

*WLC Board President Kevin Smith spoke at the January 19th Town Board Mtg regarding the status of the Town's development of a Comeau Stewardship Plan, as well as the Town's and WLC's respective responsibilities under the terms of the First Amendment:*

*[Corrections: The term "submission" has been substituted below where "resolution" appeared in the original text of the prepared remarks. (Mr. Smith was corrected at the 1/19/11 meeting in referring to Jay Wenk's suggestions as a resolution. Mr. Wenk was submitting Stewardship Plan suggestions to the Town Board and reading them into the record, in response to Terrie Rosenblum's call for comments and suggestions from Town Board members regarding the preliminary draft Plan she had been in the process of researching and drafting since January, 2010). Mr. Wenk's suggestions are included at the end of Mr. Smith's remarks for context.]*

Regarding Jay Wenk's proposed St. Committee Submission:

WLC agrees with the spirit of the submission. In concept, this format would be the most effective as it would allow for greater participation and utilize the significant volunteer expertise available in the community and used by the Town for many standing boards and committees and task force projects (i.e. the CTF trail projects). It is also consistent with the past recommendations made by WLC and by the Comeau Advisory Committee in 2003. That said, "the first amendment does not call for a committee or any other process" (WLC attorney, Jeffrey Siegel). It is up to the Town Board and community members to determine the mechanism for developing and implementing the Stewardship Plan for the Comeau property.

Facts, logistical questions and concerns the proposed submission raises, in our opinion, for both WLC and the Town regarding the St. Plan process moving forward.

Clarifications:

~ At this point in time, we're fourteen months into the eighteen month timeframe mutually agreed to by the Town and WLC in the Stewardship Plan Amendment signed and filed on November 17, 2009. The Town Board has not made a request to extend this date. WLC has not considered either if it could be extended or, if so, under what conditions.

**Point One: ~ The May 17<sup>th</sup>, 2011 date for completion and implementation of the Stewardship Plan is the firm, legal date outlined in the amendment. To state the obvious, there are four months remaining to complete all activities necessary to approve and implement the Plan per terms of the First Amendment.**

WLC is here to help. WLC's legal role and responsibilities regarding the St. Plan are specific and in some ways limited: to observe, provide review, comments, and suggestions – not to approve or veto the Town-developed Plan.

However, WLC is also accorded specific rights regarding the process of preparation, review, revision and implementation of the Plan. I will mention a few of important ones.

Among them:

- ~ to be provided Notice of all activities in relation to the prep, review, revis, implem. of the Plan
- ~ be provided the opportunity to attend all meetings in relation to the prep, review, revis, implem. of the Plan

~ be provided with copies of all documentation in relation to the prep, review, revis, implem. of the Plan

**As the Town prepares to submit a draft of the St. Plan, we want to make absolutely sure that all the Town Board and Stewardship Committee members are aware of the Town's legal responsibilities in this matter as the process moves forward.**

To this point in time:

~ WLC has not been informed of any Town meetings held regarding the development of the St. Plan.

~ WLC has received no documentation regarding the development of the St. Plan.

~ Likewise, WLC had no specific information regarding the development or submission of a draft Plan until mid-November. At that point, the Supervisor informed WLC Ex. Director John Winter that he and Terrie hoped to submit a draft for our review around this time in January, prior to WLC's scheduled update to the Town Board in late January.

Moving forward, without being given notice of all activities, provided the opportunity to attend all meetings, be provided with copies of all pertinent documentation, WLC will be unable to carry out our legal responsibilities. If this occurs the Town be in violation of the terms of the amendment. We want to be very clear. We are not saying that the town's current actions *are* a violation. However, "since several violations may develop if the Town Board process were to continue much longer in this fashion, we want to let you know so you can avoid this." (J. Siegel)

Again, we're here to help and in that spirit, we want to identify some logistical challenges we see ahead and request clarification from the Town Board. Instead of a "front-loaded" St. Plan process and schedule, the process and logistics are "back-loaded" – that is all submissions, reviews, attorney reviews, revisions, stewardship committee meetings (Insurance and Safety Committee?), public meetings, town board votes, etc. and attendant logistics must be scheduled within a four month window. To be clear, this is a Town decision and process. WLC respectfully requests clarification and a timetable of how and when the Town Board envisions this happening, within the time remaining.

A few specific clarifications requested:

**Point Two: WLC is requesting clarification regarding:**

~ **the date of submission of the first draft of the Plan for WLC's review**

~ **a schedule and timetable for Town's completion of the Plan by the mid-May date, including reviews, revisions and and meetings, including public meetings.** We need to know this for our own schedules regarding meetings and as well to plan for WLC's review and dialogue process with the Town. This includes reserving and scheduling staff, board and attorney time, Comeau Working Group meetings, WLC board votes, etc.

~ **(Point Three):** As part of this, we need to know very shortly when the Town Board plans to incorporate public input. Absent a Stewardship Plan drafting process that has provided for community participation (public input and feedback) earlier in the process, there is a significant pent-up reservoir of facts and feedback from WLC, as well as ideas, information and proposals in the community (including, we are told, a citizen-developed Stewardship Plan).

We are concerned whether the Town Board, with all your other schedule commitments, meetings and responsibilities, will be able to “hit your marks”, including providing WLC with sufficient time to review, time for the Town to draft potential revisions with corrections, incorporate proposals from the public &/or suggestions from WLC, etc. by the Mid-May date.

We respectfully request that you take a clear-eyed look at what’s involved and what needs to happen by when, with your schedules in hand. If after doing so, you determine that you and the Plan timetable are “good to go”, great. However if after doing so, you find you have significant concerns about being able to complete and implement a sound plan by Mid-May, please contact WLC’s Executive Director immediately to discuss the matter. Sooner would be clearly better than later. WLC is here to assist the Town in developing and implementing the best possible Stewardship Plan feasible.

Thank You.

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Wenk draft submission (as of 1/17. He submitted a slightly revised version at the mtg on 1/19):  
“In order to maintain transparency, public input, and to adhere to the advice given prior to the signing of the Comeau Easement, as well as the specifics written into the First Amendment to the Easement, the task before the Town Board in creating a Stewardship Plan for the Comeau Easement is to immediately advertise for, and to interview members of all the Comeau users groups who reside in Woodstock, in order to select volunteers for that aptly described 'Interface'. The membership will include two Town Board members and an observer appointed from the Woodstock Land Conservancy. This group will organize itself into what shall be called the Stewardship Committee, which will continue to function permanently. They will be supplied with all pertinent information, relevant written and verbal data, on the history of the Comeau Easement as well as the Easement document itself and any other Easements and/or Stewardship Committee's from other jurisdictions. Their meetings will always be open to the public. They will organize their procedures, membership and terms of office, quorum, meeting dates and everything needed to become a permanent Committee. This Committee will be supplied with a recording secretary by the Town Board, as well as other required expenses agreed to by the Town Board. The Town Board will always retain the authority to make final decisions relating to uses of the Comeau. The Stewardship Committee is to be the official body where questions, concerns, and potential projects for the Comeau property will be submitted, from the public and from the Town Board. During the development of the Committee and after it is organized and functioning, their reports, both ongoing and final, will be given to the Town Board and cc'd to the Woodstock Land Conservancy.”