

Nelson Conservation Commission
Meeting April 14, 2016
Minutes

Draft

Kathy Schillemat called the meeting to order at 7:02PM. Present were Kathy Schillemat, Rick Church, Dave Patek and Tom Newcombe

Minutes:

Kathy Schillemat asked for consideration of the minutes of the meetings of 3/31/2016. There were both public and non-public minutes. Dave Patek moved approval and Tom Newcombe seconded his motion. All voted in favor.

Meeting with the selectmen regarding the purchase:

Kathy reviewed a discussion with the selectmen regarding the Osgood/Hurd Hill acquisition. Town Counsel, Gary Kinyon was present for that meeting. The Conservation Easement, as drafted at that point was accepted with the change that the selectmen will have the right to approve the management plan, forestry and agriculture plans before they are adopted. Members agreed to include language that Gary Kinyon will draft to that effect.

Osgood/Hurd Hill Acquisition Project Budget:

Tom passed around a copy on Gary Kinyon's draft of the closing statement. It shows total project costs of \$301,169 due at closing with a net cost of \$300,942. These costs do not include Town Attorney fees since November 15, 2015. Those will be an addition, once known. Without the attorney's fees, the funds on hand, currently, are \$2,955 short. There is an invoice outstanding from Ethan Tolman for a change of use tax in the amount of \$4,000 and several potential donors who have not yet made donations. Kathy agreed to approach those potential donors and Rick agreed to call Ethan Tolman to see if the \$4,000 could be paid soon.

This settlement represents the very limit of the ability of NCC to commit funds to this project. Based on Gary Kinyon's advice, NCC may not incur obligations unless it has the money on hand to cover them; it may not make future commitments to pay money even if the receipt of that money is assured through the LWCF grant.

The Commission discussed a letter received from the selectmen, based on Town Counsel advice, and agreed that we could sign it at the closing.

An item that has been one of the costs in the budget presented by the Harris Center has been a donation to their Stewardship Fund. We understand that this is a suggested contribution and not an obligation. It will not be included in the settlement nor is it an obligation. The selectmen asked for a letter from the Harris Center to this effect.

Stephen Froling, representing the Harris Center joined the meeting at 7:40

The NCC reviewed the closing statement with Mr. Froling and discussed our funding limitations as provided by Town Counsel. Mr. Froling asked that Nelson contribute half of the cost of the project as he felt we had been full partners in the project and

the receipt of the grant reimbursements would represent a “profit” to the Town of Nelson. NCC members reaffirmed that our limits for project funding are represented in the closing statement. It was left that we would hold the closing on that basis and close as soon as NCC has the money necessary to close. Mr. Froling agreed to write a letter to Town Counsel regarding the Stewardship Fund donation. Stephen Froling expressed the hope that NCC and the Harris Center could work on future projects together. He left the meeting at 8:40.

Kathy moved that the Nelson Conservation Commission expend the entire balance of the Partridge Fund (currently approximately \$261,661), and any interest received between this vote and that expenditure, for the purchase of the restricted fee interest in approximately 581 acres of land on Osgood and Hurd Hills from the Harris Center for Conservation Education. Dave seconded the motion. All voted in favor.

Tom moved that the Nelson Conservation Commission expend up to the entire balance of the Conservation Fund (currently approximately \$36,553), and any interest or additions received between this vote and that expenditure, for the purchase of the restricted fee interest in approximately 581 acres of land on Osgood and Hurd Hills from the Harris Center for Conservation Education. Dave seconded the motion. The total amount expended when combined with the amount available from the Partridge Fund not to exceed \$301,169 plus Town Counsel fees for this project incurred since 11/15/2015 and unknown at the time of this motion. Dave seconded the motion. All voted in favor.

New Alternate to NCC:

Rick moved that Zack Pearo be added to the Commission as an alternate. Second: Dave. Passed

Cleanup Day 4/23 8:30-10:30. Kathy to organize table, publicity. List of volunteers to be kept. Rick will buy daffodils as a thank you in the fall and deliver to participants. Rick will call Mike Tarr about picking up the trash bags on the road side.

Budget:

After town meeting action reducing the town budget, NCC budget has been reduced from \$1,000 to \$650

Kathy thanked commission members for their hard work on the Osgood/Hurd Hill project. Members expressed appreciation for her leadership.

Meeting adjourned 9:07PM

;Rick Church, Secretary

