# SPECIAL TOWN MEETING, PUBLIC HEARING & BOARD of SELECTMEN MEETING - JUNE 18, 2008

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.

Notice is hereby given that a **Special Town Meeting** will be held on June 18, 2008 at 7:30 p.m. in the Town Hall Large Conference Room to cat on the proposed lease between the Town of Ridgefield and The Ridgefield Music and Arts Center, Inc.

Minutes of the Special Town Meeting are under separate cover.

Notice is hereby given that a **Public Hearing** will be held on June 18, 2008, 7:30 p.m. in the Town Hall Large Conference Room, 400 Main Street, Ridgefield, CT to discuss the proposed property swap as requested by the Conservation Commission relative to where the accessway at 176 Old Branchville Road encroaches into Town of Ridgefield Open Space.

**Board of Selectmen Meeting Agenda** (immediately following the Special Town Meeting and Public Hearing)

1. Ridgefield High School Math Team Recognition – State Champions
2. Economic Development Commission Interview: Rick O'Brien
3. Police Department Request for Three Vehicles
4. VNA Lease
5. Volunteer Fire Department Halpin Lane Lot Line Adjustment – Set PH & STM Date
6. Lakeview Drive Land Donation – Set PH & STM Date
7. Set STM Date for Waiving of Tax Bills under $10
8. Approval of Tax Refunds
9. Boys & Girls Club $50,000
10. Firefighter Appointment
11. Charter Issues
12. Selectman's Report
13. Executive Session: -- Highway Union Tentative Agreement; Possible Approval
    -- Heart & Hypertension Claim & Possible Settlement; Possible Vote

In attendance: R. Marconi, A. Bodner, B. Manners, D. Masters, J. Plock

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

R. Marconi called the **Public Hearing** to order at 8:10 p.m. to discuss the proposed property swap as requested by the Conservation Commission relative to where the accessway at 176 Old Branchville Road encroaches into Town of Ridgefield Open Space. There were no questions or comments from the public. A favorable 8-24 had been received relative to the swap and the Conservation Commission is in agreement with this proposed property swap. A Town Meeting was previously scheduled for July 2, 2008.

## Board of Selectmen Meeting

R. Marconi called the Board of Selectmen Meeting to order at 8:15 p.m**. J. Plock moved and D. Masters seconded a motion to delete #10 on the evening's agenda, Firefighter Appointment" and add instead Board of Finance Transfer – John Mannuza. Motion passed 5-0.**

1. Ridgefield High School Math Team Recognition – State Champions
   The Ridgefield High School Math Team came forward with their Coach Yolen. R. Marconi commended the team on their accomplishment as the first Math Team in Ridgefield to have finished first place in the State of Connecticut Math Tournament held in New Britain, CT on April 3, 2008, and presented them with a citation signed by the Town Clerk and the Board of Selectmen. Ridgefield is very proud of their victory.

2. Economic Development Commission Interview – Rick O'Brien
   Mr. O'Brien came forward to express his interest in serving on the Economic Development Commission. R. Marconi read the letter of application received from Mr. O'Brien. He and his family have been Ridgefield residents for the past five years. Mr. O'Brien feels that his mix of commercial real estate and finance experience would be a complement to the experiences of the existing members of the EDC. He indicated that he has the time for this responsibility and has met with Paul Levine to discuss the requirements for serving on the EDC. D. Masters inquired as to any ideas Mr. O'Brien might have relevant to economic development. He indicated the need to start with promotion of a positive identity for Ridgefield. We need to attract and retain businesses and residents. We need to seek ways to mitigate the loss of businesses in town. He is ready to go to work if chosen and has no local conflict of interest.

   **J. Plock moved and B. Manners seconded a motion to appoint Richard J. O'Brien to fill one of the vacancies on the Economic Development Commission for a one-year term. Motion passed 5-0.** There are two additional vacancies on the EDC for which the town will continue to advertise.

3. Police Department Request for Three Vehicles
   The following individuals came forward to discuss this request: Police Chief Ligi, Susan Craig, Chair of the Police Commission, Major John Roche of the Ridgefield Police Department, and Police Commissioners, Charles Knoche and Tom Reynolds. A memo dated June 14, 2008, was received from Susan Craig,

Chair of the Ridgefield Police Commission, stating that at the June 12, 2008 Police Commission Meeting, the Police Commission unanimously supported and approved the use of unused Police Department vehicle Capital funds for a new lease vehicle and for the purchase of two police patrol cruisers. They requested to be placed on the evening's agenda to seek the approval of the Board of Selectmen for this proposal. Neither a special appropriation nor a vote by the Board of Finance is needed, but the Commission does want agreement by everyone. Chief Ligi stated that these vehicles were voted down in the 2008-09 budgetary process and removed from the budget, as well as the proposed redo of the Police station. They have left-over capital funds and would like to use them to lease one vehicle and purchase two others. This is in keeping with their ongoing plan for replacement of a designated number of vehicles each year. If they do not keep current with this replacement plan, they will need to replace even more vehicles next year and will have increased maintenance costs this year. This proposed expenditure will cost the Town no additional funds at this time.

D. Masters indicated that the Board of Finance had stated that the Police vehicles should not be replaced every three years, but a four year plan would be better. The BOF believes that the Police vehicles could last longer. The vehicles are currently turned in once they have 60,000 -70,000 miles. Today's cars are meant to go longer than 60,000 – 70,000 miles. Chief Ligi responded that the three-year rollover plan has worked well and maintenance costs have been kept down. Most of the Police calls are a request for the Police to travel to the people. The Police cars are their offices; this is where they are when on their shifts.

J. Plock asked if these unused Capital funds can only be used for vehicles. The answer is yes as that is for which the funds were originally allocated. To do anything different would require a Town Meeting vote.

B. Manners indicated appreciation for this creative solution to this year's budget reduction, but she does not believe that the Police are being put at risk by driving their vehicles for an extra year.

D. Masters asked if this entire account is used up and an emergency situation occurs where a new vehicle needs to be purchased, the Commission will have to come to the Board of Selectmen, who will in turn have to go to the Board of Finance and they will then inquire as to the use of the Police "contingency dollars". J. Plock suggested one purchase and one lease and then some contingency dollars will still be available if need be.

Andy Bodner inquired as to how this capital fund has accumulated? Why is this money available? Chief Ligi responded that they purchased and leased prudently in 2007; they used the State purchase plan; and dollars were offset by insurance coverage. Leftover monies revert back to the General Fund every three years. These monies also pay for conversion costs and lettering costs on top of the purchase price.

B. Manners indicated that residents want good roads and emergency services. The BOS discussed previously the three year vehicle turnover policy and made this decision based on the desire to reduce maintenance costs, provide for officer safety, and no one wants emergency vehicles breaking down when out on a call.

Susan Craig indicated that the Police Commission discussed this proposal at length and the entire Commission was in agreement that this was a prudent way to go.

J. Plock stated that these monies are not new dollars – they are dollars already approved. We could hold a Town Meeting as the residents need to understand why this money is available.

B. Manners responded that Mr. Marconi chose to come to the Board of Selectmen with this proposal. He felt this was the proper thing to do. This is not a decision for a Town Meeting, but is a decision that should be made by the Police Commission, the Police Department and the Board of Selectmen. We should not be deferring decisions.

D. Masters replied that this is not about deferring a decision; it is about a perception. Capital expenses and the budget were cut, and the Police Commission found these dollars to lease and purchase the vehicles. The public will want to know where these dollars came from?

Andy Bodner suggested a Public Hearing on July 2 regarding this issue. B. Manners stated that the press could get the message out to the residents. The dollars are there and can only be used for vehicle purchases/leases.

John Katz, Ridgebury Rd., indicated that if he is upset about this situation, then others will be also. This can only result in negative feedback. The Police Department came to the public seeking dollars during the budget process and did not let on that these dollars were already available.

R. Marconi indicated that the availability of these funds was not previously discussed. J. Wahlberg did not tell the BOS about these leftover monies.

B. Manners stated that the Police Department should have what it needs to function. We studied the issue and put this three year replacement policy in effect. We do not want Police cars to be broken down and we do want to keep a lid on maintenance costs.

R. Marconi inquired whether Board of Finance input should be solicited? They have capital approval responsibility. When there is insurance reimbursement, should the self-insurance fund be paid back?

Andy Bodner indicated a desire to have someone from the Finance Department come and explain these numbers before we move forward – someone like John Mannuza or Jay Wahlberg. Are they aware of anything else that these monies should be spent on? They could come to the July 2 BOS Meeting.

Chief Ligi indicated that when the Town changed to self-insurance, a suggestion was made to have a Town fund for contingencies. This year all vehicles were cut from the budget.

R. Marconi agreed to invite a Finance Dept. representative to be available for discussion at the July 2 BOS Meeting.

4. VNA Lease – Bill Wyman and Theresa Santore came forward to discuss the proposed amendment to the VNA Lease, relevant to the lease of approximately 5,455 sq. feet on the First Floor and 1,417 sq. feet on the Second Floor and 996 sq. feet in the basement for a total of 7,868 sq. feet. The BOS did not approve $42,500 for the VNA in the 2008-09 Community Grants budget line. Instead, the VNA is to take the $42,500 off the rent. The rent totals $99,143.14 less the $42,500 equals $56,643.14, effective 7/1/08.

   **A. Bodner moved and J. Plock seconded a motion to approve the proposed "First Amendment to Lease" between the Town of Ridgefield and the Ridgefield Visiting Nurse Association, effective July 1, 2008. Motion passed 5-0.**

5. Volunteer Fire Department Halpin Lane Lot Line Adjustment – Set PH & STM Date

   This lot line adjustment is needed prior to the proposed building of the Volunteer Fire Department garage at the bottom of Halpin Lane.

   **J. Plock moved and D. Masters seconded a motion to set a Public Hearing for July 2, 2008, 7:30 P.M., Town Hall Large Conference Room and a Special Town Meeting for July 30, 2008, 7:30 P.M., Town Hall Large Conference Room relative to the proposed Volunteer Fire Department Halpin Lane Lot Line Adjustment. Motion passed 5-0.**

6. Lakeview Drive Land Donation – Set PH & STM Date

   A favorable report has been received from the Conservation Commission relative to the proposed donation of this Lakeview Drive property by the heirs of the estate of Gertrude Spitz in lieu of accumulated taxes totaling $5,253.87. The Conservation Commission has walked the property which is mostly a bluff overlooking Fox Hill Lake. The property is treed and is not developed because of ledge. The Commission would like to see this property added to Town Open

Space. Even though the lot is small, it does provide the public with access to the lake.

The suggestion was made that contact should be made with neighboring properties to see if anyone is interested in purchasing the property and paying off the accumulated taxes.

**B. Manners moved and D. Masters seconded a motion to set a Public Hearing for July 2, 2008, 7:30 P.M., Town Hall Large Conference Room and a Town Meeting for July 30, 2008, 7:30 P.M., Town Hall Large Conference Room relative to the proposed Lakeview Drive Land Donation. Motion passed 5-0.**

7. Set STM Date for Waiving of Tax Bills Under $10

   Tax Collector, Jane Bernedsen-Hill indicated that this has been the practice for the last three years. It would cost more to collect the taxes than the $4,000 total owed . **J. Plock moved and B. Manners seconded a motion to set a Special Town Meeting for Monday, June 30, 2008, at 9:00 a.m., Town Hall Large Conference Room, relative to approval of waiving of tax bills under $10 for fiscal year 2007-08 as requested by Tax Collector, Jane Bernedsen-Hill. Motion passed 5-0.**

8. Approval of Tax Refunds -

   **J. Plock moved and D. Masters seconded a motion to approve the tax refunds as requested by Tax Collector, Jane Bernedsen-Hill in her memo dated 6/10/08 for a total of refunds submitted for approval of $9,783.79. Motion passed 5-0.**

9. Boys & Girls Club $50,000
   The Board of Selectmen debated at length about the request from the Boys & Girls Club for a donation from the Town of Ridgefield for their proposed redo and addition. An amount of $50,000 was agreed upon and was sent to the Board of Finance for their approval if $40,000 was out of the General Fund and $10,000 out of Contingency. The Board of Finance agreed to approve $50,000 out of Fund balance, and now it is back to the Board of Selectmen for them to move forward and schedule a Town Meeting. B. Manners and J. Plock indicated that they cannot support the donation at this time since the BOS had to cut essential services at the direction of the Board of Finance. Unfortunately, this failed donation is a "victim of the times", and the Board of Selectmen is not willing to set a Town Meeting at this time.

**J. Plock moved and D. Masters seconded a motion to return to the evening's agenda as Item #10, Firefighter Appointment. Motion passed 5-0.**

**10.** Firefighter Appointment – Laurie Scholl, Director of Human Resources, came forward to present this request for appointment to fill this Alternate Firefighter position**. J. Plock moved and B. Manners seconded a motion to appoint as Alternate Firefighter, David Dachiner, pending passing of drug testing, post-offer physical, and all other relevant background checking. Motion passed 5-0.**

10a Transfers – John Mannuza

J. Wahlberg is out of town. John Mannuza has presented Memorandum #200815 to the Board of Selectmen for their approval. This transfer is because the Central Administration Department has incurred additional costs in several accounts (Legal Notices, Office Supplies, Personnel Activities) due to unusual factors and changed practice with copier expense (Copier Supplies), and there is available funding in the Maintenance Agreement and Books, Journals accounts.

**J. Plock moved and B. Manners seconded a motion to approve Board of Finance Memorandum #200815, Intra-Departmental Transfer for Central Administration to realign budgets with current spending as follows:**

| | | |
|---|---|---|
| **Increase:** | | |
| **10040-53004** | **Copier Supplies** | **$6,500** |
| **10040-52042** | **Legal Notices** | **2,500** |
| **10040-53004** | **Office Supplies** | **2,000** |
| **10040-53091** | **Personnel Activities** | **500** |
| | | |
| **Decrease:** | | |
| **10040-52026** | **Maintenance Agreements** | **$11,000** |
| **10040-53006** | **Books, Journals** | **500** |

**Motion passed 5-0.**

11. Charter Issues – D. Masters requested that this topic be placed on the evening's agenda. She stated how the failure of the referendum and the inability to hold another referendum and instead a subsequent Town Meeting must be scheduled, has indicated a lack of good use of government. A referendum has to wait until the next regularly scheduled election. A Federal election cannot include any extra local issues and thus local issues would have to be voted upon at a separate location. There was confusion as to how this process is covered in the recently revised Charter. The petition revision also needs to be changed. R. Marconi indicated the need to itemize what items in the Charter need to be changed. He read the wording of the Charter dealing with the provisions to make Charter changes. The Charter is to be updated every four years, but changes can be made in between if the need is there. R. Marconi will distribute copies of the Charter for the BOS to review. Are there any other issues that need to be considered for possible revision as well? A new Charter Revision Commission will need to be appointed.

12. Selectman's Report

- United States of America v. James Galante – A copy of the June 9, 2008, letter from Mr. Robert J. Metzler II to Henry K. Kopel, Esq., Assistant United States Attorney, in New Haven, CT, was distributed for BOS review. The transfer station assets at 307 White Street were seized by the United States in connection with the plea agreement and guilty plea of James Galante. The HRRA (Housatonic Resources Recovery Authority) is interested in pursuing public ownership and operation of the transfer station as part of its public administration of the regional municipal solid waste and recycling systems. A municipality cannot dictate where waste picked up by private haulers is taken – only where waste goes from municipal buildings. Should government be involved with private enterprise? This is a matter to be considered.

- 300th Anniversary Celebration – July 4th weekend. 7/3 – evening jazz concert at Ballard Park; 7/4 – fireworks; 7/5 parade at 10:00 a.m. starting at Jesse Lee with Review Booth in front of Town Hall. A fair starts at noon at the Old High School and there will be a vintage baseball game at Veteran's Park. At 6:00 p.m. - military band concert.

13. Executive Session:
    - Highway Union Tentative Agreement; Possible Approval (A. Bodner had requested additional information and it was agreed to not vote previously when J. Plock was not present)
    - Heart & Hypertension Claim & Possible Settlement; Possible Vote

**J. Plock moved and D. Masters seconded a motion to recess the Board of Selectmen Meeting at 10:15 p.m. and go into Executive Session with Laurie Scholl, Director of Human Resources, present to discuss:**

- **Highway Union Tentative Agreement; Possible Approval**
- **Heart & Hypertension Claim & Possible Settlement; Possible Vote**

The Executive Session ended at 10:30 p.m. and R. Marconi reopened the Board of Selectmen Meeting.

**J. Plock moved and B. Manners seconded a motion to approve the three-year Municipal Agreement as discussed in Executive Session. Motion passed 5-0.**

**J. Plock moved and B. Manners seconded a motion to adjourn the Board of Selectmen Meeting at 10:30 p.m. Motion passed 5-0.**

Respectfully submitted,

Janet L. Johnson