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Sheila M. Carson
Town Clerk

Town of Washington Special Town Meeting

Bryan Memorial Town Hall, Washington Depot, CT
November 30, 2017 at 7:30 p.m.

Moderator: Hank Martin
Clerk: Mary Anne Greene
Transcriptionist: Sheila Silvernail

MINUTES, MOTIONS, DISCUSSION, VOTES

by Mary Anne Greene, Clerk

CALL to ORDER: Mark Lyon 7:30 p.m.

RESOLVED: To allow the sale of the Harry O. Erickson Pavilion Hall in New Preston, CT, by the Town of Washington, with an Historic Preservation Easement, by advertising for Requests for Proposals and Sealed Bids with the final terms of the purchase to be approved at a future Town Meeting.

Motion by: Mark Lyon
Second by: Ralph Averill.

Discussion: Ted Bent, 60 Hinkle Road
Ed White, 6 Parsonage Lane
Suzanne Cassano, 13 East Shore Road
Ralph Averill, 10 New Preston Hill Road
Frank Monteleone, 30 Cook Street
Kirsten Leon, 19 Bee Brook Road
Ted Bent, 60 Hinkle Road
Suzanne Cassano, 13 East Shore Road

Vote: Motion passed.

RESOLVED: To grant an easement to the owner(s), and future owner(s) of 13 River Road to allow continued use of Town property for septic fields.

Motion by: Mark Lyon
Second by: Dave Werkhoven.

Discussion: Susan Branson, 44 Flirtation Avenue
Ralph Averill, 10 New Preston Hill Road

Vote: Motion passed.

MOTION to ADJOURN: by Ralph Averill. Second by Michael Jackson. Motion passed.

MEETING TRANSCRIPTION

by Sheila Silvernail, Transcriptionist

MODERATOR: Thank you, Mark. Good evening. I would like to call this Special Town Meeting to order and ask the clerk to read the warning.

CLERK: Warning, Town Of Washington
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, November 30, 2017 at 7:30 p.m. at Bryan Memorial Town Hall, Washington Depot, Connecticut to consider and act upon the following:

1. To consider and act upon the sale of the Harry O. Erickson Hall Pavilion Hall in New Preston, Connecticut.
2. To consider and act upon the granting of an easement for 13 River Road to allow continued used of Town Property for septic fields.

Dated at Washington, Connecticut this 16th day of November, 2017
Mark E. Lyon, David Werkhoven, Jay Hubelbank
Board of Selectmen

MODERATOR: Thank you Mary Anne. The procedures are the same as usual. Are any here for their first town meeting in the Town of Washington? Let me explain what we do here. For each of the items in the warning, tonight there are two, there'll be a motion or resolution for that item. We'll ask for a second to the motion and then discussion of the subject. Then finally we'll vote on the motion and move onto the second item. In the discussion section after the motion has been explained, you'll have the opportunity to ask questions and make comments whether they be pro or con. Please raise your hand and I'll recognize you when we get to that point. When recognized, please state your name and street address even if you think we know you. The reason for this is for purposes of transcript of this meeting. So with that, on to the first item. Mark?

M. LYON: RESOLVED – to allow the sale of the Harry O. Erickson Pavilion Hall in New Preston, Connecticut, by the Town of Washington, with an Historic Preservation Easement, by advertising for Requests for Proposals and Sealed Bids with the final terms of the purchase to be approved at a future Town Meeting.

MODERATOR: Could I have a second to that motion.

R. AVERILL: Second.

M. LYON: Ralph Averill.

MODERATOR: Thank you, thank you, Ralph. Before we get into explanation of this, I want to underscore just one part of this resolution. This is a two-step process. It's not a one-step process. So tonight we're authorizing if you vote that way to enter into the process of selling the property, but the final approval of the sale of that property once the terms and conditions and price are known will have to come back to body again to get the final approval. That's why it's a two-step process. Mark, would you care to explain this subject and motion before we get into discussion?

M. LYON: This has been in the works for probably well over a year. We put in place an historic preservation easement so the exterior of the building will stay basically as it is now. It's a centerpiece for the village. It will allow somebody who purchases it to use the interior as they see fit. Any changes to the exterior would have to be reviewed and approved by the Historic District Commission. The building has been vacant for about three years. We have not been able to figure out a municipal use for the building. The building needs a fair amount of work. Estimates are anywhere from \$150,000 to \$500,000 for a complete restoration. There are limitations due to its lot size and its minimal septic capabilities. Due to the fact that we haven't come up with a municipal use for it nor the funds to repair it, the Property Committee and the Board of Selectmen felt it was best to offer it up for sale. It'll be sold. We're going to advertise it for probably three to four-week period and request proposals for its immediate future use along with a sealed bid. This will be advertised and we'll set a date probably about a month from now or right after the first of the year to open those bids and review the proposals.

MODERATOR: We're ready to get into the discussion period. I'm now recognizing hands. Yes sir? Wait for the microphone and remember to identify yourself please.

T. BENT: Ted Bent from 60 Hinkle Road. Mark, can you describe a bit about the parking that goes with this building and the ownership of the parking lot that's adjacent to it? Would the new owner own that parking and are there any easements for the neighbors who currently go passing through that parking lot?

M. LYON: The parking lot goes with the building. I believe we've not found any record of any formal easements, but there's one walkway that is from the neighboring property onto the parking lot that is currently gated by that neighbor, but it's still there. I know that's a concern by the neighbor because it does get used by some people that live behind the Pavilion Hall to go into the village, but the parking does go with the building.

T. BENT: Is there any intention to formalize the easement to that property currently enjoys?

M. LYON: It's something that came up within the last week, but I think it's something we would do when we negotiate the sale, put the easement in with that along with the historic easements that are already in place.

T. BENT: Thank you.

MODERATOR: Other questions, comments, other?

E. WHITE: Ed White, 6 Parsonage Lane. Just so Hank and I are happy from the ex-world of ZBA and Zoning, this building would be held under all town regulations for change of use, change of size, all the rest of it, all regulations?

M. LYON: Right, any changes to the building would have to go through our use permitting process.

MODERATOR: Do you have comment?

S. CASSANO: Suzanne Cassano, 13 East Shore Road. I'm just wondering is it zoned for commercial and residential use?

M. LYON: I would assume that it is zoned for commercial because it's in the commercial district of the village and I think residential because of the limitations of the septic system might be an issue.

S. CASSANO: And those limitations?

M. LYON: Because of the size and the capacity.

S. CASSANO: Yes, but if it was to be use commercially those limitations are not still there?

M. LYON: Yes.

S. CASSANO: Okay.

MODERATOR: Any other questions on this side? All the way to the back to Mr. Averill.

R. AVERILL: Ralph Averill, 10 New Preston Hill Road. Two questions, is there going to be a minimum acceptable bid in the proposal? Will there be a specific estimation if it is sold, into what town account would the funds be placed? Would it go into operating or into a capital account?

M. LYON: No minimum bid. We've had it appraised at \$200,000. I assume that if there was proposal that came in with a bid that was under that, it would be considered. At this point in time, the Board of Selectmen thought was to have the funds go into the capital reserve fund for some capital project in town.

R. AVERILL: Thank you.

MODERATOR: Yes sir?

F. MONTELEONE: Frank Monteleone, 30 Cook Street. I grew up across the street from that in the white house. What happens to traffic, this is all the residential parking? Use of that parking space is essential to the town.

M. LYON: That parking lot would be of the owner of the building.

F. MONTELEONE: So then we a traffic problem?

M. LYON: Well, probably a six-car one compared to what we have now.

F. MONTELEONE: And the adjoining neighbor would have access through there for the walkway?

M. LYON: Yes, they would. That came up within the last week and we would protect that walkway easement when we put together the final documents because there's no formal easement at this point.

F. MONTELEONE: Okay, so [inaudible].

MODERATOR: Can you all hear him?

AUDIENCE: No.

F. MONTELEONE: For septic system to a well, the town code is a hundred feet, right?

M. LYON: If you say so.

F. MONTELEONE: I know we're about ninety-six, ninety-seven feet right now to 19 East Shore Road. So how would you prepare when it's not within town regulations?

M. LYON: All I know was it was a small system that was permitted to be put in. I don't know how that works.

F. MONTELEONE: So that law has to be checked before the town puts it up for sale, correct?

M. LYON: We can look into it, yes. It could very well be that it was pre-existing.

F. MONTELEONE: Thank you.

MODERATOR: In the front row.

K. LEON: Kirsten Leon, 19 Bee Brook Road. You mentioned that the bids would be sealed? Are the proposals sealed as well or would the proposals be public?

M. LYON: They would be sealed and public once they're opened.

K. LEON: All of them once they're opened?

M. LYON: Yes.

K. LEON: Who decides? Is it purely based on the finances or is it based on the proposal conditions?

M. LYON: It's a combination of considerations. One of the reasons for the historic preservation easement was to protect this landmark building in the center of New Preston. We would continue that goal with reviewing the proposals.

K. LEON: Thank you.

MODERATOR: Other questions on this side? Comments? Any questions anywhere in the room?

T. BENT: Ted Bent from 60 Hinkle Road. Is the town going to make any provision for any parking that will be lost?

M. LYON: We don't have anywhere within the village to make a provision.

T. BENT: Is it possible to sell the building without the parking, without the lot so the town could continue? I have the impression that the local businesses depend on that parking.

M. LYON: Right, and hopefully if there's a local business that into the building, that will allow the parking to continue.

T. BENT: In the event that it was sold as a residential property there's no provision for additional parking for the town if the new owner chose to close the lot?

M. LYON: Correct.

T. BENT: Thank you.

S. CASSANO: Suzanne Cassano, 13 East Shore Road. To the point of parking, I would argue that the people park properly. The lot accommodates probably eight cars and there's probably three to four times turnover in the course of any day, especially weekends. So we lose more like twenty-four to thirty spots, not just six. So we are very dependent upon that parking.

MODERATOR: Any other questions, comments, concerns? Are we ready to vote? Okay, let me read it again to you.

RESOLVED – to allow the sale of the Harry O. Erickson Pavilion Hall in New Preston, Connecticut, by the Town of Washington, with an Historic Preservation Easement, by advertising for Requests for Proposals and Sealed Bids with the final terms of the purchase to be approved at a future Town Meeting.

All in favor of that motion, please say aye.

AUDIENCE: Aye.

MODERATOR: Any opposed.

AUDIENCE: Nay.

MODERATOR: It looks like three opposed. The motion carries. Thank you very much.

FEMALE: I have a question.

MODERATOR: I'm going to allow it even though we voted.

FEMALE: On the parking issue, couldn't it be sold as half the parking, but let a few spaces or so? And then why would they have to make a whole [inaudible].

MODERATOR: My own personal view is that all these things that we've been talking about tonight need to get resolved through the process of talking to potential buyers and figuring out what they want and what we want and working out a deal. These are all things that you'll have a chance to weigh in on when that deal is made. We're being speculative and proactive, but hypothetical too in what may come from now to potentially interested parties.

Okay, on to the second motion. Mark?

M. LYON: RESOLVED -- to grant an easement to the owner(s), and future owner(s) of 13 River Road to allow continued use of Town property for septic fields.

MODERATOR: Could I have a second to that motion?

D. WERKHOVEN: Second.

MODERATOR: Mark, would you explain this one to us please?

M. LYON: This came about through a process where there's been septic fields under the town parking lot between the pizza parlor and the road. They've been there for as long as anybody can remember. The last recorded activity there was in 1972 when they put in a thousand-gallon septic tank on the building owner's property. In 1980 the fields were put in and in 1982 a grease trap was put in. This has been a long-time use of the town property by that building owner. It was probably a handshake agreement at one time. In this day and age, with the property on the market the owner felt it would be best to get a formal easement for potential buyers would have septic fields available. This was reviewed by the Planning Commission which approved it. I look at it as we are formalizing what was once a handshake agreement.

MODERATOR: We're into discussion period. I'm happy to recognize hands for question or comment.

S. BRANSON: Susan Branson, 44 Flirtation Avenue. Is there documentation in place regarding this easement and is it in the handouts here?

M. LYON: There was a map with the handout. There is documentation in the health office of the history of work that has been done on the town property. As well as that map which shows the dark outline is the building and then the galleys out front are shown on that map.

S. BRANSON: My concern is going forward a septic system failure of some kind. Are there provisions for that? Is the town insured in some way? How does it work?

M. LYON: I got a very detailed explanation from Suzanne Von Holt our Health Department Officer. The responsibility for the septic system goes with the building owner, not with the land owner especially now if there's a formal easement that states that. Also, if there's a failure and the owner walks away or doesn't address it, they get a citation from our Health Department. If they choose to ignore that, it goes to the State Health Department and will end up in court if they refuse to address the issues. If it was a failing system, the place would be shut down prior to that process.

S. BRANSON: And the town protected at all times?

M. LYON: Yes.

MODERATOR: Any other questions, comments?

R. AVERILL: Ralph Averill, 10 New Preston Hill Road. It seems to me that if it's okay for town property to be used for parking to promote an individual business, that it is just as okay for that same parcel of land to be used for a septic leech field to promote an individual business given the stipulation that the owner is responsible for any issues arising for that septic field. Thank you.

MODERATOR: Thank you. Other questions, comments? Are we ready to vote? The motion we're voting on which has been seconded is:

RESOLVED -- to grant an easement to the owner(s), and future owner(s) of 13 River Road to allow continued use of Town property for septic fields.

All in favor please say aye.

AUDIENCE: Aye.

MODERATOR: Any opposed?

AUDIENCE: [silence]

MODERATOR: Motion carries unanimously. Thank you very much. Could I have a motion for adjournment please?

R. AVERILL: Move to adjourn.

M. JACKSON: So moved.

AUDIENCE: [unanimous approval]

MODERATOR: We are adjourned, thank you.

I, Sheila Silvernail, certify to the best of my ability the foregoing is a true and accurate transcript of the Town of Washington's Special Town Meeting on November 30, 2017.

Sheila Silvernail Dated at Washington, CT this 1st day of December 2017.