

**Town of Preston
Norwich Hospital Advisory Committee
Regular Meeting
Wednesday, April 1, 2009
Preston Town Hall
7:00 pm**

1. Call to Order/Roll Call

Mike Sinko called the meeting to order at 7:10 pm

Joseph Biber
Michael Sinko
Roy Beauregard - excused
Kent Borner
Allyn Brown III
Bob Congdon
Sandy Ewing
Merrill Gerber – arrived at 8:00 pm
Gerald Grabarek
Dan Kulesza

2. Acceptance of Previous Meeting Minutes – March 25, 2009 Regular Meeting

A motion was made by Dan Kulesza and seconded Allyn Brown to approve the minutes of the Norwich Hospital Advisory Committee (NHAC) March 25, 2009 Regular Meeting as amended. All in favor. So voted.

Page 4, second line down; parody should read parity

3. Communications

- a. Letter from James Bell expressing interest in being involved with the Norwich Hospital Development process.
- b. Memo from Val Ferro, Weston Solutions discussing a community outreach approach for the Norwich Hospital Redevelopment
- c. A draft of information to be included when applying for stimulus monies due to the Governor extending the date to April 3rd for requesting stimulus money
- d. Letter from Joseph Balesano, Property Officer from State of Connecticut Military Department, requesting the use of the Norwich State Hospital from May 8 – 9, 2009 for mock exercise.
- e. Workshop pamphlet titled, GREENER CLEANUPS: WHAT DOES IT MEAN? AND HOW DO YOU DO IT?.
- f. Letter from Gary Cluen, GZA Geoenvironmental, Inc. to Robert Congdon, First Selectman, accepting a settlement offer of \$33,000.00 against outstanding invoices associated with the environmental oversight provided to the Town of Preston.
- g. Flow chart prepared by Attorney Bruce Chudwick showing the organization and powers of four different options to choose from to assist the Town in developing the Norwich Hospital property.

h. First Selectman Congdon met with representatives from CL&P who offered help in master planning doing developer events.

I. Kathy Warzecha spoke about master planning services with Allan Plattus from Yale School of Design and he is coming to Preston April 7th at 11:30 am

4. Discussion and action on the formation of an entity to assist the Town in developing the former Norwich State Hospital site.

Attorney Bruce Chudwick explained the Organization/Structure, General Powers, and Other Powers of four different options.

Economic Development Commission with the City & Town Development Act (CGS 7-136; Chp.114)

- established by ordinance
- 5 to 15 members, plus alternates
- 5 year term if appointed, 6 year term if elected
- no restrictions on membership
- purchase and sell property
- prepare plan of development
- issue 30 year bonds by revenues and/or property

Development Agency (Chp. 132)

- BOS is legislative body
- BOS designates existing EDC as its development agency
- prepare project plan
- plan must be approved by: P&Z, regional Planning Commission, BOS, DECD Commissioner
- plan effective for 10 years
- apply for planning and development grants
- issue 30 year bonds
- bonds authorized by BOS after public hearing
- apply to CDA for it to issue bonds and loan to development agency
- TIF bonds allowable
- has eminent domain powers

Redevelopment Agency (Chp.130, Part I)

- same bonding authority as Chp.132 development agencies
- issuance of bonds, contract for sale of lands, must be approved by Town Meeting
- has eminent domain powers
- electors resident in Town are eligible membership
- 5 members
- prepare redevelopment plan, or any developer can submit for approval
- written opinion of P&Z
- public hearing required
- Town meeting approves plan
- plan effective for 10 years
- substantial change to plan requires Town meeting approval

Nonprofit Development Corporation

- established under CT corporate law, governed by board of directors
- applies to IRS to be tax exempt
- contracts with Town, or is designated by Town as its development agency, to develop property.

Attorney Chudwick noted that both a development agency and a redevelopment agency have eminent domain powers.

Bob Congdon asked if provisions for eminent domain powers could be deleted from the ordinance for economic development purposes.

Attorney Chudwick answered that the powers of the agency could be limited if wanted.

Allyn Brown noted that there are land locked parcels with unknown owners that will need to be acquired.

Attorney Chudwick stated that you should be careful about throwing out the eminent domain powers entirely because there are issues with those small parcels that need to be cleaned up. Hopefully you will be able to purchase those parcels from the owners, but if you can't, it could stop the whole project.

Allyn Brown asked if the ordinance could be amended for those particular parcels.

Sandy Ewing noted that the Town would need a thorough explanation.

Attorney Chudwick said it would be a last resort as well.

Bob Congdon stated that it must be made clear to the public, that if you live near or on the Norwich Hospital property, your house is not going to be seized by eminent domain.

Kent Borner asked it to be expressed in the ordinance that eminent domain be used for non habitated parcels on the property.

A motion was made by Kent Borner and seconded Merrill Gerber that Attorney Bruce Chudwick put together tonight's discussion including a draft ordinance of a Redevelopment Agency. All in favor. So voted.

Attorney Chudwick stated that he would have a draft ordinance for a Redevelopment Agency by next week.

Mike Sinko asked that the eminent domain be confined to the hospital property excluding inhabited property.

Allyn Brown asked if it could just be left as it is presently with the ordinance against eminent domain and then just take it to the town's people as we need it.

5. Discussion pursuant to development of the Norwich State Hospital

John Meyer stated that Jim Byrne from the EPA would like to meet, but he is busy getting grants out right now. John Meyer said he will touch base with Jim Byrne and ask when he'll be available.

6. Public Comment

Mayor Ben Lathrop stated that regarding Tim Bowles comments in the March 25th minutes he and First Selectman Congdon have talked causally about the relationship, but nothing has been held back from public scrutiny. He wanted to defend himself for the public record and out of respect for Bob Congdon.

Mike Clancy, Preston resident asked about the membership of either 5, 10, or 15 members for a redevelopment agency, is that because of the terms listed – 1, 2,3, 4, 5 so you can't have 6 because they have to be reappointed in those years?

Attorney Chudwick answered it says those appointed will be appointed for 1, 2, 3, 4, 5, year terms

receptively so it sounds like it's in increments of 5.

Mike Clancy asked if non-residents could be members of a redevelopment agency?

Attorney Chudwick answered no, they couldn't be voting members.

Mike Clancy asked then how would your relationship be with another municipality if you decided to hook up with them?

Attorney Chudwick answered they would jointly go to DECD for grants.

Bob Congdon asked Attorney Chudwick if Preston had a redevelopment authority with an inter municipal agreement, and Norwich would allow Bob Mills to devote X number of hours, would there be anything to prohibit us from hiring him as staff.

Attorney Chudwick answered you can do anything by contract.

Joe Biber asked if the cemeteries on the hospital property are automatically protected from eminent domain.

Attorney Chudwick said he will check.

Bob Congdon thanked the representatives from Norwich, Mayor Ben Lathrop, Bob Mills, and Tucker Braddock for being at tonight's meeting

7. Adjournment

A motion was made by Dan Kulesza and seconded by Allyn Brown to adjourn the meeting at 7:43 pm. All in favor . So voted.

Respectfully submitted,

Roberta Charpentier
recorder