

## **MINUTES**

### **LAND PRESERVATION COMMITTEE**

**Meeting of January 13, 2004**

**7:00 p.m.**

**Town Hall Conference Room**

**1) Call to Order**

The meeting was called to order by Chairman Frederick Augur at 7:09 p.m.

Members Present: Frederick Augur, Donald Fucci, Edmund Pantani, Al Rose and Vincent Candelora (arrived at 7:15 p.m.)

Members Absent: Tom Smith

Also Present: Town Planner Carol Zebb, and Town Manager Karl Kilduff (arrived at 7:25 p.m.)

**2) Adoption of Minutes of Meeting of August 13, 2003**

The adoption of the Minutes of the meeting of August 13, 2003 was tabled to the next monthly meeting, as there were not enough eligible voting members present at this meeting.

**3) Conservation Easement of Panko Property**

Carol Zebb reported that everything has been reviewed by the Attorney General's Office and they are processing a check, which should be received soon. Also, the Regional Water Authority paperwork has been finalized, and a check in the amount of \$197,000 was received last week. All easements have now been resolved.

**4) Discussion and Action re: New Property Owners**

There was nothing to report on at this meeting.

**5) Approval of Yearly Meeting Schedule 2004**

Carol Zebb presented a completed Schedule of Meetings – 2004 to the members. With the exception of two dates, all meetings will take place on the second Tuesday of each month. In August and in December, the meeting will take place on the second Wednesday of the month. This deviation is to accommodate the schedule of our Town Council Representative's meeting

dates of the Town Council. Lastly, it is required that the February 10, 2004 meeting be a special meeting, due to the 30 day posting requirement not having been met. Fred Augur made a Motion to approve the Schedule of Meetings – 2004. Edmund Pantani seconded the Motion; all were in favor, none opposed, and the Motion was passed.

**6) Discussion and Action on Possible Land Acquisition of Hyland Family Property**

Carol Zebb presented to the members and read into the record a Memorandum from Town Manager Karl Kilduff to the Members of this Committee dated January 13, 2004 regarding acquisition of the former Hyland Property at the corner of Mill and Forest Roads. Attached to this Memo was the figures for a Bargain Sale to the Town, and a Financing Model and Assumptions for Acquisition. A discussion ensued and concerns were expressed regarding the purchase price, and for the restrictions that may be placed by the conservation easement from the 2.26 acre easement sale to the Regional Water Authority. A suggestion was made to forego the \$39,000 from the RWA and not sell the acreage to them to prevent any restrictions on the land. Karl Kilduff joined the meeting at this time, and the following two questions were presented to him. What would be the extent of the RWA's involvement; what would be their restrictions? Mr. Kilduff stated that they want to be a finance partner, and they were, in fact, the entity that advised the Town that the property had been listed with the MLS for sale. Their conservation easement language will be flexible, including allowing and granting active recreation usage on the site. The 2.26 acreage will give the Town latitude for other uses such as a concession stand, bleachers, a storage shed, etc. The members then asked if it is such a small sum of money (\$39,000), why even be encumbered by the easement? Mr. Kilduff answered that he would like to acquire it through resources – including the Town's basic liquidation of the Open Space Trust Fund, and a Board of Education budget transfer. A suggestion was made to offer the seller \$39,000 less than the current offer, and Mr. Kilduff advised the members that there were six other proposals to the sellers. Our leverage was via a bargain sale (sale to a Town.) There was then a short discussion regarding the appeal of that property for developers, such as no existing infrastructure, it being a flat piece, and that lots could be easily carved out with frontage for pre-fab development.

a) Schedule of Public Hearing. Vincent Candelora made a Motion to schedule a public hearing for the Town's acquisition of the Hyland Family property for open space/recreation land on Tuesday, February 10, 2004 at 7:00 p.m. Al Rose seconded said Motion. All were in favor, none opposed, and the Motion passed. The Committee's regular (special) meeting will follow the public hearing. The Committee members requested of Karl Kilduff a "push" of the easement language from the Regional Water Authority in hopes of it being presented at that meeting, as they would like to review what latitude the RWA will be giving.

b) Approval of Resolution to Town Council. Carol Zebb distributed a Draft Resolution on Open Space Trust Fund Expenditures Involving Hyland Land Acquisition. This document is a recommendation from this Committee to the Town Council for the payment of expenditures from the Open Space Trust Fund of \$286,150 for the land acquisition, and of \$1,800 for a Phase One Environmental Study to be performed on the property. After discussion, at this time, the Committee members prefer to approve only the portion of the draft that refers to the Phase One Environmental Study, and not the portion pertaining to the purchase. Al Rose made a Motion that the payment of the following expenditure be recommended to the Town Council to be taken

from the Town of North Branford's Open Space Trust Fund: \$1,800 for a Phase One Environmental Study for the Town acquisition of 15.26 acres of the Hyland property, now or formerly owned by Marjorie H. Luttig Trust and the Estate of Clarence D. Hyland, Joint Tenancy, for open space/recreation use, located at 88 Forest Road, Northford, Assessor Map 36 Lot 15, at the northwest corner of Mill Road and Forest Road. Edmund Pantani seconded said Motion; all were in favor and none were opposed. The Motion passed. The recommendation of the expenditure of \$286,150 for land acquisition will be tabled to the next scheduled meeting.

**7) Proposed Budget for Fiscal Year 2004-2005**

Carol Zebb presented a copy of the previous Annual Budget for 2003-2004 for this Committee. She suggested that the 2004-2005 budget remain the same. Town Manager Karl Kilduff informed the members that the \$4,000 in Contractual Services would cover any expense for any future appraisals that may be needed. Fred Augur made a Motion to adopt the Annual Budget 2004-2005 as presented. Al Rose seconded the Motion; all were in favor and none opposed. The Motion was passed.

**8) Other Business**

Carol Zebb questioned whether the Committee wants to maintain the same slate of officers, and the members were in agreement that it would remain the same. Town Council Representative Joan Fitch has been replaced by Donald J. Fucci, II.

**9) Adjourn to Executive Session re: Real Estate, Pursuant to CGS §1-200(6)(D)**

There was no adjournment to Executive Session at this meeting.

**10) Adjournment**

A motion was made by Vincent Candelora to adjourn the meeting at 8:18 p.m. Al Rose seconded the motion. All were in favor and the motion passed. The next regularly scheduled meeting is a special meeting with a public hearing on February 10, 2004 at 7:00 p.m.

Respectfully Submitted by

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Jeanette M. Marshall, Clerk