

Town of Ridgefield
Board of Selectmen Meeting
Wednesday, May 8, 2019 - 7:30pm
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, S. Zemo

Agenda

1. Public Comment
2. Vendor Permit Application New/Renewal
 - a. Tivoli Pizza Truck - Andrea & Junio Filgueria
 - b. Circus Man - Enver & Elif Ceylan
3. Deer Committee Recommendations to BOS
4. Highway Department Personnel Request
5. Aquifer Protection Agency Discussion Continues - Possible Vote
6. TAP and FLBP Resolutions
7. Selectman's Report
8. Approval of Meeting Minutes

R. Marconi called the Board of Selectmen's Meeting to order at 7:35pm

1. Public Comment

Joseph Lane of 29 Silver Spring Park Road - Mr. Lane stated that his road has a serious drainage issue, that all the other roads in his neighborhood have catch basins but there aren't any on his road and it's washing away his walkway, his driveway, it's flooding his garage. Every time it rains it appears as if they have a river flowing down the back of his property. R. Marconi stated that with the approval of the Board he would ask J. Muller our Director of Facilities to contact another engineer to come out and do an assessment.

2. Vendor Permit Application New/Renewal

Tivoli Pizza Truck - Andrea & Junio Filgueira

They have been operating their pizza truck for 5 years, they are currently remodeling 632 Danbury Rd. (Route 7) to open a restaurant. They will still be operating the truck after the restaurant opens. S. Zemo commented that he was very excited that their success with their pizza truck has led them to opening a bricks & mortar location.

Questions from the public: J. Lane asked what the regulations for the food trucks that go to Nod Hill Brewery are. It was explained to him that the Town had passed an ordinance and then he had specifically asked for the ordinance to be modified for breweries.

B. Hebert moved and M. Kozlark seconds to approve the Renewal/New Vendor Application for the Tivoli Pizza Truck - Andrea & Junio Filgueira. Motion carried 5-0.

Circus Man - Enver & Elif Ceylan

They have been operating their ice cream truck for 12 years now. They have permission from the Ridgefield Housing Authority to park on their property during the CHIRP concerts and that they don't have to pay a vendor fee to Parks & Recreation. As requested they installed a backup alarm on the truck since he backs in and there are always a lot of kids around.

B. Hebert moved and B. Manners seconds to approve the Renewal Vendor Application for Circus Man - Enver & Elif Ceylan. Motion carried 5-0.

3. Deer Committee Recommendations to BOS

The Deer Management Implementation Committee was in attendance in order to discuss the plan for the Deer Hunt going forward. The Committee was asked by the Board of Selectmen to come up with some options that the Board of Selectmen could bring to the public at a Public Hearing before making their decision.

S. Scala put together a calendar that illustrates the four months in which the Deer Hunt takes place. The hunt starts on October 15th, so on the 2018-2019 calendar there were 109 days that were available for hunting however they do not hunt on weekends, holidays, school holidays or school snow days. This limited the amount of days they are actually able to hunt to 57 days (which is only 52% of the available time). So if you take November for example there are 30 days in the months and only 11 of those days can be hunted. There were only 3 deer killed on the road this year.

Over the years the Deer Hunt has significantly reduced the size of the herd. This year they took a total of 152 deer from hunting, S. Zandri explained that this number represents both Public & Private Hunting, only 53 of those deer came from the controlled Deer Committee's controlled hunt (this is only about 25-30% of the total deer taken in Ridgefield). The roughly 100 deer that were not a part of the controlled hunt were taken from private land. S. Zandri mentioned that this is becoming an issue because as Ridgefield transitions, as new people are moving in they are losing a lot of the private land that the hunting is done on and he believes that as time goes on it will be harder and harder to find places to hunt and this is why hunting on the Town's Open Spaces is so important.

M. Kozlark asked if when hunting on private land was a certain amount of acreage required. In response S. Zandri said that no minimum acreage is required for archery, you have to be 500 feet away from an occupied dwelling when using a shotgun and that for a rifle 10 acres or more is required.

A. LaBonte who runs the Deer Management Program for the State of Connecticut did a flyover of Ridgefield back in March, they did 3 of them coming up with 42 deer per square mile. They do their flyover when there is snow on the ground and they count the number of deer they see and multiply it by 2 and that is how they came up with 42 deer per square mile. R. Marconi stated that originally going back 10 years that they were looking to get the number of deer down to 20 per square mile, he asked S. Zandri if this was possible and he responded that it wouldn't happen due to losing spots to hunt.

The Deer Committee brought 4 options to the Board of Selectmen:

Option #1 - To leave the hunt as is.

Option #2 - To increase the hunt, to further reduce the deer herd.

Option #3 - Eliminate hunting on Fridays. (With this option you round be losing 16 days of hunting, about 40%)

Option #4 - Would be to increase the amount of properties hunted from 15 to 20, and to hunt 7 of those properties each year (at the discretion of the Deer Committee) and rotate the properties that you are hunting so that you are only hunting the same property every 3 years.

J. Kace of the Conservation Commission spoke from the audience when B. Manners mentioned the study that they are working on with Yale. He stated that they would have that information for the BOS in a week or so. The BOS plans on going over this information at the May 22, 2018 Meeting.

After all the information is gathered the BOS will decide what will be brought to the Public Hearing on June 5, 2019 to determine how the public feels about the hunt as the last time it was discussed at a Public Hearing the public was overwhelmingly supportive of the hunt.

4. Highway Department Personnel Request

P. Hill met with K. Redmond, he is requesting an additional day so that his 2 part-time people in the office could overlap a day in order to help with efficiency as they are working on a special project for billing and getting everything streamlined. This change will not trigger any additional benefits and he worked it out with K. Redmond in order to find the money in his budget. This is not a temporary request but when they go through the budget process next year it would be looked at as they will be looking at every department as well as every position.

M. Kozlark asked if one of these part timers could be a liaison, a point of communication with the HRRA employee who will be spending a lot of time helping and coordinating activities in every municipality from a regional level.

R. Marconi thought that this was a good idea.

B. Hebert moved and M. Kozlark seconds to approve adding an additional day to the two day a week part time position in the Highway Department requested by P. Hill. Motion carried 5-0.

5. Aquifer Protection Agency Discussion Continued - Possible Vote

R. Mucchetti of the Planning & Zoning Commission sent a letter to the BOS: In this letter she quoted the April 15, 2019 letter from the Conservation Commission to the BOS *“It is our feeling that had the APA issue been brought to the attention of the Charter Revision Commission, they would have specifically incorporated the Aquifer Protection in the new Inland Wetlands Board’s powers.” In fact the Charter Revision Commission did consider the APA issue as recorded in their approved minutes of March 12, 2018. “Ms. Burns asked asked Ms. Sesto whether in splitting the Inland Wetlands Board & the Planning & Zoning Commission the town’s Aquifer Protection Board would go with the Inland Wetlands Board, Ms. Sesto replied by saying probably not, that Aquifer Protection Boards tend to be with Planning & Zoning, she explained that she believes that this is because the function of such boards are more closely associated with setbacks.” And point of fact the APA & Planning & Zoning regulate land use activities that restrict development of certain land use activities that use, store, handle or dispose hazardous materials, of the 79 towns in connection with the APA’s in 2018, 63 are the responsibility of the town’s Planning and/or Zoning Commissions, only 12 are the responsibility of the Inland Wetlands Boards, 4 of the Conservation Commission and 1 with the WPCA. Therefore, as the Inland Wetlands Board is only in charge of regulating certain activities within the town’s wetlands, water courses, water bodies and upland review areas we continue to support amending the Town Ordinance, Section 19-37 to authorize the Planning & Zoning Commission to continue as the Aquifer Protection Agency for the Town.*

The BOS discussed the fact that the majority of the towns having their Aquifer Protection Agency with their Planning & Zoning Commission was very telling. R. Marconi stated that he feels in his experience having served on the Planning & Zoning Commission many years is ago is that in Aquifer Protection was that land use is critical as to the regulations as to what takes place above an aquifer and that if you moved the APA to the Inland Wetlands Board, they don’t have any say over land use.

A discussion issued between J. Kace, R. Mucchetti and the BOS, J. Kace feels very strongly that he doesn’t believe that P&Z is asking the right questions during the application process in regards to making sure the aquifers are being protected. R. Mucchetti disagrees and stated that the approval is conditional and that the business have to adhere to these conditions.

M. Kozlark asked if it would be possible to do some kind of a hybrid as the bottom line is that everybody wants to have clean water and they all want to make sure that these aquifers stay clean. R. Marconi stated that they could have the ordinance read that the Aquifer Protection Agency would rest with the Planning & Zoning Commission, but that any application is to get a non-binding referral from the Inland Wetlands Board so that they could have a chance to review any applications in an aquifer area as identified by the Ridgefield Aquifer Protection Map, dated March 1990.

It was decided that they will hold a Public Hearing on August 21, 2019 and a Town Meeting on September 4, 2019 in regards to where the Aquifer Protection Agency will be with the Planning & Zoning Commission or the Inland Wetlands Board.

S. Zemo moved and B. Hebert seconds to change the Board of Selectmen meeting from August 14, 2019 to August 21, 2019. Motion carried 5-0.

B. Hebert moved and M. Kozlark seconds to add a Public Hearing to the calendar on August 21, 2019. Motion carried 5-0.

B. Hebert moved and M. Kozlark seconds to add a Town Meeting to the calendar on September 4, 2019.

Motion carried 5-0.

6. TAP and FLBP Resolutions

The TAP (Transit Alternative Program) & the FLBP (Federal Local Bridge Program) projects in Branchville when they approved the allocation of the necessary funds at the Town Meeting to make it happen relative to the Town's Share, they did not approve bond language.

S. Zemo moved and B. Hebert seconds to waive the reading of the proposed Bond Resolutions. Motion carried 5-0.

R. Marconi reads the following before they vote:

"Resolution appropriating \$2,000,000 (\$1,591,000 of which will be paid from State and Federal Grants) for the planning, design, acquisition and construction of Transportation Alternative Program improvements and authorizing the issuance of \$409,000 Bonds of the Town to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose."

"Resolution appropriating \$4,817,000 (\$4,509,000 of which will be paid from State and Local Grants) for the planning, design, acquisition and construction of Federal Local Bridge Program Project and authorizing the issuance of \$308,000 Bonds of the Town to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose."

B. Manners moved and M. Kozlark seconds to approve the Bond Resolutions. Motion carried 5-0.

M. Kozlark moved and B. Hebert seconds to send the Bond Resolutions to a Town Meeting on June 19, 2019. Motion carried 5-0.

7. Selectman's Report

R. Marconi stated that last night he talked about everything he could think of (Senior Housing, Branchville, 684-84, Drainage Study) in regards to the Infrastructure Strategies Briefing Booklet that was handed out at Planning & Zoning. Solar Projects was something he didn't talk about but believes it should be in the POCD, he plans on bringing it up at the meeting on the 18th.

There have been a lot of complaints about our roads (it's not just Ridgefield). R. Marconi believes the biggest factor is the weather that we have been having. He asked K. Redmond for a breakdown of exactly where there are in terms of expenditures from the budget and to get a number so he can sit down with P. Hill and formulate a plan. There was discussion in regards to the chemicals that are used on the roads in the winter as there is concern as to whether or not this is helping to contribute in the deterioration of the roads.

Every year the State send out the Net Equalized Grand List, it just verifies and brings everybody to 100% from the assessments. CERC (Connecticut Economic Resource Center) compiles this information and then makes

comparisons of the values in different communities (i.e. they compare Greenwich vs. Ridgefield vs. Shelton, etc.). This is done for the purpose of grants, arbitration, to determine the wealth of a community.

M. Kozlark brought up the Pension Bills that we should be paying, that we should be putting into escrow, and asked R. Marconi if he was reminding the BOF about this. He stated that D. Ulmer had spoke to this Monday night and he stated that we are probably okay for this year but that when it goes to \$975,00 we are going to have to start thinking about it and when it goes to \$1,400,00 we need to be thinking about it and making plans for it.

Sphere wants to sell their bus, this bus is used by the Town during the day to make the loop (the loop consists of Prospect Ridge, Founders Hall, Stop & Shop, & Ballard Green, it may also make special trips to pick people up and once a week it goes to Michael's in Danbury). Sphere wanted to see the bus to the Town for \$17,000, we were told by HART that if Federal Funds were used to subsidize the purchase that it can not be sold for any more than \$5,000 regardless of how old or new it is. The bus is accessible to Seniors as well as the Disabled.

If the Town was successful in purchasing the bus for \$5,000, they would have to have a vote, acquire it, make the allocation & take it somewhere from special appropriation. It would then no longer be run by Sphere, it would just be run by the Town.

Tourism Board Appointment, years ago Di Masters agreed to serve in this capacity. Western Connecticut Convention & Visitors Bureau represents 63 towns including Ridgefield. They went several years without State funding which has now been restored by the State Legislature and they are in the process of reorganizing their Board of Directors. They are looking for Ridgefield to appoint someone since Di Masters as resigned her position on the Board. The Board of Directors meets 4 times a year on the 3rd Wednesday of February, May, September & November at 10:00am, the meetings typically adjourn before Noon. R. Marconi will be putting feelers out in order to find an appointee.

The Compassionate Project is having a big meeting on Sunday, June 9th from 3:00pm - 6:00pm at Scott Ridge Middle School. The meeting will have presentations followed by breaking down into workshops. This is an expansion of the group that is currently meeting every Monday now.

The invoices for the baseball field are coming in and being paid. There have been comments being made stating that they believe the names should be made public. The fact is the children in the dugout knew something was wrong, the coaches were suspended for a week and 3 of the people responsible have been made to pay. Making the names public would cause more harm than good. The State Chief Attorney at the Danbury Superior Court told the RPD that if we receive full restitution not to bring it to them as they would not prosecute the case, if we do not receive full restitution then they would.

Nick Dinofrio, Bill Wagner & Mary Garrett are meeting with landlords & merchants from Branchville, Copps Hill as well as Downtown in order to create a central source of information online. They believe that this should not be done for one area in particular but for the entire community. They are working to pull everything together and they are beginning to come to a conclusion, their decision will be coming to the BOS so that they may receive their input as well as looking to receive financing which will be from both public & private sources.

8. Approval of Meeting Minutes:

The Board reviewed and amended the minutes from the following dates:

02/04/19, 02/05/19, 02/06/19, 02/07/19, 03/04/19, 03/05/19, 03/06/19, 03/20/19 & 04/17/19

M. Kozlark moved and B. Hebert seconds to accept the February 4, 2019 Board of Selectmen Budget Meeting Minutes as modified. Motion carried 5-0.

M. Kozlark moved and B. Manners seconds to accept the February 5, 2019 Board of Selectmen Budget Meeting Minutes as modified. Motion carried 5-0.

M. Kozlark moved and S. Zemo seconds to accept the February 6, 2019 Board of Selectmen & Budget Meeting Minutes as modified. Motion carried 4-0-1.

M. Kozlark moved and S. Zemo seconds to accept the February 7, 2019 Board of Selectmen Budget Meeting Minutes as modified. Motion carried 5-0.

M. Kozlark moved and S. Zemo seconds to accept the March 4, 2019 Board of Selectmen Budget Meeting Minutes as modified. Motion carried 5-0.

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

M. Kozlark moved and S. Zemo seconds to accept the March 6, 2019 Board of Selectmen & Budget Meeting Minutes as modified. Motion carried 5-0.

M. Kozlark moved and B. Manners seconds to accept the March 20, 2019 Board of Selectmen Meeting Minutes as modified. Motion carried 5-0.

M. Kozlark moved and B. Hebert seconds to accept the April 17, 2019 Board of Selectmen Meeting Minutes as modified. Motion carried 5-0.

S. Zemo moved and B. Hebert seconds to adjourn the Board of Selectmen Meeting at 10:20pm. Motion carried 5-0.

Respectfully Submitted,
Hollie M. Rapp