

THESE MINUTES ARE SUBJECT TO APPROVAL AT THE NEXT BOF MEETING

TOWN OF CHESTER, CONNECICUT
Board of Finance
SPECIAL Meeting
Monday December 10, 2018 at 8:00 am
Downstairs Conference Table
Chester, Connecticut

CALL TO ORDER

Virginia Carmany called the meeting to order at 8:15 am. In attendance included: Virginia Carmany, Chairman, Richard Nygard, Jon Joslow, Charlie Park, and Richard Strauss (seated for David Cohen) and Michael Joplin seated for Jennifer Rannestad). John O'Hare was in attendance but not seated as a voting member.

Also in attendance was Selectwoman, Lauren Gister, James Grzybowski, Selectman, Charlene Janecek, Selectwoman.

And some Chester citizens.

NEW BUSINESS:

- Consideration regarding the real-estate transaction of 33 Liberty Street, Chester, CT

Initial discussion centered on risks of the Town should the Town subsequently buy this property for a dollar. The most important items of the discussion are below:

Joslow asked for some details around environmental liability and financial risks the town might incur regarding this proposed transaction.

Gister will provide documentation from DEEP regarding remediation for some environmental issues that had been attended to from the early 1990's involving the removal of soil from the basement of the building and the surrounding land and recommendation for next steps regarding some concerns for the inside of the building. (specific documentation is available at Town Hall.)

Gister went on to discuss the overall liability and a liability waiver for this property, additionally a grant writer for brownfield remediation will be engaged to find out what is necessary for moving forward, timing of when a grant can be written and submitted. She noted the Town engineers were involved in the 1990's with the owner and will be looking for that historic documentation regarding remediation done and is now helping to find an environmental attorney to address some of the other issues.

Joslow continued with other questions regarding liability.

Grzybowski interrupted with a concern that the meeting was not properly noticed and documentation seemed to indicate the meeting was for Dec. 16th. It was determined that though the initial agenda had a misstated date, that it had been subsequently corrected, the posting on the Town website and at Town Hall were proper.

Joslow voiced concern regarding what the risks are for the Town if we proceed and when we will be able to get our arms around what the risks are. Gister responded hopefully some time before closing though most likely after it goes to Town Meeting.

Worst case scenarios were discussed a bit but most issues cannot be addressed within the short time period. However, it was requested we spend some money in the next couple of weeks to hire an outside firm to give some direction concerning the status of the building regarding environmental risks/remediation that had been done and might be needed which might provide some comfort level regarding the current status of the building and potential remediation.

Carmany asked if there were any structural issues?

Gister responded there has not been any recent structural analysis but in talking with some engineers she had gotten the response that this building is solid.

Another question is the zoning of this building.

What if we don't get grant money, time risks...

Gister responded that costs should not be incurred for a structural or environmental analysis until the best use and qualified developers have been put in place.

Joplin indicated based on his professional experience and personal assessments over the years that any problems most likely will not be structural though if any exist they would be small and easily fixed for an estimated cost of not more than \$30-40k. The fact that this building has been through Phase 1 and 2 of an environmental review by DEEP is a good sign. He also recommended an outside environmental firm be brought in for a consultation regarding the environmental issues and that this could most likely be accomplished over the next few weeks.

Gister indicated she was getting additional information from the Town Engineers regarding legal environmental issues. She went on to say that she is not envisioning that the Town become property managers or developers, but was looking to move forward because she feels this is an opportunity to have some control and oversight on how this building can be brought back on line for the greater good of the Town for a property that has been problematic for 20-30 years.

She indicated there are some zoning statutes that give the Town some leeway that a developer would not have access to: as in 830 G State Statute that would allow the town to move forward if housing became the end goal.

Joplin indicated that there would be less of any zoning issues if the property became art studios and gallery spaces. It was countered that this might not increase the assessment of the building to same extent residential housing might.

Additional zoning ideas were explored.

Joslow asked how this project relates to the POCD?

Gister responded that the POCD will incorporate language that will allow for more flexibility regarding buildings like this to be utilized.

Joslow also asked if there was any need to securing the building from vandalism? Gister indicated that this was already being looked in to.

Strauss asked what happens if we don't do this deal? Gister responded that the building might get sold to a developer that might not work with the Town in a way that would be good for the town, the sellers might sell to the previous owner or someone else that might not do anything with the building but continue it's use in the same way it's been for the last 10 years. She indicated that though several parties have come with ideas to the Planning and Zoning, it is her opinion that the selling price at nearly \$600K has been a deterrent.

AUDIENCE OF CITIZENS:

Susan Wright chair of Economic Development and a citizen indicated her support for the Project and her concern for costs that could be incurred if the project is not managed properly. Unfortunately, her specific comments were not picked up by the tape.

Joe Cohen: indicated that he thought the rush to get this done violated the FOI statutes regarding proper notification to the taxpayers if not fully at least in spirit. He indicated he felt the BoS and the BoF did not have the financial or building expertise to address all the issues associated this building and project. He stated that since several developers had looked at the project and walked away that it was a massive red flag and should not be approved.

Carmany read the motion:

- *Authorize the First Selectwoman, Lauren S. Gister on behalf of the Town, to execute necessary documents to purchase the property located at 33 Liberty Street in Chester for the purchase price of One dollar on or before December 31, 2018 contingent upon consultation with an environmental attorney to provide an evaluation to the town for town meeting inclusion. A letter to be sent to all Chester households for the maximum transparency and information to include history of property, analysis of opportunities, risks and reasons for short notice and timing of Town Meeting.*

Motion made by Charlie Park, seconded by Michael Joplin.

All voting members of the Board of Finance seated at this meeting voted yes: Virginia Carmany, Richard Nygard, Jon Joslow, Charlie Park, Richard Strauss and Michael Joplin.

ADJOURNMENT

- *Jon Joslow made a motion to adjourn the meeting at 9:03 am. Michael Joplin seconded the motion. The motion passed unanimously.*

Respectfully Submitted,

Virginia Carmany, Board of Finance Chair