

BOARD of SELECTMEN MEETING – JULY 11, 2007

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

1. Vendor Permit Application – David Lanni (David’s Wheel-E-Good Food)
2. ECS Reimbursements – Keith Miller
3. Economic Development Commission Activity Update – Robert Cascella
4. Board of Education Equipment Lease – Jay Wahlberg
5. Fire Department:
 - Capital Community College Resolution
 - Fire Marshall Fees Ordinance
 - New Ambulance Funding Legal Resolution
6. Livestock Ordinance
7. Acre Lane & Scotland-Barlow Water Main Extensions: 8-24 Referrals, Resolutions
8. Selectman’s Report
9. Approval of meeting minutes: 6/20/07

R. Marconi called the Board of Selectmen Meeting to order at 7:30 p.m.

B. Manners moved and J. Plock seconded a motion to add an Executive Session at the end of the evening’s agenda to discuss:

1. **Police Chief Contract Update**
2. **Fire Chief’s Annual Review**
3. **Litigation of the Provey Property**

Motion passed 5-0.

1. Vendor Permit Application – David Lanni (David’s Wheel-E-Good Food)
David Lanni came forward to say hello to the BOS again this year. He indicated that his business has been going well and he continued through the winter months developing a customer base. **J. Plock moved and D. Masters seconded a motion to renew for one year the vendor application for David Lanni (David’s Wheel-E-Good Food). Motion passed 5-0.**
2. ECS Reimbursements – Keith Miller
Keith Miller, Chairman of the Board of Education, Deborah Low, Superintendent of Schools, and Donna Case, IT Director for the Board of Education, came forward to discuss ECS reimbursements.

R. Marconi welcomed Deborah Low to Ridgefield in her new position as Superintendent. Keith Miller reviewed his June 26, 2007 letter to the First Selectman, R. Marconi and to the Chairman of the Board of Finance, Marty Heiser outlining the return of surplus funds (\$180,000 in 2007-08 Surplus funds and 2006-07 unliquidated encumbrances) and to request a meeting to discuss the Town of Ridgefield’s increased ECS reimbursements. On June 25, 2007, the Connecticut

Legislature voted to increase ECS reimbursements to Connecticut towns. Ridgefield is to receive \$595,000 in additional ECS funds in 2007-08 and \$600-700,000 more ECS funds in 2008-09 than was included in the town's budgeting process. The Board of Education is requesting that the BOS and BOF provide approximately half (\$300,000) of the increased ECS funds earmarked for Ridgefield to the schools. The BOE would like to implement some of the improvements which were removed from the original BOE approved budget, which also includes security improvements. Ideally, they would like to implement these improvements before the start of the school year.

B. Manners expressed concern over adding an additional \$300,000 to the budget, and thus making the budget negotiations for 2008-09 start at this higher amount. Is there any way to avoid this?

J. Plock indicated concern about increasing the budget after it was passed. Her inclination is to spend the extra dollars on a capital project. This would save bonding dollars and would not increase the size of the budget. What about spending the ECS funds for increased security projects?

A. Bodner inquired as to the timing of ascertaining the costs for increased security. The response is that the security audit is not in yet. The amount is not yet known.

R. Marconi suggested possible allocations for boilers, etc – list of projected items waiting to be funded – items that have been put off could now be done.

Ms. Low indicated that since she is coming into this discussion “in midstream”, she would like to take the BOS's suggestions back to the Board of Education for their discussion and then return to the next BOS meeting with increased input.

D. Masters moved and J. Plock seconded a motion to reverse the agenda order and discuss as #3, Board of Education Equipment Lease – Jay Wahlberg, and discuss as #4, Economic Development Commission Activity Update – Robert Cascella. Motion passed 5-0.

3. Board of Education Equipment Lease – Jay Wahlberg

The Board of Education is requesting that the BOS approve a tax-exempt equipment lease/purchase agreement for computer equipment (not to exceed \$750,000). A discussion followed as to why the BOS should be responsible for this lease and not the Board of Education. Won't IBM, HP, Dell, etc. give the BOE a tax-exempt lease? J. Wahlberg replied that a municipal tax-exempt lease is the most cost-efficient way. This would be a buy-out replacing 5-6 year old machines. The Board of Education funded for this expense. J. Plock inquired if the Board of Education “voted” to fund this lease for the length of the lease and not just for this budget year. What if next year's BOE did not include this lease in their budget – the Town would be responsible. A. Bodner inquired if the Town secures a better borrowing rate than the Board of Education? J. Wahlberg thinks both rates would be similar, but the Town has a AAA borrowing rate. R. Marconi read the proposed resolution.

J. Plock moved and D. Masters seconded a motion to request that the Board of Education at their next meeting take a vote on their commitment to support financially for three years the “Resolution Approving a Tax-Exempt Equipment Lease Purchase Agreement for Computer Equipment and Related Infrastructure”, the resolution requested by the Board of Education. Motion passed 5-0.

A. Bodner moved and B. Manners seconded a motion to approve the “Resolution Approving a Tax-Exempt Equipment Lease/Purchase Agreement for Computer Equipment and Related Infrastructure for the Board of Education –

RESOLVED: “The Town of Ridgefield is hereby authorized to enter into a tax-exempt lease/purchase agreement with a lease provider to be approved by the First Selectman and the Board of Education, for computer equipment and related infrastructure, for a total purchase price not to exceed \$750,000 and containing such terms and conditions as shall be approved by the First Selectman. The First Selectman is hereby authorized to execute and the deliver such lease agreement and any and all other agreements, instruments and documents associated therewith.”

Motion passed 5-0.

J. Plock moved and B. Manners seconded a motion to call a Special Town Meeting of the Town of Ridgefield, to be held on July 25, 2007, 7:30 P.M., Town Hall Lower Level Conference Room, 400 Main Street, Ridgefield, CT to consider and act upon the “Resolution Approving a Tax-Exempt Equipment Lease/Purchase Agreement for Computer Equipment and Related Infrastructure for the Board of Education.” Motion passed 5-0.

4. Economic Development Commission Activity Update – Robert Cascella

Bob Cascella as Chairman of the Economic Development Commission came forward to review the recent activities of the EDC. The EDC has been very busy and have been working specifically on the Schlumberger and Pond’s Edge properties. He and R. Marconi met recently with representatives of Boehringer Ingelheim seeking possible leads for companies that they work with who may be interested in relocating to Ridgefield. The EDC and Mr. Cascella had some very positive press coverage recently in the *Fairfield County Business Journal*. The cover of their new marketing brochure is complete (copies passed out), which was funded thru a grant from NE Utilities and CERT, and are now working on inserts for the brochure. They have undertaken a proactive outreach program concentrating on not losing current Ridgefield businesses. Mr. Prills and Mr. Levine have been calling on Ridgefield’s business owners. It is just as important to keep people here as it is to contact potential new businesses. They are working on the Branchville initiative and will be seeking Planning & Zoning’s assistance with this. This should be a tri-town effort between Ridgefield, Wilton and Redding whereby they partner on development so that the area has the “same look”.

D. Masters inquired as whether they have received any assistance from the State of Connecticut? Mr. Cascella responded that the EDC would have to go to the State seeking assistance with a specific project. The EDC would have to initiate the request. There is a new Commissioner in Hartford for economic development.

A. Bodner inquired as to the rental occupancy percent for Pond’s Edge? The response is 30%. There is nothing definite yet at Schlumberger. Mr. Cascella commented on how commercial real estate moves “like a tortoise”. A. Bodner inquired if stability of taxes is a major issue with those individuals moving here as well as those staying in Ridgefield? The response is “yes”. The big selling feature is “quality of life” in Ridgefield.

The BOS thanked Mr. Cascella for the beautiful brochure cover and an excellent report.

5. Fire Department:

Fire Chief Burford and Fire Marshall David Lathrop came forward to discuss Fire Department issues.

Capital Community College Resolution

This proposed resolution was signed last year as well, although the wording for this one is slightly different.

B. Manners moved and D. Masters seconded a motion to authorize that “The First Selectman, Rudy Marconi, be and hereby is authorized to act on behalf of the Ridgefield Board of Selectmen in executing a College Service Agreement and contract to provide internship facilities for students from the EMT-Paramedic Program at Capital Community College, Hartford, CT.” Motion passed 5-0.

Fire Marshall Fees Ordinance

This is a request for a change in the ordinance to provide for inspection fees charged by the Fire Marshall. B. Manners inquired as to the possibility of an ordinance which would give the Board of Selectmen authority to amend a fee schedule when needed and not have to call a Town Meeting each time? David Grogins, Town Counsel, said that would be a good idea. A. Bodner inquired about “multiple layers of fees”? Chief Burford responded that every situation is different and each project calls for a different list of site visits. Fire Marshall Lathrop commented on how he probably visits a Boehringer Ingelheim building site up to three times/day. This ordinance is geared to the larger building projects, not the “Mom & Pop” projects sized under 5,000 sq. feet.

J. Plock moved and D. Masters seconded a motion to bring to a Public Hearing and Town Meeting on July 25, 2007, 7:30 P.M., Town Hall Lower Level Conference Room, 400 Main St., Ridgefield, CT, the request for Amendment of Chapter 4 ½ of the Ridgefield Code of Ordinances by the addition of the following new Article III “Fees for Inspections and Plan Review”:

“The Town hereby adopts the following fee schedule applicable for the Office of Fire Marshall relative to Fire Department Inspections and Plan Review”, with the submitted list of Inspection Fees, Plan Review Fees which includes Site Plan Reviews, Building Plan Reviews, Fire Alarm Plan Reviews, and Fire Protection Systems and Equipment Plan Review.

Motion passed 5-0.

New Ambulance Funding Legal Resolution

Delivery of the new ambulance is expected in late July/early August and the IRS has not yet authorized the release of funds from the Frazee estate. Upon receipt of the funds, the dollars spent on the ambulance will be returned to the Town. If the funds are not received, then the monies will have to be bonded at a later date.

J. Plock moved and D. Masters seconded a motion to approve the following resolution to facilitate acquisition of the ‘Frazee bequest ambulance’ until such time as the Frazee estate is settled, “The sum of \$175,000 is appropriated for the purchase of an ambulance for the Ridgefield Fire Department, said appropriation to be met from a bequest expected to be received in the current fiscal year from the estate of William Frazee in the amount of approximately \$250,000 and pending receipt thereof to be met from general fund unreserved-undesignated fund balance in accordance with Section 10-4 of the Town

Charter, and that this request be forwarded to the Board of Finance for their review and approval. Motion passed 5-0.

J. Plock moved and D. Masters seconded a motion to set a Special Town Meeting for July 25, 2007, 7:30 p.m. Town Hall Lower Level Conference Room, 400 Main Street, Ridgefield, CT, for the following purpose:

- 1) **To consider and act upon the following resolution as approved by the Board of Finance and the Board of Selectmen:**

WHEREAS, the estate of William Frazee has made a bequest of approximately \$250,000 to the Ridgefield Fire Department; and

WHEREAS, the Ridgefield Fire Department has authorized the purchase of an ambulance in the amount not to exceed \$175,000; and

WHEREAS, the receipt of the Frazee bequest has been delayed.

NOW THEREFORE BE IT RESOLVED:

The sum of \$175,000 is appropriated for the purchase of an ambulance for the Ridgefield Fire Department, said appropriation to be met from a bequest expected to be received in the current fiscal year from the estate of William Frazee in the amount of approximately \$250,000 and pending the receipt thereof to be met from general fund unreserved-undesignated fund balance in accordance with Section 10-4 of the Town Charter.

- 2) **To transact any other business proper to come before the meeting.**

Motion passed 5-0.

Next Quarterly Fire Commission Meeting – Set for September 26, 2007.

6. Livestock Ordinance

R. Marconi reviewed the latest wording changes. A discussion ensued regarding how a health code violation overrides zoning regulations and previously acquired variances need to be provided for. A. Bodner indicated his concern about an ordinance that does not provide for “grandfathering” of current livestock. Should “grandfathering” expire at the death of the current livestock? This could be discussed when there is a public hearing. How is a structure determined to be “permanent”? R. Marconi will seek the assistance of Zoning and the Planning Director and Health Director regarding wording of the ordinance.

7. Acre Lane & Scotland-Barlow Water Main Extensions: 8-24 Referrals, Resolutions

B. Manners moved and J. Plock seconded a motion to authorize that Rudy Marconi, First Selectman, is hereby authorized to execute and file applications, contracts and agreements on behalf of the Town of Ridgefield with the Commissioner of Environmental Protection for state grants and loans pursuant to the provisions of Sections 22a-475 through 483 of the General Statutes of Connecticut, as amended, and to execute on behalf of the Town of

Ridgefield all the applications, instruments, contracts and documents and accept payments and do all other things that may be necessary for state grants and loans:

Acre Lane and Scotland-Barlow Mountain Elementary Schools water main extensions State of CT Drinking Water State Revolving Fund applications.

Motion passed 5-0.

8. Selectman's Report

- Still making attempts to contact Love Realty regarding the Bissell site; has spoken with Peter Helms, the architect. John Katz, Ridgebury Rd. commented on a rumor that the architect has not been paid for his drawings. R. Marconi will check on this. Planning & Zoning has provided approval for approximately two years and would be most cooperative in getting this project underway.
- Route 35 – Some progress is being made with the State of Connecticut, but there is no plan approval yet. One map had a small island with a curling wrought iron fence. The State is against it. The State proposed a curb at this one area and a change in the color of the curb (soft green or red). One suggestion is a crosswalk from Neumann's over to Town Hall and change Catoonah Street to one lane with no turns. BOS members expressed concern about this "no turn" suggestion. Also suggested is a right turn lane at the top of Branchville Rd and a complete redo of the old drainage systems under Main St. D. Masters suggested underground wiring if Main Street is torn up.
- **J. Plock moved and B. Manners seconded a motion to approve the donation placement of a bench at the Halpin Lane Community Gardens in memory of Bruce Wilkins, recently deceased, as requested by the friends of Bruce Wilkins. Motion passed 5-0.**
- Parking Authority met this morning and is reviewing parking time limits in the Yanity Gym area, and is working on recommendation for the Branchville Station. They are checking into the possibility of another parking lot.
- RACE – Environmental Committee is hard at work. They are seeking grant dollars. Dollars can be funneled thru a Ridgefield town account only if the organization is a town agency. Members of a town agency have to be appointed by the BOS. B. Manners commented on how possible dollars could come from the Clean Energy Fund, but they give monies only to a town entity. They could make a check to the Town of Ridgefield and the BOS could vote to put the donation to use for environmental issues.
- The Conservation Commission asked to be on the agenda for the June 25th Board of Selectmen meeting. They came and walked out. Dr. Oko went directly to P&Z without any input from the BOS regarding the open space ordinance. D. Masters would like this issue to be put on a BOS agenda. John Katz indicated that the issue is whether the Town of Ridgefield is to enforce the open space ordinance as written. There has been "violation creep". When land has been set aside for open space, the Town should be resolute about enforcing this. When put on the BOS agenda, Planning & Zoning should be invited to attend. A survey has been requested, but there are accurate plot plans on file, even

though no markers were ever installed. It was agreed that this issue would be scheduled for an August 8 Executive Session.

- 28 Catoonah Street – A request was made that Ms. Walker furnish Mr. Marconi with the name of the appropriate Post Office manager for the Town to contact in Hartford. Ms. Walker sent back a note that she has herself forwarded information about Ridgefield's wishes regarding 28 Catoonah Street and the parking problem at the Ridgefield Post Office to the appropriate person in Hartford, without giving the name of that individual.

9. Approval of Meeting Minutes: 6/20/07

J. Plock moved and D. Masters seconded a motion to approve as amended the minutes of the June 20, 2007, Board of Selectmen Meeting. Motion passed 5-0.

10. Executive Session

- Police Chief Contract Update
- Fire Chief's Annual Review
- Litigation of the Provey Property

B. Manners moved and J. Plock seconded a motion to recess the Board of Selectmen Meeting at 9:45 p.m. and go into Executive Session with Attorney David Grogins, Town Counsel, and Laurie Scholl, Director of Human Resources invited to attend. Motion passed 5-0.

The Executive Session ended at 10:39 p.m. **J. Plock moved and A. Bodner seconded a motion to adjourn the Board of Selectmen Meeting at 10:40 p.m.**

Respectfully submitted,

Janet L. Johnson