

## BOARD of SELECTMEN MEETING – JUNE 1, 2011

TOWN HALL/LARGE CONFERENCE ROOM – 7:30 P.M.

### REVISED/APPROVED MINUTES

---

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

In attendance: R. Marconi, A. Bodner, M. Kozlark, B. Manners, D. Masters

#### **Agenda**

1. Conservation Commission Interviews: Monnie Newman, Terry McManus
2. Ridgefield Arts Council Interview: Maxime Francis
3. Vendor Permit Renewal: Maya Curto, Redding Creamery
4. Blight Presentation: Ryan King, Jack Yuen
5. Pension Commission Reappointments: Arthur Aaronson, Walter Seibert
6. Discussion/Approval of MOA with Conservation Commission for Open Space Acquisition
7. Approval of Tax Refunds
8. Selectman's Report
9. Approval of Meeting Minutes: 5/4/11–special, 5/17–special, 5/18/11, 5/18–special, 5/20/11–special

R. Marconi called the Board of Selectman Meeting to order at 7:35 p.m. following an Executive Session regarding Union Negotiations Update, and Schlumberger Update. No vote was taken. R. Marconi requested the first two motions as follows:

**B. Manners moved and D. Masters seconded a motion to schedule a Board of Selectmen Special Meeting on June 8, 2011, 7:30 p.m., Veterans Park School Auditorium as well as a Public Hearing on June 15, 2011, 7:00 p.m., Town Hall Large Conference Room for consideration of the proposed purchase of land on Old Stagecoach Road for the purpose of open space acquisition and a lease for the placement of a cell tower thereon by the Town of Ridgefield and the Ridgefield Conservation Commission. A Public Hearing regarding this issue has already been scheduled for June 8<sup>th</sup> at Veteran's Park School. Motion passed 5-0.**

David Grogins, Town Counsel, indicated that four responses have been received relative to cell tower contracts. Two of the responses had sample leases included. Major terms of the proposed leases will be emailed to the BOS shortly for their review. A carrier must be chosen with negotiation of the final terms.

**D. Masters moved and M. Kozlark seconded a motion to add to the evening's agenda as Item #6A, the Economic Development Commission's (EDC) Task Force presentation regarding Development of The Branchville Area. Motion passed 5-0.**

1. Conservation Commission Interviews: Monnie Newman, Terry McManus

Two members of the Conservation Commission have expressed interest in being reappointed: Alan Pilch and Ann (Kitsey) Snow. Their terms expired 2/1/10. There is one additional vacancy on the Commission.

M. Kozlark expressed the need to put on the agenda soon consideration of the policy of reappointment and appointment of new members to the Town's commissions and committees. R. Marconi responded that considerable thought needs to be given to this matter. It is difficult to not reappoint individuals who have requested reappointment and have worked hard and been responsible members of committees and commissions. It would also be good to be able to honor

new requests to serve. B. Manners indicated how this subject has been discussed in the past and a resolution has not been found. Perhaps a term limit, a term off, and then the option of reapplying would be a solution. R. Marconi asked about political terms of office as well. Should these be limited as well? There are many facets to this issue which would need to be discussed.

Monnie Newman came forward to express her interest in serving on the Conservation Commission. R. Marconi read the letter received from Ms. Newman. She walks the trails in Ridgefield and would like to “give back” to the Town. She attended the most recent meeting of the Conservation Commission. She has lived in Ridgefield since 1991 and would like to help preserve open spaces. She is employed full time with Fairfield County Financial Services as a Financial Advisor. She is a member of the Ridgefield Guild of Artists as a member artist and participant in shows.

B. Manners stated how the Conservation Commission does a lot of different projects. Where would Ms. Newman want to put her efforts? Ms. Newman responded that she would like to see an increased presence of the Commission in the Town. She would suggest promotions and fund raising (such as a rubber duck race).

D. Masters commented on Ms. Newman’s skill set and how she leans toward marketing. Does she have the time for extra-curricular work with the Commission? Ms. Newman responded that she does work full-time, but she does have some flexibility as well. She understands how issues involve interfacing with the neighborhood. She is very comfortable speaking with people and seeking their input.

M. Kozlark asked Ms. Newman as to her opinion regarding the proposed acquisition of the 28 acres and the building of a cell tower. Ms. Newman responded that she supports the Conservation Commission’s acquisition of additional open space and how it is important for the Town to erect the cell tower and get the revenue return as a result. If the Town doesn’t move ahead on a cell tower in this area, a private individual will do so.

D. Manners asked if Ms. Newman is interested in any other committees or commissions as well? She replied that participation on the Youth Commission is another possibility.

Andy Bodner asked Ms. Newman if she would support the erection of a cell tower on other Conservation Commission open space if this proposed land purchase doesn’t work out for some reason? Ms. Newman responded that she does not see a problem with a cell tower on conservation property. It is important to provide the cell tower coverage needed. A. Bodner asked Ms. Newman about her opinion regarding the deer management program? She stated how she supports the Town’s efforts to cull the deer herd. A. Bodner thanked Ms. Newman for coming forward and appreciates her qualifications.

Terry McManus was unable to be present this evening. A letter has been received from Ben Oko, Chairman of the Ridgefield Conservation Commission, expressing the Commission’s support of both applicants – Monnie Newman and Terry McManus. There is only one opening and they are recommending that Terry McManus be appointed to fill this vacancy because of her involvement with the Commission as a Volunteer Ranger at the Florida Refuge, her special training as a master gardener with an interest in the environmental disturbances caused by invasive plants and insects, and her recent work with the 300<sup>th</sup> anniversary letterboxing project that involved open space. Ms. McManus will be interviewed at a later date.

## 2. Ridgefield Arts Council Interview: Maxime Francis

Maxime Francis came forward to express her interest in serving on the Ridgefield Arts Council. There are currently three vacancies on the Arts Council. R. Marconi read the email and resume received from Ms. Francis. She commented on her passion for the arts and how she has worked in the past to promote the arts. She grew up in New York City very close to the Metropolitan Museum. Her mother was an architect and her father was an art collector. She has written grants for the NY Foundation for the Arts, and has volunteered both at the Met and MoMa. She was responsible for an employee art show when she worked at the Starwood Hotels corporate office. Ms. Francis has considerable marketing and communications corporate experience prior to moving to Ridgefield in July 2010.

M. Kozlark asked Ms. Francis about her ideas for the town. Ms. Francis indicated that she has attended one meeting so far. She would like to build more partnerships with the various art groups in the community. She feels she will have other ideas once she gets “her feet wet”, so to speak. A. Bodner commented on her wonderful background, and B. Manners commented on how her volunteer focus will be so helpful. An email has been received from Alison Greeley, Chairman, indicating the Arts Council’s endorsement of Maxime Francis for one of the vacancies.

**B. Manners moved and D. Masters seconded a motion to appoint Maxime Francis to fill one of the vacancies on the Ridgefield Arts Council for a four-year term. Motion passed 5-0.**

3. Vendor Permit Renewal: Maya Curto, Redding Creamery

Maya Curto came forward to express her interest in having her vendor permit renewed for an additional year to sell pre-packaged ice cream and bottled water. She indicated that she was sorry she was unable to attend the previous BOS meeting because she was in the hospital. She is now feeling better.

B. Manners asked if she had experienced any territorial conflicts with other vendors? Ms. Curto responded that she finds her spot and stays put. Ms. Manners stated how Parks & Rec has given three vendors permission to sell at seven CHIRP concerts. Each vendor pays \$50/event. The vendors need to be able to work cooperatively. R. Marconi asked Ms. Curto to keep a log and keep track of any issues. It would be helpful to have the info in writing should there be any problem and share this log with the Selectman’s Office. She should write down what she “observes”, especially at Great Pond. The BOS wished Ms. Curto a “good season”.

**A. Bodner moved and B. Manners seconded a motion to renew for an additional year the Vendor Permit for Maya Curto, Redding Creamery, to sell pre-packaged ice cream and bottled water. Motion passed 5-0.**

4. Blight Presentation: Ryan King, Jack Yuen

R. Marconi introduced Ryan King and Jack Yuen, two interns from the First Selectman’s Office, who have reviewed all the blight complaints, visited the sites, took pictures and created a power-point presentation titled, “Blight in Ridgefield”, which was shared with those at the BOS Meeting. R. Marconi stated how this report helps to detail the complaints and may assist the Selectmen in deciding whether or not they want to proceed with an anti-blight ordinance. Ryan and Jack showed pictures taken at 15 houses. After the viewing of each location, they stated whether each did fit or did not fit the “blight” designation. Many of the houses were abandoned, some with the grass cut and others not, some with abandoned rusty cars, trash in the yard, and overgrown shrubbery. Where the buildings are rotting and/or in need of repair, there could be rodents present. Some of these locations are up-to-date with property taxes, two of the fifteen are in arrears. Some of the locations are vacant because of foreclosures. Neighbors have complained

about many of these locations as they feel a blight on the street lowers the value of their property and their ability to sell.

R. Marconi stated that a draft Anti-Blight Ordinance had been distributed to the BOS for their review. Copies of ordinances of nearby communities have also been obtained for reference. A blight ordinance has to be very specific. The question is how is a blight property defined? The lawn just now mowed is not sufficient, but what about an abandoned property with a negative impact on the rest of the street? D. Masters stated how if we have a blight ordinance in effect, we can send an officer to the location. However, if no one lives there, then who owns the problem? The Town would then own the problem! R. Marconi stated how the Town can pay for a clean-up and put a lien on the property, but cannot enter the building. D. Masters stated how enforcement of an anti-blight ordinance is going to cost the town money. What if someone does not have the financial ability to repair the structure? The Town will be taking on responsibility for an abandoned property or will be putting an additional burden on those already in dire need. We can currently request that the Health Department and the Building Department look at a location, but if there are no health issues and/or no building issues, we cannot do anything. Individuals have the right to live how they want to in their own homes, but do they have the right to impact the neighborhood? That is the question!

David Grogins, Town Counsel, stated that a blight ordinance will help some. It will put the homeowner on notice, but we cannot go into the house. An anti-blight ordinance is a tool and can be used as such, but will not solve all. Brookfield just adopted such an ordinance. Unregistered motor vehicles are someone's personal property. Here again, one cannot do much.

Ridgefield resident, Gabby Kessler, asked that we find out how other towns are doing administering their Anti-Blight ordinances.

John Katz, Old Ridgebury Rd., stated how a house caving in is a health problem. We need to obtain a mandatory injunction and get into such a house when it appears there is a health danger.

M. Kozlark suggested that the BOS research other town's ordinances and look at how they are crafted as a first step. B. Manners stated how she also would like to read the ordinances adopted by other towns. R. Marconi stated how New Canaan's ordinance is "very broad". They have been chasing complaints after complaints about paint chipping, and not really blight situations.

R. Marconi stated that we can start by having the Health Department and the Building Department look at materials collected about each location and review each situation. They can recommend a course of action as to what we can do currently. It will take about two months for these two departments to visit these locations and report back. In the meantime, we can review the wording of ordinances from other towns and discuss this issue again in September.

5. Pension Commission Reappointments: Arthur Aaronson, Walter Seibert

**Andy Bodner moved and B. Manners seconded a motion to approve the reappointment of Art Aaronson and Walter Seibert, Jr. for an additional three-year term on the Pension Commission. Motion passed 5-0.**

6. Discussion/Approval of MOA with Conservation Commission for Open Space Acquisition  
Ben Oko, Conservation Commission Chairman, and David Grogins, Town Counsel, came forward to discuss this proposed Conservation Commission acquisition. Dr. Oko indicated that he is willing to sign the Memorandum of Understanding (MOA) if purchase of the property and the

proposed lease are both on one vote. The MOA provides for the purchase by the Town of Ridgefield and the Ridgefield Conservation Commission a property on Old Stagecoach Road for the price of \$1,000,000.00 (one million dollars). The Commission is paying \$650,000 towards the purchase from its open space accounts. The Town will seek approvals for the balance of \$350,000. The Town will seek to have a cell tower erected on the property. In the event that approval of the cell tower is not received for any reason or the tower not built, the Town shall be permitted to sell such land as required to recover its full investment in the property. All revenue generated from any and all leases shall be deposited into the Town General Fund. Dr. Oko signed the MOA.

6A. EDC Task Force Presentation – Development of the Branchville Area

Chris Fisher, Chairman of the Task Force, Bob Knight, Chairman of the EDC, and Joyce Strand, member of the EDC, came forward to discuss their presentation, “The Future Begins Here”, detailing possible development of the Branchville Area. They have called on the various commercial property owners in the area to get their feedback. The planning study includes a revised retail streetscape and a parking garage at the rail center. There is property appropriate for housing along the rail line and additional retail along the west side of the station. They have discussed as well how to deal with road intersections into Route 7 in the area. A letter has been signed from the property owners indicating their willingness to donate \$12,500 with an additional \$12,500 from the Town of Ridgefield, (possibly from Contingency fund) to move forward with grant applications relative to planning and conservation studies, a zoning study and infrastructure utility studies of the Branchville area. This \$50,000 won’t pay for everything, but it will get a consultant on board, knowledge of some of the constraints involved, and move the process forward. The DECD has some grants and there is CT State money available. What will be the Town of Ridgefield’s five-year return on this investment? - Real estate development, new real estate tenants, Branchville is currently under-utilized, flooding in the area, development of transportation infrastructure with rail and bike paths, creation of Branchville as a place of destination with pedestrian connectivity.

D. Masters asked on what exactly will the \$25,000 be spent? Chris Fisher responded: studies on the transportation infrastructure, waste water treatment in the area, and development view of the constraints and values of the Branchville area. D. Masters expressed concern about ever escalating study costs, consultant rates going up. We do not want a plan we cannot afford. A clear defined scope is needed as to what we want to finally achieve and how to get there. Chris Fisher responded that the \$25,000 will allow us to apply for the State grant dollars. There needs to be further studies as to what are the impediments and where we are going. A. Bodner pointed out how the Town does not actually own any property in the Branchville area. The Town can influence decisions but we do not have the ability to actually do anything there. Mr. Fisher responded that there are a lot of properties being under-utilized in the Branchville area. \$25,000 is a modest start for a “beginning”. R. Marconi indicated how Branchville is an area where we can promote the Town of Ridgefield. This could become a town village area with new businesses. This is a viable project for grant dollars. We can possibly even work with Wilton on this. Working with another town will also help our grant applications. A. Bodner expressed a desire for support from Planning & Zoning indicating that they are in concurrence with this direction for Branchville and that P&Z also wants a plan for the next phase. Chris Fisher stressed how the Task Force and EDC are going to explore all grant opportunities. B. Manners stated how there is no further commitment from the BOS at this time. This is economic development and is an exciting opportunity. It would be foolish to let this opportunity for grant money go by. D. Masters requested and it was agreed by the Board of Selectmen that there will be no additional future funding from the Town of Ridgefield for this project for research activities, grant applications, economic studies, etc.

Dom D'Addario, Tanton Hill Rd., stated how this is the third study of the Branchville Area that he can remember. All the development has been for on Route 7 – nothing for the other side of the river. The sewer problem is a big problem as is the water problem and flooding.

Joseph Ancona, Branchville property owner, commented on how the Route 7 study came up with a lot of ideas which the property owners in the area welcome.

R. Marconi expressed a thank you to the EDC and the Task Force.

**B. Manners moved and D. Masters seconded a motion to approve funding of the requested \$12,500 to match the Branchville Property Owners Working Group funds of \$12,500 to seek DECD planning and other grants as relevant, in order to “jump start” the study of possible development of the Branchville Area. Motion passed 5-0.**

7. Approval of Tax Refunds

**B. Manners moved and M. Kozlark seconded a motion to approve the refunds totaling \$3,899.45 as requested in the 5/25/11 memo received from Jane Berendsen-Hill, Tax Collector. Motion passed 5-0.**

8. Selectman's Report

- Moving forward on labor negotiations
- Excellent Memorial Day parade and decorations at the War Memorial
- New flag on Town Hall purchased by the Fire Department. The flag was raised 3 feet this year and pulled away from the building, allowing for no interference with entry into Town Hall – looks great! All the flags on Main Street look good!

9. Approval of Meeting Minutes: 5/4/11 – Special, 5/17/11 – Special, 5/18/11, 5/18/11 – Special, 5/20/11 - Special

**D. Masters moved and M. Kozlark seconded a motion to approve as written the minutes of the May 4, 2011, Board of Selectmen Special Meeting. Motion passed 5-0.**

**D. Masters moved and M. Kozlark seconded a motion to approve as written the minutes of the May 17, 2011 Board of Selectmen Special Meeting. Motion passed 5-0.**

**D. Masters moved and M. Kozlark seconded a motion to approve as written the minutes of the May 18, 2011 Board of Selectmen Special Meeting. Motion passed 5-0.**

**M. Kozlark moved and D. Manners seconded a motion to approve as amended the minutes of the May 18, 2011 Board of Selectmen Special Meeting. Motion passed 5-0.**

**A. Bodner moved and D. Masters seconded a motion to approve as written the minutes of the May 20, 2011 Board of Selectmen Special Meeting. Motion passed 5-0.**

**A. Bodner moved and D. Masters seconded a motion to adjourn the Board of Selectmen Meeting at 10:10 p.m. Motion passed 5-0.**

Respectfully submitted,

Janet L. Johnson