

BOARD of SELECTMEN MEETING – MAY 20, 2009

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, D. Masters, J. Plock (left at 9:00 p.m.)

Absent: B. Manners

Agenda

1. Three-year Budget Forecast Presentation – Kevin Redmond
2. Contingency Funds for Ridgefield Arts Council Allocation of Matching Funds (Grant)
3. Pension Commission Reappointments – Jim Stoveken, Bill Whelan
4. Pension Discussion – Dave Campbell, Chairman
5. Charter Revision Commission Appointments
6. Commission on Again Reappointments
7. Community Center Lease
8. Proposed Ordinances: Blight
Light
Waiver of Small Tax Bills; Wavier of Small Refunds
9. Approval of Tax Refunds
10. Selectman's Report
11. Approval of Meeting Minutes: 2/23/09, 3/3/09, 3/5/09, 5/20/09
12. Executive Session: Schlumberger, Eureka

R. Marconi called the Board of Selectmen Meeting to order at 7:30 p.m. J. Plock had to leave for the airport at 9:00 p.m. and wanted to be in attendance when the Charter Revision Commission members were appointed.

J. Plock moved and D. Masters seconded a motion move up #5 on the Agenda (Charter Revision Commission Appointments) to #1 on the Agenda. Motion passed 4-0.

1. Charter Revision Commission Appointments
The BOS at their previous meeting voted to select a seven-member Commission. It was suggested that the vote be by ballot and Laurie Scholl, Director of Human Resources, would serve as the "counter". R. Marconi reviewed the list of applicants and their interview dates:

January 21	John McNicholas (R)
	Matthew Peterson (D)
	Charlie Primerano (D)
	Don Romoser (U)
February 4	Kelly Labritz (R)
	Heidi Namiot (R)
March 18	Sharon Hyde (U)
	Jerry Kiernan (R)
April 6	Andrew Berger (U)
	Avery Costigan (U)

April 22 Tiffany Lenz (R)
May 6 Lisa Carroll (R)
 Samuel Bloch (U)
 Andrew Keleman (R)

Andy Bodner inquired about Republican/Democrat affiliation. R. Marconi pointed out that the Commission's membership can consist of no more than four members of one party.

R. Marconi pointed out that Ed Tyrrell served as a member of the 2005 Charter Revision Commission and he then suggested that Ed Tyrrell be appointed as an ex-officio member of the Commission to help get the 2009 Commission "up and running". Mr. Tyrrell was present and he agreed that he would be willing to serve in this way and that it would be helpful to have someone who had been thru the process previously assist in getting the Commission organized and on their way.

Each of the BOS members presented their ballot to Laurie Scholl for her to tally the votes. **J. Plock moved and A. Bodner seconded a motion to appoint as members of the 2009 Charter Revision Commission:**

John McNicholas (R)
Matthew Peterson (D)
Charlie Primerano (D)
Andrew Berger (U)
Tiffany Lenz (R)
Lisa Carroll (R)
Sharon Hyde (U)

and Ed Tyrrell as Ex-Officio member (carry-over from the previous Charter Revision Commission). Motion passed 4-0.

All the applicants will be contacted and the group of seven chosen by the BOS will be asked to be present at the next BOS meeting on June 3.

2. Three-Year Budget Forecast Presentation – Kevin Redmond

Kevin Redmond, Director of Finance and Laurie Scholl, Director of Human Resources, came forward. Mr. Redmond indicated that he has been working with others on a Revenue Committee relative to revenue assumptions for the current budget and a two-year plan. He also presented a Three Year Capital Improvement Plan for all departments. It is estimated that the Grand List will increase by ½% in 2011 and ¾% in 2012. Al Garzi, Tax Assessor feels comfortable with these projections. A lot of this is based on Boehringer Ingelheim. A. Bodner inquired about how the abatement is figured? A building has to be on the Grand List before the taxes on it can be abated and we are only abating 85% and not the total amount. What about "playing catch up" with the salary freezes that were instituted for 2009? Laurie Scholl, Director of Human Resources, indicated that these numbers have been added in.

Medical insurance is up 9%. We have formal bids from both Cigna and Anthem, but nothing is yet finalized. Both these companies are actively bidding.

Pension increase is at 28%. A \$450,000 increase is recommended for the next fiscal year. There will be continued discussions with the Pension Commission for more details. A. Bodner indicated that he believes 28% is a low amount; he senses that this number will more than double.

R. Marconi indicated that we are using a different approach this year as we are in different times.

Debt service is projected to be flat for 2011 and down for 2012. We cannot continue to not invest in capital and the infrastructure of the town. This policy will catch up with us. Departments will have to start sharing assets.

Kevin Redmond will present the budget and revenue plan and the three-year capital improvement plan to the Board of Finance on June 16. If the desire is to go into greater detail, then we need to schedule a budget meeting. J. Plock stressed the importance of making sure that the Board of Finance realizes that this revenue assumption is just a plan; if these assumptions come to pass, then it is a target. We need to look carefully at the numbers for MagicSalt, a comparison of what was spent in previous years on sand and salt – what about overtime and wear and tear on the trucks? It would be helpful to compare these numbers with a town such as Newtown and see what they spent. It was a heavy winter.

3. Contingency Funds for Ridgefield Arts Council Allocation of Matching Funds (Grant)
The Ridgefield Arts Council did receive that grant, but the matching funds were never allocated. In order to apply for the grant for next year, we must show that the matching funds have been voted upon in order to qualify. **J. Plock moved and D. Masters seconded a motion to approve Department of Finance Memorandum #200908 providing support for the Ridgefield Arts Council's (RAC) request to participate in a grant from the Connecticut Commission on Tourism – The grant from the State is for \$4,608 and represents 80% of the program costs and the remaining 20% - \$1,152 is from the Town of Ridgefield's General Contingency fund – Increase #71707-44791 Ridgefield Arts Council Trust Fund for \$1,152 and Decrease #10890-59101 for \$1,152. Motion passed 4-0.**

D. Masters requested that this grant be part of future budget considerations. If this is an annual grant, this should be part of the budget as the result of a contingency discussion.

4. Pension Commission Reappointments – Jim Stoveken, Bill Whelan
R. Marconi indicated that both Mr. Stoveken and Mr. Whelan have submitted requests for reappointment. **J. Plock moved and D. Masters seconded a motion approve the reappointment of James Stoveken, Jr. and William Whelan to an additional three-year term on the Pension Commission. Motion passed 4-0.**

5. Pension Discussion – Dave Campbell, Chairman
The following members of the Pension Commission came forward to discuss the current pension fund shortage due to the economic downturn: Dave Campbell, Chairman, Walter Seibert, Chris Christiansen, Art Aaronson, and Bill Whelan.

Dave Campbell led the discussion and indicated that the pension fund is down about 34%. The question now is how do we make this loss back? They met the previous evening with the Board of Finance. They have not changed the fund's asset allocation of 25% in equities, 15% fixed income, 5% cash, and the balance in a mixture of alternative investments. Our relationship is with Vanguard solely.

A May 18, 2009 letter has been received from David Leonard, Account Executive of TR Paul Inc. He was asked "to review the impact of the current trust asset losses on the annual contribution requirements, looking at various ways of recognizing the losses and the impact on plan funding for 2009-10 as well as the future beyond."

Andy Bodner commented on how the pension fund is down about \$16 million. Our average return has been in the 7% range. Fixed income returns have historically been in the 5-6% range. We have always been on the conservative side. Are there creative ways to finance the pension fund's desired growth? The Board of Finance, Bond Counsel and R. Marconi had planned to meet (The meeting has not occurred) One consideration is the possibility of issuing a municipal bond? What does this mean? What is the risk? We need to learn more about this possibility. Another idea is to purchase investment grade bond funds.

D. Masters indicated that she does not see it that "easy". She does not see an income generator that offsets the low interest income. R. Marconi responded that we need to compare risk to impact on this year's income. We need to show the Town that we are looking at every alternative. D. Masters responded that she is also willing to look at everything but still be cautious. The residents need to understand what we are looking at and where we are coming from. A. Bodner indicated that he feels that the pension fund is "sacred". Whatever the pension fund needs, it needs to be paid. He suggested that we look at a contribution from our surplus. R. Marconi pointed out that the rating bureau is not against our use of our fund balance, but we need to have a plan to replenish the fund balance in order to hold onto our AAA rating.

R. Marconi suggested that it is appropriate to schedule a Pension Fund meeting to discuss various ideas. It is a good time to invest now if one has a long-term view. We do not currently have any bond issues "in the pike". Interest rates are so low that it is a good time to borrow.

6. Commission on Aging Reappointments

The previous discussion relevant to Commission meeting attendance records indicated that perhaps the meeting time needs to be changed to better accommodate the members' schedules. This has occurred.

D. Masters moved and J. Plock seconded a motion to approve the reappointment for an additional three-year term those members of the Commission on the Aging whose terms have expired: Marion Freer, Mary Morrisroe, Mary Ann O'Grady, Chris Robertson, and Eileen Wilson. Motion passed 4-0.

7. Community Center Lease

Scott Schneider, Community Center Board member and Attorney Patrick Walsh came forward to discuss the Community Center Board's request to change from a standard lease arrangement to an operating agreement. Mr. Schneider explained why the Board is seeking a different venue. Under consideration should be liability issues and capital improvements. The Community Center Board is an agent for the Town of Ridgefield, the owner of the building. The lease has been renewed every five years for the past 4-5 decades. The building doesn't have a function other than to house meetings of charitable groups. The Board acts as a fund raiser for the building and is charged with the responsibility of maintaining the building as a historical landmark. They are the "caretakers", the operating managers of the building. The Board does not put on events – they act as the landlords renting to others. This is a public function – nothing really like this in Town. The building has no other purpose than to function as a community center. Parks & Rec takes care of the grounds.

The Community Center Board wants to raise dollars and keep the building as an historical structure. An operating agreement allows for an efficient way to raise dollars; they are not asking for permission to use the building which is what a lease provides. They do not want the liability

of being the landlord. They Board provided their financial information for the previous BOS meeting.

D. Masters indicated that we need to come to an agreement that will limit the Community Center Board's responsibility for maintenance of the building. R. Marconi suggested that Town Counsel draft an operating management agreement for both the BOS and the Community Center Board to review.

8. Proposed Ordinances:

Is the BOS interested in pursuing possible light and/or blight ordinances? D. Masters indicated that she is not in favor of a residential light ordinance. Can't the light issue on Partridge Drive be a neighbor harassment issue? Instead, she would suggest a neighborhood harassment ordinance. This could cover spot lighting that interferes with the neighbors, intentional unkind acts against a neighbor, etc. There is a State statute on harassment. If there is a State statute, does there need to be a local ordinance as well? R. Marconi suggested that Police Chief Roche discuss this with the BOS at the next meeting. Chief Roche when a Major, met with the Partridge Dr. residents. This is a serious situation.

Andy Bodner indicated agreement to have a discussion with Chief Roche, but he is not in agreement with an ordinance that pits neighbors against neighbors. There are courses of action that homeowners can take. R. Marconi indicated that he had received 5-8 emails regarding the possibility of a blight ordinance, but no emails regarding a possible light ordinance. Blight situations impact the value of a neighbor's home. D. Masters pointed out that often a blight situation is because the homeowner is ill and/or elderly. It provides the Town an opportunity to be of help. We should be concerned about the health, safety and welfare of our residents and not calls from one neighbor complaining about another. A. Bodner pointed out how we already have rules – no dumpster in front of the house long-term, rodents present a health hazard, junk cars cannot be stored in one's yard, how many unregistered vehicles can one store on one's property?, etc. In situations where the homeowner just does not care, the Town needs to be able to do something. What about a junkyard ordinance? D. Grogins pointed out that most of the situations are unoccupied buildings.

Recommended Tax-Related Municipal Ordinance

R. Marconi read the May 7, 2009 memorandum received from Jane Berendsen-Hill, Tax Collector requesting consideration of two new proposed municipal ordinances regarding waiving small tax bills and small refunds.

D. Masters moved and A. Bodner seconded a motion to set a Public Hearing and a Town Meeting for June 3, 2009, 7:30 p.m., Town Hall/Large Conference Room, 400 Main Street, Ridgefield, CT to consider the two new proposed tax-related municipal ordinances as presented by Jane Berendsen-Hill, Tax Collector:

Waiver of Small Property Tax Bills

Commencing with Fiscal Year 2009-2010 and continuing thereafter, all property taxes from each annual Grand List due in the amount of \$10.00 or less shall be waived in accordance with the provisions provided in Section 12-144c of the Connecticut General Statutes

Waiver of Refunds of Excess Payments Less Than \$5

Tax payments made to the Town of Ridgefield in excess of the amount due, whether for principal, legal interest, penalty, or fees, shall be retained by the Tax Collector where the amount of the excess payment is less than \$5.00. Where the amount of excess payment is \$5.00 or greater, the procedure for refunds outlined in Section 12-129 of the Connecticut General Statutes, as amended, shall be followed.

Motion passed 3-0. (J. Plock had to leave early and B. Manners was absent.)

9. Approval of Tax Refunds

A. Bodner moved and D. Masters seconded a motion to approve tax refunds submitted for approval on 5/15/09 by Jane Berendsen-Hill, Tax Collector for a total amount of \$2,839.69. Motion passed 3-0. (J. Plock had to leave early and B. Manners was absent.)

10. Selectman's Report

- May 19, 2009 letter received from Austin Drukker, Chairman, BOE, relative to Pre K-Grade 8 school configuration and districting. They do not anticipate any change in facility use for the 2009-2010 school year, but cannot forecast at this time further ahead than that. Thus, the BOE requests that the lease for the Children's Corner program at Barlow Mountain Elementary School not be extended beyond the 2009-2010 school year (to June 30, 2010). A. Bodner repeated his previous request for an assessment of the rental value of the Children's Corner sq. footage. R. Marconi will check into the CPI index and an appraisal prior to an extension of the lease until 6/30/10.
- We can redo Ridgefield Academy's agreement for no property tax but an annual contribution which could be earmarked for maintenance of the fountain. The end date of their agreement is 2011. This would require BOS and BOF endorsement and a Town Meeting. A. Bodner repeated his previous objection to the designation of income for specific projects.
- Swine Flu – Ridgefield has 9 new reported cases throughout the Town – not related to one another – 17 cases in total.
- Revision of the Vendor Application – R. Marconi is working with Chief Roche on this project. The Chief wants to do more in-depth background checks before issuing a vendor permit. D. Masters pointed out that often the vendor permits are for activities involving children such as selling ice cream at parks and sporting events. We should do background checks relative to the individual's safety and past record of involvement with children.
- Memorial Day Celebration on 5/25 – The BOS have been invited by the Marine Corps League to their Memorial Day breakfast at 9:30 a.m. prior to the parade.
- Signage is being installed at artificial turf fields encouraging the washing of hands and exposed body parts, keeping beverage containers closed, turn clothing inside out as soon as possible to avoid tracking dust to other locations, and being aware of signs of heat-related dehydration – important health precautions following sporting activities on artificial turf. This is Town of Ridgefield Department of Health signage.
- The CT Association of Municipal Attorneys is sponsoring a "Night, Light & Blight" program on Friday, June 5, 2009, at 12:00 at the Hawthorne Inn in Berlin, CT. Speakers

will discuss Building Coe and Enforcement Issues regarding: Noise Ordinances, Dark Sky Initiatives, and Blight Ordinances and Property Management Codes. R. Marconi is planning to attend.

- Ridgefield Planning & Zoning Commission has issued a May 11, 2009 invitation to provide input at a June 30, 2009 meeting regarding the Ridgefield Plan of Conservation and Development Update. They are asking each Board/Commission to submit written recommendations and to send one representative to this meeting to report those recommendations. These recommendations should involve policies and actions that are intended to protect important resources, enhance the town and improve the quality of life for residents.

11. Approval of Meeting Minutes: 2/21/09, 3/3/09, 3/5/09, 5/20/09

It was agreed to put off approval of the meeting minutes: 2/23/09, 3/3/09, 3/5/09, and 5/20/09 until the June 3rd BOS Meeting.

13. Executive Session: Schlumberger, Eureka

R. Marconi indicated that Eureka is not to be discussed per our attorney.

R. Marconi moved and D. Masters seconded a motion to recess the BOS Meeting at 10:00 p.m. and go into Executive Session to discuss the Schlumberger property with Rick O'Brien, member of the Economic Development Commission (EDC). Motion passed 3-0.

Respectfully submitted,
Janet L. Johnson