

**TOWN of RIDGEFIELD – BOARD OF SELECTMEN SPECIAL MEETING**

**APRIL 8, 2016**

TOWN HALL/LARGE CONFERENCE ROOM – 11:00 A.M.

**REVISED/APPROVED MINUTES**

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

In attendance: Rudy Marconi, Bob Hebert, Maureen Kozlark, Barbara Manners, Steve Zemo

R. Marconi called the meeting to order at 11:00 a.m.

1. Waive All Fees Associated with Installation of New Radio Communication System at Various Sites
2. Budget Resolutions

1. Waive All Fees Associated with Installation of New Radio Communication System at Various Sites

R. Marconi explained that this is a request for building fees for the Town radio project that was approved in last year's budget.

Building Inspector Bill Reynolds explained that these installations are at locations not owned by the Town and stated that normally fees for installations on Town-owned properties are waived. The Aquarion Peaceable Ridge site building permit fee is \$600.

Richard Aarons, Deputy Emergency Preparedness Director is overseeing the project and explained there are three sites that fall into this specific situation.

M. Kozlark stated it would not be prudent to waive fees if we don't know the cost of each fee. Supports the project but is not in favor of blindly approving the fee waiver. Bill Reynolds indicated that the fee waiver is an insignificant amount.

S. Zemo asked who would pay the fee if we choose not to waive it? The answer is the company that is completing the installation would pay the fee, and then it would be passed on to the Town.

The Board of Selectmen requested a status update of the radio project in May, to which R. Aarons agreed.

**B. Hebert moved and S. Zemo seconded the motion to waive the fees associated with the installation of the new radio communication system at various sites. Motion carried 5-0.**

## 2. Budget Resolutions

R. Marconi and M. Kozlark both attended the last Board of Finance meeting and the BOF reduced the Town capital budget from approximately \$2.7M to \$2.5M.

Kevin Redmond, Town Controller, reviewed the budget referendum question groupings. Questions 1, 2 and 3 relate to operating—Town and debt service combined, Board of Education, and the capital projects financing. The next four questions relate to capital items. An additional question identifies capital projects that are under \$100,000 that would be addressed at the Annual Town Meeting. The total of capital items to be addressed at the Annual Town Meeting is \$942,000.

Question 5—all items are necessary but someone may not approve spending money on more Highway trucks, but do want another Fire Department truck. If the question is voted down, both items will fail.

Question 4 is a substantial amount of money but it is for matching grant money. Will this be explained? Yes, the question will clarify the matching funds. R. Marconi explained that state grants must be approved at referendum.

R. Hebert asked what happens if the capital question is denied? R. Marconi explained it would have to be brought back next year. If the operating budget is denied, it would go back to the Board of Finance for reconsideration.

R. Marconi stated ADA compliance is included in Question 3—Road Infrastructure

Question 7—K. Redmond explained that the BOF cut the Governor Park netting, pavilion, and the library website. They wanted to add the BOE computer infrastructure. Town Counsel David Grogins explained that the BOF can reduce, can increase a specific ask on a specific line (like the Golf concession last year), but they cannot add an item that the BOS did not approve.

B. Manners takes great offense that the BOF removed these three capital requests. R. Marconi brought that up at the BOF meeting—the baseball field netting is not a matter of money or payback. We are protecting the tenant at that campus and would rather be more proactive. The BOF asked if there are any other options—R. Marconi stated we could eliminate parking there and ask Chefs Warehouse to use the other parking lot closer to the Police Department. Last year we paid \$4,000 out of the Town self-insurance fund to repair damage from foul baseballs. The question was asked by the BOF – what would the safety netting look like? The item was approved by P&Z—but the Architectural Advisory Committee was not consulted. The visual of the netting is significant and it will stay up year round. Could the field be moved slightly? The

field was reconfigured when Governor Park was altered to move the baseline further from the parking lot—it cannot be moved more because it would run into softball field. Pavilion was a reduction from \$53,000 and P&R was told to raise the matching dollars. It was decided it is not a priority right now. The BOF did not realize that this had been an ask for many years. In addition, it is a revenue-generating item.

Rob Miller, BOE Director of Technology, and Fran Walton, BOE Chairman, came forward to discuss their technology capital request that the BOS had removed from the budget but subsequently the BOF voted to recommend the BOS revisit based on new information received from the BOE.

Fran Walton stated prioritizing is difficult. There has been some movement from December when the capital request list was originally compiled. Karen Sulzinsky, BOE member, explained that the reason that this is happening is when you put it on paper with #1 or #4, it would not clarify the competing priorities. Perhaps a presentation next year would be better.

R. Marconi stated that the BOS has to look at the bottom line. If there is a catastrophic situation that must be addressed, it takes priority—like the sewer line. And according to Joe Morits, the sewer line will be taken care of this summer.

M. Kozlark does not doubt that Dr. Baldwin can justify the need for this expenditure; questioned whether the BOS is being asked to take an alternative direction to what is laid out in Town Charter. The governance of the Town Charter is very important and we need to follow it.

S. Zemo stated perhaps the document (the Charter) should not drive the operations if the better direction for the operations of our childrens' schools and the better direction of the Board of Finance, let's not let the rigid rules drive the direction of our decision. We are not setting a precedent.

B. Manners thinks that it is setting a precedent—allowing BOF to determine the priorities. The BOS decides what the Town can afford and what it can't afford. It's a question of priorities and a question of affordability. BOF does not have right to ask us to put back.

B. Hebert respects the process. Looked at BOE budget at very high level. BOE looked for areas to cut. What happens if this isn't put into budget? What is the impact on the students? Would like to hear from BOE and BOF.(Jessica Mancini here).

R. Miller responded about the impact on students: issues with infrastructure and capacity—need good network connecting. Input & output is very narrow. Data that is processed out and into schools has increased drastically. Capacity to communicate school to school is very narrow—basically a traffic jam is happening with the network. The impact of that is that processing, organizational, resources, have all slowed down drastically. Access is there but the process is very slow.

B. Manners questioned whether the rate of cell phone usage impacted? R. Miller responded phone usage goes over cell unless wifi is used. We cannot tell students not to use cell phones—it's like telling them not to use notebook; it is a useful tool. We would be crippling them technologically.

R. Miller further stated we are dealing with aging equipment. Last month the email system stopped working for two full days. Ran out of space. Staff is working on a solution to keep up. Durability and reliability of servers; erosion is occurring (it is like a bridge—it is not visible but it is eroding). This works to shore up that main communication into the school.

R. Hebert asked is there a technology plan? It seems that this is an emergency and it is a catastrophic situation if not addressed.

R. Marconi asked if we make this fix, how long is it good for and what's to say it will not happen again?

R. Miller responded that a 3-5 year plan has been developed and it is in our capital plan going forward. Cannot speak to what was done previously; came to district in June 2015.

Jessica Mancini, BOF, stated the BOF values what BOS does and apologized to B. Manners that you feel offended. When Dr. Miller spoke, it sounded like an earthquake was about to happen—felt that it really needed to be looked at again by BOS. Warranted more conversation by BOS. Remembering the virus several years ago, it cost the Town several hundred thousand dollars.

B. Manners—why did you take other things out?

J. Mancini responded the BOF tried to balance out other needs, trying to be aggressive.

R. Marconi—when you look at it from a numbers perspective, we are looking at a 2.804 instead of a 2.707 increase—when you pull that back and take it out of here, you come back to the 2.705 area. That is what the thinking was. Understand the concern about the procedure, don't see this as precedent setting; however, I would like to include in motion that we do not want BOF to allow this to happen again.

M. Kozlark respectfully disagrees. Charter clearly states the BOF can increase an item. The Charter governs what we do. If the Town feels that this is the correct way to address situation, it should be brought forward at the next Charter Revision Commission. Do not want to start fudging what is said in the Town Charter.

R. Marconi disagrees respectfully. From a legal perspective, it does not say that we cannot do this. If we as a board decide to do this, we can. Looking at a catastrophic event concerns me—

am an advocate in the spirit of the law, not the letter of the law. Nothing wrong with a strict interpretation of the law, but there are times when the Charter is written to be looked at as a guide. I want to avoid a catastrophic event. The BOF told BOE to use the surplus for the sewer.

R. Hebert asked can't we tell BOE to address IT same way? R. Marconi replied yes, we could.

B. Manners does not see this as a catastrophic event. I have the same problem Maureen has.

S. Zemo agrees with R. Marconi regarding the spirit of the law.

M. Kozlark stated that it was not presented as a priority when BOE originally gave budget. It was below lighting upgrades in the RHS auditorium. We can only go by what we have been given. Two or three weeks ago during the budget hearing, the BOE did not deliver it as a priority.

F. Walton stated that events have happened that have shifted the priority. Catastrophic is not a word that we have used. The IT professional is stating that it is going to affect teaching and learning. Technology is needed like water coming into the building.

R. Miller stated that the email server shut down several weeks ago for two full days. Two individuals have been working on and repairing this over the past month, evenings and weekends—thousands and thousands of man hours to repair this. It is similar to a utility going into the building—if technology was to stop working, productivity and learning essentially stops. Potentially catastrophic according to student learning and organizational productivity.

S. Zemo asked can we assume that the priority list was an error? R. Miller cannot speak to the prioritization on the list.

Fran Walton, BOE Chairman, stated the first two items were multi-year items.

R. Hebert stated that a contingency plan is necessary — the BOE must have a plan in place if something does go wrong with technology. There must be an emergency plan. If something does go down, until you can budget for it and go through the process, I haven't heard that there will be a catastrophic failure to the whole system of education in Ridgefield if we don't honor the process.

Karen Sulzynski urged BOS to consider what the cost is if this does happen—it is more than the amount requested in the ask. It will be bigger if it collapses. We don't want to be back here in 8 months.

R. Miller emphasized redundancy—we have a partial redundant center that we are currently building, but we are looking at a \$500-700k center to make that happen. We have to shore up

our current equipment at this time until we can create the center. Most school districts do not have redundant centers. The resources are not available to create them.

S. Zemo stated lessons have been learned—maybe during next budget cycle there should be an interim meeting with the BOE.

We will address the question of whether we should add back in or make an amended capital budget to the Board of Finance? R. Marconi stated we probably will see a \$500,000 request for infrastructure from BOE next year. Must clearly communicate to BOF the appropriate budget process as stated in the Charter must be followed. Understanding that the BOE elected officials before us are in a difficult situation and have a problem, my feeling is let's address it and fix it going forward.

**R. Marconi moved and S. Zemo seconded the motion to approve a \$224,000 allocation for the Board of Education technology infrastructure with a message to the Board of Finance that the Board of Selectmen does not intend to do this next year and this is a one-time situation to address this problem, recognizing that it most likely will be cheaper to address the problem now rather than react to it later. Motion failed 2-3-0 (R. Hebert, B. Manners and M. Kozlark opposed).**

B. Manners questioned can we ask the BOF to reconsider the other two items? R. Marconi stated no, we cannot because the items were already voted down.

M. Kozlark stated we should follow the Charter—we should respect that the BOF reduced and they can according to the Charter. B. Manners stated the Charter does not state that we can't ask again. While the Charter does not say that we cannot do this, the question is—do we want to do this, setting a precedent? M. Kozlark countered there are methodologies that can be used to address question within our system—the BOE can come back and ask for a special appropriation. Cannot support this.

Stephanie Anderson, resident, agrees with R. Marconi and S. Zemo—does not want to spend more money on this later. When patching pieces together, the infrastructure will be weaker. We are very lucky to have Dr. Miller on board. He is looking forward. We have not kept up with our technology; if we don't do this we are continuing to postpone addressing problems.

K. Redmond will have referendum questions for approval at the 4/13/16 BOS meeting. There are a total of 7 questions and Question 8 is the Annual Town Meeting

B. Manners suggested adding a two-line question about allowing bikes on the rail trail. The license agreement has been reviewed by the BOS.

R. Marconi stated it is an advisory question and it is dangerous to do an advisory question. B. Manners is concerned that there are a fair number of people that want it and a fair number of

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people that do not want it modified. In recent years, when it comes to the use of land, we have asked for residents' opinion. R. Marconi stated it is not Town property.

R. Hebert stated we should get the facts first and then share the facts – everybody deserves to weigh in on it. Over a period of time, you are going to reach a larger group of people. We have the authority to approve the license agreement and then once we know what we are talking about, we can present it to residents. It is way too premature—it is one or two years away.

S. Zemo stated it will be really challenging for people who haven't been following the issue to make a real informed choice and vote on it. We need to hear more on the environmental impact plan.

R. Marconi informed all that when the decision was originally made to allow CL&P to create the rail trail, DEEP stated we have to get approval of the residents. Over two years, we went through the process. Initially everyone was against it, but as we disseminated information, people became more comfortable and it finally passed at a Special Town Meeting.

This question will not be added.

**M. Kozlark moved and B. Manners seconded the motion to accept the groupings of the questions as presented for a total of \$2,580,519 for the 2017 fiscal year capital projects. Motion carried 5-0.**

The reduction of \$40,000 delivered by the BOF was discussed. B. Manners asked whether we can take it out of contingency? Would not want it to hit the departments. R. Marconi replied we would rather not do this. S. Zemo is opposed to this; we need that flexibility.

M. Kozlark suggested cuts in the EDC (\$3,000) and the legal line (\$5,000) and snow removal (\$10,000). R. Marconi stated Peter Hill can take money out of crack seal. K. Redmond suggested reducing Police by \$5,000 and the Library by \$5,000.

Chris Nolan, Dean Miller were attending representing the Library. The \$5,000 reduction is understood—it will be difficult, but will have to make it work.

R. Marconi recommends taking an additional \$5,000 out of legal and restore the \$5,000 to the Library.

**M. Kozlark moved and B. Manners seconded the motion to reduce the operating budget by reducing Items #2, 3, 4, 5, 8 & 9 on the list provided by Kevin Redmond and take \$15,000 out of the legal line to get to the \$40,000 reduction. Motion carried 5-0.**

**S. Zemo moved and M. Kozlark seconded a motion to adjourn the Board of Selectmen meeting at 12:45 p.m. Motion passed 5-0.**