

**Town of Easton-Special Town Meeting
MINUTES**

May 31, 2022 – 7:00 p.m.

Samuel Staples Elementary School, 515 Morehouse Road, Easton

Present:

David Bindelglass, First Selectman
Kristi Sogofsky, Selectman

Robert Lessler, Selectman
Deborah Szegedi, Town Clerk

Presenters and Attendees:

Beverly Dacey-Preserve 06612
Citizens for Easton- Andrew Kupinse

About 200-225 Easton Residents

Meeting livestream available on Facebook and Zoom with over 218 livestream viewers.

Recording

Available at <https://www.facebook.com/events/409259687731787/>

Registrars of Voters checked-in attendees with identification at entrance.

David Bindelglass convened the meeting at 7:17 p.m.

The Town Clerk read the call of the meeting.

The First Selectman had a couple of points to make. He talked about intensive discussions and some research on the part the Town Attorney and other Attorneys who have taken the role happen to be citizens .One of the questions was about permanency which after further dialogue by the First

Selectman said is off the table. Ground rules for the meeting were discussed. In order to construct a conservation easement, which is a legal document it is clear that the statement on the top of the petition leaves some things open to question. It is the opinion of the Town and the Town Council that we should be still be having this meeting to act on the statement. He also discussed about inviting amendments to this to make it a constructive document. He talked about after the presentations to entertain possible amendments.

The First Selectman said next item of business is to select a Moderator and asked for nominations.

Tom Herrmann and Victor Alfandre were nominated. The 2 candidates were asked to come to the front of room. A hand count was done for each candidate. Tom Herrmman won the nomination.

There were 2 presentations given. Beverly Dacey gave the first presentation for Preserve 06612. The second presentation was from Andrew Kupinse who took over his late Father's spot . Both of these presentations are available on the bottom of the page of the Town Website <https://www.eastonct.gov/home/news/05312022-special-town-meeting-700-pm-sses>

The moderator thanked both presenters consistent told the members of the public that consistent with Robert's Rules of Order we will now look to have a motion to accept proposed agenda item, have it seconded, and then we can begin our discussion, debate, deliberation. The motion as it is made will be subject to amendments. The moderator asked if there was a motion to approve the agenda item as it is presented to this legislative body. The motion was moved by Jeff Parker and seconded by Reynolds Gordon. The moderator then asked if anyone wanted to speak on behalf of this to raise their hands.

Members of the Public who spoke

All Comments and be viewed at <https://www.facebook.com/events/409259687731787/>

Bill Krakel Easton Resident and President of the Aspetuck Land

Ira Kaplan

Steve Landa

Jim Wright

Ashley Agrello

Andy Kachele

Gina Blaze Co-Director of the New England Prayer Center and lives at 18-22 South Park Avenue.

Art Laske

Nick Khamarji

Dana Benson

Kathleen Magner

Ren Gordon

Rocky Sullivan

John Meyer

Jeff Becker

Dolly Curtis

Beverly Dacey not speaking as Preserve 06612 speaking as Bev Dacey .

Rich McLaughlin

Ira Kaplan spoke on behalf of Jackie Kaufman

Andrew Kupinse

June Logie

Dori Wollen

The First Selectman made a comment that the conservation easement is not a 7 sentence document it is a complex legal document. Vote tonight to give the Board of Selectmen enough direction to create and come back to the Town for approval.

Bev Dacey commented that the whole purpose of the petition was precipitated by the remaining 10 acres is in the Affordable Housing Plan.

Kristi commented the question is the post card this is what we are voting on tonight. Not the Affordable Housing Plan.

The moderator called for any amendments.

Ren Gordon proposed the following amendment to read as follows :

The Town of Easton shall provide a permanent conservation easement on the remaining portion of the real property owned by the Town and commonly known as 18-22 South Park Avenue. The permanent conservation easement will provide that the property remains in a natural and open condition for the conservation, open space, agriculture, green space or water supply purposes. The easement will include a requirement that the property be made available to the public for passive recreational purposes **and such temporary uses by the Town for Town purposes, as may be approved from time to time by the Board of Selectmen.** This permanent conservation easement will not preclude the Town from selling the property to Aspetuck Land Trust Inc. at a time when the purchase price is determined by independent appraisal and Aspetuck Land Trust has the funds to accomplish this sale.

The moderator said that Mr. Gordon has made a motion would anyone like to second the motion. The motion was seconded by Art Laske.

The Moderator asked for any comments. None were made.

The Moderator called the question all in favor of the amended motion as made and seconded signify by saying Aye. All those opposed say Nay.

The Nay's have it.

The Moderator asked if anyone else had an amendment?

Art Laske proposed the following amendment to read as follows:

The Town of Easton shall provide a permanent conservation easement on the remaining portion of the real property owned by the Town and commonly known as 18-22 South Park Avenue. The permanent conservation easement will provide that the property remains in a natural and open condition for the conservation, open space, agriculture, green space ,water supply purposes, **or educational purposes in coordination with the Easton Park & Rec Commission and/or Easton Board of Education including, upon the approval by the Board of Selectmen, the construction of facilities any necessary educational or sanitary .** The easement will include a requirement that the property be made available to the public for passive recreational purposes. This permanent conservation easement will not preclude the Town from selling the property to Aspetuck Land Trust Inc. at a time when the purchase price is determined by independent appraisal and Aspetuck Land Trust has the funds to accomplish this sale.

The moderator asked if anyone would like to second the motion?

It was seconded.

The Moderator as if anyone had any comments?

June Logie commented.

The Moderator asked if anyone else had any comments?

Dori Wollen commented.

The Moderator asked if anyone else had an amendment?

Ira Kaplan proposed the following amendment to read as follows:

The Town of Easton shall provide a conservation easement on the remaining portion of the real property owned by the Town and commonly known as 18-22 South Park Avenue. The permanent conservation easement will provide that the property remains in a natural and open condition for the conservation, open space, agriculture, green space or water supply purposes. The easement will include a requirement that the property be made available to the public for passive recreational purposes. This conservation easement will not preclude the Town from selling the property to Aspetuck Land Trust Inc. at a time when the purchase price is determined by independent appraisal and Aspetuck Land Trust has the funds to accomplish this sale. **This conservation easement will be in place through the April 2023 Annual Town Meeting at which time it will be subject to reconsideration by the Town Body.**

The moderator asked if anyone would like to second the motion?

It was seconded by Rocky Sullivan.

The Moderator asked if anyone had any comments?

No comments were made.

The Moderator called the question all in favor of the amended motion as made and seconded signify by saying Aye. All those opposed say Nay.

The Nays have it.

The Moderator asked if anyone else had an amendment.

Kathy Alfandre proposed the following amendment to read as follows:

The Town of Easton shall provide a permanent conservation easement on the remaining portion of the real property owned by the Town and commonly known as 18-22 South Park Avenue. The permanent conservation easement **will be finalized by forthcoming deliberations to ensure that all risks and future concerns are addressed. When finalized the permanent easement** will provide that the property remains in a natural and open condition for the conservation, open space, agriculture, green space or water supply purposes. The easement will include a requirement that the property be made available to the public for passive recreational purposes. This permanent conservation easement will not preclude the Town from selling the property to Aspetuck Land Trust Inc. at a time when the purchase price is determined by independent appraisal and Aspetuck Land Trust has the funds to accomplish this sale.

The moderator asked if anyone would like to second the motion?

It was seconded.

The Moderator asked if anyone had any questions or comments? Any further discussions?

June Logie had a question for Kathy Alfandre, she wanted to know who would do the deliberations?

Kathy Alfandre responded that she did not include that because, she did not know but her understanding based on prior statements by the First Selectman is that there must be some process to flush out the contents of the conservation easement because it is a legal document so whatever those deliberations are would be how this would be finalized.

Jeff Becker asked how to do we get to the point where we know who's going to do what and, by when? He talked about how we are mostly in agreement that we want this done. We want the conservation easement voted on tonight, even though there is details in the specifics about exactly the legal language that must get done. Obviously, we don't have that today, but we'd like to know that this in place and that we don't suffer the risk of somebody coming up with a development proposal tomorrow that undermines all the effort we put in it to get this done tonight.

The moderator asked if there were any other comments on the post?

Ren Gordon called the question. The moderator responded with: "you can call the question if there no other comments. Question can be called with a 2/3 vote. Is there a second person to call the question?"

All in favor of calling the question signify by saying Aye, all opposed say Nay.
Was a very close voice vote moderator thought it was a Nay vote that won.

Dana Benson had one brief comment, he was not sure if the amended language was needed.

The moderator asked if there are any other comments?

No comments were made.

The moderator stated that if there are no other comments the all-in favor of the proposed amendment signifies by saying Aye, those opposed say Nay.
The Nay's have it.

The moderator asked if there are any other proposals?

Andrew Kupinse had an amendment he spoke of the details of working out the amendment.
Andrew Kupinse needed a few minutes to work on his amendment.

The moderator asked if anyone else would like to propose an amendment?

Andy Kachele proposed to add a sentence at the end, a very simple sentence.

His amendment shall read as follows:

The Town of Easton shall provide a permanent conservation easement on the remaining portion of the real property owned by the Town and commonly known as 18-22 South Park Avenue. The permanent conservation easement will provide that the property remains in a natural and open condition for the conservation, open space, agriculture, green space or water supply purposes. The easement will include a requirement that the property be made available to the public for passive recreational purposes. This permanent conservation easement will not preclude the Town from selling the property to Aspetuck Land Trust Inc. at a time when the purchase price is determined by independent appraisal and Aspetuck Land Trust has the funds to accomplish this sale. **Final language for the easement will be developed under the auspices of the Board of Selectmen expeditiously and presented promptly back to a future Town Meeting for final approval.**

The moderator asked if this was clear to everyone, and would anyone like to second the motion? It was seconded.

The moderator asked would anyone who like to comment on the sentence that was added?

Bev Dacey commented that Andy's amendment has some merit, but it needs dates & deadlines.

The moderator asked if everyone is clear on the sentence that Mr. Kachele brought forward to amend the motion? Does anyone want to speak on it?

First Selectman David Bindelglass had a comment. He spoke of the fundamental change of accommodating the Blaze's living on the property. He asked if Mr. Kachele would pull his question to allow Andrew to present a better final language.

The moderator asked if there are no other comments on the motion made by Mr. Kachele all in favor of the proposed amendment signify by saying Aye, those opposed say Nay. The Nay's have it.

Andrew Kupinse came back up with his proposed amendment. He proposed amendment is as follows:

The Town of Easton hereby instructs the Board of Selectmen to place a permanent conservation easement **or restriction** on the remaining portion of the real property owned by the Town and commonly known as 18-22 South Park Avenue. The permanent conservation easement **or restriction** will provide that the property remains in a natural and open condition for the conservation, open space, agriculture, green space or water supply purposes. The easement or restriction will include a requirement that the property be made available to the public for passive recreational purposes. This permanent conservation easement **or restriction** will not preclude the Town from selling the property to Aspetuck Land Trust Inc. at a time when the purchase price is determined by independent appraisal and Aspetuck Land Trust has the funds to accomplish this sale.

The conservation restriction shall be drafted and shall provide for an accurate description of the subject property and define the passive recreational activities to be allowed. Further, the conservation restriction or easement shall allow for the continued residential occupancy of a portion of the subject property by the existing tenants on terms acceptable to the Town of Easton. The conservation restriction or easement in final form shall be brought back expeditiously to another Special Town Meeting upon completion.

The moderator asked if anyone would like to second the motion?

It was seconded.

The moderator asked if there were any comments on Mr. Kupinse' s amendment?

John Meyer had a question about what rules would apply to the Special Town Meeting?

The moderator asked if there were any comments?

First Selectman David Bindelglass commented that what is going to come back to the Town Meeting is a legal document. It is impractical for the Town Meeting to rewrite so the recourse would still be a recourse is to vote it down at the at the Town Meeting and force the Selectmen to go back to the drawing board and fix what ever it is that is undoable. But at some point, to construct a legal document you must let the lawyers sit down and do this with the Selectmen.

The moderator asked if there were any other comments?

No comments, the moderator called the question. "All in favor of the amendment as proposed by Mr. Kupinse signify by saying Aye, all opposed say Nay.

The moderator had the public signify by saying Aye and raising their hands, all opposed say Nay and raise your hand. Anyone obtaining signify by saying Nay and raising your hand.

No abstentions.

The Aye's Have it.

The moderator stated that the amendment has passed we now have an amended motion for this body, and we need to vote on the motion as amended. All those in favor of the motion as amended signify by saying Aye, all opposed say Nay, anyone obtaining signify by saying Nay.

No abstentions, the motion carries.

Moderator asked to accept a motion to adjourn, motion was made and seconded.

Meeting adjourned at 9:37 p.m.

Submitted by,
Deborah Szegedi
Easton Town Clerk