

HILLSBOROUGH CONSERVATION COMMISSION

August 6, 2015

Hillsborough Town Office

First Non-Public Session - Approved Minutes - Unsealed

Present: Commissioners: Brett Cherrington, Chair; Terry Yeaton, Vice-Chair; Richard Head; Linda White, Jim Young.

John P. Segedy, Recording Secretary & Alternate.

Bob Gould, Sue Rauth

The Commission entered Non-Public session at 7:01 pm.

Richard Head outlined the testing history noting that there had been only one item detected and that it was below the level for safe drinking water.

Bob Gould agreed with Richard's summary. He noted they had previously talked about a figure of \$35,000.00. Bob Gould said they had spent almost \$5,500.00 (\$5,485.93) for the testing, which was more than the \$2,000.00 - \$3,000.00 estimate they had thought it would.

Bob Gould said there were a couple of clauses that should be in the Purchase and Sales P&S) agreement:

- a) The P&S is finalized upon subdivision approval.
- b) A 20% non refundable deposit paid with P&S.
- c) Sur Realty will continue to pay expense of Peter Mellen, surveyor.

There was further discussion of the price. Bob Gould said he wanted to recover the testing costs.

John Segedy said he didn't think the money from the Conservation Fund could legally be used for a non-refundable deposit.

Richard Head agreed and said that governments practice is to not pay non-refundable deposits due to their fiduciary duty to oversee public funds.

Bob Gould and Sue Rauth stepped out of the meeting at 7:35.

The Commission discussed raising the price and agreed to split the increased testing cost by offering \$36,250.00.

Bob Gould and Sue Rauth returned to the meeting at 7:45.

The Commission offered to raise the price to \$36,250.00

Bob Gould and Sue Rauth agreed to accept the offer.

There was discussion of the process going further.

General agreement that Brett Cherrington would contact Laura Buono to get on the Selectboard agenda for August 11th; The Public Hearing would be posted for the commission's September 3rd meeting; The town's attorney would prepare a purchase and sale agreement for review by Sur Realty's attorney, which could then be signed by the Selectboard at their September 8th meeting. Once P&S is signed

by both sides the subdivision process would be commenced following which a closing date would be set.

Richard Head moved: *To exit non-public session.*

Linda White seconded. Motion passed 5-0.

The Commission exited Non-Public session at 8:10 pm.

Respectfully Submitted:

John P. Segedy

Recording Secretary

Approved August 20, 2015

Unsealed September 17, 2015