

# The Town of Washington

"THE FIRST WASHINGTON OF ALL"

January 14, 2013

7:00 p.m.

Minutes

Council Meeting

- CALL TO ORDER: Mayor Sullivan called the Town Council to order at 7:06 p.m. Council members Alice Butler, Jerry Goebel, Mary Ann Kuhn, Patrick O'Connell and Dan Spethmann were present. Council member Gary Schwartz was absent. Town Attorney John Bennett and Town Clerk Laura Dodd were present.

Mayor Sullivan announced that the Treasurer's Report and other Reports on the agenda would be considered later in the evening.

- OLD BUSINESS:
  - a). Naturalists Chesapeake Bay Restoration Fund Grant Update and Avon Hall Pond Project: Mayor Sullivan discussed that he wished to give an update on an exciting and positive project and that a large number of groups and individuals were working in a coordinated way using environmental standards to enhance the Avon Hall Property, beginning to be known as the Washington Commons, and to make it attractive and useful to people in the Town and County. He announced that the Chesapeake Bay Restoration Fund would be giving \$4,640 towards the cost of the Nature Trail and that there was a reason to believe that the Culpeper Soil and Conservation District would be making a contribution to help with RappFlow's pond efforts.

b). TW SU# 12-10-01 Washington School Gym Adaptive Re-Use People, Inc: Mayor Sullivan discussed that on January 7<sup>th</sup> he and Mr. Spethmann had met with Commonwealth attorney Art Goff to request an opinion in regards to their past and future activities with People, Inc.'s request for an SUP and that based on that discussion he and Mr. Spethmann were disqualifying themselves from any vote on the subject and he turned the meeting over to the Council and left the Council table.

Mr. Spethmann recused himself and left the Council table.

Mr. Bennett discussed the procedure for running the meeting in the absence of the Mayor and Vice-Mayor and that the Charter was silent on the subject but in general principal the Council should appoint a temporary chair and that he would act as the temporary temporary chair.

Ms. Kuhn made a motion to nominate Mr. Goebel as chair and Mr. O'Connell seconded.

Mr. Bennett asked if there was any other discussion and there being none, asked for a roll call vote:

Mr. O'Connell voted "yes"      Mr. Goebel voted "yes"

Ms. Kuhn Voted "yes"      Ms. Butler voted "yes"

And the motion passed 4-0.

Mr. Goebel discussed that a Public Hearing had already been held on the SUP but because so many people were present a small public comment period would be held for Town residents and property owners. He asked that people keep their comments to two or three minutes and to state their name and where they lived. He opened the meeting for public comment.

Ms. Susan Stoltzman, a resident of Mt. Salem Ave., spoke strongly against the SUP and discussed that she had felt that although the selling of the building by CCLC was being stated as

being for affordable housing it was really about money and that CCLC was in deep financial trouble. She discussed that she felt that CCLC was using tactics that were mean-spirited and divisive and that none of the long term residents of Mt. Salem Ave., who would be the most affected by the sale, had been approached by CCLC or People, Inc. She discussed that her concerns were centered on density and the increase in cars and that she had not moved to the Town and County to live next to high density but for the sense of community. She asked that the Town deny the application.

Mr. Don Locke asked for a point of order.

Mr. Bennett discussed that he was out of order as only staff or Council could ask for a point of order.

Mr. Locke asked the Chair if he could ask a question.

Mr. Goebel said yes.

Mr. Locke discussed that Ms. Stoltzman had the same conflict as her husband Mr. Spethmann.

Ms. Marcia Nagle, a resident of Mt. Salem Ave., spoke against the SUP discussing that she had never been approached by People, Inc. and that she felt that Ms. Stoltzman had covered her concerns and time should be used and that the Council should not be rushed in making their decision.

Mr. Jimmy deBergh spoke at length in favor of the SUP discussing that he owned or partly owned ten properties in town and three were on the borders of town and that two of these properties were adjacent to the CCLC building with one sharing a parking lot with the CCLC building. He stated that he had no concerns about the density regarding those properties and that the community had changed and that affordable housing could add some diversity and vibrancy to the town.

He discussed that the Town had a Comp Plan and this was a good opportunity for the Town to comply. He asked how the SUP did not comply other than the Town did not like the class of people who might move in. He asked that Council members think independently and do their research.

Ms. Erin Switzer, of Harris Hollow Road, discussed that she was a CCLC board member and spoke in favor of the SUP. She discussed that she worked in town and would love to be able to live in town and that she would still have to struggle to pay the affordable housing rents but it would be amazing to have that opportunity.

Professor Andrew McIntyre, of Mt. Salem Ave. expressed his concerns about the size of the proposed apartments and that the increased density would greatly change the town and that he felt not enough research had been done on People, Inc. He also expressed his concerns regarding the low salary requirements.

Mr. Brad Schneider, of Piedmont Ave, discussed that he was a Planning Commissioner and a BZA member for the Town and expressed his concerns that the planned density for the building was too high. He discussed that he wanted People, Inc. or whoever to look at the carbon footprint and that the use should comply with the Comp Plan as it would have a significant impact on the Town. He discussed that construction should meet high LED standards and the units should be the most energy efficient as possible so residents could save money for clothing, books, and other things. He expressed his concerns that the SUP did not fit in with zoning and asked if, because of the higher density, it needed to go before the BZA before the Council approved it.

Mr. John Lesinsky, CCLC Board Chairman, discussed that he was dismayed by some of the remarks made that evening and that he rejected the idea that CCLC had been bullying people. He discussed that CCLC had run an ad regarding an open house which they held to educate people about People, Inc.'s past projects and their current plans for the building.

He discussed that he felt that CCLC was not in financial trouble and that CCLC was a non-profit and was not in the business of making money and that every year it was a challenge to educate children, maintain accreditation, and to keep facilities repaired and up to speed. He

discussed that CCLC did go to the community for money and the community had responded with great generosity in recognition of CCLC's value to the community.

He discussed that the building had be given to CCLC to help them financially and that CCLC had come before the Council when the building had been converted into apartments and that SUP had been approved without controversy. He discussed that CCLC had decided to divest themselves of the property and People, Inc. had come forward with an offer with a good purpose. He discussed that if another group or individual came forward with an offer to purchase they would consider it. He discussed that People, Inc.'s offer was a good offer and if the SUP were to be denied that the offer would go away and that People, Inc. needed to know the answer by the end of January to go after the grant. He discussed that approval of the SUP would not stop CCLC from looking at other offers for the property. He discussed that People, Inc. had been at several meetings since Oct. and that there had been plenty of time for Council to do their research and he asked the Town to make a decision.

Ms. Kuhn asked if anyone from People, Inc. was present. She discussed a conversation that she had had with Dr. Mike Rush, director of People, Inc. where he said that People Inc. would not be present for this meeting as People, Inc. did not want to be seen as filibustering because they wanted the Town to make a decision without People, Inc. acting like they were lobbying for something. She discussed that Dr. Rush discussed that People, Inc. was already behind on the CCLC project and that People, Inc. needed to have a decision tonight or they would not make the state deadline of Feb. 28<sup>th</sup> and that if it was postponed to a special meeting before January 28<sup>th</sup> it would be a challenge but they could still make the deadline of Feb. 28<sup>th</sup>. She discussed that Dr. Rush had discussed that they were postponed past any wiggle room and that People, Inc. had already spent \$20,000 to \$30,000 on the project and that by postponing or voting no the Town would be letting them know. She discussed that Dr. Rush had discussed that they were aware of and spoke highly of the people in the private sector who were negotiating with CCLC to buy the property and discussed that if those investor bought the building and it did not work out People, Inc. could come back and that People, Inc. wanted to do business here whether it was with the Food Pantry or housing in the County.

Ms. Kuhn discussed that Mayor Sullivan and Mr. Spethmann were part of the private investors who were looking to buy the building and that Dr. Rush had discussed that if that group were to buy the building there was no need to pass the SUP and the private investors could do the project without the same restrictions and that would probably be the happiest position and then property would not go into disrepair.

She discussed that Dr. Rush had discussed that, if he was a Council member, he'd ask the investors if buying the building was something they were going to do, and if so, if CCLC wanted to sell, there was no need for a SUP and if the investors offered the same price as People, Inc. was going to pay them, CCLC should accept the offer. Ms. Kuhn discussed that Dr. Rush had discussed what if People, Inc. did not get the funding and that the hard thing to imagine was that People, Inc. was so going to be mad at what the private market was going to do and his feeling was that if there were going to be contingencies and conditions attached to the SUP he was for avoiding it and that if there was a way out for everyone he thought CCLC would be happy with the private investor group and that he believed that the private investors had the appetite and ability to do it and did the Town need People, Inc. to come and solve the problem.

Mr. Bill Walton, Harris Hollow Road, discussed that he was part of the private investor group and that he had only been involved in the project for a few weeks and that he had discussed the project with Mayor Sullivan and having learned that the SUP was for putting in affordable housing he thought that it was a terrific old building. He discussed that his background was in four decades of private real estate investments and that he had considered if there were other uses for the building such as a branch for a community college or using the gym a senior center, or

possibly as digital offices which might work out with what the Town wanted to do environmentally. He discussed that he had previously discussed with some people how the CCLC building stood on a terrific campus which looked down past Avon Hall and the wetlands beyond and that it might be possible to integrate that building into a campus concept which might help revitalize the building.

He discussed that the group was implicit that affordable housing was something the group wanted to do but the question was this the right place and the right way to do affordable housing. He discussed that the People, Inc. proposal would cost about \$150,000 per unit and would they come in and do that somewhere with less density. He discussed that it was wrong to think of it as People, Inc. or nothing and that the Town needed to think of it in context that there might be other ways to use the building and if CCLC needed more money they would have to talk but it was not an either or thing or and not that if something did not happen with People, Inc. nothing would happen.

He asked if Mayor Sullivan or Mr. Spethmann had any comments.

Mayor Sullivan discussed that he felt he could not speak.

Mr. Bennett discussed that there were different opinions but his position was that if a conflict had been disclosed and it's in the record that that person had recused themselves and they made clear that they are addressing the Council only as a private citizen and not in any way in the capacity as an officer of the government then that was acceptable in his view.

Mayor Sullivan discussed that the Commonwealth Attorney had discussed that he should not influence the Council decision.

Mr. Bennett discussed that it was a fine point and the safest thing was to say nothing however, whenever he had been asked about this as long as all this had been disclosed and that he had recused himself, Mr. Bennett would say that it would be entirely improper for him to lobby as a member of the Town government privately but where something was said in a public meeting was a different matter in his view.

Mr. Ray Gooch discussed that he had been on Council for eleven years and how they had dealt with this type situation was that once a person declared to the public that they had a conflict and recused themselves and stepped away from the Council table they were then free to say what they wanted to say to the group as a private individual but not as a member of the Council or as Mayor and that he agreed with Mr. Bennett. He discussed that this was also the procedure when Mr. Frank Reynolds was the Town attorney.

Mr. Sullivan discussed that he was not going to address anything about the merits of the SUP but he did want to explain from his point of view why they were in the place that they were. He discussed that People, Inc. was an outstanding organization and was well intentioned and that they did great work and that he had been involved for fifteen years with CCLC and that he cared about what happened to it. He discussed that the Town was in transition and was turning around and what happened to that building was extremely important and that there were uses for that building, although he did not specifically know what they were, that were more consistent with at least his own vision of the town. He discussed that CCLC had an offer and a problem that they wanted to solve it but for him the most important thing was to do what was best for the Town. He discussed that a number of people, with various talents in housing, environment, and rehabbing old houses, had gotten together with the intention of putting in place a process over a period of time to find the best use for the building with the goal that the Town, citizens, and the investors, and other people could come together, to decide, and agree on what was a good use. He discussed that from his perspective as a purchaser this was a way to buy time to figure out what to do with the building as opposed to responding to someone else's pressure.

Ms. Kuhn asked about the status of the negotiations with CCLC.

Mr. Spethmann answered that they were incomplete.

Mr. Sullivan discussed that they had made it clear that they were interested and given the sense of what it was worth but there was no contract or deal.

Mr. Lesinsky discussed that the number that had been presented had not been enough for CCLC to come back with another written offer.

Mr. Sullivan discussed that the challenge that existed for everybody was that it was unfortunate that there was a time pressure from People, Inc. to get their application in which was forcing the Council to do things sooner than it wanted to and to find out a better use of the building.

Mr. Lesinsky discussed that he rejected that there was time pressure and that if the SUP was granted to People, Inc. that would not prevent the private investment group or anybody else from coming with another offer which CCLC could accept.

Ms. Kuhn asked if because People, Inc. was not present were they getting lukewarm and putting their blessings on the private investors offer and asked if People, Inc. could pull out at any time.

Mr. Lesinsky discussed that he did not feel that they were lukewarm but rather they did not like to politic or be perceived as putting on pressure and that they would let the Council decide. He discussed that he believed they could pull out.

Mr. Walton discussed his background in investing and that the investment group was not motivated by investing as it was not an investable building but rather to have the property in the community's hands and to create a process where the community could decide what was the highest use of the building. He discussed that it could be that affordable housing could turn out to be the highest use and what the community needed more than anything and the issue he thought was that People, Inc. was not from Rappahannock County and the housing rules were made in D.C. and Virginia with many restrictions.

Mr. Spethmann discussed that as he was recused he was speaking as a citizen and a Ph.D. economist and that the Town was being asked to cede a portion of their property rights to People, Inc. on behalf of CCLC and that if the Town was to approve the SUP it would give up the rights for thirty years and he asked if the Town wanted to work together on what might accomplish a better deal altogether. He discussed that it was important to understand the ramifications of a SUP and that the previous owners of his house on Mt. Salem Ave. had gone through a much more onerous SUP process to have a Tourist Home compared to the questions or issues that had been asked or addressed to CCLC or People, Inc. or asked by Council. He discussed that those circumstances had to be addressed and that the Council had discussed that they would issue an SUP with contingencies to be determined and those contingencies were still out there. He discussed that the timing issue was real but it was more complicated and the Town should keep its options open.

Mr. Goebel asked Mr. Spethmann to clarify what the Town would be giving up if they approved the SUP.

Mr. Spethmann discussed that ceding property rights meant that the Town would allow a landowner to come into Town and now the Town had restrictions and these restrictions meant that now teachers and sheriffs could no longer live in Town so if there were restrictions that came with the package and if the Town obligated themselves to those restrictions that was a negative.

Mr. Goebel read through a letter from Vice-Mayor Schwartz, attached, which he wanted added to the record in which he asked the Council to postpone making a decision. Mr. Goebel discussed that the Council could postpone and continue to a date acceptable sometime before the Jan 28<sup>th</sup> deadline which would give the Town time to answer some questions, or they could make a motion to deny the SUP as it hasn't be shown that there wouldn't be any adverse effects on surrounding property owners as submitted or they could take a straw vote if it was the consensus of the Council to hear this SUP to see if there were any conditions that could be imposed that would minimize the effect on surround properties.

Mr. Bennett discussed that he understood that the applicant had asked for an expression from the Town Council whether they would favorably consider this SUP. He discussed that it would not be within normal zoning practice for the Town Council to say they approved the SUP when they did not exactly know what People, Inc. was doing at this time. He discussed that People, Inc. had not defined the number of bedrooms and other issues that were site specific. He discussed that a zoning ordinance could do a lot of things but when you get into an unusual situation you needed to see exactly what was being asked for so because of the lack of specificity in the ordinance you imposed conditions that in effect extended the ordinance to this particular property. He discussed that with the present posture of the application, that could not be done, but what would be typical was that a site plan would be developed that showed what was contemplated that included things like lighting, location of parking, buffers, and noise mitigation that would be conditions. He discussed that People, Inc. was asking at most that evening for what would amount to a straw vote because the SUP could not be granted and it would be an expression from the Council that they would continue to see if there were conditions that could be developed that would minimize the impacts and make it acceptable to the surrounding property owners and to allow Council to make the findings in accordance with the ordinance.

Mr. Goebel asked if that would have to be done by January 29<sup>th</sup>.

Mr. Bennett discussed they were asking for a straw vote before the 29<sup>th</sup>, but as for the specific conditions, that would have to be way down the road and that People, Inc. would not want to pay for a site plan at this time.

Ms. Kuhn asked if they needed a SUP before the January 29<sup>th</sup> or did they just need an indication to go ahead.

Mr. Bennett discussed that he thought they would love to have the SUP before the 29<sup>th</sup> but that was not in the realm of normal zoning practices and he thought that the most that they would expect under the circumstances would just be an expression from Council in a straw vote that Council would continue to consider it favorably while all the details could be worked out. He discussed that it would not be a legal decision and would not be a SUP and if those conditions could not be worked out or for whatever reasons the Council saw fit to deny it that would be it.

Ms. Kuhn discussed that her understanding was once People, Inc. was given the green light and submitted their application to the Virginia Housing Authority (VHA) then VHA would send a letter to John McCarthy asking how strong was the support and that wasn't until April 1<sup>st</sup> so that gave the Council a bit of time.

Mr. Bennett discussed that if the Council agreed on the straw vote and application went to VHA then when the letter came from VHA it could come before the Council and they could decide how to respond.

Ms. Kuhn asked if at the time the Council had to respond to VHA could the Town decide then not to continue with People, Inc. or not.

Mr. Bennett said yes and discussed that a straw vote was showing a willingness and intention but would not be legally bind the Town. He discussed that there were a number of reasons and other issues that could come to the Council attention and that it was a legislative decision with the Council using legislative judgment and there was no right answer and if the Town got information that made the Council go a different way it could do that.

Mr. O'Connell discussed that People, Inc. had been presented as being neutral but his interpretation of Ms. Kuhn's notes however was that Dr. Rush was actually saying to the Council that if the Town found a more attractive offer his recommendation was to go for it as People, Inc. was losing ground rapidly and that Mr. O'Connell couldn't see People, Inc. wanting to spend additional money and that it appeared that the only problem now was financial and meeting CCLC's need to sell the property for the most amount of money possible. He discussed that he interpreted Dr. Rush's statements as saying they would not want to go where they were not wanted universally and that the Council now had something to explore that was a win-win-win.

He discussed that he might be a minority of one who interpreted it that way and that it was a question of coming up with an equal amount of dollars and wasn't that in the realm of possibility one way or the other. He discussed that he could understand if he was a representative of CCLC his obligation would be to get as much money as possible and if you could both do good and do well was superior option, which seemed feasible one way or another based on CCLC's support.

Mr. Lesinsky discussed that it was real estate transaction and given where the parties were now there was a way to go and he was cautiously optimistic. He discussed that CCLC was an equal opportunity seller and there was more involved than the price and there were many details to be discussed and decided and he hoped they could reach an agreement.

Mr. Goebel discussed that it was fair to say that as long as People, Inc. were involved that CCLC had a better negotiating position.

Mr. Lesinsky said absolutely.

Mr. O'Connell discussed that he would concur if had not read Dr. Rush's comments to Ms. Kuhn and that it seemed that Dr. Rush was encouraging the Town.

Ms. Kuhn discussed that Dr. Rush also said that the Town folks should be happy that some of the Town's fathers are doing this.

Mr. O'Connell discussed that Dr. Rush discussed that if there was a way out for everyone he thought CCLC would be happy with Mayor's Sullivan and Mr. Spethmann's investment group and that he believed that the private sector was better able to do it. Mr. O'Connell asked if the Town needed People, Inc. to come in when you have the potential for the property to be sold and when right here you have this collection of bright concerned people and that he was cautiously optimistic that a collective Town problem could be solved happily with the collection of great minds assembled.

Mr. Goebel asked if anyone wanted to make a motion.

Ms. Rose Ann Smythe asked Mr. Bennett what he meant about the SUP not having a site plan as she understood the Council had received a whole packet.

Mr. Bennett discussed that what the Town had received was an application which was more of a sketch and that hadn't even identified whether the apartments would be one, two, or three bedroom units. He discussed that an application had been submitted to get things going but was not anywhere to a final product which was very typical as negotiations had to go back and forth and site plans cost a lot of money. He discussed that with land use involvement what had been submitted was not enough to protect the adjacent land owners.

Mr. Lesinsky discussed that there were drawing that indicated the number of one, two, and three bedroom units.

Mr. Bennett discussed that at a meeting People, Inc. would not commit to the number of bedrooms and indicated it had to do with the grant process. He discussed that the plan submitted was not a final product and was not complete.

Mr. Goebel asked Mr. Bennett if he recommended that the straw vote go forward.

Mr. Bennett discussed that it was a legislative decision that had no right answer.

Mr. Goebel discussed that he was of a mind to deny the application and suggested that the Council postpone until Mr. Schwartz could participate or take a straw vote.

Ms. Butler discussed that she was in favor of the SUP.

Mr. O'Connell discussed that if the Council were to postpone until a special meeting what would be the protocol to make that happen.

Mr. Bennett discussed that the Council would continue the Council meeting tonight to another date and give notice in the newspaper.

Mr. O'Connell asked if there was a legal requirement that the applicant be present. He discussed that was a concern this evening and would be again if the applicant could not attend the continued meeting.

Mr. Bennett discussed that there was no legal requirement but some governments had that as a policy and the Town could have that policy.

Mr. Goebel asked if they had to set the continued meeting that night.

Mr. Bennett discussed that they would have to continue the meeting that night with a date otherwise they would have to hold a special meeting which was a different procedure and it would be more efficient to set the continued meeting date that night.

Mr. Goebel discussed that the Council could probably set the meeting date but to require People, Inc. to attend they might not be able to meet on that date.

Mr. O'Connell asked Mr. Lesinsky about his communication about why they were not present that evening.

Mr. Lesinsky discussed that People, Inc. very much held the belief that they did not want to be present so as to seem to be influencing the decision of the Council. He discussed that he felt that if the Council felt strongly that they should be present then the Council should invite them.

Mayor Sullivan discussed that People, Inc. had discussed all along that they did not want to seem to be forcing the issue and had purposely left the prior meeting so people could be comfortable and talk freely and so people could come up with a decision but not because there was a lack of interest.

Ms. Kuhn discussed that the strange thing was the applicant seemed to be putting a seal of approval another offer.

Mr. Lesinsky discussed it was not an accepted offer.

Mr. Spethmann discussed that he felt that People, Inc. felt that they were the buyer of last resort and now were applauding that there might be an alternative contingent on it being an acceptable one.

Mr. O'Connell read Dr. Rush comment that if were a Town Council member he would ask Mr. Spethmann and Mr. Sullivan if this was something they were going to do and if CCLC was going to sell then there was no need for a SUP. Mr. O'Connell discussed that that was a striking statement and that he could not remember a meeting where an applicant was not present.

Mr. Bennett discussed that that was his recollection also.

Mr. O'Connell discussed that at a prior meeting he had discussed that it might be helpful to their cause if People, Inc. provided photos of other facilities to calm neighboring residents about the appearance of those properties so it would seem to him that it would be in People, Inc.'s best interest to be present to provide a little more clarity. He moved to continue the meeting to January 23<sup>rd</sup> and to invite People, Inc. to be present in order to provide a little more clarity in order to be able to make an informed decision and as courtesy to have Mr. Schwartz present to be able to take part in the decision.

Ms. Kuhn seconded the motion and a roll call vote was taken:

Mr. O'Connell voted "yes" Mr. Goebel voted "yes"

Ms. Kuhn Voted "yes" Ms. Butler voted "yes"

And the motion passed 4-0.

Mayor Sullivan and Mr. Spethmann returned to the Council table.

Mayor Sullivan discussed that he expected the some people wished that there had been some resolution one way or another but he felt that a very interesting, informed, and educating conversation had taken place. He discussed that he felt that many people had come in the room with a fairly strongly held opinion and that one way or another folks actually learned something about the complexities of the issue because it was complex. He discussed that people had not been exactly collaborative before but he liked to think that the meeting tonight was a collaborative answer to solve a set of problems with people who by and large live and work, and like each other and that at the end of the day he hoped that they would not have a divided people who have different views but people who try to sort out a set of problems.



- NEW BUSINESS:

- a). Sewer Connection Policy for New Users: Mayor Sullivan discussed that this policy was still being worked and that it was tabled.

- b). Fire Hydrant Painting by the Washington Volunteer Fire and Rescue Dept.: Mayor Sullivan discussed that the Fire Dept. had been treating and painting the Town fire hydrants and that the Council was working on coming up with a contribution amount for their work.

- Mr. Kevin Adams expressed his concerns regarding the colors.

- Ms. Dodd discussed that the red and green colors were mandated by the Office of Drinking water and that they indicated the flow for each hydrant.

- Mr. Adams asked if they could be different colors of red and green.

- Mr. Goebel discussed that the Fire Dept. had indicated that the second coat would be a darker forest green.

- c). Pump House Problem: Mayor Sullivan reported that on the prior Friday there had been a significant event at the water treatment plant when a pipe blew up and Country Water was working on the repair. He discussed that water was being pumped and chlorinated but was not being filtered like normal, which was not a health problem. He discussed that it was a solvable problem but it would be expensive.

- Ms. Kuhn asked about whose fault the problem was.

- Mayor Sullivan discussed that it was not known what caused the problem and that Country Water was working on the repair and was trying to determine the cause.

- Mr. Spethmann asked if this fed into the need for a new well.

- Ms. Dodd discussed that in this case no as the Town was able to pump water but there might come a case when it could not and the Town needed to move forward on the new well.

- REPORTS:

- MINUTES: August 13, 2013 minutes. Ms. Kuhn made a motion to approve the August 13, 2012 minutes contingent on some typos being corrected and Mr. Goebel seconded and the minutes were approved 6-0.

- TREASURY REPORT: Mr. Goebel reviewed the attached Bank Summary Report, the Bills-To-Be Paid List, and the Additional Bills to Be Paid List. Ms. Kuhn made a motion to approve the Treasurer's Report and Mayor Sullivan seconded and the motion passed 6-0.

- PLANNING COMMISSION: There was no report and the Planning Commission had not met.

- ARCHITECTURAL REVIEW BOARD: Mr. Adams reported that the ARB had met and approved one application with amendments.

- Mayor Sullivan asked about the annual report and if there had been an increase in the number of applications.

- Mr. Adams discussed that the number of applications were similar but there were more applications for more substantial projects.

Mayor Sullivan asked if someone could look at the estimated value of what was being built, would you go the Building Office for those figures.

Mr. Adams indicated that the Building Office figures were not accurate.

- PUBLIC FORUM: Mayor Sullivan opened the public forum.  
Mr. Don Locke spoke in favor of the SUP and expressed his concerns regarding the process.  
Mr. Phil Irwin discussed that he was delighted to know that there was an alternative to the SUP and that there was no one proposal answer to affordable housing.\_  
Mr. Steve Ray spoke against the SUP and discussed that he had once lived on Mt. Salem Ave. for five years and he would not have bought the house if there were seventeen affordable housing units next door. He asked that the Council to scrutinize the SUP criteria.  
Mayor Sullivan closed the public forum.

- CLOSED SESSION: There was no closed session.

- ADOURNMENT: At 9:12 p.m. Mr. O'Connell moved to continue the meeting until Wednesday, June 23, 2013 and Mr. Goebel seconded the motion and the motion passed 6-0.  
Respectfully submitted,

Laura Dodd  
Town Clerk

Attachments

Bank Summary Report  
List of Bills-To-Be-Paid  
Letter from Gary Schwartz

NEXT REGULAR MEETING OF THE TOWN COUNCIL ON MARCH 11, 2013