

Town of Ridgefield
Board of Selectmen Special Meeting
Wednesday, August 21, 2019 - 7:30pm
Veterans Park Elementary School Auditorium
8 Governor Street, Ridgefield, Connecticut

APPROVED 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 (absent), M. Kozlark, S. Zemo

Public Hearing at 7:30pm

To hear comment on determining whether the APA (Aquifer Protection Agency) should be under the jurisdiction of the Planning & Zoning Commission or to the soon to be elected Inland & Wetland Board

* Board of Selectmen Meeting to immediately follow the Public Hearing*

Agenda

1. Public Comment
2. Vendor Permit Renewal - Gigi's Family Ice Cream
3. Friends of Ridgefield - Removal & Possible addition request
4. 19 Market Street Special Appropriation Request
5. Salt Alternatives for Roads
6. Lease & License Agreements:
 - a. Founders Hall Lease Extension Request
 - b. ACT "Skydome" Storage Request
 - c. R4 Technologies Parking
7. 2020 Ambulance Approval Rate
8. Selectman's Report
9. Approval of Meeting Minutes: 5/22, 6/5 & 7/17

Public Hearing - Discussion on determining whether the APA (Aquifer Protection Agency) should be under the jurisdiction of the Planning and Zoning Commission or to the soon to be elected Inland & Wetland Board.

Rudy called the Public Hearing to order at 7:32pm, he explained that there will be a vote at the Town Meeting to be held on September 4, 2019 at Veterans Park Elementary School Auditorium, and that residency will be verified when you sign in, upon verification you will be given a ballot to vote.

M. Kozlark commented that she was happy to see so many residents turn out for the Public Hearing. She informed the public that later in the agenda the BOS would be discussing salt alternatives for the roads. This may be of interest to those concerned with the Town's wetlands & aquifers.

Joe Savino of 71 Saint Johns Rd - is currently on the Police Commission.

On November 6, 2018, 8,861 Ridgefield voters (75%), voted to separate the Inland & Wetlands from the Planning & Zoning Commission. In Mr. Savino's opinion, you have a board of highly qualified individuals that both the Republican & Democratic Committees have put on this years slate, that amount of expertise has never been in place as long as he has been a Ridgefield Resident.

As a former P&Z Commissioner, he supports the newly formed Inland & Wetland Board to have responsibility of the Aquifer Protection Agency.

John McNicholas of 16 Old Washington Rd. - He is former chairman of the Charter Revision Commission. He believes that the voters should make the decision regarding where the APA goes at the Town Meeting.

Greg Kabasakalian of 2 Washington St. - Mr. Kabasakalian thanked the BOS for hearing them, he then cited § 19-37 of the Town's Ordinance "Pursuant to Public Act No. 89-305, § 8, all aquifer protection rights, duties, and obligations as set forth in Public Act No. 89-305 are herewith assigned to the members of the Planning and Zoning Commission in their capacity as the Inland Wetlands Board.[1]". Mr. Kabasakalian then stated that since we now have an Inland Wetlands Board (a group of talented individuals), it's time to turn that responsibility over to them.

Bill Jaeger of 38 Circle Drive East - Mr. Jaeger stated that the of Planning & Zoning Commission's quarterly meetings only about 10 minutes is spent discussing Aquifer Protection Agency matters. He believes that the Inland Wetlands Board needs to have the ultimate say in regards to matters effecting aquifers & and surface waters.

Dick Moccia of 2 Highridge Terr. - Mr. Moccia stated that the Planning & Zoning Commission has plenty on their plate with development and applications. He believes that the Ridgefield residents had spoken when they voted to have a separate Inland Wetlands Board.

Nevin Dubin of 36 Webster Rd. - Mr. Dubin stated that aquifer protection and wetlands protection are so intrinsically entwined, you can't separate them. He believes that the Inland Wetlands Board and the highly qualified candidates should be able to do their job in regards to aquifer protection.

Jack Kace of 44 Cooper Rd. - Mr. Kace of the Conservation Commission doesn't believe that the Planning & Zoning commission has the interest in protecting the Town's aquifers. He stated that he believes that "All aquifers of Ridgefield should be the responsibility of the Inland Wetlands Board directly."

Erik Keller of 61 Grandview Dr. - Mr. Keller serves as an alternate on the Conservation Commission, spoke about the future of Ridgefield in regards to development.

The pieces of land that will be developed on in the future are going to be both geologically & environmentally challenging, and that extra care & insight will be needed for protection in these areas. He believes that group the Inland Wetlands Board is the best group to protect the purity of the water.

Chuck Hancock of 480 North St. - Mr. Hancock was on the Charter Revision Commission. He stated that although there was much discussion in regards to separating the Inland Wetlands Board from the Planning & Zoning Commission, there wasn't much discussion in regards to the Aquifer Protection Agency. Mr. Hancock believes that this is an important issue and that it deserves time and that putting this to a vote at on September 4th feels rushed.

Hope Wise of 1 Keeler Close - Ms. Wise is the Republican Town Committee Chairwoman, believes that when the Town overwhelmingly approved the separation of the Inland Wetlands Board and the Planning & Zoning Commission that the Aquifer Protection issue had been resolved.

R. Marconi explained that the reason for the meeting is because when the Town voted to change the Town's Charter, to create a new Inland Wetlands Board, the Town needs to clarify the Town Ordinance which now requires in regards to which Board/Commission will oversee the Aquifer Protection Agency.

David Tatge of 20 Adams Rd. - Mr. Tatge is a Democratic candidate for the new Inland Wetlands Board, he stated that the groundwater in aquifers and the surface waters in wetlands and watercourses are all part of a "hydrological system", and that it would make sense for the Inland Wetlands Board to oversee the aquifers.

Jim Coyle of 258 Florida Rd. - Mr. Coyle is the Chairman of the Conservation Commission, and that the Conservation Commission supports putting the Aquifer Protection Agency in the hands of the new Inland Wetlands Board. The Conservation Commission pushed the idea of the charter change separating the Inland Wetlands Board from the Planning & Zoning Commission, their goal was to get a Board with expertise on water resources.

Alex Harris of 37 Christopher Rd. - Mr. Harris the Chairman of the Democratic Town Committee, stated that water is water, whether it is ground water or surface water they are part of the same system. He thinks it is very important for the Aquifer Protection Agency to be with the Inland Wetlands Board.

Susan Consentino of 118 West Mountain Rd. - Ms. Consentino is a Democratic candidate for the Planning & Zoning Commission, she stated that the Planning & Zoning Commission already has an immense workload with all of the development applications and that the Aquifer Protection Agency should be assigned to the elected Inland Wetlands Board.

Catherine Neligan of 218 Old West Mountain Rd. - Ms. Neligan reviewed the backgrounds of candidates for the Inland Wetlands Board. They include a former environmental director for the Town of Wilton, a civil engineer, two environmental attorneys, two people with master's degrees in landscape architecture. She explained that as Ridgefield changes, with there being less, and less land to be developed that we need to make sure that the Town's aquifers are protected by the most qualified, and most interested members of the community and believes that this is the Inland Wetlands Board.

Ms. Neligan asked if the Town Attorney had been consulted in regards to interpreting the current ordinance. R. Marconi responded that they did and that it was the opinion of the Town's Attorney Mr. David Grogins that the Aquifer Protection Agency remain with the Planning & Zoning Commission after reviewing the applicable law, their experience is that most Aquifer Protection Agencies are under the jurisdiction of the local Planning & Zoning Commission.

Carl Kristoffersen of 21 Woodland Way - As an upcoming candidate of the Planning & Zoning Commission, Mr. Kristoffersen stated that he didn't want the responsibility of the Aquifer Protection Agency.

Katherine Daigle of 239 Peaceable St. - Believed that when she had cast her vote to separate the Inland and Wetlands Board from the Planning & Zoning Commission that it was a complete and total separation. She believed that Planning & Zoning Commission was passing the baton to a highly educated & experienced group of men & women, this group would protect the Town's waterways in regards to development in the Town. She asked that the BOS give residents a second chance to completely and totally separate Inland Wetlands Board from the Planning & Zoning Commission once and for all.

Angela Liptak of 63 Wilton Road East - Doesn't believe that just because many municipalities of their Aquifer Protection Agency reside with their Planning & Zoning Commissions is a reason as to why Ridgefield should follow suit. The environmental future that we are being faced with is very different then what it was even 10 years ago, in her mind placing the Aquifer Protection Agency with the Inland Wetlands Board will establish a new set of standards, and water is going to be our most precious resource in the future.

Tracey Miller of 138 Ramapoo Rd. - Ms. Miller is a Democratic candidate for the Inland Wetlands Board, wanted to thank everyone, including the BOS, the Conservation Commission, the Inland Wetlands review committee for putting together such a phenomenal group of people with such a broad range of experience in design, engineering, water resources & conservation and is very optimistic of the direction that the Town is moving toward.

Mr. Kabasakalian asked that of the 62 towns in Connecticut where the Aquifer Protection Agency resides with the Planning & Zoning Commission, how many of those towns have a separate Inland Wetlands Board? In answer R. Marconi stated that he was unsure, he would have to research that.

Joan Jorin of 11 Doubleday La. - Ms. Jorin stated that she believes that it is vital to have separation of duties, in order to avoid conflicts of interest, and to have the expertise in people that are qualified. She believes water and aquifers are so important that the Board really should not be commingled with a Commission that may have other interest and/or points of view.

Sandra Lussi of 110 Florida Hill Rd. - A 20 year resident, she believes that Ridgefield is very special. Why do you want to retain control of the Aquifer Protection Agency? In response R. Marconi stated that on April 25, 1990 the Town voted to give authority to the Planning & Zoning Commission in their capacity as the Inland Wetlands Board. The BOS wants the ordinance to be clear as to where the Aquifer Protection Agency reside.

R. Marconi read a letter from Dr. Michael Autori, who in his letter is in support of the Aquifer Protection Agency shall be under the jurisdiction of the Inland Wetlands Board.

R. Marconi took questions from residents.

R. Marconi called the Board of Selectmen's Special Meeting to order at 8:46pm.

1. Public Comment

Mr. Hancock spoke the praise of the New York quality performances put on by ACT at the Skydome, and encouraged the BOS to support tonight's request for the extra storage space.

2. Vendor Permit Renewal- Gigi's Family Ice Cream

Mr. McCue and his daughter Gigi came in to renew their vendor permit for Gigi's Family Ice Cream. R. Marconi reiterated that this vendor's sales are targeted to Northern Ridgefield. Mr. McCue inquired as to being able to sell ice cream in Ballard Park during the concerts and was informed that he would need to make his request to Parks & Recreation.

M. Kozlark moved and B. Hebert seconded the motion to approve the Vendor Permit Renewal for Gigi's Family Ice Cream. Motion carried 4-0.

3. Friends of Ridgefield - Removal & Possible addition request

Suzanne Brennan asked to include the Compassionate Ridgefield initiative under the Friends of Ridgefield umbrella for fundraising.

Ms. Brennan has been working with R. Marconi along with other dedicated Ridgefielder's on the Compassionate Ridgefield initiative for the past year.

Compassionate Ridgefield has gotten to the point where they are starting to raise money to put together marketing and other helpful tools in order to get their message out. R. Marconi mentioned an example being the Code of Conduct for the sports fields that interns had presented to the BOS last month.

Ms. Brennan described Compassionate Ridgefield as an initiative that enhances Ridgefield. B. Hebert asked if they planned to eventually obtain their own 501(c)(3), in answer Ms. Brennan stated that once they sign the Charter for Compassion - Ridgefield in May obtaining their own 501(c)(3) would be the next logical step.

M. Kozlark moved and S. Zemo seconded the motion to have Compassionate Ridgefield added to Friends of Ridgefield Community Programs, Inc. Motion carried 4-0.

R. Marconi informed the BOS that Believe in Brooke has obtained 501(c)(3) status under the Internal Revenue Code, and therefore should be removed from under the Friends of Ridgefield umbrella.

M. Kozlark moved and B. Hebert seconded the motion to remove Believe in Brooke from Friends of Ridgefield Community Programs, Inc. Motion carried 4-0.

4. 19 Market Street Special Appropriation Request

Suzanne Brennan Executive Director & Alex Bellina, Board member of Lounsbury house, came in to discuss the property located at 19 Market Street. This is a small house which is part of the Lounsbury Community Center property. It is owned by the Town of Ridgefield and leased to The Ridgefield Veteran's Memorial Community Association, Incorporated. This property encountered many issues & problems which made substantial structural improvements necessary.

Ms. Brennan and the board of the Lounsbury House are asking the BOS for some financial relief relative to the structural issues that were encountered, creating uninhabitable conditions for the previous tenant who was forced to relocate due to the conditions. The Lounsbury House is not looking for relief due to financial hardship but due to the terms of their Lease (specifically paragraph 11 of the lease) with the Town.

The Lounsbury House is asking for the amount of \$33,604 (53.5% of their cost of the renovations). S. Zemo brought up concerns in regards to maintaining these older buildings by a non-profit corporation, and that at some point they should come back to the table to discuss this further.

R. Marconi suggested that the requested appropriation could come from the 2019 contingency fund pending confirmation on the availability of funds with Mr. Redmond.

B. Hebert moved and M. Kozlark seconded the motion to approve the allocation on contingency up to, but not to exceed \$33,604 (for 19 Market Street) pending confirmation from Finance that the funds are available. If the total \$33,604 is not available, the amount that is available will be allocated. Motion carried 3-0-1 (S. Zemo abstained).

5. Salt Alternatives for Roads

Mr. Buccitti & Mr. Hill from the Highway Department as well as Ms. Mucchetti & Mr. Baldelli from Planning & Zoning were present to discuss the impact that the salting of road during winter storms, may be having on the wetlands. The Town switched from using a sand/salt mixture to a straight salt mixture 8 years ago. The reasons for making the switch were the cost savings of about \$100,000 due to the elimination of sweeping of the sand, the possible allergen effect of the sand on school properties, and the drainage issues related to the sand. The salt that the Town is currently using is treated with an environmentally friendly additive that makes it possible for the salt to work at much lower temperatures.

A committee has been formed to investigate possible alternatives to using salt on Town roads this committee will examine the impact on our wetlands as well. First meeting is August 22nd at 11:00am. Mr. Baldelli said they will be looking at this issue countrywide. Discussion took place regarding the possibility of many solutions as well the possible damage those solutions could cause. M. Kozlark asked to be included on this committee.

R. Marconi brought up the important factor of liability in regards to parking lots, this is another issue that needs to be researched. R. Mucchetti had discussed having a conversation with the DEEP who is also looking into this at the state level, so the Town is not alone in with their concerns.

6. Lease & License Agreements:

a. Founders Hall Lease Extension Request

Grace Weber from Founders Hall came to ask the BOS for an additional 10 year extension on their current lease which is 2022-2032 and a second extension would be from 2032-2042. The reason behind the additional extension is to be able to show longevity to donors and members.

Ms. Weber commented that Founders Hall opened with a healthy population and the projections are for the population to shift toward about a 16% increase in the senior demographic. B. Hebert asked if Founders Hall is looking to expand. Ms. Weber stated that there wasn't a need currently but with the projected increase it's something they would likely need to revisit for discussion soon.

The majority of Founders Hall funding comes from philanthropy (about 70%), about 11-12% comes from the Town with the remaining funding coming from program fees, grants, sponsorships, fundraising & campaigns (about 30%). Founders Hall does not charge a fee for membership to Ridgefield residents.

The funding that comes from the town is currently \$105,000, and this is part of the annual budget discussion. In the lease subsection 5 states the following:

“The Town and the Senior Center agree that in the event the Town suffers a financial material adverse event in any fiscal year, both parties will meet, discuss and agree to needed financial modifications to this agreement.”

Public Comment:

Daniel Levine commented that he would support the approval of this lease extension given what an asset Founders Hall is to the Town.

B. Hebert moved and M. Kozlark seconded the motion to approve the additional 10 year extension option on the Founders Hall lease. Motion carried 4-0.

b. ACT “Skydome” Storage Request

Daniel Levine from ACT came to request a License Agreement for 770 square feet of storage space in the Skydome building for \$150 per month. ACT is in need of additional storage needs.

They have many road cases, as well as pieces purchased from previous shows that they might need to use again.

B. Hebert moved and M. Kozlark seconded the motion to approve a 1 year License Agreement for storage space located on the lower level of the Skydome Building to ACT. Motion carried 4-0.

c. R4 Technologies Parking

R4 Technologies an AI (Artificial Intelligence) company located at 38C Grove Street has been expanding and doesn't want to relocate. They are in need of more parking spaces and with this agreement they will have an extra 10-12 spaces for \$1,500 per year.

M. Kozlark moved B. Hebert seconded the motion to approve a 1 year License Agreement for additional parking space in the upper parking lot of 36 Old Quarry Road to R4 Technologies, Inc. Motion carried 4-0.

7. 2020 Ambulance Approval Rate

Chief Myers came to the BOS to have the Ambulance Rates increased by 2% for 2020 which is the state's standard rate. The BOS and Chief Myers discussed the amount and nature of the calls the RFD received in 2018. The calls

that fall under EMS were 2,203, Fire calls were 32 and there were 1,582 that fall under all other requests (these can consist of alarms, investigations, rescue, chemical leaks, etc.)

The RFD started using new software in 2018. Chief Myers and the BOS discussed how things are categorized differently than they were previously. B. Hebert inquired about the charging policy for the Ambulance. Chief Myers explained that if they are able to get the patient's permission to bill their insurance companies (health insurance, Medicare & Medicaid) directly, they do that first. If there is a balance remaining after the insurance company pays, the billing company sends out a bill for the difference. The billing company does not report to collections, but they do send out 2 reminders after the initial bill.

Chief Meyers was asked about the RFP for the study to be done on the Town's Police & Fire facilities. It should be ready in a week or so.

Chief Meyers discussed with the BOS where the application was for a Federal Grant for a new ladder truck. Before a grant can be submitted they must first determine what truck they would be purchasing. They are currently working on this. Discussion followed about the importance of timing and submitting this grant expeditiously. Chief Meyers indicated that he understood the importance.

B. Hebert moved and M. Kozlark seconded the motion to approve the proposed 2020 Ambulance Rates. Motion carried 4-0.

8. Selectman's Report

Golf Course

R. Marconi reported that they are looking for a policy statement from the golf course in regards to people walking on the golf course while golf is not being played.

They are looking to add "During the golf season, neighbors whose property directly borders the golf course property may walk on the golf course prior to sunset as long as there are no golfers in the area.". This has been given to Fairfield County Insurance for review in regards to liability.

Ash Tree Survey

The Town has a problem with dead ash trees. Mr. Aarons and the EMS (Emergency Management System) are going to do a Crisis Track on September 28th, and begin a survey on October 5th where they will go out and determine the latitude and longitude of the ash trees, take a picture & make a record that can then be overlaid on a Town map so they can determine the location of all the ash trees on public roads.

Mr. Pinchbeck has been out. R. Marconi currently has Ms. Fernandez (HR) advertising for a clerk to work 12 hours a week (4 hours a day, 3 days a week) to help respond to the many emails and phone calls coming into the Tree Wardens office. Mr. Steve Lavatori is currently assisting with responding to emails and phone calls. The Town is anticipating a reimbursement in the amount of \$95,000 from FEMA from the May 2018 storm. When these monies

are received R. Marconi would like to ask the BOS to vote on using these monies to cover the salary of the clerk, and then spending the balance on the ash tree removals.

B. Hebert was approached by the Victoria Gate Homeowner's Association in regards to a possible diseased tree that is on Ridgefield Housing Authority's property that has fallen. The Association has agreed to pay for the removal of the tree if it is determined that it is diseased. R. Marconi stated that he would have Mr. Lavatori reach out to B. Hebert in regards to this matter.

Speed Limit

The state statute states that any change made to speed limits on local roads requires the Local Traffic Authority to make a request to the state at the Office of Safe Traffic Administration (OSTA). They will determine whether requested speed limits are appropriate. OSTA have the clear authority to decide what the speed limit should be on any of our roads. Chief Kreitz is currently working on changing all necessary speed limit signs according to the state.

In regards to the town's ordinance on speed limits, Chief Kreitz is suggesting the following language change to the Towns Ordinance:

"The speed limit on all Town roads shall be consistent with state statute under the authority of the Office of Safe Traffic Administration and in conjunction with the Local Traffic Authority." (The Local Traffic Authority in Ridgefield is the Board of Police Commissioners.)

Tim Reid resigned from the Golf Committee. There is now a vacancy.

The Phillip Johnson building was featured in this issue of Connecticut Preservation News.

Dr. Collins, Superintendent of Schools, has resigned due to health reasons. The BOE has commenced a search for a new superintendent.

9. Approval of Meeting Minutes: 5/22, 6/5 & 7/17

Discussion of the Meeting Minutes took place amongst the BOS.

M. Kozlark moved and B. Hebert seconded the motion to approve the July 17, 2019 Board of Selectmen Meeting Minutes as modified. Motion carried 3-0-1 (S. Zemo abstained).

B. Hebert moved and M. Kozlark seconded the motion to approve the May 22, 2019 Board of Selectmen Meeting Minutes. Motion carried 4-0.

R. Marconi moved and B. Hebert seconded the motion to approve the June 5, 2019 Board of Selectmen Meeting Minutes Minutes. Motion carried 4-0.

B. Hebert moved and M. Kozlark seconded the motion to adjourn the Board of Selectmen Meeting at 10:38pm. Motion carried 4-0.

Respectfully Submitted,
Hollie M. Rapp