



**TOWN OF BETHEL
SPECIAL TOWN MEETING
WEDNESDAY, OCTOBER 14, 2009
CLIFFORD J. HURGIN MUNICIPAL CENTER
MEETING ROOM "A"
7:00 P.M.**

RECEIVED

OCT 15 2009

TOWN OF BETHEL
TOWN CLERK

Present: Town Counsel, William J. Hagan, First Selectman, Robert E. Burke, Selectman, Kevin L. Cleary, Selectman, Paul Szatkowski and Town Clerk, Lisa Bergh.

Call to Order: First Selectman, Robert E. Burke called the Special Town Meeting to order at 7:08 P.M.

Town Clerk, Lisa Bergh reads the call (see attached).

Motion made by Geraldine Mills, seconded by Daniel Gaita to accept the call. Vote, all in favor, motion unanimously approved.

Wendy Smith made a motion to nominate Robert Burke as moderator, Motion seconded by Kevin Cleary.

Motion made by Geraldine Mills to close nominations, seconded by Richard Straiton. Vote was taken to close nominations and appoint Robert Burke moderator. Motion approved.

Town Counsel, William J. Hagan reads the resolutions. (See attached).

Discussion on resolutions:

Winifred Brickmeier- Speaking on behalf of the Library, it is always well used and she encourages the Town to accept the grants to finish the project.

Leslie Mason- She wants the grants to be accepted by the Town, the Library Board has been working very hard, chipping away at the money needed to finish the Library.

Town Counsel William Hagan speaking on behalf of Oven Rock Partners, LLC and Steve Palmer, Town Planner who were unable to be present for this evening's meeting. Attorney Hagan explained that the Town is looking to transfer a 1390 square foot parcel to Oven Rock

Partners in the area of Reservoir St. and Knollwood Drive in exchange, Oven Rock Partners LLC will be reducing the proposed number of units to be built from 23 to 13 and deeding over a 6.44 acre parcel to be classified as open space.

Attorney Hagan went on to discuss the final resolution regarding the AT&T easement.

Point of Order: J. Philip Gallagher stated he felt in the best interest of the historical and legal record the minutes should reflect a separate vote on each resolution, this recommendation was agreed upon by Town Counsel.

Further discussion on the resolutions-

Shani Burke-Specht- wanted to thank all the Library Board members.

Wendy Smith made a motion to approve resolution #1 Oven Rock Partners/Town of Bethel agreement. Motion was seconded by Geraldine Mills. Vote, all in favor, motion unanimously approved.

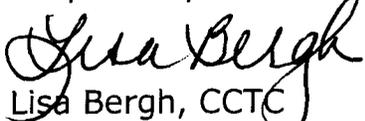
J. Philip Gallagher made a motion to approve resolution #2 Library Grants accepted. Motion seconded by Paul Szatkowski. Vote, all in favor, motion unanimously approved.

Geraldine Mills made a motion to approve resolution #3 AT&T Easement approval. Motion seconded by Wendy Smith. Vote, all in favor, motion unanimously approved.

A motion to adjourn was made by J. Philip Gallagher. Motion seconded by Wendy Smith. Vote, all in favor, motion unanimously approved.

Meeting adjourned at 7:25PM

Respectfully submitted,


Lisa Bergh, CCTC
Bethel Town Clerk

**WARNING
NOTICE OF SPECIAL TOWN MEETING
OF THE TOWN OF BETHEL, CONNECTICUT**



RECEIVED

OCT 14 2009

**TOWN OF BETHEL
TOWN CLERK**

The Legal Voters of the Town of Bethel, Connecticut, and those persons entitled to vote therein, are notified to assemble at a Special Town Meeting to be held in the Clifford J. Hurgin Municipal Center – Meeting Room “A”, 1 School Street, Bethel, Connecticut 06801 on Wednesday, October 14, 2009 at 7:00 p.m. for the following purposes, to wit:

1. To consider and take action upon a resolution as recommended by the Town of Bethel, to enter into an exchange of real property with Oven Rock Partners, LLC incident to the terms of a proposed settlement of a pending Superior Court C.G.S. §8-30g appeal of a Planning and Zoning Commission decision.
2. To consider and take action upon a resolution as recommended by the Town of Bethel, to accept from the State of Connecticut, State Library, as grant in the amount of \$898,432 and a grant in the amount of \$90,000 from the State of Connecticut, Connecticut Commission on Culture and Tourism and a grant from the State of Connecticut, Department of Economic and Community Development in the amount of \$150,000.
3. To consider and take action upon a resolution as recommended by the Town of Bethel, to grant to the Southern New England Telephone Company d/b/a AT&T Connecticut an easement on Town-owned real property at 36 South Street for the purpose of permitting the installation of guy wires and anchors securing SNET Pole #103.
4. To do any and all things which may be legally necessary or appropriate to accomplish the above named purposes.

Dated at Bethel, Connecticut, this 29th day of September 2009.

BOARD OF SELECTMEN
Robert E. Burke, First Selectman
Paul Szatkowski, Selectman
Kevin L. Cleary, Selectman

FINANCING TO COMPLETE THE BETHEL PUBLIC LIBRARY

Completion of 2005 Addition ¹	\$2,695,298
Restoration of Seelye House ²	395,663
Total Projected Costs	3,090,961

Funds Raised to Date		
Cash on Hand	\$145,561	10/01/2009
State of Ct Construction Grant	\$898,432 ³	Grant
Private Foundation	\$800,000	Pledge
CCCT Grant	\$90,000 ⁴	Grant
State Bond	\$150,000	Grant
Newtown Savings Bank	\$30,000	Pledge/Cash
Total Raised Phase 2	\$2,113,993	
Remaining Amount to Raise	\$976,968	

State Construction Grant Matching

Grant Amount		\$898,432
Matching Requirement		1,796,866
Matching funds Raised	\$819,898.	
Amount to Raise		\$976,968

CCCT Grant Matching

Grant Amount		\$90,000
Matching Requirement		90,000
Matching funds Raised	\$90,000.	

SEELYE HOUSE PROJECT BUDGET:

CCCT grant	\$90,000	
Matching funds Raised	90,000	
Additional Funding Raised	215,663	
Total Seelye Restoration Funding		\$ 395,663

¹ Based on estimates prepared by JCJ Architecture in August 2007 for the State Library Board Construction Grant.

² Based on estimates prepared by JCJ Architecture in October 2008 for the CCCT Historic Restoration Grant.

³ State of CT Construction Grant requires 2:1 matching funds, and has an expiration date of August 2010. This cannot exceed 1/3 of the total cost of the project. Does not include Seelye House.

⁴ Historic Restoration Grant is for the Seelye House only and requires a 1:1 match.

RESOLVED that the Town of Bethel transfer to Oven Rock Partners, LLC a rectangular strip of land measuring 1390 square feet pursuant to the terms of the settlement previously approved by the Planning And Zoning Commission of the administrative appeal entitled "Oven Rock Partners, LLC v. Bethel Planning And Zoning Commission," Docket Number HHB-CV-06-401-1323-S pending in the Superior Court for the Judicial District of New Britain; and it is further

RESOLVED that the First Selectman is authorized and directed to take any and all actions and to execute any and all documents necessary or convenient to accomplish the foregoing.

CERTIFIED RESOLUTION

RESOLVED, that **Robert E. Burke, First Selectman** of the Town of Bethel be and hereby is authorized to accept on behalf of the Town of Bethel to accept:

1. From the State of Connecticut State Library, a grant in the amount of \$898,432;
2. From the State of Connecticut, Connecticut Commission on Culture and Tourism, a grant in the amount of \$90,000; and
3. From the State of Connecticut, Department of Economic and Community Development a grant in the amount of \$150,000; and it is further

RESOLVED, that **Robert E. Burke, First Selectman** is hereby authorized to enter into such agreements, contracts and execute all documents necessary to said grant with the State of Connecticut.

RESOLVED that the Town of Bethel transfer to The Southern New England Telephone Company d/b/a AT&T Connecticut an easement substantially in the form provided to permit the anchoring of existing polls using guy wires attached to the ground in the easement area; and it is further

RESOLVED that the First Selectman is authorized and directed to take any and all actions and to execute any and all documents necessary or convenient to accomplish the foregoing.

The Southern New England Telephone
d/b/a AT&T Connecticut

PRIVATE PROPERTY EASEMENT

Received of The Southern New England Telephone Company d/b/a AT&T Connecticut, of which the Town of Bethel hereby grants unto said Company and their successors and assigns the right, privilege and authority to construct, reconstruct, operate and maintain pole fixtures, wires, cables, conduits, guys, anchors, monuments and other appurtenances as the Grantee may from time to time require, upon, across, over and/or under a portion of the property known as 36 South Street, Town of Bethel, Tax Assessor's Map # 22, Block 21 , Lot 4, which Town of Bethel owns or has any interest in the Town of Bethel, County of Fairfield and State Connecticut, as described in Volume 13 at Page 127 of Bethel land records.

Said equipment to be located on land substantially as follows: Originating from existing SNET pole 103 located in the road right-of-way of South Street, one (1) guy wire and anchor to be placed in a southeasterly direction behind said pole and on property of Town of Bethel a distance of approximately seven feet (+/-7'); in addition, originating from existing SNET pole 7415 located in the road right-of-way of South Street, one (1) guy wire and anchor to be placed in a southeasterly direction behind said pole and on property of Town of Bethel a distance of approximately seven feet (+/- 7'); with the right to trim and keep trimmed, cut and remove such trees as in the Grantee's judgment endanger continuity of service. See sketch "Attachment A".

Any right herein described or granted or any interest therein or pad thereof may be assigned to any Public Service Company by the Grantees or their successors or assigns, and the Grantors, for itself, themselves, his, her, their heirs, executors, administrators, successors and assigns, hereby agrees to and ratifies any such assignment and agrees that the interest so assigned may be used by the assignee therein and its successors and assigns for the purpose of attaching guy wires to stabilize the Grantee's poles on adjacent real property. It is also agreed that no current carrying attachments shall be placed on any poles covered by this easement without written permission of the Company.

Witness my hand and seal this _____ day of _____, 2009, at Bethel, Connecticut.

Witnesses:

Town of Bethel

Robert E. Burke
First Selectman

State of Connecticut

ss: Bethel

County of Fairfield

Personally appeared, Robert E. Burke, First Selectman, known to me to be the person who executed the foregoing document and acknowledged before me that he is duly authorized and did execute same as his free act and deed on behalf of Town of Bethel.

Commissioner of the
Superior Court
Notary Public
My Commission Expires:

12/10/2008 10:37

#0885 P.005 /005

ATTACHMENT A

