

**Town of Woodbury  
281 Main Street South  
Woodbury, CT 06798**

**Woodbury Board of Selectmen  
SPECIAL MEETING MINUTES  
March 25, 2015, 7:00 pm  
Senior Community Center**

**Members Attending:**

B. Butterly, M. Overton, B. Perkinson

Also: Members of the Woodbury Reservoir Property Task Force, Town Attorney Paul Jessell, members of the public.

The meeting was called to order by First Selectman Butterly at 7:01 pm. Quorum was established.

After the pledge of allegiance, First Selectman Butterly explained that this is an informal public input meeting to discuss purchasing from Aquarion Water Company a property known as the Reservoir Property. The last informational meeting held by the Task Force was held prior to disclosure of the final negotiated price of the property. First Selectman Butterly introduced Joel Serota, Chair of the Task Force, to begin an informational presentation.

J. Serota, Chair of the Task Force, introduced the Task Force members.

A. Milnor, Director of Flanders Nature Center and Land Trust, gave an overview of the property, its assets and its configuration. The property consists of two parcels that total 248 acres. The assets include size, connectivity with other open space, water protection, natural habitats, flora and fauna, educational opportunities, historical significance, recreational opportunities, contribution to the look and feel of the community, and possible economic benefits.

J. Serota spoke about the reasons for purchasing the property, which has been in the Town's Plan of Conservation and Development as a highest priority for protection for over sixty years. Protecting this piece would bring the Town open space up to 16%, with the State goal being 20%. J. Serota explained how the Task Force had proceeded up to this point after Aquarion declassified the property and offered it for sale to the Town. The Task Force acquired appraisals, reconciled appraisals after an A-2 survey, met with DEEP regarding grant funding, secured a report from an Environmental Review Team, sponsored public hikes, spoke to State representatives and stakeholders, produced an informational flyer and held public informational meetings.

First Selectman Butterly explained the negotiation process that arrived at an offer price of 2.85 million dollars. A Memorandum of Understanding has been signed between the

Town and Aquarion for the purchase, subject to a minimum of 50% DEEP grant funding (of appraised value). He also explained that the purchase was approved by the Council of Governments, and he explained that an alternate method of acquiring the property (suggested at a COG meeting) that could have resulted in a lower price to the Town in exchange for future tax benefits, was not feasible for Aquarion at this time due to various regulatory situations. First Selectman Butterly added that the Town also negotiated a fifty thousand dollar contribution to stewardship of the property to be made by Aquarion at closing.

D. Fuller, former Vice-Chair of the Board of Finance, gave a financial overview. She noted that a Town Meeting will eventually take place, which will be adjourned to referendum, at which time the public will be asked to vote on whether they wish to spend the full amount of money to acquire the property, with the condition that a minimum amount of grant money is received. If approved, the Board of Finance will make a determination of the structure of funding sources, including grant, possible bonding, open space funds and private donations. She explained that the maximum amount if the entire purchase were bonded over 20 years at 3% for a home valued at \$300,000 the annual tax amount would be about \$60 per year. With a DEEP grant of 1.56 million dollars, and open space/private funds to bring the bonding to \$1 million dollars, the same taxpayer cost would be about \$21 per year.

A. Milnor spoke about the stewardship process and costs. Flanders is offering to get the process started by getting a collaborative committee together to document assets and possible uses, develop a management plan, and implement the plan with volunteers, raise stewardship funds and eventually expand the stewardship plans to other parks. He explained that he would recommend spending part of the funds given by Aquarion for initial safety and signage, and then developing a budget for annual operating costs that would use the remaining stewardship money and privately raised funds to create an operating endowment.

First Selectman Butterly invited public questions and comments.

#### Summary of Questions/Comments-

L. Lebl - Is there a time frame on the grant, and will current State financial problems impact the grant, and will the decision be made to purchase prior to the grant announcement? Mr. Butterly answered that the application was already submitted by the Town Planner, and the grant amount should be available as it was already bonded by the State. The MOU (and the wording of the vote) will provide for cancelling the purchase if a minimum grant amount is not received.

M. Finell – What happens to the property if the purchase is voted down? Mr. Overton replied that the property is currently under OS100 zoning, so development would depend on the layout of the land and the 4 acre lot limit. Mr. Butterly added that Aquarion's appraiser estimated 29 homes could be built on the property. M. Fenell added that costs of roads, infrastructure and school costs should be considered if the parcel was developed as opposed to preserved.

S. Murphy – Objection to calling this expenditure an investment. Are there any estimated costs for developing the property? Mr. Butterly replied there were not. Will there be a referendum? Mr. Butterly replied yes. Objection to grant from State as it is still taxpayer funds. What will actual costs be in the future? Mr. Butterly replied that it would depend on the uses. Will there be any banned activities? V. Mason replied that the State does not allow motorized vehicles as a condition of the grant.

J. Lacadie (Task Force member) – Mr. Lacadie offered more information about the dam on the property which was questioned at the last informational meeting. Mr. Lacadie had an answer from the State that said the upper dam is breached, so there is no future liability to maintain it and no inspection requirements. The lower dam is listed as AA hazard level, which means there is negligible hazard and no further inspection or liability cost is required.

L. Rand – Will Aquarion be required to clean up the property before transfer? She has seen some large trash areas behind the reservoir. Mr. Butterly said he will look into this.

D. Leavenworth (Chair of Conservation Commission, member of Task Force) – Explained history of water companies owning the property and the water flow patterns from the property to the aquifer. He noted that people have asked if the Town would provide its own water, and the answer is no, Aquarion will remain the supplier for Woodbury. He noted that protecting the property protects and enhances the water supply and quality.

B. Ware (sp?) – Recommended having monitoring, as trash will collect on any property.

E. Smith – Will this be used as a reservoir? Mr. Butterly replied no, it has been declassified as a water source. There is a tank on contiguous Town property for which Aquarion has an easement, and this provides for water pressure in the system. Will there be water company restrictions on the property? Mr. Butterly replied that the only request was for no horses. Are the downtown fire hydrants adequate? Mr. Leavenworth replied yes, mostly due to an increase several years ago in the size of the mains. Will grant money be available; the website says no more grant applications are being accepted. V. Mason said the grant process closed on March 1, but Woodbury got the application in before the deadline. Can wetland setbacks be enforced? Mr. Butterly said yes, as per all Town zoning regulations. Can the public have an idea how much is received from the grant before voting? Mr. Butterly replied that the Town needs to give Aquarion an idea if we are willing buyers, but the MOU and vote wording will allow for cancelling the deal if less than 50% of the appraised value is received in grant funding.

B. Bailey – Noted that the trail already there is a trolley bed, so it is good for less mobile residents.

S. Murphy – Requested the purchase not be made, objects to borrowing money for open space.

J. Well – Disagreed that this is not an investment. Noted that subdivisions “eat”, open space does not. Said that getting money back from State in form of grant is positive. As a real estate agent, believes this is a valuable property that the Town would be crazy not to purchase.

E. Reed – Spoke in favor of purchase as it fits in with values of the Towns character, beauty and history.

P. Jessell – Explained that there is a limitation on public funds being used to promote a yes vote once the referendum has been set.

J. Serota - Spoke about the responsibility to future generations to preserve precious lands. Encouraged residents to vote so all can be heard.

K. Doyle – Asked about the upcoming process. P. Jessell answered that the MOU is signed, then there will be a draft purchase/sale agreement with Aquarion, then bond counsel will draft a resolution to go to Town Meeting and then to referendum. After this, Board of Finance will determine funding structure. Wording at referendum will anticipate the reduction in required bonding based on the grant possibility.

S. Murphy – Clarified comments on cost of roads, saying the issue is whether development would even be possible. Also stated that number of children in town is going down due to high taxes. Stated that although this may be a good property, this spending can not continue. Mr. Butterly noted that the appraisal value by Aquarion was based on the property being developed. Attorney Jessell added that an engineer was employed to make those evaluations for the appraisal.

M. Overton moved to adjourn.  
Seconded by B. Butterly.

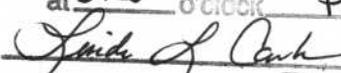
The meeting was adjourned at 8:30 pm.

Respectfully Submitted,



Linda G. Kaelin, Clerk

RECEIVED & FILED  
IN WOODBURY, CT

This 30<sup>th</sup> day of March 2015  
at 3:20 o'clock P M  
  
Town Clerk