walter Whitney: No.

Moderator: No.

Ruth Krajnak: Ten houses, that's it?

Walter Whitney: That's it.

Ruth Krajnak: So what's open, stays open?

Walter Whitney: Right.

Ruth Krajnak: Does it become a playground? Does it remain, I mean are there going to be rules for the homeowners as part of the association that says you cannot put up a basket ball hoop? You cannot put up a bike trail or whatever?

Walter Whitney: It cannot be changed from it's present use which is there is no use, open land.

Audience: Can you speak up?

Walter Whitney: Open land.

Audience: Louder.

Moderator: The answer was that the remaining that's not being built upon will stay as open space.

Ruth Krajnak: Who pays the taxes on the land or is it exempt from taxes?

Walter Whitney: It's not exempt from taxes and the homeowner's association pays the taxes.

Ruth Krajnak: They pay the taxes on the land that they don't own?

Walter Whitney: Correct.

Ruth Krajnak: If there're problems at Quarry Ridge as a result of the septic or water systems in Marbledale Meadows, who resolves and pays for them? The town since it relates to the land?

Walter Whitney: I don't understand the question.

Moderator: The question is if there's a maintenance problem with any of the utilities who is responsible for solving it. I think it's the homeowner's association, is it not?

Mr. Whitney: It's the same as Quarry Ridge.

Ruth Krajnak: Ok, so the people that are paying the monthly common charges that don't own the land are going to pay for any damage that their land creates for anyone else?

Moderator: I think that those are the kind of things that common charges would be used for.

Ruth Krajnak: Uh, uh. Ok.

Moderator: What number are you at now? You said you had seven.

Ruth Krajnak: Actually, I'm on my last one.

Moderator: Ok.

Ruth Krajnak: Has anyone considered the fact that people are losing their jobs? And, that those people that can afford this housing are the same as anyone who can afford a million dollar house. They might be qualified this week, but they may not be next week. And if that happens, the town is going to be involved in this somehow and involvement means dollars. Thank you.

Audience: Clapping.

Moderator: Thank you. ... Dick?

Dick Sears: On behalf of the Housing Trust and all people here assembled, I'd like to have you, Mr. Moderator, see if we'd like to take a, not at this minute, but when we're done discuss, take a written ballot vote instead of an oral vote.

Moderator: Ok, are you making a motion to that effect?

Dick Sears: I move that we take a written vote.

Moderator: This is not meant to cut off debate right now. We will continue with the discussion, but there's been a motion from the floor that the debate, when it ends, the vote be done by a written ballot as opposed to just a show of hands.

Audience: What's the purpose?

Moderator: Does anybody want to second that.

Ken Cornet: Second

Moderator: There's lots of seconds. I see John Payne's hand there again for a second. Is there any discussion about that?

Audience: There's no debate.

Moderator: Because we're going to vote on that.

Mark Lyon: There's one behind you.

Moderator: ... one little element right away. Yes?

Audience: What is the advantage of written?

Moderator: Well, a major advantage will be for your Moderator, because then we'll have a clear cut answer to what the vote is as opposed a show of hands. It sounds like this might, you know, a vote where a show of hands or an aye and nay may be difficult to determine. So that's one benefit of it. Any other questions or discussion on having the vote be done a paper ballot.

Audience: Inaudible.

Moderator: I would point out in all four corners of the room, anticipating that this might be needed, the registrars have already set up tables alphabetically to facilitate a paper vote. A-D, by your last name, A-D over here and then around the room so on and so on. Any, so before we, yes, yes sir?

Male: Could we have an oral vote preliminarily and then if it becomes indefinite then make a motion ...

Audience: No, no.

Moderator: Unfortunately, that's not the motion that's on the floor that's been seconded. It's to go straight to a paper ballot. John?

John Payne: Mr. Chairman, I move the motion.

Male: Second.

Moderator: Ok, we have moved the motion. We have a motion to move the motion which has been seconded to vote on whether we're going to do a paper ballot vote for the final answer to this question. That has been seconded. There's no debate allowed on that. Let me just check my figures, I believe we need a 2/3 vote in the affirmative

to move the motion. So right now the motion is on the floor to cut on the debate on the question of going to a paper ballot to vote on the final question. Is everybody with me.

Audience: Yes.

Moderator: So I'm going to ask for all in favor to say aye.

Audience: Aye.

Moderator: All opposed.

Audience: Silence.

Moderator: Ok, clearly that's a 2/3 majority, the motion carries. We are going to cut off debate and now vote on the question of do we go to a paper ballot as the method for this body to show its feelings and its decision on this question for tonight. So all in favor of utilizing a paper ballot for the voting process tonight, please say aye.

Audience: Aye.

Moderator: Any against?

Audience: Against, No.

Moderator: Ok, this just requires a simple 51% majority. It clearly the vote carried so we will do a paper ballot. I will not be asking for a show of hands when we're finally ready to vote. Now let's continue on with the discussion on the question is this a good idea or not. Valerie Anderson in the back my far right.

Valerie Anderson: Thank you, Valerie Anderson, Blackville Road. I think we ... idea of having a different kind of community. We'd like to keep our young folks here, but why must this be the only model. Why must limited equity be the only model to help young families stay in this town? I know of at least one couple that have deep roots in this community. I have right now without trying six properties under \$300,000 available for negotiation and sale. Why can't we use the fact that we have bad market and some foreclosures and indeed some abandoned houses and help young families buy property, real estate, own it, fix it, and then sell it at profit as we all hopefully can do? Most of the time, these young couples or indeed older folks need help with the down payment. Now the statistics here are that the Housing Trust will build ten houses costing about \$350,000 each.

Male: No.

Valerie Anderson: They want \$110,000 give or take for seed money from us. I would like you all to think in the future, am I on? \$110,000 could really help subsidize a hardworking Washington family, two, three families, put a down payment down on one of those houses that we driver by all the time. Fix it. Live in it. Enjoy it. Pay your taxes 100% like we do and the eventually, please God, at a profit and move on to that next house. I mean I think limited equity is a stigma. It abandons all hope. You cannot sell that house again, the real estate part, not the land, for anything more than a set amount so it keeps going as technically affordable. And, of course you don't own the land. What kind of incentive is that to move forward? So, all I'm saying is there are other models that for some reason we never get to talk about. I would rather see \$110,000 help three families make a down payment. You lien that house. You get it back when they sell it and on we go. And that to me is a better use of our abilities and our funds and our taxpayer dollars and the incentive is there. So think outside of the box. Think about a different model please.

Audience: Clapping

Moderator: Thank you. Ok, I'm looking for more hands. We'll get to you. We'll get to you. We're going to do the lady on the wall on the aisle here, yes. Nick could you adjust that microphone to be a little louder?

Tilly Laird: Can you hear me? I'm Tilly ... Laird and I live on Sabaday Lane. I have a simple question. I hope a simple answer. Has it been discussed as to what kind of heating is going to be used on these houses? And I ask this simply because I know in my mother's situation down in Delaware and in a few other areas of houses around here, people who have bought affordable housing find that they have electric heat. I went by the area earlier today and I saw that it is up on top of a ridge where it can be extremely windy. And we all know in the past couple of weeks about how that is. So if you have electric heat and you're in a house up there. It's higher up than Quarry Ridge, no protection, no trees near the houses. You're going to have a hell of a lot of wind, hell of a lot of snow and if you have electric heat in these houses the people that are struggling to buy these houses and to not, and pay their taxes and get their mortgages are going to find hundreds of dollars a month in the winter months. So, could you advise as to what at this point what kind of heating is required or is being suggested for these properties?

Moderator: Thank you, I'll ask Walter to answer directly.

Walter Whitney: We do have an architect who's working on that. They are or they will be energy star rated homes. They'll be very efficient. We have not determined what the heat source will be. They do have southern exposure so that we expect that we're going to maximize solar gain in every way that we can. I've been asked to be

very brief. I could go on, but unlike, you know, the existing housing stock, we're starting with a new envelope. It'll be an envelope which is built to be economical to heat.

Moderator: Thank you, I know there's a couple of hands left up here, but are we getting close to being ready to vote here?

Audience: Yes, yes.

Moderator: Alright, well, let me get the three more hands that are up. I'll start over in the back corner. We'll work over to the center there and then to John and then we'll see where we are.

Valerie Friedman: Valerie Friedman, West Morris Road. My question is since there are no volunteer fireman or emergency medical services people in the existing affordable housing, why should we anticipate that the Marbledale Meadows will attract people who we are trying to, you know, benefit from living in the community?

Male: Good question.

Walter Whitney: The answer is as Mark just said, there have been, and if any of you know Jean Hough, Jean lives in our Marbledale, excuse me in our New Preston Church Street property. I mean she's volunteered for everything there is. She's, she was one of the first EMTs. She was the school nurse when I went to Washington High School. She's one, but there are many and there have been many.

Moderator: Ok, um, ok, John?

John Millington: Hi, I'm John Millington and I live on Kinney Hill. There've been a lot of ... and I've looked at this project as a member of the Community Housing for some little time. And, I understand precisely what the Quarry Ridge folks are talking about. I understand what's occurring in my own countryside because there's a house going up right next to me. Do I care? Sure! Am I going to object and come here and say, "They haven't met every requirement?" No, because people deserve a chance to live in our community. So I'm saying to you all, the whole community ... what do we do if we don't do this? What happens to these ten locations that already have septics. They already have the diligence of electric. They have the driveway. They have everything. Just go bust? Or does some developer come in and say, "I'm going to put up a ... of houses that are going to cost \$110,000," and then you are going to have shacks. Thank you.

Audience: Clapping

Moderator: Thank you, alright, the third hand has lowered his hand so, I'm getting to the point where I'm not seeing hands and we're ready to move the question.

Male: Vote.

Moderator: ... vote? Ok, we'll take lady in the third row here. You're right here in the, yes, right there and then we'll go over here.

Female: Since the homes are limited ...

Moderator: Could you identify yourself and your street please?

Ms. Mathews: My name is Mathews, Quarry Ridge.

Moderator: Thank you.

Ms. Mathews: Since the homes are limited equity and the people who make a purchase are only owning home. They do not own the land. Who do they pay the leases to for the land?

Moderator: Thank you.

Walter Whitney: Same as at Quarry Ridge.

Moderator: Go ahead and answer that.

Walter Whitney: It's the same ownership as at Quarry Ridge condominium.

Moderator: Ok, question over here.

Audience: No, no, answer the question, that's not right.

Moderator: There seems to be some concern about the last issue?

Female: Yes.

Moderator: Are you satisfied with your answer?

Walter Whitney: Are you satisfied with my answer?

Ms. Mathews: Yes, you're leasing the land.

Moderator: Well, hold on, hold on. Forgive me, let's just finish this and then we'll come over to you. Thank you.

Ms. Mathews: Is the land going to be leased because the buyer only owns the house?

Multiple Voices: Whispers, inaudible.

Moderator: What, what, is the land going to be leased or is the Housing Trust just ... own it?

Walter Whitney: The land is going to be leased. The owner of the land is going to be an entity similar to the entity at Quarry Ridge. At Quarry Ridge the ownership entity is the homeowner's association. In this case, it's yet to be determined. It may be the Washington Community Housing Trust.

Ms. Mathews: And probably it will be. I, so they would pay the Trust, is that right?

Walter Whitney: There would, whatever the costs are for the taxes and for the maintenance.

Ms. Mathews No, no, not for the taxes! I'm talking only about leasing the land.

Walter Whitney: The lease ...

Ms. Mathews: The buyer, the buyer.

Walter Whitney: I understand your question. The lease payment on the land is going to be whatever the costs of ownership of the land are. There's not going to be any profit. In other words, if the taxes on the land, the taxes on the land are going to be the lease price for the land.

Moderator: Ok?

Ms. Mathews: So, that would include the tax and the leasing of the land?

Moderator: I think what he's trying to say is.

Ms. Mathews: The property tax and the leasing of the land.

Moderator: The leasing is simply a reflection of the cost of the land which is primarily the taxes. I think that's what he said. It's not two additive things. It's one thing representing the other. Um, Nick, cause you're over here, John, and then we'll go over to Wayne.

John Payne: John Payne, South Street, I move the original motion.

Audience: Yay! Clapping.

Moderator: Ok, before I ask for a second on this, just for the purposes of fairness. We did have a person who's hand was raised.

Audience: Yes.

Moderator: And, I did not get a chance to. He had the microphone actually in his hand and he didn't get a chance to speak. So John would you just gracefully withdraw for one more response and then make your motion? I would greatly appreciate that just in the spirit of fairness.

John Payne [Affirmative response.]

Moderator: Thank you.

Wayne Hileman: Thank you Mr. Moderator. Wayne Hileman, River Road. I'm actually the chair of the Washington Housing Commission. I have been taking a few notes here for people's comments and questions and I know there are a few things here that, I think, may be causing a bit of confusion and perhaps I can help clear the air a bit.

First of all, this whole issue of limited equity and exactly what it is and how it works. I think there's a little bit of. I think there's a lack of clarity here and I'd like to at least let you know a little bit more about how it works in the broad view, not specifically in the proposal before you tonight. Essentially, with limited equity, the homeowners own the dwelling, but they do not own the land that lies underneath it. That is typically leased to them, usually on a very long-term lease. The most extreme case would be a ninety-nine year lease for a dollar a year or something like that. The idea of limited equity is clearly a new thing for Washington because you're all asking about it and making other comments. But, I can assure you it is not a new idea. It is happening all over the nation and in fact it's happening a lot with our neighbors next door in Litchfield. The Litchfield Housing Trust, which is a private, not-for-profit organization much like the Washington Community Housing Trust, has been providing homeownership opportunities for their folks in Litchfield primarily through this very scenario. They find parcels, purchase them, built a small affordable house on it, sell that house to a local family or couple who's a teacher or fireman or town employee or whatever. The Trust maintains the ownership of that parcel and leases it to them on a long-term basis for a very low amount of money typically just enough to cover the property taxes. Sometimes less if that's what the family needs. And, for

those who say, "Why would anyone want to do this?" You should probably talk to the thirty odd families in Litchfield who are doing it right now, in fact. And, they have actually had cases where those houses have been resold to other families who qualify. So, the idea of worrying about whether the system works, it does work. We have evidence right next door if you choose to check it out.

There was another comment, I can't remember who, a concern that someone expressed about the fact that if the Trust does this with state funding that they would not be able to grant preference to Washington people. And, that that was a concern. And, the short answer to that question is that is absolutely true. You cannot give preference. You know, we have fair housing laws in this country. However, I would point out that the Trust has built affordable housing in the past in Washington. It's running three different properties right now. And although, this number changes from time to time with renters coming and going, the Housing Trust has been able to over time to consistently have about, I think, between 75% and 80% of it's renters be people with roots in Washington. You know, either they grew here or they work here or, you know, or their children live here. They have some sort of.

Female: These are not renting houses.

Wayne Hileman: No they are not and the Trust ...

Female: Inaudible.

Wayne Hileman: I didn't interrupt anybody, did I? Thank you. I've waited patiently. Now the Trust is finally trying after these years of providing rental opportunities to now try to provide homeownership opportunities. It's been a long haul for them and you can pick any one issue about this and hang your hat on it and say, "That's a deal breaker for me." Likewise you could be on the other side and pick any one issues and say, "I love this, you know, I'm going for it no matter what." What I would say since we're going to be closing debate here, is to look at the big picture. Now, you look at the big picture, the Trust pursued an opportunity and any, any affordable housing initiative is by it's very nature a target of opportunity. The Trust sees a parcel here. The development that I think everybody in this room would agree is literally in a state of arrested development. Ok, and if there's one thing that I've heard throughout this whole process, that is nobody likes what's there now. So do you want to give the Trust a chance to take a look at this and see if they can do better?

Audience: No

Wayne Hileman: Or, do you want to let it happen? Are you more content to have the attitude of better ... you know. Now, if that's what you want, then that's how you

vote, but the Trust has been after a homeownership for years. After they finished their apartments, the main criticism they were getting from the community is they wanted to see homeownership. They were tired of rentals. The Trust is finally after all these years coming to you with homeownership opportunity. I'm going to give them the chance of my vote tonight and I hope that all of you will too.

Moderator: Thank you.

Audience: Clapping

Moderator: Ok, now I want to go to John Payne's motion. John, do you want to make that motion? Alright, John Payne has made a motion to ...

John Payne: Same fellow, I move the motion.

Moderator: Ok, the motion has been moved. Is thee a second to that?

Audience: Second.

Wayne Hileman Second.

Moderator: Ok, Wayne Hileman has seconded. This means that debate is ended. If this motion passes, debate is ended and we will proceed immediately to the vote on the ultimate question. All in favor of moving the question and ending debate now, please say aye.

Audience: Aye, aye.

Moderator: Any opposed?

Audience: [None opposed.]

Moderator: Ok, the motion carries. Debate is ended. Please, just look at one me for one minute as you move to your corners. You're going to get a little piece of paper. Keep listening to me because I'm not done yet. I've got to read the motion again that you're voting on, just to make sure there's no confusion. Alright, the motion is:

To approve an expenditure of \$110,000.00 from the Town of Washington's Affordable Housing Fund to the Washington Community Housing Trust for predevelopment costs associated with the acquisition, development and implementation of Marbledale Meadows.

If you're in favor of that, you're going to say yes on this piece of paper. If you're against it, you're going to say no. Any questions? Go vote.

Audience: [Moves to ballot boxes]

Pause in recording.

Moderator: ... have you all voted?

Audience: No.

Pause in recording.

Moderator: ... and we will be adjourned. So we're all just waiting on the final countdown.

Pause in recording.

Moderator: Ok, could I have your attention please. I have the results. Thank you all of you who have stayed for staying to hear this. We had 220 ballots cast. 81 ayes, 139 nayes. 81 yesses, 139 noes adding up to a total of 220. 81 said yes supporting the motion. 139 said no rejecting the motion. So the motion does not carry and we are adjourned.

Adjournment: The meeting adjourned at 9:13 pm.

I, Sheila R. Silvernail, do hereby certify that the foregoing pages are true and accurate to the best of my ability of the Special Town Meeting of the Town of Washington held on Jan 7, 2010.

\_\_\_\_\_ Dated at Washington, CT this 9th day of Jan 2010.