

**PUBLIC HEARING and**  
**BOARD of SELECTMEN MEETING – JULY 6, 2005**

7:30 P.M. – TOWN HALL/LOWER LEVEL CONFERENCE ROOM  
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, B. Manners, D. Masters, J. Plock, P. Yanity

A **Public Hearing** will be held on Wednesday, July 6, 2005, 7:30 P.M., Town Hall Lower Level Conference Room, 400 Main Street, Ridgefield, to cat on the proposed leases between: 1) the **Town of Ridgefield and Intellectual Edge**, and 2) the **Town of Ridgefield and Virginia Roebuck**.

**Board of Selectmen Meeting**  
**AGENDA**

1. Vendor Permit Application
2. Parks & Recreation Commission Appointment/Interviews
3. GFOA Certification of Achievement Award, Transfers – Jay Wahlberg
4. Deer Committee Report & Recommendations
5. Danbury Airport
6. Portable Classroom Tax Abatement from 2003 GL
7. Approval of meeting minutes – 5/25/05, 6/22/05
8. First Selectman's Report

R. Marconi called the Public Hearing to order at 7:35 p.m. The purpose of the Public Hearing is to act on the proposed leases between: 1) the Town of Ridgefield and Intellectual Edge, and 2) the Town of Ridgefield and Virginia Roebuck.

Intellectual Edge is a Connecticut-based for-profit company currently based in Ridgefield. They provide tutors in English and Kumon Math They wish to relocate and remain in Ridgefield and have agreed upon the SW corner of the Venus Building, 2<sup>nd</sup> floor, Rooms 222B&D, 223A&B, and 224, for a total of 1122 sq. feet. The 4<sup>th</sup> clause of the lease relative to subletting needs to be changed so that the tenant can neither sublet nor lease without permission of the Board of Selectmen. The correct wording needs to be in place prior to the Town Meeting to be held for approval of the lease.

The lease with Virginia Roebuck is in connection with her business, Loosen Up – Massage Therapy, for 298 sq. feet in the Venus Building. She has been a tenant for a couple of years as she previously sublet from the VNA before they gave up the 2<sup>nd</sup> floor of the building. Norwalk Community College was looking at the space, but their proposed expansion into Ridgefield has been put on hold. Thus, Virginia Roebuck is being offered the option of a one year lease.

John Katz, Ridgebury Road, pointed out several differences in the wording of the two leases. R. Marconi indicated that Intellectual Edge's attorney had requested certain wording and Town Counsel had been in agreement. That is why their lease reads differently than the one for Virginia Roebuck. Another problem is the statement at the bottom of Page 1, "A new rent will be negotiated for the period beginning March 1, 2008" - this paragraph doesn't belong there. It was agreed that Virginia Roebuck's lease needs to be reviewed and corrected and brought back for another Public Hearing. The wording in both leases should

be similar. Once the Public Hearing is held again on the Virginia Roebuck lease and approval is given, then a date will be set for a Town Meeting to approve both leases.

The Public Hearing was adjourned and R. Marconi called the Board of Selectmen Meeting to order.

1. Vendor Permit Application – Aldean Mondares came forward to introduce himself to the BOS and answer questions relative to his application for a vendor permit to sell during this summer educational materials door-to-door in Ridgefield. He is a college student at University of California, San Diego, and this is his summer internship with Southwestern Company selling these teaching aid books to parents. About 3,000 students are in this internship program this summer. His territory is Ridgefield. Sunday is his day off, and he will not come to resident's doors at dusk or in the evening. Appointments will be the only time selling occurs at night. If there is a No Solicitation sign or a No Trespassing sign on the property, then he would not go to that door.

Jenny Bloom indicated that she does not want solicitation at her front door. She would like to see something in the paper about door-to-door solicitation and does not want someone to drive up her driveway. Mr. Mondares agreed that he will park his car on the street and walk from house to house.

**B. Manners moved and P. Yanity seconded a motion to approve the Vendor Permit application for Aldean Mendares to sell door-to-door during the summer until September 11, 2005 educational material for Grades K-12, published by the Southwestern Company. Motion passed 4-1.** J. Plock voted against as the educational material being sold has not been submitted for approval by the Ridgefield school system, nor is it connected to the curriculum of the Ridgefield school system.

2. Parks & Recreation Commission Appointment/Interviews – The vacancy on the Parks & Recreation Commission has been advertised and there has been one new response from William Whelan, but he was unable to be present this evening. It was agreed to not fill the vacancy at this time, but give Mr. Whelan the opportunity to come to the next BOS Meeting. B. Manners suggested reappointing David Thaxter to another term to fill the other vacancy on the Parks & Rec Commission, as this would then be Mr. Thaxter's only second term. **B. Manners moved and P. Yanity seconded a motion to reappoint David Thaxter to the Parks & Recreation Commission for an additional term. Motion passed 5-0.**
3. GFOA Certification of Achievement Award, Transfers – Jay Wahlberg  
R. Marconi read the May 27, 2005 letter received indicating that The Government Finance Officers Association has awarded Jay Wahlberg, Town Controller, a Certificate of Achievement Plaque for Excellence in Financial Reporting for the fiscal year ending June 30, 2004. This Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management. Congratulations and a thank you were expressed to Jay Wahlberg for a job well done.

Transfers -

**J. Plock moved and D. Masters seconded a motion to approve the Department of Finance Memorandum #200513 as requested by the Fire Department for an appropriation with a corresponding increase in the revenue estimate. This memo provides for an increase to 10903-44241, Ambulance Services, in the amount of \$32,000 and thus an increase in 10502-**

**52414, Ambulance Billing, in the amount of \$20,000 and 10502-52054, Medical Supplies, in the amount of \$12,000. Motion passed 5-0.**

**P. Yanity moved and B. Manners seconded a motion to approve the Department of Finance Memorandum #200314 as requested by the Highway Department for an appropriation with a corresponding increase in the revenue estimate. This memo provides for FEMA funds received for snow removal, increase 10907-44900, Miscellaneous Revenue, in the amount of \$76,946, and thus an increase in 10603-53210, Snow Removal, in the amount of \$76,946. Motion passed 5-0.**

**J. Plock moved and P. Yanity seconded a motion to approve the Department of Finance Memorandum #200515 as requested by the Police Department for an Intra-Departmental Transfer, caused by the strong demand for police special services, with the expense component causing the same correlation in costs. This memo provides for an increase in 10401-51020, Special Duty, in the amount of \$50,000 and a corresponding decrease in 10401-51001, Full-Time Salaries, in the amount of \$50,000. Motion passed 5-0.**

**B. Manners moved and J. Plock seconded a motion to approve the Department of Finance Memorandum #200516 as requested by the Highway Department for an appropriation from General Contingency, caused by FY 2005 snow season costs above the budget appropriation. This memo provides for an increase in 10602-51007, Overtime, in the amount of \$30,000 and a corresponding decrease in 10890-59101, General Contingency in the amount of \$30,000. Motion passed 5-0.**

**J. Plock moved and D. Masters seconded a motion to approve the Department of Finance Memorandum #200517 as requested by the Finance Department for an appropriation from Fund balance to provide for additional funding for general liability and property insurance that was not budgeted at the time it was approved. The memo provides for an increase in 10851-57006, Insurance Liability, in the amount of \$165,000 and a corresponding decrease in 10907-44720 in the amount of \$165,000. Motion passed 5-0.**

4. Deer Committee Report & Recommendations –

The following members of the Deer Committee were in attendance to present to the BOS the Committee's report: Pat Sesto, Co-Chair, Helene Daly, Guy Bocchino, Matthew Denesuk, Gwen Thaxter, Lee Pepin, Penny Hoffman, Ray Sementini, Tom Venus, Patricia Hutchings, John Borger, Andy Bodner, Sid Kelley and Tom Belote, Co-Chair. Tom Belote reported that a special meeting of the Committee was held at 7:15 this evening prior to the BOS Meeting. They voted 17 to 1 to accept the report. Doug Barile was not present as he is attending the Conservation Committee meeting being held at the same time. No minority report was presented to the Committee. A consensus has been reached after nine months of meeting and the report is ready to present to the BOS. Some disagreement was expected on some of the serious issues. Such unanimity was not expected. Thirteen recommendations have been made dealing with all the different areas of discussion. A special thanks to Major John Roche who attended all the meetings.

Guy Bocchino expressed thanks to the two Co-Chairs, Pat Sesto and Tom Belote. Jack Sanders had the ability to keep everyone focused. There was a lot of information gathered. Other comments were that it was a very interesting process with meetings twice a month. All of the Committee members took the responsibility very seriously. There was wide diversity when the

process began. Over the course of the nine months, they listened to a lot of speakers. Experts were utilized to the utmost. Each area was researched thoroughly and a wide variety of viewpoints were brought together.

Gwen Thaxter indicated that she wanted to submit a minority report, but it was not yet ready. She did not realize at the June 14 meeting that the Committee report was to be presented on July 6. Her report cannot be a true minority report as it would have had to be presented prior to the presentation of the Committee's report to the BOS, but a special meeting can be held when her report is done so that it can be given consideration by the Board of Selectmen. Gwen also expressed her feeling that she was subject to arrogance and disrespect because her views differed from others on the Committee. R. Marconi suggested she submit a letter to him detailing her feelings about this. Mrs. Thaxter indicated that she intends to complete the report by the end of July.

Andy Bodner commented on how the deer problem in Ridgefield is a significant problem and hopes the Town will implement some of the suggestions of the Committee. The Committee worked hard and the report highlights the magnitude and urgency of the deer problem. Action needs to be taken sooner rather than later.

Tom Belote indicated that with the presentation of this report, the Committee is being dissolved. The BOS might consider asking for volunteers for an implementation committee at this time.

B. Manners indicated the need for the BOS to review the report carefully before making any appointments to a new committee.

D. Masters indicated interest in the next phase and especially is interested in the idea of an aerial survey. What would be the cost for such a survey and when during the year would it be done? Pat Sesto replied that an aerial survey would be done by helicopter when there is snow cover of 4-6 inches, usually in January or February. She does not know the cost.

Tom Belote replied that aerial surveys are also of interest to the County Deer Committee. Perhaps there could be State funding if all the municipalities are involved.

D. Masters inquired whether the Deer Committee had met with the Conservation Commission. The answer is no. Pat Sesto pointed out that there is a big step between recommendation and implementation.

J. Plock pointed out the need for a check on liability issues connected with a controlled hunt. R. Marconi replied that Wilton and Norwalk did not take out additional insurance when the Wilton sponsored hunt was held on Norwalk reservoir property. He indicated that the BOS will review the report in depth and will put the subject on the agenda for the BOS Meeting on July 20<sup>th</sup>. He will submit the report to the Conservation Commission, Planning & Zoning, Parks & Recreation, the Golf Club, Land Trust, the Police Department and perhaps others. He'll submit a list to the BOS of whom he has sent the report to.

##### 5. Danbury Airport –

Several Ridgefield residents came forward to discuss the Danbury Airport situation: Bryan Nazworth, Debbie Trinker, Nick Costa, and Meredith Davis. A lot of Ridgefield residents are

experiencing the effects of at times high congestion usage of the airport runways. It is affecting their quality of life and the resultant property value of their homes.

R. Marconi presented a brief history of Danbury Airport, past and present issues and most recently, tree clearing and beacon installation. Ridgefield donated \$3,000 over a year ago to help finance a noise study. The findings of this study have not yet been received. It is hoped and expected that the results of this study should be received soon. A meeting was held with Danbury's Mayor Bouton relative to the FAA's tree clearing plan in an attempt to better define exactly what tree clearing was going to occur and the proposed plan for beacon installation. The beacons are primarily for one runway and this runway is over Ridgefield. Beacons on one runway will naturally result in increased usage of the runway. Mr. Marconi wrote a follow-up letter to Mayor Bouton and did receive a letter back but with little satisfaction. The airport operator and the Mayor met with the FAA, but Ridgefield was not included. The beacon contract has been awarded and a Danbury Public Hearing on the contract is scheduled sometime in July.

J. Plock inquired about the Ridgefield resident airport consultant, Ron Price, whom the BOS contacted 6-8 months ago. He was to review the former 20-year old noise abatement study. Could he come to a BOS meeting and make some recommendations as to what should be and could be done? Town counsel is checking whether this old study is still in effect.

John Katz, RidgeburyRoad, reported that weather conditions determine which runway is being used – A26 is used 70% of the time.

Michael Autori reported that the new study has put a lot of thought into a rotation of runways and suggesting that A26 not be used later in the day. He suggested waiting for the new study to come out rather than chasing the old study. He also indicated that he has heard nothing about the new study for the last 4-6 months. He is puzzled about this, and feels that the new noise study needs to be issued.

R. Marconi listed Consultant Ron Price's suggestions/comments – proper signage needed, restriction of touch and go's, micro-jets are a problem as they need only 2200 feet to land and the FAA is encouraging increased usage of the smaller airports, tree cuttings needs to be done for safety reasons, and a new manager needs to be hired for the airport with the current manager handling operations. The airport needs a manager with a more global view.

Debbie Trinker reported that all the FAA planned clearing is for the west end of the airport. Improvements are being made only on the west end which directly affects Ridgefield residents. The 150 study looking at other flight patterns does not work together with beacons and tree clearing only on the west end.

R. Marconi reported that an environmental study hasn't been done. Dr. Autori suggested hiring an attorney and having an Environmental Impact Study done.

John Katz reported that there has been a verbal plan to light some of the trees by the Wooster School, but the school has not been formally approached regarding this lighting plan. The entire beacon plan is within one-half mile of Ridgefield.

B. Manners indicated that we do not know anything definite because Danbury is not telling us anything; perhaps Ridgefield is at the point of needing to hire an attorney.

John Katz reported that nothing definite is yet occurring; there is nothing we can get an injunction against.

Michael Autori indicated that there is a plan for tree clearing and beacon installation; once trees are cut down, it will be too late. Noise and light are environmental effects.

The FAA website details environmental impact and the need for consideration of local interests. There are a lot of inconsistencies in the FAA process. There are grounds for an attorney to look at the agreements that Danbury has signed and the environmental effect of these agreements. The airport is not in compliance with Ridgefield's previously negotiated noise agreements. Another question is whether Danbury Airport is secure? It is fenced, but the code to open one of the gates is written on the metal gate plate. The airport does need to be secure. This is an issue that can be addressed.

R. Marconi expressed the desire to take one more step to work with Danbury. He will try to talk with the Mayor about Ridgefield's concerns, and will consult with Town Counsel about the possibility of an Environmental Impact Study. We really are seeking a compromise solution. Westchester Airport has spent a lot for noise level compliance. The Pilot's Association at Danbury is not even aware of noise abatement issues.

J. Plock suggested inviting Mayor Bouton to a BOS Meeting. R. Marconi will try to contact him.

6. Portable Classroom Tax Abatement from 2003 Grand List - **J. Plock moved and B. Masters seconded a motion to abate the taxes for the portable classrooms from the 2003 Grand List in the amount of \$2,359.08. Motion passed 5-0.**

7. Approval of meeting minutes – 5/25/05, 6/22/05 –

**J. Plock moved and D. Masters seconded a motion to approve as amended the minutes of the May 25, 2005 Board of Selectmen Meeting. Motion passed 4-0. B. Manners abstained as she did not attend the May 25, 2005 meeting.**

**J. Plock moved and D. Masters seconded a motion to approve as amended the minutes of the June 22, 2005 Board of Selectmen Meeting. Motion passed 5-0.**

8. First Selectman's Report -

- A letter and a check for \$10,000 was received from Ralph Craft, President of Boehringer Ingelheim as a donation to be divided evenly between the Town of Ridgefield's Paid and Volunteer Fire Departments in recognition of the Fire Department's service to the community and appreciation for their service. R. Marconi will send a thank you note from the Board of Selectmen.
- R. Marconi reported on his discussions with A.J. Carnal Insurance Company in an attempt to retain them as the Town of Ridgefield's insurance carrier. Their final bid was received at 6:00 p.m., Thursday, June 30<sup>th</sup>. Ridgefield's coverage with them expired on June 30<sup>th</sup>. The State of Connecticut Insurance Commission pointed out that negotiation of the binder with the new carrier could result in a cancellation charge of up to 25% of the fee. The formal contract has not been signed, but Cohen & Wolfe pointed out that the new contract is in effect in good faith and cancellation at this late hour could result in a cancellation fee

charge. The new company would have the right to pursue this fee. Mr. Marconi reported how he called Larry Hoyt, of A.J. Carnal, who in turn was very understanding of the situation and indicated that they will return at the end of the year with a new bid in an attempt to win back Ridgefield's business.

- The Lewis Tree Company has been hired to do "enhanced cutting" in town. John Pinchbeck is being asked to keep a watchful eye on the tree trimming – "no blue sky clearing". The trimming is for the south part of Town. Betty Brosius has a map of what is being planned. R. Marconi will ask Betty for a copy of the map.

Linda Walker, Old Sib Road, commented on how she had attended about one-third of the Deer Committee meetings and did observe how members of the Committee were condescending to those with opposite views. She attended the most recent meeting and nothing was said about a called meeting for July 6, nor the need for the minority report to be presented as soon as possible. She feels that many on the Committee had an agenda from the beginning.

Private property hunting should not be allowed on minimum acreage – one acre pieces of property are too small.

D. Masters pointed out how the Deer Committee Report is an initial report. It does not address the general hunting problem which is a separate issue. Any implementation will be undertaken by a new committee.

Diane Day, Old Sib Road, wondered if a decision regarding hunting will be made prior to the opening of hunting season on September 15.

**J. Plock moved and D. Masters seconded a motion to adjourn the Board of Selectmen Meeting at 10:24 p.m. Motion passed 5-0.**

Respectfully submitted,  
Janet L. Johnson