

**Town Council Special Meeting
DRAFT Minutes
January 30, 2012**

Meeting was called to order at 7:00 pm.

Roll Call

Councilors Payne, Rodden, Varney, Pierce, Orestis and Armitage were present and answering roll call. Councilor Chase arrived after roll call.

Item 1 Order authorizing the Town Treasurer to place the net proceeds of the disposition of the Plummer-Motz and Lunt school property into a Reserve Account for a future Community Recreation Center.

Chair Pierce stated that either she or Town Manager Nathan Poore have spoken with each of the Councilors. Several Councilors have indicated a desire to tweak the document, so Chair Pierce removed it from the agenda. They will revise it and bring it back at a later date.

Item 2 Order authorizing the Town Manager to execute an agreement with Ocean View to sell a portion of the Plummer-Motz and Lunt school properties and providing for public uses.

Mr. Poore read a change made to the agreement, adding the following language to item 5(d) of the P&S agreement:

The Town agrees that it is obligated to spend or apply proceeds from the Closing in an amount of up to \$1,500,000 to remove such encumbrances, restrictions and covenants. If the cost of removal of such encumbrances, restrictions and covenants exceeds \$1,500,000, the Town, at its option, may either terminate this Agreement by written notice to OV or may waive this condition and proceed to Closing. The Town also agrees to allow OV a reasonable notice and opportunity to participate in all efforts, conference calls and meetings with federal or state agencies and to copy OV on all correspondence with those agencies relating to efforts to remove such encumbrances, restrictions and covenants, as long as such participation does not delay the process.

This amendment would tighten the language around what would happen if the money needed to covert the Land and Water Conservation Fund (LWCF) land was much higher than expected. This change creates a \$1.5 million cap. This number is higher than the current appraisal, which still needs to be reviewed by the LWCF experts. The property still needs a third-party appraisal. This cap protects both sides. OceanView has said they may be able to be of some assistance with the LCWF conversion process, and asked for the language to that effect to be added.

Councilor Armitage moved to approve the order, and further moved to amend the order by adding the language as read by Mr. Poore to the P&S Agreement and changing the dates in the order referencing the agreement from January 19, 2012 to January 30, 2012. Councilor Payne seconded.

Chair Pierce clarified that the Council is voting on the order with the revised dates, reflecting the revised P&S agreement as read by Mr. Poore.

Councilor Rodden spoke about the proposal, as she didn't have the opportunity at the last meeting. She was impressed by all of the three proposals that were submitted. While a different proposal was her first choice, she was satisfied with the proposal before them tonight. She thought the Village Green would be a benefit to both the residents of the Alzheimer Care unit and the greater community. She hoped the Council, both now and in the future, would be committed to providing the Town with a Community Center. She pointed out that converting the LCWF land will cost a lot of money but it must be resolved for the project to go through. She reminded the public that the Council can only spend under \$1 million without a referendum.

Council Armitage moved the question.

Motion carried 7-0.

Council leadership will meet with staff and OceanView tomorrow morning to discuss next steps, and will bring a report to the next Council meeting on February 13.

Adjourn

Councilor Payne moved to adjourn; Councilor Armitage seconded. Motion carried 7-0.

Meeting adjourned 7:20 pm.

Respectfully submitted,

Melissa Tryon
Recording Secretary