

**SPECIAL TOWN MEETING & BOARD of SELECTMEN MEETING**

**OCTOBER 6, 2010**

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

**REVISED/APPROVED MINUTES**

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

In attendance: R. Marconi, A. Bodner, B. Manners

Absent: D. Masters, J. Plock

**Special Town Meeting**

Notice is hereby given that a **Special Town Meeting** will be held on October 6, 2010, 7:30 P.M., Town Hall/Large Conference Room, 400 Main Street, Ridgefield, Connecticut to:

- 1) *act on the proposed lease of 2.146 acres of land from the State of Connecticut (the former Walpole property) to the Town of Ridgefield for an Athletic Field;*
- 2) *act on the proposed one (1)-year lease between The Town of Ridgefield and Goodwill Industries International, Inc., for the premises located at Old Quarry Road, Ridgefield, CT as shown on map attached to the lease with designation of “Parcel A – approximate area 1.430 sq. feet”;*
- 3) *act on comments relative to the Ridgefield Operation for Animal Rescue, Inc. (ROAR) proposed building/parking lot expansion at the intersection of South Street and South Street By-Pass, Ridgefield, CT.*

*Maps and related documents for the proposed lease of State Land, the proposed lease between the Town of Ridgefield and Goodwill Industries International and the proposed ROAR building/parking lot expansion are available for public inspection in the office of the First Selectman and the Town Clerk.*

R. Marconi called the Special Town Meeting to order at 7:30 p.m. Minutes of the Special Town Meeting are under separate cover.

**Board of Selectmen Meeting** (*immediately following Special Town Meeting*)

1. Flow Control Implementation Discussion
2. Port Authority of NY, NJ Agreement
3. Expiration of Affordable Units
4. Proposed Blight Ordinance
5. Approval of Meeting Minutes (9/1/10, 9/22/10)
6. Selectman’s Report

R. Marconi called the Board of Selectmen Meeting to order at 8:05 immediately following the Special Town Meeting.

1. Flow Control Implementation Discussion

Cheryl Reedy and Town Counsel David Grogins came forward to discuss this issue. Cheryl reported that there has been a decrease in tonnage coming into our transfer station. When the tonnage falls below a designated level, the participating towns are charged a penalty of \$85/ton.

This can result in a huge liability. There was a controversial Supreme Court case (Carbone Case) a few years which ruled that it is illegal for the haulers to be required to go to specific locations with the tonnage. The haulers of course seek a location with a lower charge. This is especially prevalent for communities located near state boundaries. It is easy to go to a neighboring state. The charge in New York State is currently \$69-72/ton.

The more recent Herkimer Case ruled that if a municipality owns a transfer station, they can require their haulers to use that station. Ridgefield own their transfer station. Our contract expires in 2019. R. Marconi reported that he had been very involved with Ridgefield's renegotiated fee which was reset in 2004. The current charge of \$85/ton had previously been \$79/ton. Connecticut had produced more garbage than the six burn plants could handle. Two of the burn centers are owned by Wheelabrator. Our contract is with Wheelabrator. With the current decrease in tonnage, the burn plants can now handle the tonnage. Cheryl indicated that if any corrective action is to be taken, now is the time to do something. To not do so can be very costly to a municipality. Ridgefield's tonnage last year was 146% of its minimum guarantee. Right now with less expensive options available, do we as a community want to go with flow control implementation? We are working with Newtown and Brookfield on this issue. R. Marconi indicated that he wants to keep the Board of Selectmen informed. There is a trend in the region. Brookfield, Sherman, New Fairfield are all experiencing lower tonnage levels. There is a sharing process between neighboring towns to level out the tonnage so that the total for our region was met. These 11 towns jointed together 20 years ago - HRRRA. A. Bodner stated how he is against putting a tax on residents when Ridgefield is currently at 146%. D. Grogins will share with the BOS copies of the Wheelabrator contracts.

2. Port Authority of NY,NJ Agreement

This agreement dated September 28, 2010 needs to be signed and processed in order to proceed with acquisition of the piece of steel from the former World Trade Center to be used in the construction of Ridgefield's 911 Memorial.

**Andy Bodner moved and B. Manners seconded a motion to authorize Rudy Marconi, as First Selectman of the Town of Ridgefield, to confirm and sign for the complete legal transfer by The Port Authority of New York and New Jersey (the "Port Authority") to the Town of Ridgefield, that certain piece of steel of the former World Trade Center, identified as H-112 in the Port Authority's World Trade Center Archive: Artifact Inventory Report of January 31, 2007. Motion passed 3-0.**

3. Expiration of Affordable Units

Joanne Search, Annemarie Roller, Rob Gutman, and Dave Goldenberg, members of Ridgefield's Affordable Housing Committee came forward to discuss this issue. They shared with the BOS a chart detailing all of Ridgefield's Affordable Housing units and the status of each.

There are 9 privately-owned units whose 20-year affordable agreements will expire in 2013 and 2014. When these agreements expire, the rent can go to market value which could result in a \$600-700/month increase. This is not an immediate concern, but the Committee wants the BOS to be aware of this situation. A solution will need to be worked out that will be suitable to the landlord, the tenant and the Town. The Town of Ridgefield continues to have a need for affordable housing. A. Bodner inquired as to how these units are taxed by the Town? Would the taxes go up in keeping with an increase in the market value? B. Manners responded that we might have to lower the taxes to keep the units "affordable". It was suggested that the Committee meet with R. Marconi and Steve Zemo to discuss their concern.

4. Proposed Blight Ordinance –

R. Marconi asked if the BOS wants to revisit this issue. There is new legislation in Hartford regarding this subject. Mr. Marconi reports that he continues to get calls from neighbors and especially about foreclosed vacant houses that are allowed to get in a state of disrepair. It was agreed to put this topic on the agenda again when all BOS members are present.

5. Approval of Meeting Minutes (9/1/10, 9/22/10)

It was agreed to postpone review of the minutes until the next BOS Meeting when J. Plock is present.

6. Selectman's Report

- Pat Sesto has resigned from the Deer Management Alliance. R. Marconi will send her a note of thanks for all her hard work on Ridgefield's behalf.
- Woodcock Nature Center Lease is between the Nature Center, the Town of Ridgefield and the State of Connecticut. The State of CT wants proof of certain terms in the lease. R. Marconi will suggest that the State work directly with the Nature Center.
- Branchville Train Station parking – The application for the parking permits was made available on the Town of Ridgefield website last week. An electrical engineer has been hired to separate all the electrical entanglements at the station. Until 2008, the Town did not receive a bill from CL&P. The charges for Whistle Stop Café, the Town of Ridgefield, and MetroNorth all need to be separated. Whistle Stop collects all the garbage at the Station.
- The Probate Court (Judge Egan) needs to be officially moved to Bethel by January 1, 2011. Newtown, Redding, Bethel and Ridgefield will all share in the cost of the move. The Judge will be taking the furniture from his office. Ridgefield does not anticipate any capital cost to the Town. He may start moving by the end of November to meet the January 1<sup>st</sup> date. The Town of Ridgefield will then have use of this office space.
- Building permits – requests for two single family resident permits were received this month. BMW's redo plans have been submitted. Boehringer Ingelheim continues to talk about an additional building, but nothing definite yet. Conveyance taxes are so far on target with budgeted numbers. The economy is still a concern – people are not finding jobs.
- Letter has been received from Coco Baron but R. Marconi has not yet followed up. Various town committees need to take minutes, but do not need to tape their meetings.

**Andy Bodner moved and B. Manners seconded a motion to adjourn the Board of Selectmen Meeting at 9:20 p.m. Motion passed 3-0.**

Respectfully submitted,

Janet L. Johnson