

BOARD of SELECTMEN MEETING – MAY 17, 2006

TOWN HALL/LOWER LEVEL 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, B. Manners, D. Masters, J. Plock

AGENDA

Board of Selectmen Meeting immediately following Town Meeting

1. Turner Hill – Ben Oko
2. Vendor Permit – Sam Masters
3. Insurance Risk Management Committee Report
4. Patriots Way
5. Building Permit Fee Increase
6. Tax Refund Requests
7. Charter Revision Commission Report Review
8. Approval of Meeting Minutes – 5/3/06
9. Selectman's Report

Economic Development Commission

1. Review *Ridgefield Press* article
2. Schlumberger Update

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

1. Turner Hill – Ben Oko

Dr. Ben Oko, Chairman of the Conservation Commission, came forward to discuss the Turner Hill subdivision issue regarding encroachment by home owners on public open space adjoining their property. This issue has been discussed previously by both the Conservation Commission and the Board of Selectmen with one solution being the possibility of establishment of a buffer zone. The Conservation Commission has consulted with Town Counsel and the Town Planner for suggestions. The Commission is seeking BOS approval for monies to have a survey done. There are no markers/monuments from any previous surveys. There is currently no way to adjust the boundaries, no "wiggleness" to change anything from the original approval of the subdivision. If violations are to be enforced, the boundaries of the various properties within the subdivision need to be defined. They can survey the few properties which are the most in violation or can survey the entire subdivision, which is the preference of the Commission. Last year's estimate for the overall survey was approximately \$7,000. There are no funds in the Conservation Commission budget to cover this expenditure.

J. Plock indicated that previous discussions on this issue had suggested not changing the property lines, but establishment of a buffer zone. Dr. Oko pointed out that some residents have been mowing 35-40 feet back into the open space adjoining their property and even putting play equipment and storage sheds on the open space property. The manner in which the subdivision was set up allowed for some homes to be very close to the property line, less than 12 feet. If a buffer zone was to be established, a survey needs to be done to establish boundaries. Following thru on this issue would set a precedent. The Conservation Commission feels this is an important issue which needs to be resolved. They have been seeking compliance since 1990 and unsuccessful to date. J. Plock indicated how uncomfortable she is with Dr. Oko's suggestion. Dr. Oko indicated one solution is that there is a mechanism in place to fine \$100/day for non-compliance with property boundaries, but to do so, the property boundaries must be known and marked as such. Open space is deeded in perpetuity and cannot be sold off to adjoining homeowners. J. Plock requested a copy of the minutes of the Conservation Commission regarding the issue of establishment of a buffer zone.

R. Marconi indicated that there are no set-backs in this subdivision. To allow a 12 foot buffer zone, that means 12 feet from the house, not 12 feet from the backyards. B. Manners pointed out that the lack of enforcing this issue sets a precedence as there are boundary/open space problems in other parts of the town as well.

John Katz, Ridgebury Road, pointed out how this property was originally corporate development property and no one wanted to develop it corporate-wise. This Turner Ridge subdivision was a design for a community of small homes which would benefit by being near open space. This was a selling point at the time of development. As a citizen, he is against giving any open space to the homeowners and would like to see the 12 feet from the house enforced.

B. Manners indicated that she feels the 12 feet from the house is reasonable. The Conservation Commission has done much deliberation and the BOS would show respect for the Commission by approving the dollars for the survey requested. The BOS asked the Commission to work on this issue and the BOS should honor their request. Ms. Manners expressed a thank you to Dr. Oko and the Commission.

B. Manners moved and D. Masters seconded a motion to put out to bid to seek three estimates for the cost to survey and mark with monuments the Turner Hill property and for comparison the cost to survey the three properties within Turner Hill who appear to have encroached the most upon Town-owned open space. Motion passed 5-0.

2. Vendor Permit – Sam Masters

D. Masters excused herself from the discussion. Paul Masters, South Salem Rd., came forward to request approval of renewal of the vendor application for his son Sam Masters to operate an ice cream truck and push cart on Main Street. Sam will come before the BOS on another date. **J. Plock moved and A. Bodner seconded a motion to approve the vendor permit renewal for Paul Masters (son – Sam Masters) to sell ice cream, water, candy and other snacks in the Town of Ridgefield for a period of one year from May 4, 2006 to May 4, 2007. Motion passed 4-0-1. D. Masters abstained due to conflict of interest.**

3. Insurance Risk Management Committee Report

Bill Jaeger, Chairman of the Insurance and Risk Management Committee (RMC), came forward to present the Committee's request to continue to retain H.D. Segur for handling the Town's and Board of Education's liability, property and workers' compensation coverage. The Committee is

recommending a two-year agreement and even an extension to a three-year agreement, assuming continued satisfaction with Segur's performance. Proposals were received from Segur, Webster Insurance and Carnall Insurance, Inc. Annual fees for the services were essentially similar. The Committee finds Segur to be superior to Carnall in processing third party claims, in loss control consulting services, in carrier service, in analytic creativity, and in the rate quoting process.

Segur representative, Scott Sunderland, expressed his company's interest in Ridgefield's business. Segur currently provides insurance services to 47 municipalities in Connecticut. A. Bodner pointed out that it is easy to extend insurance services for an additional year, but hard to cut back. R. Marconi indicated Carnall's strong desire to get Ridgefield's insurance business back, and all the more so as they are a Ridgefield company. A discussion followed as to coverage for the Community Center and Founder's Hall. They are add-on's to the policy. Mr. Sunderland emphasized that Ridgefield is under no risk.

Because of the recent rains in New England, R. Marconi inquired as to coverage for Ridgefield's dams. The town has to own the dam and maintain it for insurance coverage. Downstream coverage is not included. According to Mr. Sunderland, there is no difference in the policy regarding downstream coverage from previous policies. A. Bodner requested a list of exclusions to the liability and umbrella policy coverage of the Town of Ridgefield..

B. Manners moved and D. Masters seconded a motion to renew the insurance contract with H.D. Segur for handling the liability, property and workers' compensation coverage for the Town and Board of Education for a period of two years contingent upon a review of satisfaction in one year. Motion passed 5-0.

4. Patriot's Way – Attorney Ward Mazzuco came forward to present again to the BOS the proposal for Patriot's Way. The question at the time of the previous presentation was the possibility of downsizing the project. Mr. Mazzuco reported that there are no significant changes in the proposed project. It would not be economically feasible to downsize the proposal. Patriot's Way would be housing for 55 and older. This age restriction would be enforced by the Homeowner's Association.. Mr. Mazzuco stated that this housing development would bring in approximately one-half million/year in property tax revenue without increasing the school population. They would donate one acre for Parks & Recreation parking – 146 parking spaces would be possible on this one acre. They would pay for paving, lighting and drainage. Regarding a previous question as to how much of this donated acre is wetlands, the response is that the vast majority of the acre could be used for parking spaces. The plan calls for a density of three units/acre. They would also pay for the cost of a traffic light at the proposed exit onto Route 35.

Mr. Mazzuco indicated three requests:

- Asking the Town to accept the one acre parcel
- Requesting access way to lead to Route 35
- A recommendation to the WPCA for 3,500 gallons/usage/day. This would leave 36,500 gallons/day available for future usage.

D. Masters indicated that this acreage under consideration was not to be included in an expansion of the sewer district. R. Marconi indicated that this 40,000 potential gallonage was to be available if need be for Founder's Hall, the Senior Center and Recreation Center and in case the town wants to build affordable senior housing at this site. He feels the proposed Patriot's Way units are way too large and too dense for the property. This location is a "gateway to the community". The BOS

previously asked for a less-dense proposal, but the map presented this evening did not indicate such. The Board realizes that the cost of the land is driving the density as the developer would be purchasing the property. Mr. Marconi asked for a show of hands as to those present from neighboring Tanton Hill Road. This numerous group expressed opposition to the proposal. Mr. Marconi commented that he understood that Mr. Mazzuco returned to present again to the Board his client's conceptual plan for the property and the Board does understand that the cost of the property is causing this density, but the consensus is "no".

5. Building Permit Fee Increase – The previous vote on the Building Permit Fee Increase was incorrectly worded.. **J. Plock moved and B. Manners seconded a motion to approve the Building Permit Fee Increase, effective May 1, 2006, based on estimated building cost as follows: \$50.00 for the first \$1,000.00 and \$8.00 for each additional \$1,000.00 or part thereof. Motion passed 5-0.**

6. Tax Refund Requests -

J. Plock moved and B. Manners seconded a motion to approve the Tax Collector, Town of Ridgefield's request to refund for 2004 property taxes overpayment to Wells Fargo Real Estate Tax Services \$2,466.30 on List Number 2004-01-8922. Motion passed 5-0.

B. Manners moved and J. Plock seconded a motion to approve the Tax Collector, Town of Ridgefield's request to refund for 2004 property taxes overpayment to Wells Fargo Real Estate Tax Services \$1,915.87 on List Number 2004-01-2698. Motion passed 5-0.

7. Charter Revision Commission Report Review -

R. Marconi reviewed the dates scheduled for review of the Charter Revision Commission's report, which was presented to the Board of Selectmen the beginning of May. A Special Public Hearing is to be scheduled for June 7 and a final meeting to vote for or against acceptance on June 14. No Town Meeting as such is necessary. Ed Tyrrell, a member of the Charter Revision Commission was present. It was suggested that a copy be provided that indicates the previous language as well as the proposed wording changes.

J. Plock moved and D. Masters seconded a motion to schedule a Special Public Hearing on Wednesday, June 7, 7:30 p.m. at Veteran's Park School auditorium, or an alternative location if this location is not available, to review and discuss the Charter Revision Commission Report. Motion passed 5-0.

8. Approval of Meeting Minutes – 5/3/06 –

D. Masters moved and J. Plock seconded a motion to approve as amended the minutes of the May 3, 2006 Public Hearing and Board of Selectmen Meeting. Motion passed 5-0.

9. Selectman's Report –

- R. Marconi read the April 24, 2006 letter received from Nan Lee Howkins, President of the Children's Corner, expressing their desire to renew the lease for the space now occupied by CCI at 115 Barlow Mountain Road effective March 2009.

- Skate Park Celebration – May 20, flyer was distributed. R. Marconi will be at the celebration from 2:30 to 3:00 p.m.
- Memorial Day Parade – Monday, May 29, schedule reviewed: 9:00 a.m. service at St. Mary’s Cemetery followed by Marine Corps League breakfast; 10:00 a.m., Fire House breakfast, and then gather for the parade line-up at Jesse Lee Church. BOS may ride on the fire truck from the Fire Station to Jesse Lee if they wish to.

J. Plock moved and D. Masters seconded a motion to adjourn the Board of Selectmen Meeting at 9:45 p.m. Motion passed 5-0.

Economic Development Commission

R. Marconi called the Economic Development Commission Meeting to order at 9:45 p.m.

- Schlumberger Update – R. Marconi distributed a breakdown sheet regarding the Schlumberger property. He has a call into Michael Katz, Schlumberger’s representative, and submitted to the Economic Development Committee in Hartford a report on Schlumberger leaving the state and the resultant loss of jobs. A. Bodner inquired as to the possibility of any leverage from Hartford so the property cannot be made into a non-profit? R. Marconi replied that he thinks such a ruling has to be a deed restriction and this is not the case. The goal is to see something to benefit the Town on this property.
- Car Tax – This revenue is going to be lost to the municipalities. R. Marconi is suggesting that instead the State refund each town an equal amount and let each town use the dollars as they see fit.
- New Members for the Economic Development Commission - About 7 to 8 applications have been received. The charter for the Economic Development Commission sets membership at 5. It is appropriate to now start to interview these applicants. One member from the Chamber of Commerce is preferred, as well as members with different skill sets. Someone with a marketing base would be most welcome.
- The Complete Kitchen and the Tile Shop on Main Street have closed – Rents are too high! Does the Chamber of Commerce put together a committee to speak with landlords? This is something the Chamber could be doing.
- The Bissell Property – It has hurt Main Street to have this “eyesore”. What type of action can the BOS take? We cannot tell the property owner that he has to rebuild. The owner has indicated a desire to not pay the sewer tax as there is no building on the property, nor does he want to plow the snow at the back of the property. Bissell seems to be holding their own at the new location.

J. Plock moved and R. Marconi seconded a motion to adjourn the Economic Development Commission Meeting at 10:10 p.m. Motion passed 5-0.

Respectfully submitted,

Janet L. Johnson