

Town of Ridgefield
Board of Selectmen Meeting
Wednesday, April 17, 2019 - 6:30pm
Town Hall (Large Conference Room)
400 Main Street, Ridgefield, Connecticut

UNREVISED/UNAPPROVED MINUTES

These minutes are a general summary of the meeting and are not intended to be a verbatim transcription.

In attendance: R. Marconi, B. Hebert, B. Manners, M. Kozlark

Agenda

1. Public Comment
2. Vendor Permit Application New/Renewal
 - a. Michael Cunningham (Bridge Street Premium Ice Cream LLC)
 - b. Greg and Joan Zawacki (Zwack Shack)
 - c. Michel Principi (Chez Lenard)
3. Appointment Request:
 - Prevention Council:
 - a. Tim Hastings
4. Speed Limit Ordinance - Review and PH date to Schedule
5. Aquifer Protection Agency Discussion
6. TAP and FLBP Resolutions
7. Selectman's Report
8. Approval of Meeting Minutes: 04/03/19

R. Marconi called the Board of Selectmen's Meeting to order at 6:30pm.

1. Public Comment

R. Marconi asked if anyone had any public comments, there were no comments.

2. Vendor Permit Application New/Renewal

Michael Cunningham (Bridge Street Premium Ice Cream LLC)

The Board of Selectman had the opportunity to review the application of the above-mentioned. M. Cunningham as Bridge Street Premium Ice Cream LLC plans to sell premium sorbet and water. E. Briggs from the Health Department signed off last Friday.

M. Cunningham explains that he will strictly be doing private parties and special events. He believes that his concept is pretty unique in that he bike that that he had built in NYC and then sent it to a Pedego Shop in South Norwalk and had it made into an electric bike. The bike has a storage container that is insulated, he will be using dry ice to keep the sorbet frozen. M. Kozlark asked M. Cunningham how he plans on getting around as she isn't convinced that she likes this concept, she is concerned with the bike causing traffic. M. Cunningham explained that he won't be selling his product in town and that he would strictly be doing private parties and special events and that he would be using his 5x8 trailer to bring the bike to venues.

M. Cunningham has spoken with S. Brennan from the Lounsbury House and she is very excited to have him do formal events there, he wouldn't be there on a regular basis but only when he was hired to to a private party or a special event. He was also invited to participate with the softball tournament that the volunteers from Sunrise Cottage are having in May. M. Kozlark is also concerned with the impact this business model can have on the brick and mortar shops in town that are selling ice cream and water as they can't get to places that M. Cunningham would be able to get to on his bike.

M. Cunningham explained that he has put about three years of time, preparation and expense into this as it's been a lifelong dream of his and he has put a great deal of thought into his business model. He plans on starting on the small scale, trying to enhance the community not to hurt any of the brick and mortar shops in town. He doesn't want to be out there working 7 days a week he has a family & three small children which will make him more selective in picking events.

S. Zemo wanted to clarify that in order for the board to be comfortable with this business model there would be no driving the bike on public streets and/or sidewalks for public safety and that he would strictly be working at private events. B. Herbert asked how M. Cunningham plans on marketing his business, in response he stated that the business is growing organically as we speak, so word of mouth.

B. Manners motions and B. Hebert seconds to approve the New Vendor Application for Michael Cunningham - Bridge Street Premium Ice Cream LLC. Motion carried 4-1.

Questions from the public: G. DiBastalia asked what are the ramifications for this vendor on our local vendors. R. Marconi responded that they had discussed this earlier in the meeting. M. Cunningham stated that he choose to have a unique, creative business model that was different from others, and that based on his means this was the best way to get into a space that he wanted to.

Greg and Joan Zawacki (Zwack Shack)

The Zwack Shack has been down on Route 7 for 8 years, they are entering their 9th year.

G. Zawacki stated that business has been good. The Health Department comes out 3-4 times a year and they have never scored under 100%. They have added the plant based protein burger Beyond Burger to their menu in an effort to try to appease the masses.

When asked about the competition with the other food trucks that go to Nod Hill Brewery, G. Zawacki responded that have done a few events at the brewery but the other food trucks haven't hurt their business and they are usually out at different times than the Zwack Shack. They currently do about 7 or more events per year.

B. Hebert moved and S. Zemo seconded to approve the Renewal Vendor Application for Greg & Joan Zawacki - Zwack Shack. Motion carried 5-0.

Michael Principi (Chez Lenard)

M. Principi said that they are getting close to carrying a vegan hotdog as he has offered them at private events and he usually ends up running out, he is warming to the idea of having them regularly. He believes that simplicity is the key, he tried offering some nutritional snacks but they don't really sell. He does a lot of events, roughly about a couple hundred a year, these are not all in Ridgefield but all over the tri-state area. The businesses are happy to have them on Main Street, they have been on Main Street since 1978.

B. Manners moved and B. Hebert seconded to approve the Renewal Vendor Application for Michael Principi - Chez Lenard. Motion carried 5-0.

3. Appointment Request

Prevention Council: Tim Hastings

T. Hastings was previously on the Prevention Council, he has found himself with some more free time and has decided to come back. He has always been involved with the Boys & Girls Club and the Prevention Council at the carnival, he was still working on that even when he wasn't a member of the council. He wanted to come back and see if he could bring in some fresh ideas. He has been involved with addiction for close to 20 years in different capacities, this is a passion. Things are tougher now with heroin addiction, they are seeing a lot of repeats at the McDonough House in Danbury.

R. Marconi - One discussion is that the 30, 40, 60 day treatments are just aren't enough and that they need more of a map model medically assisted treatment where you can combine the counseling component equal to a Suboxone or a Vivitrol or whatever the drug is. Do you feel that this is a better program than the 30 days because the recidivism rate is so high 50-60%, that we don't seem to be making progress in helping people back into the mainstream of life? T. Hastings responds it's the follow up, you have the 28 day program and they are lot loose and if you don't do some type of outpatient, that's where they end up falling short. B. Manners asked if you go into a 28 day program, do they not have to go to AA when they get out? T. Hastings - No, however it's highly suggested that they do go they day they get out, they make a point of it and talk to the people about going to a meeting because if they don't, if they put it off a day, then you might just put it off another day and another day and before you know it you are right back at it again.

B. Manners asked if they put people together with sponsors before they leave so that they then have a sponsor to go with them the first time? T. Hastings - No, what I tell people is that when they go to the meetings they should raise their hand and get a temporary sponsor, a sponsor is pretty personal, you don't want to use just anyone. So if you

get a temporary sponsor they are going to help you follow through in the beginning and then as you go to meetings and get to know different people, you begin to feel comfortable with certain people and certain addictions, so that's kind of how that works.

B. Hebert - Can you share with us what you've seen and what's new and fresh that you think you could bring to this council, because this is a huge problem. T. Hastings- It's huge, I don't think the council can do that much, you know it's more of an awareness, it's more of a branding. I think that my passion really to be involved is to keep the cohesiveness of the Boys & Girls Club and the Prevention Council. The carnival that we do every year is our biggest fundraiser, so I make sure that I am involved with that, the Boys & Girls Club and the Prevention Council split the profits, this is really my main focus.

T. Hastings - I was doing presentations at the club, I would bring in young people in recovery and have them talk about their experience. R. Marconi commented that peer influence is critical. T. Hastings - Yeah, so I think that young 19-21 year old people, because I'm an old man and they aren't going to listen to me, it seems to help. It's not going to cure it, but that awareness is a planted seed.

S. Zemo - Do you know if the Prevention Council does the peer presentations that you mentioned that they bring to the Boys & Girls Club, do they offer that at the high school? A lot of high school kids are not at the Boys & Girls Club. T. Hastings - No, I don't think that the high school was really in favor of getting involved in that sort of thing. They really don't do enough, they really should have young people come in to talk. S. Zemo - Are we as a community doing enough at the high school & middle school level to help prevent them from ending up in a program? B. Manners — The Board of Education would have to invite the Prevention Council in. M. Kozlark - How about the student representatives that participate in the Prevention Council, are they conduits in any way, do they help with the interfacing? T. Hastings - No, I know it has been mentioned before. They used to have the mock car crash. I really think bringing in young people from Ridgefield, Wilton, New Canaan or wherever that are right out of prison that are in recovery, that have suffered some pretty serious consequences is the best way to get the message across, I just don't think they are going to do that. S. Zemo - The ball is in our court to see if we can facilitate it.

R. Marconi - I just want to say something about the schools, they are doing some programs in the schools they are not ignoring the issue by far, but it is a problem. It's a big problem in our society and in general. One of the things when I asked the nurses while we were in negotiations was about young kids in elementary schools, when kids present with issues like headaches or tummy aches and they want to go home. Are they really physically ill or are they mental issues? Over 50% they said are mental, that they don't really have the physical ailment, it could be anxiety or whatever that child or young person is going through.

I had the opportunity at a meeting to ask Chuck Hedrick (the Director of Psychiatry at Danbury Hospital) if he thought that was a really high number, and he actually thought that it would be much higher. He also went on to say what he found to be more interesting is that the people in my profession whom he has the utmost respect for, they help a lot of people but unfortunately when someone comes in and uses a key word like depression or anxiety you will have a script within 3 minutes. We are beginning to condition our kids to take taking pills to avoid some of the issues that we are seeing instead of doing the work to find the root cause of what it is and we are talking heroin and fentanyl now but we are introducing our young people to pills at a very young age so that when they do become

adults they are adversed at taking a pill. This is something that in the long term he feels we really need to begin looking at.

S. Zemo would like T. Hastings to bring this conversation to the Prevention Council and ask them to initiate some programs or look for resources to bring these programs to our high school and our middle schools.

Questions from the public: Mr. Papst - I think that with the new superintendent there may be a greater opening to programming to share with the middle school and high school to open the curriculum to this kind of thing. He thinks this superintendent would be more open to the idea than previous superintendents.

S. Zemo moved and M. Kozlark seconded to appoint Tim Hastings to the Ridgefield Prevention Council. Motion carried 5-0.

4. Speed Limit Ordinance - Review and PH date to Schedule

R. Marconi - This would be something that if we decide to go forward we would first need an okay from the Police Commission, I haven't gotten that yet but I know that the Chief has requested that we look at this.

Section 340-3 the speed limit shall be amended as follows "The speed limit on all town roads in the Town, other than state roads, shall be determined by the local traffic authority." This is to change from the current speed limit of 25mph. It's a change but what they want is to restrict that to scenic roads only at this point, because the scenic roads are the most dangerous, they are narrow with a lot of turns and bends. B. Hebert - So they want to drop it from 25mph? R. Marconi - No, they just might want to do a 10 or 15mph depending on the road or the section of road. Neds Mountain Road for example, when you come in off Ridgebury Road the beginning of it isn't bad, but when you get past Neds Lane there are some really serious curves on that road where 25mph is too fast. Ramapoo Road some of those turns down by Casey Lane, they may want to breakdown those areas in there.

S. Zemo wants to know why they are specifying scenic roads, why not all roads? R. Marconi didn't know why, he wasn't at the meeting, this was coming from the Chief. B. Hebert - Is this Traffic Authority, is this different from the Parking Authority? R. Marconi - You have a Local Traffic Authority under state statutes the Police Commission is the Local Traffic Authority. M. Kozlark asks if the language that is underlined is additional language? R. Marconi - The speed limit on all Town roads in the Town, other than state roads, shall be determined by the LTA (Local Traffic Authority), provided however notwithstanding the foregoing the speed limit on any road designated as a Scenic Road may be decreased with the LTA in accordance with State Statute. M. Kozlark - How are people going to know? R. Marconi - It would be posted. B. Manners - If you are going around a corner on one of those roads it wouldn't be unusual to see a 15mph sign. B. Hebert - A sign isn't necessarily going to stop somebody, I mean you go up Cains Hill or Neds Mountain Road, Florida Hill Road, are they doing this because there has been a lot of car accidents, pedestrian accidents? Why is this being raised now? R. Marconi- It's being proactive? B. Hebert - But, so we have not had any problems though? R. Marconi - I am sure there have been problems on every road in town but you can't believe the calls we get. For example when we pave a road the next you know we are getting calls about speeding traffic and it maybe 25mph but on Farmingville Road it's 25mph and they can be doing 45-50mph. They don't give someone a ticket because they are doing 29 or 31, but if you are doing 40/45mph you are going to get pulled over.

R. Marconi - On a scenic road those roads are scenic either because they are unique and they carry a uniqueness that is usually by the width of the road, some of them you are only able to pass one car at a time (in the lake area, Pelham Lane). If you had someone doing 25mph through there and they hit a child they say that they were doing the legal speed. M. Kozlark - So why don't they just use the language determined by the LTA for the scenic roads? R. Marconi - They have the authority over all town roads, so the new language is just adding what is in the statute. R. Marconi - We are saying that we are going to change the ordinance to be determined by the LTA per what the statute allows. S. Zemo - Why don't we leave the wording regarding the scenic roads out. R. Marconi - The Police Commission doesn't want to change all the roads at this time, they wanted it to be specific just to the scenic roads. B. Hebert - They have the authority. S. Zemo is in favor of the simpler wording, are they going to anticipate they are going to have to change a lot of signage. R. Marconi is going to let the Police Commission know that they would prefer to keep it simple, they have another meeting before the Town Meeting.

Questions from the public: John - Fears the further desecration of these roads. For example on Neds Mountain Road and Old Stagecoach Road when they put up those god awful, a dozen if you please, directional signs warning people about a curve that we all know is there and on which there have been few if any accidents. It's a sin to do that to a scenic road. R. Marconi replied that those signs are supposed to be coming down, they had to wait for the state to give the ok that they had finished the project (It was a federal program where they put up curve signs for free, and we that it was great that we weren't going to have to pay for it. We weren't aware that they were going to put up 47 of them on Neds Mountain Road.) they said once that happens we can do anything we want with the signs.

5. Aquifer Protection Agency Discussion

A letter was received from Chairwoman R. Mucchetti of the Planning & Zoning Commission. J. Kace of the Conservation Commission is here as well, a letter was emailed on April 15th and was too late to make it into the package. They are not in agreement.

R. Marconi paraphrases the letter he received from Chair R. Mucchetti for the public so that everyone knows what they are discussing. "On behalf of the Inland Wetlands Board, the Planning & Zoning Commission and the Aquifer Protection Agency which the elected officials of the Planning & Zoning Commission serve in all the capacities. Sec. 19-37 of the Town Ordinance states in part and I quote "Pursuant to PA No. 89-305; all aquifer protection rights, duties and obligations are assigned to the members of the Planning & Zoning Commission in their capacity as the Inland Wetlands Board." The letter goes on to say that they are going to separate the Inland Wetlands Board from the Planning & Zoning Commission and that we need to figure out where the Aquifer Protection Agency responsibilities reside, the request is made that they remain with the Planning & Zoning Commission. R. Marconi states that we can probably assume that the Conservation Commission feels that the Aquifer Protection Agency should go with the Inland Wetland Board.

J. Kace stated that in their reading of the ordinance is that if we were to do nothing and once the Inland Wetlands Board is separated from the the Planning & Zoning Commission that the Aquifer Protection Agency would go to the Inland Wetlands Board, they are in favor of keeping it that way.

R. Marconi stated that it is the decision for the Board of Selectmen to determine. R. Mucchetti thought it might be helpful if the BOS had some information about the are in the town that is designated as an Aquifer Protection Area.

There is only one area in town, in order for that area to be designated as an Aquifer Protection Area it has to be a Municipal Water Shed that serves at least a 1,000 residents and it must be a combination of responsibility that is shared by the DEEP, the Municipality and the Public Water Companies. The critical area here is that it's a public supply aquifer. There is only area in town that is designated as a Level A Aquifer Protection Area, and it is shown in pink on the DEEP map on the back is the highlighted area that it comes from.

R. Marconi comments that's Oscaleta where the well field is, or is it because of the round pond which used to be our water supply? R. Mucchetti states that all she knows regarding the designation is that it has to serve more than 1,000 residents, she doesn't know what the genesis was. They are for Municipal wells not private wells, so the Aquifer Protection Agency has jurisdiction and the regulations apply only where there is a locally defined Aquifer Protection Area that coincides with the State defined Level A mapped area. So this is the only area that falls under the jurisdiction of the Aquifer Protection Agency and they are for active public water supply wells and the State identifies 28 defined activities that are regulated if located or conducted fully or in part of an Aquifer Protection Agency and the regulation is focused on the use and discharge of hazardous material so its not the ordinary homeowner in fact residential and agricultural activities are not regulated nor are uses in activities solely within a enclosed building as long as the area has an impermeable floor. And by statute Aquifer Protection regulations and every regulated activity must be conducted in accordance with best mentioned practices which are Sec. 12 of the Aquifer Protection Regulations, they were updated in 2010 and the map was updated in 2010.

The reason we brought it in front of the Board of Selectmen is because of the separation. The letter from the Conservation states that had it been brought up during Charter they believe that the Charter Commission would have assigned the authority to the Inland Wetlands Board. R. Mucchetti stated that it was brought up during Charter, a member of the Charter Revision Commission asked Pat Sesto who was testifying on behalf of the Conservation Commission if Aquifer Protection would also go to the new Inland Wetlands Board and Ms. Sesto said no, they usually go with the Planning & Zoning Commissions and that is supported by the memo that we supplied to the Board. We took an Aquifer Protection training course last year that DEEP offered and they identified in the course that most Municipalities with Aquifer Protection Agencies fall with the Planning & Zoning Commission because they are land use agencies as opposed to wetlands which are mostly environmental regulations and where as Aquifer Protection are Land Use Regulations.

When speaking with K. Zappala of DEEP, of the 79 Towns that have Aquifer Protections in Connecticut in 2018, 69 are with Planning & Zoning Commissions, 12 are the responsibility of Wetland Boards, 3 are the responsibility of the Conservation Commission and 1 is with the WPCA. So most Municipalities in the State do have the responsibility of Aquifer Protection with the Planning & Zoning Commissions because of the harmony it has with Land Use Regulations.

S. Zemo stated that the first sentence in the second paragraph of your memo is pretty compelling, when K. Zappala from DEEP recommends keeping the Aquifer Protection Agency as part of the Planning & Zoning Commission because the Aquifer Protection Agency is a land use body as is the Commission.

M. Kozlark then asked if the newly formed Inland Wetlands Board would be a land use body as well?

R. Mucchetti responded in a different way, where land use for Planning & Zoning is development and uses, the uses component is not part of Inland Wetlands, it is disturbance if within wetlands, a water course, a water body or an upland review area, thats what is regulated by the state.

J. Kace responded, if I can answer that, I have a slightly different answer. The Inland Wetlands Board is a board established to protect the Inland Wetlands from improper land use and therefore it serves as a check and balance on Planning & Zoning Commission which is in charge of the Land Use Approval. Similarly the Aquifer Protection Agency is designed to protect the Aquifer's from improper land use and would serve as a check and balance to improper land use decisions by Planning & Zoning. In our minds the two boards are very analogous Inland Wetlands & Aquifers in fact if you look at the flow of things when we have a storm when we have rain, the water runs off properties and goes first to the inland wetlands. The inland wetlands then overflows and then goes into a river or a stream, or it's absorbed into the inland wetlands going down to the aquifer. So they are all interconnected, and in our mind there is no difference between the Inland Wetlands Board and the Aquifers Protection Board, they still need to protect our water. The aquifer when the water gets down to that point is our drinking water whether it comes from Aquarion or a private well and needs to be protected. And to go further, we talked earlier about there being one Level A Aquifer in Ridgefield and that's correct, there is one. It's protected because it serves over a 1,000 people and because it has a very sandy, gravelly soil. There are 9 other aquifer's in Ridgefield that serve drinking water to the people of Ridgefield that also need protection, and they are not under the jurisdiction of the Aquifer Protection Agency.

R. Marconi pointed out that there are many different aquifers in town and that we should be looking to protect all of them.

M. Kozlark stated that the thing that struck her was that in the regulations, the line where it says that the aquifer duties and obligations go to the members of Planning & Zoning in their capacity as the Inland Wetlands Board, it sounded to her that the Aquifer Protection Board was supposed to be with Inland Wetlands because the Planning & Zoning Commission was looking at it in their capacity as the Inland Wetlands Board, D. Grogins is looking into this.

B. Hebert - You mentioned in your letter that the technical skills to address such impact is not present in the Planning & Zoning Commission, and then you go on to say that it requires a scientific set of skills which was one of the points that you had originally made to the Charter Revision Commission. Do we know who is going to be on this board yet? Do they have any of this skill set that you are referencing?

J. Kace - We have been talking to both parties to make them aware of our opinion as to what kind of skill set they need and they have been very receptive. I think both the Democratic Town Committee Chair Person and the Republican Town Committee Chair Person really want to get the proper people for this board. And they are looking for people with experience and we have suggested a number of people that we are aware of that have interest and that have the technical background that they would need to do this.

S. Zemo asked how would the aquifer be better or less protected if it were with the Planning & Zoning Commission or if it was with the Inland Wetlands Board? What is the difference? Because we all agree that we want to protect our aquifers. How will it differ in an everyday, application, enforcement basis? Why do you think it should be in your perspective? J. Kace responded - I think that we ought to protect all of the aquifers in town and ask some simple questions when people come in with a land use application. For example we have had a discussion recently about a home business that is going to be established and we suggested that we ask some questions about does that home business use any of those hazardous materials that are the concern (and the state has listed them) and we normally don't ask that question for either businesses or home businesses?

R. Marconi - Do we do it during the election process, questions could be asked relative to Inland Wetlands as well as Aquifer Protection of people who are running for that office. How far in advance do you want to do this? S. Zemo - It would have to be in advance of the caucuses, I think that people should know what they are running for and what people the parties are putting up. I think it could affect how people are voting for specific members. This decision is premature until the members of the Inland Wetlands Board are established, this will be put on the agenda of a May meeting, it can then be voted on at a June meeting. They would like to have D. Grogins come to the May meeting in order to get his opinion.

Questions from the public: J. Katz - The discretionary control that we have as a Planning & Zoning Agency is through special permit criteria that we are given some flexibility in applying. I believe J. Kace referred to the Inland Wetlands Board as a checks and balances on the Planning & Zoning Commission, I have never heard of a Inland Wetlands Board referred to by the state or any authors of literature referring to it as an oversight agency for the Planning & Zoning Commission.

6. TAP and FLBP Resolutions

K. Redmond is on vacation, R. Marconi did not get the resolutions. What this is if you recall, we went to a Town Meeting to approve our town share of the Branchville Project. The TAP is the Transportation Alternative Program which we are getting 2 million dollars there was a 20% match of \$400,000 and then the FLBP is the Federal Local Bridge Program which replaces the bridge on Portland Avenue Metro North is widening the crossing there and we would shutdown Depot Road because of the historical bridge and we would use that as a pedestrian way instead of a vehicular egress or access. What we are waiting to hear that K. Redmond was questioning is why I put it on here is although we voted and approved at the Town Meeting and everything was approved and fine, we didn't approve specific language which gives the bonding authority for the Board of Finance to go ahead and bond it if they so choose and that comes from Bond Council.

So you know how we went through all of that for our most recent question on our budget we would have to do the same for this. And we are waiting to hear from Council on that. R. Marconi doesn't have those resolutions but that's what it is about.

M. Kozlark asked do we know if the Board of Finance plans on bonding it, they are planning on bonding it? R. Marconi responded I would assume that's why K. Redmond wants it, they could take it out of fund balance but I don't think they want to. It's about \$617,000/\$717,000 is the total that was approved at the Town Meeting because there are two projects the TAP and the FLBP, the FLBP was 10%. It's just a Bond Resolution that a Town Meeting would have to vote on. It's under \$3 million so it doesn't have to go to referendum, it can be voted on at a Town Meeting. We can do that on June 19th but we would have to as a Board approve to send it to the Town Meeting in June. M. Kozlark stated that they would have to have the language from the Bond Council before we could do that.

7. Selectman's Report

The Deer Hunt

We need to make a decision. We were waiting for some information to come back from the Conservation Commission, they were going to contact Yale School. We should put them on the addenda for the next meeting which is May 8th. The Deer Management Implementation Committee has met, they are going to present with 4 or 5 different scenarios, 1) will be to do nothing, leave it just as we are doing, 2) would be to expand the hunt, 3) would be to stop the hunt and 4) would be to modify the hunt and use alternate locations. The hope to have the report as well as the Yale Study for their next meeting.

They didn't have a clear indication as to the population was going to react to those scenarios, what would happen. At the minimum we would have to do a maintenance program and it may be restricting the number of areas at least do that for several years to see what happens to the population then we will continue to track it. If it goes up we know are we okay with it going up, do we want to increase? Is the population continuing to drop if it is do we want to limit it even further maybe we even stop it. M. Kozlark - The other thing is we talked about doing a Public Hearing but we need the information first. R. Marconi stated that they would need at minimum a Public Hearing possibly a Town Meeting.

Update on the Baseball Field

They have completed the restoration, all of the contaminated area was excavated, about 60 yards of material between first and second and second and third. Fresh clay was brought in, it was landscaped last Thursday almost a week ago and all the test results came back relative to the perimeter and the bottom to be sure and it tested clear of any contaminants. Nothing could be done until that report came back, as soon as it came back the company went ahead and we did ask that they hire someone locally to do the field restoration and they did. So that is complete & the field can now be used. R. Marconi wasn't informed but he read on one of the online magazines that the coaches were removed from suspension and were reinstated. According to Moran Environmental Services at this point the damages total \$30,000 plus the cost of the restoration and we don't have those numbers yet. R. Marconi is thinking at a maximum another \$10,000, the clay isn't inexpensive and they had three loads delivered, roughly 60 yards of material and then it was all put in place compacted, the Park & Recreation Field Maintainers came in and did all of the finishing work on it, to make it field ready. They promised R. Marconi that they would get something back if not today, tomorrow on those numbers.

Relative to the insurance claim, it looks as though we will not receive any compensation from the insurance company, they said that this is something that is not covered. If it happened in a building and maybe the parking lot, or the oil tank and there was a fuel spill, yes but on a field no. They don't cover fields like that.

He does have commitments to cover the full amount from private payers, there are 4 or 5, we are not sure yet. Two checks were already received and hopefully another one will come in tomorrow, all of varying amounts. One of those individuals that will be covering the vast majority. Nobody wants their names to be known, the amounts coming in are coming from law offices but suffice it say everybody is being asked to accept responsibility, there are financial consequences and there are no taxpayer dollars being used at all to cover the cost of this issue.

S. Zemo commented that this should have been a learning lesson to the kids of an adult taking responsibility for a very bad decision. a mistake is made and someone will take care of it. They should've owned up to their responsibility.

8. Approval of Meeting Minutes: 04/03/19

M. Kozlark moved and B. Hebert seconded to accept the April 3, 2019 Special Board of Selectmen Meeting Minutes. Motion carried 4-0-1.

M. Kozlark moved and S. Zemo seconded to accept the April 3, 2019 Board of Selectmen Meeting Minutes as modified. Motion carried 5-0.

B. Hebert moved and B. Manners seconded to adjourn the Board of Selectmen Meeting at 8:17pm. Motion carried 5-0.

Respectfully Submitted,
Hollie M. Rapp