

TOWN OF WESTON
WARNING OF SPECIAL TOWN MEETING
THURSDAY, JANUARY 9, 2003

The voters of the Town of Weston, Connecticut, are hereby warned and notified that a Special Town Meeting of the Town of Weston will be held in the Weston High School Auditorium, School Road, Weston, Connecticut, on Thursday, January 9, 2003 at 8:00 P.M. The Board of Selectmen has nominated Richard Troxell to serve as Moderator and Susan Moch to serve as Alternate Moderator at the Special Town Meeting.

ITEM 1. To consider and vote on a Resolution:

(a) To purchase approximately 85.8 acres of undeveloped land located at the end of Upper Parish Drive, Weston, Connecticut (the "Weston Property"), pursuant to a Contract of Sale of Real Estate (the "Agreement") between the Town of Weston, the Town of Wilton and the Aspetuck Land Trust (collectively, the "Buyers"), and Howard Fromson and David Strassler (collectively, the "Sellers");

(b) To appropriate \$2,250,000 for the purchase price of the Weston Property, including professional fees, legal fees, interest expense on temporary borrowings, financing costs and other costs related to the purchase;

(c) To finance said appropriation by issuing the Town's bonds, notes or temporary notes in an amount not to exceed \$2,250,000;

(d) To authorize the Board of Finance to determine the terms, conditions and other details of the bonds or notes, and to authorize the Board of Selectmen and Treasurer to make such determinations for the temporary notes;

(e) To declare the Town's official intent under applicable Internal Revenue Service Regulations that the purchase costs may be paid from temporary advances of available funds that the Town reasonably expects will be reimbursed from the proceeds of borrowings; and to authorize the First Selectman and Treasurer to bind the Town as they deem necessary or advisable to issue the bonds, notes or temporary notes on a tax-exempt basis and to provide secondary market disclosure information related to such issuance; and

(f) To ratify the First Selectman's execution of the Agreement and authorize him or his designee to act for the Town under the Agreement, to

authorize the Board of Selectmen, Board of Finance, Treasurer and other Town officials or employees to take all other actions necessary and proper to carry out said purchase, to ratify all previous action taken by the Town, its officials or employees in connection with said purchase and to authorize other Town officials or employees to take all other actions necessary to complete the purchase and issue the bonds, notes or temporary notes.

A copy of the full text of the Resolution is on file and available for inspection at the Office of the Town Clerk.

ITEM 2. To consider and vote on a Resolution:

(a) To purchase approximately 36.12 acres of land located on Lord's Highway, Weston, Connecticut (the "Property"), pursuant to the Standard Form Residential Real Estate Sales Agreement (the "Agreement") between the Town and the Estate of Elisabeth Luce Moore;

(b) To appropriate \$2,306,000 for the purchase price of the Property, including professional fees, legal fees, interest expense on temporary borrowings, financing costs and other costs related to the purchase;

(c) To finance said appropriation by issuing the Town's bonds, notes or temporary notes in an amount not to exceed \$2,306,000;

(d) To authorize the Board of Finance to determine the terms, conditions and other details of the bonds or notes, and to authorize the Board of Selectmen and Treasurer to make such determinations for the temporary notes;

(e) To declare the Town's official intent under applicable Internal Revenue Service Regulations that the purchase costs may be paid from temporary advances of available funds that the Town reasonably expects will be reimbursed from the proceeds of borrowings; and to authorize the First Selectman and Treasurer to bind the Town as they deem necessary or advisable to issue the bonds, notes or temporary notes on a tax-exempt basis and to provide secondary market disclosure information related to such issuance; and

(f) To ratify the First Selectman's execution of the Agreement and authorize him or his designee to act for the Town under the Agreement, to authorize the Board of Selectmen, Board of Finance, Treasurer and other Town officials or employees to take all other actions necessary and proper to carry out said purchase, to ratify all previous action taken by the Town,

Town officials or employees to take all other actions necessary and proper to carry out said purchase, to ratify all previous action taken by the Town, its officials or employees in connection with said purchase and to authorize other Town officials or employees to take all other actions necessary to complete the purchase and issue the bonds, notes or temporary notes.

A copy of the full text of the Resolution is on file and available for inspection at the Office of the Town Clerk.

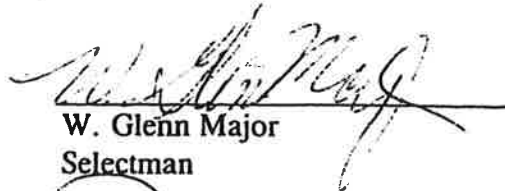
ITEM 3. To consider any other item that may properly come before said meeting.

Dated at Weston, Connecticut this 12th day of December, 2002.

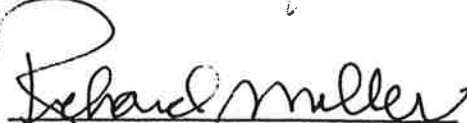
BOARD OF SELECTMEN



Sherwood B. Bliss
First Selectman



W. Glenn Major
Selectman



Richard Miller
Selectman

Pursuant to the above legal notice, a Special Town Meeting was called to order at 8:00 PM by Woody Bliss, First Selectman. He introduced the head table: Donna M. Anastasia, Clerk of the meeting, Tom Landry, Town Administrator; Rick Darling, Finance Director; Bruce Chudwick, Bond Counsel, Shipman & Goodman; Pat Sullivan, Asst. Town Attorney; Richard Troxell, Moderator of the Meeting and Susan Moch, Parliamentarian. Mr. Bliss said the Board of Selectmen had nominated Richard Troxell as Moderator. He asked if there were any other nominations from the floor. There were none. **Motion unanimously passed that Richard Troxell be appointed Moderator.** Mr. Troxell appointed Susan Moch as Parliamentarian.

Mr. Troxell read the State Statutes (Sec. 7-6) on eligibility to vote and fraudulent voting. He noted that Donna M. Anastasia will be clerk of the meeting for Cynthia Williams. **Motion made and unanimously passed to waive the reading of the Call.** Mr. Troxell directed that the Call be entered in minutes of the meeting.

Mr. Troxell explained there would be two issues put before the meeting in the form of Resolutions to be presented by Mr. Bliss. We will take a vote on each of these. Mr. Troxell explained the procedures regarding voice, standing and paper ballot voting.

Clem Malin Old Hyde Rd: asked about voting on Resolutions separately or collectively at end of discussion. Mr. Troxell explained the procedure will become clear as we proceed Mr. Bliss moved the first of two resolutions.

1. MOTION TO APPROVE RESOLUTION 1

To purchase approximately 85.8 acres of undeveloped land located at the end of Upper Parish Drive, Weston, Connecticut (the 'Weston Property'), pursuant to A Contract of Sale of Real Estate (the Agreement) between the Town of Weston, the Town of Wilton and the Aspetuck Land Trust (collectively, the Buyers) and Howard Fromson and David Strassler (collectively the Sellers). Motion seconded.

Resolution I

Mr. Bliss: stated that the first piece of property known also as Fromson/Strassler property, off of Upper Parish Dr. We have worked with the Board of Selectman in Wilton and the Aspetuck Land Trust over many months to negotiate a deal with the current owners of the land. It is rugged terrain, many rock outcroppings, wetlands etc., however nestled among this is some land suitable for development. The current owner had received approval to build eight homes on this parcel. Subsequently, the owner returned to the Conservation Commission to build eighteen homes. The application was denied. The owner took the Town to court to appeal the decision, and the appeal was denied. The two proposals put before this meeting are the purchases of the land with specific plans not in mind. We, the Selectmen, believe that in the future the Town will need land for some purpose and this is appropriate land to do this with. Until that time the land would be preserved as open space. Portions of this land will be used for open space only, i.e. Aspetuck Land Trust portion and the Wilton Portion. The Board of

Selectmen, Planning & Zoning, and Board of Finance have reviewed and approved this proposal.

Barbara Roland, Merry La., moved that the vote for the Resolutions be made by secret paper ballot. Motion seconded.

Margaret Wirtenberg, Wilson Rd.; stated that with a very good turn out, I would hope we could get down to business and not have a secret ballot

Dick Troxell: explained that with no further discussion, we will now vote on the **Method of voting**. A standing vote was taken, and the method of a secret paper ballot procedure was defeated.

Further discussion regarding first Resolution.

Robert Lang, Fresh Meadow, financial concerns i.e. ratings down. Asked what the land would be used for. George Sussman, Lords Hwy E, Economic concerns such as State cuts. Mark Harper, Buttonball La, Concern regarding the long-term interest expense to the Town. Rick Darling explained the long-term cost would amount to approximately \$2,000,000.00. John Richard, Davis Hill, I have a question, the parcel is 85.8 acres and housing was only approved for eight houses, why should we buy it if there is not much land which can be developed? Mr. Bliss explained that the area of the eight approved lots is suitable for building certain facilities, the remainder would be used for open space, recreation, a park; that would be for future generations to decide. Ilene Rosen, Birch Hill, said she has been a resident for 25 years, and she would like Weston to remain rural and not be further developed. Jim Maggio, High Noon Rd., expressed concerns regarding the Town's reserves and whether there has been a decrease or increase, for the last four to five years. Tom Landry offered to explain. I, (Mr. Landry) received the Audit report last week and our fund balance was up from last year, about 100,000.00 from approx. \$3,400,000.00 to \$3,500,000.00. This is the first year in three that it has been up. The year before it was \$4,500,000.00, the year before it peaked out at 7. The fund balance now is about 9% of the operating budget. Larry Rehr, Ravenwood Dr; stated he was opposed to the purchase of both properties. I don't see a realistic use for this property. Mr. Bliss explained that there exists 16 acres to develop and that doesn't mean the remaining land could not be used for recreational purposes and such. Land does not come on the market just when you need it and most of the land that the Town owns is just open space. It is protected. Richard Miller, Selectman, Kettle Creek Rd, We must support this purchase. We can afford \$1.70 cents a week to buy this land. It would be a mistake to not buy these properties. Kevin Funk, Newtown Tpk, We need more options, recreational fields. The fields are overcrowded now. Ray Ralph, Georgetown Rd, I walked this property and those of you who haven't seen it, should. The value of this land will go up not down. The land should be purchased. Bob Osborn, Glenwood Rd, Yes, the property should be purchased it is a value.

Don Gary; Old Redding Rd., made a motion to call the question. Motion seconded.

Called the Question, and Motion to close debate. Dick Troxell: We will vote to close the discussion. On a voice vote, the motion to call the question passed. Mr. Troxell stated that discussion is closed and that the vote on Resolution 1 will be taken.

Standing vote for **Resolution 1. Vote on motion, Yes 179, No 53. Resolution 1 approved.**

2. MOTION TO APPROVE RESOLUTION 2

To purchase approximately 36.12 acres of land located on Lord's Highway, Weston, Connecticut (the Property), pursuant to the Standard Form Residential Real Estate Sales Agreement (the 'Agreement') between the Town and the Estate of Elisabeth Luce Moore. Motion seconded.

Resolution 2

Mr. Bliss: Briefly, this property is referred to as the "Moore" property. It is 36.1 acres, mostly flat. It is suitable for just about anything. Schools, Fire house, park etc. We are proposing this purchase because there is little land of this quality left to purchase in Weston.

Dan Devito, Ledgewood Dr, Weston should remain a rural community. I propose we amend the Resolution to reserve this land as open space. The Moderator ruled the motion out of order. Richard Miller, Selectman, Kettle Creek Rd; Again, this particular piece of property would cost .86 cents a week. It is the finest land. We are paying 180,000 per building lot, a builder would get 500,000.00 or more per lot. We need a land bank for future use. Bill Brady, Deer Run Trail; I would like to remind the people in Town, there was a piece of property called the Taylor property, today this is called Tall Pines, today it is a beautiful area with lovely homes, but once the opportunity to buy is gone, it is gone forever. Glenn Major, Selectman, Valley Forge Rd, Getting a 36 Acre tract of land in our pocket, when the need arises and it will, then we will have this property. Clem Malin, Old Hyde Rd;

stated that we have been told that the average cost would be \$105.00 per year, I'm interested in the opportunity 'cost' or 'loss' of this purchase. We will be losing the taxes. Tom Failla, Samuelson Rd, I would like to submit to the Town meeting, if we do not take control of these properties, someone else will. It is important that we preserve. Jim McDonough, Scatacook Tr, The town has never done a project that didn't come in 20% over budget. To buy property and take it off the market is wrong.

Dierdre Doran, Weston Rd., made a motion to call the question. Dick Troxell asked if there was any further discussion. Vote to immediately close discussion. On a voice vote the motion to call the question passed by a two-thirds majority. Mr. Troxell stated that the vote will now be taken on **Resolution 2. Resolution 2 was approved.**

Motion made and seconded to adjourn at 9:25 PM, was approved.

Respectfully submitted,

Donna M. Anastasia