

PUBLIC HEARING & BOARD of SELECTMEN MEETING – JUNE 3, 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, B. Manners, D. Masters, J. Plock

Public Hearing & Special Town Meeting

Notice is hereby given that a Public Hearing and Special Town Meeting will be held on June 3, 2009, 7:30 P.M., in the Town Hall Large Conference Room, 400 Main Street, Ridgefield, Connecticut to discuss and act on the following proposed Ordinance.

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

Board of Selectmen Agenda (immediately following Special Town Meeting)

1. Vendor Permit Applications: Shannon McCoy, Maya Curto
2. Proposed Revision of Driveway/Right of Way Ordinance
3. Lyme Disease Task Force Intern Grant
4. Donation of Land from 76 Governor Street LLC
5. Selectman's Report
6. Approval of Meeting Minutes: 2/23/09, 3/3/09, 3/5/09, 5/6/09, 5/20/09
7. Executive Session: Eureka Litigation

Public Hearing

R. Marconi called the Public Hearing to order at 7:30 p.m., and read the Notice of Call for the Public Hearing to consider “*Waiver of Small Property Tax Bills*” and “*Waiver of Refunds of Excess Payments Less Than \$5*”, as proposed by Tax Collector, Jane Bernedsen-Hill. Ms. Bernedsen-Hill came forward to explain the reason for these requests in an attempt to increase efficiency and reduce administrative costs. Last year over 1300 bills were mailed out totaling \$9,123 in property tax bills. These invoices are so small that they are often ignored and not paid. Both of these procedures are permitted by Connecticut statute. The Public Hearing was closed at 7:40 p.m.

Special Town Meeting minutes for approval of the proposed “*Waiver of Small Property Tax Bills*” and *Waiver of Refunds of Excess Payments Less Than \$5*” is under separate cover.

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

R. Marconi called the Board of Selectmen Meeting to order at 7:50 p.m. **J. Plock moved and D. Masters seconded a motion to insert as #1A on the evening's agenda: Discussion of Water Line for Scotland-Barlow Site. Motion passed 5-0.**

1. Vendor Permit Applications: Shannon McCoy, Maya Curto

Shannon McCoy, a college student from Springfield, MO, came forward to introduce himself to the BOS in support of his vendor permit to sell educational books and software in Ridgefield door-to-door for his summer employment. These materials are not at all connected to Ridgefield school curriculum. He is employed by Southwestern of Nashville, TN. A college student representing this company received a similar Ridgefield vendor permit during the summer of 2008. The hours of solicitation would be from 9 a.m. to dusk. Shannon will wear an ID from his employer as well as an ID issued by the Town of Ridgefield. It was requested that Shannon inform the Police of his whereabouts each week – which neighborhoods he is currently soliciting. This way the Police can respond to any calls that might come in.

R. Marconi commented on his recent meetings with Police Chief Roche to initiate a much more detailed background check on those seeking vendor permits, especially those selling ice cream, etc. to children at town parks. Previously, the background check consisted of only a DMV clearance.

J. Plock moved and D. Masters seconded a motion to approve the Vendor Permit pending Police Department approval for Shannon McCoy to sell educational books and software door-to-door during the summer of 2009. Motion passed 5-0.

Maya Lyn Curto came forward to support the renewal of her vendor permit to sell pre-packaged ice cream and bottled water at various parks and special events again this year. This is her 4th year to do this. She has already been in contact with Debbie Hayes, the Chairman of the July 4th celebration.

J. Plock moved and D. Masters seconded a motion to approve the renewal for one year until June 4, 2010 the Vendor Permit for Maya Lyn Curto to sell pre-packaged ice cream and bottled water. Motion passed 5-0.

1A. Discussion of Water Line for Scotland-Barlow Site

Charlie Fischer, Town Engineer, came forward to discuss Ridgefield's application for Stimulus Package dollars. Ridgefield's proposed water line was #4 on the list of possible allocation of some of the funding from the Federal Stimulus Package. When the State learned that we were thinking of drilling a well and possibly going that route rather than the water line, we were dropped to #146 on the list. The DEP needs a letter from us by 4:30 on Friday, June 5 as to our intent. The top ten projects on the DEP's list will receive full reimbursement – this would amount to \$1.45 million for Ridgefield. The remaining twenty projects will receive 50% reimbursement and 50% as a loan. Hartford will probably get ten projects out of the top thirty.

There was a Public Hearing on June 1st in Hartford and the subcommittee indicated that our application was deficient in several technical items. John Frey found out that the problem was because we did not have an actual stated start date for the water main project. The question is do

we pursue the wells option or do we give the First Selectman authority to pursue our placement in the top thirty projects to be funded in Connecticut? D. Masters pointed out that there is no downside in pursuing the grant path. R. Marconi pointed out that June 10th is the “big date” as Connecticut has to have 50% of their funds awarded by that date. If Ridgefield does not secure one of the top ten spots with full funding, we are not obligated to pursue the 50/50 path.

R. Marconi stated that the wells have to be sited before they can be dug. It would cost between \$15-20,000 to drill. We do not know for sure that wells would be the answer. The water could be fine at first and then 6 months later not be safe for drinking. A. Bodner indicated that we should not be still discussing this issue. If we don’t receive the funding, we should already know what we will do next – this decision should have been made. R. Marconi responded that in two weeks we will have the Titan & Howard report on reverse osmosis. Operating costs would be less with this process. The summer is the time for installation with no school in session. The water line is the best long term solution.

D. Masters moved and J. Plock seconded a motion to authorize First Selectman Rudy Marconi to actively pursue the allocation of Stimulus Package dollars for the proposed water line for the Scotland-Barlow site. Motion passed 5-0.

2. Proposed Revision of Driveway/Right of Way Ordinance

Peter Hill, Director of Public Services, came forward to present his request for a revision of Ridgefield’s Driveway Right of Way Ordinance. He indicated that the proposed wording has been reviewed by Town Counsel, David Grogins and David Buccitti. This ordinance may require a permit in the case of a major renovation, tear-down, or addition to an existing residence. The Director of Public Services will consider whether the work to be accomplished requires the existing driveway be used for access by large machines or vehicles or whether a temporary driveway is required. Before any permit to construct, build or establish any driveway is issued, the permittee shall provide a \$500 cash deposit or a bond to the Director of Public Services. In the case of a renovation or addition, this bond shall be refunded upon the issuance of a certificate of occupancy. In the event the renovation or addition is not completed in one year, this bond may, in the discretion of the Director of Public Services, be forfeited. The cost of the permit is \$50 and the amount of the bond is set depending on the scope of the work.

It was decided to change the wording of the proposed ordinance revision to change the wording from “The Director of Public Services may, in his sole discretion” to read, “The Director of Public Services may, in his/her discretion or in his/her designee’s discretion”.

J. Plock moved and D. Masters seconded a motion to set a Public Hearing and a Town Meeting for June 17, 2009, Town Hall/Large Conference Room, 400 Main St., Ridgefield, CT, for the purpose of discussion and possible approval of the “Proposed Revision to Article III – Driveways” as modified to read:

(Underlined italics represent addition to existing language.)

“Sec. 13-40 Permit required for driveway construction

No person shall construct, build or establish any driveway abutting any town highway accessway, or private road without first obtaining a permit from the Director of Public Services.

The Director of Public Services may, in his/her discretion or in his/her designee's discretion, require a permit in the case of a major renovation of or an addition to an existing residence. In determining the need for a permit, the following, but not limited to the following, may be considered:

1. *Whether the work to be accomplished requires the existing driveway be used for access by large machines or vehicles: or*
2. *Whether a temporary driveway is required.*

Sec. 13-41 Performance bond requirements.

Before any permit to construct, build or establish any driveway is issued, the permittee shall provide a cash deposit or a bond to the Director of Public Services in the amount of five hundred dollars (\$500.00).

In the case of a renovation or addition as described in Section 13-40 above, bonds shall be refunded upon the issuance of a certificate of occupancy. In the event the renovation or addition is not completed in one year, said bond may, in the sole discretion of the Director of Public Services, be forfeited."

Motion passed 5-0.

3. Lyme Disease Task Force Intern Grant

Jennifer Reid of Ridgefield's Lyme Disease Task Force came forward to introduce Tanya Corey to the Board of Selectmen. Tanya is currently a Masters of Public Health student at Southern Connecticut University. She is requesting approval of her internship with the Lyme Disease Task Force to assist in their volunteer training program and grant writing. There is no monetary contribution from the Town of Ridgefield required.

Jennifer Reid reported on the success of the Lyme Disease Prevention display on the CVS pharmacy counter and the training program conducted for the pharmacists. This program has now been expanded to nine stores. There is currently a program for physician Lyme Disease training awaiting the CT Governor's signature.

J. Plock moved and D. Masters seconded a motion to authorize First Selectman Rudy Marconi to sign a contract with Southern Connecticut State University to accept the services of Masters of Public Health student, Tonya Corey, as a volunteer working with Ridgefield's Lyme Disease Task Force on prevention programs and grant writing. Motion passed 5-0.

4. Donation of Lane from 76 Governor Street LLC

R. Marconi reported on the May 27, 2009 letter received from Attorney Rex Gustafson, of Donnelly, McNamara & Gustafson, P.C. regarding Steve Zemo's offer to donate to the Town of Ridgefield a portion of the property that abuts the Police Station.

J. Plock moved and D. Masters seconded a motion to set a Public Hearing for June 17, 2009 at 7:30 p.m., and a Town Meeting for July 1, 2009, 7:30 p.m., both in Town Hall/Large Conference Room, 400 Main Street, Ridgefield, CT, for discussion and possible approval of

the donation of land at 76 Governor Street, LLC of 0.061 +/- Acres, Governor Street, Ridgefield, CT. Motion passed 5-0.

Resident Steffi Jones reminded the Selectmen of their previous agreement to attempt to schedule multiple Town Meetings on the same night. R. Marconi thanked her for the reminder.

5. Selectman's Report

- D. Masters commented on her recent conversation with Darien's First Selectman and Darien's success in restricting truck traffic on Route 136 to only deliver trucks and not thru trucks. This was especially appreciated by the Town of Rowayton where Route 136 goes right thru their commercial town center (similar to Ridgefield's situation). R. Marconi stated that this idea had been proposed previously for Ridgefield but the Police Commission said, "no". Perhaps we should pursue this subject again.
- The light study has been forwarded to the Police Department for their review. This study includes lighting on school yards, parking lots, Town buildings, etc. The BOS will await the Police Department's input and then make a determination as to what to do or not do.
- A. Bodner commented that perhaps signage should be placed at all playing fields encouraging hand washing following sports activities and not just on the artificial turf fields. There is fertilizer and goose droppings present on grass fields. R. Marconi pointed out that the signage at the artificial turf fields was because this playing surface gets much hotter than a grass field. It is important to protect against dehydration. Ridgefield is part of an overall study being conducted by Westport to assess the possible effects on the players of exercise and sports activities conducted on artificial turf.

It was agreed to delay approval of the minutes as in Agenda Item #6.

J. Plock moved and B. Manners seconded a motion to move Agenda Item #7, Executive Session: Eureka Litigation, up to #6 on the Agenda, and to recess the BOS Meeting at 8:40 p.m. and go into Executive Session with Attorneys David Grogins and Stuart Edelstein invited to participate in the discussion of Eureka Litigation with no vote expected. Motion passed 5-0.

The BOS exited Executive Session at 10:00 p.m. No vote was taken.

7. Approval of Meeting Minutes: 2/23/09, 3/3/09, 3/5/09, 5/6/09, 5/20/09

J. Plock moved and D. Manners seconded a motion to approve the 2/23/09 Board of Selectmen Meeting minutes and to table approval of the 3/3/09, 3/5/09, 5/6/09, and 5/20/09 meeting minutes. Motion passed 5-0.

R. Marconi moved and A. Bodner seconded a motion to adjourn the BOS Meeting at 10:05 p.m. Motion passed 5-0.

Respectfully submitted,

Janet L. Johnson