

WESTBROOK BOARD OF SELECTMEN
SPECIAL MEETING
January 30, 2014
Mulvey Municipal Center
North Conference Room
Westbrook, Connecticut

CALL TO ORDER

First Selectman Bishop called the meeting to order at 6:00 p.m. Those in attendance included: First Selectman Bishop, Selectman Hall, Selectman Ehlert, Andrew Urban, Director of Finance, Kim Bratz, Tax Collector, Ed Cassella, HOPE, Lauren Ashe, HOPE, Meg Parulis, Planner, Joel Maynard, and Jim Crawford, EDC.

Since the discussion on the Cusson property has many significant components, the following minutes reflect all of the salient points made by individuals regarding the Cusson property.

DISCUSSION ON STATUS OF CUSSON PROPERTY

At the 1/23/14 BOS meeting, representatives from Woodard & Curran presented remediation options for 88 Pond Meadow Road and 17 Willard Ave. The next step in the process is to gather more data on the environmental issues at the site to determine a range of clean up costs. The costs associated with additional data collection and evaluation is \$22,000 to \$27,000.

Ms. Parulis, reported that if the Town were to authorize additional testing on the site, permission from the property owner (Mr. Cusson) is required. Mr. Cusson will grant permission for additional testing only if the Town commits to pursuing the HOPE Partnership Affordable Housing concept for the site. He would also consider granting permission if the Town had a different plan to present for use of the property; although a use similar to what he wanted to do there may not be acceptable.

Ms. Parulis reported that prior to HOPE's interest in the site the Plan of Conservation and Development identified that site as an opportunity for housing. Zoning has also discussed incentive housing on the property. Brainstorming sessions for possible uses of property in 2010 identified uses including light commercial storage, self storage for cars, a park, open space, rec./athletic fields and a community center.

Any opportunities/grants for funding assessment and clean up of the property require that an end use of the site be identified. It is difficult to obtain funds without an end use. Ms. Parulis was aware of \$20,000 obtained from the State through adopting the Incentive Housing Zone. Also, HOPE may take advantage of a \$10,000 to \$15,000 grant opportunity although this would require considerable more discussion and clarification from HOPE before any commitment can be made for the project.

The conceptual plans for the property developed by HOPE were available at the meeting. These plans included housing and an area for possible municipal use. There is potential for some remedial (clean-up) funds that are available to municipalities, although this is highly dependent upon funding from the State. If remediation funds are not available and it is not financially viable to pursue housing on the property, the Town has the option of taking no further action on the property at this time. Ms. Parulis continued that HOPE's project may have the potential Brownfields and Housing funding.

Mr. Ehlert commented that the options for the property include: a partnership with HOPE, the Town can develop another plan for the property, foreclose on the property, or do nothing.

There was discussion on the condition and tax status of other affordable housing options in Westbrook.

Ms. Ashe, HOPE, reported that the Town would have no responsibility for collecting rent, maintenance of the units etc. if they assumed responsibility for the project. HOPE owns the Ferry Landing units in Old Saybrook through and LLC and the Town of Old Saybrook receives approximately \$10,000 per year in taxes. The Ferry Landing units are maintained through a Management Company on behalf of HOPE.

Mr. Crawford, Chairman EDC, reported on the importance of the availability of "workforce housing". Affordable housing is an important step for many individuals to live in Westbrook.

Ms. Parulis provided a proposed plan, provided by HOPE, for the site. This proposal included a municipal use for the facility. Ms. Ashe commented that the Ferry Landing site has a municipal soccer field on it and this field has been well received by the community.

HOPE received a \$5,000 grant from the Westbrook Foundation for a feasibility study on this site. Also, funds from the Affordable Housing Academy may be available; however these funds must be applied for before mid-February. The HOPE agreement with Mr. Cusson on the Willard Ave. property has expired. Mr. Cusson was not interested in extending this agreement unless the Town is "on board" with the HOPE project. HOPE is not in a position to purchase the Willard Ave. property unless the Pond Meadow property is cleaned-up.

There was discussion on the tax status of the property. Mr. Hall commented that the Town allowed Mr. Cusson to split the valuable land off. Ms. Parulis reported on the protocol for the sub-division of the lot. Legally, there was no option but to allow Mr. Cusson to split the property. The properties were separate by deed. Mr. Cassella reported that he conveyed everything under Cusson Properties LLC. One legal parcel was conveyed to him and the LLC was left with nothing in it.

Mr. Hall expressed concern that the Town has expended considerable funds for the Phase 3 on this site yet we are still unable to determine clean up costs. He had additional concerns regarding possible ground water pollution on the property. He was interested in obtaining assurances from HOPE and or federal backing, similar to the Safe Harbor units. He continued that perhaps HOPE should invest more funds into the project. Mr. Cassella reported that HOPE will be an active participant in pursuing grants for feasibility and clean up of the property. Grants may be available for HOPE's plan for an end use of the property. Mr. Hall suggested that HOPE purchase the property. Mr. Cassella, Attorney and HOPE Board Member, responded that the Town may be in a position to take the property for back taxes. Mr. Hall expressed concern that if the Town takes the property but does not receive grants for clean-up, the Town will be "on the hook" for clean-up costs. Ms. Parulis reported that the Town must own the property to be eligible for some of the grants.

Mr. Ehlert clarified that if the town spends the additional \$27,000 for testing, review of this additional data will determine clean-up costs of the property. When final clean-up costs are determined, the Town can make a decision on the site. He supports a municipal use of the property.

Mr. Hall reported that he will not vote to take the land unless the clean-up costs will be covered with funds outside of tax dollars.

Ms. Ashe reported that there are never any guarantees on receiving grants. There is always an element of risk.

Ms. Parulis reported that she has never received confirmation that if the Town were to take the property, they must clean it or can the property can remain as is.

Ms. Parulis suggested that a consultant be contacted if/when the Town "takes" the property for back taxes.

Mr. Ehlert suggested that the Board obtain input from residents regarding the authorization of an additional \$27,000 for the site. Mr. Bishop responded that such an expenditure would require a Town Meeting. Residents may not favor the Town forgiving the taxes on the property if the Town were to take the property for back taxes.

Accordingly, as a next step, Mr. Bishop was asked to arrange a meeting with Mr. Cusson, Meg Parulis, and Joel Maynard to see if Mr. Cusson will allow the Town and Woodard & Curran to go onto his property to conduct additional testing if there is no commitment that the Town will proceed with HOPE's proposal and report back to the BOS.

Mr. Bishop made a motion to adjourn the meeting at 7:36 p.m. Mr. Hall seconded the motion. The motion passed unanimously.

Respectfully Submitted,

Attest,

Suzanne Helchowski
Administrative Assistant

Noel Bishop
First Selectman